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**Guide to Reentry Permits for
Lawful Permanent Residents**

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合法永久居民回美证说明书

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I. Introduction

Who Should Apply for a Reentry Permit?

If you are a lawful permanent resident (LPR), there are at least two situations where applying for a reentry permit may be beneficial:¹

Persons Seeking Readmission after Absence of One Year or More

A Form I-551, Permanent Resident Card (i.e., green card) is only valid for entry after an absence from the U.S. of less than one year.²

In contrast, a reentry permit can be valid for reentry to the U.S. for a period of up to two years.³ So, if there is a significant chance that you will be abroad for a year or more, we recommend applying for a reentry permit before leaving the U.S.

I. 介绍

谁应该申请回美证？

如果你是一个合法永久居民，那么至少有两种情况比较适合申请回美证。

离境美国一年或以上想再次入美

I-551 表，即永久居民卡（绿卡），只可用于离境一年以内的时间后入美有效。

相反，回美证可用于离境达两年期限，使用该证可再次入美。所以，如果你有很大的可能性在国外停留一年或更长的时间，我们建议你在离境美国前申请回美证。

¹ In addition, if you are “stateless” or unable to obtain a passport from the country of your nationality, you may apply for a reentry permit for use as a travel document. Or if you are visiting a certain country and that country does not honor the passport from your country of nationality, you may apply for a reentry permit for use as a travel document. USCIS, Questions and Answers: Re-entry Permits and Refugee Travel Documents (June 30, 2009).

² 8 C.F.R. § 211.1(a)(2). This one-year limit does not apply to a civilian or military employee of the U.S. Government who was abroad on official orders, or to their accompanying spouses or children. 8 C.F.R. § 211.1(a)(6).

³ 8 C.F.R. § 223.2.

Persons Who Need Evidence Their Trip Abroad Was Temporary

To allow you to reenter the U.S. as an LPR, the U.S. Customs and Border Protection (CBP) officer at the port of entry must determine that you are returning from a “temporary” trip abroad.⁴ If the trip abroad wasn’t temporary, then you have “abandoned” your LPR status, making you ineligible for readmission.

When is a trip abroad “temporary”? According to the courts, a trip abroad is temporary only if you possess an intention at the time of departure and throughout the entire trip to return to the U.S. as a place of employment or business or as an actual home “within a period relatively short, fixed by some early event.”⁵ If the return date “hing[es] on a contingency,” that contingency must have a “reasonable possibility of occurring” within a short period of time.⁶ It’s not enough that the intent to be to return “at some indefinite time in the possibly distant future.”⁷ And it’s not enough to intend to retain your LPR status.⁸

Since CBP has no direct way to determine intention, a number of factors are used to try to deduce your intention, including:⁹

- purpose for departing
- termination date of travel abroad

那些需要证明境外的旅行是短时的人群

为准许你再次以合法永久居民身份入境美国，入境口岸的美国海关边境保护局官员必须决定你是从一个“短时”的海外旅行返回。如果海外的旅行不是短时的，那么你就“放弃”了你的合法永久居民身份，将不符合再次入境的资格。

什么时候的海外旅行算是“短时”的？根据法庭规定，你离境时的目的及返美前的整个旅程，不论是工作，或是商务，或是在“一个相对短暂的期限内”建立事实的家庭，这些都是被一些早期的事件所决定的，那么只有这样的旅行才算是短时的。如果返回的日期“暗示这种情况将是持续的”，那么这种持续性必须在一个短暂的期限内有一个“事情发生的合理可能性”。表达“在可能的遥远将来的一个模糊的时间”的意向返回是不够的。保持你的合法永久居民身份的意图也是不够的。

海关边境保护局官员没有一个直接的方式来决定什么意图，他会通过一系列如下因素来推断你的意图，包括：

- 离境目的
- 境外旅行终止日期

⁴ INA § 211(b) allows an LPR to seek readmission to the U.S. without an immigrant visa if the LPR meets the definition of a returning resident found in INA § 101(a)(27)(A) (“an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad.”).

