

Access to State-Funded^a Public Benefits in Arizona for Survivors,

Based on Immigration Status^b

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	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, and Naturalized Citizens	Refugees, Asylees, T Visas, ² Afghans, ³ Ukrainians ⁴	T Visa ⁵ / Continued Presence ⁶	Deferred Action for Childhood Arrivals (DACA) ⁷	Special Immigrant Juvenile Status (SIJS) ⁸	U Visa, bona fide, or wait list approval ⁹	U Visa Applicants	Undocumented
	<i>Qualified Immigrant^d</i>		<i>HHS Certification</i>	<i>Lawfully Present</i>			<i>Limited Benefits Eligibility¹⁰</i>	
TANF (Cash Assistance)	VAWA: Eligible with prima facie determination, ¹¹ subject to five-year bar for those who arrived on or after August 22, 1996. ¹² (After the first	<u>Refugee/Asylee</u> : Eligible for TANF regardless of date of entry. ¹⁷ <u>T visa</u> : with HHS certification or	Human trafficking victims eligible: with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with	Not eligible. ²³	Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. ²⁴ (may be subject to	Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996 ²⁶ (may be subject to deeming).	No federal eligibility. ²⁸	Not eligible. ²⁹

^a Federally funded public benefits are in non-italicized typeface and *state-funded public benefits are italicized*.

^b The chart shows eligibility based on immigration status. Applicants must also meet all other program eligibility requirements, such as income/resource limits. Children and other family members included in an individual's immigration application receive the same access to public benefits as the applicant. When children qualify for federal or state public benefits, immigrant parents can file child-only benefits applications on their children's behalf. Congress exempted from the public charge ground of inadmissibility immigrant victims applying for immigration relief and lawful permanent residency through the following immigration benefits programs: VAWA self-petitioning (as defined in footnote "d"), VAWA cancellation of removal, VAWA suspension of deportation, U visas, and T visas. For technical assistance on benefits access for immigrant survivors please contact the National Immigrant Women's Advocacy Project, American University, Washington College of Law (202) 274-4457 or info@niwap.org. NIWAP would like to thank Michelle Aronowitz and Dean's Fellows Alexandra Brown and Sandeep Purewal for their work in developing these state public benefits charts.

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^d See 8 U.S.C. § 1641(a)-(c) (Qualified immigrants are: **lawful permanent residents (LPRs)**(For up-to-date details on LPR benefits eligibility see National Immigrant Law Center, Table 1, Overview of Immigrant Eligibility for Federal Programs (March 2023) https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/ and NIWAP's Public Benefits Map <https://niwaplibrary.wcl.american.edu/benefits-map>); refugees; asylees; persons granted withholding of deportation/removal, conditional entry (as in effect prior to Apr. 1, 1980), humanitarian parolee; Cuban/Haitian entrants; and certain battered immigrants. A battered immigrant is someone who: (1)(a) has been battered or subjected to extreme cruelty in the U.S. by a U.S. citizen or LPR spouse, parent or step-parent or member of the spouse/parent/step-parent's family residing in the same household as the immigrant and the spouse/parent/step-parent consented to or acquiesced in such battery or cruelty, and there is a substantial connection between the battery or cruelty and the need for the public benefits, and (b) has been approved or has a petition or self-petition pending which sets forth a prima facie case for certain immigrant visa classifications, suspension of deportation, or cancellation of removal; or (2) is a victim of trafficking or a family member of a trafficking victim who has been granted T visa status or whose T visa application sets forth a prima facie case.). For discussion of prima facie determinations by immigration judges in suspension of deportation and cancellation of removal cases for battered immigrants, see OFFICE OF THE CHIEF IMMIGRATION JUDGE, U.S. DEP'T OF JUSTICE, OPERATING POLICY AND PROCEDURE MEMORANDUM 97-9; MOTIONS FOR "PRIMA FACIE" DETERMINATION AND VERIFICATION REQUESTS FOR BATTERED SPOUSES AND CHILDREN, <http://niwaplibrary.wcl.american.edu/pubs/prima-facie-verification-requests/> (last visited Mar. 2, 2018).

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	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, and Naturalized Citizens	Refugees, Asylees, T Visas, ² Afghans, ³ Ukrainians ⁴	T Visa ⁵ / Continued Presence ⁶	Deferred Action for Childhood Arrivals (DACA) ⁷	Special Immigrant Juvenile Status (SIJS) ⁸	U Visa, bona fide, or wait list approval ⁹	U Visa Applicants	Undocumented
TANF	<p>12 months may be subject to deeming).¹³</p> <p><u>Lawful permanent residents:</u> Eligible subject to five-year bar for those who arrived on or after August 22, 1996¹⁴ (may be subject to deeming)¹⁵</p> <p><u>Naturalized citizens:</u> Eligible without restrictions.¹⁶</p>	<p>eligibility determination, eligible under the Victims of Trafficking and Violence Protection Act (TVPA) of 2000 to the same extent as refugees.¹⁸</p> <p>At the state's discretion, <u>T visa holders or applicants</u> eligible as qualified immigrants with prima facie (bona fide) determination, subject to five-year bar for those who entered on or after August 22, 1996.¹⁹</p>	<p>HHS eligibility determination (under 18).²⁰</p> <p>These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.²¹</p> <p>Family members with T visa status are eligible without HHS certification or determination; they are eligible to the same extent as refugees and thus eligible regardless of date of entry.²²</p>		deeming). ²⁵	²⁷		
Child Care	<p>Children with prima facie determination and child lawful permanent residents are qualified immigrants eligible for Child Care Development Fund (CCDF)-funded child care.³⁰</p> <p>TANF-funded childcare subject to five-year bar for immigrants who</p>	<p>Children who are <u>asylees or refugees</u> are eligible for CCDF-funded child care and TANF-funded child care.³³</p> <p><u>T visa:</u> Eligible for CCDF-funded child care and TANF-funded child care under the Victims of Trafficking and Violence Protection Act</p>	<p>Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or an HHS eligibility determination (under 18) are eligible for CCDF-funded child care and TANF-funded child care.³⁷</p> <p>Family members with T visa status eligible for</p>	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or

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Child Care	entered on or after August 22, 1996. ³¹ <u>Naturalized citizens:</u> Eligible without restrictions. ³²	of 2000 to the same extent as refugees. ³⁴ Children who are T visa holders or applicants with prima facie (bona fide) determination are eligible for CCDF-funded child care. ³⁵ They are also eligible for TANF-funded childcare subject to five-year bar for those who entered on or after August 22, 1996. ³⁶	CCDF-funded child care and TANF-funded child care, no need for HHS Certification or eligibility determination. ³⁸	private pre-kindergarten or public and private child care provided after school or during school holidays; (2) Child care is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization. ³⁹	holidays; (2) Childcare is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization. ⁴⁰ Upon receiving lawful permanent residency, eligible as for CCDF-funded child care. ⁴¹ Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996. ⁴²	performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization. ⁴³ Upon receiving lawful permanent residency, eligible as for CCDF-funded child care. ⁴⁴ Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996. ⁴⁵	public and private child care provided after school or during school holidays; (2) Child care is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization. ⁴⁶	public and private child care provided after school or during school holidays; (2) Child care is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization. ⁴⁷
SNAP (Food Stamps)⁴⁸	Eligible with VAWA prima facie determination or lawful permanent residence, subject to an additional condition, e.g.: five years residency, younger than 18, elderly (if lawfully residing in the U.S. on 8/22/96, disabled or if Lawful Permanent Resident with 40	<u>Refugee/Asylee:</u> Eligible with no additional conditions. ⁵¹ <u>T visa:</u> Eligible with prima facie (bona fide) determination on T visa application, subject to an additional condition (e.g., five-years residency, under 18, elderly, or disabled). ⁵² Also eligible under the Trafficking Victims	Human trafficking victims are eligible: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with an HHS eligibility determination (under 18). ⁵⁴ Family members with T visa status eligible without HHS	Not eligible.	Eligible upon receiving lawful permanent residency, subject to an additional condition, ⁵⁷ e.g.: under 18, ⁵⁸ five years residency, ⁵⁹ 40 qualifying work quarters, ⁶⁰ or disabled. ⁶¹	Eligible upon receiving lawful permanent residency, subject to an additional condition, ⁶² e.g.: under 18, ⁶³ five years residency, ⁶⁴ 40 qualifying work quarters, ⁶⁵ elderly, ⁶⁶ or disabled. ⁶⁷	Not eligible.	Not eligible.

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SNAP	quarters of work credit. ⁴⁹ <u>Naturalized citizens:</u> Eligible without restrictions. ⁵⁰	Protection Act to the same extent as refugees. ⁵³	certification or eligibility determination. ⁵⁵ These human trafficking victims are eligible to the same extent as refugees and thus are eligible with no additional conditions. ⁵⁶					
The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)	<p>The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides Federal grants to States for supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk, without regard to immigration status or naturalized citizenship.⁶⁸ Applicants must live in the state in which they apply, but are not required to live there for a certain amount of time in order to meet the WIC residency requirement.⁶⁹ Applicants must also have an income at or below an income level or standard set by the State agency or be determined automatically income-eligible based on participation in certain programs (TANF, SNAP benefits, Medicaid).⁷⁰</p> <p><i>In Arizona, applicants should contact the local WIC clinic to make an appointment.⁷¹ In Arizona to qualify for WIC applicant must meet Arizona's income eligibility requirement that all WIC applicants must be at or below 185% of the federal poverty level. This application requirement must be met by pregnant, postpartum or breastfeeding women and by infants and children under age 5 to qualify for WIC.⁷²</i></p>							
Purchase Health Insurance on Exchanges^e	Eligible with VAWA prima facie determination, ⁷³ as a lawful permanent resident, ⁷⁴ or naturalized citizen. ⁷⁵	<u>Refugee:</u> Eligible. ⁷⁶ <u>Asylee:</u> Eligible; applicants eligible if granted work authorization; applicants under 14 eligible if application pending at least 180 days. ⁷⁷ <u>T visa:</u> Eligible with prima facie (bona fide)	Human trafficking victims eligible: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18). ⁷⁹ Family members with T visa status eligible	Not eligible. ⁸²	Eligible upon filing SIJS application. ⁸³	Eligible upon U visa, bona fide determination ⁸⁴ or wait list approval. ⁸⁵	Not eligible. ⁸⁶	Not eligible. ⁸⁷

^e Under the Affordable Care Act, in “mixed status” households, each family member may have different eligibility for exchanges and subsidies. NAT’L IMMIGRATION LAW CTR., FREQUENTLY ASKED QUESTIONS: THE AFFORDABLE CARE ACT & MIXED-STATUS FAMILIES (rev. 2014), <https://www.nilc.org/wp-content/uploads/2015/11/FAQ-ACA-and-mixed-status-families-2014-12-1.pdf>.

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Health Insurance		determination on T visa application. ⁷⁸	without HHS certification or eligibility determination. ⁸⁰ These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry. ⁸¹					
Child Health Insurance Program (CHIP)⁸⁸	Eligible with VAWA prima facie determination or lawful permanent residence if arrived prior to August 22, 1996 and subject to five-year bar for those who arrived on or after August 22, 1996. ⁸⁹ Naturalized citizens eligible. ⁹⁰ Eligible for emergency Medicaid regardless of immigration or citizenship status. ⁹¹	<u>Refugee/Asylee</u> : Eligible, exempt from five-year bar. ⁹² <u>T visa</u> : with HHS certification or eligibility determination, immediately eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees. ⁹³ <u>T visa holders and T visa applicants</u> with prima facie (bona fide) determinations eligible as qualified immigrants, subject to five-year bar for those who arrived on or after August 22, 1996. ⁹⁴	Human trafficking victims are eligible with an HHS certification (based on continued presence or a bona fide determination on a T visa application) or eligibility determination (under 18). ⁹⁵ Family members with T visa status are eligible without HHS Certification or eligibility determination. ⁹⁶ These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar. ⁹⁷ Eligible for emergency Medicaid regardless of immigration status. ⁹⁸	Eligible for emergency Medicaid regardless of immigration status. ⁹⁹	Eligible upon receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. ¹⁰⁰ Eligible for emergency Medicaid regardless of immigration status. ¹⁰¹	If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency. ¹⁰² If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, but subject to five-year bar. ¹⁰³ Eligible for emergency Medicaid regardless of immigration status. ¹⁰⁴	Eligible for emergency Medicaid regardless of immigration status. ¹⁰⁵	Eligible for emergency Medicaid regardless of immigration status. ¹⁰⁶

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Full-Scope Medicaid¹⁰⁷	<p>Eligible with VAWA prima facie determination or lawful permanent residence if arrived prior to August 22, 1996 and subject to five-year bar for those who arrived on or after August 22, 1996.¹⁰⁸ Naturalized citizens eligible.¹⁰⁹</p> <p>Eligible for emergency Medicaid regardless of immigration status.¹¹⁰</p>	<p><u>Refugee/Asylee</u>: Eligible, exempt from five-year bar.¹¹¹</p> <p><u>T visa</u>: with HHS certification or eligibility determination, immediately eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.¹¹²</p> <p><u>T visa holders and T visa applicants</u> with prima facie (bona fide) determinations eligible as qualified immigrants, subject to five-year bar for those who arrived on or after August 22, 1996.¹¹³</p>	<p>Human trafficking victims are eligible with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or eligibility determination (under 18).¹¹⁴ Family members with T visa status eligible without HHS Certification or eligibility determination, exempt from five-year bar.¹¹⁵ These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar.¹¹⁶</p> <p>Eligible for emergency Medicaid regardless of immigration status.¹¹⁷</p>	<p>Eligible for emergency Medicaid regardless of immigration status.¹¹⁸</p>	<p>Eligible for emergency Medicaid regardless of immigration status.¹¹⁹</p> <p>Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996.¹²⁰</p>	<p>Eligible for emergency Medicaid regardless of immigration status.¹²¹</p> <p>If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency.¹²²</p> <p>If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, subject to five-year bar.¹²³</p>	<p>Eligible for emergency Medicaid regardless of immigration status.¹²⁴</p>	<p>Eligible for emergency Medicaid regardless of immigration status.¹²⁵</p>
Victims of Crime Act (VOCA)	The Victims of Crime Act provides compensation to crime victims for costs associated with the crime victimization. Costs covered by VOCA include compensation for medical bills, lost wages, counseling sessions, crime scene clean up, and reimbursement for many other expenses. VOCA compensation is available to crime victims without regard to immigration status or naturalized citizenship. ¹²⁶							
Family Medical Leave Act – State Law	Arizona does not have a state Family Medical Leave Act (FMLA). Federal FMLA law applies. ¹²⁷							
Education-Federal	With VAWA prima facie determinations and all lawful permanent residents	Refugees, Asylees, and T visa holders or T visa applicants with prima facie (bona fide)	Human trafficking victims eligible: with an HHS Certification (based on continued	Not eligible for federal student aid. ¹³³	Eligible for federal student aid upon receipt of lawful permanent	Eligible for federal student aid upon receipt of lawful permanent residency. ¹³⁵	Not eligible for federal student aid.	Not eligible for federal student aid.

