

Glossary of Terms

Abused Immigrant/Battered Alien (VAWA): Also known as a VAWA (Violence Against Women's Act) immigrant who self-petitions based on their relationship to their abuser. Verification is usually provided on an I-797 "Petition for Amerasian, Widow or Special Immigrant". They are Non-Qualified Aliens (INS Status Code - TA) while the self-petition is pending. They are Qualified Aliens when their self-petition is approved or prima facie is established (INS Status Code – BA). Use their approval letter or notice “prima facie established” as their INS status date.

Affidavit of Support (I-864): A form completed by the sponsor for a family-based immigrant applying for Lawful Permanent Status. We only request verification of sponsorship/affidavit of support if they became an LPR after 12/19/1997 and they are not exempt from sponsor deeming (see [sponsor deeming exemption desk aid](#))

Amerasian: Individuals granted LPR status under a special statute enacted in 1988 for Vietnamese Amerasians fathered by a U.S. citizen after 1950 and prior to 10/22/1982. Amerasians are waived from the five year bar and treated as refugees.

American Indian born abroad: American Indians born outside of the United States without regard to immigration status if they are members of a federally recognized Indian tribe or if they are at least 50% American Indian and born in Canada (Code as “L” on DEM2, and “CI”)

Child Citizenship Act: Provides U.S. Citizenship to foreign born children that are Lawful Permanent Residents and under the care and control of at least one U.S. citizen parent while they were under 18 any time after February 27, 2001

Employment Authorization Document (EAD): Cards issued by USCIS to document that a noncitizen is authorized to work. A number of other USCIS documents also establish authorization to work in the United States. An EAD is not an immigration document but the Category code on the EAD does denote the status of the non-citizen. See EAD Codes Table.

Family Unity: An immigration status that allows the spouses and unmarried children of Immigrants who obtained LPR status through the amnesty program to remain in the United States and receive Employment Authorization. Permission is granted to remain in the U.S. in two year increments. Documents must be current. If they have current documents they are Non-Qualified Aliens and should be coded as "TA" on the Alien/ALAS screen.

Five Year Bar: A restriction that prohibits Qualified Immigrants who physically entered the United States on or after August 22, 1996, from receiving Federal Means-tested Public Benefits during their first five years in qualified immigrant status, unless they meet the Refugee Exemption OR for cash/medical they lived in the U.S. prior to 8/22/96. Some staff think that sponsor deeming goes away after the five year bar and that is NOT the case.

Forty Quarter Exemption: An exemption that permits LPRs with credit for 40 Qualifying Quarters of work history in the U.S. to be eligible for Basic Food benefits. Sponsored LPRs are permanently exempt from sponsor deeming when they have 40 Qualifying Quarters.

Immigrant Petition for Relative: The Immigration process for a relative begins with a Visa Petition (I-130). An immigrant Visa is available to an individual because one or more members of his or her immediate family is either a U.S. Citizen or an LPR. The relative must file a VISA petition on behalf of the person seeking to immigrate in order for USCIS to establish the relationship to the beneficiary and verify that the petitioner is a Citizen or LPR. The immigrant may receive an I-797 Immigrant Petition for Relative Notice stating that the Visa petition is approved. This document does NOT grant status. The beneficiary must wait, sometimes for several years, for a Visa to become available. Once the Visa is available the beneficiary must file a Visa Application. Persons with an approved Visa Petition as their only verification of status are "Undocumented".

Lawfully Present: Considered to be in the United States legally. All non-citizens that are Qualified Aliens, have current permission to work, self-petitioned under the Violence Against Women's Act, applied for Asylum or have been inspected and admitted to the United States and have not violated the terms of that admission.

Lawful Permanent Resident: Lawful Permanent Resident. They have permission to live in the U.S. permanently. Even if their I-551 expires, their status does not expire. With the exception of LPR's with conditions who received status thru marriage and only approved for 2 years until conditions are removed and those who lost status due to certain felonies. Always read category code to identify if they are sponsored or waived from the five year bar.

Naturalization: The process by which Immigrants become U.S. Citizens. To be eligible to apply for naturalization, an individual must have lived in the U.S. as an LPR for five years - or three years if married to a U.S. citizen, or one year for certain persons in the military and Veterans

Parole: For our purposes "parole" is NOT a term regarding criminal activity. Paroles are noncitizens who are allowed to come into the U.S. and thus considered lawfully present but have not been granted status. If they are paroled for a period of less than one year they are a non-qualified alien. If they are paroled for one year (365 days) or more they are a qualified alien.

Public Charge: A term used by USCIS to refer to a person who is considered primarily dependent on the government for subsistence, as demonstrated by either receipt of public cash assistance for income maintenance or institutionalization for long term care at government expense. An immigrant who is found "likely at any time to become a public charge" can be denied admission to the U.S. or denied LPR status.

Qualified Alien: For federal eligibility purposes, a person who has one of the following immigration statuses: Lawful Permanent Resident, Refugee, Asylee, Deportation Withheld, conditional Entrant, Parole for a period of one year or more, Cuban/Haitian Entrant, Approved or Prima Facie Battered Alien under VAWA. Persons may be Non-Qualified and still be eligible for certain programs.

Sponsor: An individual who completes an Affidavit of Support to help a sponsored immigrant enter the United States. Only a person who was granted Lawful Permanent Status because a relative petitioned on their behalf is sponsored. Determine if any sponsor deeming exemptions apply before requesting information from the sponsor. See Sponsor Deeming Desk Aid

Temporary Visa Holder: An official authorization appended to a passport that permits the bearer to enter the U.S. and travel or engage in a particular activity TEMPORARILY, usually as a STUDENT, TOURIST, or Business VISITOR. They are required as a condition of their status to demonstrate that they intend to return to their home country and live in the U.S. for a specific period of time/temporarily. They are NOT Residents of the state of Washington.

Undocumented: A noncitizen that does not have lawful immigration status. Most undocumented immigrants either entered the US without inspection, or were lawfully admitted but violated the terms of their status or overstayed the period that their status was granted.

USCIS: United States Citizenship and Immigration Services previously known as Immigration and Naturalization Services (INS).

VAWA: Violence Against Women's Act allows abused immigrants to self-petition for status based on the relationship with the abuser (LPR or citizen spouse or parent). They are non-qualified immigrants while their application is pending and Qualified when their application is approved or "prima facie" is established.