⁵ *Matter of Kane*, 15 I. & N. Dec. 258, 263 (BIA 1975).

⁶ *Chavez-Ramirez v. INS*, 792 F.2d 932, 936 (9th Cir. 1986).

⁷ *Angeles, v. District Director, INS*, 729 F. Supp. 479, 484 (D. Md. 1990).

⁸ *Alvarez v. District Director*, 539 F.2d 1220, 1225 (9th Cir. 1976).

⁹ *Matter of Kane*, 15 I. & N. Dec. 258 (BIA 1975).

- place of employment
- place of actual home and property ties
- family ties to the U.S.;
- payment of U.S. income taxes as a U.S. resident;
- the proportion of time you are in the U.S. versus abroad.

- 工作地点
- 事实家庭居住地和财产约束力
- 与美国的家庭约束力
- 作为美国居民的美国个人所得税支付情况
- 居住在美国和境外的时间比例

Many LPRs believe that by visiting the U.S. every year or every six months they can avoid abandonment of LPR status.¹⁰ But that is pure myth.¹¹ Such persons' stay abroad isn't "temporary" because they lack the intention to return to live in the U.S. within a relatively short period of time.

许多合法永久居民认为每年去美国或者每半年去美国就能避免放弃合法永久居民的身份。这种说法纯粹不是假的。这样的人在国外并不是“短时”的，因为他们在相对短的时期内缺少返美居住的意向。

In other cases, it's difficult to determine whether a planned stay abroad is temporary. For example, what about going abroad to care for sick relative who may or may not recover within two years? What about going abroad to start a business that may or may not be self-sustaining enough to allow you to return to the U.S. in three years?

还有一些其他案子，很难断定其计划的境外停留是否是短时的。例如，需要到国外去照顾生病的亲属，有可能两年内恢复或不能恢复健康，那怎么办？或是在国外经营生意，但是经营的公司也许无法在三年内实现自我经营致使你不能返美，那怎么办？

In such cases, there is a benefit to applying for a reentry permit. If the permit is issued, there is a legal *presumption* that the approved trip is "temporary."¹² So, applying for a reentry permit can reduce the risk that a

如果发生这样的情况，那么申请回美证比较合适。如果回美证获得签发，那么法律上就推定被批准的旅行是“短时”的。所以申请回美证会降低机场或其他入境口岸海关边境保护局官员认定你

¹⁰ See, e.g., *Matter of Huang*, 19 I&N 749 (BIA 1988).

¹¹ USCIS helps to perpetuate such myths by making misleading statements such as the following: "If you do not obtain a Reentry Permit and remain outside the United States for one year or more, we may determine that you have abandoned your permanent or conditional resident status." Form I-131 Instructions at 2 (rev. Feb. 12, 2010).

¹² INA § 223(e) (A reentry permit "show[s] that the alien to whom it was issued is returning from a temporary visit abroad."); 8 C.F.R. § 223.3(d) (An LPR with a valid reentry permit "shall not be deemed to have abandoned status based solely on the duration of an absence or absences while the permit is valid."); *Moin v. Ashcroft*, 335 F.3d 415 (5th Cir. 2003) (LPR status abandoned despite valid reentry permit); *Iodice v. Wixon*, 56 F.2d 824 (2d Cir. 1932) (reentry permit has no effect except to show that the holder is returning from a temporary visit abroad); *Zachrias v. McGrath*, 105 F. Supp. 421 (D. D.C. 1952) (Reentry permit is "prima facie evidence" LPR status not abandoned.).

CBP officer at the airport or other port of entry could determine you have abandoned LPR status by making a non-temporary trip abroad.

Our recommendation: if you will be outside the U.S. for more than 6 months for two consecutive years, there is a significant risk CBP may determine your stay abroad is not temporary, so you should apply for a reentry permit.

