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## Policy Alert

**SUBJECT:** Effective Date of Lawful Permanent Residence for Purposes of Citizenship and Naturalization

### Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing guidance in the [USCIS Policy Manual](#) regarding the effective date of lawful permanent residence for purposes of citizenship and naturalization.

### Background

In general, an applicant for naturalization must be at least 18 years old and must establish that he or she has been lawfully admitted to the United States for permanent residence at the time of filing the naturalization application.<sup>1</sup> In addition, a child born abroad may become a U.S. citizen when all conditions have been met including admission as a lawful permanent resident (LPR).<sup>2</sup>

A person is generally considered to be an LPR at the time USCIS approves the applicant's adjustment application or at the time the applicant enters and is admitted into the United States with an immigrant visa. Most applicants applying for adjustment become LPRs on the date USCIS approves the application.<sup>3</sup> For certain classifications, however, the effective date of becoming an LPR may be a date that is earlier. This guidance, updating Volume 12 of the Policy Manual, supersedes any prior related guidance.

### Policy Highlights

- Clarifies that for certain classifications, the effective date of becoming an LPR may be a date that is earlier than when the application was approved (commonly referred to as a "rollback" date). For example, a person admitted under the Cuban Adjustment Act is generally considered an LPR as of the date of the applicant's last arrival and admission into the United States or 30 months before the filing of the adjustment application, whichever is later.<sup>4</sup> A refugee is generally considered an LPR as of the date of entry<sup>5</sup> and an asylee 1 year prior to the date of approval of the adjustment application.<sup>6</sup>

**Citation:** Volume 12: Naturalization & Citizenship, Part D, General Naturalization Requirements [[12 USCIS-PM D](#)]; Part H, Children of U.S. Citizens [[12 USCIS-PM H](#)]

<sup>1</sup> See [INA 101\(a\)\(20\)](#) and [INA 334\(b\)](#). See [8 CFR 316.2\(a\)\(2\)](#).

<sup>2</sup> See [INA 320](#).

<sup>3</sup> See [INA 245\(b\)](#).

<sup>4</sup> See Section 1 of the Cuban Adjustment Act, Pub. L. 89-732 (November 2, 1966). See *Matter of Carrillo*, 25 I&N Dec. 99 (BIA 2009).

<sup>5</sup> See [INA 209\(a\)\(2\)](#).

<sup>6</sup> See [INA 209\(b\)](#). See Volume 7, Adjustment of Status [[7 USCIS-PM](#)].