

FAQ: “My Green Card Is Approved. What’s Next?”

Congratulations!

You’ve successfully completed a long and challenging process. Finally, you have a green card. You’re a lawful permanent resident. But now what?

Please carefully read and retain this document for future reference. Below are answers to the top questions we receive about your important new legal status.

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*This material is not intended to substitute as legal advice.
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1. What are the next steps I should take?

Below is an outline of what you should do now that you have your green card. Several of these steps are explained in more detail in the sections below.

- Let your employer know that you now have a green card so they can update your Form I-9, Employment Eligibility Verification, accordingly.
- Keep a color copy (front and back) of your green card. Keep them in a very safe place.
- Obtain a Social Security card that does not have the restrictive language.
- Update your driver's license, as per your state's policy.
- Inform your banks, insurance providers, and mortgage lender about your residency status. In some states/cities, you may be eligible for lower rates after getting your green card.

2. Do I need to inform my employer of my new status?

Yes. Advise your employer that you are now a U.S. Permanent Resident and provide a copy, and that your Form I-9 should be updated to reflect your new status. *Remember: Your green card is your new work authorization document and you don't have to worry again about the expiration of your work visa.*

3. Do I need a new Social Security card?

It is strongly recommended to obtain a social security card without the restrictive language ("Valid for work only with DHS authorization".) Note the SSN # will be the same, and you still can continue to use it. Therefore, it's not necessary to get a new card, it's just convenient in the long run.

If your Form I-485 checked yes to request to be issued a Social Security card, then you should wait 3-5 weeks for the Social Security Administration to send it in the mail.

If your Form I-485 did not request a new card to be issued, visit the [Social Security Agency's website](#) or call 1-800-772-1213 (TTY 1-800-325-0778) to request an unrestricted card. This process should be easy and involves demonstrating that you are now a green card holder.

4. Do I need to update my driver's license? If so, how?

It is also strongly recommended to update your driver's license. Each state maintains different policies, but in general, you need to provide some or all of the following documents:

- Your current driver's license
- Your green card
- Your updated Social Security card and
- Proof of current residence

5. Do I need to inform USCIS if I change my address?

Yes. As a lawful permanent resident, you are required to file an address change notification within 10 days of moving to a new address. This is a *very important* obligation, but it is easy to file the required form.

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To submit an address change notification, it is best if you notify USCIS electronically. You can simply [file the Form AR-11 online here](#).

6. Are there changes to my tax requirements?

There might be. As a green card holder you're a U.S. tax resident. You should consult a tax lawyer or CPA who has experience working with foreign nationals and foreign income.

As a green card holder, you will be required to pay U.S. taxes on all your income – worldwide. You do receive credit for certain taxes paid abroad.

You may also be responsible for state income tax depending on your state of residence. Failing to file income tax returns can be a crime – and can prevent you from becoming a U.S. citizen.

The Estate of persons who are U.S. tax residents when deceased are subject to U.S. estate tax. You should also consider consulting with an Estate lawyer to learn how to minimize your Estate taxes and drafting a will.

7. What does it mean to be a Permanent Resident vs. a U.S. Citizen?

Lawful permanent residents have many of the same rights as citizens, but you also have some restrictions that do not apply to U.S. citizens.

These limitations include:

- You cannot vote or register to vote in federal elections. (You may be allowed to vote in local elections depending on the laws in your city, but be extremely careful to check.)
- You cannot apply for a U.S. passport.

8. How do I travel abroad? Are there restrictions?

As a green card holder, you can travel in and out of the U.S. using your valid foreign passport and your green card as evidence of your status in lieu of a visa.

The length and the purpose of your travel is very important to consider and have some restrictions.

→ Length of trip and re-entry permit

If you plan to spend more than six months abroad, you should apply for a re-entry permit. This permit may be valid for up to two years. Obtaining a re-entry permit is not a guarantee that you will be readmitted as a returning resident after a prolonged absence. But, it is a strongly favorable document in your readmission determination.

