



American Samoa Public Benefits Screening Chart for Immigrant Survivors by Forms of Immigration Relief¹

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The purpose of this simplified chart is to provide a tool that victim advocates, attorneys, judges and court staff can use to identify which immigrant survivors and immigrant children qualify for which state or federally funded public benefits, programs and services. This tool was designed to be a first step to identify which immigrant survivors may qualify for which benefits and services. When an immigrant survivor is listed as qualifying or qualifying with conditions on this chart, the second step is to turn to the full public benefits chart NIWAP developed for your jurisdiction where you can look up the details/conditions of what is needed to prove eligibility and what are the sources of law that prove eligibility.

This chart is not an exhaustive list of public benefits available to immigrants in American Samoa and but a simplified snapshot of access to certain benefits including cash assistance, healthcare, and housing. This chart is meant to be used in conjunction with NIWAP's [Access to State-Funded Public Benefits in American Samoa for Survivors, Based on Immigration Status](https://niwaplibrary.wcl.american.edu/pubs/american-samoa-benefits), available at: <https://niwaplibrary.wcl.american.edu/pubs/american-samoa-benefits> that provides detailed information with citations to all of the relevant sources of law, regulations, and policies. This more detailed publication includes citations to materials that you can take with you when you accompany an immigrant victim applying for state or federal public benefits or other forms of assistance. In addition to the benefits and services discussed on this chart below, there is also a wide range of assistance that is available as a matter of law to all immigrants regardless of status.¹ For an interactive map that breaks down available public benefits based on the state and immigration status go here: <http://map.niwap.org/>.

Note: The 1996 welfare reform laws authorized states to implement state laws that offer immigrants more state funded benefits than federal public benefits provided and also authorized states to impose more restrictions on the federal public benefits immigrants living in the state could access. This territory has elected to:

- Offer AMERICAN SAMOA FUNDED BENEFITS to certain groups of immigrants in the following benefits programs: Not applicable.
- The FEDERAL GOVERNMENT imposes MORE RESTRICTIONS on immigrant access to federal public benefits: TANF, TANF funded-child care, Health insurance exchange Marketplace, Child Health Insurance Program (CHIP), Medicaid, SSI, Earned Income Tax Credit, and Unemployment Insurance.

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PROGRAM	VAWA Self Petitioner and Battered Spouse Waiver ²	Refugees, ³ Asylees, T Visas	T Visa Bona Fide or Continued Presence	Deferred Action for Childhood Arrivals (DACA)	Special Immigrant Juvenile Status (SIJS)	U Visa, Bona Fide, or Wait List Approval	U Visa (Petition Filed)	Undocumented
CASH & NUTRITION ASSISTANCE, AND CHILDCARE								
Temporary Assistance for Needy Families (TANF) (Cash Assistance)	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available
Child Care Funded by TANF and the Child Care Development Fund (CCDF)	Eligible for CCDF. TANF-funded child care not available.	Eligible for CCDF. TANF-funded child care not available.	Eligible for CCDF. TANF-funded child care not available.	Eligible for CCDF.	Eligible for CCDF. TANF-funded child care not available.	Eligible for CCDF. TANF-funded child care not available.	Eligible for CCDF.	Eligible for CCDF.
Supplemental Security Income (SSI)	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available
American Samoa Nutrition Assistance Program (ASNAP)	Eligible with conditions upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible with conditions upon obtaining lawful permanent residency.	Eligible with conditions upon obtaining lawful permanent residency.	Not eligible.	Not eligible.
Nutrition Program: For Women, Infants & Children (WIC)	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
HEALTHCARE								
Emergency Medicaid	In American Samoa, individuals do not enroll in Medicaid as they do in all other territories and states. Instead, federal Medicaid funds pay for care provided in the territory in proportion to the population of American Samoans with income that would have fallen below the Medicaid income eligibility threshold of 400% of the federal poverty level.							
Health Insurance Exchanges	Individuals in American Samoa are not eligible to use the federal health care insurance Marketplace.							

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Medicaid	In American Samoa, individuals do not enroll in Medicaid as they do in all other territories and states. Instead, federal Medicaid funds pay for care provided in the territory in proportion to the population of American Samoans with income that would have fallen below the Medicaid income eligibility threshold of 400% of the federal poverty level.							
Prenatal Care	In American Samoa, individuals do not enroll in Medicaid as they do in all other territories and states. Instead, federal Medicaid funds pay for care provided in the territory in proportion to the population of American Samoans with income that would have fallen below the Medicaid income eligibility threshold of 400% of the federal poverty level.							
Children's Health Insurance Program (CHIP)	In American Samoa, individuals do not enroll in Medicaid as they do in all other territories and states. Instead, federal Medicaid funds pay for care provided in the territory in proportion to the population of American Samoans with income that would have fallen below the Medicaid income eligibility threshold of 400% of the federal poverty level.							
<u>Victims of Crime Act (VOCA) Compensation</u>	The Victims of Crime Act compensation is not available to crime victims in CNMI. Victim's assistance programs are supported by VOCA.							
Family Medical Leave Act	American Samoa has no territorial Family Medical Leave Act law.							
HOUSING AND WEATHERIZATION								
<u>Public & Assisted Housing and Low Income Tax Credit Housing</u>⁴	Eligible upon filing. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.	Eligible. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon HHS certification or eligibility letter. In American Samoa may also be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon receiving lawful permanent residency. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon receiving lawful permanent residency. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.
<u>Emergency Shelter, Transitional Housing, Health, and Life and Safety Services</u>	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.

