

## Access to State-Funded<sup>a</sup> Public Benefits in California for Survivors,

Based on Immigration Status<sup>b</sup>

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May 14, 2019

|      | VAWA Self-Petitioner <sup>d</sup>  | Refugee, Asylee, T Visa <sup>1</sup>   | T Visa <sup>2/</sup> Continued Presence <sup>3</sup>  | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup>  | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>   | U Visa (Upon wait list approval) <sup>6</sup>  | U Visa Applicants  | Undocumented                |
|------|--|--|---|---|---|--|--|-----------------------------|
|      | Qualified Immigrant <sup>e</sup>   |  | HHS Certification   | Lawfully Present  |   |  | Limited Benefits Eligibility <sup>7</sup>  |                             |
| TANF | Eligible with prima facie determination, subject to five-year bar for those who arrived on or after August 22, 1996 <sup>8</sup> (After the first 12 months may be subject to deeming). <sup>9</sup> | <u>Refugee/Asylee:</u> Eligible for TANF regardless of date of entry. <sup>12</sup><br><br><u>T visa:</u> with HHS certification or eligibility determination, eligible under the Victims of | 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 | Not eligible. <sup>27</sup><br><br><i>In California, DACA grantees may be eligible for General Assistance (varies by county).</i> <sup>28</sup> | Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. <sup>29</sup> (may be subject to deeming). <sup>30</sup> | Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996 <sup>32</sup> (may be subject to deeming). <sup>33</sup> | No federal eligibility. <sup>37</sup><br><br><i>In California, U visa applicants are eligible for California Work Opportunity and Responsibility to Kids Program (CalWORKs).</i> <sup>38</sup> | Not eligible. <sup>41</sup> |

<sup>a</sup> Federally funded public benefits are in non-italicized typeface and *state-funded public benefits are italicized.*

<sup>b</sup> 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](mailto: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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<sup>d</sup> 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).

<sup>e</sup> See 8 U.S.C. § 1641(a)-(c) (Qualified immigrants are: **lawful permanent residents (LPRs)**; refugees; asylees; persons granted withholding of deportation/removal, conditional entry (as in effect prior to Apr. 1, 1980), or paroled into the U.S. for at least one year; 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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|------|--|--|--|--|---|---|--|--------------|
| TANF | <p><i>In California, VAWA self-petitioners are eligible for the California Work Opportunity and Responsibility to Kids Program (CalWORKs)<sup>10</sup> and may be eligible for General Assistance (varies by county).<sup>11</sup></i></p> | <p><b>Trafficking and Violence Protection Act (TVPA) of 2000 to the same extent as refugees.<sup>13</sup></b></p> <p><b>At the state's discretion, T visa holders or applicants 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.<sup>14</sup></b></p> <p><i>In California, refugees, asylees, and T visa applicants with bona fide determinations are eligible for the California Work Opportunity and Responsibility to Kids Program (CalWORKs)<sup>15</sup> and may be eligible for General Assistance (varies by county).<sup>16</sup></i></p> <p><i>T visa holders and</i></p> | <p>(under 18).<sup>20</sup></p> <p>These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.<sup>21</sup></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.<sup>22</sup></p> <p><i>In California, T visa applicants and Continued Presence with HHS Certification are eligible for the California Work Opportunity and Responsibility to Kids Program (CalWORKs)<sup>23</sup> during a 12 month period, and may be eligible for General Assistance (varies by county).<sup>24</sup></i></p> |  | <p><i>In California, SIJS recipients are eligible for the California Work Opportunity and Responsibility to Kids Program (CalWORKs) and may be eligible for General Assistance (varies by county).<sup>31</sup></i></p> | <p><i>In California, U visa holders and waitlist approved applicants are eligible for California Work Opportunity and Responsibility to Kids Program (CalWORKs).<sup>34</sup> The Trafficking and Crime Victims Assistance Program (TCVAP) provides eligible non-citizen victims of domestic violence and other serious crimes access to CalWORKs.<sup>35</sup></i></p> <p><i>In California, U visa holders and wait list approved applicants may be eligible for General Assistance (varies by county).<sup>36</sup></i></p> | <p><i>The Trafficking and Crime Victims Assistance Program (TCVAP) provides eligible non-citizen victims of domestic violence and other serious crimes access to CalWORKs.<sup>39</sup></i></p> <p><i>In California, U visa applicants may be eligible for General Assistance (varies by county).<sup>40</sup></i></p> |              |

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|-------------------|---|---|---|--|---|--|---|---|
| <b>TANF</b>       |   | <p>applicants with bona fide determinations are eligible for cash assistance through the Trafficking and Crime Victims Assistance Program (TCVAP), only if they are ineligible for CalWORKs.<sup>17</sup> Applicants may establish eligibility through a sworn statement establishing that the applicant is a human trafficking victim.<sup>18</sup></p> <p>Refugees and asylees, who are without children and are not otherwise eligible for any other cash aid, are eligible for California's Refugee Cash Assistance (RCA) program.<sup>19</sup></p> | <p>T visa applicants with bona fide determinations are eligible for cash assistance through the Trafficking and Crime Victims Assistance Program (TCVAP), only if they are ineligible for CalWORKs.<sup>25</sup> Applicants may establish eligibility through a sworn statement establishing that the applicant is a human trafficking victim.<sup>26</sup></p> |  |   |  |   |   |
| <b>Child Care</b> | Children with prima facie determination are qualified immigrants eligible for Child Care Development Fund | Children who are <u>asylees or refugees</u> are eligible for CCDF-funded child care and TANF-funded child care. <sup>47</sup>   | Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T visa   | Eligible for CCDF-funded child care open to all immigrants, when:<br>(1) Child care is provided in | Eligible for CCDF-funded child care open to all immigrants, when:<br>(1) Child care is provided in settings | Eligible for CCDF-funded child care open to all immigrants, when:<br>(1) Child care is provided in | Eligible for CCDF-funded child care open to all immigrants, when:<br>(1) Child care is provided in settings subject to public | Eligible for CCDF-funded child care open to all immigrants, when:<br>(1) Child care is provided in settings subject to public |

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|-------------------|--|---|---|---|--|--|--|---|
| <b>Child Care</b> | <p>(CCDF)-funded child care.<sup>42</sup></p> <p>TANF-funded childcare subject to five-year bar for immigrants who entered on or after August 22, 1996.<sup>43</sup></p> <p><i>In California, VAWA self-petitioners receiving CalWORKs cash assistance are eligible for TANF-funded childcare.<sup>44</sup> If no longer receiving cash assistance, eligibility for CalWORKs child care remains intact based on CalWORKs three stages.<sup>45</sup></i></p> <p><i>In California, eligible for the Migrant Child Care and Development Program, regardless of immigration status, if applicant's family earns at least 50 percent of</i></p> | <p><b>T visa:</b> Eligible for CCDF-funded child care and TANF-funded child care under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.<sup>48</sup></p> <p>Children who are T visa holders or applicants with prima facie (bona fide) determination are eligible for CCDF-funded child care.<sup>49</sup> They are also eligible for TANF-funded childcare subject to five-year bar for those who entered on or after August 22, 1996.<sup>50</sup></p> <p><i>In California, refugees, asylees and T visa holders who are receiving CalWORKs cash assistance are eligible for TANF-funded childcare.<sup>51</sup> If no longer</i></p> | <p>application) or an HHS eligibility determination (under 18) are eligible for CCDF-funded child care and TANF-funded child care.<sup>55</sup></p> <p>Family members with T visa status eligible for CCDF-funded child care and TANF-funded child care, no need for HHS Certification or eligibility determination.<sup>56</sup></p> <p><i>In California, Continued Presence, T visa applicants and trafficking victims submitting credible sworn statements<sup>57</sup> proving they are human trafficking victims are eligible for child care under the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>58</sup></i></p> <p><i>Those receiving CalWORKs have continuing</i></p> | <p>settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Child care is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.<sup>61</sup></p> <p><i>In California, eligible for the Migrant Child Care and Development Program, regardless of immigration status, if applicant's family earns at least 50 percent of their total gross income from employment in</i></p> | <p>subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Childcare is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.<sup>63</sup></p> <p>Upon receiving lawful permanent residency, eligible as for CCDF-funded child care.<sup>64</sup></p> <p>Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996.<sup>65</sup></p> <p><i>In California, SIJS recipients who are receiving CalWORKs cash assistance are</i></p> | <p>settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Childcare is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.<sup>69</sup></p> <p>Upon receiving lawful permanent residency, eligible as for CCDF-funded child care.<sup>70</sup> Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996.<sup>71</sup></p> <p><i>In U visa holders who are receiving CalWORKs cash</i></p> | <p>educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Child care is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.<sup>75</sup></p> <p><i>In California, U visa applicants who are receiving CalWORKs cash assistance are eligible for TANF-funded childcare.<sup>76</sup> If no longer receiving cash assistance, eligibility for CalWORKs child care remains intact based on CalWORKs three stages.<sup>77</sup></i></p> <p><i>In California, eligible for the</i></p> | <p>educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Child care is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.<sup>79</sup></p> <p><i>In California, eligible for the Migrant Child Care and Development Program, regardless of immigration status, if applicant's family earns at least 50 percent of their total gross income from employment in fishing, agriculture or agriculturally related work during the twelve month period immediately preceding the date of application.<sup>80</sup></i></p> |

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|-------------------|--|--|---|--|--|---|---|--------------|
| <b>Child Care</b> | <i>their total gross income from employment in fishing, agriculture or agriculturally related work during the twelve month period immediately preceding the date of application.</i> <sup>46</sup> | <i>receiving cash assistance, eligibility for CalWORKs child care remains intact based on CalWORKs three stages.</i> <sup>52</sup><br><br><i>T visa holders and T visa applicants with prima facie determinations are eligible for child care under the Trafficking and Crime Victims Assistance Program (TCVAP).</i> <sup>53</sup><br><br><i>In California, eligible for the Migrant Child Care and Development Program, regardless of immigration status, if applicant's family earns at least 50 percent of their total gross income from employment in fishing, agriculture or agriculturally related work during the twelve</i> | <i>eligibility for childcare based on CalWORKs three stages.</i> <sup>59</sup><br><br><i>In California, eligible for the Migrant Child Care and Development Program, regardless of immigration status, if applicant's family earns at least 50 percent of their total gross income from employment in fishing, agriculture or agriculturally related work during the twelve month period immediately preceding the date of application.</i> <sup>60</sup> | <i>fishing, agriculture or agriculturally related work during the twelve month period immediately preceding the date of application.</i> <sup>62</sup> | <i>eligible for TANF-funded childcare.</i> <sup>66</sup><br><i>If no longer receiving cash assistance, eligibility for CalWORKs child care remains intact based on CalWORKs three stages.</i> <sup>67</sup><br><br><i>In California, eligible for the Migrant Child Care and Development Program, regardless of immigration status, if applicant's family earns at least 50 percent of their total gross income from employment in fishing, agriculture or agriculturally related work during the twelve month period immediately preceding the date of application.</i> <sup>68</sup> | <i>assistance are eligible for TANF-funded childcare.</i> <sup>72</sup><br><i>If no longer receiving cash assistance, eligibility for CalWORKs child care remains intact based on CalWORKs three stages.</i> <sup>73</sup><br><br><i>In California, eligible for the Migrant Child Care and Development Program, regardless of immigration status, if applicant's family earns at least 50 percent of their total gross income from employment in fishing, agriculture or agriculturally related work during the twelve month period immediately preceding the date of application.</i> <sup>74</sup> | <i>Migrant Child Care and Development Program, regardless of immigration status, if applicant's family earns at least 50 percent of their total gross income from employment in fishing, agriculture or agriculturally related work during the twelve month period immediately preceding the date of application.</i> <sup>78</sup> |              |

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|--|---|--|--|--|---|--|--|---|
| <b>Child Care</b>                      |   | <i>month period immediately preceding the date of application.</i> <sup>54</sup>   |  |  |   |  |  |   |
| <b>SNAP (Food Stamps)<sup>81</sup></b> | <p>Eligible with prima facie determination, subject to an additional condition, e.g.: five years residency, younger than 18, elderly, or disabled.<sup>82</sup></p> <p><i>In California, VAWA self-petitioners are eligible for CalFresh 5 years after receiving a prima facie determination as a VAWA self-petitioner or have attained lawful permanent residency with 40 quarters of work, or are a veteran, active duty military, their spouse, un-remarried surviving spouse, or child.</i><sup>83</sup></p> <p>VAWA self-petitioners are</p> | <p><u>Refugee/Asylee:</u> Eligible with no additional conditions.<sup>85</sup></p> <p><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).<sup>86</sup></p> <p>Also eligible under the Trafficking Victims Protection Act to the same extent as refugees.<sup>87</sup></p> <p><i>In California, refugees, asylees, and T visa applicants with bona fide determinations are eligible for CalFresh.</i><sup>88</sup></p> <p>Refugees, asylees,</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 with an HHS eligibility determination (under 18).<sup>92</sup></p> <p>Family members with T visa status eligible without HHS certification or eligibility determination.<sup>93</sup></p> <p>These human trafficking victims are eligible to the same extent as refugees and thus are eligible with no additional conditions.<sup>94</sup></p> <p><i>In California, T visa holders and Continued Presence holders are eligible for CalFresh for seven years.</i><sup>95</sup></p> | Not eligible.  | <p>Eligible upon receiving lawful permanent residency, subject to an additional condition,<sup>100</sup> e.g.: under 18,<sup>101</sup> five years residency,<sup>102</sup> 40 qualifying work quarters,<sup>103</sup> or disabled.<sup>104</sup></p> <p><i>In California, SIJS lawful permanent residents are eligible for CalFresh five years after being granted lawful permanent residency, or with 40 quarters of work, or are a veteran, active duty military, their spouse, un-remarried surviving spouse, or child.</i><sup>105</sup></p> <p>SIJS lawful permanent residents are eligible for the California Food Assistance Program (CFAP) if</p> | <p>Eligible upon receiving lawful permanent residency, subject to an additional condition,<sup>107</sup> e.g.: under 18,<sup>108</sup> five years residency,<sup>109</sup> 40 qualifying work quarters,<sup>110</sup> elderly,<sup>111</sup> or disabled.<sup>112</sup></p> <p><i>In California, U visa lawful permanent residents are eligible for CalFresh five years after being granted lawful permanent residency, or with 40 quarters of work, or are a veteran, active duty military, their spouse, un-remarried surviving spouse, or child.</i><sup>113</sup></p> <p>U visa lawful permanent residents and U</p> | <p>Not eligible.</p> <p><i>U visa applicants are eligible for food assistance through the California Food Assistance Program (CFAP)<sup>117</sup>, and through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>118</sup></i></p> <p><i>Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an approved U visa to be eligible for TCVAP.<sup>119</sup></i></p> | <p>Not eligible.</p> <p><i>Undocumented immigrants, who have children with legal status, may apply to CalFresh on behalf of their children.</i><sup>120</sup></p> |

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|-------------|--|--|--|--|--|---|-------------------|--------------|
| <b>SNAP</b> | <i>eligible for the California Food Assistance Program (CFAP), if they do not meet the above immigrant eligibility criteria for CalFresh.<sup>84</sup></i> | <i>T visa holders, and T visa applicants with bona fide determinations are eligible for the California Food Assistance Program (CFAP), if they do not meet the above immigrant eligibility criteria for CalFresh.<sup>89</sup></i><br><br><i>T visa holders and T visa applicants with prima facie determinations are eligible for food assistance through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>90</sup> Trafficking survivor applicants may use a sworn statement if no documentation exists.<sup>91</sup></i> | <i>Refugees, asylees, T visa holders, and T visa applicants with bona fide determinations are eligible for the California Food Assistance Program (CFAP), if they do not meet the above immigrant eligibility criteria for CalFresh.<sup>96</sup></i><br><br><i>In California, Continued Presence, T visa applicants and trafficking victims submitting credible sworn statements<sup>97</sup> proving they are human trafficking victims are eligible for food assistance through the Trafficking and Crime Victims Assistance Program (TCVAP) for up to 12 months.<sup>98</sup> Trafficking survivor applicants may use a sworn statement if no documentation exists.<sup>99</sup></i> |  | <i>they do not meet the above immigrant eligibility criteria for CalFresh.<sup>106</sup></i> | <i>visa wait list approved applicants are eligible for the California Food Assistance Program (CFAP) if they do not meet the above immigrant eligibility criteria for CalFresh.<sup>114</sup></i><br><br><i>In California, U visa applicants are eligible for food assistance through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>115</sup> Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an approved U visa to be eligible for TCVAP.<sup>116</sup></i> |                   |              |