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Benefits: Federal Student Aid, Grants and Loans ¹²⁸	eligible. ¹²⁹ Naturalized citizens, eligible. ¹³⁰	determination, an HHS Certification or eligibility letter are eligible for federal student aid. ¹³¹	presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18), and family members with T visa status, are eligible for federal student aid. ¹³²		residency. ¹³⁴			
Education- State Law	<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.¹³⁶ Eligible to apply for and enroll in state funded colleges and universities without regard to citizenship or immigration status.¹³⁷</p> <p><i>A noncitizen regardless of immigration status who was physically present in Arizona for two years while attending any public or private high school or homeschool equivalent in Arizona, who graduated from any public, private, or homeschool equivalent or has a high school diploma equivalent in the state is eligible for in-state tuition.¹³⁸ A noncitizen may be entitled to classification as an in-state refugee student if the person has been granted refugee status under the law of the U.S. and has met all the other requirements for domicile in the state.¹³⁹ Immigrants who have or gain legal immigration status under INA Section 101(a)(15) are not eligible for in-state tuition in Arizona this includes U visa, work visa, student visa, diplomats, fiancés of U.S. citizens, and children included in their parents immigrant visa applications.¹⁴⁰ All students in Arizona regardless of immigration status may be eligible to receive financial aid paid in whole or in part with state funds to attend an Arizona public university or community college.¹⁴¹</i></p>							
Supplemental Security Income (SSI) ¹⁴²	Eligible with VAWA prima facie determination or lawful permanent residence if received SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled. ¹⁴³ May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979. ¹⁴⁴	<p><u>Refugees/Asylees:</u> Eligible during first seven years after the status was granted.¹⁴⁸</p> <p><u>Trafficking victims:</u> Eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.¹⁴⁹</p> <p><u>T visa</u>¹⁵⁰: Eligible as a qualified immigrant with prima facie (bona fide) determination on</p>	Human trafficking victims: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with an HHS eligibility determination (under 18), or family members with T visa status (no need for HHS certification or eligibility determination) are eligible to the same extent as refugees. ¹⁵⁴	Not eligible.	Eligible upon receiving lawful permanent residency if credited with 40 quarters of work, ¹⁵⁵ subject to five-year bar, for those who arrived on or after August 22, 1996. ¹⁵⁶	Eligible upon receiving lawful permanent residency if: credited with 40 quarters of work ¹⁵⁷ subject to five-year bar for those who arrived on or after August 22, 1996; or if receiving SSI as of August 22, 1996; or if lawfully residing in U.S. as of that date and now disabled. ¹⁵⁸ Lawful permanent residents may also be eligible if currently receiving SSI based on an application filed before 1979. ¹⁵⁹	Not eligible ¹⁶⁰	Not eligible ¹⁶¹

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SSI	<p>Eligible upon receiving lawful permanent residency if credited with 40 quarters of work,¹⁴⁵ subject to five-year bar for those who arrived on or after August 22, 1996.¹⁴⁶</p> <p>Naturalized citizens, eligible.¹⁴⁷</p>	<p>T visa application if receiving SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled.¹⁵¹ May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979.¹⁵² This eligibility allows trafficking victims who are disabled to continue to receive SSI after the 7-years.¹⁵³</p>						
Professional and Occupational Licenses	<p>Arizona does not affirmatively extend occupational and professional licensure to undocumented individuals. However, Arizona offers reciprocity of professional licensure for out-of-state licensed professionals.¹⁶² To determine whether Arizona imposes any immigration restrictions on applications for reciprocity for particular professional licenses check the license requirements by profession.¹⁶³</p>							

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<p>Driver's License¹⁶⁴</p>	<p>Under the REAL ID Act, evidence of “lawful status” or naturalized citizenship is required for a driver’s license to be accepted by a federal agency for official purposes.¹⁶⁵ The Department of Homeland Security (DHS), by regulation, lists specific documents that will provide satisfactory evidence of lawful status.¹⁶⁶ All documentation for REAL ID compliant ID’s will be submitted through the Systematic Alien Verification for Entitlements Program (S.A.V.E.).¹⁶⁷ DHS will also approve acceptance of other documentation issued by DHS or other Federal agencies demonstrating lawful status, as determined by USCIS.¹⁶⁸ In addition, DHS permits states to establish an “Exception Process” and consider “Alternative Documents.”¹⁶⁹</p> <p><i>In Arizona, applicants can go to a Motor Vehicle Division (MVD) office or an authorized third party that provides driver license services.¹⁷⁰ Applicants must provide at least two types of documents to be issued a driver license or non-operating identification license. The primary document must include the applicant’s date of birth and the secondary document provided by the applicant does not have to include a date of birth.¹⁷¹</i></p> <p><i>Arizona requires the following documentation:¹⁷²</i></p> <ul style="list-style-type: none"> • <i>Proof of identification</i> <ul style="list-style-type: none"> ○ <i>Includes Social Security number and Employment authorization document¹⁷³</i> <ul style="list-style-type: none"> ▪ <i>The stage in the immigration application process at which most immigrant crime victims will receive full a state issued driver’s license is upon receipt of employment authorization.¹⁷⁴</i> • <i>Proof of Age¹⁷⁵</i> • <i>Authorized Presence¹⁷⁶</i> 						<p>Not eligible.</p>	
<p>Housing, Health, and Other Services Necessary to Protect Life or Safety</p>	<p>Certain federally assisted programs providing services necessary to protect life or safety must make those services available without regard to immigration status or naturalized citizenship and may not withhold those services based on immigration status.¹⁷⁷ Programs considered necessary for the protection of life or safety include, but are not limited to: short term shelter or transitional housing for the homeless, or for victims of domestic abuse, sexual assault, stalking, dating violence, or human trafficking, or for runaway, abused or abandoned children; crisis counseling and intervention programs; services and assistance relating to victims of domestic violence or other criminal activity, child protection, adult protective services, or violence and abuse prevention; soup kitchens, community food banks, senior nutrition programs and other nutritional programs for persons requiring special assistance (e.g., WIC); medical and public health services (including federally qualified health centers); mental health, disability, or substance abuse assistance necessary to protect life or safety; activities designed to protect the life or safety of workers, children and youths, or community residents; programs to help individuals during periods of adverse weather conditions.¹⁷⁸</p> <p><i>The Arizona Department of Economic Security provides options for Emergency Shelter, Rapid Rehousing, and Homeless Prevention/Rental Assistance services that may be available for those who are homeless or households at-risk of being homeless.¹⁷⁹</i></p>							

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, and Naturalized Citizens	Refugees, Asylees, T Visas, ² Afghans, ³ Ukrainians ⁴	T Visa ⁵ / Continued Presence ⁶	Deferred Action for Childhood Arrivals (DACA) ⁷	Special Immigrant Juvenile Status (SIJS) ⁸	U Visa, bona fide, or wait list approval ⁹	U Visa Applicants	Undocumented
Public and Assisted ¹⁸⁰ Housing, ¹⁸¹ and Low-Income Housing Tax Credit (LIHTC) Housing ¹⁸²	<p>Upon filing VAWA self-petition, applicant cannot be denied HUD public or assisted housing unless and until a final determination of ineligibility.¹⁸³</p> <p>USDA rental housing follows HUD procedures for processing VAWA self-petitions,¹⁸⁴ so should be eligible for all USDA rental housing unless and until a final determination of ineligibility.</p> <p>Regardless of immigration status, eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),¹⁸⁵ and USDA Section 514/516 Farm Labor Housing if immediate family member of eligible tenant.¹⁸⁶</p> <p>Upon filing self-VAWA self-petition,</p>	<p><u>Refugee/Asylee, T visa holder or T visa applicant</u> with prima facie (bona fide) determination eligible for:</p> <p>HUD public and assisted housing;¹⁹⁵ USDA Section 515 Rural Rental Housing;¹⁹⁶ USDA Section 521 Rural Rental Assistance;¹⁹⁷ USDA Section 514/516 Farm Labor Housing if immediate family member¹⁹⁸ or remaining household member¹⁹⁹ of eligible domestic farm laborer.</p> <p>Upon receiving lawful permanent residency USDA Section 514/516 Farm Labor Housing.²⁰⁰</p> <p><i>In Arizona, may be eligible to live in Low Income Housing Tax Credit property.</i>²⁰¹</p>	<p>Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18), and family members with T visa status (no need for HHS certification or eligibility determination),²⁰² are eligible for: HUD public and assisted housing²⁰³ and USDA rental housing.²⁰⁴</p> <p><i>In Arizona, may be eligible to live in Low Income Housing Tax Credit property.</i>²⁰⁵</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),²⁰⁶ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.²⁰⁷</p> <p><i>In Arizona, may be eligible to live in Low Income Housing Tax Credit property.</i>²⁰⁸</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),²⁰⁹ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.²¹⁰</p> <p>Upon receiving lawful permanent residency,²¹¹ eligible for HUD²¹² and USDA²¹³ rental housing.²¹⁴</p> <p><i>In Arizona, may be eligible to live in Low Income Housing Tax Credit property.</i>²¹⁵</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),²¹⁶ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.²¹⁷</p> <p>Upon receiving lawful permanent residency,²¹⁸ eligible for HUD²¹⁹ and USDA²²⁰ rental housing.²²¹</p> <p><i>In Arizona, may be eligible to live in Low Income Housing Tax Credit property.</i>²²²</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),²²³ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.²²⁴</p> <p><i>In Arizona, may be eligible to live in Low Income Housing Tax Credit property.</i>²²⁵</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),²²⁶ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.²²⁷</p> <p><i>In Arizona, may be eligible to live in Low Income Housing Tax Credit property.</i>²²⁸</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, and Naturalized Citizens	Refugees, Asylees, T Visas, ² Afghans, ³ Ukrainians ⁴	T Visa ⁵ / Continued Presence ⁶	Deferred Action for Childhood Arrivals (DACA) ⁷	Special Immigrant Juvenile Status (SIJS) ⁸	U Visa, bona fide, or wait list approval ⁹	U Visa Applicants	Undocumented
Public and Assisted Housing and LIHTC	<p>remaining household member of eligible domestic farm laborer eligible to continue to occupy USDA Section 514/516 Farm Labor Housing unit.¹⁸⁷</p> <p>Lawful permanent residents are eligible for public and assisted housing¹⁸⁸ and for USDA Section 514/516 Farm Lab or Housing,¹⁸⁹ USDA Section 521 Rural Rental Assistance.¹⁹⁰</p> <p>Naturalized citizens are eligible for public and assisted housing¹⁹¹ and for USDA Section 514/516 Farm Lab or Housing,¹⁹² USDA Section 521 Rural Rental Assistance.¹⁹³</p> <p><i>In Arizona, may be eligible to live in Low Income Housing Tax Credit property.¹⁹⁴</i></p>							