Related Issues Not Covered in This Article

This article covers the requirements and procedures to apply for a reentry permit, as well as the terms and conditions of residence permits. Related issues that are not covered in this article include:

- As explained above, a reentry permit is presumptive but not conclusive evidence that LPR status hasn't been abandoned during a trip abroad. You should collect and make available to the CBP inspector additional evidence of the temporary nature of any extended stay abroad.
- An LPR seeking readmission to the U.S. is subject to the grounds of inadmissibility. These grounds prohibit the admission of certain classes, such as persons convicted of specified crimes or likely to become public charges.¹³
- Extended stays abroad may impact your eligibility for naturalization.
- An LPR who has been absent from the U.S. for one year or more

不是短时的国际旅行而决定你放弃合法永久居民身份的风险。

我们的建议: 如果你离美在 6 个月以上到两年, 有很大的可能性海关边境保护局官员会认为你在境外的停留不是短时的, 所以你应该申请回美证。

本文不包含的其他相关问题

本文涵盖了申请回美证的要求和流程, 及居留许可证的条款和条件。本文不包含的问题如下:

- 如上所述, 回美证是合法永久居民身份在境外旅行时不被放弃的一个推定的证明, 但不是绝对的证明。你需要收集额外能够证明任何在国外短时延期居留的材料出示给海关边境保护局官员。
- 合法永久居民重新入境美国将被考核其是否属于不准入境范畴内。一定类别的情况是禁止入境的, 如某人犯了特定类别的罪行或某人可能会成为公共负担。
- 在境外停留期延长可能会影响入籍的资格。
- 合法永久居民离开美国一年或以上, 无回美证, 也许可以在美国驻海外领事馆申请 SB-1 回美居民签证或者也许可以向海关边境保护局申请入境文件要求的豁免。

¹³ *But see* INA § 101(a)(13)(C) (certain LPRs absent from the U.S. for under 180 days are not subject to the grounds of inadmissibility).

and who has no reentry permit may be eligible to apply at a U.S. Consulate abroad for an SB-1 returning resident visa or may be eligible to apply to CBP for a waiver of the entry document requirement.

我所可以提供上述话题的相关建议。

Our law firm can provide advice on these topics.

II. Eligibility Requirements

USCIS may, as a matter of discretion, issue a reentry permit to a person meeting the following requirements:

1. You have been lawfully admitted to the U.S. as an LPR or conditional resident.¹⁴
2. You have not abandoned that status, as discussed above.
3. You intend in good faith to make a temporary trip abroad.¹⁵
4. You are physically present in the U.S. at the time of filing.¹⁶ Departing the U.S. after you file has no affect on the application,¹⁷ although as explained below you would need to return to the U.S. for a biometrics appointment.¹⁸
5. Issuance would not be contrary to the U.S. national interest.¹⁹

¹⁴ INA § 223(a); 8 C.F.R. § 223.2(b).

¹⁵ INA § 223(a), (b).

¹⁶ 8 C.F.R. § 223.2(a).

¹⁷ 8 C.F.R. § 223.2(d).

¹⁸ The Form I-131 Instructions at 2 (rev. Feb. 12, 2010) state that if you “depart[] the United States before the biometrics are collected, the application may be denied.” This instruction is misleading because it directly conflicts with the regulations. In the authors’ experience, departing the U.S. before the biometrics appointment will not result in denial of the application, so long as you return to attend the appointment. *But cf.* Jill A. Apa, Implementation of Biometrics Collection for I-131 Refugee Travel Document and Reentry Permit Applications (2008 Lexis Emerging Issues 2306) (“[U]ntil a challenge [to the USCIS Instructions] proves successful, practitioners must continue to advise clients” that departing the U.S. before the biometrics appointment may result in denial of the reentry permit application.)

¹⁹ INA § 223(b). Pursuant to that statutory authority, DHS may publish in the Federal Register a notice precluding the issuance of reentry permits for travel to certain areas. Form I-131 Instructions at 2 (rev. Feb. 12, 2010); AFM 52.3(b)(1). No such notice is currently issued.

