

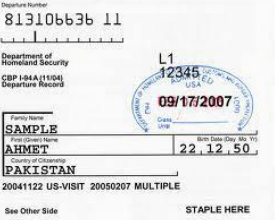





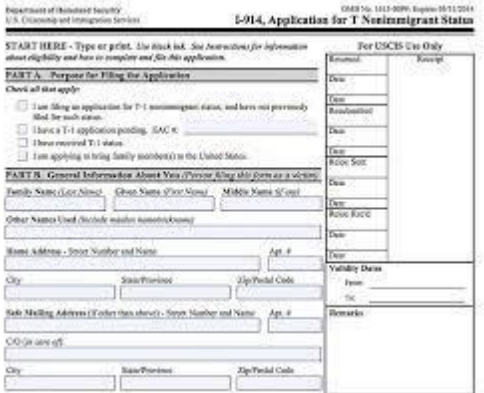








Lawfully Residing Noncitizen Children




Status	Eligibility	Definition	Documentation	Card Documentation
Qualified Immigrants				
Lawful Permanent Resident	<ul style="list-style-type: none"> 5-Year Wait Eliminated 	Also known as Qualified Immigrants. LPRs have permission to live and work permanently in the U.S. An LPR may apply for naturalization after living in the U.S. for 5 years.	<ul style="list-style-type: none"> Green card or passport stamp showing 1-551, AR-2, AR-3 Reentry permit I-327 Receipt from USCIS showing that I-90 app for LPR replacement card filed I-94 showing stamp for admission as LPR Order issued by DHS, BIA, immigration judge 	 <p>Current issue LPR card front and back</p>  <p>Older version still in circulation</p>
Refugee	<ul style="list-style-type: none"> No Change in Eligibility 	Noncitizens granted permission to relocate to the U.S. because of a well-founded fear of persecution in their home county.	<ul style="list-style-type: none"> I-94 Arrival or Departure Record stamped Refugee or §207 Form I-688B or I-766A EAD Refugee travel document (I- 571) 	 <p>I-94 Arrival or Departure Record stamped Refugee or §207</p>
Asylee	<ul style="list-style-type: none"> No Change in Eligibility 	People already in the U.S. who fear persecution in their home county, and satisfy the requirements for refugee status.	<ul style="list-style-type: none"> Form I-94 or passport stamped "asylee" or §208 Order granting asylum by USCIS, DHS, immigration judge, BIA or federal court Form I-688B or I-766 EAD Refugee travel document (I- 571) 	 <p>Example of I-688B</p>


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Cuban/Haitian Entrant	<ul style="list-style-type: none"> No Change in Eligibility 	<p>Considered lawfully present if they are either paroled into the U.S., or have a pending exclusion or deportation case or applied for asylum (but are not subject to a final order of deportation or exclusion).</p> <p>The following website provides additional information: https://secure.ssa.gov/apps10/poms.nsf/lnx/0500502108</p>	<ul style="list-style-type: none"> Form I-94 with stamp indicating Cuban/Haitian entrant or any other notation indicating “parole” Any document indicating a pending asylum application, including a receipt for form I-589 Form I-688B or I-766 EAD 	 <p>Example of I-94</p>
Paroled into the U.S. for at Least One Year	<ul style="list-style-type: none"> 5-Year Wait Eliminated 	<p>Permitted to enter the U.S. for humanitarian or public interest reasons, including temporary parolees present for reasons such as receiving medical treatment. Some people are paroled with the understanding that they will remain permanently by applying for asylum or a family visa.</p>	<ul style="list-style-type: none"> Form I-94 indicating “parole” or “PIP” or “212(d)(5)” or other language indicating parole status Form I-688B or I-766 EAD NOTE: If later adjusted to LPR status, may have I-551 card 	 <p>Example of I-94</p>
Granted Withholding of Deportation or Withholding of Removal	<ul style="list-style-type: none"> No Change in Eligibility 	<p>Similar to asylum in that the person’s life would be threatened if he/she returned to his/her home country. Obtaining “withholding” status has a higher evidentiary standard, but the status makes it mandatory that the person not return to his/her home country.</p>	<ul style="list-style-type: none"> Order granting withholding of deportation/removal issued by USCIS, DHS, immigration judge, BIA or federal court Form I-688B or I-766 EAD Administrative order staying removal issued by DHS 	 <p>Example of I-766 EAD</p>

