US Citizen and Lawful Permanent Resident Requirements

Lawful Permanent Resident (LPR)

- A lawful permanent resident is any person not a citizen of the United States who is residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. Also known as "Permanent Resident Alien," "Resident Alien Permit Holder," and "Green Card Holder."

- 8 CFR §1.2 – Definition of lawfully admitted for permanent residence

    - Lawfully admitted for permanent residence means the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws, such status not having changed. Such status terminates upon entry of a final administrative order of exclusion, deportation, or removal.

Conditional Permanent Resident

- A **conditional permanent resident** receives a green card valid for 2 years. In order to remain a permanent resident, a conditional permanent resident must file a petition to remove the condition during the 90 days before the card expires. The conditional card cannot be renewed. If conditions are not removed, the individual will lose his/her permanent resident status

- 8 CFR §216.1 - Definition of conditional permanent resident.

    - A conditional permanent resident is an alien who has been lawfully admitted for permanent residence within the meaning of section 101(a)(20) of the Act, except that a conditional permanent resident is also subject to the conditions and responsibilities set forth in section 216 or 216A of the Act, whichever is applicable, and part 216 of this chapter. Unless otherwise specified, the rights, privileges, responsibilities and duties which apply to all other lawful permanent residents apply equally to conditional permanent residents, including but not limited to the right to apply for naturalization (if otherwise eligible), the right to file petitions on behalf of qualifying relatives, the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws, such status not having changed; the duty to register with the Selective Service System, when required; and the responsibility for complying with all laws and regulations of the United States. All references within this chapter to lawful permanent residents apply equally to conditional permanent residents, unless otherwise specified. The conditions of section 216 of the Act shall not apply to lawful permanent resident status based on a self-petitioning relationship under section 204(a)(1)(A)(iii), 204(a)(1)(A)(iv), 204(a)(1)(b)(ii), or 204(a)(1)(B)(iii) of the Act or based on

eligibility as the derivative child of a self-petitioning spouse under section 204(a)(1)(A)(iii) or 204(a)(1)(B)(ii) of the Act, regardless of the date on which the marriage to the abusive citizen or lawful permanent resident occurred.

NOTE: The citizenship or lawful resident requirement will be met if the individual receives Supplemental Security Income (SSI), Social Security Administration (SSA) benefits, or is enrolled in Medicare Part A or B as evidenced by an enrollment card.