



Legal Service Support Section Pacific  
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# PETITION TO REMOVE GREEN CARD CONDITIONS ON RESIDENCE (I-751)

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If you have a 2-year conditional green card, and intend to remain in the United States, you must file a petition to remove conditions (Form I-751) during the 90-day period immediately before your conditional residence expires. If you fail to file the petition during the 90-day period, USCIS will terminate your conditional resident status.

## DO I NEED TO FILE WITH MY SPOUSE?

Generally, you must apply to remove conditions jointly with your spouse if you are still married. For more information about joint filing requirement and waiver of the requirement, visit: <https://www.uscis.gov/green-card/after-we-grant-your-green-card/conditional-permanent-residence/removing-conditions-on-permanent-residence-based-on-marriage>

## WHAT FORM DO I NEED TO FILE?

You need to file the I-751 form. <https://www.uscis.gov/i-751>

## WHAT DOCUMENTS ARE NEEDED?

Please refer to the Instructions for Petition to Remove Conditions on Residence <https://www.uscis.gov/sites/default/files/document/forms/i-751instr.pdf>

Generally, the following documents are required:

- ☐ **Form G-1145** E-notification of Application/Petition Acceptance <https://www.uscis.gov/g-1145>  
Place on top of your application package.
- ☐ **Form I-751**, Petition to Remove Conditions on Residence <https://www.uscis.gov/i-751> On top of the application form, write "Active Military Orders" or "Government Orders". Use FPO or APO address for your mailing address.
- ☐ A copy of spouse's **military orders**
- ☐ A **photocopy of both sides of your Permanent Resident Card**
- ☐ **Evidence of the relationship** (see Page 5-6 of the I-751 Instructions)
- ☐ Two properly completed **FD-258 finger print cards** taken by base security
- ☐ **Photos** - two passport-style color photos (2" x 2" or 5cm x 5cm)


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- ☐ **Fees** – A total of \$680 as of 17 March 2021 (\$595 application fee and \$85 biometric fee). Check <https://www.uscis.gov/i-751> for the current fees. The biometric fee is required even when finger print cards are submitted. You may pay with money order, personal check, cashier's check, or credit card using Form G-1450. If you pay by check, you must make your check payable to the U.S. Department of Homeland Security.
- ☐ Other documents or information required by I-751 instructions applicable to your case

### **CAN I TRAVEL TO THE US WITH AN EXPIRED GREENCARDS?**

Spouses and children of Servicemembers and direct-hire DoD civilian may travel to the U.S. with expired green card. See the state department letter below or visit U.S. Embassy's website for more information: <https://jp.usembassy.gov/visas/immigrant-visas/active-duty-info/>

 <p><b>U.S. DEPARTMENT OF STATE</b>  U.S. Embassy Tokyo, Box 114  Unit 9800, Box 114, APO AP 96303-0114 USA or  Box 114, 1-10-5 Akasaka, Minato-ku, Tokyo 107-8420 JAPAN</p>	<p><b>Subject:</b> Travel to the U.S. on an Expired Alien Registration Card (I-151 or I-551 "green card") or Without an Immigrant Visa for a non-U.S. Citizen Spouse or Minor Child Who Was Previously Admitted to the U.S. as an Immigrant of a U.S. Military Service member or of a Direct Hire U.S. Government Civilian Employee Who Has Been Overseas on U.S. Government Orders.</p> <p>1. U.S. immigration regulations, contained in 8 CFR 211.1 (a)(6), permit non-U.S. citizen spouses or minor children who are returning to a lawful permanent residence in the U.S. to present a VALID OR EXPIRED alien registration receipt card (I-151 or I-551) in lieu of an immigrant visa, provided that:</p> <ul style="list-style-type: none"> <li>➤ the family member has resided abroad during the official overseas assignment of a military service member or a direct hire U.S. government (USG) civilian employee (sponsor);</li> <li>➤ the family member is preceded by, accompanying, or following to join the sponsor within 4 months of the sponsor's return to the U.S.;</li> <li>➤ the family member is NOT a dependent parent, parent-in-law, child over 21 years old, or ward; and</li> <li>➤ A family member of a non-USG or locally-hired sponsor can NOT make use of this regulation (e.g. AAFES/NEX, AmCross, MWR, contractor).</li> </ul> <p>2. The authorized family member should present the following documents to the air or sea carrier to facilitate boarding:</p> <ul style="list-style-type: none"> <li>➤ valid passport;</li> <li>➤ valid or expired I-151 or I-551; and</li> <li>➤ sponsor's USG orders for an official overseas assignment.</li> </ul> <p>3. A non-U.S. citizen spouse or minor child who meets the above conditions and has the required documents may be transported to the U.S. without danger of penalty imposed by section 273(b) of the Immigration and Nationality Act, as amended.</p>
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If you filed your I-751 or I-90 form and received a notice from USCIS, carry both the expired green card and the USCIS notice.

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**HOW CAN I TRACK THE DELIVERY OF MY GREENCARD?**

Please visit the USCIS website to know how to track the delivery of your Green Card  
<https://www.uscis.gov/forms/filing-guidance/how-to-track-delivery-of-your-green-card-employment-authorization-document-ead-and-travel-document>

**IF YOU WOULD LIKE TO SCHEDULE AN APPOINTMENT**

Please email [LegalAssistMCB@usmc.mil](mailto:LegalAssistMCB@usmc.mil) stating your full name, your status (AD, dependent, etc) and the reason for your appointment

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