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<p>Battered Child or Child of a Battered Person</p>	<ul style="list-style-type: none"> 5-Year Wait Eliminated 	<p>A noncitizen who has been battered or subjected to extreme cruelty in the U.S. by a family member in their home. This also includes children of domestic violence victims. Has a pending or approved I-751 petition with DHS. This enables the battered immigrant to leave the abusive relationship without relying on the abusive U.S. citizen/lawful permanent resident spouse.</p>	<ul style="list-style-type: none"> Form I-360, (application to qualify as an abused spouse, child, or parent under the Violence Against Women Act (VAWA) Petition for Amerasian, Widow(er), or Special Immigrant I-751 waiver U visa I-130 (visa petition) under immediate relative (IR) or 2nd family preference (P-2) showing status as a spouse or child Form I-797, Notice of Action referencing a pending I-130 or I-360 or finding establishment of a prima facie case I-485, Application for Adjustment of Status on the basis of an immediate relative or family 2nd preference petition or VAWA application I-688 or I-766 EAD coded 274a.12(a)(10) (application for suspension or deportation) or 274a12(c)(14) or C14 (individual granted deferred action status) I-688 or I-766 EAD coded 274a12(c)(9) or C9 (application for adjustment) or 274a.12(c)(10) or C10 (application for suspension of deportation) or 274a.12(c)(14) or C14 (individual granted deferred action status) or C31 (individual with approved VAWA self-petition) Any verification from INS, DHS, or other authoritative document. Any documents indicating a pending suspension of deportation or cancellation of removal case, including a receipt from an immigration court indicating filing of Form EOIR-40 (Application for Suspension of Deportation) or EOIR-42 (Application for Cancellation of removal) 	 <p>Example of I-360</p>


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Victims of Human Trafficking and their Derivative Beneficiaries	<ul style="list-style-type: none"> No Change in Eligibility 	Must be certified by HHS Office of Refugee Resettlement (ORR), or if a minor, receive an eligibility letter from ORR.	Derivative Beneficiaries of Trafficking Survivors will have similar documents with T-# designations <ul style="list-style-type: none"> Certification from Office of Refugee Resettlement (ORR) ORR eligibility letter if under 18 Certification status verified through U.S. Department of Health and Human Services Trafficking Verification Line (866)-401-5510 I-914 (T visa application) I-766 codes (a)(16) Form I-797 approval notice or “extension of T or U nonimmigrant status” I-512 authorization for parole I-551 green card 	 <p>Example of I-914</p>
Unmarried Dependents of Non-citizens Serving in the U.S. Military	<ul style="list-style-type: none"> No Change in Eligibility 	Spouses of U.S. citizen members of the U.S. armed forces (service members) may be eligible for expedited or overseas naturalization. Children of service members may be eligible for overseas naturalization.	<ul style="list-style-type: none"> Form N-600K 	 <p>Example of N-600K</p>
Member of Federally-Recognized Indian Tribe of American Indian Born in Canada	<ul style="list-style-type: none"> No Change in Eligibility 	American Indian born in Canada and possesses at least 50% American Indian blood, may obtain a Permanent Resident Card (green card) by requesting a creation of record. It does not include spouse or child.	<ul style="list-style-type: none"> Certificate from Department of Interior certifying Native American tribal ancestry or other authoritative document 	 <p>Example of Bureau of Indian Affairs certificate</p>




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“Lawfully Present” Immigrants				
Granted Relief under the Convention Against Torture (CAT)	<ul style="list-style-type: none"> Newly Eligible 	Granted deferral or removal due to a likelihood of torture if returned to the home country.	<ul style="list-style-type: none"> Order granting withholding of deportation/removal issued by USCIS, DHS, immigration judge, BIA or federal court Form I-688B or I-766 EAD 	 <p>Example of I-766EAD</p>
Temporary Protected Status (TPS)	<ul style="list-style-type: none"> Newly Eligible 	Granted to persons physically present in the U.S., but are from countries that the Secretary of Homeland Security has designated as unsafe. Persons granted TPS have authorization to stay in the U.S. for a specific period of time and must obtain Employment Authorization.	<ul style="list-style-type: none"> Form I-688B or I-766 EAD Form I-797 Notice of Action showing grant of TPS status 	 <p>I-797 Notice of Action</p>
Deferred Enforcement Departure (DED)	<ul style="list-style-type: none"> Newly Eligible 	Similar to TPS, DED is granted to persons from countries deemed unsafe by presidential proclamation or other executive action.	<ul style="list-style-type: none"> Form I-688B or I-766 EAD 	 <p>Example of I-766EAD</p>
Deferred Action	<ul style="list-style-type: none"> Newly Eligible 	Immigration Officials may grant immigrants deferred action on a discretionary basis to those needing to remain in the U.S., but only for a limited number of reasons, including age or the person’s physical condition (if it affects the individual’s ability to travel). Exception: Deferred Action for Childhood Arrivals (DACA) as a group of immigrants are not considered “lawfully present” for Florida KidCare and marketplace eligibility.	<ul style="list-style-type: none"> Form I-797 Notice of Action or other form showing approval of deferred action status Form I-688B or I-766 EAD 	 <p>Example of I-797</p>




