

**OTHER ELIGIBILITY REQUIREMENTS  
CITIZENSHIP AND IMMIGRATION STATUS**

**PRUCOL**

***DOCUMENTATION GUIDE FOR PRUCOL ALIEN CATEGORIES***

*rev. 09/15/08*

**PRUCOL:** (Permanently Residing in the United States Under Color Of Law) are any aliens who are residing in the United States with the knowledge and permission or acquiescence of the federal immigration agency (formerly the Immigration and Naturalization Services [INS]), now the United States Citizenship and Immigration Services (U.S.C.I.S.), or the United States Immigration and Customs Enforcement (I.C.E) or the Executive Office of Immigration Review (EOIR) and whose departure from the United States the agency does not contemplate enforcing.

<b>ALIEN CATEGORIES</b>	<b>GENERAL INFORMATION</b>		<b>DOCUMENTATION/FORMS</b>
a) Aliens <b>paroled into the United States</b> pursuant to Section 212(d)(5) of the INA showing status for less than one year, <b>except for Cuban/Haitian entrants.</b>	Aliens in this category are admitted to the United States for similar reasons as a refugee, i.e., humanitarian. However, this category, unlike refugee status, does not grant legal residence status.	Parole status allows the alien temporary status until USCIS determination of his/her admissibility has been made; at which time another status may be granted.	Aliens in this category will have a <b>FORM I-94</b> indicating that the bearer has been paroled pursuant to Section 212 (d)(5) of the INA. Possession of a properly <b>annotated Form I-94</b> constitutes evidence of permanent residence in the U.S. under color of law, <b>regardless of the date</b> the Form I-94 is annotated.
b) Aliens residing in the United States pursuant to an <b>Order of Supervision.</b>	Aliens in this category have been found deportable; however, certain factors exist which make it unlikely that the federal immigration agency would be able to remove the alien. Such factors include age, physical condition, humanitarian concerns, and the availability of a country to accept the deportee.	Aliens in this category are required to report to the federal immigration agency periodically; if the factors preventing deportation are eliminated, the agency will initiate action to remove the alien.	Aliens in this category will have an USCIS <b>Form I-94 or I-220B.</b>
c) Deportable aliens residing in the United States pursuant to an <b>indefinite stay of deportation.</b>	Aliens in this category have been found to be deportable, but the federal immigration agency may defer deportation indefinitely due to humanitarian reasons.		Aliens in this category will have a <b>letter</b> and/or <b>FORM I-94</b> showing that the alien has been granted an <b>indefinite stay of deportation.</b>
d) Aliens residing in the United States pursuant to an <b>indefinite voluntary departure.</b>			Aliens in this category will have a <b>letter</b> and/or <b>Form I-94</b> indicating that the alien has been <b>granted departure for an indefinite time period.</b>
e) Aliens on whose behalf an immediate <b>relative petition</b> has been approved and their families covered by the petition, who are entitled to voluntary departure and whose departure the federal immigration agency does not contemplate enforcing.	NOTE: An immediate relative for USCIS purposes is: husband, wife, father, mother, or child (unmarried and under 21). Aliens in this category are the immediate relatives of an American citizen/LPR and have had filed on their behalf a <b>Form I-130 petition for issuance of an immigration visa.</b>	If this petition has been approved, a <b>visa</b> will be prepared, which will allow the alien to remain in the United States <b>permanently.</b>	Aliens in this category may have a <b>Form I-94 and/or I-210 letter.</b> These documents, or others, indicate that the alien is to depart on a specified date (usually 3 months from date of issue), however, USCIS expects the alien's visa to be available within this time. If it is not, extensions may be granted until the visa is ready.