II. 符合资格的要求

美国公民移民局，根据其自行判断准则，为符合下列要求的申请人签发回美证：

1. 你已经以合法永久居民或有条件居民的身份合法入境美国。
2. 你没有放弃身份，如上所述。
3. 对于短期境外旅行，你有一个真诚的意图。
4. 申请之时你人在美国。材料申请后你离开美国对申请不会有影响，尽管如下所述你需要在生物识别预约时候再次返回美国。
5. 回美证的签发不会与美国国家利益相矛盾。

III. Procedures to Apply for a Reentry Permit

Where to File

The application is filed by mail with the USCIS lockbox in Phoenix or Dallas, depending on the state where you live.²⁰ E-filing is not available.²¹

USCIS will then forward the application to the USCIS Nebraska Service Center for adjudication.²²

What to File

The initial documentation that must be filed with the reentry permit application includes²³:

1. Filing Fee: \$305 for Form I-131 and \$80 for biometrics (for applicants age 14 through 79)
2. Form I-131, Application for Travel Document
3. A copy of the front and back of Form I-551 (or other evidence of LPR status per the Form I-131 instructions)
4. A copy of an official photo identity document clearly showing your photo, name, and date of birth. (Example: a valid

²⁰ Form I-131 Instructions at 8 (rev. Feb. 12, 2010).

²¹ USCIS, Questions and Answers: Re-entry Permits and Refugee Travel Documents (June 30, 2009).

²² AFM 3.5(e).

²³ 8 C.F.R. § 223.1(a); Form I-131 Instructions at 4 (rev. Feb. 12, 2010).

III. 回美证申请的流程

申请地点

申请材料根据申请人的居住地以包裹的方式邮递到美国公民移民局凤凰城或达拉斯的上锁邮箱。不提供电子申请。

美国公民移民局然后将申请材料转交到美国公民移民局内布拉斯加服务中心进行终审。

申请材料

回美证申请递交的材料中必须包括如下基本文件：

1. 申请费：I-131 表\$305 和生物识别\$80（年龄 14-79 岁）
2. I-131 表，即旅行文件申请表
3. I-551 表正反页复印件（或 I-131 表说明中的其他合法永久居民身份证明）
4. 官方的带照片的身份文件的复印件，上面清楚的显示你的照片，姓名，出生日期。（例如：政府颁发的有效驾照；护照首页；I-551 表，即永久居留证；或其他官方身份文

government-issued driver's license; passport identity page; Form I-551, Permanent Resident Card; or any other official identity document.)

件)

In applicable cases, it may be helpful to file the following additional documents:

对于某些合适的案子，提供如下辅助文件也许会有帮助：

1. Form G-1145, E-Notification of Application Acceptance. This is a request that USCIS notify the applicant by email or SMS when the case is accepted for filing.
2. If you will be filing the reentry permit shortly after entering the U.S., include your airlines ticket and boarding pass as evidence you were in the U.S. at the time of filing.
3. Any prior reentry permit or refugee travel document should be returned to USCIS so that it can be voided.²⁴
4. Evidence of any name change²⁵
5. Form I-797C, Receipt Notice, for any pending Form I-751, Petition to Remove the Condition of Residence. (This notice will show the date to which your LPR status has been extended.)
6. Evidence the travel abroad will be temporary: USCIS adjudicators are instructed to determine whether the applicant intends to travel abroad temporarily based on review of the application and the A-file, considering factors such as “the applicant’s previous absences, the intended absence, and whether the applicant has ties (property, family employment, etc.) in the U.S.”²⁶ It’s curious, then, that USCIS doesn’t request that the initial filing include related evidence or encourage adjudicators to solicit related documents through a request for evidence. We