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|--|--|--|--|--|--|---|------------------------------------|------------------------------------|
| <b>The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)</b> | <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.<sup>121</sup> 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.<sup>122</sup> 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).<sup>123</sup></p> <p><i>In California, applicants may apply for WIC, School Lunch and Breakfast Programs and Summer Food<sup>124</sup> at any of the local offices across the state.<sup>125</sup> The income eligibility requirement for a parent or guardian, who is the sole provider of children under age five, is to be at or below 185 percent of the federal poverty level.<sup>126</sup></i></p> |  |  |  |  |   |                                    |                                    |
| <b>Purchase Health Insurance on Exchanges<sup>f</sup></b>                                | <p>Eligible with prima facie determination.<sup>127</sup></p> <p><i>In California, VAWA self-petitioners who are over-income eligibility standards for Medi-Cal, are eligible to purchase Covered California and may be eligible for financial assistance.<sup>128</sup></i></p> <p><i>In California, once the VAWA self-petition is approved and the victim receives deferred action the victim is eligible</i></p>   | <p><u>Refugee:</u> Eligible.<sup>130</sup></p> <p><u>Asylee:</u> Eligible; applicants eligible if granted work authorization; applicants under 14 eligible if application pending at least 180 days.<sup>131</sup></p> <p><u>T visa:</u> Eligible with prima facie (bona fide) determination on T visa application.<sup>132</sup></p> <p><i>In California, refugees, asylees, and T visa holders who are over-income eligibility standards for</i></p> | <p>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).<sup>134</sup></p> <p>Family members with T visa status eligible without HHS certification or eligibility determination.<sup>135</sup></p> <p><u>These human trafficking victims are eligible to the same extent as refugees and thus</u></p> | <p>Not eligible.<sup>138</sup></p> <p><i>In California, only DACA grantees that have been granted deferred action are eligible for Covered California.<sup>139</sup></i></p> | <p>Eligible upon filing SIJS application.<sup>140</sup></p> <p><i>In California, SIJS applicants who are over-income eligibility standards for Medi-Cal, are eligible to purchase Covered California and may be eligible for financial assistance.<sup>141</sup></i></p> | <p>Eligible upon U visa wait list approval.<sup>142</sup></p> <p><i>In California, U visa holders and wait list approved U visa applicants who are over-income eligibility standards for Medi-Cal, are eligible to purchase Covered California and may be eligible for financial assistance.<sup>143</sup></i></p> <p><i>In California, U visa applicants who have been granted deferred action with wait-list approval are</i></p> | <p>Not eligible.<sup>145</sup></p> | <p>Not eligible.<sup>146</sup></p> |

<sup>f</sup> 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>.



|  | VAWA Self-Petitioner <sup>d</sup>  | Refugee, Asylee, T Visa <sup>1</sup>  | T Visa <sup>2</sup> / Continued Presence <sup>3</sup>   | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup>   | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>  | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants   | Undocumented   |
|--|--|---|---|--|--|---|---|--|
| <b>Health Insurance Exchanges</b>                          | <i>for Covered California.</i> <sup>129</sup>  | <i>Medi-Cal, are eligible to purchase Covered California and may be eligible for financial assistance.</i> <sup>133</sup>   | are eligible regardless of date of entry. <sup>136</sup><br><br><i>In California, T visa applicants and Continued Presence recipients who are over-income eligibility standards for Medi-Cal, are eligible to purchase Covered California and may be eligible for financial assistance.</i> <sup>137</sup>  |  |  | <i>eligible for Covered California.</i> <sup>144</sup>  |   |  |
| <b>Child Health Insurance Program (CHIP)<sup>147</sup></b> | Eligible with prima facie determination if arrived prior to August 22, 1996 and subject to five-year bar for those who arrived on or after August 22, 1996. <sup>148</sup><br><br><i>In California, all children are eligible for full-scope Medi-Cal coverage (including prenatal care), regardless of immigration status.</i> <sup>149</sup> | <u>Refugee/Asylee:</u> Eligible, exempt from five-year bar. <sup>150</sup><br><br><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. <sup>151</sup><br><br><u>T visa holders and T visa applicants</u> with prima facie (bona fide) | 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). <sup>157</sup><br><br>Family members with T visa status are eligible without HHS Certification or eligibility determination. <sup>158</sup><br><br>These human trafficking victims are eligible to the | Eligible for emergency Medicaid regardless of immigration status. <sup>164</sup><br><br><i>In California, all children are eligible for full-scope Medi-Cal coverage (including prenatal care), regardless of immigration status.</i> <sup>165</sup> | Eligible upon receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. <sup>166</sup><br><br><i>In California, all children are eligible for full-scope Medi-Cal coverage (including prenatal care), regardless of immigration status.</i> <sup>167</sup> | If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency. <sup>168</sup> If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, but subject to five-year bar. <sup>169</sup><br><br><i>In California, all children are eligible for full-scope Medi-Cal coverage (including prenatal care),</i> | Eligible for emergency Medicaid regardless of immigration status. <sup>173</sup><br><br><i>In California, all children are eligible for full-scope Medi-Cal coverage (including prenatal care), regardless of immigration status.</i> <sup>174</sup><br><br><i>In California, U visa applicants are eligible for Medi-Cal through the Trafficking and Crime Victims</i> | Eligible for emergency Medicaid regardless of immigration status. <sup>177</sup><br><br><i>In California, all children are eligible for full-scope Medi-Cal coverage (including prenatal care), regardless of immigration status.</i> <sup>178</sup> |

|      | VAWA Self-Petitioner <sup>d</sup> | Refugee, Asylee, T Visa <sup>1</sup>  | T Visa <sup>2</sup> / Continued Presence <sup>3</sup>   | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup> | Special Immigrant Juvenile Status (SIJS) <sup>5</sup> | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants  | Undocumented |
|------|-----------------------------------|---|---|--|---|---|--|--------------|
| CHIP |                                   | <p>determinations eligible as qualified immigrants, subject to five-year bar for those who arrived on or after August 22, 1996.<sup>152</sup></p> <p><i>In California, all children are eligible for full-scope Medi-Cal coverage (including prenatal care), regardless of immigration status.<sup>153</sup></i></p> <p><i>Minors who are in California and are identified as a trafficking victim by the Office of Refugee Resettlement (ORR) are eligible to participate in the Unaccompanied Refugee Minors (URM) program. URM is able to provide assistance with health and housing.<sup>154</sup></i></p> <p><i>In California, T</i></p> | <p>same extent as refugees and are exempt from five-year bar.<sup>159</sup></p> <p><i>In California, all children are eligible for full-scope Medi-Cal coverage (including prenatal care), regardless of immigration status.<sup>160</sup></i></p> <p><i>In California, T visa applicants, continued presence recipients and trafficking victims submitting credible sworn statements<sup>161</sup> proving they are human trafficking victims are eligible for Medi-Cal and the Healthy Families Program through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>162</sup> Trafficking survivor applicants may use a sworn statement if no documentation exists.<sup>163</sup></i></p> |  |   | <p><i>regardless of immigration status.<sup>170</sup></i></p> <p><i>In California, U visa applicants are eligible Medi-Cal through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>171</sup></i></p> <p><i>Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an approved U visa.<sup>172</sup></i></p> | <p><i>Assistance Program (TCVAP).<sup>175</sup></i></p> <p><i>Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an approved U visa.<sup>176</sup></i></p> |              |

|  | VAWA Self-Petitioner <sup>d</sup>   | Refugee, Asylee, T Visa <sup>1</sup>  | T Visa <sup>2</sup> / Continued Presence <sup>3</sup>   | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup>   | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>  | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants  | Undocumented  |
|--|---|---|---|--|--|---|--|---|
| <b>CHIP</b>                              |   | <i>visa holders and T visa applicants with prima facie determinations are eligible for Medi-Cal and the Healthy Families Program through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>155</sup> Trafficking survivor applicants may use a sworn statement if no documentation exists.<sup>156</sup></i>          |   |  |  |   |  |   |
| <b>Full-Scope Medicaid<sup>179</sup></b> | <p>Eligible with prima facie determination if arrived prior to August 22, 1996 and subject to five-year bar for those who arrived on or after August 22, 1996.<sup>180</sup></p> <p><i>In California, VAWA self-petitioners are eligible for full coverage under Medi-Cal.<sup>181</sup></i></p> <p><i>In California, pregnant women are eligible for</i></p> | <p><b>Refugee/Asylee:</b> Eligible, exempt from five-year bar.<sup>183</sup></p> <p><b>T visa :</b> 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.<sup>184</sup></p> <p><b>T visa holders and</b></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).<sup>190</sup></p> <p>Family members with T visa status eligible without HHS Certification or eligibility determination.<sup>191</sup></p> | <p>Eligible for emergency Medicaid regardless of immigration status.<sup>199</sup></p> <p><i>In California, DACA grantees are eligible for full coverage under Medi-Cal.<sup>200</sup></i></p> <p><i>In California, pregnant women are eligible for prenatal care, regardless of immigration</i></p> | <p>Eligible for emergency Medicaid regardless of immigration status.<sup>204</sup></p> <p>Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996.<sup>205</sup></p> <p><i>In California, SIJS applicants and holders are eligible for full coverage</i></p> | <p>Eligible for emergency Medicaid regardless of immigration status.<sup>208</sup></p> <p>If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency.<sup>209</sup></p> <p>If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, subject</p> | <p>Eligible for emergency Medicaid regardless of immigration status.<sup>215</sup></p> <p><i>In California, U visa applicants are eligible for full coverage under Medi-Cal.<sup>216</sup></i></p> <p><i>In California, pregnant women are eligible for prenatal care, regardless of immigration status.<sup>217</sup></i></p> | <p>Eligible for emergency Medicaid regardless of immigration status.<sup>220</sup></p> <p><i>In California, all undocumented immigrants are eligible for prenatal care, long-term care, breast and cervical cancer treatment, and certain other long-term medical services are available.<sup>221</sup></i></p> <p><i>Counties in California offer varying degrees of medical assistance to undocumented immigrants, with</i></p> |

|                            | VAWA Self-Petitioner <sup>d</sup>  | Refugee, Asylee, T Visa <sup>1</sup>  | T Visa <sup>2</sup> / Continued Presence <sup>3</sup>   | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup>   | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>   | U Visa (Upon wait list approval) <sup>6</sup>  | U Visa Applicants   | Undocumented  |
|----------------------------|--|---|---|--|---|--|---|---|
| <b>Full-Scope Medicaid</b> | <p><i>prenatal care, regardless of immigration status.</i><sup>182</sup></p> | <p><b>T visa applicants 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.</b><sup>185</sup></p> <p><i>In California, refugees, asylees, and T visa applicants with bona fide determinations are eligible for full coverage under Medi-Cal.</i><sup>186</sup></p> <p><i>In California, pregnant women are eligible for prenatal care, regardless of immigration status.</i><sup>187</sup></p> <p><i>In California, T visa holders and T visa applicants with prima facie determinations are eligible for Medi-Cal and the Healthy Families</i></p> | <p>These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar.<sup>192</sup></p> <p>Eligible for emergency Medicaid regardless of immigration status.<sup>193</sup></p> <p><i>In California, T visa holders and Continued Presence are eligible for full coverage under Medi-Cal.</i><sup>194</sup></p> <p><i>In California, pregnant women are eligible for prenatal care, regardless of immigration status.</i><sup>195</sup></p> <p><i>In California, T visa applicants, continued presence recipients and trafficking victims submitting credible sworn statements<sup>196</sup> proving they are human trafficking victims are eligible</i></p> | <p><i>status.</i><sup>201</sup></p> <p><i>In California, DACA grantees are eligible for long-term care, breast and cervical cancer treatment, and certain other long-term medical services are available.</i><sup>202</sup></p> <p><i>In California DACA applicants offer varying degrees of medical assistance to DACA grantees, with different eligibility requirements.</i><sup>203</sup></p> | <p><i>under Medi-Cal.</i><sup>206</sup></p> <p><i>In California, pregnant women are eligible for prenatal care, regardless of immigration status.</i><sup>207</sup></p> | <p>to five-year bar.<sup>210</sup></p> <p><i>In California, U visa holders and U visa wait list approved applicants are eligible for full coverage under Medi-Cal.</i><sup>211</sup></p> <p><i>In California, pregnant women are eligible for prenatal care, regardless of immigration status.</i><sup>212</sup></p> <p><i>In California, U visa holders and wait list approved applicants are eligible for Medi-Cal through the Trafficking and Crime Victims Assistance Program (TCVAP).</i><sup>213</sup></p> <p><i>Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an</i></p> | <p><i>In California, U visa applicants are eligible Medi-Cal through the Trafficking and Crime Victims Assistance Program (TCVAP).</i><sup>218</sup></p> <p><i>Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an approved U visa.</i><sup>219</sup></p> | <p><i>different eligibility requirements.</i><sup>222</sup></p> |

|  | VAWA Self-Petitioner <sup>d</sup>  | Refugee, Asylee, T Visa <sup>1</sup>   | T Visa <sup>2</sup> / Continued Presence <sup>3</sup>  | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup> | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>                                       | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants                     | Undocumented                          |
|--|--|--|--|--|---|---|---------------------------------------|---------------------------------------|
| <b>Full-Scope Medicaid</b>   |  | <i>Program through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>188</sup> Trafficking survivor applicants may use a sworn statement if no documentation exists.<sup>189</sup></i> | <i>for Medi-Cal and the Healthy Families Program through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>197</sup> Trafficking survivor applicants may use a sworn statement if no documentation exists.<sup>198</sup></i>   |  |   | <i>approved U visa.<sup>214</sup></i>   |                                       |                                       |
| <b>Education-Federal Benefits: Federal Student Aid, Grants and Loans<sup>223</sup></b> | With prima facie determination, eligible. <sup>224</sup>   | Refugees, Asylees, and T visa holders or T visa applicants with prima facie (bona fide) determination, an HHS Certification or eligibility letter are eligible for federal student aid. <sup>225</sup> | 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), and family members with T visa status, are eligible for federal student aid. <sup>226</sup> | Not eligible for federal student aid. <sup>227</sup>       | Eligible for federal student aid upon receipt of lawful permanent residency. <sup>228</sup> | Eligible for federal student aid upon receipt of lawful permanent residency. <sup>229</sup> | Not eligible for federal student aid. | Not eligible for federal student aid. |
| <b>Education-State Law</b>   | <p><i>At California public postsecondary institutions, prospective immigrant students are eligible for tuition assistance through in-state tuition rates, the California Promise Grants (formerly known as the Board of Governors Fee Waiver), Cal Grants (state financial aid), institutional aid and scholarships. Generally, the eligibility of the student is determined if they qualify as a “state resident” or qualify under AB 540.<sup>230</sup></i></p> <ul style="list-style-type: none"> <li><i>To qualify as a California “state resident” for tuition purposes, a prospective student must be lawfully present in California for 366 days. Individuals granted DACA, U or T status, a prima facie case determination, or an approved VAWA self-petition are among those considered lawfully present in the U.S. However, for this purpose, students may not have a currently valid nonimmigrant status that requires individuals to maintain a residence abroad.<sup>231</sup></i></li> <li><i>To qualify under AB 540, the prospective student must have 3 years of high school coursework, provided that the student attended a total of 3 years at a Calif. elementary or secondary school, or any combination. Effective in 2018, students may count attendance or credit at an adult school or up to 2 years’ attendance or credit at a community college toward the 3-year total. Must graduate from a Calif. high school, obtain a G.E.D. or (beginning in 2018) an associate degree from a Calif. community</i></li> </ul> |  |  |  |   |   |                                       |                                       |

