Bench Card on Immigrant Crime Victim’s and Immigrant Children’s Access to Public Benefits and Services

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This Bench Card provides lists of federal and state public benefits that are available to assist immigrant victims of domestic violence, elder abuse, sexual assault, stalking, human trafficking, child abuse, abandonment, and neglect and immigrant victims other crimes. Early identification of immigrant victims by courts and referral to agencies with expertise on immigration options for immigrant victims of crime victim and abuse, promotes greater access to benefits and services for victims and children and expands the help courts provide in court orders.

Assistance Available to All Immigrant Survivors Without Regard to Immigration Status

In 1996, Personal Responsibility and Work Opportunity Reconciliation Act (Welfare Reform Act or PRWORA), and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) severely limited access to “federal public benefits” and “federal means-tested public benefits” for many immigrants. This legislation also guaranteed as a matter of federal law and orders issued by the U.S. Attorney General that undocumented immigrants be provided access to programs and services necessary to “protect life and safety.”

Programs Necessary to Protect Life and Safety—open to all, no immigrant restrictions.

- Applies to all programs that meet the following criteria:
  - Offer in-kind services (services such as food, shelter, and other commodities);
  - Services are provided at the community level;
  - Regardless of the individual’s income or resources; and
  - Are necessary to protect life or safety.

The Department of Agriculture

- Federal Crop Insurance—open to all, no immigrant restrictions.
- Special Supplemental Nutrition Program for Women, Infants and Children (WIC)—open to all, no immigrant restrictions.
- Assistance under the National School Lunch Act, the Child Nutrition Act of 1966—open to all, no immigrant restrictions.
- Nutrition Assistance Necessary to Protect Life and Safety
  - Soup kitchens
  - Community food banks
  - Senior nutrition programs and other nutritional programs for persons requiring special assistance

Department of Education

- Public elementary and secondary education.

The Department of Health and Human Services

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• Child Care and Development Fund (CCDF) programs that are Head Start Collaborations, Child Care Subject to Educational Standards, or run by charitable organizations—*open to all persons without regard to immigration status.*

• Emergency Medicaid—*open to all persons without regard to immigration status.*

• Health Resources and Services Administration Programs (HRSA) funded qualified health centers, community and migrant clinics—*open to all, no immigrant restrictions.*

• Health screenings and immunizations—available to uninsured people without regard to immigration status through public health clinics.

• Substance Abuse and Mental Health Services—*open to all persons without regard to immigration status if the services falls within Emergency Medicaid coverage,* is necessary to protect life and safety, or is provided by certain federally funded Substance Abuse Treatment Facilities.

• Services for Survivors of Torture—*open to all, no immigrant restrictions.*

• Healthcare necessary to protect life and safety—*open to all persons without regard to immigration status.*
  
  o Mental health, crisis counseling, and intervention programs;
  o Medical and public health services (including treatment and prevention of diseases and injuries, such as immunizations);
  o Substance abuse assistance;
  o VOCA funded healthcare for crime victims (see Department of Justice).

Department of Homeland Security
• Emergency Disaster Assistance—*open to all, no immigrant restrictions.*

Department of Housing
• Unrestricted Housing Programs—*open to all immigrants no immigration restrictions.*
  
  • Short term shelter (emergency shelter and transitional housing)—*open to all immigrants who are victims of domestic violence, homeless, or abused, abandoned or neglected children.*
  
  • Street Outreach Services—*open to all immigrants no immigration restriction.*
  
  • Safe Haven—*open to all immigrants no immigration restrictions.*
  
  • Rapid Re-Housing—*open to all immigrants no immigration restrictions.*
  
  • Federally-funded Transitional Housing where the grant recipient or subrecipient owns or leases the building used to provide the transitional housing—*open to all immigrants no immigration restrictions.*
  
  • Low Income Housing Tax Credit—*open to all immigrants no immigration restrictions.*
  
  • Section 202 Supportive Housing for the Elderly Program—*open to all immigrants no immigration restrictions.*
  
  • Section 811 Supportive Housing for Persons With Disabilities Program—*open to all immigrants no immigration restrictions.*
  
  • Section 221(d)(3) and (5) Multifamily Rental Housing For Moderate-Income Families—*open to all immigrants no immigration restrictions.*
  
  • Community Development Block Grant housing (CDBG)—*open to all immigrants no immigration restrictions.*
  
