

How Do I Get a Reentry Permit?

Difficulty finding work in the U.S. and the long waiting periods to reunite families causes many green card holders to leave the U.S. A reentry permit allows you to apply for admission to the United States after traveling abroad for up to 2 years without having to obtain a returning resident visa. My clients who need to live outside the U.S. often ask, “How do I get a reentry permit?” That’s the wrong question. First, we must determine if the re-entry permit is the right strategy for your situation.

Are you outside the United States?

You can’t apply for a re-entry permit from overseas. Depending on how long you have been outside the U.S., you may have already abandoned your lawful permanent resident (LPR) status. If you are still maintaining status, you will need to return to the U.S. to apply.

When do you need to leave the United States?

The reentry permit process requires that you attend a biometrics appointment in the U.S. You will need to stay here long enough (or return) for your appointment.

How long will you be gone?

Two years is the maximum period for which a re-entry permit may be granted. It cannot be renewed. If you need to be outside the U.S. longer than two years, we are going to need a different strategy for you.

Does a reentry permit guarantee I’ll be able to re-enter the U.S.?

No. Possessing a re-entry permit gives what we immigration attorneys call “colorable claim” to returning resident status. The burden is on you to show you are clearly and beyond doubt maintaining your LPR status. Things like employment overseas, entries to the U.S. using a non-immigrant visa, and patterns of brief returns to the U.S. will put you at risk of being denied re-entry even if you are holding a permit.