



lawful permanent residence: how not to lose it

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U.S. Customs and Border Protection Officers at ports of entry to the U.S. routinely question returning lawful permanent residents ("green card" holders) about the length of time spent outside the U.S.A. and the nature of their activities abroad. Generally, an absence from the U.S.A. of six months or longer will result in further inquiries and requests for documentation to establish the individual's intent to retain lawful permanent residence status.

A U.S. "green card" allows the holder to reside in the U.S. as an immigrant as long as the holder's status does not change. However, that status may be lost if the "green card" holder is deemed to have abandoned his or her U.S. residence or if the individual lacks the requisite ties to the U.S. while living abroad.

The question of whether a "green card" holder has retained his or her status in the U.S. arises when the individual departs from the U.S. for lengthy periods of time usually exceeding one year. The determination of retention of U.S. residence depends upon the circumstances surrounding the individual's departure and his or her ties to the U.S. Among other factors considered in evaluating retention of U.S. residence are the following...

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Frida P. Glucoft

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