  • HOME Program: HOME Investment Partnerships—*open to all immigrants no immigration restrictions.*
  
  • Home Opportunities for People with AIDS (HOPWA)—*open to all immigrants no immigration restrictions.*
  
  • Indian Housing—*open to all immigrants no immigration restrictions.*
  
  • Rental Rehabilitation—*open to all immigrants no immigration restrictions.*
  
  • McKinney-Vento/HEARTH Act Programs—*open to all immigrants no immigration restrictions.*
• Home Ownership and Opportunity for People Everywhere (HOPE 2)—open to all immigrants no immigration restrictions.\textsuperscript{41}
• Rural Housing Preservation Grants—open to all immigrants no immigration restrictions.\textsuperscript{42}
• Section 515 Rural Rental Housing Program—open to all immigrants no immigration restrictions.\textsuperscript{43}
• Section 538 Multifamily Loan Guarantees—open to all immigrants no immigration restrictions.\textsuperscript{44}

Department of Justice
• Victims of Crime (VOCA) Victim Compensation—open to all victims without regard to immigration status except in Alabama.\textsuperscript{45}
• Victim Rights and Services—open to all, no immigrant restrictions.\textsuperscript{46}
• Programs necessary to protect life and safety.\textsuperscript{47}
  o Child protection
  o Adult protective services
  o Violence and abuse prevention
  o Protections for crime victims

Department of Labor
• Wage and Hour law enforcement—open to all victims without regard to immigration status.\textsuperscript{48}
• Workers compensation and workplace health and safety laws—protect all workers without regard to immigration status.\textsuperscript{49}

The Equal Employment Opportunity Commission
• Enforcement of employment rights under federal anti-discrimination laws including protections against sexual harassment—protect all workers without regard to immigration status.\textsuperscript{50}

Legal Services Corporation
• Legal Services Corporation—funds can be used to represent victims of domestic violence, child abuse, elder abuse, sexual assault, stalking, human trafficking and other U visa listed criminal activities in any type of case related to preventing, remedying, or overcoming the effects of the abuse.\textsuperscript{51}

Social Security Administration
• Issuance of Individual Taxpayer Identification Numbers are issued by the Internal Revenue Service to help individuals comply with U.S. tax laws providing a means to process tax returns and refunds—issued without regard to immigration status to persons not eligible to receive a social security number.\textsuperscript{52}

Healthcare for Lawfully Present Immigrants

Immigrants need to be lawfully present to be able to purchase health care on the state health care exchanges.\textsuperscript{53} States may also elect to provide state funded health care subsidies to immigrants; 32 states provide state funded health care for lawfully present children.\textsuperscript{54} With regard to pregnant women, 24 states provide health care coverage to pregnant women and 12 other states provide access to prenatal care without regard to immigration status.\textsuperscript{55} Lawfully present immigrant crime victims include:

• VAWA self-petitioners, VAWA cancellation of removal or VAWA suspension of deportation with a prima facie determination;
• SIJS applicant children;
• U visa victims who have been granted a U visa or deferred action (bona fide determination or wait-list approved);
• T visa applicants who have been granted T visas or bona fide determinations;
• Other immigrant survivors with lawful presence or who are qualified immigrants (discussed below).
American University, Washington College of Law

The Department of Health and Human Services

- Medicaid — State funded health and mental health care—states may elect to provide state funded health care to immigrant pregnant women who are lawfully present.
- State Children’s Health Insurance Program (SCHIP)—states may elect to provide state funded health care to immigrant children who are lawfully present.
- Health Care Exchanges—immigrants who are lawfully present are eligible to purchase health care on the state and federal health care exchanges.

Federal and State Funded Public Benefits Open to Qualified Immigrants

In addition to access to the health care as lawfully present immigrants and to programs necessary to protect life and safety open to all immigrants, victims of crime and abuse who file for immigration relief and become qualified immigrants are eligible to access a wide range of federal and state funded public benefits. Which benefit they can access and whether they must wait 5 years after becoming a qualified immigrant depends on:

- What state the victim resides in;
- When the victim first entered the United States;
- What form of crime victim related or other immigration status the victim has applied for or been granted; and
- The public benefits program for which the victim is applying.

