



Community FAQ: Green Card Holders' Rights

Please note that this information is not intended as legal advice. If you need specific and immediate legal aid, contact the Sikh Coalition at www.sikhcoalition.org/legal-help.

A green card holder, also known as a “legal permanent resident,” has [basic rights and responsibilities](#).

The basic rights of of green card include:

- The right to live permanently in the United States, provided the individual does not commit certain criminal actions that would make them removable under immigration law;
- The right to work at any place of employment of their qualification and choosing; and
- The right to be protected by all laws of the United States, their state of residence, and local jurisdictions.

The responsibilities of green card holders include the requirements to:

- Obey all laws of the United States and localities;
- File income tax returns and report income to the U.S. Internal Revenue Service and state taxing authorities;
- Register with the Selective Service, for males ages 18 through 25; and
- Support the democratic form of government (please note that this does **not** give green card holders the ability or right to vote in U.S. elections).

Recent immigration enforcement actions by the Trump Administration have caused many green card holders to have concerns about their immigration status. This community FAQ is an attempt to answer some of the most common questions we have heard from sangat members.

General Questions

Are green card holders safe from deportation? Under the Immigration and Nationality Act, green card holders can be deported from the United States if they have certain criminal convictions, including drug crimes, domestic violence, and theft. Other common reasons that green card holders can get deported are marriage fraud and violating their immigration status such as failing to notify a change of address, spending extended periods of time outside the United States, or engaging in unlawful employment.

If you or a family member receives a notice to appear in court that there are deportation charges against you, it is important to find an immigration attorney to represent you immediately. An immigration judge is the only person that can formally revoke a green card and issue a deportation order for green card holders.

What documents should green card holders be carrying everyday? The Immigration and Nationality Act requires all green card holders to carry evidence of registration documents with them at all times and report any [address changes](#) to U.S. Citizenship and Immigration Services (USCIS) within 10 days of the address changes. For green card holders, the “evidence of registration” document is the Form I-551 (green card).

What should green card holders tell or show Immigration and Customs Enforcement (ICE) if they are asked for proof of identity and citizenship? Please use Sikh Coalition’s full Know Your Rights guide ([English](#), [Punjabi](#)) to understand your rights if you have an encounter with ICE. As a general matter, green card holders should always carry their Form I-551 (green card) with them at all times and report any [address changes](#) to USCIS within 10 days of the address change. If any immigration officer (meaning ICE or other federal or local agent deputized to carry out immigration enforcement) asks for immigration papers, you must show your green card if you have it.

Are green cards still being issued? Some news outlets have reported that USCIS has directed immigration officials to suspend processing of requests for green cards submitted by immigrants granted refugee or asylum status for more aggressive vetting. The Department of Homeland Security (DHS) confirmed this, [saying](#) the green card processing “pause” is needed to comply with two executive actions issued by President Trump related to [enhanced vetting and screening](#) as well as designating cartels and other organizations as [foreign terrorist organizations](#). It is our understanding that this is a temporary pause, but we recommend that you consult with an immigration attorney if you are currently awaiting processing of your green card.

Green Cards and Travel

Can green card holders travel abroad? If so, should they? The Sikh Coalition is not in the position to provide guidance on whether or not a green card holder should travel abroad. It is important to recognize that the risk of traveling abroad will be different for each individual.

Everyone should understand their rights and, to the extent possible, their risks before making international travel plans. Earlier this year, the assistant commissioner of U.S. Customs and Border Protection (CBP) [said](#), "Green card holders who have not broken any U.S. laws, committed application fraud, or failed to apply for a re-entry permit after a long period of travel have nothing to fear about entering and exiting the country." With that being said, we again recognize that individuals' fears and anxieties are legitimate given the sweeping nature of immigration enforcement under this administration.

What should green card holders keep in mind if they do choose to travel abroad?