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, and Naturalized Citizens	Refugees, Asylees, T Visas, ² Afghans, ³ Ukrainians ⁴	T Visa ⁵ / Continued Presence ⁶	Deferred Action for Childhood Arrivals (DACA) ⁷	Special Immigrant Juvenile Status (SIJS) ⁸	U Visa, bona fide, or wait list approval ⁹	U Visa Applicants	Undocumented
Income Tax Credits	<p>Child Tax Credit: Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) who care for dependent children under the age of 17 are eligible to claim a child tax credit on their income taxes.²²⁹ A qualifying child must be a citizen, national, or resident of the U.S with an SSN or an Individual Taxpayer Identification Number (ITIN).²³⁰ Immigrants eligible to receive social security numbers include naturalized citizens, lawful permanent residents, refugees, asylees, and VAWA self-petitioners, T visa applicants with bona fide determinations, and wait-list approved U visa applicants once they are granted work authorization. Any immigrant without regard to immigration status can obtain an ITIN.²³¹</p> <p>Child and Dependent Care Tax Credit: Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) can claim a child or dependent care tax credit on their income taxes when they care for—</p> <ul style="list-style-type: none"> • A dependent child under the age of 13, • A spouse who is unable to physically or mentally care for themselves, or • An individual who is unable to care for themselves, mentally or physically who has lived with the taxpayer for at least six months.²³² <p>The child or dependent must have a social security number or ITIN.²³³ Immigrants eligible to receive social security numbers include naturalized citizens, lawful permanent residents, refugees, asylees, and VAWA self-petitioners, T visa applicants with bona fide determinations and wait-list approved U visa applicants once they are granted work authorization. Any immigrant without regard to immigration status can obtain an ITIN.²³⁴</p>							
Earned Income Tax Credit (EITC)	VAWA self-petitioners, lawful permanent residents, and naturalized citizens who ²³⁵ : have been granted work authorization or who are granted lawful permanent residency, have lived in the U.S. for at least 183 days during the tax year, ²³⁶ have a social security number valid for work, ²³⁷ and have earned income during the tax year ²³⁸ are eligible for the earned income tax credit (EITC). ²³⁹	Refugees, asylees, asylum applicants, and T visa holders with work authorization or lawful permanent residency who: have lived in the U.S. for at least 183 days during the tax year, ²⁴⁰ have a social security number valid for work, ²⁴¹ and have earned income during the tax year ²⁴² are eligible for the earned income tax credit (EITC). ²⁴³	Recipients of T visa bona fide determinations or continued presence who: are granted work authorization, have lived in the U.S. for at least 183 days during the tax year, ²⁴⁴ have a social security number valid for work, ²⁴⁵ and have earned income during the tax year ²⁴⁶ are eligible for the earned income tax credit (EITC). ²⁴⁷	DACA applicants who: are granted work authorization, have lived in the U.S. for at least 183 days during the tax year, ²⁴⁸ have a social security number valid for work, ²⁴⁹ and have earned income during the tax year ²⁵⁰ are eligible for the earned income tax credit	SIJS recipients granted lawful permanent residency who: have lived in the U.S. at least 183 days during the tax year, ²⁵² have a social security number valid for work, ²⁵³ and have earned income during the tax year ²⁵⁴ are eligible for the earned income tax credit (EITC). ²⁵⁵	Once granted lawful permanent residency ²⁵⁶ or work authorization U visa holders and U visa applicants with deferred action (based on bona fide determinations or wait-list approval) who have lived in the U.S. for six months, ²⁵⁷ who have a social security number valid for work, ²⁵⁸ and who are earning income are eligible for the earned income tax credit (EITC). ²⁵⁹	Not Eligible.	Not Eligible.

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, and Naturalized Citizens	Refugees, Asylees, T Visas, ² Afghans, ³ Ukrainians ⁴	T Visa ⁵ / Continued Presence ⁶	Deferred Action for Childhood Arrivals (DACA) ⁷	Special Immigrant Juvenile Status (SIJS) ⁸	U Visa, bona fide, or wait list approval ⁹	U Visa Applicants	Undocumented
				(EITC). ²⁵¹				
Legal Services²⁶⁰	<p>An immigrant who (or whose child) is battered or subjected to extreme cruelty²⁶¹ inside or outside of the United States²⁶² is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies on matters related to the abuse.²⁶³</p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving lawful permanent resident status,²⁶⁴ or spouses, parents, and unmarried children under age 21 of U.S. citizens²⁶⁵ become eligible for full representation on any matter upon filing an application for lawful permanent residency.²⁶⁶</p> <p>Lawful permanent residents, applicants for lawful permanent residency,²⁶⁷ and naturalized citizens²⁶⁸ are eligible for full</p>	<p><u>Refugee/Asylee:</u> Refugees and Asylees are eligible for legal assistance on any matter the Legal Services Corporation (LSC)-funded agency handles.²⁷³</p> <p><u>T visa:</u> An immigrant who has been (or whose child has been) a victim of trafficking in the U.S., including a T visa holder,²⁷⁴ is eligible for legal assistance on any matter the LSC-funded agency handles.²⁷⁵</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance²⁷⁶ for victims of domestic violence, sexual assault, stalking²⁷⁷ or dating violence.²⁷⁸ Must be at least 11 years old.²⁷⁹</p>	<p>An immigrant victim of severe forms of human trafficking with (or seeking) HHS Certification,²⁸⁰ and family members with (or applying for) T visa status,²⁸¹ are eligible for legal assistance on any matter the LSC-funded agency handles.</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance²⁸² for victims of domestic violence, sexual assault, stalking²⁸³ or dating violence.²⁸⁴ Must be at least 11 years old.²⁸⁵</p>	<p>A DACA recipient who is (or whose child is) battered or subjected to extreme cruelty,²⁸⁶ or is a victim of sexual assault or trafficking in the U.S.,²⁸⁷ is eligible for legal services from LSC-funded agencies²⁸⁸ on matters related to the abuse.²⁸⁹</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance²⁹⁰ for victims of domestic violence, sexual assault, stalking²⁹¹ or dating</p>	<p>Eligible for LSC-funded legal assistance when the child has suffered battering or extreme cruelty,²⁹⁴ or sexual assault or trafficking in the U.S.,²⁹⁵ on matters related to the abuse.²⁹⁶</p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status,²⁹⁷ or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.²⁹⁸</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance²⁹⁹ for victims of domestic violence, sexual assault, stalking³⁰⁰ or dating violence.³⁰¹ Must be at least 11 years old.³⁰²</p>	<p>An immigrant who has (or whose child has) been granted, applied for, or qualifies to apply for U visa status and a family member eligible to apply for U visa status³⁰³ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies³⁰⁴ on matters related to the crime victimization.³⁰⁵</p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status,³⁰⁶ or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.³⁰⁷</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance³⁰⁸ for victims of domestic violence, sexual assault, stalking³⁰⁹ or dating</p>	<p>An immigrant who has (or whose child has) applied for, or qualifies to apply for U visa status and a family member eligible to apply for U visa status³¹² is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies³¹³ on matters related to the crime victimization.³¹⁴</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance³¹⁵ for victims of domestic violence, sexual assault, stalking³¹⁶ or dating violence.³¹⁷ Must be at least</p>	<p>An immigrant victim who is (or whose child is), battered or subjected to extreme cruelty,³¹⁹ or is a victim of sexual assault or trafficking in the U.S.,³²⁰ is eligible for legal services from LSC-funded agencies³²¹ on matters related to the abuse.³²²</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance³²³ for victims of domestic violence, sexual assault, stalking³²⁴ or dating violence.³²⁵ Must be at least 11 years old.³²⁶</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, and Naturalized Citizens	Refugees, Asylees, T Visas, ² Afghans, ³ Ukrainians ⁴	T Visa ⁵ / Continued Presence ⁶	Deferred Action for Childhood Arrivals (DACA) ⁷	Special Immigrant Juvenile Status (SIJS) ⁸	U Visa, bona fide, or wait list approval ⁹	U Visa Applicants	Undocumented
Legal Services	<p>representation.</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance²⁶⁹ as a victim of domestic violence, sexual assault, stalking²⁷⁰ or dating violence.²⁷¹ Must be at least 11 years old.²⁷²</p>			<p>violence.²⁹² Must be at least 11 years old.²⁹³</p>		<p>violence.³¹⁰ Must be at least 11 years old.³¹¹</p>	<p>11 years old.³¹⁸</p>	
Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.³²⁷</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receipt of VAWA prima facie determination, lawful permanent residence, or naturalized citizenship.³²⁸</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.³²⁹</p> <p>Refugees, asylees, T visa holders, and T visa applicants with prima facie (bona fide) determination eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance.³³⁰</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without regard to immigration status.³³¹</p> <p>Human trafficking victims with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS eligibility determination (under 18), are considered refugees and thus are eligible for LIHEAP heating/cooling and single-family weatherization assistance.³³²</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.³³³</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.³³⁴</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.³³⁵</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without regard to immigration status.³³⁶</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.³³⁷</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.³³⁸</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.³³⁹</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, and Naturalized Citizens	Refugees, Asylees, T Visas, ² Afghans, ³ Ukrainians ⁴	T Visa ⁵ / Continued Presence ⁶	Deferred Action for Childhood Arrivals (DACA) ⁷	Special Immigrant Juvenile Status (SIJS) ⁸	U Visa, bona fide, or wait list approval ⁹	U Visa Applicants	Undocumented
Federal Emergency Management Agency (FEMA) Assistance³⁴⁰	<p>Eligible for certain FEMA provided emergency services that are available to all victims regardless of their immigration status or naturalized citizenship. These services are short term, non-cash, in-kind emergency disaster relief, including: search and rescue, emergency medical care, mass care and shelter, resources for essential needs such as food, water and medicine, and reduction of immediate threats to life, property, public health and safety.³⁴¹</p> <p>D-SNAP, which provides temporary food assistance for households affected by a natural disaster, may be available for households that are not normally eligible for SNAP benefits.³⁴²</p>							
Federal Emergency Management Agency (FEMA)-Restricted Programs³⁴³	<p>Upon receipt of VAWA prima facie determination, lawful permanent residence, or naturalized citizenship³⁴⁴;</p> <p>Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).³⁴⁵</p> <p>Eligible for Emergency Supplemental Nutrition Assistance Program (SNAP), subject to five-year bar, unless under 18, or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.³⁴⁶</p>	<p>FEMA Assistance Programs, Individuals and Households Program (IHP), Disaster Unemployment Assistance (DUA): open to <u>Refugees, Asylees, T visa applicants</u> with prima facie (bona fide) determination.³⁴⁷</p> <p>Emergency SNAP open to <u>Refugees/Asylees</u> (no five-year bar),³⁴⁸ and <u>T visa applicants</u> with prima facie (bona fide) determination, subject to five-year bar, unless under 18, or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.³⁴⁹</p>	<p>Human trafficking victims eligible: with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS eligibility determination (under 18) or family members with T visa status (no need for HHS certification or eligibility determination).³⁵⁰</p> <p>These human trafficking victims are considered refugees and thus are eligible for FEMA Assistance Programs, Individual and Households Program (IHP), Disaster Unemployment Assistance (DUA), and Emergency SNAP.³⁵¹</p>	Not eligible.	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).³⁵²</p> <p>Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.³⁵³</p>	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).³⁵⁴</p> <p>Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.³⁵⁵</p>	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).³⁵⁶</p> <p>Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on</p>	Not eligible. ³⁵⁸

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, and Naturalized Citizens	Refugees, Asylees, T Visas, ² Afghans, ³ Ukrainians ⁴	T Visa ⁵ / Continued Presence ⁶	Deferred Action for Childhood Arrivals (DACA) ⁷	Special Immigrant Juvenile Status (SIJS) ⁸	U Visa, bona fide, or wait list approval ⁹	U Visa Applicants	Undocumented
FEMA Restricted Programs							August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931. ³⁵⁷	
Unemployment Insurance ³⁵⁹	Eligible for UI upon receipt of work authorization, lawful permanent residence, or citizenship. ³⁶⁰	<p><u>Refugee:</u> Eligible for UI upon receipt of work authorization.³⁶¹</p> <p><u>Asylee:</u> Eligible for UI upon grant receipt of work authorization.³⁶²</p> <p><u>T Visa:</u> Eligible for UI upon receipt of work authorization.³⁶³</p>	Eligible for UI upon receipt of HHS certification or eligibility letter and work authorization. ³⁶⁴	Eligible for UI upon receipt of work authorization. ³⁶⁵	Eligible for UI upon receipt of work authorization. ³⁶⁶	Eligible for UI upon receipt of work authorization. ³⁶⁷	Not eligible. ³⁶⁸	Not eligible. ³⁶⁹

¹ VAWA self-petitioner for public benefits purposes includes: VAWA self-petitioners, battered spouse waiver applicants, applicants for relief under VAWA Cuban Adjustment Act (“VAWA CAA”), VAWA Haitian Refugee Immigration and Fairness Act (“VAWA HRIFA”), VAWA Nicaraguan and Central American Relief Act (“VAWA NACARA”), VAWA cancellation of removal, VAWA suspension of deportation, and battered spouses and children with approved I-130 visa applications filed by their abusive citizen spouse, parent or step-parent. *See* 8 U.S.C. § 1641(c); 8 U.S.C. § 1101(a)(51).

² *See* 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4) (Asylees, Refugees and trafficking victims and family members of trafficking victims with T visa status or a pending T visa application setting forth a “prima facie” (bona facie) case for eligibility); Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 81 Fed. Reg. 92266, 92279, 92304, 92307 (Dec. 19, 2016) (effective Jan. 18, 2017) (to be codified at 8 C.F.R. pts. 212, 214, 245, 274) (Prima facie/bona fide determinations on T visa applications are made by the Department of Homeland Security.).

³ Afghans granted humanitarian parole between July 31, 2021, and September 30, 2023 — 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). Iraqi and Afghan special immigrant visa holders (SIV) and special immigrant parolees (who have applied for SIV status) are eligible for federal benefits to the same extent as refugees. Office of Refugee Resettlement, Administration for Children and Families, U.S. Dep’t of Health and Hum. Servs., Fact Sheet: Benefits for Afghan and Iraqi Special Immigrant Visa (SIV) Holders or SQ/SI Parolees (last visited November 29, 2023) <https://www.acf.hhs.gov/orr/fact-sheet/benefits-afghan-and-iraqi-special-immigrant-visa-siv-holders-or-sq/si-parolees>. *See* The Administration for Children and Families Office of Refugee Resettlement Policy Letters on Public Benefits for Afghan Refugees (November 29, 2023) <https://niwaplibrary.wcl.american.edu/orr-policy-letters-afghan-refugees> (Contains HHS Policy Letters and Fact Sheets regarding Afghan Refugees).