Any immigrant crime victim who is a qualified immigrant is eligible for many state and federal public benefits. Victims with the following immigration statuses are qualified immigrants:
- Lawful permanent residents;
- Asylees and refugees;
- Cuban and Haitian entrants;
- Immigrants paroled into the U.S. for more than a year;
- Immigrants granted withholding of removal and immigrants granted conditional entry;
- VAWA self-petitioners, VAWA cancellation of removal, and VAWA suspension of deportation applicants;
- Approved family based visa applicants who have been battered or subjected to extreme cruelty;
- T visa holders and T visa applicants with bona fide determinations.

Qualified immigrants are able to directly access many federal and state public benefits. Access to federal means-tested pubic benefits can require a 5-year wait and meeting heightened program requirements. States may elect to provide state funded benefits to qualified immigrants during the 5-year bar. The following benefit are open to qualified immigrants:

The Department of Agriculture

- Supplemental Nutrition Assistance Program (SNAP formerly Food Stamps)—qualified immigrant children under age 18 are eligible; qualified immigrant adults are generally subject to a 5-year bar.
- Section 515 and Section 514/516 programs receiving Rural Development rental assistance—qualified immigrants are eligible.
- Rural Development Voucher Program—qualified immigrants are eligible.
- Section 514 Farm Labor Housing—qualified immigrants are eligible.
- Section 502 Direct Homeownership Loan Program—qualified immigrants are eligible.
• Section 504 Minor Rehabilitation Loan and Grant Programs for Single Family Homes—qualified immigrants are eligible.\(^{69}\)

**Department of Education**

• Title IV Federal Student Financial Aid—qualified immigrants are eligible.\(^{70}\)

**The Department of Health and Human Services**\(^{71}\)

• Adoption Assistance—qualified immigrants are eligible.\(^{72}\)
• Administration on Developmental Disabilities (ADD)—qualified immigrants are eligible.\(^{73}\)
  o State Developmental Disabilities Councils (direct services only)—qualified immigrants are eligible.\(^{74}\)
  o ADD-Special Projects (direct services only)—qualified immigrants are eligible.\(^{75}\)
  o ADD-University Affiliated Programs (clinical disability assessment services only)—qualified immigrants are eligible.\(^{76}\)
• Adult Programs/Payments to Territories—qualified immigrants are eligible.\(^{77}\)
• Agency for Health Care Policy and Research Dissertation Grants—qualified immigrants are eligible.\(^{78}\)
• Clinical Training Grant for Faculty Development in Alcohol & Drug Abuse—qualified immigrants are eligible.\(^{79}\)
• Foster Care—qualified immigrants are eligible.\(^{80}\)
• Health Profession Education and Training Assistance—qualified immigrants are eligible.\(^{81}\)
• Independent Living Program—qualified immigrants are eligible.\(^{82}\)
• Low Income Heating Energy and Assistance Program (LIHEAP)—qualified immigrants are eligible.\(^{83}\)
• Medicare Premium Free - Part A—work authorized qualified immigrants are eligible.\(^{84}\)
• Medicare Premium “Buy In” Program—qualified immigrants are eligible subject to 5-year bar and meeting other eligibility requirements.\(^{85}\)
• Medicaid—qualified immigrants are eligible subject to the 5-year bar.\(^{86}\)
  o State funded health care—in a limited number of states qualified immigrants may be eligible for state funded health care earlier in the process based on state eligibility requirements.\(^{87}\)
• Mental Health Clinical Training Grants—qualified immigrants are eligible.\(^{88}\)
• Substance Abuse and Mental Health Services—qualified immigrants eligible subject to 5-year bar unless state funded, covered by Emergency Medicaid, or by federally funded Substance Abuse Treatment Facilities.\(^{91}\)
• State Children’s Health Insurance Program (SCHIP)—qualified immigrants are eligible subject to the 5-year bar. Must be under the age of 18 or pregnant.\(^{92}\)
  o State funded child health care—qualified immigrants may be eligible for state funded child health care earlier in the process based on state eligibility requirements.\(^{93}\)
• Temporary Assistance for Needy Families (TANF)—qualified immigrants are eligible subject to the 5-year bar.\(^{94}\)
  o State funded TANF Replacement Programs—qualified immigrants are eligible subject to the 5-year bar. Varies by state, subject to state eligibility requirements.\(^{95}\)
• TANF Funded Child Care—requires TANF eligibility.\(^{96}\)