- *Understand Your Rights:* Green card holders have procedural rights, meaning only an immigration judge can revoke their green card status. Green card holders can choose to not answer questions from customs officers or to refuse to let them search their electronic devices, but either may result in a delay in entry.
- *Length of Travel as a Risk Factor:* Green card holders need to keep in mind the length of their travel outside of the United States.
 - Extended trips outside the United States can raise red flags for customs officers.
 - Absences of more than six months could lead to questioning about whether you've abandoned your residency (effectively left your home) in the United States.
 - If you are outside the United States for more than a year, your green card may be considered abandoned unless you [applied for a reentry permit](#), also known as Form I-131, before leaving.
- *Criminal Record as a Risk Factor:* Green card holders travelling who have any sort of criminal record may also be at increased risk of not being admitted into the United States. This includes committing a crime of "moral turpitude" (essentially almost any crime) in the United States or outside the United States before returning.
- *Emergency Contacts:* If you are pulled into a secondary or additional screening upon entering the United States, get in touch with a family member or friend to let them know to contact your immigration attorney immediately. If needed, you can request an interpreter in secondary screening. A customs officer will usually conduct a secondary screening if additional information is needed or if they have concerns about your admissibility; sometimes, this screening can also be prompted randomly.

What if my green card is expired or near expiring? If your green card has expired and you have an upcoming trip abroad, you can still re-enter the United States if you have an I-90 receipt notice. An I-90 receipt notice is a notice issued by the USCIS after a [Form I-90](#), an Application to Replace Permanent Resident Card (Green Card), is filed. This notice confirms that USCIS has received the application and grants temporary evidence of lawful permanent resident status (green card). This notice shows that the individual has applied to renew their 10-year green card. The I-90 receipt notice extends your expired green card's validity until you get your new one.

Another option if your green card has expired is to get an I-551 stamp in your passport. This stamp acts as temporary proof of permanent resident status. Green card holders can get it by making an appointment at a USCIS office. The I-551 stamp is usually valid for one year and can be used to re-enter the U.S. while waiting for a new green card.

If your green card expires while you are traveling outside of the United States, you will need to go to a U.S. embassy or USCIS international office while overseas and apply for a new green card before boarding a flight to the United States. This process may take some time, because a Form I-90 will need to be filed along with certain fees.

What rights do green card holders have at the airport when entering the United States?

If you have a green card and maintained your status, when you enter the United States, you should only have to answer questions establishing your identity and permanent residency. Maintaining your status as a green card holder means abiding by the responsibilities listed on the first page of this document as well as not leaving the country for an extended period of time.

Know that your religious and political beliefs are protected by the First Amendment. Sometimes, customs officers have asked questions about individuals' religious affiliations, practices, and political opinions. If you are a U.S. citizen or green card holder, you do not have to answer these types of questions, and you cannot be denied entry to the United States for failure to answer such questions. If customs officers persist, you should request to see a supervisor. (Note that refusing to answer these kinds of questions can delay your reentry.)

What documents does a green card holder need when reentering the United States?

When returning to the United States, green card holders will need their green card (Form I-551) and either their passport from the country where they are a citizen or their refugee travel document if they are a refugee.

Can a customs officer look at my phone when I reenter the United States? Generally, customs officers may stop any individual at the border to determine whether they are admissible to the United States, and they may search belongings. This is true even if there is nothing suspicious about you or your luggage. [Recent news reports](#) indicate that customs officers have been asking travelers of all immigration statuses to provide their laptop passwords or unlock their mobile phones when they are returning to the United States. U.S. citizens cannot be denied entry to the United States for refusing to provide passwords or unlocking their devices, but such refusal might lead to delay, additional questioning, and/or officers seizing your device for further inspection. It is understood that the same should be true for those who have previously been admitted to the U.S. as green card holders and have maintained their status, because green cards cannot be revoked without a hearing before an immigration judge. If at any point a customs officer searches and/or confiscates your laptop or cell phone, make sure to get a receipt for your property.

Other Questions

What is a Form I-407? [Form I-407](#) is a Record of Abandonment of Lawful Permanent Resident Status. This document, issued by DHS, is signed by a green card holder to **voluntarily** surrender their legal residency in the United States. Some individuals sign this form for personal reasons but there is no requirement or mandate to sign this form at the airport or elsewhere—even if pressured by a customs officer. If you are pressured to sign Form I-407 by a customs officer, it is important to remember:

- Customs officers **cannot** require you to sign a Form I-407. You can request to speak with legal counsel if you are asked to sign a Form I-407, and you have the right to request a hearing in front of an immigration judge.
- An immigration judge is the only person allowed to formally revoke your green card. However, if you voluntarily sign a Form I-407, you are giving up your status, and that decision can be difficult to reverse once signed.
- Always remain calm and do not sign any forms you do not understand, even if out of fear, as the repercussions can be extremely serious.