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f) Aliens who have <b>filed applications for adjustment of status</b> pursuant to Section 245 of the INA that USCIS has accepted as "properly filed" or has granted and whose departure the federal immigration agency does not contemplate enforcing.	Aliens in this category have filed for lawful permanent resident status.		Aliens in this category may have <b>Form I-94 or Form I-181 or their passports</b> will be stamped with either of the following: <b>"adjustment application" or "employment authorized during status as adjustment applicant"</b> .
g) Aliens granted <b>stay of deportation</b> by court order, statute or regulation, or by individual determination of the federal immigration agency pursuant to Section 243 of the INA whose departure BCIS does not contemplate enforcing.	Aliens in this category have been found to be deportable, but the federal immigration agency may defer deportation for a specified period of time due to humanitarian reasons.		Aliens in this category will have a <b>letter or copy of the court order and/or a Form I-94</b> .
h) Aliens granted <b>voluntary departure</b> pursuant to Section 242(b) of the INA whose departure the federal immigration agency does not contemplate enforcing.	Aliens in this category are <b>awaiting a visa</b> .	<b>NOTE: N/A</b>  <b>SECTION 242 (b) OF THE INA HAS BEEN REPEALED</b>	Such aliens are provided <b>Forms I-94 and/or I-210</b> which indicate a departure within 60 days. This may be extended if the visa is not ready within the time allotted.
i) Aliens granted <b>deferred action status</b> pursuant to the federal immigration agency's operating policy.			Aliens in this category will have <b>Form I-210 or a letter</b> indicating that the alien's departure has been deferred.
j) Aliens who entered and have <b>continuously resided in the United States since before January 1, 1972</b> .	Aliens in this category are presumed by the federal immigration agency to meet certain criteria for lawful permanent residence.		Obtain <b>any documentary proof establishing entry and continuous residence</b> .
k) Aliens granted <b>suspension of deportation</b> pursuant to Section 244 of the INA whose departure the federal Immigration agency does not contemplate enforcing.	Aliens in this category have been found deportable, have met a period of continuous residence and have <b>filed</b> an application for the federal immigration agency to suspend deportation, which has been granted.		Aliens in this category will have a <b>letter/order from an immigration judge and a Form I-94 showing</b> suspension of deportation granted. After lawful permanent residence is granted the alien will have a Form I-551.

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<b>ALIEN CATEGORIES</b>	<b>GENERAL INFORMATION</b>		<b>DOCUMENTATION/FORMS</b>
<p>I) Any other aliens <b>living in the U.S. with the knowledge and permission or acquiescence of the federal immigration agency</b> and whose departure that agency does not contemplate enforcing.</p>	<p>Aliens in this category may be in a status not listed above, but based on a <b>determination by the federal immigration agency or documentation supplied by the alien</b> or his or her representative that indicates the alien is present in the U.S. with the <b>knowledge of the agency</b> and with the <b>permission or acquiescence of the agency</b>, local districts may find them to be PRUCOL.</p>	<p>Examples include, but are not limited to:                      Applicants for adjustment of status to LPR, asylum, suspension of deportation or cancellation of removal or requesting deferred action; or                      Persons granted Deferred Enforced Departure (DED) due to conditions in their home country; or                      Permanent non-immigrants, pursuant to P.L. 99-239 (applicable to citizens of the Federated States of Micronesia and the Marshall Islands);                      Persons granted Temporary Protected Status; or                      Applicants for Temporary Protected Status (TPS); or                      Persons having a K, V, S or U Visa.</p>	<p>Aliens in this category may have a:                      I-94 Arrival/Departure Record; or                      I-688B Employment Authorization Card; or                      I-766 Employment Authorization Document; or                      I-797 "Notice of Action" indicating the USCIS has received an application or petition or request for change of status; or                      a Postal Return Receipt addressed to the federal immigration agency* or a copy of a cancelled check to the federal immigration agency, and a copy of the application, petition or request submitted to the federal immigration agency.</p> <p>(* <b>USCIS</b>-United States Citizenship and Immigration Services;  <b>ICE</b>-Immigration and Customs Enforcement;  <b>EOIR</b>-Executive Office of Immigration Review.)</p>