A qualified alien is a person who meets one of the following requirements:

- Granted Permanent Resident Alien Status under the Immigration and Nationality Act (INA).
- Granted asylum under section 208 of the INA.
- A refugee admitted to the United States under section 207 of the INA.
- Paroled into the United States under section 212(d)(5) of the INA for a period of at least one year.
- Whose deportation is being withheld under section 243(h) of INA as in effect prior to April 1, 1997, or whose removal is being withheld under section 241(b)(3) of INA.
- Granted conditional entry under section 203(a)(7) of INA as in effect prior to April 1, 1980.
- A Cuban or Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980.
- A United States citizen or Legal Permanent Resident’s battered spouse, or child, or parent or child of such battered person, and otherwise satisfies the requirements of 8 USC 1641(c).
- Native North American Indian born in Canada and possess at least 50% American Indian blood or member of a federally recognized tribe born outside of the United States.
- Amerasian Immigrant.
- Certain Hmong or Highland Laotian tribe member.
- Veteran, spouse, unmarried surviving spouse and unmarried dependent child of a United States veteran who fulfilled minimum active duty requirement (two years).
- Active Military duty or a member of the Armed Forces on full-time duty in the Army, Navy, Air Force, Marine Corp or Coast Guard, spouse and dependent children.
- United States non-citizen national as defined by the federal government.
- Victim of severe form of Human Trafficking who has been certified (adult) or received an eligibility letter (children) by the Office of Refugee Resettlement.
- Special Immigrant Visa holder – Iraqi and Afghan nationals.