If you remain outside the U.S. for a period of one year or more, your green card might be deemed abandoned. To return to the U.S., you might need to obtain a returning resident visa at a consulate overseas, or should have filed for and obtained a re-entry permit from USCIS *prior* to leaving the U.S.

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→ Purpose of trip

As a green card holder, you are expected to make the U.S. your residence. If you take actions that indicate to an immigration officer your intention to reside elsewhere, you can be found to have abandoned your U.S. residency.

These actions include:

- The amount of time you spend abroad vs. in the U.S.
- Where you are currently working
- Whether your trips abroad are temporary in purpose
- Your ties to the U.S.
- Whether you have a home in the U.S.
- Whether you have been paying U.S. taxes

If you plan to spend six months or longer abroad, you should consult with an immigration attorney before you leave.

9. I received a conditional residence valid for two years. What does that mean?

Employment-based green cards are typically valid for 10 years. Family-based green cards from marriage to a U.S. citizen are typically valid for two years and are conditional on your valid good faith marriage.

A conditional resident has all the rights of other lawful permanent residents – with one very important exception. Conditional residents are required to file an I-751 petition to maintain their resident status. This petition needs to be filed in 90 days before the expiration of your two-year green card.

Filing the I-751 petition is extremely important. If you don't file it within the required time, then you are considered deportable. So right now, go mark your calendar. Set an email reminder. Do whatever you need to remember this deadline!

10. When can I apply for U.S. citizenship?

Most green card holders need to wait five years before applying for U.S. citizenship. For those who obtained their green card through marriage to a U.S. Citizen, the waiting period is generally three years.

Form N-400, Application for Naturalization, may be filed in the 90-day window just before the end of the waiting period.

11. How can I prepare to apply for U.S. citizenship?

Here are a few of the important requirements to apply for citizenship including:

→ Physical Presence Requirement

At the time you file your [N-400 application](#), you are required to fulfill a physical presence requirement. For most applicants, you need to show that you have been physically present in the U.S. for at least 30 of the past 60 months. If you obtained your green card through marriage, you are required to have been in the U.S. for 18 of the previous 36 months prior to applying.

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→ Continuous Residence Requirement

For purposes of a naturalization application, “residence” is different than “physical presence.” To be eligible for naturalization, you must be a permanent resident for at least five years, and you must not have interrupted your status as a resident of the U.S.

The rule is that a departure of fewer than six months does not break residence. A departure of more than six months but less than one year generally breaks your residence. You also must have lived at least three months in the state or USCIS district where you apply for citizenship.

→ Exemption from the physical presence and continuous residence requirements

A legal permanent resident who is also the spouse of a U.S. citizen who is “regularly stationed abroad” in qualifying employment may be eligible for naturalization on the basis of their marriage. Spouses eligible to naturalize under this provision are exempt from the continuous residence and physical presence requirements for naturalization.

The qualifying spouse must demonstrate a good faith intent to reside abroad with the U.S. citizen spouse upon naturalization and to reside in the United States immediately upon the citizen spouse’s termination of employment abroad.

The qualifying spouse must also satisfy other requirements for naturalization including those noted below.

→ English Proficiency

You must be able to read, write, and speak basic English. You will be required to pass a test. You can find study materials on the USCIS site [here](#).

→ Civics Requirement

You must have a basic understanding of U.S. history and government. Again, you can find study materials on the USCIS site [here](#).

Don’t let the tests scare you away from seeking U.S. citizenship. According to [USCIS](#), the overall national pass rate is 91%.

12. Can I have dual citizenship?

Being a dual national and carrying the passport of another country is perfectly legal in the U.S. Under U.S. law, you can be a naturalized U.S. citizen and also a citizen of one or more foreign state(s).

It is the law of the foreign state which determines whether you can retain that citizenship after you become a naturalized U.S. citizen. Many countries such as U.S., U.K., Australia, Canada, Switzerland, Belgium, Greece, France, Italy, Ireland, Sweden, the Philippines and Finland have no restrictions on dual citizenship. Some countries such as Germany require prior permission.

To find out more, you should reach out to the foreign state at issue. For additional information or to learn about how our Immigration Team may assist your business, please contact us via email: immigrationteam@marksgray.com.

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