

Who is a “Qualified Alien?”

There are seven categories of non-citizens who are qualified aliens. A person is a "qualified alien" if the Department of Homeland Security (DHS) says they are in one of these categories:

1. Lawfully Admitted for Permanent Residence (LAPR) in the U.S., including "Amerasian immigrant" as defined in Section 584 of the Foreign Operations, Export Financing and Related Programs Appropriations Act of 1988, as amended;
2. Granted conditional entry under Section 203(a)(7) of the Immigration and Nationality Act (INA) as in effect before April 1, 1980;
3. Paroled into the U.S. under Section 212(d)(5) of the INA for a period of at least one year;
4. Refugee admitted to the U.S. under Section 207 of the INA;
5. Granted asylum under Section 208 of the INA;
6. Deportation is being withheld under Section 243(h) of the INA as in effect before April 1, 1997, or removal is being withheld under Section 241(b)(3) of the INA;
7. “Cuban or Haitian entrant” under Section 501(e) of the Refugee Education Assistance Act of 1980 or in a status that is to be treated as a “Cuban/Haitian entrant”. In addition, you can be a “deemed qualified alien” if, under certain circumstances, you, your child, or your parent has been subjected to battery or extreme cruelty while in the United States.