1. G-1145 表，即接受表格电子通知。美国公民移民局以邮件或短信的方式通知申请人受理其递交的申请。
2. 如果你打算在入境美国后很快就申请回美证，那么在你递交申请材料的同时，附上你的机票和登机牌作为你在美国的证明。
3. 任何以前的回美证或难民旅行文件需要退还给美国公民移民局作废。
4. 变更名字的证明。
5. I-797C，收到通知，任何正在进行中的 I-751 表，即去除有条件居民身份的陈情。（这个通知上显示你合法永久居民身份延期的日期）。
6. 证明境外旅行是短时的材料：美国公民移民局审判员通过审核申请材料和 A-文件来确定申请人的计划境外旅行是否是短时的。考虑到的因素包括“申请人以往的离境时间，计划离境时间，及申请人与美国的约束力（材料，家庭工作等）”。很奇怪的是美国公民移民局不要求在初次申请的材料中提供这些相关的证明或是鼓励审判员通过发送证据要求而索要相关文件。我们推测美国公民移民局认为 I-131 表仅是申请人意图的声明，只有后来当申请人用回美证

²⁴ 8 C.F.R. § 223.2(c)(1); AFM 52.3(b)(2).

²⁵ AFM 52.3(a)(1)(B)

²⁶ AFM 52.3(b)(3).

speculate that USCIS conceives of the I-131 as a mere declaration of the applicant's intent, whereas later when the applicant seeks admission to the U.S. based on the reentry permit CBP will have an opportunity to review evidence to determine whether the stay abroad was *in fact* temporary. Still, there may be cases where it is helpful to submit evidence the travel abroad will be temporary.²⁷

7. If you fall within the grounds of inadmissibility, you may be able to file a waiver application with your reentry permit application.²⁸
8. Documents in support of any request for expedited processing.

Receipt Notice

Within about two weeks of filing the application, USCIS should issue a Form I-797C, Receipt Notice.

Biometrics Appointment

After the receipt notice, you will receive a notice to attend a biometrics appointment.

The biometrics appointment will take place at a USCIS Application Support Center with jurisdiction over your U.S. residence. The biometrics appointment cannot be completed abroad.²⁹

²⁷ For example, if the applicant believes the A-file may contain derogatory evidence, it may be helpful to submit rebuttal evidence.

²⁸ AFM 52.3(b)(6).

²⁹ USCIS, Questions and Answers: Re-entry Permits and Refugee Travel Documents (June 30, 2009).

企图入境美国的时候，海关边境保护局将有机会审理证明材料来决定申请人的境外停留是不是事实上的短期。有些案子提交境外旅行是短时的证明也许会有帮助。

7. 如果你属于不准入境的范畴，你也许可以在申请回美证的同时申请豁免。
8. 任何要求加急办理的支持文件。

收到通知

申请递交约 2 周内，美国公民移民局将签发 I-797C 表，即收到通知。

生物识别预约

收到通知后，你将收到一个要求参加生物识别预约的通知。

生物识别预约将在你美国居住地管辖区的美国公民移民局申请支持中心进行。生物识别预约不能在境外完成。

从递交材料到生物识别预约大概要 30 到 60 天，所以我们建议尽量在旅行前申请回美证。

It can take up to about 30 to 60 days from filing to the biometrics appointment, so we recommend applying for a reentry permit as early as possible before travel.

Failure to appear for a biometrics appointment may result in denial of the reentry permit application, unless the appointment is rescheduled.

Requesting an Expedited Biometrics Appointment

USCIS may expedite a biometrics appointment as a matter of discretion. In this case, it can take 7 to 14 days from filing to the appointment.

To request expedited processing, you should include with your application a written explanation of the reason your travel abroad is urgent.³⁰ This should be supported by any available evidence of the urgency.

USCIS will review your request to determine whether it meets or more of the following criteria:³¹

- Severe financial loss to company or individual
- Extreme emergent situation
- Humanitarian situation
- Nonprofit status of requesting organization in furtherance of the cultural and social interests of the United States
- Department of Defense or National Interest Situation (Note: Request must come from official United States Government