|   | VAWA Self-Petitioner <sup>d</sup>   | Refugee, Asylee, T Visa <sup>1</sup>   | T Visa <sup>2/</sup> Continued Presence <sup>3</sup>   | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup>  | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>  | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants   | Undocumented                       |
|---|---|--|--|---|--|---|---|------------------------------------|
| <b>Education-State Law</b>                              | college, or minimum transfer requirements for University of Calif. or Calif. State University. All students regardless of immigration status may be eligible, except that nonimmigrants are excluded (under AB 1899 students with T or U nonimmigrant status who meet the other criteria of AB 540 are eligible for in-state tuition, fee waivers, scholarships, and institutional and state financial aid). Refugees and Iraqi and Afghan Special Immigrants are eligible to pay in-state tuition rates immediately if they originally settle in California (AB 343, effective Jan. 1, 2018). <sup>232</sup> |  |  |   |  |   |   |                                    |
| <b>Supplemental Security Income (SSI)<sup>233</sup></b> | <p>Eligible with prima facie determination if received SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled.<sup>234</sup> May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979.<sup>235</sup></p> <p><i>In California, VAWA self-petitioners who are seniors 65 years or older or persons with disabilities who are ineligible for federal SSI or State Supplemental Payment (SSP), are eligible for the Cash Assistance Program for Immigrants (CAPI).<sup>236</sup> Benefit levels for</i></p>  | <p><u>Refugees/Asylees:</u> Eligible during first seven years after the status was granted.<sup>239</sup></p> <p><u>Trafficking victims:</u> Eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.<sup>240</sup></p> <p><u>T visa<sup>241</sup>:</u> Eligible as a qualified immigrant with prima facie (bona fide) determination on T visa application if receiving SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled.<sup>242</sup> May also be eligible with a prima facie determination if</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), or family members with T visa status (no need for HHS certification or eligibility determination) are eligible to the same extent as refugees.<sup>248</sup></p> <p><i>In California, T visa applicants, continued presence recipients, trafficking victims submitting credible sworn statements<sup>249</sup> proving they are human trafficking victims who are ineligible for federal SSI or State Supplemental Payment (SSP) are</i></p> | <p><i>In California, DACA grantees who are disabled and are ineligible for federal SSI or State Supplemental Payment (SSP) are eligible for the Cash Assistance Program for Immigrants (CAPI).<sup>255</sup> Benefit levels for individuals are \$10 less than the federal SSI and state SSI supplement.<sup>256</sup> Eligibility for this program may be affected by deeming.<sup>257</sup></i></p> | <p>Eligible upon receiving lawful permanent residency if credited with 40 quarters of work,<sup>258</sup> subject to five-year bar.<sup>259</sup></p> <p><i>In California, SIJS applicants and holders who are disabled and are ineligible for federal SSI or State Supplemental Payment (SSP), are eligible for the Cash Assistance Program for Immigrants (CAPI).<sup>260</sup> Benefit levels for individuals are \$10 less than the federal SSI and state SSI supplement.<sup>261</sup> Eligibility for this program may be affected by deeming.<sup>262</sup></i></p> | <p>Eligible upon receiving lawful permanent residency if: credited with 40 quarters of work<sup>263</sup> 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.<sup>264</sup></p> <p>Lawful permanent residents may also be eligible if currently receiving SSI based on an application filed before 1979.<sup>265</sup></p> <p><i>In California, U visa holder and U visa wait list approved applicants who are ineligible for federal SSI or</i></p> | <p>Not eligible.<sup>271</sup></p> <p><i>In California, U visa applicants who are ineligible for federal SSI or State Supplemental Payment (SSP) are eligible for the Cash Assistance Program for Immigrants (CAPI)<sup>272</sup> through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>273</sup> Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an approved U visa.<sup>274</sup> Benefit levels for individuals are \$10 less than the federal SSI and state SSI supplement.<sup>275</sup> Eligibility for this</i></p> | <p>Not eligible.<sup>277</sup></p> |

|     | VAWA Self-Petitioner <sup>d</sup>  | Refugee, Asylee, T Visa <sup>1</sup>   | T Visa <sup>2/</sup> Continued Presence <sup>3</sup>   | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup> | Special Immigrant Juvenile Status (SIJS) <sup>5</sup> | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants  | Undocumented |
|-----|--|--|--|--|---|---|--|--------------|
| SSI | <p>individuals are \$10 less than the federal SSI and state SSI supplement.<sup>237</sup> Eligibility for this program may be affected by deeming.<sup>238</sup></p> | <p>currently receiving SSI based on an application filed before 1979.<sup>243</sup> This eligibility allows trafficking victims who are disabled to continue to receive SSI after the 7-years.<sup>244</sup></p> <p>In California, refugees, asylees, T visa holder, and T visa applicants with prima facie determinations who are seniors 65 years or older or are persons with disabilities who are ineligible for federal SSI or State Supplemental Payment (SSP) are eligible for the Cash Assistance Program for Immigrants (CAPI).<sup>245</sup> Benefit levels for individuals are \$10 less than the federal SSI and state SSI supplement.<sup>246</sup> Eligibility for this program may be</p> | <p>eligible for the Cash Assistance Program for Immigrants (CAPI)<sup>250</sup> through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>251</sup></p> <p>Trafficking survivor applicants may use a sworn statement if no documentation exists.<sup>252</sup></p> <p>Benefit levels for individuals are \$10 less than the federal SSI and state SSI supplement.<sup>253</sup> Eligibility for this program may be affected by deeming.<sup>254</sup></p> |  |   | <p>State Supplemental Payment (SSP), are eligible for the Cash Assistance Program for Immigrants (CAPI)<sup>266</sup> through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>267</sup> Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an approved U visa.<sup>268</sup> Benefit levels for individuals are \$10 less than the federal SSI and state SSI supplement.<sup>269</sup> Eligibility for this program may be affected by deeming.<sup>270</sup></p> | <p>program may be affected by deeming.<sup>276</sup></p> |              |

|   | VAWA Self-Petitioner <sup>d</sup>  | Refugee, Asylee, T Visa <sup>1</sup>  | T Visa <sup>2/</sup> Continued Presence <sup>3</sup>  | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup>                                     | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>  | U Visa (Upon wait list approval) <sup>6</sup>  | U Visa Applicants  | Undocumented  |
|---|--|---|---|--|--|--|--|---|
| SSI   |  | <i>affected by deeming.</i> <sup>247</sup>  |   |  |  |  |  |   |
| Driver's License <sup>278</sup>   | <p>Under the REAL ID Act, evidence of “lawful status” is required for a driver’s license to be accepted by a federal agency for official purposes.<sup>279</sup> The Department of Homeland Security (DHS), by regulation, lists specific documents that will provide satisfactory evidence of lawful status.<sup>280</sup> All documentation for REAL ID compliant ID’s will be submitted through the Systematic Alien Verification for Entitlements Program (S.A.V.E.).<sup>281</sup> DHS will also approve acceptance of other documentation issued by DHS or other Federal agencies demonstrating lawful status, as determined by USCIS.<sup>282</sup> In addition, DHS permits states to establish an “Exception Process” and consider “Alternative Documents.”<sup>283</sup></p> <p><i>In California, to obtain a driver’s license, California requires the following documentation:</i></p> <ul style="list-style-type: none"> <li>• <i>Proof of Identity</i> <ul style="list-style-type: none"> <li>○ <i>A valid, unexpired Permanent Resident Card, issued by the United States Citizenship and Immigration Services (USCIS) or Immigration and Naturalization Service (INS), Certificate of Citizenship (N-560, N-561, or N-645, issued by the U.S. Department of Homeland Security), A valid, unexpired <b>employment authorization document (EAD)</b><sup>284</sup>, Form I-766, I-668A, or I-688B, A valid, unexpired foreign passport with an approved I-94 form<sup>285</sup></i></li> <li>○ <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.</i><sup>286</sup></li> </ul> </li> <li>• <i>Proof of California Residency</i></li> <li>• <i>Proof of Social Security Number</i> <ul style="list-style-type: none"> <li>○ <i>If ineligible for Social Security Number, must provide proof of ineligibility.</i><sup>287</sup></li> </ul> </li> </ul> |   |   |  |  |  | <p><i>California offers the AB 60 Driver License for immigrants unable to prove lawful status.</i><sup>288</sup></p> <p><i>To obtain the license, applicants must submit<sup>289</sup>:</i></p> <ul style="list-style-type: none"> <li>• <i>Proof of Identity<sup>290</sup> (see footnote for acceptable documents which vary by country of origin.)</i></li> <li>• <i>California Residency</i></li> </ul> |   |
| Housing and Other Services Necessary to Protect Life or Safety Housing and Other Services | <p>Certain federally assisted programs providing services necessary to protect life or safety must make those services available without regard to immigration status and may not withhold those services based on immigration status.<sup>291</sup> 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; 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.<sup>292</sup></p> <p><i>In California, many of the emergency housing assistance programs are administered on the county level. See this footnote which contains links to the various appropriate county agencies.</i><sup>293</sup></p> <p><i>If an undocumented immigrant is an immediate survivor of domestic violence, she is eligible to seek assistance from a woman’s shelter, regardless of immigration status.</i><sup>294</sup></p>   |   |   |  |  |  |  |   |
| Public and Assisted Housing <sup>295</sup>  | Upon filing VAWA self-petition, applicant cannot be denied HUD public or assisted housing  | <u>Refugee/Asylee, T visa holder or T visa applicant</u> with prima facie (bona fide) determination eligible for: | Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination | Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), <sup>318</sup> | Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), <sup>321</sup> and Section 514/516 | Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), <sup>328</sup> and Section 514/516 | Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), <sup>335</sup> and Section 514/516   | Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), <sup>338</sup> and Section 514/516 Farm |



|                                    | VAWA Self-Petitioner <sup>d</sup>  | Refugee, Asylee, T Visa <sup>1</sup>  | T Visa <sup>2/</sup> Continued Presence <sup>3</sup>  | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup>  | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>   | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants   | Undocumented   |
|------------------------------------|--|---|---|---|---|---|---|--|
| <b>Public and Assisted Housing</b> | <p>unless and until a final determination of ineligibility.<sup>296</sup></p> <p>USDA rental housing follows HUD procedures for processing VAWA self-petitions,<sup>297</sup> so should be eligible for all USDA rental housing unless and until a final determination of ineligibility. Regardless of immigration status, eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),<sup>298</sup> and USDA Section 514/516 Farm Labor Housing if immediate family member of eligible tenant.<sup>299</sup></p> <p>Upon filing self-VAWA self-petition, remaining household member of eligible domestic farm laborer eligible to continue to occupy USDA Section</p> | <p>HUD public and assisted housing;<sup>304</sup> USDA Section 515 Rural Rental Housing;<sup>305</sup> USDA Section 521 Rural Rental Assistance;<sup>306</sup> USDA Section 514/516 Farm Labor Housing if immediate family member<sup>307</sup> or remaining household member<sup>308</sup> of eligible domestic farm laborer. Upon receiving lawful permanent residency USDA Section 514/516 Farm Labor Housing.<sup>309</sup></p> <p><i>In California, if a refugee, asylee or trafficking survivor has a letter from the Office of Refugee Resettlement (ORR), she may be eligible for section 8 public assisted housing.<sup>310</sup></i></p> <p><i>May be eligible to</i></p> | <p>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), are o, eligible for:<sup>313</sup></p> <p>HUD public and assisted housing<sup>314</sup> and USDA rental housing.<sup>315</sup></p> <p><i>In California, if a refugee, asylee or trafficking survivor has a letter from the Office of Refugee Resettlement (ORR), she may be eligible for section 8 public assisted housing.<sup>316</sup></i></p> <p><i>May be eligible to live in California Low Income Housing Tax Credit Property.<sup>317</sup></i></p> | <p>and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.<sup>319</sup></p> <p><i>May be eligible to live in California Low Income Housing Tax Credit Property.<sup>320</sup></i></p> | <p>Farm Labor Housing if immediate family member of eligible domestic farm laborer.<sup>322</sup></p> <p>Upon receiving lawful permanent residency,<sup>323</sup> eligible for HUD<sup>324</sup> and USDA<sup>325</sup> rental housing.<sup>326</sup></p> <p><i>May be eligible to live in California Low Income Housing Tax Credit Property.<sup>327</sup></i></p> | <p>Farm Labor Housing if immediate family member of eligible domestic farm laborer.<sup>329</sup></p> <p>Upon receiving lawful permanent residency,<sup>330</sup> eligible for HUD<sup>331</sup> and USDA<sup>332</sup> rental housing.<sup>333</sup></p> <p><i>May be eligible to live in California Low Income Housing Tax Credit Property.<sup>334</sup></i></p> | <p>Farm Labor Housing if immediate family member of eligible domestic farm laborer.<sup>336</sup></p> <p><i>May be eligible to live in California Low Income Housing Tax Credit Property.<sup>337</sup></i></p> | <p>Labor Housing if immediate family member of eligible domestic farm laborer.<sup>339</sup></p> <p><i>May be eligible to live in California Low Income Housing Tax Credit Property.<sup>340</sup></i></p> |

|  | VAWA Self-Petitioner <sup>d</sup>   | Refugee, Asylee, T Visa <sup>1</sup>   | T Visa <sup>2/</sup> Continued Presence <sup>3</sup> | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup> | Special Immigrant Juvenile Status (SIJS) <sup>5</sup> | U Visa (Upon wait list approval) <sup>6</sup>  | U Visa Applicants | Undocumented  |
|--|---|--|--|--|---|--|-------------------|---------------|
| <b>Public and Assisted Housing</b>     | <p>514/516 Farm Labor Housing unit.<sup>300</sup></p> <p>Upon receiving lawful permanent residency, eligible for USDA Section 514/516 Farm Lab or Housing;<sup>301</sup> USDA Section 521 Rural Rental Assistance.<sup>302</sup></p> <p>May be eligible to live in California Low Income Housing Tax Credit Property.<sup>303</sup></p>   | <p><i>live in California Low Income Housing Tax Credit Property.<sup>311</sup></i></p> <p><i>Minors who are in California and are identified as a trafficking victim by the Office of Refugee Resettlement (ORR) are eligible to participate in the Unaccompanied Refugee Minors (URM) program. URM is able to provide assistance with health and housing.<sup>312</sup></i></p> |  |  |   |  |                   |               |
| <b>Income Tax Credits</b>              | <p><b>Child Tax Credit:</b> 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.<sup>341</sup> A qualifying child must be a citizen, national, or resident of the U.S with an SSN or an Individual Taxpayer Identification Number (ITIN).<sup>342</sup> Immigrants eligible to receive social security numbers include 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.<sup>343</sup></p> <p><b>Child and Dependent Care Tax Credit:</b> 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"> <li>• A dependent child under the age of 13,</li> <li>• A spouse who is unable to physically or mentally care for themselves, or</li> <li>• An individual who is unable to care for themselves, mentally or physically who has lived with the taxpayer for at least six months.<sup>344</sup></li> </ul> <p>The child or dependent must have a social security number or ITIN.<sup>345</sup> Immigrants eligible to receive social security numbers include 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.<sup>346</sup></p> |  |  |  |   |  |                   |               |
| <b>Earned Income Tax Credit (EITC)</b> | VAWA self-petitioners who: have been granted  | Refugees, asylees, asylum applicants, and T visa holders   | Recipients of T visa bona fide determinations or     | DACA applicants who: are granted work                      | SIJS recipients granted lawful permanent              | Wait-list approved U visa applicants with work | Not eligible.     | Not eligible. |