⁴ 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. Dep’t 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>; See The Administration for Children and Families Office of Refugee Resettlement Policy Letters on Public Benefits for Ukrainian Refugees (November 29, 2023) <https://niwaplibrary.wcl.american.edu/orr-policy-letters-ukrainian-refugees> (Contains HHS Policy Letters and Fact Sheets regarding Ukrainian Refugees).

⁵ See 22 U.S.C. § 7105(b)(1) (Bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees.); Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 81 Fed. Reg. 92266, 92278 (Dec. 19, 2016) (effective Jan. 18, 2017) (to be codified at 8 C.F.R. pts. 212, 214, 245, 274); New Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 67 Fed. Reg. 4784, 4789-91 (Jan. 31, 2002) (to be codified at 8 C.F.R. pt. 103), <http://niwaplibrary.wcl.american.edu/pubs/federal-register-new-classification/>.

⁶ See 22 U.S.C. § 7105(b)(1)(E)(i)(II)(bb) (Immigrants with HHS certification that their continued presence is needed to effectuate prosecution of human traffickers are eligible to receive public benefits to the same extent as refugees.); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP’T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.

⁷ See DACA, NAT’L IMMIGR. L. CTR. (last visited Mar. 2, 2018), <https://www.nilc.org/issues/daca/> (DACA is “deferred action” for certain undocumented youth who came to the United States as children.).

⁸ See 8 U.S.C. § 1101(a)(27)(j) (Special Immigrant Juvenile Status (SIJS) allows certain youth immigrant survivors of abuse, abandonment, and/or neglect by a parent to obtain legal immigration status.).

⁹ See CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP’T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR “LAWFULLY RESIDING” CHILDREN AND PREGNANT WOMEN 2 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (Upon receipt of deferred action U visa applicants are considered lawfully present.). U visa applicants receive deferred action which provides formal protection from deportation when they receive a bona fide determination or wait-list approval from U.S. Citizenship and Immigration Services (USCIS). See ,NIWAP, New DHS U Visa Bona Fide Policy Provides Earlier Access Deferred Action and Work Authorization To Applicants and NIWAP New Study Provides Evidence-Based Support for These New DHS Policies (June 14, 2021) <https://niwaplibrary.wcl.american.edu/transforming-lives-study-21>.

¹⁰ State benefits agencies are only allowed to ask for immigration status and social security number information for the family members who is the applicant for the benefit. See NAT’L IMMIGR. L. CTR., Privacy Protections in Selected Federal Benefits Programs (Feb. 21, 2018) <https://www.nilc.org/wp-content/uploads/2018/03/privacy-protections-fed-programs-tbl-2018.pdf> (providing guidelines on what information a State may request from a parent applying on behalf of a child applicant); see also Anna Pohl, Hema Sarangapani, Amanda Baran, and Cecilia Olavarria, Chapter 4.3: Barriers to Accessing Services: The Importance of Advocates Accompanying Battered Immigrants Applying for Public Benefits (Jul. 10, 2013), <https://niwaplibrary.wcl.american.edu/pubs/ch4-3-importance-advocates>; see also Policy Guidance Regarding Inquiries Into Citizenship, Immigration Status and Social Security Numbers In State Applications For Medicaid, State Children’s Health Insurance Program (SCHIP), Temporary Assistance For Needy Families (TANF), and Food Stamp Benefits, U.S. DEP’T HEALTH & HUM. SERV. (Mar. 24, 2006), <https://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhsqacitizenshippolicyguidance-03-24-06>.

¹¹ Battered Spouse Waiver victims are VAWA self-petitioners as defined in INA § 101(a)(51). To be eligible for a battered spouse waiver the victim must be a battered immigrant spouse of a U.S. citizen or lawful permanent resident who filed an immigration case on the battered spouse’s behalf through which the immigrant spouse was granted conditional permanent residency. Most battered spouse waiver applicants will have conditional permanent residency at the time they file their battered spouse waiver application. Their public benefits eligibility is based either on their conditional permanent residency or on their battered spouse waiver application. It is important to note that after an abused immigrant spouse files their battered spouse waiver application, they become eligible for VAWA self-petitioning related deeming exceptions and eligible for state funded public benefits to the same extent as all other VAWA self-petitioners in states that grant self-petitioners access to state funded public benefits.

¹² NAT’L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(c).

¹³ 8 U.S.C. § 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse’s or parent’s family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Dep’t of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att’y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov.

17, 1997)), <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/>. See Catherine Longville and Leslye Orloff, Public Benefits: What is “Deeming” and What Are its Exceptions, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>. Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies, in NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>

¹⁴ NAT’L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(c).

¹⁵ 8 U.S.C. § 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse’s or parent’s family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att’y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)), <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/>. See Catherine Longville and Leslye Orloff, Public Benefits: What is “Deeming” and What Are its Exceptions, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>. Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies, in NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>

¹⁶ Dep’t of Health and Hum. Servs., Administration for Children and Families, Office of Family Assistance, Q & A: Immigrants (August 20, 2019) <https://www.acf.hhs.gov/ofa/faq/q-immigrants>. (“Q2: Does the five-year bar for certain newly arrived qualified aliens apply to all federally-funded TANF benefits (e.g., including benefits that do not meet the definition of assistance? A service that is only available to the financially needy would not meet the AG criteria and could be provided only to otherwise eligible citizens and qualified aliens.” TANF is such a program.)

¹⁷ 8 U.S.C. §§ 1612(b)(2)(A)(ii); 1613(b)(1). Federal eligibility for refugees and asylees extends for the first five years after attaining that status. However, if they have attained lawful permanent resident status with 40 qualifying work quarters, they will already have satisfied the five-year bar for eligibility as an LPR by the time their refugee/asylee benefit period for TANF ends. See 8 U.S.C. §§ 1612(b)(2)(B). Or, they may be eligible as a veteran and/or member of a veteran’s family, for which neither the five-year bar nor the five-year time limit applies. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Or, in some states their eligibility as a refugee or asylee continues past this five-year limit. States can also continue to provide benefits once the mandated five year federal coverage period for refugees and asylees ends. See Nat’l Immigr. L. Ctr., Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. See OFFICE OF FAMILY ASSISTANCE, U.S. DEP’T OF HEALTH & HUM. SERV., TANF-ACF-PI-2003-03 (Deeming of Sponsor’s Income and Resources to A Non-Citizen) (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

¹⁸ See 22 U.S.C. § 7105(b)(1); Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 81 Fed. Reg. 92266, 92278 (Dec. 19, 2016) (effective Jan. 18, 2017) (to be codified at 8 C.F.R. pts. 212, 214, 245, 274); New Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 67 Fed. Reg. 4784, 4789-91 (Jan. 31, 2002) (to be codified at 8 C.F.R. pt. 103), <http://niwaplibrary.wcl.american.edu/pubs/federal-register-new-classification/>. TANF benefits for refugees are available without a five-year waiting period, but are limited to five years. However, if the refugee attains lawful permanent resident status with 40 qualifying work quarters, they will already have satisfied the five-year bar for eligibility as a lawful permanent resident by the time their refugee/asylee benefit period for TANF ends. See 8 U.S.C. §§ 1612(b)(2)(B). Or, they may be eligible as a veteran and/or member of a veteran’s family, for which neither the five-year bar nor the five-year time limit applies. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Or, in some states their eligibility as a refugee or asylee continues past this five-year limit. See NAT’L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. See OFFICE OF FAMILY ASSISTANCE, U.S. DEP’T OF HEALTH & HUM. SERV., TANF-ACF-PI-2003-03 (Deeming of Sponsor’s Income and Resources to A Non-Citizen) (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

¹⁹ NAT’L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; 8 U.S.C. § 1641(c)(4). An applicant with a military connection is eligible as a matter of federal law, without the five-year bar. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Federal law does not require states to impose the five-year time limit to trafficking victim eligibility as a qualified immigrant. Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S.

immigration laws to have a sponsor, they are not subject to sponsor deeming. See OFFICE OF FAMILY ASSISTANCE, U.S. DEP'T OF HEALTH & HUM. SERV., TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources to A Non-Citizen) (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

²⁰ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

²¹ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming.

<https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>

²² OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

²³ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁴ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1). SIJS applicant with a military connection is eligible without five-year bar. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2).

²⁵ 8 U.S.C. § 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/> See Catherine Longville and Leslye Orloff, Public Benefits: What is "Deeming" and What Are its Exceptions, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen), (2003),

<https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>

²⁶ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

²⁷ 8 U.S.C. § 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/> See Catherine Longville and Leslye Orloff, Public Benefits: What is "Deeming" and What Are its Exceptions, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen), (2003),

<https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>

²⁸ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁹ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

³⁰ In determining Child Care Development Fund direct eligibility for subsidized child care, eligibility is based on then citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. Citizen and qualified immigrant children are directly eligible for all CCDF funded child care, including but not limited to child care provided by non-profit charitable organizations. U.S. Dep't of Health and Hum. Servs., Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees, in OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>; NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(c).

³¹ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(c).

³² Dep't of Health and Hum. Servs., Administration for Children and Families, Office of Family Assistance, Q & A: Immigrants (August 20, 2019) <https://www.acf.hhs.gov/ofa/faq/q-immigrants>. (Q2: Does the five-year bar for certain newly arrived qualified aliens apply to all federally-funded TANF benefits (e.g., including benefits that do not meet the definition of assistance)? "A service that is only available to the financially needy would not meet the AG criteria and could be provided only to otherwise eligible citizens and qualified aliens." TANF is such a program.)

³³ See 8 U.S.C. § 1641(b)(2)-(3). NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

³⁴ See 22 U.S.C. § 7105(b)(1); NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

³⁵ See 8 U.S.C. § 1641(c)(4). NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

³⁶ See 8 U.S.C. § 1641(c)(4). NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

³⁷ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>; NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

³⁸ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf; Benish Anver & Leslye E. Orloff, Immigrant Crime Victim Child Care Access, NAT'L IMMIGRATION WOMEN'S ADVOC. PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

³⁹ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁴⁰ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁴¹ In determining Child Care Development Fund direct eligibility for subsidized child care, eligibility is based on then citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. Citizen and qualified immigrant children are directly eligible for all CCDF funded child care, including but not limited to child care provided by non-profit charitable organizations. U.S. Dep't of Health and Hum. Servs., Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees, in OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>. NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(c)wp-con.

⁴² 8 U.S.C. §§ 1612(b)(2)(A)(ii); Eligibility is based on the citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. U.S. Department of Health and Human Servs., Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees, in

OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>. NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(b)(1).

⁴³ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

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⁴⁵ 8 U.S.C. §§ 1612(b)(2)(A)(ii); Eligibility is based on the citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. U.S. Dep't of Health and Human Servs., Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees, in OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>. NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(b)(1).

⁴⁶ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁴⁷ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁴⁸ See FOOD & NUTRITION SERV., U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) (2017), <https://www.fns.usda.gov/snap/eligibility> (As with most public benefits, to obtain food stamps, individuals must also meet resource, income, and employment requirements. There is a pre-screening tool to determine if an individual might be eligible for nutrition assistance.); See also SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (In general, non-citizens who have lived in the U.S. for 5 years or more, are blind or disabled, are under the age of 18, were admitted for lawful permanent residence with 40 qualifying quarters or are lawfully residing and are on active duty in the U.S. Army, Air Force, Marine Corps, or Coast Guard or honorably discharged are eligible.)

⁴⁹ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018); See 8 U.S.C. § 1641(c); See also 8 U.S.C. § 1612(a)(1)-1612(a)(2). Battered immigrants are not subject to deeming for at least 12 months, with the possibility of extension. See Guidance on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31, available at https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Apr. 12, 2019).

⁵⁰ Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 4, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019). https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf

⁵¹ See 8 USC §1612(a)(2)(A) and (L). Directly eligible for SNAP as refugees and asylees for seven years. However, they retain eligibility past the seven years since they will have transitioned into qualified immigrant status, with indefinite eligibility for SNAP, after five years. See 8 U.S.C. § 1641(b)(2)-(3). See also Nat'l Immigr. L. Ctr., Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; 8 U.S.C. § 1641(b)(2)-(3). See also Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019). https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf

⁵² 8 U.S.C. § 1641(c)(4); NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁵³ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL

NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018); See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

⁵⁴ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018);. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

⁵⁵ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

⁵⁶ 22 U.S.C. § 7105(b). Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification). See NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁵⁷ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁵⁸ SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁵⁹ SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). Five-year residency includes time in qualified status prior to turning 18. When SIJS children become qualified immigrants, they may be exempt from deeming when they naturalize, or if they can show they are credited with 40 qualifying quarters of work, or if they are eligible for a 12 month exception for indigence, or have another form of immigration status does not require sponsorship. 8 U.S.C. § 1631; Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31-33, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019).

⁶⁰ SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Although eligibility based on 40 work quarters includes work performed by applicant, spouse, and parents while the applicant was under 18, SIJS youth are generally not able to satisfy this condition.)

⁶¹ SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). May be subject to deeming.

⁶² NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁶³ SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Eligible children are exempt from sponsor deeming.)

⁶⁴ SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Five-year residency includes time in qualified status prior to turning 18.). May be subject to deeming.

⁶⁵ See SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Although eligibility based on 40 work quarters includes work performed by applicant, spouse, and parents while the applicant was under 18, SIJS youth are generally not able to satisfy this condition.)

⁶⁶ SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Born on or before August 22, 1931 and lawfully resided in the U.S. on August 22, 1996.). May be subject to deeming.