**Department of Homeland Security**

• Disaster Assistance—qualified immigrants are eligible.\(^{97}\)

**Department of Housing**\(^{98}\)

• Restricted Housing Benefits—qualified immigrants are eligible.\(^{99}\)
  o Public Housing Programs—qualified immigrants are eligible.\(^{100}\)
  o Section 8 Housing Choice Voucher Program—qualified immigrants are eligible.\(^{101}\)
  o Project-Based Section 8 Voucher Program—qualified immigrants are eligible.\(^{102}\)
Section 236 Housing, with or without Rent Supplements (low-income units only)—qualified immigrants are eligible.\textsuperscript{103}

Rent Supplement housing—qualified immigrants are eligible.\textsuperscript{104}

Section 235 Homeownership housing—qualified immigrants are eligible.\textsuperscript{105}

Housing Development Grants (HoDAG) (low-income units only)—qualified immigrants are eligible.\textsuperscript{106}

Department of Labor\textsuperscript{107}

- Employment—\textit{vary by state and are available to qualified immigrants with work authorization}.\textsuperscript{108}
  - One-Stop Career Centers Core and Intensive Services—\textit{vary by state and are available to qualified immigrants with work authorization}.\textsuperscript{109}
  - Job Corps—\textit{vary by state and are available to qualified immigrants with work authorization}.\textsuperscript{110}

Social Security Administration

- Supplemental Security Income (SSI)—\textit{qualified immigrants eligible, subject to five-year bar and other eligibility requirements}.\textsuperscript{111}

Additional Benefits and Services for Trafficking Victims with HHS Certification or Eligibility Letters.\textsuperscript{112}

Victims of severe forms of human trafficking who receive HHS certification or eligibility letters through Continued Presence, a T visa, or a bona fide determination in a T visa case are as a matter of law able to access all of the benefits and services discussed above and additionally are eligible to access the following programs that are also open to refugees and asylees.

The Department of Health and Human Services\textsuperscript{113}

- Refugee Cash Assistance—\textit{For the first 8 months after HHS certification or eligibility letter, or T visa}.\textsuperscript{114}
- Refugee Medical Assistance—\textit{For the first 8 months after HHS certification or eligibility letter, or T visa}.\textsuperscript{115}
- Refugee Support Services—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{116}
- Refugee Preferred Communities Program—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{117}
- Refugee Health Promotion—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{118}
- Refugee social services—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{119}
- Refugee Microenterprise Development—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{120}
- Refugee Family Child Care Microenterprise Development—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{121}
- Refugee Individual Development Accounts—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{122}
- Refugee Voluntary Agencies Matching Grant Program—\textit{Trafficking victims must enroll within 31 days of ORR certification or eligibility letter, or T visa}.\textsuperscript{123}
- Refugee Career Pathways—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{124}
- Refugee Wilson-Fish TANF Coordination Program—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{125}
- Refugee Agricultural Partnership Project—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{126}
- Refugee Ethnic Community Self-Help—\textit{eligible upon receipt of HHS certification or eligibility letter, a T visa, or other eligible immigrant status}.\textsuperscript{127}
- Services to Older Refugees—\textit{eligible upon receipt of HHS certification or eligibility letter, or T visa}.\textsuperscript{128}
• Refugee School Impact Program—eligible upon receipt of HHS certification or eligibility letter, or T visa.

• Youth Mentoring Program—eligible upon receipt of HHS certification or eligibility letter, a T visa, or other eligible immigrant status.

• Refugee Unaccompanied Minors Program—eligible upon receipt of refugee status or have an eligible immigration status and have applied for and been approved for either the Unaccompanied Refugee Minors Program (URM) and the Unaccompanied Children (UC) Program.

State-Funded Benefits

While access to federal means-tested public benefits may be restricted based on immigration status and/or other limitations, states may enact state laws that extend or limit access to state funded public benefits to various categories of immigrants. Many states (42) offer some form of state funded public benefits to immigrants that provide access to state publicly funded assistance that provides assistance that goes beyond what immigrants are eligible for under federal public benefits programs. The state funded benefits most commonly extended to immigrants (40 states) are access to state funded prenatal care, health care for children through CHIP and/or access to state funded medical assistance. A smaller number of states (22 states) extend access to state funded TANF to some groups of immigrants. A few states (6) provide state funded nutrition assistance to immigrants who are not eligible for federal food assistance. Conversely, some states (12) have passed laws that limit the ability of immigrants to access some federally funded public benefits for immigrants living in those states.