|                                     | VAWA Self-Petitioner <sup>d</sup>  | Refugee, Asylee, T Visa <sup>1</sup>   | T Visa <sup>2/</sup> Continued Presence <sup>3</sup>  | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup>  | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>   | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants  | Undocumented   |
|-------------------------------------|--|--|---|---|---|---|--|--|
| <b>EITC</b>                         | work authorization or who are granted lawful permanent residency, have lived in the U.S. for at least 183 days during the tax year, <sup>347</sup> have a social security number valid for work, <sup>348</sup> and have earned income during the tax year <sup>349</sup> are eligible for the earned income tax credit (EITC). <sup>350</sup>                     | with work authorization or lawful permanent residency who: have lived in the U.S. for at least 183 days during the tax year, <sup>351</sup> have a social security number valid for work, <sup>352</sup> and have earned income during the tax year <sup>353</sup> are eligible for the earned income tax credit (EITC). <sup>354</sup>                                      | continued presence who: are granted work authorization, have lived in the U.S. for at least 183 days during the tax year, <sup>355</sup> have a social security number valid for work, <sup>356</sup> and have earned income during the tax year <sup>357</sup> are eligible for the earned income tax credit (EITC). <sup>358</sup>  | authorization, have lived in the U.S. for at least 183 days during the tax year, <sup>359</sup> have a social security number valid for work, <sup>360</sup> and have earned income during the tax year <sup>361</sup> are eligible for the earned income tax credit (EITC). <sup>362</sup>   | residency who: have lived in the U.S. at least 183 days during the tax year, <sup>363</sup> have a social security number valid for work, <sup>364</sup> and have earned income during the tax year <sup>365</sup> are eligible for the earned income tax credit (EITC). <sup>366</sup>   | authorization and U visa holders granted lawful permanent residency who: have lived in the U.S. for at least 183 days during the tax year, <sup>367</sup> have a social security number valid for work, <sup>368</sup> and have earned income during the tax year <sup>369</sup> are eligible for the earned income tax credit (EITC). <sup>370</sup>   |  |  |
| <b>Legal Services<sup>371</sup></b> | An immigrant who (or whose child) is battered or subjected to extreme cruelty <sup>372</sup> inside or outside of the United States <sup>373</sup> is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies on matters related to the abuse. <sup>374</sup><br><br>Eligible for legal assistance on any matter the LSC-funded agency | <u>Refugee/Asylee:</u><br>Refugees and Asylees are eligible for legal assistance on any matter the Legal Services Corporation (LSC)-funded agency handles. <sup>382</sup><br><br><u>T visa:</u><br>An immigrant who has been (or whose child has been) a victim of trafficking in the U.S, including a T visa holder, <sup>383</sup> is eligible for legal assistance on any | An immigrant victim of severe forms of human trafficking with (or seeking) HHS Certification, <sup>389</sup> and family members with (or applying for) T visa status, <sup>390</sup> are eligible for legal assistance on any matter the LSC-funded agency handles.<br><br>Eligible for Office of Violence Against Women funded Legal Assistance <sup>391</sup> for victims of domestic violence, | A DACA recipient who is (or whose child is) battered or subjected to extreme cruelty, <sup>395</sup> or is a victim of sexual assault or trafficking in the U.S., <sup>396</sup> is eligible for legal services from LSC-funded agencies <sup>397</sup> on matters related to the abuse. <sup>398</sup><br><br>Eligible for Office of | Eligible for LSC-funded legal assistance when the child has suffered battering or extreme cruelty, <sup>403</sup> or sexual assault or trafficking in the U.S., <sup>404</sup> on matters related to the abuse. <sup>405</sup><br><br>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status, <sup>406</sup> or, for the spouse, parent or unmarried child | 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 status <sup>412</sup> is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies <sup>413</sup> on matters related to the crime victimization. <sup>414</sup> | 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 status <sup>421</sup> is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies <sup>422</sup> on matters related to the crime victimization. <sup>423</sup><br><br>Eligible for Office of Violence Against Women | An immigrant victim who is (or whose child is), battered or subjected to extreme cruelty, <sup>428</sup> or is a victim of sexual assault or trafficking in the U.S., <sup>429</sup> is eligible for legal services from LSC-funded agencies <sup>430</sup> on matters related to the abuse. <sup>431</sup><br><br>Eligible for Office of Violence Against Women funded Legal Assistance <sup>432</sup> for victims of domestic violence, sexual assault, stalking <sup>433</sup> or dating violence. <sup>434</sup> |

|   | <b>VAWA Self-Petitioner<sup>d</sup></b>   | <b>Refugee, Asylee, T Visa<sup>1</sup></b>  | <b>T Visa<sup>2/</sup> Continued Presence<sup>3</sup></b>  | <b>Deferred Action for Childhood Arrivals (DACA)<sup>4</sup></b>  | <b>Special Immigrant Juvenile Status (SIJS)<sup>5</sup></b>  | <b>U Visa (Upon wait list approval)<sup>6</sup></b>   | <b>U Visa Applicants</b>   | <b>Undocumented</b>   |
|---|---|---|--|---|--|---|--|---|
| <b>Legal Services</b>   | <p>handles upon receiving lawful permanent resident status,<sup>375</sup> or spouses, parents, and unmarried children under age 21 of U.S. citizens<sup>376</sup> become eligible for full representation on any matter upon filing an application for lawful permanent residency.<sup>377</sup></p> <p>Eligible for Office of Violence Against Women funded Legal Assistance<sup>378</sup> as a victim of domestic violence, sexual assault, stalking<sup>379</sup> or dating violence.<sup>380</sup> Must be at least 11 years old.<sup>381</sup></p> | <p>matter the LSC-funded agency handles.<sup>384</sup></p> <p>Eligible for Office of Violence Against Women funded Legal Assistance<sup>385</sup> for victims of domestic violence, sexual assault, stalking<sup>386</sup> or dating violence.<sup>387</sup> Must be at least 11 years old.<sup>388</sup></p> | <p>sexual assault, stalking<sup>392</sup> or dating violence.<sup>393</sup> Must be at least 11 years old.<sup>394</sup></p>                         | <p>Violence Against Women funded Legal Assistance<sup>399</sup> for victims of domestic violence, sexual assault, stalking<sup>400</sup> or dating violence.<sup>401</sup> Must be at least 11 years old.<sup>402</sup></p> | <p>under 21 of a U.S. citizen, upon filing an application for LPR status.<sup>407</sup></p> <p>Eligible for Office of Violence Against Women funded Legal Assistance<sup>408</sup> for victims of domestic violence, sexual assault, stalking<sup>409</sup> or dating violence.<sup>410</sup> Must be at least 11 years old.<sup>411</sup></p> | <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status,<sup>415</sup> or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.<sup>416</sup></p> <p>Eligible for Office of Violence Against Women funded Legal Assistance<sup>417</sup> for victims of domestic violence, sexual assault, stalking<sup>418</sup> or dating violence.<sup>419</sup> Must be at least 11 years old.<sup>420</sup></p> | <p>funded Legal Assistance<sup>424</sup> for victims of domestic violence, sexual assault, stalking<sup>425</sup> or dating violence.<sup>426</sup> Must be at least 11 years old.<sup>427</sup></p> | <p>Must be at least 11 years old.<sup>435</sup></p>   |
| <b>Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)</b> | <p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.<sup>436</sup></p>  | <p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.<sup>439</sup></p>  | <p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without, regard to immigration status.<sup>442</sup></p> | <p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.<sup>445</sup></p>  | <p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.<sup>447</sup></p>   | <p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without, regard to immigration status.<sup>450</sup></p>  | <p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.<sup>453</sup></p>   | <p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.<sup>455</sup></p> <p><i>In California, low-income immigrants are</i></p> |

|                         | VAWA Self-Petitioner <sup>d</sup>   | Refugee, Asylee, T Visa <sup>1</sup>   | T Visa <sup>2/</sup> Continued Presence <sup>3</sup>  | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup>   | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>   | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants  | Undocumented  |
|-------------------------|---|--|---|--|---|---|--|---|
| <b>WAP &amp; LIHEAP</b> | <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receipt of prima facie determination.<sup>437</sup></p> <p><i>In California, low-income immigrants (including VAWA self-petitioners) are eligible for a 30-35 percent discount on electrical bills through California Alternate Rates for Energy (CARE). If income slightly exceeds CARE allowances, they are eligible for 12% off electricity bills through the Family Electric Rate Assistance Program (FERA).<sup>438</sup></i></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.<sup>440</sup></p> <p><i>In California, low-income immigrants (including refugees, asylees, and T visa applicants with bona fide determinations) are eligible for a 30-35 percent discount on electrical bills through California Alternate Rates for Energy (CARE). If income slightly exceeds CARE allowances, they are eligible for 12% off electricity bills through the Family Electric Rate Assistance Program (FERA).<sup>441</sup></i></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.<sup>443</sup></p> <p><i>In California, low-income immigrants (including T visa holders and Continued Presence with HHS Certification) are eligible for a 30-35 percent discount on electrical bills through California Alternate Rates for Energy (CARE). If income slightly exceeds CARE allowances, they are eligible for 12% off electricity bills through the Family Electric Rate</i></p> | <p><i>In California, low-income immigrants (including DACA applicants) are eligible for a 30-35 percent discount on electrical bills through California Alternate Rates for Energy (CARE). If income slightly exceeds CARE allowances, they are eligible for 12% off electricity bills through the Family Electric Rate Assistance Program (FERA).<sup>446</sup></i></p> | <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.<sup>448</sup></p> <p><i>In California, low-income immigrants (including SIJS recipients upon lawful permanent residency) are eligible for a 30-35 percent discount on electrical bills through California Alternate Rates for Energy (CARE). If income slightly exceeds CARE allowances, they are eligible for 12% off electricity bills through the Family Electric Rate Assistance Program (FERA).<sup>449</sup></i></p> | <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.<sup>451</sup></p> <p><i>In California, low-income immigrants (including U visa holders and U visa wait-list approved applicants) are eligible for a 30-35 percent discount on electrical bills through California Alternate Rates for Energy (CARE). If income slightly exceeds CARE allowances, they are eligible for 12% off electricity bills through the Family Electric Rate Assistance Program (FERA).<sup>452</sup></i></p> | <p><i>In California, low-income immigrants (including VAWA self-petitioners) are eligible for a 30-35 percent discount on electrical bills through California Alternate Rates for Energy (CARE). If income slightly exceeds CARE allowances, they are eligible for 12% off electricity bills through the Family Electric Rate Assistance Program (FERA).<sup>454</sup></i></p> | <p><i>eligible for a 30-35 percent discount on electrical bills through California Alternate Rates for Energy (CARE). If income slightly exceeds CARE allowances, they are eligible for 12% off electricity bills through the Family Electric Rate Assistance Program (FERA).<sup>456</sup></i></p> |

|  | VAWA Self-Petitioner <sup>d</sup>  | Refugee, Asylee, T Visa <sup>1</sup>  | T Visa <sup>2/</sup> Continued Presence <sup>3</sup>   | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup> | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>  | U Visa (Upon wait list approval) <sup>6</sup>  | U Visa Applicants  | Undocumented                 |
|--|--|---|--|--|--|--|--|------------------------------|
| <b>WAP &amp; LIHEAP</b>  |  |   | <i>Assistance Program (FERA).</i> <sup>444</sup>   |  |  |  |  |                              |
| <b>Federal Emergency Management Agency (FEMA) Assistance</b> <sup>457</sup>          | <p>Eligible for certain FEMA provided emergency services that are available to all victims regardless of their immigration status. 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.<sup>458</sup></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.<sup>459</sup></p> |   |  |  |  |  |  |                              |
| <b>Federal Emergency Management Agency (FEMA)-Restricted Programs</b> <sup>460</sup> | <p>Upon receipt of prima facie determination:</p> <p>Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).<sup>461</sup></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</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.<sup>464</sup></p> <p>Emergency SNAP open to <u>Refugees/Asylees</u> (no five-year bar),<sup>465</sup> 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</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).<sup>468</sup></p> <p>These human trafficking victims are considered refugees and thus are eligible for FEMA Assistance Programs, Individual and Households Program (IHP),</p> | Not eligible.  | <p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).<sup>474</sup></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</p> | <p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).<sup>478</sup></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</p> | <p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).<sup>484</sup></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</p> | Not eligible. <sup>488</sup> |

|  | VAWA Self-Petitioner <sup>d</sup>   | Refugee, Asylee, T Visa <sup>1</sup>   | T Visa <sup>2/</sup> Continued Presence <sup>3</sup>  | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup> | Special Immigrant Juvenile Status (SIJS) <sup>5</sup>   | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants  | Undocumented |
|--|---|--|---|--|---|---|--|--------------|
| <b>(FEMA)-<br/>Restricted<br/>Programs</b> | <p>before Aug. 22, 1931.<sup>462</sup></p> <p><i>In California, certain VAWA self-petitioners affected by disasters qualify for CalFresh or California Food Assistance Program (CFAP) see SNAP section above.<sup>463</sup></i></p> | <p>receiving disability-related benefits or born before Aug. 22, 1931.<sup>466</sup></p> <p><i>In California, refugees, asylees, T visa applicants with prima facie determinations, and T visa holders who are affected by disasters qualify for CalFresh or California Food Assistance Program (CFAP) see SNAP section above.<sup>467</sup></i></p> | <p>Disaster Unemployment Assistance (DUA), and Emergency SNAP.<sup>469</sup></p> <p><i>In California, T visa holders and Continued Presence holders including those affected by disasters are eligible for CalFresh.<sup>470</sup></i></p> <p><i>In California, Continued Presence, T visa applicants and trafficking victims submitting credible sworn statements<sup>471</sup> proving they are human trafficking victims are eligible for California Food Assistance Program (CFAP) food assistance through the Trafficking and Crime Victims Assistance Program (TCVAP) for up to 8 months.<sup>472</sup></i></p> <p><i>Trafficking survivor applicants may use a sworn statement if no documentation exists.<sup>473</sup></i></p> |  | <p>before Aug. 22, 1931.<sup>475</sup></p> <p><i>In California, SIJS lawful permanent residents affected by disasters are eligible for CalFresh five years after being granted lawful permanent residency, or with 40 quarters of work, or are a veteran, active duty military, their spouse, un-remarried surviving spouse, or child.<sup>476</sup></i></p> <p><i>SIJS lawful permanent residents affected by disasters are eligible for the California Food Assistance Program (CFAP), if they do not meet the above immigrant eligibility criteria for CalFresh.<sup>477</sup></i></p> | <p>receiving disability-related benefits or born before Aug. 22, 1931.<sup>479</sup></p> <p><i>In California, U visa lawful permanent residents affected by disasters are eligible for CalFresh five years after being granted lawful permanent residency, or with 40 quarters of work, or are a veteran, active duty military, their spouse, un-remarried surviving spouse, or child.<sup>480</sup></i></p> <p><i>U visa lawful permanent residents affected by disasters who are disaster victims are eligible for food assistance through the California Food Assistance Program (CFAP), if they do not meet the above</i></p> | <p>before Aug. 22, 1931.<sup>485</sup></p> <p><i>In California, U visa applicants affected by disasters are eligible for food assistance from the California Food Assistance Program (CFAP) food assistance through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>486</sup></i></p> <p><i>Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an approved U visa.<sup>487</sup></i></p> |              |

|                                    | VAWA Self-Petitioner <sup>d</sup> | Refugee, Asylee, T Visa <sup>1</sup> | T Visa <sup>2</sup> / Continued Presence <sup>3</sup> | Deferred Action for Childhood Arrivals (DACA) <sup>4</sup> | Special Immigrant Juvenile Status (SIJS) <sup>5</sup> | U Visa (Upon wait list approval) <sup>6</sup>   | U Visa Applicants | Undocumented |
|------------------------------------|-----------------------------------|--------------------------------------|---|--|---|---|-------------------|--------------|
| <b>(FEMA)- Restricted Programs</b> |                                   |                                      |   |  |   | <p><i>immigrant eligibility criteria for CalFresh.<sup>481</sup></i></p> <p><i>In California, U visa applicants affected by disasters are eligible for California Food Assistance Program (CFAP) food assistance through the Trafficking and Crime Victims Assistance Program (TCVAP).<sup>482</sup></i></p> <p><i>Domestic Violence and other serious crime applicants must provide documentation that they have filed an application for a U visa or have an approved U visa.<sup>483</sup></i></p> |                   |              |

<sup>1</sup> 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.).