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Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)	Eligible for WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon prima facie determination.	WAP if living in multi-family dwellings. Eligible for LIHEAP.	WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon receipt of HHS certification or eligibility letter.	WAP if living in multi-family dwellings.	WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	WAP if living in multi-family dwellings.	WAP if living in multi-family dwellings.
EDUCATION								
Federal Education	Eligible upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible upon lawful permanent residency.	Eligible upon lawful permanent residency.	Not eligible.	Not eligible.
State Education	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.
<p>All children, without regard to immigration status or citizenship are eligible to attend public elementary and secondary (K-12) schools. State schools may not request citizenship or immigration status information and may not bar students from enrolling in public elementary or secondary schools based on the citizenship or immigration status of the student, their parent or their guardian. Eligible to apply for and enroll in state funded colleges and universities without regard to immigration status.</p> <p>In American Samoa, applicants may qualify for financial assistance if the student qualifies for permanent residency in American Samoa or is a legal resident of American Samoa.</p>								
LEGAL SERVICES, DRIVER'S LICENSES, AND EARNED INCOME TAX CREDITS								
Legal Services	Eligible for Legal Services Corporation (LSC)-funded legal services with conditions and fully eligible when victims file for lawful permanent residency.	Eligible for all LSC funded legal services. Victims of domestic, sexual, or dating violence, or stalking eligible for	Eligible for LSC funded legal services when they receive HHS certification or eligibility letter. Victims of domestic, sexual, or dating violence,	May be eligible if victims of abuse for LSC funded legal services with conditions.	May be eligible if victims of abuse for LSC funded legal services with conditions and when SIJS children file for lawful permanent residency fully eligible.	Eligible for LSC-funded legal services with conditions and fully eligible when victims file for lawful permanent residency.	Eligible for LSC-funded legal services with conditions and fully eligible when victims file for lawful permanent residency.	May be eligible if victims of abuse for LSC funded legal services with conditions. Victims of domestic, sexual, or dating violence, or

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Legal Services	Eligible for VAWA funded legal services.	VAWA funded legal services.	or stalking eligible for VAWA funded legal services.	Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	stalking eligible for VAWA funded legal services.
Driver's License	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for federally recognized driver's license and ID.	Eligible upon receipt of HHS certification or eligibility letter for federally recognized driver's license and ID.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Not eligible.	Not eligible. e
Professional and Occupational Licenses	No American Samoa laws or policies regarding immigrant access to professional or occupational licenses including whether or not work authorization is sufficient or required.							
Income Tax Credit	Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) who care for dependent children under the age of 17 or who care for a spouse or other individual unable to physically or mentally care for themselves are eligible to claim a child or dependent tax credit on their income taxes.							
Earned Income Tax Credit (EITC)	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available
FEMA AND UNEMPLOYMENT INSURANCE								
Federal Emergency Management Agency	Eligible for disaster relief. Eligible upon prima facie determination	Eligible for disaster relief. Eligible for food, unemployment	Eligible for disaster relief. Eligible upon receipt of HHS	Eligible for disaster relief.	Eligible for disaster relief. Eligible upon receipt of lawful	Eligible for disaster relief. Eligible upon receipt of lawful	Eligible for disaster relief.	Eligible for disaster relief.

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(FEMA)	for food, unemployment and other FEMA assistance.	and other FEMA assistance.	determination or eligibility letter for food, unemployment and other FEMA assistance.		permanent residency for food, unemployment and other FEMA assistance.	permanent residency for food, unemployment and other FEMA assistance.		
Unemployment Insurance	American Samoa is a territory that is not eligible to participate in the unemployment insurance program run by the U.S. federal government. American Samoa offers unemployment assistance during the pandemic through its Pandemic Unemployment Assistance (PUA) program. Immigrant eligibility for PUA in American Samoa is limited to lawful permanent residents and U.S. Nationals.							

¹ Catherine Longville & Leslye E. Orloff, *Programs Open to Immigrant Victims and All Immigrants Without Regard to Immigration Status*, National Immigrant Women's Advocacy Project (July 23, 2015), <https://niwaplibrary.wcl.american.edu/pubs/programs-open-to-all-immigrants>.

² Battered Spouse Waiver (BSW) applicants/recipients have the same eligibility for public benefits purposes as VAWA self-petitioners. BWS victims are eligible either as conditional permanent residents if they still have that status and/or are or continue to be eligible once they file their battered spouse waiver application. Battered spouse waiver applicants have greater benefits access than conditional and lawful permanent residents because they have access to exemptions from deeming and have access to benefits that are only available to battered immigrants.

³ Afghans granted humanitarian parole between July 31, 2021, and September 30, 2022 — and their spouses and children, and parents or guardians of unaccompanied children granted parole after September 30, 2022 — also are eligible for federal benefits to the same extent as refugees. Eligibility for this group continues until March 31, 2023, or the end of their parole term, whichever is later. Extending Government Funding and Delivering Emergency Assistance Act, Pub. L. 117-43 (Sept. 30, 2021). Ukrainians paroled into the U.S. between February 24, 2022, and September 30, 2023 – and their spouses and children, and parents, guardians or primary caregivers of unaccompanied children paroled into the U.S. after September 30, 2023 – are eligible for federal benefits to the same extent as refugees. Department of Homeland Security, President Biden to Announce Uniting For Ukraine, a New Streamlined Process to Welcome Ukrainians Fleeing the Russian Invasion of Ukraine. (April 21, 2022) <https://www.dhs.gov/news/2022/04/21/president-biden-announce-uniting-ukraine-new-streamlined-process-welcome-ukrainians>.

⁴ Some households, depending on the immigration status of its residents, may qualify for the Low-Income Housing Tax Credit; see [Access to State-Funded Public Benefits in American Samoa for Survivors](#) to determine whether the immigrant or family members may be eligible. For more information on LIHTC see <https://www.vawahome.com/>.