As a result, which state or federally funded public benefits an immigrant qualifies for varies by state, by public benefits program, by when the immigrant first entered the United States, by what form of immigration relief, if any, and the immigrant may have or may have filed for. Additionally, with regard to some public benefits programs immigrant crime victims will have more access to state or federally funded public benefits than other immigrants in their state.

NIWAP has created an on-line public benefits map that can be used to identify which immigrants qualify for which benefits programs in each state. The benefits map details eligibility information based on the benefit sought, immigration status, and state in which the immigrant who may need benefits lives. The on-line public benefits map is organized by type of benefit and by state. Users can look up whether and which types of state or federally funded benefits or services the immigrant they are working with qualifies for in their states. The on-line benefits map will state for each benefits program which categories of immigrants are eligible, eligible with conditions or are not eligible for that benefits program in the state.

When the on-line map indicates that an immigrant may be eligible or eligible if they meet certain conditions for a state or federally funded benefit or service in a state, the on-line map also provides a link to a full public benefits chart for the state. The public benefits chart will connect users to more detailed information about benefits access for immigrants in the state and contains endnotes that cite and provide links to the controlling state and federal statutes, regulations, policies and websites that govern the public benefits in each state. The state charts serve as an extensive and detailed resource for practitioners, advocates and survivors to make determinations as to what benefits are available to them.

1 To identify local programs and programs in the state with this expertise see Directory of Programs With Experience Serving Immigrant Victims, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT, https://niwaplibrary.wcl.american.edu/home/directory-programs-serving-immigrant-victims.


8 C.F.R. § 246.7(c)(3). For more information see WIC eligibility requirements and how to apply for the benefits, see WIC Eligibility Requirements, U.S. DEP’T OF AGRIC., https://www.fns.usda.gov/wic/wic-eligibility-requirements (last visited Dec. 29, 2021).

9 8 U.S.C § 1615(a).


12 See DEP’T OF HEALTH AND HUMAN SERVS., Interpretation of “Federal Public Benefit,” 63 Fed. Reg. 41,658, 41,659 (Aug. 4, 1998) (PRWORA does not identify the specific benefits that are ‘Federal public benefits,’ and the definition in section 401(c), standing alone, does not provide sufficient guidance for benefit providers to make that determination. Thus, HHS published a list of HHS programs that are Federal Public Benefits and therefore are only open to qualified immigrants.) [hereinafter HHS Guidance].


15 To find an HRSA funded Health Care Center, see Find a Health Center, U.S. DEP’T OF HEALTH AND HUMAN SERVS, HEALTH RES. AND SERV., http://findhealthcenter.hrsa.gov/Search_HCRC (last visited Mar. 22, 2013). HRSA offers health care and support to uninsured, underserved, and special needs populations. HRSA issues grants to federally funded health centers that are available to anyone regardless of their ability to pay. The health centers charge patients using a sliding fee scale, based on their income. Health centers provide well-care checkups, treatment for sick patients, complete care for pregnant patients, immunizations and checkups for children, dental care, prescription drugs, as well as mental health and substance abuse care.


19 SAMHSA funded programs include programs that may provide services to immigrants without regard to immigration status. To find mental health treatment programs, see Find Treatment, SAMHSA, https://www.samhsa.gov/find-treatment (last visited Oct. 25, 2021). To find a substance abuse and/or mental health treatment program, see Substance Abuse Treatment Facility Locator, SAMHSA, https://findtreatment.gov/ (last visited Dec. 31, 2021) (The results on this search can be filtered to sort for free treatment for persons who do not have health insurance or the means to pay for services. National Suicide Prevention Lifeline: call 1-800-273-TALK (8255). See also NAT’L SUICIDE PREVENTION LIFELINE, http://www.suicidepreventionlifeline.org/ (last visited Mar. 22, 2013).

