

Typical Documents Used by Lawfully Present Immigrants

JULY 2011

STATUS	TYPICAL DOCUMENTS
<p>Lawful Permanent Resident (LPR)</p>	<ul style="list-style-type: none"> • “Green card” (Form I-551) or earlier versions: I-151, AR-2 and AR-3; • Reentry permit (I-327); • Foreign passport stamped to show temporary evidence of LPR or “I-551” status; • Receipt from USCIS (U.S. Citizenship and Immigration Services) indicating that an I-90 application to replace LPR card has been filed; • Memorandum of Creation of Lawful Permanent Residence with approval stamp (I-181); • I-94 or I-94A with stamp indicating admission for lawful permanent residence; • Order issued by the INS/DHS (Immigration and Naturalization Service/Dept. of Homeland Security), an immigration judge, the BIA (Board of Immigration Appeals), or a federal court granting registry, suspension of deportation, cancellation of removal, or adjustment of status; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>Amerasian LPR NOTE: The codes listed here pertain only to the particular Vietnamese Amerasians who qualify for the “Refugee Exemption.”</p>	<ul style="list-style-type: none"> • Any of the LPR documents listed above with one of the following codes: AM-1, AM-2, AM-3, AM-6, AM-7, or AM-8; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.

☞ List of Abbreviations . . . Page 6 ☞

This table lists the categories of non-U.S. citizens currently recognized as “lawfully present” in the Centers for Medicare and Medicaid Services (CMS) State Health Official Letter, “Medicaid and CHIP Coverage of ‘Lawfully Residing’ Children and Pregnant Women” (July 1, 2010), available at www.cms.gov/smdl/downloads/SHO10006.pdf. See also 45 C.F.R. § 152.2 (Pre-Existing Condition Insurance Plan). Also included in CMS’s list of lawfully present individuals are (a) individuals lawfully present in the Commonwealth of the Northern Mariana Islands under 48 U.S.C. § 1806(e), and (b) individuals lawfully present in American Samoa under the immigration laws of American Samoa. This table does not include typical documents for these two lawfully present categories.

For more information, contact Linton Joaquin, NILC general counsel, at joaquin@nilc.org, or Sheila Neville, senior attorney, Legal Aid Foundation of Los Angeles, at sneville@lafila.org.



LOS ANGELES (Headquarters)
3435 Wilshire Boulevard
Suite 2850
Los Angeles, CA 90010
213 639-3900
213 639-3911 fax

WASHINGTON, DC
1444 Eye Street, NW
Suite 1110
Washington, DC 20005
202 216-0261
202 216-0266 fax

STATUS	TYPICAL DOCUMENTS
<p>Applicant for Adjustment to LPR Status</p>	<ul style="list-style-type: none"> • Receipt or notice showing filing or pending status of Form I-485 Application to Register Permanent Residence or Adjust Status; • Form I-797 ASC Appointment Notice with Case Type “I-485 Application to Register Permanent Residence or Adjust Status”; • Form I-688B or I-766 employment authorization document (EAD) coded 274a.12(c)(9) or C9 or C9P; • I-797 receipt for Application for Employment Authorization based on C09; • I-512 authorization for parole, indicating applicant for adjustment of status; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>Refugee</p>	<ul style="list-style-type: none"> • Form I-94 or I-94A Arrival/Departure Record or passport stamped “refugee” or “§ 207”; • Form I-688B or I-766 EAD coded 274a.12(a)(3) or A3; or (a)(4) or “A4” (paroled as a refugee); • Refugee travel document (I-571); <i>or</i> • Any verification from the INS, DHS or other authoritative document. <p>NOTE: If adjusted to LPR status, I-551 may be coded R8-6, RE-6, RE-7, RE-8, or RE-9.</p>
<p>Conditional Entrant</p>	<ul style="list-style-type: none"> • Form I-94, I-94A, or other document indicating status as “conditional entrant,” “Seventh Preference,” § 203(a)(7), or P7; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>Asylee</p>	<ul style="list-style-type: none"> • Form I-94, I-94A, or passport stamped “asylee” or “§ 208”; • Order granting asylum issued by the INS, DHS, an immigration judge, the BIA, or a federal court; • Form I-688B or I-766 EAD coded 274a.12(a)(5) or A5; • Refugee travel document (I-571); <i>or</i> • Any verification from the INS, DHS, or other authoritative document. <p>NOTE: If adjusted to LPR status, I-551 may be coded AS-6, AS-7, or AS-8.</p>
<p>Granted Withholding of Deportation or Withholding of Removal</p>	<ul style="list-style-type: none"> • Order granting withholding of deportation or removal issued by the INS, DHS, an immigration judge, the BIA, or a federal court; • Form I-688B or I-766 EAD coded 274a.12(a)(10) or A10; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>Granted Withholding of Deportation/Removal under the Convention Against Torture (CAT)</p>	<ul style="list-style-type: none"> • Order granting withholding of deportation or removal under CAT, issued by an immigration judge, the BIA, or a federal court; • Form I-688B or I-766 EAD coded 274a.12(a)(10) or A10; <i>or</i> • Any verification from the INS, DHS, or other authoritative document