⁶⁷ SNAP Policy on Non-Citizen Eligibility, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). May be subject to deeming.

⁶⁸ 42 U.S.C.S. § 1786; Women, Infants, and Children (WIC), U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/women-infants-and-children-wic> (last visited June 14, 2018).

- ⁶⁹ WIC Contacts, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/wic-contacts> (last visited June 14, 2018).
- ⁷⁰ WIC Eligibility Requirements, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/wic-eligibility-requirements> (last visited June 14, 2018).
- ⁷¹ How WIC Helps, ARIZ. DEP'T OF HEALTH SERVS., <https://azdhs.gov/prevention/azwic/> (last visited June 26, 2018).
- ⁷² WIC Families, ARIZ. DEP'T OF HEALTH SERVS., <https://azdhs.gov/prevention/azwic/families/index.php#eligibility> (last visited June 26, 2018).
- ⁷³ 8 U.S.C. § 1641(c); HealthCare.gov, Immigrants, Immigration status to qualify for the Marketplace, Healthcare.gov, <https://www.healthcare.gov/immigrants/immigration-status/> (last visited November 29, 2023) (Listing immigrants with which immigration statuses are legally able to use the Marketplace); See NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>
- ⁷⁴ 8 U.S.C. § 1641(c); HealthCare.gov, Immigrants, Immigration status to qualify for the Marketplace, Healthcare.gov, <https://www.healthcare.gov/immigrants/immigration-status/> (last visited November 29, 2023) (Listing immigrants with which immigration statuses are legally able to use the Marketplace); See NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>
- ⁷⁵ NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>. See 8 U.S.C. § 1641(c).
- ⁷⁶ NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 2 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>. See 8 U.S.C. § 1641(b)(2).
- ⁷⁷ Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>. See 8 U.S.C. § 1641(b)(3); 45 C.F.R. § 152.2(5) (2017) ("A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. § 1158) or for withholding of removal under section 241(b)(3) of the INA (8 U.S.C. § 1231) or under the Convention Against Torture who has been granted employment authorization, and such an applicant under the age of 14 who has had an application pending for at least 180 days.")
- ⁷⁸ NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>. See 8 U.S.C. § 1641(c)(4).
- ⁷⁹ NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).
- ⁸⁰ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).
- ⁸¹ NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).
- ⁸² NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 1, 1 n.4, 4-5 n.8 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf> (DACA recipients are the only deferred action recipients not eligible for insurance under the ACA.).
- ⁸³ NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>.
- ⁸⁴ U visa bona fide determinations come with deferred action which is protection from deportation and which makes U visa applicants eligible for health care as lawfully residing immigrant. Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>.
- ⁸⁵ Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>; Carly Erickson & Leslye E. Orloff, U-Visa Victim Benefits under the Affordable Care Act (ACA), NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT (June 18, 2014), <http://niwaplibrary.wcl.american.edu/pubs/u-visa-healthcare-aca/>.

- ⁸⁶ Carly Erickson & Leslye E. Orloff, U-Visa Victim Benefits under the Affordable Care Act (ACA), NAT'L IMMGR. WOMEN'S ADVOC. PROJECT (June 18, 2014), <http://niwaplibrary.wcl.american.edu/pubs/u-visa-healthcare-aca/>; NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5-6 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>.
- ⁸⁷ NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 1 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf> (DACA coverage limited to those "lawfully present" in the United States).
- ⁸⁸ Footnotes in this section contain additional details on health care subsidies, including co-pays that may be required. They contain further state by state information on health care access for immigrant survivors of domestic and sexual violence. See MORGAN, LEWIS & BOCKIUS, LLP Chapter 17.1: Emergency Medicaid – Urgent Medical Services for Immigrant Crime Victims and Children, NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT (December 2016), [http://niwaplibrary.wcl.american.edu/pubs/ch17-1-emergencymedicaid](http://niwaplibrary.wcl.american.edu/pubs/ch17-1-emergencymedicaid;); see id. Chapter 17.2: Coverage for Forensic Costs for Immigrant crime Victims: Medical Coverage and Services (February 12, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-2-forensiccoverageimmvictims>; see id. Chapter 17.3: Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence (June 13, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation>; see id. Chapter 17.4: Pre-Natal and Child Health Care For Immigrant Victims and Their Children (February 17, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-4-prenatal-care>.
- ⁸⁹ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(c).
- ⁹⁰ HealthCare.gov, Immigrants, Coverage for U.S. Citizens and U.S. Nationals, Healthcare.gov (last visited November 29, 2023) <https://www.healthcare.gov/immigrants/us-citizens-and-nationals/>. NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>. See 8 U.S.C. § 1641(c).
- ⁹¹ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.
- ⁹² 8 U.S.C. §§ 1612(b)(2)(A); 1613. Federal eligibility for Medicaid for refugees and asylees extends for the first seven years after attaining that status; however, in most states their eligibility can continue past this seven-year limitation, since by seven years they may have become lawful permanent residents with 40 qualifying quarters of work credit and will have satisfied the five-year bar to access to Medicaid. See 8 U.S.C. § 1612(b)(2)(B). Or, they may be a veteran and/or a member of a veteran's family, for whom the five-year bar and seven-year limit do not apply. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat'l Immigr. L. Ctr., Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.
- ⁹³ 22 U.S.C. § 7105(b)(1). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits. States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat'l Immigr. L. Ctr., Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.
- ⁹⁴ See 8 U.S.C. § 1641(c)(4).
- ⁹⁵ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). See also 8 U.S.C. § 1641(c) (4). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed, since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits.
- ⁹⁶ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV.,

OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016),

<https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

⁹⁷ 22 U.S.C. § 7105(b)(1). Bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

⁹⁸ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

⁹⁹ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁰⁰ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

¹⁰¹ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁰² 8 U.S.C. § 1641(b)(1). NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁰³ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

¹⁰⁴ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁰⁵ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁰⁶ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁰⁷ Footnotes in this section contain additional details on health care subsidies including co-pays that may be required. They contain further state by state information on health care access for immigrant survivors of domestic and sexual violence. See MORGAN, LEWIS & BOCKIUS, LLP Chapter 17.1: Emergency Medicaid – Urgent Medical Services for Immigrant Crime Victims and Children, NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT (December 2016), <http://niwaplibrary.wcl.american.edu/pubs/ch17-1-emergencymedicaid>; see id. Chapter 17.2: Coverage for Forensic Costs for Immigrant crime Victims: Medical Coverage and Services (February 12, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-2-forensiccoverageimmvictims>; see id. Chapter 17.3: Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence (June 13, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation>; see id. Chapter 17.4: Pre-Natal and Child Health Care For Immigrant Victims and Their Children (February 17, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-4-prenatal-care>.

¹⁰⁸ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(c).

¹⁰⁹ Health Case.gov, Immigrants, Coverage for U.S. Citizens and U.S. Nationals (last visited November 29, 2023) <https://www.healthcare.gov/immigrants/immigration-status/>. NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>. See 8 U.S.C. § 1641(c).

¹¹⁰ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹¹¹ 8 U.S.C. §§ 1612(b)(2)(A); 1613. Federal eligibility for Medicaid for refugees and asylees extends for the first seven years after attaining that status; however, in most states their eligibility can continue past this seven-year limitation, since by seven years they may have become lawful permanent residents with 40 qualifying quarters of work credit and will have satisfied the five-year bar to access to Medicaid. See 8 U.S.C. § 1612(b)(2)(B). Or, they may be a veteran and/or a member of a veteran's family, for whom the five-year bar and seven-year limit do not apply. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat'l Immigr. L. Ctr., Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility

for Federal Programs 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

¹¹² 22 U.S.C. § 7105(b)(1). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits. States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat'l Immigr. L. Ctr., Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

¹¹³ See 8 U.S.C. § 1641(c)(4).

¹¹⁴ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

¹¹⁵ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

¹¹⁶ 22 U.S.C. § 7105(b)(1). Bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

¹¹⁷ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹¹⁸ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹¹⁹ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹²⁰ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

¹²¹ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹²² NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20, footnote 7 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹²³ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

¹²⁴ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹²⁵ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹²⁶Victims of Crime Act (VOCA) compensation for crime victims is a program providing services necessary to protect health and safety of crime victims that helps victims heal and overcome the emotional and financial impact of crime victimization on their lives. VOCA compensation is separate from and does not fall within the definitions of “federal public benefit” or “state public benefit” under U.S. public benefits laws and thus is open to all crime victims without regard to immigration status. See, Joye E. Frost, Office for Victims of Crime, U.S. Dep't of Justice, Letter to Cassie T Jones Alabama Crime Victims' Compensation Commission (July 2, 2010) available at <https://niwaplibrary.wcl.american.edu/pubs/ojp-ovc-letter-on-access-to-voca-victim-compensation-7-2-2010>; For an overview of what types of victim compensation are covered

by VOCA compensation programs in each state see, Leslye Orloff, Katelyn Deibler and Annie Roebuck, Post-Assault Healthcare and Victims of Crime Act Coverage for Domestic and Sexual Violence Victims (July 18, 2018) available at: <https://niwaplibrary.wcl.american.edu/pubs/post-assault-coverage-chart>; and : Sarah Andrews, Vanessa Brown, Aurora de Heer, Joseph Leonard, Ryan Lighty, Katherine O'Keefe, Celia Soehner, William Springer, Josh Sterling, Linda Way-Smith, Beau Yanoshik, Morgan Lewis and Bockius, LLP and NIWAP, Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence – Medical Coverage and Services for Immigrants (July 13, 2018) available at <https://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation> (contains a more detailed discussion of VOCA compensation available in each state with links and citations).

¹²⁷ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, Family Medical Leave Act, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).

¹²⁸ See generally OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FED. STUDENT AID, 2023-2024 Fed. Student Aid Handbook (December 7, 2022) <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2023-2024/vol1/ch2-us-citizenship-eligible-noncitizens>. (The information in this section applies to all student financial aid including grants and loans.).

¹²⁹ OFF. OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS, FEDERAL. STUDENT AID, Fed. Student Aid, (last visited Mar. 14, 2024) <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>; Daniel T. Madzellan, OFFICE. OF POST-SECONDARY EDUC., U.S. DEP'T OF EDUC., ELIGIBILITY FOR TITLE IV AID FOR "BATTERED IMMIGRANTS-QUALIFIED ALIENS" AS PROVIDED FOR IN THE VIOLENCE AGAINST WOMEN ACT (2007), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-memovawapetitionsgrantsloans-6-4-10/>. See 8 U.S.C. § 1641(c); U.S. Dep't of Educ., Chapter 2: U.S. Citizenship & Eligible Noncitizens, Federal Student Aid, 2023-2024 Federal Student Aid Handbook (December 7, 2022) <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2023-2024/vol1/ch2-us-citizenship-eligible-noncitizens>.

¹³⁰ U.S. Dep't of Educ., Chapter 2: U.S. Citizenship & Eligible Noncitizens, Federal Student Aid, 2023-2024 Federal Student Aid Handbook (December 7, 2022) <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2023-2024/vol1/ch2-us-citizenship-eligible-noncitizens> (Naturalized citizens are eligible for financial aid).

¹³¹ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS, FEDERAL. STUDENT AID, Fed. Student Aid, (last visited Mar. 14, 2024) <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>. See 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4); U.S. Dep't of Educ., Chapter 2: U.S. Citizenship & Eligible Noncitizens, Federal Student Aid, 2023-2024 Federal Student Aid Handbook (December 7, 2022) <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2023-2024/vol1/ch2-us-citizenship-eligible-noncitizens>.

¹³² OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS, FEDERAL. STUDENT AID, Fed. Student Aid, (last visited Mar. 14, 2024) <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>. See 22 U.S.C. § 7105(b); U.S. Dep't of Educ., Chapter 2: U.S. Citizenship & Eligible Noncitizens, Federal Student Air, 2023-2024 Federal Student Aid Handbook (December 7, 2022) <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2023-2024/vol1/ch2-us-citizenship-eligible-noncitizens>.

¹³³ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS, FEDERAL. STUDENT AID, Fed. Student Aid, (last visited Mar. 14, 2024) <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>.

¹³⁴ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS, FEDERAL. STUDENT AID, Fed. Student Aid, (last visited Mar. 14, 2024) <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>. See 8 U.S.C. § 1641(b)(1).

¹³⁵ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS, FEDERAL. STUDENT AID, Fed. Student Aid, (last visited Mar. 14, 2024) <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>. See 8 U.S.C. § 1641(b)(1).

¹³⁶ Plyler v. Doe 457 U.S. 202 (1982); U.S. DEP'T OF EDUC., STUDENTS, IMMIGRATION STATUS, AND THE RIGHT TO PUBLIC EDUCATION (JUNE 20, 2021) <https://blog.ed.gov/2021/07/students-immigration-status-and-the-right-to-public-education/>.

¹³⁷ U.S. Immigration and Customs Enforcement, Memo: Undocumented Students Authorized to Enroll in Post-Secondary Educational Institutions (July 24, 2008) <https://niwaplibrary.wcl.american.edu/pubs/pb-gov-dhsundocstudentpost2ndeduaccess-7-24-08>. This law applies to all states except those that have implemented state laws or policies that limit or deny enrollment in public colleges or universities which are Alabama, Georgia and South Carolina. (Current as of July 2021). See, NAT'L IMMIGRATION LAW CTR., Current State Laws and Policies on Access to Higher Education for Immigrants (July 2021) <https://www.nilc.org/issues/education/eduaccesstoolkit/eduaccesstoolkit2/#maps>.

¹³⁸ Ariz. S.C.R. 1044.