20 The Services for Survivors of Torture (SOT) program helps people who have been tortured in another country and are now living in the United States. See Services for Survivors of Torture, U.S. DEP’T OF HEALTH AND HUMAN SERVS. OFFICE OF REFUGEE RESETTLEMENT, https://www.acf.hhs.gov/programs/refugees/services-survivors-torture (last visited Dec. 31, 2021).

ombudsman profit organizations. services delivered by victim witness staff who work for fed
(Sept. 13, 2017), have a cost or loss not covered by insurance or another government b
2021). Generally, the victim must (a) report the crime promptly to law enforcement, and cooperate with police an


See also, LEGAL AID AT WORK, EMPLOYMENT RIGHTS OF UNDOCUMENTED WORKERS 2 (2021), available at https://legalaidatwork.org/factsheet/undocumented-workers-employment-rights/ (see questions 5 and 6).


See Individual Taxpayer Identification Number, INTERNAL REVENUE SERV., https://www.irs.gov/individuals/individual-taxpayer-identification-number (last visited Dec. 31, 2021). See Coverage for lawfully present immigrants, HEALTHCARE.GOV, https://www.healthcare.gov/immigrants/lawfully-present-immigrants/ (last visited Dec. 31, 2021) (Lawfully present immigrants who are able to purchase health insurance on the health care exchange include: Lawful Permanent Residents (Green Card Holders); Asylees; Refugees; persons with valid visas who have not violated the terms of their visas; Cuban/ Haitian entrants; Paroled into the U.S. for at least one year; Conditional entrant granted before 1980; Battered VAWA non-citizens, spouses, children, or parents; eligible immigrants who have filed applications for lawful permanent residency; Victims of trafficking and their spouse, child, sibling, or parent or individuals with a pending application for a victim of trafficking visa; immigrants with a pending application for cancellation or removal or suspension of deportation; Green-card holders; Men or women being deported or removed; Men or women inadmissible under § 212(a)(1)(A) because of convictions of crimes involving moral turpitude, § 212(a)(2)(A)(i) or (ii) because of convictions of sex offenses, § 212(a)(3) because of convictions of drug offenses. See also, Coverage for lawfully present immigrants, HEALTHCARE.GOV, https://www.healthcare.gov/immigrants/lawfully-present-immigrants/ (last visited Dec. 31, 2021).


See HHS Guidance at 41,658.

For a state by state analysis of state funded access to health care for immigrant crime victims, see All State Public Benefits Charts and Map (2021), NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT, https://niwaplibrary.wcl.american.edu/all-state-public-benefits-charts; For a state by state analysis of state funded access to health care for immigrant crime victims, see All State Public Benefits Charts and Map (2021), NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT, https://niwaplibrary.wcl.american.edu/all-state-public-benefits-charts; See Health coverage for immigrants, HEALTHCARE.GOV, https://www.healthcare.gov/immigrants/ (To be eligible for health care coverage through the Health Insurance Marketplace a person must be a U.S. citizen, a U.S. national, or a lawfully present immigrant. Undocumented immigrants are not eligible to buy health insurance on Marketplace plans and they are not eligible for premium tax credits.); See also Coverage for lawfully present immigrants, HEALTHCARE.GOV, https://www.healthcare.gov/immigrants/lawfully-present-immigrants/.


SJS children and U visa victims will need to wait until they are lawful permanent residents to be qualified immigrants.

Includes many Afghan immigrants and included many Cuban immigrants historically.


Id.

Id.

Id.


Id.


HHS Guidance at 41,658.

HHS Guidance at 41,658.

HHS Guidance at 41,658.

HHS Guidance at 41,658.

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Eligibility for assistance is based on authorized employment. Many immigrant survivors will have been granted work authorization a the following times: T visa holders; T visa applicants with bona fide determinations; continued presence recipients; VAWA self- petitioners with approved VAWA self-petitions and deferred action; VAWA self-petitioners with pending applications for lawful permanent residency; U visa applicants with deferred action based on bona fide determination or wait-list approval; U visa holders; and applicants for lawful permanent residency including children with approved I-131A applications. Immigrant applicant must be lawfully residing; see CENTERS FOR MEDICARE AND MEDICAID SERVICES, Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women (Jul. 1, 2010), available at https://niwaplibrary.wcl.american.edu/wp-content/uploads/2015/pdf/PB-Gov-HHSlawfullyResidingMedicaid-07.01.10-also-in-Qualified-Immigrants.pdf.


For a state by state analysis of state funded access to child health care for immigrant crime victims, see All State Public Benefits Charts and Maps (2021), NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT, https://niwaplibrary.wcl.american.edu/all-state-public-benefits-charts.