<sup>2</sup> 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/>.



<sup>3</sup> 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>.

<sup>4</sup> See DACA, NAT'L IMMIGRATION LAW 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.).

<sup>5</sup> 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.).

<sup>6</sup> See DEP'T OF HOMELAND SEC., U AND T VISA LAW ENFORCEMENT RESOURCE GUIDE FOR FEDERAL, STATE, LOCAL, TRIBAL AND TERRITORIAL LAW ENFORCEMENT, PROSECUTORS, JUDGES, AND OTHER GOVERNMENT AGENCIES 3 (2015), <http://niwaplibrary.wcl.american.edu/pubs/dhs-updated-u-certification-resource-guide-2015/> (U visas benefit victims of certain crimes who have suffered severe physical or emotional abuse. If certain conditions are met, a U visa holder may apply for adjustment to lawful permanent resident status.); 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 wait list approval, U visa applicants receive deferred action and are considered lawfully present.).

<sup>7</sup> 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 IMMIGRATION LAW 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*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Jul. 10, 2013), <http://niwaplibrary.wcl.american.edu/wp-content/uploads/2015/pdf/PB-Man-Ch4.3-AccompanyingVictimsApplyingPB-07.10.13.pdf>; 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), <http://niwaplibrary.wcl.american.edu/wp-content/uploads/2015/pdf/PB-Gov-HHSQACitizenshipPolicyGuidance-03.24.06.pdf>.

<sup>8</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/). See 8 U.S.C. § 1641(c).

<sup>9</sup> 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 ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>

<sup>10</sup> VAWA self-petitioners are eligible as qualified immigrants once they receive a prima facie determination for state funded TANF under Cal. Welf. & Inst. Code Ann. §§ 11104 (West) and § 11203 (See section titled “Aliens”). They do not need to also qualify under California's Trafficking and Crime Victims Assistance Program (TVCAP) which provide access to state funded benefits for victims of human trafficking and U visa victims. Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). See also NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 102-03 (4th ed. 2002, table updated Aug. 2016), [https://www.nilc.org/issues/economic-support/guide\\_tanf/](https://www.nilc.org/issues/economic-support/guide_tanf/). A sponsor's income/resources may be added to the immigrant's in determining eligibility. An LPR whose sponsor signed a new affidavit of support (I 864) is subject to deeming until he or she becomes a citizen or has credit for 40 quarters of work — with 12-month exception for immigrants who would go hungry or homeless without assistance, and domestic violence victims (exception extended if abuse recognized by court, administrative law judge, or Department of Homeland Security). See NAT'L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA, “Deeming” Rules* (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>11</sup> Cal. Welf. & Inst. Code Ann. § 17000 (West). The General Assistance Program is administered strictly on a county level; eligibility and the amount of support available varies between counties. To view the standards of your county, please See DEPT OF SOC. SERVS., *Contact Your County*, <http://www.cdss.ca.gov/County-Offices> (last visited Dec. 19, 2018) See also DEPT OF SOC. SERVS., *General Assistance of General Relief*, <https://www.cdss.ca.gov/General-Assistance> (last visited Dec. 19, 2018); NAT'L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA*, (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>12</sup> 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 Immigration Law 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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>.

<sup>13</sup> 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 IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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>.

<sup>14</sup> NAT’L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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>.

<sup>15</sup> Cal. Welf. & Inst. Code Ann. §§ 11104 (West); § 11203 (See section titled “Aliens”); NAT’L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 102-03 (4th ed. 2002, table updated Aug. 2016), [https://www.nilc.org/issues/economic-support/guide\\_tanf/](https://www.nilc.org/issues/economic-support/guide_tanf/). A sponsor’s income/resources may be added to the immigrant’s in determining eligibility. An LPR whose sponsor signed a new affidavit of support (I 864) is subject to deeming until he or she becomes a citizen or has credit for 40 quarters of work — with 12-month exception for immigrants who would go hungry or homeless without assistance, and domestic violence victims (exception extended if abuse recognized by court, administrative law judge, or Department of Homeland Security). See NAT’L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA, “Deeming” Rules* (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>16</sup> Cal. Welf. & Inst. Code Ann. § 17000 (West). The General Assistance Program is administered strictly on a county level; eligibility and the amount of support available varies between counties. To view the standards of your county, please See DEPT OF SOC. SERVS., *Contact Your County*, <http://www.cdss.ca.gov/County-Offices> (last visited Dec. 19, 2018) See also DEPT OF SOC. SERVS., *General Assistance of General Relief*, <https://www.cdss.ca.gov/General-Assistance> (last visited Dec. 19, 2018); NAT’L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA*, (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>17</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP’T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>18</sup> CA HEALTH AND HUM. SERV. DEP’T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Program time limitations apply).

<sup>19</sup> *Refugee Cash Assistance (RCA)*, CA DEP’T OF SOC. SERVS., <http://www.cdss.ca.gov/Refugees> (last visited May 31, 2018).

<sup>20</sup> 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)).

<sup>21</sup> 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>

<sup>22</sup> 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).

<sup>23</sup> Cal. Welf. & Inst. Code Ann. §§ 11104 (West); § 11203 (See section titled “Aliens”); NAT’L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 102-03 (4th ed. 2002, table updated Aug. 2016), [https://www.nilc.org/issues/economic-support/guide\\_tanf/](https://www.nilc.org/issues/economic-support/guide_tanf/). A sponsor’s income/resources may be added to the immigrant’s in determining eligibility. An LPR whose sponsor signed a new affidavit of support (I 864) is subject to deeming until he or she becomes a citizen or has credit for 40 quarters of work — with 12-month exception for immigrants who would go hungry or homeless without assistance, and domestic violence victims (exception extended if abuse recognized by court, administrative law judge, or Department of Homeland Security). See NAT’L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA, “Deeming” Rules* (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>24</sup> Cal. Welf. & Inst. Code Ann. § 17000 (West). The General Assistance Program is administered strictly on a county level; eligibility and the amount of support available varies between counties. To view the standards of your county, please See DEPT OF SOC. SERVS., *Contact Your County*, <http://www.cdss.ca.gov/County-Offices> (last visited Dec. 19, 2018) See also DEPT OF SOC. SERVS., *General Assistance of General Relief*, <https://www.cdss.ca.gov/General-Assistance> (last visited Dec. 19, 2018); NAT’L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA*, (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>25</sup>Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>26</sup>CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Program time limitations apply).

<sup>27</sup>NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>28</sup>Cal. Welf. & Inst. Code Ann. § 17000 (West). The General Assistance Program is administered strictly on a county level; eligibility and the amount of support available varies between counties. To view the standards of your county, please *See* DEPT OF SOC. SERVS., *Contact Your County*, <http://www.cdss.ca.gov/County-Offices> (last visited Dec. 19, 2018) *See also* DEPT OF SOC. SERVS., *General Assistance of General Relief*, <https://www.cdss.ca.gov/General-Assistance> (last visited Dec. 19, 2018); NAT'L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA*, (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>29</sup>NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).

<sup>30</sup>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 ADVOCACY 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>

<sup>31</sup>Cal. Welf. & Inst. Code Ann. § 17000 (West). The General Assistance Program is administered strictly on a county level; eligibility and the amount of support available varies between counties. To view the standards of your county, please *See* DEPT OF SOC. SERVS., *Contact Your County*, <http://www.cdss.ca.gov/County-Offices> (last visited Dec. 19, 2018) *See also* DEPT OF SOC. SERVS., *General Assistance of General Relief*, <https://www.cdss.ca.gov/General-Assistance> (last visited Dec. 19, 2018); NAT'L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA*, (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>32</sup>NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/). *See* 8 U.S.C. § 1641(b)(1).

<sup>33</sup>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 ADVOCACY 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>

<sup>34</sup>Cal. Welf. & Inst. Code Ann. § 13283; *See* CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Example One page 14).

<sup>35</sup>To qualify, domestic violence and other serious crime applicants must provide documentation that they have filed an application for a U Visa or have an approved U Visa. *See* Cal. Welf. & Inst. Code Ann. § § 13283; 18945 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>36</sup>Cal. Welf. & Inst. Code Ann. § 17000 (West). The General Assistance Program is administered strictly on a county level; eligibility and the amount of support available varies between counties. To view the standards of your county, please *See* DEPT OF SOC. SERVS., *Contact Your County*, <http://www.cdss.ca.gov/County-Offices> (last visited Dec. 19, 2018) *See also* DEPT OF SOC. SERVS., *General Assistance of General Relief*, <https://www.cdss.ca.gov/General-Assistance> (last visited Dec. 19, 2018); NAT'L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA*, (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>37</sup>NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>38</sup> Cal. Welf. & Inst. Code Ann. § 13283; *See* CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Example One page 14).

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<sup>40</sup> Cal. Welf. & Inst. Code Ann. § 17000 (West). The General Assistance Program is administered strictly on a county level; eligibility and the amount of support available varies between counties. To view the standards of your county, please *See* DEPT OF SOC. SERVS., *Contact Your County*, <http://www.cdss.ca.gov/County-Offices> (last visited Dec. 19, 2018) *See also* DEPT OF SOC. SERVS., *General Assistance of General Relief*, <https://www.cdss.ca.gov/General-Assistance> (last visited Dec. 19, 2018); NAT'L IMMIGRATION LAW CTR., *MAJOR BENEFIT PROGRAMS AVAILABLE TO IMMIGRANTS IN CALIFORNIA*, (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>41</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>42</sup> 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. Department of Health and Human Services**, *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 IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf). *See* 8 U.S.C. § 1641(c).

<sup>43</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf). *See* 8 U.S.C. § 1641(c).

<sup>44</sup> Cal. Educ. Code Ann. § 8350.5 (West); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

<sup>45</sup> Cal. Code Regs. tit. 5, §§ 18408; § 18421. California administers CalWorks Child Care in three stages. The determination of an applicant's stage is based on their financial stability and the amount of time that has elapsed since first receiving assistance through program. *See Voucher Based Child Care*, CA DEP'T OF SOC. SERVS., *Types of Subsidized Child Care Programs*, <http://www.cdss.ca.gov/inforesources/CalWORKS-Child-Care/Subsidized-Programs> (last visited May 31, 2018).

<sup>46</sup> Cal. Code Regs. tit. 5, § 18107(d); Cal. Educ. Code Ann. § 8231 (West). There are two migrant child care development programs operating with their own eligibility criteria: Migrant Program (CMIG) and Migrant Alternative Payment Program (CMAP). *See Migrant Child Care and Development*, CA DEP'T OF EDUC., *Child Care and Development Programs*, <https://www.cde.ca.gov/sp/cd/op/cdprograms.asp> (last visited May 31, 2018).

<sup>47</sup> *See* 8 U.S.C. § 1641(b)(2)-(3). NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).

<sup>48</sup> *See* 22 U.S.C. § 7105(b)(1); NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).

<sup>49</sup> *See* 8 U.S.C. § 1641(c)(4). NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).

<sup>50</sup> *See* 8 U.S.C. § 1641(c)(4). NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).

<sup>51</sup> Cal. Educ. Code Ann. § 8350.5 (West); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

<sup>52</sup> Cal. Code Regs. tit. 5, §§ 18408; § 18421. California administers CalWorks Child Care in three stages. The determination of an applicant's stage is based on their financial stability and the amount of time that has elapsed since first receiving assistance through program. *See Voucher Based Child Care*, CA DEP'T OF SOC. SERVS., *Types of Subsidized Child Care Programs*, <http://www.cdss.ca.gov/inforesources/CalWORKS-Child-Care/Subsidized-Programs> (last visited May 31, 2018).

<sup>53</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Program time limitations apply).

<sup>54</sup> Cal. Code Regs. tit. 5, § 18107(d); Cal. Educ. Code Ann. § 8231 (West). There are two migrant child care development programs operating with their own eligibility criteria: Migrant Program (CMIG) and Migrant Alternative Payment Program (CMAP). *See Migrant Child Care and Development*, CA DEP'T OF EDUC., *Child Care and Development Programs*, <https://www.cde.ca.gov/sp/cd/op/cdprograms.asp> (last visited May 31, 2018).

<sup>55</sup> 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 IMMIGRATION LAW 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](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)).

<sup>56</sup> NAT'L IMMIGRATION LAW 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](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 ADVOCACY 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).

<sup>57</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf). (Program time limitations apply).

<sup>58</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf). (Program time limitations apply).

<sup>59</sup> Cal. Code Regs. tit. 5, §§ 18408; § 18421. California administers CalWorks Child Care in three stages. The determination of an applicant's stage is based on their financial stability and the amount of time that has elapsed since first receiving assistance through program. See *Voucher Based Child Care*, CA DEP'T OF SOC. SERVS., *Types of Subsidized Child Care Programs*, <http://www.cdss.ca.gov/inforesources/CalWORKs-Child-Care/Subsidized-Programs> (last visited May 31, 2018).

<sup>60</sup> Cal. Code Regs. tit. 5, § 18107(d); Cal. Educ. Code Ann. § 8231 (West). There are two migrant child care development programs operating with their own eligibility criteria: Migrant Program (CMIG) and Migrant Alternative Payment Program (CMAP). See *Migrant Child Care and Development*, CA DEP'T OF EDUC., *Child Care and Development Programs*, <https://www.cde.ca.gov/sp/cd/op/cdprograms.asp> (last visited May 31, 2018).

<sup>61</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).

<sup>62</sup> Cal. Code Regs. tit. 5, § 18107(d); Cal. Educ. Code Ann. § 8231 (West). There are two migrant child care development programs operating with their own eligibility criteria: Migrant Program (CMIG) and Migrant Alternative Payment Program (CMAP). See *Migrant Child Care and Development*, CA DEP'T OF EDUC., *Child Care and Development Programs*, <https://www.cde.ca.gov/sp/cd/op/cdprograms.asp> (last visited May 31, 2018).

<sup>63</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).

<sup>64</sup> 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. Department of Health and Human Services**, 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 IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf). See 8 U.S.C. § 1641(c).

<sup>65</sup> 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 Services**, 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 IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf). See 8 U.S.C. § 1641(b)(1).

<sup>66</sup> Cal. Educ. Code Ann. § 8350.5 (West); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

<sup>67</sup> Cal. Code Regs. tit. 5, §§ 18408; § 18421. California administers CalWorks Child Care in three stages. The determination of an applicant's stage is based on their financial stability and the amount of time that has elapsed since first receiving assistance through program. See *Voucher Based Child Care*, CA DEP'T OF SOC. SERVS., *Types of Subsidized Child Care Programs*, <http://www.cdss.ca.gov/inforesources/CalWORKs-Child-Care/Subsidized-Programs> (last visited May 31, 2018).

<sup>68</sup> Cal. Code Regs. tit. 5, § 18107(d); Cal. Educ. Code Ann. § 8231 (West). There are two migrant child care development programs operating with their own eligibility criteria: Migrant Program (CMIG) and Migrant Alternative Payment Program (CMAP). See *Migrant Child Care and Development*, CA DEP'T OF EDUC., *Child Care and Development Programs*, <https://www.cde.ca.gov/sp/cd/op/cdprograms.asp> (last visited May 31, 2018).

<sup>69</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).

<sup>70</sup> 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. Department of Health and Human Services**, 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 IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf). See 8 U.S.C. § 1641(c).

<sup>71</sup> 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 Services**, 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 IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf). See 8 U.S.C. § 1641(b)(1).

<sup>72</sup> Cal. Educ. Code Ann. § 8350.5 (West); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

<sup>73</sup> Cal. Code Regs. tit. 5, §§ 18408; § 18421. California administers CalWorks Child Care in three stages. The determination of an applicant's stage is based on their financial stability and the amount of time that has elapsed since first receiving assistance through program. See *Voucher Based Child Care*, CA DEP'T OF SOC. SERVS., *Types of Subsidized Child Care Programs*, <http://www.cdss.ca.gov/inforesources/CalWORKS-Child-Care/Subsidized-Programs> (last visited May 31, 2018).

