

Noncitizen

Desk

Guide

Noncitizen Status and INS Document or Proof	And Description of INS Document or Other Proof is	Then Person Meets the Program Eligibility for
<p>Legal Permanent Resident (LPR)</p> <p>I-94 Stamped I-551; Foreign Passport Stamped I-151 with an expiration date; or Official Documentation from INS, Court or Board of Immigration</p>	<ul style="list-style-type: none"> • LPR status; • LPR status and it is five or more years since the status granted date; • LPR status is an adjustment by INS and prior status was refugee, asylee, withholding of deportation, Cuban/Haitian entrant or Amerasian (as described on the following pages); • Noncitizen entered U.S. (lawfully or unlawfully) before 8/22/96, status was granted on or after 8/22/96, and noncitizen has been continuously present in U.S. from or before 8/22/96 until the status granted date; • LPR status is an adjustment by INS and prior status was refugee, asylee, withholding of deportation, Cuban/Haitian entrant or Amerasian; • LPR status and noncitizen has resided as a qualified noncitizen in the U.S. for five years; • LPR status and noncitizen is disabled; • LPR status, was lawfully residing in the U.S. on 8/22/96 AND <ul style="list-style-type: none"> - Noncitizen was born on or before 8/22/31; or - Noncitizen is currently under 18 years of age; • LPR status and has worked or can be credited with a minimum of 40 quarters. 	<ul style="list-style-type: none"> • EAEDC • TAFDC • TAFDC • TAFDC • FS • FS • FS - FS - FS • FS
<p>Veteran or Active Duty Personnel; or Filipino</p> <p>U.S. Armed Forces Document or Current Military ID Card; and Official Documentation from INS, Court or Board of Immigration</p>	<p>Noncitizen lawfully residing in the U.S. AND</p> <ul style="list-style-type: none"> • Honorably discharged veteran of the U.S. Armed Forces. Discharge is not related to noncitizen status; or • On active duty in the U.S. Armed Forces. Active duty does not include training; or • Unremarried spouse of veteran described above who died during active duty; or • Spouse or unmarried dependent child of the veteran described above; or • Filipino veteran who fought under U.S. command during WWII. <p>Noncitizen lawfully residing in the U.S. and meets the status criteria for LPR, Refugee, Asylee, Deportation Withheld, Parolee, Conditional Entrant, Cuban or Haitian Entrant, Amerasian or Victim of Severe Forms of Trafficking AND</p> <ul style="list-style-type: none"> • Honorably discharged veteran of the U.S. Armed Forces. Discharge is not related to noncitizen status; or • On active duty in the U.S. Armed Forces. Active duty does not include training; or • Unremarried spouse of veteran described above who died during active duty; or • Spouse or unmarried dependent child of the veteran described above; or • Filipino veteran who fought under U.S. command during WWII. 	<ul style="list-style-type: none"> • TAFDC • TAFDC • TAFDC • TAFDC • TAFDC • FS • FS • FS • FS • FS
<p>Hmong/Highland Laotian</p>	<ul style="list-style-type: none"> • Was a member, is a widow(er), spouse or child of a member of a Hmong or other Highland Laotian tribe that rendered assistance to the U.S. during the Vietnam era (8/5/64 to 5/7/95). 	<ul style="list-style-type: none"> • TAFDC, FS

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Refugee I-94; I-151 or I-551 Coded RE6, RE7, RE8 or RE9; I-688 Coded 274a.12(a)(3); I-766 Coded A3; Passport; or Official Documentation from INS, Court or Board of Immigration	<ul style="list-style-type: none"> Status granted under Section 207 or 207(c). 	<ul style="list-style-type: none"> TAFDC, EAEDC, FS
Asylee I-94; I-151 or I-551 Coded AS6, AS7, AS8; I-688 Coded 274a.12(a)(5); I-766 Coded A5; Passport; or Official Documentation from INS, Court or Board of Immigration	<ul style="list-style-type: none"> Status granted under Section 208. 	<ul style="list-style-type: none"> TAFDC, EAEDC, FS
Withholding of Deportation or Withholding of Removal Order from Immigration Judge; I-688 Coded 274a.12(a)(10) or I-766 Coded A10; or Official Documentation from INS, Court or Board of Immigration	<ul style="list-style-type: none"> Status granted under Section 243(h) or 241(b)(3). 	<ul style="list-style-type: none"> TAFDC, EAEDC, FS