如不能出席生物识别预约将导致回美证申请的拒绝，除非重新改期预约时间。

申请加急生物识别预约

美国公民移民局根据其自行判断准则可以加急生物识别的预约。这样的案例，从申请递交到预约为7到14天。

要求加急办理，你必须在递交材料中附加一份书面解释境外旅行十分紧急的说明。同时提交相关的紧急旅行的证明材料。

美国公民移民局审理你的申请来决定其是否符合如下标准：

- 给公司或个人带来严重经济损失
- 极度紧急状况
- 人道主义情况
- 申请机构非盈利身份将促进美国文化和社会利益
- 国防部或国家利益因素（注意：必须来自官方的美国政府机构或州的申请，如果延误将对政府带来危害）
- 美国公民移民局的错误
- 美国公民移民局不可抗拒利益

³⁰ USCIS, Questions and Answers: Re-entry Permits and Refugee Travel Documents (June 30, 2009).

³¹ USCIS, Expedite Criteria (Dec. 14, 2009), <http://bit.ly/4CMY2F>.

- entity and state that delay will be detrimental to our Government)
- USCIS error
- Compelling interest of USCIS

According to the Form I-131 instructions, to request an expedited biometrics appointment, notate the outside of the envelope with the word EXPEDITE. Include a pre-paid, self-addressed express mailer, to send you the biometrics appointment notice. Also provide your email address and a fax number.³²

Additionally, it may be helpful to specify any dates you prefer the appointment or are unavailable for the appointment.

Interview

USCIS may require that you appear for an interview on your application for a reentry permit,³³ but in practice this is rare.

Processing Times

Currently, USCIS Nebraska Service Center is taking about 3 months to adjudicate a reentry permit application.³⁴

Adjudication and Delivery

根据 I-131 表的说明，申请加急生物识别预约，需在信封外面标注“加急”字样。还需提供一个预支付的，写好回信地址的快递标签，以便将生物识别预约通知发送回给你。同时还需提供你的邮件地址和传真号码。

你也可以提供你希望的预约时间或者不能出席的预约时间。

面试

美国公民移民局也许会要求你为回美证的申请前去面试，但是这种情况很少。

办理时间

目前，美国公民移民局内布拉斯加服务中心大约需要 3 个月的时间来审理回美证的申请。

管辖范围及邮递

³² Form I-131 Instructions at 6 (rev. Feb. 12, 2010).

³³ Form I-131 Instructions at 4 (rev. Feb. 12, 2010).

³⁴ USCIS Processing Time Information, <https://egov.uscis.gov/cris/processTimesDisplayInit.do> (last visited Aug. 10, 2010).

If the application is approved, the reentry permit will be mailed to you. Reentry permits may not be delivered to a foreign address. The Form I-131 may specify that a reentry permit be delivered to the applicant's U.S. address, the attorney's address, or to a U.S. Consulate or DHS office abroad.³⁵

If the application is denied, USCIS will explain why and provide an opportunity to appeal.³⁶ If the denial is on the basis that the applicant has abandoned LPR status, USCIS may refer the case to investigations to consider instituting removal (i.e., deportation) proceedings or post a lookout notice that can be seen by CBP at ports of entry.³⁷

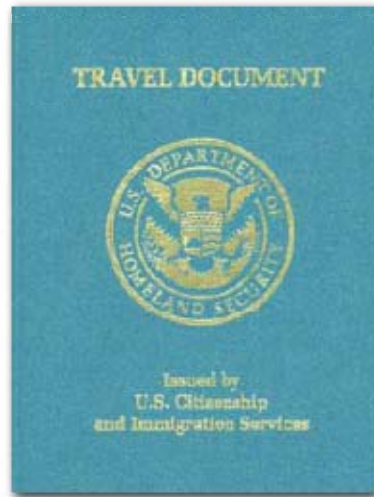
如果申请获得批准，回美证将邮递给你。回美证可能不会邮递到国外的地址。I-131 表具体说明了回美证将邮递到申请人的美国地址，律师地址，或美国领事馆或境外国土安全部办公室。

如果申请被拒绝，美国国土安全部将解释拒绝的理由，并提供上诉的机会。如果拒绝是由申请人已经放弃了合法永久居民身份，美国公民移民局将对该案进行调查，考虑是否提起取消（如递解出境）办理或标注注意通知以便入境口岸的海关边境保护局可以看到。

³⁵ AFM 42.3(a)(1)(C).