<sup>74</sup> Cal. Code Regs. tit. 5, § 18107(d); Cal. Educ. Code Ann. § 8231 (West). There are two migrant child care development programs operating with their own eligibility criteria: Migrant Program (CMIG) and Migrant Alternative Payment Program (CMAP). See *Migrant Child Care and Development*, CA DEP'T OF EDUC., *Child Care and Development Programs*, <https://www.cde.ca.gov/sp/cd/op/cdprograms.asp> (last visited May 31, 2018).

<sup>75</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).

<sup>76</sup> Cal. Educ. Code Ann. § 8350.5 (West); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

<sup>77</sup> Cal. Code Regs. tit. 5, §§ 18408; § 18421. California administers CalWorks Child Care in three stages. The determination of an applicant's stage is based on their financial stability and the amount of time that has elapsed since first receiving assistance through program. See *Voucher Based Child Care*, CA DEP'T OF SOC. SERVS., *Types of Subsidized Child Care Programs*, <http://www.cdss.ca.gov/inforesources/CalWORKS-Child-Care/Subsidized-Programs> (last visited May 31, 2018).

<sup>78</sup> Cal. Code Regs. tit. 5, § 18107(d); Cal. Educ. Code Ann. § 8231 (West). There are two migrant child care development programs operating with their own eligibility criteria: Migrant Program (CMIG) and Migrant Alternative Payment Program (CMAP). See *Migrant Child Care and Development*, CA DEP'T OF EDUC., *Child Care and Development Programs*, <https://www.cde.ca.gov/sp/cd/op/cdprograms.asp> (last visited May 31, 2018).

<sup>79</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).

<sup>80</sup> Cal. Code Regs. tit. 5, § 18107(d); Cal. Educ. Code Ann. § 8231 (West). There are two migrant child care development programs operating with their own eligibility criteria: Migrant Program (CMIG) and Migrant Alternative Payment Program (CMAP). See *Migrant Child Care and Development*, CA DEP'T OF EDUC., *Child Care and Development Programs*, <https://www.cde.ca.gov/sp/cd/op/cdprograms.asp> (last visited May 31, 2018).

<sup>81</sup> 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.)

<sup>82</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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](https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf) (last accessed Apr. 12, 2019).

<sup>83</sup> Cal. Welf. & Inst. Code Ann. § 18901 (West). CalFresh follows Federal guidelines in determining eligibility. See *Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); see also NAT'L IMMIGRATION LAW CTR., *Major Benefit Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>84</sup> Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>85</sup> 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 Immigration Law 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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](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](https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf)

<sup>86</sup> 8 U.S.C. § 1641(c)(4); NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).

<sup>87</sup> See 22 U.S.C. § 7105(b) (1). Eligible to the same extent as refugees. (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).

- <sup>88</sup> Cal. Welf. & Inst. Code Ann. §§ 18901 (West); *Id.* § 18945 (West). CalFresh follows Federal guidelines in determining eligibility. See *Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); see also NAT'L IMMIGRATION LAW CTR., *Major Benefit Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>89</sup> Trafficking survivors intending to apply for a T visa, are eligible for a 12 month period. Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>90</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).
- <sup>91</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Program time limitations apply).
- <sup>92</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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)).
- <sup>93</sup> 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).
- <sup>94</sup> 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 IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).
- <sup>95</sup> Cal. Welf. & Inst. Code Ann. §§ 18901 (West); *Id.* § 18945 (West). CalFresh follows Federal guidelines in determining eligibility. See *Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); see also NAT'L IMMIGRATION LAW CTR., *Major Benefit Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>96</sup> Immigrants who are preparing to file for a T visa or for federal certification are eligible for CFAP for a 12 month period. Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>97</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf).
- <sup>98</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018).
- <sup>99</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Program time limitations apply).
- <sup>100</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).
- <sup>101</sup> *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).
- <sup>102</sup> *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](https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf) (last accessed Mar. 13, 2019).
- <sup>103</sup> *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.)
- <sup>104</sup> *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.
- <sup>105</sup> Cal. Welf. & Inst. Code Ann. § 18901 (West). CalFresh follows Federal guidelines in determining eligibility. See *Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); see also NAT'L IMMIGRATION LAW CTR., *Major Benefit Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>106</sup> Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

- <sup>107</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).
- <sup>108</sup> *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.)
- <sup>109</sup> *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.
- <sup>110</sup> 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.)
- <sup>111</sup> *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.
- <sup>112</sup> *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.
- <sup>113</sup> Cal. Welf. & Inst. Code Ann. § 18901 (West). CalFresh follows Federal guidelines in determining eligibility. See *Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); see also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>114</sup> Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>115</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).
- <sup>116</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TCVAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf).
- <sup>117</sup> Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>118</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).
- <sup>119</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TCVAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf).
- <sup>120</sup> Undocumented immigrants need not, and should not, provide any information of their own status. They need only supply information concerning their child. Cal. Welf. & Inst. Code Ann. § 18905.1 (West).
- <sup>121</sup> 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).
- <sup>122</sup> *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).
- <sup>123</sup> *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).
- <sup>124</sup> NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>125</sup> *Clinic Search*, WOMEN, INFANTS & CHILDREN(WIX), <https://m.wic.ca.gov/Clinics/ClinicSearch.aspx> (last visited August 1, 2018).
- <sup>126</sup> Cal. Code Regs. tit. 22, § 40649; CA DEP'T OF PUB. HEALTH, *WIC Income Guidelines* in WOMEN, INFANTS & CHILDREN POLICY & PROCEDURAL MANUAL (April 2018), <https://www.cdph.ca.gov/Programs/CFH/DWICSN/CDPH%20Document%20Library/LocalAgencies/WPPM/980-1060WICIncomeGuidelinesTable.pdf>.
- <sup>127</sup> NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c).
- <sup>128</sup> 45 C.F.R. § 152.2; Cal. Code Regs. tit. 10, § 6474(c)(2). California follows the Federal criteria. See also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>; *Eligibility and Immigration*, COVERED CAL, <https://www.coveredca.com/individuals-and-families/getting-covered/immigrants/> (last accessed Sept. 12, 2018).
- <sup>129</sup> 45 C.F.R. § 152.2; Cal. Code Regs. tit. 10, § 6474(c)(2). U visa applicants with deferred action are only eligible if they are over the income eligibility standards for Medi-Cal. See also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>; *Eligibility and Immigration*, COVERED CAL <https://www.coveredca.com/individuals-and-families/getting-covered/immigrants/> (last accessed Sept. 12, 2018).
- <sup>130</sup> NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 2 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(b)(2).



- <sup>131</sup> 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.").
- <sup>132</sup> NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c)(4).
- <sup>133</sup> 45 C.F.R. § 152.2; Cal. Code Regs. tit. 10, § 6474(c)(2). California follows the Federal criteria. See also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>; *Eligibility and Immigration*, COVERED CAL <https://www.coveredca.com/individuals-and-families/getting-covered/immigrants/> (last accessed Sept. 12, 2018).
- <sup>134</sup> NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.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)).
- <sup>135</sup> 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).
- <sup>136</sup> NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.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)).
- <sup>137</sup> 45 C.F.R. § 152.2; Cal. Code Regs. tit. 10, § 6474(c)(2). California follows the Federal criteria. See also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>; *Eligibility and Immigration*, COVERED CAL <https://www.coveredca.com/individuals-and-families/getting-covered/immigrants/> (last accessed Sept. 12, 2018).
- <sup>138</sup> NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 1, 1 n.4, 4-5 n.8 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf> (DACA recipients are the only deferred action recipients not eligible for insurance under the ACA.).
- <sup>139</sup> 45 C.F.R. § 152.2; Cal. Code Regs. tit. 10, § 6474(c)(2). DACA grantees with deferred action are only eligible if they are over the income eligibility standards for Medi-Cal. See also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>; *Eligibility and Immigration*, COVERED CAL <https://www.coveredca.com/individuals-and-families/getting-covered/immigrants/> (last accessed Sept. 12, 2018).
- <sup>140</sup> NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.
- <sup>141</sup> 45 C.F.R. § 152.2; Cal. Code Regs. tit. 10, § 6474(c)(2). California follows the Federal criteria. See also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>; *Eligibility and Immigration*, COVERED CAL <https://www.coveredca.com/individuals-and-families/getting-covered/immigrants/> (last accessed Sept. 12, 2018).
- <sup>142</sup> 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 ADVOCACY PROJECT (June 18, 2014), <http://niwaplibrary.wcl.american.edu/pubs/u-visa-healthcare-aca/>.
- <sup>143</sup> 45 C.F.R. § 152.2; Cal. Code Regs. tit. 10, § 6474(c)(2). California follows the Federal criteria. See also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>; *Eligibility and Immigration*, COVERED CAL <https://www.coveredca.com/individuals-and-families/getting-covered/immigrants/> (last accessed Sept. 12, 2018).
- <sup>144</sup> 45 C.F.R. § 152.2; Cal. Code Regs. tit. 10, § 6474(c)(2). U visa applicants with deferred action are only eligible if they are over the income eligibility standards for Medi-Cal. See also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>; *Eligibility and Immigration*, COVERED CAL <https://www.coveredca.com/individuals-and-families/getting-covered/immigrants/> (last accessed Sept. 12, 2018).
- <sup>145</sup> 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 IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5-6 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.
- <sup>146</sup> NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 1 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf> (DACA coverage limited to those "lawfully present" in the United States).
- <sup>147</sup> Details on health care subsidies included in footnotes.
- <sup>148</sup> 42 C.F.R. § 435.406(2)(i); 8 U.S.C. § 1641(c); NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).
- <sup>149</sup> Cal. Code Regs. tit. 22, § 50301(b)(A); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>150</sup> 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 Immigration Law 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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.

<sup>151</sup> 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 Immigration Law 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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.

<sup>152</sup> See 8 U.S.C. § 1641(c)(4).

<sup>153</sup> Cal. Code Regs. tit. 22, § 50301(b)(A); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>154</sup> *Unaccompanied Refugee Minors Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/Refugees/Subprograms-and-Info/URM> (last visited August 1, 2018). The URM program is managed by nonprofit organizations based on the region of California the individual is located in. See *Unaccompanied Minor Victims of Human Trafficking or Other Serious Crimes*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP/Benefits-and-Services> (last visited May 31, 2018).

<sup>155</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>156</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf). (Program time limitations apply).

<sup>157</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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.

<sup>158</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).

<sup>159</sup> 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 IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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)).

<sup>160</sup> Cal. Code Regs. tit. 22, § 50301(b)(A); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>161</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf).

<sup>162</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>163</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf). (Program time limitations apply).

<sup>164</sup> 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>165</sup> Cal. Code Regs. tit. 22, § 50301(b)(A); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>166</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/). See 8 U.S.C. § 1641(b)(1).

<sup>167</sup> 45 C.F.R. § 152.2; Cal. Code Regs. tit. 10, § 6474(c)(2). California follows the Federal criteria. See also NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>168</sup> 8 U.S.C. § 1641(b)(1). NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>169</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/). See 8 U.S.C. § 1641(b)(1).

<sup>170</sup> Cal. Code Regs. tit. 22, § 50301(b)(A); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>171</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>172</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TCVAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf).

<sup>173</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>174</sup> Cal. Code Regs. tit. 22, § 50301(b)(A); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>175</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>176</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TCVAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf).

<sup>177</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>178</sup> Cal. Code Regs. tit. 22, § 50301(b)(A); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>179</sup> Details on health care subsidies included in footnotes.

<sup>180</sup> 42 C.R.F. § 435.406(2)(i); 8 U.S.C. § 1641(c); NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>181</sup> Cal. Code Regs. tit. 22, § 50301; Cal. Welf. & Inst. Code Ann. § 14007.5 (West). In addition to full coverage, eligible for the state Breast and Cervical Cancer Programs, Prostate Cancer Treatment Program (IMPACT), and Med-Cal Long-Term, without regard to immigration status. See NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>. California does not

<sup>182</sup> Cal. Code Regs. tit. 22, § 50262(c); *MCAP California's Insurance Program for Mid-Income Pregnant Women*, CA DEP'T OF HEALTH CARE SERVS., <http://mcap.dhcs.ca.gov/Home/default.aspx> (last visited May 31, 2018).

<sup>183</sup> 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 Immigration Law 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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.

<sup>184</sup> 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 Immigration Law 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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.

<sup>185</sup> See 8 U.S.C. § 1641(c)(4).

<sup>186</sup> Trafficking survivors intending to apply for a T visa, are eligible for a 12 month period. Cal. Code Regs. tit. 22, § 50301. In addition to full coverage, eligible for the state Breast and Cervical Cancer Programs, Prostate Cancer Treatment Program (IMPACT), and Med-Cal Long-Term, without regard to immigration status. See NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>187</sup> Cal. Code Regs. tit. 22, § 50262(c); *MCAP California's Insurance Program for Mid-Income Pregnant Women*, CA DEP'T OF HEALTH CARE SERVS., <http://mcap.dhcs.ca.gov/Home/default.aspx> (last visited May 31, 2018).

<sup>188</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>189</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Program time limitations apply).

<sup>190</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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)).

<sup>191</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).

<sup>192</sup> 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 IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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)).

<sup>193</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>194</sup> Cal. Code Regs. tit. 22, § 50301; Cal. Code Regs. tit. 22, § 50301. In addition to full coverage, eligible for the state Breast and Cervical Cancer Programs, Prostate Cancer Treatment Program (IMPACT), and Med-Cal Long-Term, without regard to immigration status. See NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>195</sup> Cal. Code Regs. tit. 22, § 50262(c); *MCAP California's Insurance Program for Mid-Income Pregnant Women*, CA DEP'T OF HEALTH CARE SERVS., <http://mcap.dhcs.ca.gov/Home/default.aspx> (last visited May 31, 2018).

<sup>196</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf).

<sup>197</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>198</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Program time limitations apply).

<sup>199</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>200</sup> Cal. Code Regs. tit. 22, § 50301; *Deferred Action for Childhood Arrivals (DACA) Rescission Frequently Asked Questions*, CA DEP'T OF HEALTH CARE SERVS., <http://www.dhcs.ca.gov/formsandpubs/publications/Pages/Deferred-Action-for-Childhood-Arrivals-FAQ.aspx> (last visited August 20, 2018). In addition to full coverage, eligible for the state Breast and Cervical Cancer Programs, Prostate Cancer Treatment Program (IMPACT), and Med-Cal Long-Term, without regard to immigration status. See NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.

<sup>201</sup> Cal. Code Regs. tit. 22, § 50262(c); *MCAP California's Insurance Program for Mid-Income Pregnant Women*, CA DEP'T OF HEALTH CARE SERVS., <http://mcap.dhcs.ca.gov/Home/default.aspx> (last visited May 31, 2018).

<sup>202</sup> Cal. Code Regs. tit. 22, § 50262(c); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *MCAP California's Insurance Program for Mid-Income Pregnant Women*, CA DEP'T OF HEALTH CARE SERVS., <http://mcap.dhcs.ca.gov/Home/default.aspx> (last visited May 31, 2018).

<sup>203</sup> *Access to Care for Undocumented Californians by County (2015)*, CAL. HEALTH CONSUMER ADV. COALITION, *Health Access*, <http://health-access.org/reform-coverage/county-community-safety-net/> (August 27, 2018). The map depicts which counties offer assistance to undocumented immigrants. For particular county eligibility standards, See *Local Health Department Contact Information*, CAL. DEP'T OF PUB. HEALTH, *Immunization Branch*, <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/Local-Health-Department.aspx> (last visited Aug. 27, 2018).