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<p>Applicant for Asylum or Withholding of Deportation/Removal, including Applicant for Withholding of Deportation/Removal under CAT, with employment authorization if > 14 years, or application for asylum/withholding pending for 180 days if < 14 years</p>	<ul style="list-style-type: none"> • Receipt or notice showing filing or pending status of Form I-589 Application for Asylum and Withholding or CAT; • Form I-688B or I-766 EAD coded 274a.12(c)(8) or C8; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>Cuban or Haitian Entrant</p>	<ul style="list-style-type: none"> • Form I-94 with a stamp indicating “Cuban/Haitian entrant” (this may be rare, as it has not been used since 1980) or any other notation indicating “parole,” any documents indicating pending exclusion or deportation proceedings; • Any documents indicating a pending asylum application, including a receipt from an INS Asylum Office indicating filing of Form I-589 application for asylum; • Form I-688B or I-766 EAD coded 274a.12(c)(8) or C8, or 274a.12(c)(11) or C11; <i>or</i> • Any verification from the INS, DHS, or other authoritative document. <p>NOTE: Individuals who have adjusted to LPR status may have I-551 cards or temporary I-551 stamps in foreign passports coded CAA66, CB1, CB2, CB6, CB7, CH6, CNP, CU6, CU7, CU8, CU9, CUO, CUP, NC6, NC7, NC8, NC9, HA6, HA7, HA8, HA9, HB6, HB7, HB8, HB9, HC6, HC7, HC8, HC9, HD6, HD7, HD8, HD9, HE6, HE7, HE8, HE9. In addition, Cubans or Haitians with the codes LB1, LB2, LB6, or LB7 may also qualify. These codes were used for individuals granted LPR status under any of the 1986 legalization provisions including Cuban/Haitian entrants.</p>
<p>Paroled into the U.S.</p>	<ul style="list-style-type: none"> • Form I-94 or I-94A indicating “parole” or “PIP” or “212(d)(5),” or other language indicating parole status; • Form I-688B or I-766 EAD coded 274a.12(a)(4), 274a.12(c)(11), A4, or C11; <i>or</i> • Any verification from the INS, DHS, or other authoritative document. <p>NOTE: If subsequently adjusted to LPR status, may have I-551 card (for Lautenberg parolees, these may be coded LA).</p>
<p>Granted Temporary Protected Status (TPS)</p>	<ul style="list-style-type: none"> • Form I-688B or I-766 EAD coded 274a.12(a)(12) or A12; • Form I-797 Notice of Action showing grant of TPS status; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>Applicant for TPS, with employment authorization</p>	<ul style="list-style-type: none"> • Receipt or notice showing filing or pending status of Form I-821 (Application for Temporary Protected Status); • Form I-688B or I-766 EAD coded 274a.12(c)(19) or C19; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>Granted Deferred Enforced Departure (DED)</p>	<ul style="list-style-type: none"> • Form I-688B or I-766 EAD coded 274a.12(a)(11) or A11; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.

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<p>Granted Deferred Action Status</p>	<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 coded 274a.12(c)(14) or C14; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>Applicant for Special Immigrant Juvenile Status</p>	<ul style="list-style-type: none"> • Form I-797 Notice of Action Special Immigrant Juvenile Approval Notice; • Form I-797 Welcome Notice/Approval of I-485, “Other Basis of Adjustment SL6”; • I-551 coded “SL6”; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>“Qualified” Domestic Violence Survivor</p> <p>Must have a pending petition for an immigrant visa, either filed by a spouse or a self-petition under the Violence Against Women Act (VAWA), or an application for suspension of deportation or cancellation of removal. The petition or application must either be approved or, if not yet approved, must present a prima facie case.</p>	<ul style="list-style-type: none"> • Receipt or other proof of filing I-130 (visa petition) under immediate relative (IR) or 2nd family preference (P-2) showing status as a spouse or child; • Form I-360 (application to qualify as abused spouse, child, or parent under the VAWA); • Form I-797 Notice of Action referencing pending I-130 or I-360 or finding establishment of a prima facie case; • Receipt or other proof of filing I-485 Application for Adjustment of Status on basis of an immediate relative or family 2nd preference petition or VAWA application; • 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); • Form I-688B or I-766 EAD coded 274a.12(a)(10) or A10 (applicant for suspension of deportation) or 274a.12(c)(14) or C14 (individual granted deferred action status); <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
<p>Victim of Trafficking</p>	<ul style="list-style-type: none"> • Certification from U.S. Dept. of Health and Human Services (HHS) Office of Refugee Resettlement (ORR); • ORR eligibility letter (if under 18); • Certification status verified through HHS Trafficking Verification Line 202-401-5510 or 866-401-5510 ; • I-914 (T status application); • I-766 coded (a)(16); • Form I-797 approval notice for “CP” (continued presence); • Form I-797 indicating approval of T-1 Status; • <i>Bona fide</i> case determination on a T status application; <i>or</i> • Form I-797 “Extension of T or U Nonimmigrant Status”; • I-512 authorization for parole, indicating T-1 status; • I-551 coded ST6; <i>or</i> • Any verification from HHS, INS, DHS, or other authoritative document.