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Parolee I-94; I-688 Coded 274a.12(a)(4) or 274a.12(c)(11); I-766 Coded A4 or C11; Passport; or Official Documentation from INS, Court or Board of Immigration	<ul style="list-style-type: none"> • Status granted under Section 212(d)(5); • Status granted under Section 212(d)(5) and it is five or more years since the status date granted; • Noncitizen entered U.S. (lawfully or unlawfully) before 8/22/96, status was granted on or after 8/22/96, and noncitizen has been continuously present in U.S. from or before 8/22/96 until the status granted date; • Status granted under Section 212(d)(5) and noncitizen has resided as a qualified noncitizen in the U.S. for five years; • Status granted under Section 212(d)(5) and noncitizen is disabled; • Status granted under Section 212(d)(5), was lawfully residing in the U.S. on 8/22/96 AND <ul style="list-style-type: none"> - Noncitizen was born on or before 8/22/31; or - Noncitizen is currently under 18 years of age. 	<ul style="list-style-type: none"> • EAEDC • TAFDC • TAFDC • FS • FS - FS - FS
Conditional Entrant (precursor to refugee status) I-94; I-688 Coded 274a.12(a)(3); I-766 Coded A3; Passport; or Official Documentation from INS, Court or Board of Immigration	<ul style="list-style-type: none"> • Status granted under Section 203(a)(7); • Status granted under Section 203(a)(7) and it is five or more years since the status date granted; • Noncitizen entered U.S. (lawfully or unlawfully) before 8/22/96, status was granted on or after 8/22/96, and noncitizen has been continuously present in U.S. from or before 8/22/96 until the status granted date; • Status granted under Section 203(a)(7) and noncitizen has resided as a qualified noncitizen in the U.S. for five years; • Status granted under Section 203(a)(7) and noncitizen is disabled; • Status granted under Section 203(a)(7), was lawfully residing in the U.S. on 8/22/96 AND <ul style="list-style-type: none"> - Noncitizen was born on or before 8/22/31; or - Noncitizen is currently under 18 years of age. 	<ul style="list-style-type: none"> • EAEDC • TAFDC • TAFDC • FS • FS - FS - FS
Cuban or Haitian Entrant I-94; I-151 or I-551 Coded CH6, CU6, CU7; Passport; or Official Documentation from INS, Court or Board of Immigration	<ul style="list-style-type: none"> • Status granted under Section 501(e) of the Refugee Education Assistance Act; • Status granted under Section 212(d)(5); • Stamped "Cuban/Haitian entrant" or initials "OOE" or the words "Outstanding Order of Exclusion." 	<ul style="list-style-type: none"> • TAFDC, EAEDC, FS • TAFDC, EAEDC • TAFDC, EAEDC, FS

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<p>Amerasian</p> <p>I-94 Coded AM-1, AM-2 or AM-3; I-151 or I-551 Coded AM-1, AM-2, AM-3, AM-6, AM-7 or AM-8; Vietnamese Exit Visa; Passport; or Official Documentation from INS, Court or Board of Immigration</p>	<ul style="list-style-type: none"> • Coded AM-1, AM-2, AM-3, AM-6, AM-7, AM-8 (Vietnam). 	<ul style="list-style-type: none"> • TAFDC, EAEDC, FS
<p>Victim of Severe Forms of Trafficking</p> <p>Letter of Certification</p>	<ul style="list-style-type: none"> • Certification letter or letter for children from U.S. Dept. of Health and Human Services states the noncitizen is a victim of a severe form of trafficking. 	<ul style="list-style-type: none"> • TAFDC, EAEDC, FS
<p>Battered Noncitizen</p> <p>I-130 Petition or Self-Petition; or Application for Cancellation of Deportation or Suspension of Deportation</p>	<p>Noncitizen or minor child lawfully residing in the U.S. AND</p> <ul style="list-style-type: none"> • Has been battered or subjected to extreme cruelty in the U.S. by a spouse, a parent, or a member of the family residing in the same household; • The individual responsible for the battery or extreme cruelty in the U.S. is no longer in the same household; and • The battered noncitizen has a pending or approved spousal petition or petition pending for relief under the Violence Against Women Act (VAWA), Section 204(a)(1)(A) or (B) or Section 244(a)(3). <p>Noncitizen, noncitizen's child or noncitizen's child's parent:</p> <ul style="list-style-type: none"> • Has been battered or subjected to extreme cruelty in the U.S. by a spouse, a parent, or a member of the family residing in the same household; • The individual responsible for the battery or extreme cruelty in the U.S. is no longer in the same household; and • The battered noncitizen has a pending or approved spousal petition or petition pending for relief under the Violence Against Women Act (VAWA), Section 204(a)(1)(A) or (B) or Section 244(a)(3). <p>AND</p> <ul style="list-style-type: none"> • Noncitizen has resided as a qualified noncitizen in the U.S. for five years; • Noncitizen is disabled; • Noncitizen was lawfully residing in the U.S. on 8/22/96 AND <ul style="list-style-type: none"> - was born on or before 8/22/31; - is currently under 18 years of age; or • Noncitizen is a veteran or active duty personnel. 	<ul style="list-style-type: none"> • TAFDC • FS