<sup>204</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

- <sup>205</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/). See 8 U.S.C. § 1641(b)(1).
- <sup>206</sup> Cal. Code Regs. tit. 22, § 50301. In addition to full coverage, eligible for the state Breast and Cervical Cancer Programs, Prostate Cancer Treatment Program (IMPACT), and Med-Cal Long-Term, without regard to immigration status. See NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>207</sup> Cal. Code Regs. tit. 22, § 50262(c); *MCAP California's Insurance Program for Mid-Income Pregnant Women*, CA DEP'T OF HEALTH CARE SERVS., <http://mcap.dhcs.ca.gov/Home/default.aspx> (last visited May 31, 2018).
- <sup>208</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).
- <sup>209</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).
- <sup>210</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/). See 8 U.S.C. § 1641(b)(1).
- <sup>211</sup> Cal. Code Regs. tit. 22, § 50301; Cal. In addition to full coverage, eligible for the state Breast and Cervical Cancer Programs, Prostate Cancer Treatment Program (IMPACT), and Med-Cal Long-Term, without regard to immigration status. See NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>212</sup> Cal. Code Regs. tit. 22, § 50262(c); *MCAP California's Insurance Program for Mid-Income Pregnant Women*, CA DEP'T OF HEALTH CARE SERVS., <http://mcap.dhcs.ca.gov/Home/default.aspx> (last visited May 31, 2018).
- <sup>213</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).
- <sup>214</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf).
- <sup>215</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).
- <sup>216</sup> Cal. Code Regs. tit. 22, § 50301; CA DEP'T OF SOC. SERVS., *Domestic Violence and Other Serious Crimes in ELIGIBILITY FOR AID AND SERVICES FOR NONCITIZEN VICTIMS OF HUMAN TRAFFICKING, DOMESTIC VIOLENCE, AND OTHER SERIOUS CRIMES*, pg. 7, 8 (2006), <http://www.cdss.ca.gov/getinfo/acl06/pdf/06-60.pdf> (last visited Aug. 20, 2018). In addition to full coverage, eligible for the state Breast and Cervical Cancer Programs, Prostate Cancer Treatment Program (IMPACT), and Med-Cal Long-Term, without regard to immigration status. See NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>217</sup> Cal. Code Regs. tit. 22, § 50262(c); *MCAP California's Insurance Program for Mid-Income Pregnant Women*, CA DEP'T OF HEALTH CARE SERVS., <http://mcap.dhcs.ca.gov/Home/default.aspx> (last visited May 31, 2018).
- <sup>218</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).
- <sup>219</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf).
- <sup>220</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).
- <sup>221</sup> Cal. Code Regs. tit. 22, § 50262(c); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *MCAP California's Insurance Program for Mid-Income Pregnant Women*, CA DEP'T OF HEALTH CARE SERVS., <http://mcap.dhcs.ca.gov/Home/default.aspx> (last visited May 31, 2018).
- <sup>222</sup> *Access to Care for Undocumented Californians by County (2015)*, CAL. HEALTH CONSUMER ADV. COALITION, *Health Access*, <http://health-access.org/reform-coverage/county-community-safety-net/> (August 27, 2018). The map depicts which counties offer assistance to undocumented immigrants. For particular county eligibility standards, See *Local Health Department Contact Information*, CAL. DEP'T OF PUB. HEALTH, *Immunization Branch*, <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/Local-Health-Department.aspx> (last visited Aug. 27, 2018).
- <sup>223</sup> See generally OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., *FEDERAL STUDENT AID HANDBOOK 2016-2017* (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf> (The information in this section applies to all student financial aid including grants and loans.).
- <sup>224</sup> OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., *MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID* (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/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); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., *FEDERAL STUDENT AID HANDBOOK 2016-2017* 1-33, 1-34 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.

<sup>225</sup> OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2016-2017 1-29 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.

<sup>226</sup> OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 22 U.S.C. § 7105(b); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2016-2017 1-33 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.

<sup>227</sup> OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>.

<sup>228</sup> OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 8 U.S.C. § 1641(b)(1).

<sup>229</sup> OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 8 U.S.C. § 1641(b)(1).

<sup>230</sup> NAT'L IMMIGRATION LAW CTR., *Eligibility for In-State Tuition, Fee Waivers, Financial Aid, and Scholarships in California (table updated March 2018)*, <https://www.nilc.org/wp-content/uploads/2017/10/eligibility-for-calif-in-state-rates-and-aid.pdf>.

<sup>231</sup> Cal. Educ. Code Ann. § 66021.6 (West). To be considered an in-state resident, without applying for an exemption, immigrants should meet the federal standards of lawful status for tuition purposes. See 8 U.S.C.A. § 1621(c)(2)(B) (West); NAT'L IMMIGRATION LAW CTR., *Eligibility for In-State Tuition, Fee Waivers, Financial Aid, and Scholarships in California (table updated March 2018)*, <https://www.nilc.org/wp-content/uploads/2017/10/eligibility-for-calif-in-state-rates-and-aid.pdf>.

<sup>232</sup> Cal. Educ. Code Ann. § 68130.5 (West); NAT'L IMMIGRATION LAW CTR., *Eligibility for In-State Tuition, Fee Waivers, Financial Aid, and Scholarships in California (table updated March 2018)*, <https://www.nilc.org/wp-content/uploads/2017/10/eligibility-for-calif-in-state-rates-and-aid.pdf>.

<sup>233</sup> 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.).

<sup>234</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).

<sup>235</sup> See 8 U.S.C. § 1612(a)(2)(H).

<sup>236</sup> Cal. Welf. & Inst. Code Ann. § 18938 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>237</sup> Cal. Welf. & Inst. Code Ann. § 18941 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>238</sup> NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>239</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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.

<sup>240</sup> See 22 U.S.C. § 7105(b).

<sup>241</sup> 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 IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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>.

<sup>242</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).

<sup>243</sup> See 8 U.S.C. § 1612(a)(2)(H).

<sup>244</sup> See 8 U.S.C. § 1641(c)(4).

<sup>245</sup> Cal. Welf. & Inst. Code Ann. § 18938 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>246</sup> Cal. Welf. & Inst. Code Ann. § 18941 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>247</sup> NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>248</sup> 22 U.S.C. § 7105(b); See NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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>.

<sup>249</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf).

<sup>250</sup> Cal. Welf. & Inst. Code Ann. § 18938 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>251</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>252</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Program time limitations apply).

<sup>253</sup> Cal. Welf. & Inst. Code Ann. § 18941 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>254</sup> NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>255</sup> Cal. Welf. & Inst. Code Ann. § 18938 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>256</sup> Cal. Welf. & Inst. Code Ann. § 18941 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>257</sup> NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>258</sup> *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/OC.html>.

<sup>259</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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.).

<sup>260</sup> Cal. Welf. & Inst. Code Ann. § 18938 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>261</sup> Cal. Welf. & Inst. Code Ann. § 18941 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>262</sup> NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>263</sup> *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/OC.html>.

<sup>264</sup> NAT'L IMMIGRATION LAW 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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).

<sup>265</sup> See 8 U.S.C. § 1612(a)(2)(H).

<sup>266</sup> Cal. Welf. & Inst. Code Ann. § 18938 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

- <sup>267</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).
- <sup>268</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf).
- <sup>269</sup> Cal. Welf. & Inst. Code Ann. § 18941 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).
- <sup>270</sup> NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).
- <sup>271</sup> *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>.
- <sup>272</sup> Cal. Welf. & Inst. Code Ann. § 18938 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).
- <sup>273</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).
- <sup>274</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf).
- <sup>275</sup> Cal. Welf. & Inst. Code Ann. § 18941 (West); NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).
- <sup>276</sup> NAT'L IMMIGRATION LAW CTR., *Table 9: State-Funded SSI Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 108* (4th ed. 2002, table updated Mar. 2011), [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).
- <sup>277</sup> *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>.
- <sup>278</sup> NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT, *ACCEPTABLE FORMS OF DOCUMENTATION AND IDENTIFICATION FOR STATE DRIVER'S LICENSE/IDENTIFICATION CARD* (SEPTEMBER 5, 2014) 1 (2014), <http://niwaplibrary.wcl.american.edu/pubs/drivers-license-access/>.
- <sup>279</sup> 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 IMMIGRATION LAW CTR., (Jan. 8, 2018), <https://www.nilc.org/news/the-torch/1-04-18/>.
- <sup>280</sup> *See* 6 C.F.R. § 37.11(g)(1) (2012).
- <sup>281</sup> *See SAVE CaseCheck*, U.S. CITIZENSHIP & IMMGR. 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>.
- <sup>282</sup> *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).
- <sup>283</sup> *See* 6 C.F.R. § 37.11(h) (2012); NAT'L IMMIGRATION LAW 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>.
- <sup>284</sup> VAWA self-petitioners receive employment authorization 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. U visa applicants will receive work authorization after their case has been wait-list approved based on deferred action. Asylum applicants become eligible for work authorization approximately 6 months after filing for asylum. DACA recipients receive work authorization based on deferred action and 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.
- <sup>285</sup> Cal. Code Regs. tit. 13, § 26.01; CA DEP'T OF MOTOR VEHICLES, *Federal Non-Compliant DL/ID Card – Documents List* (Jan. 2018), [https://www.dmv.ca.gov/portal/wcm/connect/0d71782a-9301-4b4a-968c-af5f670be82f/Federal\\_NonCompliant\\_dl\\_DocsList.pdf?MOD=AJPERES&CVID=](https://www.dmv.ca.gov/portal/wcm/connect/0d71782a-9301-4b4a-968c-af5f670be82f/Federal_NonCompliant_dl_DocsList.pdf?MOD=AJPERES&CVID=) (last accessed Aug. 22, 2018).
- <sup>286</sup> VAWA self-petitioners receive employment authorization 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. U visa applicants will receive work authorization after their case has been wait-list approved based on deferred action. Asylum applicants become eligible for work authorization approximately 6 months after filing for asylum. DACA recipients receive work authorization based on deferred action and 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.
- <sup>287</sup> *Social Security Number Requirement*, CA DEP'T OF MOTOR VEHICLES, [https://www.dmv.ca.gov/portal/dmv/detail/dl/dl\\_info#SSN](https://www.dmv.ca.gov/portal/dmv/detail/dl/dl_info#SSN) (last accessed Aug. 22, 2018).



- <sup>288</sup> *AB 60 Driver License*, CA DEP'T OF MOTOR VEHICLES, <https://www.dmv.ca.gov/portal/dmv/detail/ab60> (last accessed Aug. 22, 2018).
- <sup>289</sup> CA DEP'T OF MOTOR VEHICLES, *AB 60 User Friendly Guide to Document Options to Obtain in a California Driver License* (Feb. 2018), [https://www.dmv.ca.gov/portal/wcm/connect/11a86d62-f848-4012-bc7d-4192bdef4f00/doc\\_req\\_matrix.pdf?MOD=AJPERES](https://www.dmv.ca.gov/portal/wcm/connect/11a86d62-f848-4012-bc7d-4192bdef4f00/doc_req_matrix.pdf?MOD=AJPERES) (last accessed Aug. 22, 2018).
- <sup>290</sup> CA DEP'T OF MOTOR VEHICLES, *AB 60 User Friendly Guide to Document Options to Obtain in a California Driver License* (Feb. 2018), [https://www.dmv.ca.gov/portal/wcm/connect/11a86d62-f848-4012-bc7d-4192bdef4f00/doc\\_req\\_matrix.pdf?MOD=AJPERES](https://www.dmv.ca.gov/portal/wcm/connect/11a86d62-f848-4012-bc7d-4192bdef4f00/doc_req_matrix.pdf?MOD=AJPERES) (last accessed Aug. 22, 2018).
- <sup>291</sup> 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).
- <sup>292</sup> 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 ADVOCACY PROJECT (Aug. 12, 2016), <http://niwaplibrary.wcl.american.edu/joint-agency-letter-shelters-transitional-housing/>.
- <sup>293</sup> *Shelters and Emergency Housing: California*, U.S. DEP'T OF HOUS. AND URBAN DEV., <https://www.hud.gov/states/california/homeless/shelters> (last visited May 31, 2018).
- <sup>294</sup> *Immigrants & Domestic Violence*, NAT'L IMMIGRATION LAW CTR., [https://www.nilc.org/issues/economic-support/dv\\_calworks/](https://www.nilc.org/issues/economic-support/dv_calworks/) (last visited May 31, 2018).
- <sup>295</sup> 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/pubs/info-packet-webinar-immigrant-access-and-housing/](http://niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/) (contains lists of housing programs that are unrestricted and lists of housing programs that various forms of immigration restrictions).
- <sup>296</sup> HUD public and assisted housing refers to HUD assisted housing covered by Section 214 of the Housing and Community Development Act of 1980, 42 U.S.C. § 1436a. See *Housing Act, Section 2.14*, NAT'L IMMIGRANT WOMEN'S ADVOCACY 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. § 1641(c).
- <sup>297</sup> 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).
- <sup>298</sup> See 42 U.S.C. § 1485.
- <sup>299</sup> *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/](http://niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-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).
- <sup>300</sup> 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/pubs/info-packet-webinar-immigrant-access-and-housing/](http://niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/); see also 8 U.S.C. §§ 1641(c).
- <sup>301</sup> 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/pubs/info-packet-webinar-immigrant-access-and-housing/](http://niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/) ("Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident.").
- <sup>302</sup> 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/](http://niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).
- <sup>303</sup> See *California Tax Credit Allocation Committee (CTCAC)*, CAL. STATE TREASURER, <https://www.treasurer.ca.gov/ctcac/index.asp> (last visited August 27, 2018). The California Tax Credit Allocation Committee allocates the Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigrant 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/>.

<sup>304</sup> 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/). See 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

<sup>305</sup> See 42 U.S.C. § 1485.

<sup>306</sup> 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/pubs/info-packet-webinar-immigrant-access-and-housing/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).

<sup>307</sup> *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/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-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).

<sup>308</sup> 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/pubs/info-packet-webinar-immigrant-access-and-housing/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/); see also 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

<sup>309</sup> See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing).

<sup>310</sup> Nat'l Immigration Law Ctr., *Table: Immigrant Survivors of Trafficking and Other Serious Crimes California Benefits Eligibility and Time Limits in* BENEFITS FOR IMMIGRANT SURVIVORS OF SERIOUS CRIMES IN CALIFORNIA, 3 (Sept. 2015), <https://www.nilc.org/wp-content/uploads/2015/11/TraffickingReport-2015-09.pdf>.

<sup>311</sup> See *California Tax Credit Allocation Committee (CTCAC)*, CAL. STATE TREASURER, <https://www.treasurer.ca.gov/ctcac/index.asp> (last visited August 27, 2018). The California Tax Credit Allocation Committee allocates the Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigrant 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 refugees, asylees and T-visa holders or applicants with a bona fide determination, who could meet the eligibility requirements of the federal subsidies involved.

<sup>312</sup> *Unaccompanied Refugee Minors Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/Refugees/Subprograms-and-Info/URM> (last visited August 1, 2018). The URM program is managed by nonprofit organizations based on the region of California the individual is located in. See *Unaccompanied Minor Victims of Human Trafficking or Other Serious Crimes*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP/Benefits-and-Services> (last visited May 31, 2018).

<sup>313</sup> 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)).

<sup>314</sup> 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](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. SERVS., 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>.

<sup>315</sup> See OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERVS., 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/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).

<sup>316</sup> Nat'l Immigration Law Ctr., *Table: Immigrant Survivors of Trafficking and Other Serious Crimes California Benefits Eligibility and Time Limits in* BENEFITS FOR IMMIGRANT SURVIVORS OF SERIOUS CRIMES IN CALIFORNIA, 3 (Sept. 2015), <https://www.nilc.org/wp-content/uploads/2015/11/TraffickingReport-2015-09.pdf>.

<sup>317</sup> See *California Tax Credit Allocation Committee (CTCAC)*, CAL. STATE TREASURER, <https://www.treasurer.ca.gov/ctcac/index.asp> (last visited August 27, 2018). The California Tax Credit Allocation Committee allocates the Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigrant 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 refugees, asylees and T-visa holders or applicants with a bona fide determination, who could meet the eligibility requirements of the federal subsidies involved.

<sup>318</sup> 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/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).