¹³⁹ ARIZ. REV. STAT. § 15-1802 (2022); See ARIZ. REV. STAT. § 15-1803 (2022).

¹⁴⁰ Ariz. Bd. of Regents, Proposition 308 (Prop. 308) Frequently Asked Questions (June 2, 2023) https://www.azregents.edu/sites/default/files/public/prop-308/Proposition-308_FAQ-6-2-23.pdf.

¹⁴¹ Ariz. Bd. of Regents, Proposition 308 (Prop. 308) Frequently Asked Questions (June 2, 2023) https://www.azregents.edu/sites/default/files/public/prop-308/Proposition-308_FAQ-6-2-23.pdf.

¹⁴² SOC. SECURITY ADMIN., UNDERSTANDING SUPPLEMENTAL SECURITY INCOME SSI ELIGIBILITY REQUIREMENTS – 2017 EDITION (2017), <https://www.ssa.gov/ssi/text-eligibility-ussi.htm> (While the chart shows eligibility to apply for SSI benefits by immigration status, those with qualified immigration statuses must also meet all other eligibility requirements. To obtain SSI benefits individuals must be aged 65 or over, blind, or disabled; and have limited income, limited resources, be a resident of one of the 50 states, DC, or Northern Mariana Islands, and not be absent from the country for a full calendar month, in addition to other requirements.).

¹⁴³ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. §§ 1612(a)(2)(E) (prior SSI), 1612(a)(2)(F) (current disability), 1641(c) (battered immigrant).

¹⁴⁴ See 8 U.S.C. § 1612(a)(2)(H).

¹⁴⁵ Noncitizen Eligibility for Federal Public Assistance: Policy Overview, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

¹⁴⁶ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. § 1641(b)(1) (Due to the work requirement, few SIJS children will qualify, although work done by the applicant, parent or spouse counts toward the 40 quarters of work.).

¹⁴⁷ Social Security Administration, Understanding Supplemental Security Income SSI, Eligibility Requirements – 2023 Edition, Supplemental Security Income (SSI) Eligibility Requirements <https://www.ssa.gov/ssi/text-eligibility-ussi.htm> (last visited November 29, 2023).

¹⁴⁸ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. § 1641(b)(2)-(3). For some Federal programs such as SSI, a general bar applies where qualified immigrants are ineligible, unless they have attained LPR status with 40 qualifying quarters and satisfy the five-year bar, have a specified military connection, or fall within other limited exceptions. See 8 U.S.C. § 1612(a)(2). For refugees and asylees, this bar does not apply until seven years after the date that they are admitted to refugee or asylee status; however, § 1612(b)(2) lists exceptions that independently lift the bar after seven years.

¹⁴⁹ See 22 U.S.C. § 7105(b).

¹⁵⁰ 22 U.S.C. § 7105(b)(1). T visa holders, bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. See 8 U.S.C. §§ 1612(a)(1)-(2); 1613. Federal eligibility for refugees and asylees extends for the first seven years after attaining that status. However, § 1612(b)(2) lists exceptions that independently lift the seven year limit; including, if they have attained LPR status with 40 qualifying quarters, are a veteran, and/or a member of a veteran's family. See § 1641(b)(2)-(3). States can also continue to provide benefits once the mandated seven year federal coverage period for refugees and asylees ends. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven year limitation. NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

¹⁵¹ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. §§ 1612(a)(2)(E) (prior SSI), 1612(a)(2)(F) (current disability), 1641(c)(4) (trafficking victims).

¹⁵² See 8 U.S.C. § 1612(a)(2)(H).

¹⁵³ See 8 U.S.C. § 1641(c)(4).

¹⁵⁴ 22 U.S.C. § 7105(b); See NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

¹⁵⁵ Noncitizen Eligibility for Federal Public Assistance: Policy Overview, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

¹⁵⁶ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. § 1641(b)(1) (Due to the work requirement, few SIJS children will qualify, although work done by the applicant, parent or spouse counts toward the 40 quarters of work.).

¹⁵⁷ Noncitizen Eligibility for Federal Public Assistance: Policy Overview, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

¹⁵⁸ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. §§ 1612(a)(2)(B) (LPR eligibility for SSI), 1612(a)(2)(E) (prior SSI), 1612(a)(2)(F) (current disability), 1641(b)(1) (LPR qualified immigrant status).

¹⁵⁹ See 8 U.S.C. § 1612(a)(2)(H).

¹⁶⁰ Noncitizen Eligibility for Federal Public Assistance: Policy Overview, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

¹⁶¹ Noncitizen Eligibility for Federal Public Assistance: Policy Overview, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

¹⁶² Ariz. Rev. Stat. § 32-4302 (2022); H.B. 2569 (Ariz. 2019) (Allowing reciprocity of professional licenses for out-of-state licensed professionals who may be required to pass an Arizona state exam if one is required for an Arizona license)

¹⁶³ State of Ariz., Professional Licenses, ARIZONA.GOV, (last visited Apr. 17, 2024) <https://az.gov/professional-licenses>.

¹⁶⁴ NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, ACCEPTABLE FORMS OF DOCUMENTATION AND IDENTIFICATION FOR STATE DRIVER'S LICENSE/IDENTIFICATION CARD (SEPTEMBER 5, 2014) 1 (2014), <http://library.niwap.org/wp-content/uploads/2015/Drivers-License-Access.pdf>.

¹⁶⁵ REAL ID Act of 2005, 49 U.S.C. § 30301 Note (2005). See also 6 C.F.R. § 37.11 (g) (2012); Joan Friedland, Updates on REAL ID and Increased Information Sharing by Departments of Motor Vehicles, NAT'L IMMIGR. L. CTR., (Jan. 8, 2018), <https://www.nilc.org/news/the-torch/1-04-18/>.

¹⁶⁶ See 6 C.F.R. § 37.11(g)(1) (2012).

¹⁶⁷ See SAVE CaseCheck, U.S. CITIZENSHIP & IMMIGR. SERVS., <https://www.uscis.gov/save/casecheck> (last visited July 9, 2018). For special rules and step-by-step instructions for SAVE verification in cases of VAWA self-petitioners, see PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/> and Benish Anver, Alexandra Brown and Leslye E. Orloff, HOW TO ADVOCATE FOR PUBLIC AND ASSISTED HOUSING FOR YOUR BATTERED IMMIGRANT OR TRAFFICKING SURVIVOR CLIENT (2017) <http://niwaplibrary.wcl.american.edu/pubs/pub-asst-housing-advocacy>.

¹⁶⁸ See 6 C.F.R. § 37.11(g)(2) (2012); Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 2 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (For example, the U.S. Department of Health and Human Services has identified categories of lawfully present immigrants for purposes of Medicaid and CHIP eligibility. These individuals should be able to access full Real ID compliant driver's licenses without waiting for work authorization. This may be an area for advocacy in individual cases).

¹⁶⁹ See 6 C.F.R. § 37.11(h) (2012); NAT'L IMMIGR. L. CTR., THE REAL ID ACT: QUESTIONS AND ANSWERS 8-9 (2016), <https://www.nilc.org/wp-content/uploads/2015/11/REAL-ID-Act-Q-and-A.pdf>. For state-by-state charts tracking the driver license and state identification policies across all 50 states and D.C. see: Higher Ed Immigration Portal, <https://www.higheredimmigrationportal.org/> (citing REAL ID and Deferred Action for Childhood Arrivals (DACA), Nat'l Immigr. L. Ctr. (Aug. 2021), <https://www.nilc.org/issues/daca/real-id-and-daca/>). See also Valenzuela v. Ducey, No. CV-16-03072-PHX-DGC, 2017 U.S. Dist. Lexis 200712 (D. Ariz. Dec. 6, 2017) (deciding Arizona case).

¹⁷⁰ Obtaining a Driver License, ARIZ. DEP'T OF TRANSP., <https://www.azdot.gov/motor-vehicles/NewtoAZ/obtaining-a-license> (last visited July 9, 2018).

¹⁷¹ Proof of Identification, Age and Authorized Presence, ARIZ. DEP'T OF TRANSP., <https://azdot.gov/motor-vehicles/driver-services/driver-license-information/proof-identification-age-and-authorized> (last visited March 10, 2022).

¹⁷² See Driver license or instruction permit application, ARIZ. REV. STAT. § 28-3158, <https://www.azleg.gov/viewDocument/?docName=http://www.azleg.gov/ars/28/03158.htm> (last visited June 26, 2018).

¹⁷³ Foreign Applicants, ARIZ. DEP'T OF TRANSP., <https://azdot.gov/motor-vehicles/driver-services/driver-license-information/foreign-applicants#EAC>; VAWA self-petitioners receive employment authorization either three months post filed as abused spouse or child of a U.S. citizen or for abused spouses and children of lawful permanent residents, once their case has been approved. Trafficking victims receive legal work authorization based on HHS certification for victims with continued presence and for T visa applicants with bona fide determinations. Asylum applicants are able to file for work authorization approximately 6 months after filing their asylum application. U visa applicants will receive work authorization once they receive a bona fide determination, wait-list approval or a U visa. DACA recipients receive work authorization when their DACA application is approved. SIJS children receive work authorization once they are granted lawful permanent residency. Once an immigrant receives legal work authorization from DHS they can apply for and receive a Social Security Number. The social security number will be required for the Arizona driver's license. Arizona DL/ID Requirements, ARIZ. DEP'T OF TRANSP., <https://apps.azdot.gov/files/mvd/mvd-forms-lib/40-5144.pdf>.

¹⁷⁴ VAWA self-petitioners receive employment authorization either three months post filed as abused spouse or child of a U.S. citizen or for abused spouses and children of lawful permanent residents, once their case has been approved. Trafficking victims receive legal work authorization based on HHS certification for victims with continued presence and for T visa applicants with bona fide determinations. Asylum applicants are able to file for work authorization approximately 6 months after filing their asylum application. U visa applicants will receive work authorization once they receive a bona fide determination, wait-list approval or a U visa. DACA recipients receive work authorization when their DACA application is approved. SIJS children receive work authorization once they are granted lawful permanent residency. Once an immigrant receives legal work authorization from DHS they can apply for and receive a Social Security Number. The social security number will be required for the Arizona driver's license. Arizona DL/ID Requirements, ARIZ. DEP'T OF TRANSP., <https://apps.azdot.gov/files/mvd/mvd-forms-lib/40-5144.pdf>.

¹⁷⁵ Driver license content and application; marked licenses; emancipated minors, ARIZ. REV. STAT. § 28-3166, <https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/28/03166.htm> (last visited July 9, 2018).

¹⁷⁶ Driver license issuance; prohibitions; ARIZ. REV. STAT. § 28-3153, <https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/28/03153.htm> (last visited July 9, 2018).

¹⁷⁷ U.S. Dep't of Justice, Dep't of Health & Human Servs. & Dep't of Hous. & Human Dev., Joint Letter on Immigrant Access to Shelter and Transitional Housing (Aug. 5, 2016), <http://niwaplibrary.wcl.american.edu/pubs/joint-letter-hud-hhs-ad-doj-immigrant-access-shelter-transitional-housing-aug-2016/> (stating that services must be in-kind, available regardless of income, and provided at the community level). See 8 U.S.C. § 1611(b)(1)(D).

¹⁷⁸ CATHERINE LONGVILLE & LESLYE E. ORLOFF, PROGRAMS OPEN TO IMMIGRANT VICTIMS AND TO ALL IMMIGRANTS WITHOUT REGARD TO IMMIGRATION STATUS 1 (2014), <http://niwaplibrary.wcl.american.edu/pubs/programs-open-to-all-immigrants/>; Three Federal Agencies Issue Joint Letter on Shelters and Transitional Housing, NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT (Aug. 12, 2016), <http://niwaplibrary.wcl.american.edu/joint-agency-letter-shelters-transitional-housing/>.

¹⁷⁹ Housing services available for homeless and households at-risk of becoming homeless, ARIZ. DEP'T OF ECON. SEC., <https://des.az.gov/services/basic-needs/homeless-coordination-office> (last visited June 27, 2018).

¹⁸⁰ Immigrants including victims who are lawfully residing in the United States or its territories and possessions under section 141 of the Compacts of Free Association between the U.S. and the Governments of the Marshall Islands, the Federated States of Micronesia and Palau are eligible for public and assisted housing. HUD PUBLIC AND INDIAN HOUSING, Eligibility Determination and Denial of Assistance, Citizenship Status 10 (November 2019) available at: https://www.hud.gov/sites/dfiles/PIH/documents/HCV_Guidebook_Eligibility_Determination_and_Denial_of_Assistance.pdf (last visited Aug. 27, 2022) (However in Guam, such immigrants are not entitled to a preference in receiving housing assistance over a U.S. citizen or national resident who is otherwise eligible for such assistance).

¹⁸¹ See generally NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/ (contains lists of housing programs that are unrestricted and lists of housing programs that various forms of immigration restrictions).

¹⁸² For detailed information about Low Income Housing Tax Credit (LIHTC) funding housing eligibility and how to find LIHTC funded units in communities across the country see, VAWA Home: Rights for Survivors in LIHTC <https://www.vawahome.com/> (last visited February 10, 2022).