³⁶ 8 C.F.R. § 223.1.

³⁷ AFM 52.3(c)(2).



2007 Version

IV. Terms and Conditions of the Reentry Permit

IV. 回美证的条款与条件

Validity

The reentry permit comes in the form of a passport-style booklet that contains blank pages for CBP to place admission stamps. Some countries will allow use of the reentry permit in lieu of a passport, so foreign visas and admission stamps can also be placed on these blank pages.

有效期

回美证跟护照类型相似，里面空白页供海关边境保护局入境盖章使用。一些国家接受回美证代替护照使用，外国签证和入境章也可以印在空白处。

A reentry permit is generally valid for a maximum period of two years,³⁸ except:

- A permit issued to a conditional resident will not be valid beyond the date that conditional resident status expires,³⁹ as shown on the I-551 or the receipt notice issued upon filing the Form I-751, Petition to Remove the Conditions of Residence.
- If you have been outside the U.S. for more than 4 of the last 5 years since becoming an LPR, the reentry permit will be limited to 1 year (except that the permit will be valid for 2 years in the case of an LPR who is a professional athlete, traveling on U.S. government orders, or employed by a public international organization).⁴⁰
- A reentry permit is voided if you are removed (i.e., deported or excluded) from the U.S.⁴¹

The period of validity commences on the date of issuance and not on the date the application for the permit was filed.⁴² During the period of validity, such permit can be used for multiple reentries into the US.⁴³

A reentry permit cannot be extended,⁴⁴ although a subsequent application can be filed.⁴⁵

³⁸ INA § 223(b). Interestingly, the permit is regarded as unexpired if you embark or enplane before its expiration, provided that the vessel arrives in the U.S. on a continuous voyage, not counting scheduled stops or emergency stops or layovers for connecting flights. 8 C.F.R. § 211.3.

³⁹ 8 C.F.R. § 223.2.

⁴⁰ Form I-131 Instructions at 2 (rev. Feb. 12, 2010).

⁴¹ 8 C.F.R. § 223.3(b).

⁴² 8 C.F.R. § 223.2.

⁴³ 8 U.S.C. §1203(c).

回美证一般最长有效期为 2 年。除非：

- 当有条件居民身份过期时，签发给有条件居民的回美证也同样失效。这个日期显示在 I-551 表或者是 I-751 表，即去除有条件居民陈情申请时的收到通知上。
- 如果你成为合法永久居民的前 5 年内有 4 个月不在美国，那么回美证有效期将为 1 年（除非合法永久居民是职业运动员，代表美国政府出行，或受雇于公共国际组织，则为两年有效）。
- 如果你从美国被放逐（如递解出境），那么回美证将无效。

有效期从签发日期算起，而不是回美证的申请日期。在有效期内，回美证可用于多次入境美国。

回美证不能延期，尽管递交下一个申请。

Presenting the Reentry Permit at the Port of Entry

At the port of entry, you can show the CBP officer the unexpired reentry permit. As mentioned above, it will serve as a valid entry document, and it is presumptive—but not conclusive—evidence that you have not abandoned LPR status.

Inspection could be brief, or the officer could take you to a separate office for detailed questioning, perhaps under oath. The officer may interview you to determine issues such as:

- Whether you fall within any of the grounds of inadmissibility.
- Whether your reentry permit application contained any material false misrepresentation or concealment, which would void the permit.⁴⁶
- Whether your reentry permit was issued in error.⁴⁷
- Whether there is strong evidence overcoming the presumption that you haven't abandoned LPR status.⁴⁸

As mentioned above, the officer may ask for additional documentation that your trip abroad was temporary.⁴⁹ You should prepare such evidence