For a listing of all Public and Assisted Housing programs through HUD, see HUD Programs and Immigrant Eligibility, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT, https://niwaplibrary.wcl.american.edu/wp-content/uploads/2015/pdf/PB-Man-Ch16.2-HUDProgramsImmEligibility-7.10.13.pdf (last visited Dec. 31, 2021). The first section of the appendix lists programs that are only available to “qualified immigrants.” The second section lists the remaining programs that are available to all immigrants regardless of their status.

The Matching Grant program helps refugees and other ORR-eligible populations overcome barriers and quickly find jobs. The intent is for refugees to become financially independent in four to six months after arriving in the U.S. without accessing cash assistance programs.

https://www.acf.hhs.gov/orr/programs/refugees/matching-grants


The Wilson-Fish (WF) Temporary Assistance for Needy Families (TANF) Coordination Program (WF TCP) funds innovative approaches to provide more customized, culturally, and linguistically appropriate integrated services and resources for ORR-eligible families with children under the age of 18. The goal of WF TCP is to strengthen these families’ abilities to navigate barriers, become economically self-sufficient, and improve their social and economic wellbeing. See Wilson-Fish TANF Coordination Program, U.S. DEP’T OF HEALTH AND HUMAN SERVS OFFICE OF REFUGEE RESETTLEMENT, https://www.acf.hhs.gov/orr/programs/refugees/wilson-fish-tanf-coordination-program (last visited Dec. 31, 2021) (Open to ORR eligible families with children under the age of 18). Eligible immigrants are populations served by ORR (Paroled refugees or asylees, refugees, asylum seekers, Cuban and Haitian entrants, lawful permanent residents who were previously refugees, asylees, or Cuban/Haitian Entrants, Amerasians, Iraqi and Afghan Special Immigrants, victims of severe forms of human trafficking, unaccompanied minors granted U visas, and SIJS children who were in HHS custody or receiving services as a refugee minor when the court issues SIJS findings).

The Refugee Agricultural Partnership Project (RAPP) helps ORR-served populations lead rural farming and urban community gardening projects. RAPP works with the U.S. Department of Agriculture to provide the fresh produce to farmers markets and earn the participants a supplemental income. See Refugee Agricultural Partnership Project, U.S. DEP’T OF HEALTH AND HUMAN SERVS OFFICE OF REFUGEE RESETTLEMENT, https://www.acf.hhs.gov/orr/programs/refugees/refugee-agricultural-partnership-project (last visited Dec. 31, 2021). Eligible immigrants are populations served by ORR (Paroled refugees or asylum seekers, refugees, asylees, Cuban and Haitian entrants, lawful permanent residents who were previously refugees, asylees, or Cuban/Haitian Entrants, Amerasians, Iraqi and Afghan Special Immigrants, victims of severe forms of human trafficking, unaccompanied minors granted U visas, and SIJS children who were in HHS custody or receiving services as a refugee minor when the court issues SIJS findings).


The Services to Older Refugees Program funds states and state-alternative programs to ensure that refugees age 60 and older have access to applicable services for the aging and to provide qualifying refugees with appropriate services not currently available in the community. See Services to Older Refugees, U.S. DEP’T OF HEALTH AND HUMAN SERVS OFFICE OF REFUGEE RESETTLEMENT, https://www.acf.hhs.gov/orr/programs/refugees/services-older-refugees (last visited Dec. 31, 2021).

The Refugee School Impact (RSI) program provides grants to state and state-eligible populations. Program services focus on new arrivals and those who have been in the U.S. five years or less and continue to face integration and academic challenges. Both youth and their families may receive services from the Refugee School Impact Program. See Refugee School Impact Program, U.S. DEP’T OF HEALTH AND HUMAN SERVS OFFICE OF REFUGEE RESETTLEMENT, https://www.acf.hhs.gov/orr/programs/refugees/school-impact (last visited Dec. 31, 2021).


134 See Table 8 State-Funded TANF Replacement Programs, NAT’L IMMIGRATION LAW CENTER (Apr. 2020), https://www.nilc.org/issues/economic-support/guide_tanf/

130 See Table 12 State-Funded Food Assistance Programs, NAT’L IMMIGRATION LAW CENTER (Apr. 2020), https://www.nilc.org/issues/economic-support/state_food/