¹⁸³ HUD public and assisted housing refers to HUD assisted housing covered by Section 214 of the Housing and Community Development Act of 1980, Title 42 of the U.S. Code Section 1436a. See Housing Act. Section 2.14, NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, <http://niwaplibrary.wcl.american.edu/pubs/housing-act-sec-214/> (last visited Mar. 9, 2018); DEP'T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>; TONYA ROBINSON, ACTING GENERAL COUNSEL, C., U.S. DEP'T OF HOUS. & URBAN DEV., MEMORANDUM FOR SECRETARY JULIAN CASTRO ON ELIGIBILITY OF BATTERED NONCITIZEN SELF-PETITIONERS FOR FINANCIAL ASSISTANCE UNDER SECTION 214 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980 (2016), <http://library.niwap.org/wp-content/uploads/Eligibility-of-VAWA-Self-Petitioners-2016-12-14.pdf>; U.S. DEP'T OF HOUS. & URBAN DEV., HUD HANDBOOK 4350.3: OCCUPANCY REQUIREMENTS OF SUBSIDIZED MULTIFAMILY HOUSING PROGRAMS at Appendix 2-B (2013),

<https://www.hud.gov/sites/documents/43503HSGH.PDF> (instructions for verifying battered immigrant eligibility for multi-family programs) (referring to the Interim Guidance on Verification of Citizenship, Qualified Alien Status, and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 62 FR 61344 at Exhibit B to Attachment 5 (Nov. 17, 1997)). See also 8 U.S.C. § 1641I (2012).

¹⁸⁴ USDA RURAL HOUSING SERVICE, Interim Rule, Reinvention of the Sections 514, 515, 516 and 521 Multi-Family Housing Programs, 69 Fed. Reg. 69032 (Nov. 26, 2004) (to be codified at 7 C.F.R. pt. 1806, 1822, 1902, 1925 (“Appendix 2 to the HUD Handbook 4350.3 is incorporated into internal Agency procedures.”); USDA RURAL HOUSING SERVICE, Interim Final Rule, Reinvention of the Sections 514, 515, 516 and 521 Multi-Family Housing Programs, 70 Fed. Reg. 8503 (Feb. 22, 2005) (to be codified at 7 C.F.R. 3560) (deciding “to delay implementation of the sections listed below in order to harmonize its procedures with HUD under 42 U.S.C. § 1436a”); DEP’T OF HOUS. & URBAN DEV., HUD HANDBOOK 4350.3: OCCUPANCY REQUIREMENTS OF SUBSIDIZED MULTIFAMILY HOUSING PROGRAMS at Appendix 2-B (2013),

<https://www.hud.gov/sites/documents/43503HSGH.PDF> (instructions on verifying battered immigrant eligibility for HUD multi-family programs) (referring to the Interim Guidance on Verification of Citizenship, Qualified Alien Status, and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 62 FR 61344 at Exhibit B to Attachment 5) (Nov. 17, 1997); DEP’T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>; MEMORANDUM FOR SECRETARY JULIAN CASTRO ON ELIGIBILITY OF BATTERED NONCITIZEN SELF-PETITIONERS FOR FINANCIAL ASSISTANCE UNDER SECTION 214 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980 (2016), <http://library.niwap.org/wp-content/uploads/Eligibility-of-VAWA-Self-Petitioners-2016-12-14.pdf>. See also 8 U.S.C. § 1641(c).

¹⁸⁵ See 42 U.S.C. § 1485.

¹⁸⁶ NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/ (stating that Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident). See 7 C.F.R. § 3560.11 (including immediate family member).

¹⁸⁷ See 7 C.F.R. § 3560.158(d); USDA MFH ASSET MANAGEMENT HANDBOOK HB 2-3650, § 6.30(D) (stating that a remaining family member who is a co-tenant or member of the household, who has the legal capacity to sign the lease, and is a U.S. citizen or qualified immigrant, may remain in the housing after the original tenant has departed); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/; see also 8 U.S.C. §§ 1641(c).

¹⁸⁸ 42 U.S.C. § 1436a(a)(1).

¹⁸⁹ See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/ (“Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident.”).

¹⁹⁰ See 42 U.S.C. § 1490(a); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.¹⁹¹ 24 C.F.R. § 5.506(a)(1).

¹⁹² See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/ (“Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident.”).

¹⁹³ See 42 U.S.C. § 1490(a); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

¹⁹⁴ See Low Income Housing Tax Credit (LIHTC) Program, ARIZ. DEP’T OF HOUS., <https://housing.az.gov/low-income-housing-tax-credit-lihtc-program> (last visited June 27, 2018). The Arizona Dep’t of Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including VAWA self-petitioners, who could meet the eligibility requirements of the federal subsidies involved. See, DEP’T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>.

¹⁹⁵ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

¹⁹⁶ See 42 U.S.C. § 1485.

¹⁹⁷ See 42 U.S.C. § 1490(a); see also 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/.

¹⁹⁸ NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/ (stating that Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident). See 7 C.F.R. § 3560.11 (including immediate family member).

¹⁹⁹ See 7 C.F.R. § 3560.158(d); USDA MFH ASSET MANAGEMENT HANDBOOK HB 2-3650, § 6.30(D) (stating that a remaining family member who is a co-tenant or member of the household, who has the legal capacity to sign the lease, and is a U.S. citizen or qualified immigrant, may remain in the housing after the original tenant has departed); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/; see also 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

²⁰⁰ See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing).

²⁰¹ See Low Income Housing Tax Credit (LIHTC) Program, ARIZ. DEP'T OF HOUS., <https://housing.az.gov/low-income-housing-tax-credit-lihtc-program> (last visited June 27, 2018). The Arizona Dep't of Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigration restrictions. However, when housing units use federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including refugees, asylees and T-visa holders or applicants with a bona fide determination, who could meet the eligibility requirements of the federal subsidies involved. See, NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁰² See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

²⁰³ NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See also 22 U.S.C. 7105(b); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.

²⁰⁴ See OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>; 22 U.S.C. § 7105(b)(1)(B) (requirement to expand benefits and services); see also 22 U.S.C. 7105(b); 42 U.S.C. § 1485 (Section 515 Rural Housing); 42 U.S.C. § 1490(a) (Section 521 housing assistance); 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing). NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

²⁰⁵ See Low Income Housing Tax Credit (LIHTC) Program, ARIZ. DEP'T OF HOUS., <https://housing.az.gov/low-income-housing-tax-credit-lihtc-program> (last visited June 27, 2018). The Arizona Dep't of Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, T visa applicants with a bona fide determination and trafficking victims with continued presence, who could meet the eligibility requirements of the federal subsidies involved. NAT'L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See also 22 U.S.C. 7105(b) (2005) (Applicants under 18 require only HHS eligibility determination (not certification).); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.

²⁰⁶ See 42 U.S.C. § 1485 (2011); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/.

²⁰⁷ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from other unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

²⁰⁸ See Low Income Housing Tax Credit (LIHTC) Program, ARIZ. DEP’T OF HOUS., <https://housing.az.gov/low-income-housing-tax-credit-lihtc-program> (last visited June 27, 2018). The Arizona Dep’t of Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. DACA applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

²⁰⁹ See 42 U.S.C. § 1485 (2011); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/.

²¹⁰ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

²¹¹ See 8 U.S.C. § 1641(b)(1).

²¹² NAT’L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²¹³ See 42 U.S.C. § 1490(a) (2011) (Section 521 rental assistance); 42 U.S.C. §§ 1484(f)(3)(A), 1486(g)(4) (2010) (Sections 514 and 516 Farm Labor Housing); 42 U.S.C. § 1485 (2011) (Section 515 Rural Rental Housing).

²¹⁴ See 8 U.S.C. § 1641(b)(1) (2012).

²¹⁵ See Low Income Housing Tax Credit (LIHTC) Program, ARIZ. DEP’T OF HOUS., <https://housing.az.gov/low-income-housing-tax-credit-lihtc-program> (last visited June 27, 2018). The Arizona Dep’t of Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants including SIJS applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. SIJS applicants and recipients prior to receipt of lawful permanent residency will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

²¹⁶ See 42 U.S.C. § 1485 (2011); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

²¹⁷ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

²¹⁸ See 8 U.S.C. § 1641(b)(1).

²¹⁹ NAT’L IMMIGR. L. CTR., Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2024), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²²⁰ See 42 U.S.C. § 1490(a) (2011) (Section 521 rental assistance); 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (2010) (Sections 514 and 516 Farm Labor Housing); 42 U.S.C. § 1485 (2011) (Section 515 Rural Rental Housing).

²²¹ See 8 U.S.C. § 1641(b)(1) (2012).

²²² See Low Income Housing Tax Credit (LIHTC) Program, ARIZ. DEP’T OF HOUS., <https://housing.az.gov/low-income-housing-tax-credit-lihtc-program> (last visited June 27, 2018). The Arizona Dep’t of Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including U visa wait list approved applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency applicants approved for the U visa wait list will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

²²³ See 42 U.S.C. § 1485 (2011); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/.

²²⁴ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

²²⁵ See Low Income Housing Tax Credit (LIHTC) Program, ARIZ. DEP’T OF HOUS., <https://housing.az.gov/low-income-housing-tax-credit-lihtc-program> (last visited June 27, 2018). The Arizona Dep’t of Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants,

including U visa applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency, U visa applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

²²⁶ See 42 U.S.C. § 1485 (2011); NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017), reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing/.

²²⁷ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

²²⁸ See Low Income Housing Tax Credit (LIHTC) Program, ARIZ. DEP’T OF HOUS., <https://housing.az.gov/low-income-housing-tax-credit-lihtc-program> (last visited June 27, 2018). The Arizona Dep’t of Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. Undocumented immigrants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

²²⁹ 26 U.S.C. § 24; U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 3 (2017).

²³⁰ 26 U.S.C. § 24(f); U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 2 (2017).

²³¹ See <https://www.irs.gov/individuals/individual-taxpayer-identification-number> (IRS ITIN Information Page).

²³² 26 U.S.C.A § 21(b); U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 1, 3 (2017).

²³³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 3 (2017).

²³⁴ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 2 (2017).

²³⁵ U.S. DEP’T OF TREASURY, I.R.S., WHO QUALIFIES FOR THE EARNED INCOME TAX CREDIT (EITC) (Jul.10, 2023) <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/who-qualifies-for-the-earned-income-tax-credit-eitc>.

²³⁶ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

²³⁷ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

²³⁸ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

²³⁹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

²⁴⁰ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

²⁴¹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

²⁴² U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

²⁴³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

²⁴⁴ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

²⁴⁵ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

²⁴⁶ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

²⁴⁷ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

²⁴⁸ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

²⁴⁹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

²⁵⁰ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

²⁵¹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

- ²⁵² 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).
- ²⁵³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).
- ²⁵⁴ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).
- ²⁵⁵ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- ²⁵⁶ 26 U.S.C.A § 32(c)(1)(D) (West 2018); see also 26 U.S.C.A § 6013(g) (West 2018).
- ²⁵⁷ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 4 (2018).
- ²⁵⁸ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).
- ²⁵⁹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- ²⁶⁰ See Benish Anver, Henrissa Bassey & Leslye E. Orloff, Legal Services Access for All: Implementing the Violence Against Women Act of 2005, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families).
- ²⁶¹ Battered or subjected to extreme cruelty includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution may be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence. 45 C.F.R. § 1626.2(b) (1996). The definition of battering or extreme cruelty is identical to that in the immigration regulations. See 45 C.F.R. §§ 1626.4(a)(1)(i) (1996) (victim); 45 C.F.R. §§ 1626.4(a)(1)(ii) (1996) (parent of victim); Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/>. Compare 45 C.F.R. § 1626.2(b) (1997) and 8 C.F.R. § 204.2(c)(1)(vi) (2012).
- ²⁶² The abuse may have occurred either inside or outside of the U.S. See RONALD S. FLAGG, GENERAL COUNSEL & VICE PRESIDENT FOR LEGAL AFFAIRS, LEGAL SERVICES CORPORATION, PROGRAM LETTER 14-3: ASSESSING ELIGIBILITY OF ALIENS UNDER 45 C.F.R. § 1626.4(c)(1) (2014) (interpreting 45 C.F.R. § 1626.4(c)).
- ²⁶³ 45 C.F.R. 1626.4 (b) (“Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”). See also Benish Anver, Henrissa Bassey & Leslye E. Orloff, Legal Services Access for All: Implementing the Violence Against Women Act of 2005, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, Guide: Access to Publicly Funded Legal Services for Immigrant Survivors, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.
- ²⁶⁴ 45 C.F.R. § 1626.5(a).
- ²⁶⁵ 45 C.F.R. § 1626.5(b).
- ²⁶⁶ Upon applying for 45 C.F.R. § 1626.5(b) or receiving lawful permanent residency 45 C.F.R. § 1626.5(a) victim switch eligibility tracks from anti-abuse (which includes a restriction that the legal assistance be related to the abuse 45 C.F.R. § 1626.4 to immigration related eligibility under for 45 C.F.R. § 1626.5 under which applicants are eligible of any legal assistance offered by the LSC funded agency. See Benish Anver, Henrissa Bassey & Leslye E. Orloff, Legal Services Access for All: Implementing the Violence Against Women Act of 2005, NAT’L LEGAL AID & DEFENDER Ass’n CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, Guide: Access to Publicly Funded Legal Services for Immigrant Survivors, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

²⁶⁷ 45 C.F.R. § 1626.5(a)

²⁶⁸ Legal Services Corporation, Can LSC Grantees Represent Undocumented Immigrants? <https://www.lsc.gov/our-impact/publications/other-publications-and-reports/can-lsc-grantees-represent-undocumented> (last visited November 29, 2023) (LSC funded agencies can represent U.S. citizens which includes naturalized citizens).

²⁶⁹ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

²⁷⁰ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

²⁷¹ Violence Against Women and Dep't of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

²⁷² See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

²⁷³ See 45 C.F.R. § 1626.5(c).