入境口岸出示回美证

在入境口岸，你要出示未过期的回美证给海关边境保护局。如上提到的，这将作为有效的入境文件，作为推定而不是绝对的证明你没有放弃合法永久居民身份的证据。

检查过程很短，也有可能官员会带你到一个房间进行详细盘问，也许需要宣誓。官员也许会通过对你面试来确定你是否有一些如下问题：

- 你是否属于不准入境范畴
- 你的回美证申请是否有任何虚假或不实材料，这将导致回美证失效。
- 你的回美证的签发是否有错误
- 是否有强有力的证明显示你没有放弃合法永久居民身份。

如上所述，官员可能会向你索要额外一些证明材料来说明你的境外旅行是短时的。你需要在旅行前准备这样的证明并放入手提包中。

⁴⁴ 8 C.F.R. § 223.3(c).

⁴⁵ The prior INS practice of attaching additional pages to a reentry permit if there was no more space for the affixation of foreign visas has been discontinued. AFM 52.4 n.2.

⁴⁶ 8 C.F.R. § 223.3(b); *see* INA § 223(b) (application must be made in “good faith”). Forgery, counterfeiting, impersonation, or falsification in connection with a reentry permit is a crime, punishable by a fine and/or imprisonment. 18 U.S.C. § 1546.

⁴⁷ *Matter of M*, 4 I. & N. Dec. 189 (BIA 1950) (reentry permit invalid where issued in error in that holder wasn't LPR).

⁴⁸ It appears to be an open question as to what effect the reentry permit has if it explains one reason for a temporary trip abroad but subsequently your plans change and you stay abroad for a different reason. Presumably the presumption that the trip was temporary no longer applies, meaning that the safest plan would be to return to the U.S. and apply for a new permit.

before your trip and pack it in your carry-on luggage.

If the officer is satisfied, you will be admitted and the officer should stamp the reentry permit to show this.⁵⁰

But if the officer is not satisfied that your trip abroad has been merely temporary, the officer has several options:

- Refer you to deferred inspection to further investigate the matter.
- Allow you to withdraw your application for admission and return abroad.
- Allow you to relinquish your LPR status and be admitted as a nonimmigrant.
- Issue a notice to appear for a removal (i.e., deportation or exclusion) hearing in Immigration Court.

We recommend that you seek counsel to help you prepare if there is any doubt about your eligibility for readmission to the U.S.

Surrendering Expired Reentry Permit

Upon the expiration of a reentry permit, the permit must be surrendered to the issuing office.⁵¹ Otherwise, no subsequent reentry permit will be issued, unless you explain to USCIS' satisfaction why the permit cannot be surrendered. However, USCIS would return to you an expired reentry permit that contains valid visas, entry stamps or documents necessary for

如果官员很满意，你将被准入，并且他会在回美证上盖章。

如果官员不满意，不认为你的境外旅行是短时的，那么他又几种选择：

- 将你移交到延期检查办公室进一步调查
- 准许你撤销申请入境并返回境外
- 准许你放弃你的合法永久居民身份，以非移民身份入境
- 签发驱逐通知（如递解出境或放逐），在移民法庭听证。

我们建议你咨询法律顾问，针对您是否符合再次入境美国的资格的疑问来准备。

交回过期的回美证

回美证一旦过期，需要交回到签发办公室。否则，将来不予签发新的回美证，除非你向美国公民移民局合理解释回美证无法交回的原因。然后，美国公民移民局将把含有有效签证、盖有入境章或入境其他国家的必要文件的过期回美证返还给你。如果这样情况发生，美国公民移民局将在封皮左上角订上身份页后再返还给

⁴⁹ IFM 13.1.

⁵⁰ IFM 13.1.

⁵¹ INA § 223(d).

entry into another country. In that case, USCIS would clip the upper-left corner of the cover and ID page before returning it to you.⁵²

For More Information

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This article provides an overview of the legal subject but should not be relied on as legal advice. For legal advice, consult with our firm about how the law applies to the particular facts of your case.

⁵² AFM 52.3(b)(2).

你。

更多信息

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本文提供法律主体概况, 但不应完全依赖于该法律建议。针对您案件的具体情况, 请联系我所进行详细咨询。