STATUS	TYPICAL DOCUMENTS
Derivative Beneficiary of Trafficking Survivor	<ul style="list-style-type: none"> • Proof of approved I-914A petition (derivative T status); • I-94 or passport stamped T-2, T-3, T-4, or T-5; • Form I-797 Notice of Action indicating approval of T-2, T-3, T-4 or T-5 status; • I-766 EAD coded (c)(25); • Form I-797 “Extension of T or U Nonimmigrant Status”; • I-512 authorization for parole, indicating T-2, T-3, T-4 or T-5 status; • I-551 card coded ST7, ST8, ST9, or ST0; <i>or</i> • Any verification from HHS, INS, DHS, or other authoritative document.
Nonimmigrant	<ul style="list-style-type: none"> • Form I-94 or I-94A Arrival/Departure Record or passport indicating admission to U.S. with nonimmigrant visa; • Receipt for Form I-102 Application for Replacement/Initial Nonimmigrant Arrival-Departure Document; • I-797 approving application to extend/change nonimmigrant status; • I-797 approving application for S, T, U, or V nonimmigrant status; • Form I-688B or I-766 EAD or other INS/DHS document indicating nonimmigrant status; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
Citizen of Micronesia, the Marshall Islands, and Palau	<ul style="list-style-type: none"> • Form I-94 or passport noted as “CFA/RMI” or “CFA/FSM” or “CFA/PAL”; • Form I-766 coded (a)(8); <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
Lawful Temporary Resident	<ul style="list-style-type: none"> • Form I-688 Temporary Resident Card; • Form I-688A EAD; • Form I-688B or I-766 EAD coded 274a.12(a)(2) or A2; <i>or with other evidence indicating eligibility under INA §§210 or 245A</i> ; • Form I-698 Application to Adjust from Temporary to Permanent Residence under INA § 245A; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
Applicant for Legalization under IRCA or the LIFE Act, with employment authorization	<ul style="list-style-type: none"> • Form I-688B or I-766 EAD coded 274a.12(c)(20), (c)(22), or (c)(24); • Form I-687 Application for Temporary Residence under INA § 245A; • Passport, with stamp or writing by INS/DHS officer, indicating pending §245 application; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
Family Unity	<ul style="list-style-type: none"> • Form I-797 Notice of Action showing approval of I-817 Application for Family Unity; • Form I-688B or I-766 EAD coded 274a.12(a)(13) or A13; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
Applicant for Cancellation of Removal or Suspension of Deportation, with employment authorization	<ul style="list-style-type: none"> • Receipt or notice showing filing Form EOIR-40 (Application for Suspension of Deportation), EOIR-42 (Application for Cancellation of Removal), or I-881 (Application for Suspension of Deportation or Special Rule Cancellation of Removal); • I-256A (former suspension application); • Form I-688B or I-766 EAD coded 274a.12(c)(10) or C10; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.
Order of Supervision, with employment authorization	<ul style="list-style-type: none"> • Notice or form showing release under order of supervision; • Form I-688B or I-766 EAD coded 274a.12(c)(18) or C18; <i>or</i> • Any verification from the INS, DHS, or other authoritative document.

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Registry Applicant, with employment authorization	<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 coded 274a.12(c)(16) or C16; <i>or</i> • Any verification from the INS, DHS or other authoritative document.

FOR MORE INFORMATION, CONTACT

Linton Joaquin, NILC General Counsel, joaquin@nilc.org

Sheila Neville, Senior Attorney, Legal Aid Foundation of Los Angeles, sneville@lafila.org

Abbreviations

- BIA** - Board of Immigration Appeals
- CAT** - Convention Against Torture
- CMS** - Centers for Medicare and Medicaid Services
- CP** – continued presence
- DHS** - U.S. Dept. of Homeland Security
- EAD** - employment authorization document
- EOIR** - Executive Office for Immigration Review
- HHS** - U.S. Dept. of Health and Human Services
- INS** - Immigration and Naturalization Service
- IR** - immediate relative
- LPR** - lawful permanent resident
- ORR** - Office of Refugee Resettlement
- USCIS** - U.S. Citizenship and Immigration Services
- VAWA** - Violence Against Women Act