²⁷⁴ See 45 C.F.R. § 1626.4(a)(1)(i) (trafficking victim); 45 C.F.R. §§ 1626.4 (a)(1)(ii) (parent of trafficking victim); 45 C.F.R. § 1626.2(k)(2) (A “victim of trafficking” under the anti-abuse regulation is a victim of any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Dep't of Health and Hum. Servs. (HHS)); 45 C.F.R. § 1626.4(c)(2)(ii) (stating that to qualify for legal assistance by an LSC funded agency, the trafficking must have occurred in the U.S. or violate U.S. law, 45 C.F.R. § 1626.4(c)(1), and the trafficking victim must be present in the U.S. at the time of the application for legal assistance).

²⁷⁵ See 45 C.F.R. § 1626.4(a)(2).

²⁷⁶ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

²⁷⁷ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

²⁷⁸ Violence Against Women and Dep't of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

²⁷⁹ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

²⁸⁰ See 45 C.F.R. § 1626.4(a)(2)(i)(A) (HHS certified victim); 45 C.F.R. § 1626.4(a)(2)(ii) (seeking certification); 45 C.F.R. § 1626.2(j) (“Victim of severe forms of trafficking” means any person described at 22 U.S.C. § 7105(b)(1)(C), with the inclusion of those still seeking HHS certification.); 45 C.F.R. § 1626.4(c)(1) (stating that to qualify for legal assistance by an LSC funded agency, the victim must be present in the U.S. at the time of the application for legal assistance, 45 C.F.R. § 1626.4(c)(2)(ii), and the trafficking must have occurred in the U.S. or violated U.S. law).

²⁸¹ See 45 C.F.R. § 1626.4(a)(2)(i)(B) (visa holder); 45 C.F.R. § 1626.4(a)(2)(ii) (visa applicant); 45 C.F.R. § 1626.4(c) (stating that eligibility for legal assistance under these provisions does not require HHS certification, 45 C.F.R. § 1626.4(a)(2)(ii), although the trafficking must either have occurred in the U.S. or violated U.S. law).

²⁸² OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

²⁸³ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

²⁸⁴ Violence Against Women and Dep't of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

²⁸⁵ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

²⁸⁶ See 45 C.F.R. §§ 1626.4(a)(1)(i) (crime victim or family member eligible for U visa relief); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of U visa eligible child); 45 C.F.R. § 1626.2(h) (definitions); 8 U.S.C. § 1101(a)(15)(U)(i)(I)-(a)(15)(U)(iii) (stating that to qualify for a U visa, the victim must have suffered substantial physical or mental abuse as a result of having been a victim of one or more of the following, or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in section 1351 of title 18); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes); Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, *Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases*, NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/> (suggesting the definition of battering or extreme cruelty is identical to that in the immigration regulations). Compare 45 C.F.R. § 1626.2(b) and 8 C.F.R. § 204.2(c)(1)(vi).

²⁸⁷ 45 C.F.R. §§ 1626.4(a)(1)(i) (victim); 45 C.F.R. §§ 1626.4(a)(1)(ii) (parent of victim); 45 C.F.R. § 1626.2(k) (“Victim of sexual assault or trafficking” means a victim of sexual assault subjected to any conduct included in the definition of sexual assault in VAWA, 42 U.S.C. § 13925(a)(29), or a victim of trafficking subjected to any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Department of Health and Human Services.).

²⁸⁸ The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

²⁸⁹ Related legal assistance means legal assistance directly related to the prevention of, or obtaining relief from, the battery or cruelty and includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions). 45 C.F.R. § 1626.4 (b); see also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

²⁹⁰ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may

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²⁹² Violence Against Women and Dep’t of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

²⁹³ See, e.g. Office on Violence Against Women, U.S. Dep’t of Justice, OVW FY 2017 Legal Assistance for Victims (LAV) Grant Program Solicitation (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

²⁹⁴ 45 C.F.R. §§ 1626.4(a)(1)(i); 45 C.F.R. § 1626.2(b) (“Battered or subjected to extreme cruelty includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution may be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence.”). See Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/> (suggesting the definition of battering or extreme cruelty is identical to that in the immigration regulations). Compare 45 C.F.R. § 1626.2(b) and 8 C.F.R. § 204.2(c)(1)(vi).

²⁹⁵ 45 C.F.R. § 1626.4(a)(1)(i); 45 C.F.R. § 1626.2(k) (“Victim of sexual assault or trafficking” means a victim of sexual assault subjected to any conduct included in the definition of sexual assault in VAWA, 42 U.S.C. § 13925(a)(29), or a victim of trafficking subjected to any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Department of Health and Human Services.).

²⁹⁶ 45 C.F.R. 1626.4(b) (“Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”). See also Benish Anver, Henrissa Bassey & Leslye E. Orloff, Legal Services Access for All: Implementing the Violence Against Women Act of 2005, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, Guide: Access to Publicly Funded Legal Services for Immigrant Survivors, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

²⁹⁷ See 45 C.F.R. § 1626.5(a).

²⁹⁸ See 45 C.F.R. § 1626.5(b); Benish Anver, Henrissa Bassey & Leslye E. Orloff, Legal Services Access for All: Implementing the Violence Against Women Act of 2005, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, Guide: Access to Publicly Funded Legal Services for Immigrant Survivors, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

²⁹⁹ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may

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³⁰¹ Violence Against Women and Dep’t of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³⁰² See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³⁰³ 45 C.F.R. §§ 1626.4(a)(1)(i) (crime victim or family member eligible for U visa relief); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of U visa eligible child); 45 C.F.R. § 1626.2(h) (definitions); 8 U.S.C. § 1101(a)(15)(U)(i)(I)-(a)(15)(U)(iii) (stating that to qualify for a U visa, the victim must have suffered substantial physical or mental abuse as a result of having been a victim of one or more of the following, or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in section 1351 of title 18); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes).

³⁰⁴ To qualify for legal representation by an LSC funded agency, the abuse must either have occurred inside the U.S. or violated U.S. law. 45 C.F.R. § 1626.4(c)(1).

³⁰⁵ “Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).” 45 C.F.R. 1626.4 (b); see also Benish Anver, Henrissa Bassey & Leslye E. Orloff, Legal Services Access for All: Implementing the Violence Against Women Act of 2005, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, Guide: Access to Publicly Funded Legal Services for Immigrant Survivors, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

³⁰⁶ See 45 C.F.R. § 1626.5(a).

³⁰⁷ See 45 C.F.R. § 1626.5(b); Benish Anver, Henrissa Bassey & Leslye E. Orloff, Legal Services Access for All: Implementing the Violence Against Women Act of 2005, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, Guide: Access to Publicly Funded Legal Services for Immigrant Survivors, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

³⁰⁸ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

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³¹¹ See, e.g., Office on Violence Against Women, U.S. Dep't of Justice, OVW FY 2017 Legal Assistance for Victims (LAV) Grant Program Solicitation (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

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³¹⁵ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

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³¹⁷ Violence Against Women and Dep't of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³¹⁸ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³¹⁹ 45 C.F.R. §§ 1626.4(a)(1)(i) (1996) (victim); 45 C.F.R. §§ 1626.4(a)(1)(ii) (1996) (parent of victim); 45 C.F.R. § 1626.2(b) (1996) (“Battered or subjected to extreme cruelty includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution may be considered acts of violence. Other

abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence. The definition of battering or extreme cruelty is identical to that in the immigration regulations.” See Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, *Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases*, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/>. Compare 45 C.F.R. § 1626.2(b) (1997) and 8 C.F.R. § 204.2(c)(1)(vi) (2012).

³²⁰ See 45 C.F.R. § 1626.4(a)(1)(i) (victim); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of victim); 45 C.F.R. § 1626.2(k) (“Victim of sexual assault or trafficking” means a victim of sexual assault subjected to any conduct included in the definition of sexual assault in VAWA, 42 U.S.C. § 13925(a)(29), or a victim of trafficking subjected to any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Department of Health and Human Services.).

³²¹ The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

³²² See also 45 C.F.R. 1626.4(b) (“Related legal assistance means legal assistance directly related to the prevention of, or obtaining relief from, the battery or cruelty and includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”; Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

³²³ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

³²⁴ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

³²⁵ Violence Against Women and Dep’t of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³²⁶ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³²⁷ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³²⁸ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1641(c).

³²⁹ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³³⁰ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. §§ 1641(b)(2), (b)(3), (c)(4).

³³¹ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³³² NAT'L IMMIGR. L. CTR., Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

³³³ NAT'L IMMIGR. L. CTR., Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³³⁴ NAT'L IMMIGR. L. CTR., Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³³⁵ NAT'L IMMIGR. L. CTR., Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1640(b)(1).

³³⁶ NAT'L IMMIGR. L. CTR., Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³³⁷ NAT'L IMMIGR. L. CTR., Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1641(b)(1).

³³⁸ NAT'L IMMIGR. L. CTR., Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³³⁹ NAT'L IMMIGR. L. CTR., Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³⁴⁰ 42 U.S.C. § 5121; See American Red Cross and the Nat'l Council of La Raza, and NAT'L IMMIGRATION LAW CTR., Fact Sheet: Immigrant Eligibility for Disaster Assistance (June 2007), <https://www.nilc.org/issues/economic-support/immigrant-eligibility-disaster-assistance/>.

³⁴¹ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf>

³⁴² NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>; U.S. DEP'T AGRIC. FOOD & NUTRITION SERV., DISASTER SNAP GUIDANCE: POLICY GUIDANCE, LESSONS LEARNED, AND TOOLKITS TO OPERATE A SUCCESSFUL D-SNAP (2014), https://fns-prod.azureedge.net/sites/default/files/D-SNAP_handbook_0.pdf.

³⁴³ See American Red Cross and the Nat'l Council of La Raza, and NAT'L IMMIGRATION LAW CTR., Fact Sheet: Immigrant Eligibility for Disaster Assistance (June 2007), <https://www.nilc.org/issues/economic-support/immigrant-eligibility-disaster-assistance/>.

³⁴⁴ FEMA, You May Be Able to Get Disaster Assistance (February 21, 2023) https://www.fema.gov/sites/default/files/documents/fema_undocumented-immigrants-disaster-assistance_flyer_2023.pdf (listing naturalized citizens, lawful permanent residents, and certain battered non-citizens or their spouses or children which includes VAWA self-petitioners).

³⁴⁵ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), “qualified” immigrants must have employment authorization). See 8 U.S.C. § 1641(c).

³⁴⁶ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf> See 8 U.S.C. § 1641(c).

³⁴⁷ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), “qualified” immigrants must have employment authorization). See 8 U.S.C. §§ 1641(b)(2)-(b)(3), (c)(4).

³⁴⁸ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf> See 8 U.S.C. §§ 1641(b)(2)-(b)(3).

³⁴⁹ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf> help/; See 8 U.S.C. § 1641(c)(4).

³⁵⁰ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf> / (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).

³⁵¹ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).

³⁵² NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 8 U.S.C. § 1641(b)(1).

³⁵³ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf>. See 8 U.S.C. § 1641(b)(1).

³⁵⁴ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf> (explaining that to receive Disaster Unemployment Assistance (DUA), LPRs must have employment authorization). See 8 U.S.C. § 1641(b)(1).

³⁵⁵ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf>. See 8 U.S.C. § 1641(b)(1).

³⁵⁶ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf> (explaining that to receive Disaster Unemployment Assistance (DUA), LPRs must have employment authorization). See 8 U.S.C. § 1641(b)(1).

³⁵⁷ NAT'L IMMIGR. L. CTR., Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2022), <https://www.nilc.org/wp-content/uploads/2022/10/disaster-assistance-2022-10-07-final.pdf>. See 8 U.S.C. § 1641(b)(1).

³⁵⁸ See FED. EMERGENCY MGMT. AGENCY, FEMA CITIZENSHIP/IMMIGRATION REQUIREMENTS (2015), <https://www.fema.gov/faq-details/FEMA-Citizenship-Immigration-requirements-1370032118159> (stating that undocumented individuals can apply on behalf of a minor US citizen child who has a social security card).

³⁵⁹ To be eligible for unemployment insurance, each class of immigrant must have had prior work authorization and had to have been working with the authorization at the time they applied for unemployment. Work authorization must remain valid while they receive unemployment and if work authorization expires, then so does the eligibility for unemployment.

³⁶⁰ 8 U.S.C. § 1641(c)(1)(B)(i), or (ii); or 8 U.S.C. § 1641(c)(2), or (3).

³⁶¹ 8 U.S.C. § 1641(b)(3).

³⁶² INA § 208(d)(2); 8 C.F.R. § 274a.12(c)(8); 8 C.F.R. §§ 274a.12(a)(5). 8 U.S.C. § 1641(b)(2).

³⁶³ 8 U.S.C. § 1641(c)(4).

³⁶⁴ 8 U.S.C. § 1641(c)(4).

³⁶⁵ See Rebecca Smith, Immigrant Workers' Eligibility for Unemployment Insurance, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("The general rule is that workers must have valid work authorization during the base period, at the time that they apply for benefits, and throughout the period during which they are receiving benefits.").

³⁶⁶ 8 U.S.C. § 1641(b)(1).

³⁶⁷ 8 U.S.C. § 1641(b)(1).

³⁶⁸ See Rebecca Smith, Immigrant Workers' Eligibility for Unemployment Insurance, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("The general rule is that workers must have valid work authorization during the base period, at the time that they apply for benefits, and throughout the period during which they are receiving benefits.").

³⁶⁹ See Rebecca Smith, Immigrant Workers' Eligibility for Unemployment Insurance, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("Under the current state and federal systems, undocumented workers are not eligible for unemployment benefits.").