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<p>Paroled into the U.S. for Less than One Year</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>Permitted to enter the U.S. for humanitarian or public interest reasons, including temporary parolees present for reasons such as receiving medical treatment. Some people are paroled with the understanding that they will remain permanently by applying for asylum or a family visa.</p>	<ul style="list-style-type: none"> Form I-94 indicating “parole” or “PIP” or “212(d)(5)” or other language indicating parole status Form I-688B or I-766 EAD NOTE: If later adjusted to LPR status, may have I-551 card 	 <p>Example of I-94</p>
<p>Individual with Nonimmigrant Status</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>An alien who is admitted to the United States for a specific temporary period of time. There are clear conditions on their stay. There are a large variety of nonimmigrant categories, each exists for a specific purpose and has specific terms and conditions. Students, visitors on business, and people permitted to live and work in the U.S. indefinitely.</p>	<ul style="list-style-type: none"> Form I-94 or passport indicating admission to U.S. with nonimmigrant visa Proof of I-918 submission Receipt for form I-102 or I-918 I-797 approval notice I-688B or I-766 EAD 	 <p>Example of visa found in passport</p>
<p>Administrative Stay of Removal Issued by the Department of Homeland Security</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>An alien under a final order of deportation or removal may seek a stay of deportation or removal from the Department of Homeland Security as provided in 8 CFR 241.6.</p>	<ul style="list-style-type: none"> Administrative or court order granting stay of removal issues by the Department of Homeland Security, an immigration judge, the Board of Immigration Appeals, or a court 	
<p>Lawful Temporary Resident</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>Includes general amnesty immigrants who unlawfully resided in the U.S. since prior to January 1, 1982, and special agricultural workers (SAWs) who has performed agricultural work for a specified period.</p>	<ul style="list-style-type: none"> Form I-688 Temporary Resident Card I-688A EAD I-668B or I-766 EAD Form I-698 Application to Adjust from Temporary to Permanent Residence under INA §245A 	 <p>Example of I-688</p>


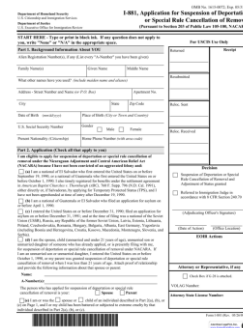

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Family Unity	<ul style="list-style-type: none"> Newly Eligible 	Protects families against deportation/removal and provides eligibility for Employment Authorization Document. The person must have been the spouse or child of an amnesty immigrant (an immigrant who unlawfully resided in the U.S. since prior to January 1982) as of 1988, and has been residing in the U.S. since that date. Family Unity also extends to spouses and unmarried minor children.	<ul style="list-style-type: none"> Form I-797 Notice of Action showing approval for I-817 application for Family Unity I-688B or I-766 EAD 	 <p>Example of I-797</p>


“Lawfully Present” if APPLICANT for Status

Applicant for Lawful Permanent Resident (with an approved visa petition)	<ul style="list-style-type: none"> Newly Eligible 	Individuals whose relatives or employers have requested the individual’s immigration.	<ul style="list-style-type: none"> Receipt or notice showing filing or pending status of Form I-485 Form I-797 ASC Appointment notice with Case Type “I-485 application” Form I-688B or I-766 EAD I-797 receipt for application for EAD based on C09 I-512 authorization for parole, indicating applicant for adjustment of status 	 <p>Receipt showing filing or pending status of form I-485</p>
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<p>Applicant for Asylum *Only those who have been granted employment authorization or are under the age of 14 and have had an application pending for at least 180 days are eligible.</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>Applicants who are over 14 years old are considered “lawfully present” for ACA eligibility purposes if they have been granted employment authorization. Applicants under 14 are considered “lawfully present” if their application for asylum or withholding of deportation/removal has been pending for 180 days.</p>	<ul style="list-style-type: none"> Receipt or notice showing filing or pending status of Form I-589 Form I-688B or I-766 EAD 	 <p>Example of USCIS receipt</p>
<p>Applicant for Special Immigrant Juvenile Status</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>Special immigrant juvenile status is available to children who have been declared dependent upon a state court or placed by a state court into the custody of an individual or entity or state agency, after a determination by the court that reunification with one or both parents is not viable due to abuse, neglect, abandonment or a similar basis, and when a court or agency determines that returning to their country of origin is not in their best interest. Children who have applied for special immigrant juvenile status by filing an I-360 petition with USCIS are “lawfully present”.</p>	<ul style="list-style-type: none"> I-797 Notice of Action Special Immigrant Juvenile Approval Notice Form I-797 Welcome Notice/Approval of I-485, “Other Basis of Adjustment SL6” Form I-797C Notice of Action, Receipt for I-360, Petition for Amerasian, Widow(er), or Special Immigrant I-551 coded SL6 Any verification from INS, DHS, or other authoritative document 	 <p>Example of I-797</p>
<p>Applicant for Victim of Trafficking Visa</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>The T Nonimmigrant Status (T visa) is a set aside for those who are or have been victims of human trafficking, protects victims of human trafficking and allows victims to remain in the United States to assist in an investigation or prosecution of human trafficking.</p>	<ul style="list-style-type: none"> I-914 (T visa application) includes a personal statement explaining how they were a victim of trafficking. 	 <p>Example I-914</p>