<sup>319</sup> 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).

<sup>320</sup> See *California Tax Credit Allocation Committee (CTCAC)*, CAL. STATE TREASURER, <https://www.treasurer.ca.gov/ctcac/index.asp> (last visited August 27, 2018). The California Tax Credit Allocation Committee allocates the Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigrant 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.

- <sup>321</sup> 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/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).
- <sup>322</sup> 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).
- <sup>323</sup> See 8 U.S.C. § 1641(b)(1).
- <sup>324</sup> 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).
- <sup>325</sup> 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).
- <sup>326</sup> See 8 U.S.C. § 1641(b)(1) (2012).
- <sup>327</sup> See *California Tax Credit Allocation Committee (CTCAC)*, CAL. STATE TREASURER, <https://www.treasurer.ca.gov/ctcac/index.asp> (last visited August 27, 2018). The California Tax Credit Allocation Committee allocates the Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigrant 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.
- <sup>328</sup> 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/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).
- <sup>329</sup> 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).
- <sup>330</sup> See 8 U.S.C. § 1641(b)(1).
- <sup>331</sup> 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 Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).
- <sup>332</sup> 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).
- <sup>333</sup> See 8 U.S.C. § 1641(b)(1) (2012).
- <sup>334</sup> See *California Tax Credit Allocation Committee (CTCAC)*, CAL. STATE TREASURER, <https://www.treasurer.ca.gov/ctcac/index.asp> (last visited August 27, 2018). The California Tax Credit Allocation Committee allocates the Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigrant 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.
- <sup>335</sup> 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/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).
- <sup>336</sup> 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).
- <sup>337</sup> See *California Tax Credit Allocation Committee (CTCAC)*, CAL. STATE TREASURER, <https://www.treasurer.ca.gov/ctcac/index.asp> (last visited August 27, 2018). The California Tax Credit Allocation Committee allocates the Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigrant 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 approved will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.
- <sup>338</sup> 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/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).
- <sup>339</sup> 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).
- <sup>340</sup> See *California Tax Credit Allocation Committee (CTCAC)*, CAL. STATE TREASURER, <https://www.treasurer.ca.gov/ctcac/index.asp> (last visited August 27, 2018). The California Tax Credit Allocation Committee allocates the Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigrant 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.
- <sup>341</sup> 26 U.S.C. § 24; U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 3 (2017).
- <sup>342</sup> 26 U.S.C. § 24(f); U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 2 (2017).
- <sup>343</sup> See <https://www.irs.gov/individuals/individual-taxpayer-identification-number> (IRS ITIN Information Page).
- <sup>344</sup> 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).
- <sup>345</sup> U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 3 (2017).
- <sup>346</sup> U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 2 (2017).
- <sup>347</sup> 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).
- <sup>348</sup> 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).

- <sup>349</sup> 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).
- <sup>350</sup> U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- <sup>351</sup> 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).
- <sup>352</sup> 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).
- <sup>353</sup> 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).
- <sup>354</sup> U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- <sup>355</sup> 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).
- <sup>356</sup> 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).
- <sup>357</sup> 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).
- <sup>358</sup> U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- <sup>359</sup> 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).
- <sup>360</sup> 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).
- <sup>361</sup> 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).
- <sup>362</sup> U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- <sup>363</sup> 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).
- <sup>364</sup> 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).
- <sup>365</sup> 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).
- <sup>366</sup> U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- <sup>367</sup> 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).
- <sup>368</sup> 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).
- <sup>369</sup> 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).
- <sup>370</sup> U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- <sup>371</sup> *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/](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).
- <sup>372</sup> 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 ADVOCACY 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).
- <sup>373</sup> 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)).
- <sup>374</sup> 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/](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 ADVOCACY 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 ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfunded/>.
- <sup>375</sup> 45 C.F.R. § 1626.5(a).

<sup>376</sup> 45 C.F.R. § 1626.5(b).

<sup>377</sup> 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/](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 ADVOCACY 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 ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

<sup>378</sup> 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.").

<sup>379</sup> 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/>.

<sup>380</sup> Violence Against Women and Department 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/>.

<sup>381</sup> 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).

<sup>382</sup> See 45 C.F.R. § 1626.5(c).

<sup>383</sup> 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. Department of Health and Human Services (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).

<sup>384</sup> See 45 C.F.R. § 1626.4(a)(2).

<sup>385</sup> 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.").

<sup>386</sup> 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/>.

<sup>387</sup> Violence Against Women and Department 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/>.

<sup>388</sup> 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).

<sup>389</sup> 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).

<sup>390</sup> 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).

<sup>391</sup> 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.").

<sup>392</sup> 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/>.

<sup>393</sup> Violence Against Women and Department 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/>.

<sup>394</sup> 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).

<sup>395</sup> 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 ADVOCACY 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).

<sup>396</sup> 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).

<sup>397</sup> The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

<sup>398</sup> 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/](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 ADVOCACY 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 ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

<sup>399</sup> 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.").

<sup>400</sup> 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/>.

<sup>401</sup> Violence Against Women and Department 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/>.

<sup>402</sup> 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).

<sup>403</sup> 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 forcible 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 ADVOCACY 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).

<sup>404</sup> 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.).

<sup>405</sup> 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/](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 ADVOCACY 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 ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

<sup>406</sup> *See* 45 C.F.R. § 1626.5(a).

<sup>407</sup> *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/](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 ADVOCACY 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 ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

<sup>408</sup> 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.”).

<sup>409</sup> 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/>.

<sup>410</sup> Violence Against Women and Department 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/>.

<sup>411</sup> *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).

<sup>412</sup> 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).

<sup>413</sup> 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).

<sup>414</sup> “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/](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 ADVOCACY 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 ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

<sup>415</sup> *See* 45 C.F.R. § 1626.5(a).

<sup>416</sup> 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/](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 ADVOCACY 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 ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

<sup>417</sup> 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.”).

<sup>418</sup> 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/>.

<sup>419</sup> Violence Against Women and Department 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/>.

<sup>420</sup> 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).

<sup>421</sup> 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).

<sup>422</sup> 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).

<sup>423</sup> 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/](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 ADVOCACY 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 ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

<sup>424</sup> 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.”).

<sup>425</sup> 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/>.

<sup>426</sup> Violence Against Women and Department 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/>.

<sup>427</sup> 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).

<sup>428</sup> 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 ADVOCACY 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).

<sup>429</sup> 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.).

<sup>430</sup> The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

<sup>431</sup> 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/](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 ADVOCACY 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 ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfunded/>.

<sup>432</sup> 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.”).

<sup>433</sup> 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/>.

<sup>434</sup> Violence Against Women and Department 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/>.

<sup>435</sup> 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).

<sup>436</sup> NAT’L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).

<sup>437</sup> NAT’L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf). See 8 U.S.C. § 1641(c).

<sup>438</sup> Cal. Pub. Util. Code Ann. § 739.1(a) (West); *CARE/FERA Programs*, CAL. PUB. UTILITIES COMMISSION, <http://www.cpuc.ca.gov/General.aspx?id=976> (last visited Aug. 27, 2018).

<sup>439</sup> NAT’L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf); see also EVER GREEN ECONOMICS, *Needs Assessment for the Energy Savings Assistance and the California Alternate Rates for Energy Programs*, Vol. (2016).

<sup>440</sup> NAT’L IMMIGRATION LAW 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](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).

<sup>441</sup> Cal. Pub. Util. Code Ann. § 739.1(a) (West); *CARE/FERA Programs*, CAL. PUB. UTILITIES COMMISSION, <http://www.cpuc.ca.gov/General.aspx?id=976> (last visited Aug. 27, 2018); see also EVER GREEN ECONOMICS, *Needs Assessment for the Energy Savings Assistance and the California Alternate Rates for Energy Programs*, Vol. (2016).

<sup>442</sup> NAT’L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).

<sup>443</sup> NAT’L IMMIGRATION LAW 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](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)).

- <sup>444</sup> Cal. Pub. Util. Code Ann. § 739.1(a) (West); *CARE/FERA Programs*, CAL. PUB. UTILITIES COMMISSION, <http://www.cpuc.ca.gov/General.aspx?id=976> (last visited Aug. 27, 2018); ; *see also* EVER GREEN ECONOMICS, *Needs Assessment for the Energy Savings Assistance and the California Alternate Rates for Energy Programs*, Vol. (2016).
- <sup>445</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).
- <sup>446</sup> Cal. Code Regs. tit. 22, § 50301.6; *CARE/FERA Programs*, CAL. PUB. UTILITIES COMMISSION, <http://www.cpuc.ca.gov/General.aspx?id=976> (last visited Aug. 27, 2018); *see also* EVER GREEN ECONOMICS, *Needs Assessment for the Energy Savings Assistance and the California Alternate Rates for Energy Programs*, Vol. (2016).
- <sup>447</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).
- <sup>448</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf). *See* 8 U.S.C. § 1640(b)(1).
- <sup>449</sup> Cal. Pub. Util. Code Ann. § 739.1(a) (West); *CARE/FERA Programs*, CAL. PUB. UTILITIES COMMISSION, <http://www.cpuc.ca.gov/General.aspx?id=976> (last visited Aug. 27, 2018); ; *see also* EVER GREEN ECONOMICS, *Needs Assessment for the Energy Savings Assistance and the California Alternate Rates for Energy Programs*, Vol. (2016).
- <sup>450</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).
- <sup>451</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf). *See* 8 U.S.C. § 1641(b)(1).
- <sup>452</sup> Cal. Pub. Util. Code Ann. § 739.1(a) (West); *CARE/FERA Programs*, CAL. PUB. UTILITIES COMMISSION, <http://www.cpuc.ca.gov/General.aspx?id=976> (last visited Aug. 27, 2018); *see also* EVER GREEN ECONOMICS, *Needs Assessment for the Energy Savings Assistance and the California Alternate Rates for Energy Programs*, Vol. (2016).
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- <sup>454</sup> Cal. Pub. Util. Code Ann. § 739.1(a) (West); *CARE/FERA Programs*, CAL. PUB. UTILITIES COMMISSION, <http://www.cpuc.ca.gov/General.aspx?id=976> (last visited Aug. 27, 2018).
- <sup>455</sup> NAT'L IMMIGRATION LAW 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](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf); *see also* EVER GREEN ECONOMICS, *Needs Assessment for the Energy Savings Assistance and the California Alternate Rates for Energy Programs*, Vol. (2016).
- <sup>456</sup> Cal. Pub. Util. Code Ann. § 739.1(a) (West); *CARE/FERA Programs*, CAL. PUB. UTILITIES COMMISSION, <http://www.cpuc.ca.gov/General.aspx?id=976> (last visited Aug. 27, 2018) ; *see also* EVER GREEN ECONOMICS, *Needs Assessment for the Energy Savings Assistance and the California Alternate Rates for Energy Programs*, Vol. (2016).
- <sup>457</sup> 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/>.
- <sup>458</sup> NAT'L IMMIGRATION LAW 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/>.
- <sup>459</sup> NAT'L IMMIGRATION LAW 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](https://fns-prod.azureedge.net/sites/default/files/D-SNAP_handbook_0.pdf).
- <sup>460</sup> *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/>.
- <sup>461</sup> NAT'L IMMIGRATION LAW 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).
- <sup>462</sup> NAT'L IMMIGRATION LAW 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/>. *See* 8 U.S.C. § 1641(c).
- <sup>463</sup> *Disaster CalFresh*, CA DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CalFresh/Disaster-CalFresh> (last visited May 29, 2018). Cal. Welf. & Inst. Code Ann. § 18901 (West). CalFresh follows Federal guidelines in determining eligibility. *See Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); *see also* NAT'L IMMIGRATION LAW CTR., *Major Benefit Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>. Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>464</sup> NAT'L IMMIGRATION LAW 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).

- <sup>465</sup> NAT'L IMMIGRATION LAW 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/>. See 8 U.S.C. §§ 1641(b)(2)-(b)(3).
- <sup>466</sup> NAT'L IMMIGRATION LAW 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/>. See 8 U.S.C. § 1641(c)(4).
- <sup>467</sup> Trafficking survivors intending to apply for a T visa, are eligible for a 12 month period. *Disaster CalFresh*, CA DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CalFresh/Disaster-CalFresh> (last visited May 29, 2018). Cal. Welf. & Inst. Code Ann. § 18901 (West). CalFresh follows Federal guidelines in determining eligibility. See *Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); see also NAT'L IMMIGRATION LAW CTR., *Major Benefit Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>. Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>468</sup> NAT'L IMMIGRATION LAW 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), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).
- <sup>469</sup> NAT'L IMMIGRATION LAW 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), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).
- <sup>470</sup> Cal. Welf. & Inst. Code Ann. §§ 18901 (West); *Id.* § 18945 (West). CalFresh follows Federal guidelines in determining eligibility. See *Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); see also NAT'L IMMIGRATION LAW CTR., *Major Benefit Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>471</sup> Trafficking survivors intending to apply for a T visa, are eligible for a 12 month period. CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). *Disaster CalFresh*, CA DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CalFresh/Disaster-CalFresh> (last visited May 29, 2018).
- <sup>472</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018).
- <sup>473</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (page 8, Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-07_15.pdf). (Program time limitations apply).
- <sup>474</sup> NAT'L IMMIGRATION LAW 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), survivors of trafficking must have employment authorization). See 8 U.S.C. § 1641(b)(1).
- <sup>475</sup> NAT'L IMMIGRATION LAW 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/>. See 8 U.S.C. § 1641(b)(1).
- <sup>476</sup> *Disaster CalFresh*, CA DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CalFresh/Disaster-CalFresh> (last visited May 29, 2018). Cal. Welf. & Inst. Code Ann. § 18901 (West). CalFresh follows Federal guidelines in determining eligibility. See *Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); see also NAT'L IMMIGRATION LAW CTR., *Major Benefit Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>477</sup> Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>478</sup> NAT'L IMMIGRATION LAW 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), LPRs must have employment authorization). See 8 U.S.C. § 1641(b)(1).
- <sup>479</sup> NAT'L IMMIGRATION LAW 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/>. See 8 U.S.C. § 1641(b)(1).
- <sup>480</sup> *Disaster CalFresh*, CA DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CalFresh/Disaster-CalFresh> (last visited May 29, 2018). Cal. Welf. & Inst. Code Ann. § 18901 (West). CalFresh follows Federal guidelines in determining eligibility. See *Eligibility and Issuance Requirements*, DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CDSS-Programs/CalFresh/Eligibility-and-Issuance-Requirements#status> (last visited May 29, 2018); see also NAT'L IMMIGRATION LAW CTR., *Major Benefit Programs Available to Immigrants in California* 3 (May 2017), <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>481</sup> *Disaster CalFresh*, CA DEP'T OF SOCIAL SERVS., <http://www.cdss.ca.gov/inforesources/CalFresh/Disaster-CalFresh> (last visited May 29, 2018). Cal. Welf. & Inst. Code Ann. § 18930 (West); NAT'L IMMIGRATION LAW CTR., *Major Benefits Programs Available to Immigrants in California* (updated May 2017) <https://www.nilc.org/wp-content/uploads/2015/11/cal-benefits-table.pdf>.
- <sup>482</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

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<sup>483</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf).

<sup>484</sup> NAT'L IMMIGRATION LAW 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), LPRs must have employment authorization). See 8 U.S.C. § 1641(b)(1).

<sup>485</sup> NAT'L IMMIGRATION LAW 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/>. See 8 U.S.C. § 1641(b)(1).

<sup>486</sup> Cal. Welf. & Inst. Code Ann. § 13283 (West); *Trafficking and Crime Victims Assistance Program*, CA DEP'T OF SOC. SERVS., <http://www.cdss.ca.gov/inforesources/TCVAP> (last visited May 31, 2018). (Program time limitations apply).

<sup>487</sup> CA HEALTH AND HUM. SERVS. DEP'T OF SOC. SERVS., *Trafficking and Crime Victims Assistance Program (TVCAP) Eligibility Guidelines* (Jan. 2015), [http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07\\_15.pdf](http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/1-07_15.pdf).

<sup>488</sup> 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).