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Joining a company other than green card sponsor, staying abroad after green card and reentry permit

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Submitted by Chief Editor on Mar 15th 2017

I am working for same company for more than 9 years out of which 2007 to Aug 2014 in the US and since Aug 2014 in India Development Center for the same company. I have visited the US frequently (4 times) between Aug 2014 to Sep 2015 and in India since then (through Advance Parole). I received my GC on 6/26/2016 and have got the physical cards delivered to me in India by a friend traveling from the USA. My father was sick for last one year and passed away on 15th Nov 2016. I have EAD card with validity till 12/10/17 (Not Valid for reentry to the US). My Advance Parole has expired on Dec 29, 2016. Also, 6 months timeframe for GC entry to the US has expired on 12/26/2016.

I want to work and live in the US but for immediate time (next 1 to 2 years) I need to spend more time in India to console and support my grieving mother. My current company does not have any immediate work for me in the US. I am looking for options outside my company to come back to the USA.

1. Can I directly join some other company in the USA using the same GC my company has filed for me? If yes, are there any legal formalities/paperwork involved to do that?
2. I have already filed for Advance Parole twice between 2014 and 2016. Once I am in the USA, can I file for a Re-entry permit to get a leave for another 2 years outside the USA to support my mother while she is going through recent grief?
3. How long does the process for Reentry permit application take? Do I need to stay in the US till the time application is approved or can I leave for India once application is filed and biometric is done?
4. On a side note - I have no earnings in the US for the year 2016 but I must file the taxes as a GC holder (and also to maintain my ties with the US). Do you have references for any good CA who can help me with this?

ANSWER:

Watch Video on this FAQ: Joining a company other than green card sponsor; staying abroad after green card - reentry permit

[2]

Video Transcript:

You have to take the green card job to make yourself safe. If you come to the USA and you take the green card job intending to work for this company in the USA on an indefinite basis and with the consent of the company you can apply for a reentry permit. A reentry permit is not a guarantee, but it is a formal declaration by you that says that you are going to live outside the USA for up to two years and not to take your green card away.

A1. I think it is a little risky.

A2. Not from outside USA. You will have to come into the USA.

A3. After you file for your biometrics, it takes about 6-8 weeks to get it done and then you can leave and the reentry permit can be picked up even at your lawyer's office or at any USA address that you have given or at the consulate in your home country.

A4. For green card holders, you can never file taxes as a non-resident. The best thing is because you are living in India we have some kind of a taxation relief treaty with India so that you don't have to pay taxes twice. [More...](#) [2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Green Card:

[Advance Parole](#) [3]

[Reentry Permit](#) [4]

FAQ Transcript:

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [5] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [6]

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Links:

[1] <https://immigration.com/faq/advance-parole-reentry-permit/joining-a-company-other-green-card->

sponsor-staying-abroad-after

[2] <https://youtu.be/qWldsAliNtl?t=2022>

[3] <https://immigration.com/greencard/green-card/adjustment-status/advance-parole>

[4] <https://immigration.com/greencard/green-card/reentry-permit>

[5] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[6] <http://www.immigration.com>

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