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PRUCOL I-94; Passport; or Official Documentation from INS, Court or Board of Immigration	<ul style="list-style-type: none"> • Political asylum or withholding of deportation status pending under Section 208, 243(h) or 241(b)(3); • Temporary Protective Status (TPS) granted under Section 302 or 303; • I-94 indicates that an I-589 has been filed; • Voluntary Departure status granted for six months or more; • Coded AR-1, AR-6, A-11, A-12, A-16, A-17, A-41, A-42, A-43, A-46, A-47, A-48 (from Korea, Laos, Cambodia or Thailand with DOB between 1/1/51 and 10/22/82); • Paroled less than one year under Section 212(d)(5); or • Voluntary departure status granted under Section 242(b). 	<ul style="list-style-type: none"> • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC
PRUCOL I-688 or I-766	Employment Authorization Card with: <ul style="list-style-type: none"> • 274a.12(a)(4) or A4 - if less than 12 months from status granted date; • 274a.12(a)(11) or A11; • 274a.12(a)(12) or A12; • 274a.12(c)(8) or C8; • 274a.12(c)(9) or C9; • 274a.12(c)(10) or C10; • 274a.12(c)(11) or C11- if less than 12 months from status granted date; • 274a.12(c)(12) or C12; • 274a.12(c)(14) or C14; • 274a.12(c)(16) or C16; • 274a.12(c)(18) or C18; • 274a.12(c)(19) or C19; • 274a.12(c)(20) or C20; or • 274a.12(c)(22) or C22. 	<ul style="list-style-type: none"> • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC • EAEDC
PRUCOL Foreign or U.S. Passport; or Travel Document	<ul style="list-style-type: none"> • Stamped by INS and is evidence of adjustment to permanent resident status. Stamp shows expiration date. 	<ul style="list-style-type: none"> • EAEDC

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PRUCOL Official Documentation from INS, Court or Board of Immigration	<ul style="list-style-type: none"> • States the noncitizen is living in the U.S. with the knowledge and consent of the INS and whose departure the INS does not contemplate enforcing. • States the noncitizen <i>was granted</i>: <ul style="list-style-type: none"> - a cancellation of deportation under Section 244 or an adjustment of status under Section 245; - a voluntary departure status for six or more months; - a voluntary departure status under Section 301; - a stay of deportation; - deferred action; - temporary resident status under Section 210 or 245A; or - Deferred Enforced Departure (DED) status. • States the noncitizen <i>has a pending request</i> or filed an application for: <ul style="list-style-type: none"> - a grant of voluntary departure status; - a stay or cancellation of deportation; - deferred action status; - an extension of a voluntary departure; - Deferred Enforced Departure (DED) status; - special immigration status as a minor under Section 101(a)(27)(J); - adjustment of status (I-130) under Section 210, 245A or 245(i); or - voluntary departure status under Section 301. • States the noncitizen is under Order of Supervision; or • States the noncitizen has been registered under <i>American Baptist Churches v. Thornburgh</i>. • Continuous residence in the U.S. which began before 1/1/72. 	<ul style="list-style-type: none"> • EAEDC - EAEDC - EAEDC - EAEDC - EAEDC - EAEDC - EAEDC - EAEDC - EAEDC - EAEDC - EAEDC - EAEDC • EAEDC • EAEDC • EAEDC
Affidavit of an Attorney	<ul style="list-style-type: none"> • States the noncitizen has been granted an INS status, has filed a specified application with INS or the noncitizen has a specified pending request for an INS status listed in 203.675(A); 320.620; 362.220(A) and (B). 	<ul style="list-style-type: none"> • TAFDC, EAEDC, FS