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<p>Applicant for Withholding of Deportation or Withholding of Removal, under the Immigration Laws or under the Convention Against Torture (CAT)</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>Applicants who are over 14 years old are considered “lawfully present” for ACA eligibility purposes if they have been granted employment authorization. Applicants under 14 are considered “lawfully present” if their application for asylum or withholding of deportation/removal has been pending for 180 days.</p>	<ul style="list-style-type: none"> Receipt or notice showing filing or pending status of Form I-589 Form I-688B or I-766 EAD 	 <p>Example of USCIS receipt</p>
<p>“Lawfully Present” and Must also have Employment Authorization</p>				
<p>Applicant for Temporary Protected Status with Employment Authorization</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>United States grants a special temporary immigration status to the citizens of certain foreign countries that have experienced major disruptions, known as Temporary Protected Status (TPS). Due to civil wars, natural disasters or other general threats, the government of the United States designates certain foreign countries for TPS.</p>	<ul style="list-style-type: none"> Receipt or notice showing filing or pending status of Form I-821 Form I-688B or I-766 EAD 	 <p>Example of I-766 EAD</p>
<p>Registry Applicants with Employment Authorization</p>	<ul style="list-style-type: none"> Newly Eligible 	<p>Individuals who have resided continuously in the U.S. since January 1, 1972 and meet the LPR status requirements. Registry applicants must have Employment Authorization Document (EAD) to be lawfully present.</p>	<ul style="list-style-type: none"> Receipt or notice showing filing Form I-485 Application to Register Permanent Resident or Adjust Status Form I-688B or I-766 EAD 	 <p>Example of I-766 EAD</p>

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Order of Supervision with Employment Authorization	<ul style="list-style-type: none"> Newly Eligible 	<p>Granted to individuals with final order of deportation or removal, but immigration authorities are unable to remove. Individuals with an Order of Supervision must have Employment Authorization Document (EAD).</p>	<ul style="list-style-type: none"> Notice or form showing release under order of supervision Form I-688B or I-766 EAD 	 <p>Example of I-688B</p>
Applicant for Cancellation of Removal or Suspension of Deportation with Employment Authorization	<ul style="list-style-type: none"> Newly Eligible 	<p>Individuals in the midst of removal or deportation proceedings. Applicants for cancellation of removal or suspension of deportation must obtain Employment Authorization Document (EAD) to be lawfully present.</p>	<ul style="list-style-type: none"> Receipt or notice showing filing Form EOIR-40, EOIR-42, or I-881 I-256A I-688B or I-766 EAD 	 <p>Example of I-881</p>
Applicant for Legalization under IRCA with Employment Authorization	<ul style="list-style-type: none"> Newly Eligible 	<p>This provides a means for certain aliens who maintained an unlawful residence in the U.S. since prior to January 1, 1982, and who were physically present in the U.S. from November 6, 1986 until the date of filing of the application, can become temporary residents. Then upon application and fulfillment of continuous residence and other conditions, they could file for permanent residence.</p>	<ul style="list-style-type: none"> I-688B or I-766 EAD Form I-687 Application for Temporary Residence under INA §245A Passport with a stamp or writing by INS/DHS officer, indicating pending §245A app 	 <p>Example of I-687</p>

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Applicant for LPR under the LIFE Act with Employment Authorization	<ul style="list-style-type: none"> Newly Eligible 	<p>The Legal Immigration Family Equity (LIFE) Act and LIFE Act Amendments of 2000 enable individuals present in the U.S. who would not normally qualify to apply for adjustment of status in the U.S. to obtain a green card (permanent residence) regardless of:</p> <ul style="list-style-type: none"> The manner they entered the U. S. Working in the U.S. without authorization Failing to continuously maintain lawful status since entry 	<ul style="list-style-type: none"> I-688B or I-766 EAD Form I-687 Application for Temporary Residence under INA §245A Passport with a stamp or writing by INS/DHS officer, indicating pending §245A app 	 <p>Example of I-687</p>