

## Access to State-Funded<sup>a</sup> Public Benefits in Guam for Survivors, Based on Immigration Status<sup>b</sup>

By: Monica Bates, Abi Whitmore, Meera Patel, and Leslye E. Orloff<sup>c</sup>

November 26, 2018 (Updated September 3, 2022)

	VAWA Self-Petitioner <sup>1</sup> and Battered Spouse Waiver <sup>2</sup>	Refugee, <sup>3</sup> Asylee, T Visa <sup>4</sup>	T Visa <sup>5</sup> / Continued Presence <sup>6</sup>	Deferred Action for Childhood Arrivals (DACA) <sup>7</sup>	Special Immigrant Juvenile Status (SIJS) <sup>8</sup>	U Visa, bona fide, or wait list approval. <sup>9</sup>	U Visa Applicants	Undocumented
	<i>Qualified Immigrant<sup>d</sup></i>		<i>HHS Certification</i>	<i>Lawfully Present</i>			<i>Limited Benefits Eligibility<sup>10</sup></i>	
<b>TANF<sup>11</sup> (Cash Assistance)</b>	<i>In Guam, eligible with lawful permanent residency<sup>12</sup> subject to five-year bar for those who arrived on or after August 22, 1996<sup>13</sup> (may be subject to deeming).<sup>14</sup></i>	<i>Refugee/Asylee<sup>16</sup>; Eligible for TANF<sup>17</sup> regardless of date of entry with eligibility limited to seven years.<sup>18</sup></i>  <i>T visa holders: Eligible under the Victims of Trafficking and Violence Protection Act (TVPA) of 2000 to the same extent as refugees,<sup>19</sup> with TVPA</i>	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). <sup>21</sup> These human trafficking victims are considered refugees <sup>22</sup>	Not eligible. <sup>25</sup>	Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. <sup>26</sup>  <i>Eligible for Guam Aid to Families with Dependent Children (AFDC) upon receiving</i>	Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996 <sup>28</sup> (may be subject to deeming). <sup>29</sup>	Not eligible. <sup>31</sup>	Not eligible. <sup>32</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> 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), humanitarian parole; 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. DEPT 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).

	VAWA Self-Petitioner <sup>1</sup> and Battered Spouse Waiver <sup>2</sup>	Refugee, <sup>3</sup> Asylee, T Visa <sup>4</sup>	T Visa <sup>5</sup> / Continued Presence <sup>6</sup>	Deferred Action for Childhood Arrivals (DACA) <sup>7</sup>	Special Immigrant Juvenile Status (SIJS) <sup>8</sup>	U Visa, bona fide, or wait list approval. <sup>9</sup>	U Visa Applicants	Undocumented
<b>TANF</b>	<i>Eligible for Guam TANF (formerly Aid to Families with Dependent Children (AFDC)) upon receiving lawful permanent residency.<sup>15</sup></i>	based eligibility limited to 7 years. <sup>20</sup>	and thus are eligible regardless of date of entry. <sup>23</sup>  Family members with T visa status are considered refugees and are thus eligible without HHS certification regardless of date of entry. <sup>24</sup>		<i>lawful permanent residency.<sup>27</sup></i>	<i>Eligible for Guam Aid to Families with Dependent Children (AFDC) upon receiving lawful permanent residency.<sup>30</sup></i>		
<b>Child Care<sup>33</sup></b>	Children with prima facie determination are qualified immigrants eligible for Child Care Development Fund (CCDF)-funded child care. <sup>34</sup>  TANF-funded childcare subject to five-year bar for immigrants who entered on or after August 22, 1996. <sup>35</sup>  <i>In Guam, eligible for TANF-funded child care with no five-year bar if entered prior to</i>	Children who are <u>asylees or refugees</u> are eligible for CCDF-funded child care and TANF-funded child care (TANF 7-year limit). <sup>38</sup>  Children who are T visa holders or applicants with prima facie (bona fide) determination are eligible for CCDF-funded child care. <sup>39</sup>  T visa holders are eligible for TANF-funded child care under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees. <sup>40</sup>  <i>In Guam, refugees and trafficking victims eligible for TANF-funded child care with no five-year bar</i> <sup>41</sup>	Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or an HHS eligibility determination (under 18) are eligible for CCDF-funded child care and TANF-funded child care. <sup>43</sup>  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>44</sup>	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays; (2) Child care is subject to Head Start	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays; (2) Childcare is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization. <sup>46</sup>  Upon receiving lawful permanent residency, eligible as qualified	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays; (2) Childcare is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization. <sup>49</sup>	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays; (2) Child care is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays; (2) Child care is subject to Head Start performance standards; or

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<b>Child Care</b>	August 22, 1996. <sup>36</sup>  Also eligible for TANF funded child care when eligible for TANF. <sup>37</sup>	Also eligible for TANF funded child care when eligible for TANF. <sup>42</sup>		performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization. <sup>45</sup>	immigrants for CCDF-funded child care. <sup>47</sup>  Also eligible for TANF funded child care when eligible for TANF. <sup>48</sup>	Upon receiving lawful permanent residency, eligible as qualified immigrants for CCDF-funded child care. <sup>50</sup>  Also eligible for TANF funded child care when eligible for TANF. <sup>51</sup>	nonprofit charitable organization. <sup>52</sup>	(3) Eligibility for child care services is determined by a nonprofit charitable organization. <sup>53</sup>
<b>SNAP (Food Stamps)</b> <sup>54 55</sup>	Eligible with prima facie determination, subject to an additional condition, e.g.: five years residency, younger than 18, elderly, or disabled. <sup>56</sup>	<u>Refugee/Asylee</u> : Eligible with no additional conditions. <sup>57</sup>  <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>58</sup> Also eligible under the Trafficking Victims Protection Act. <sup>59</sup>	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>60</sup>  Family members with T visa status eligible without HHS certification or eligibility determination. <sup>61</sup>  These human trafficking victims are eligible to the same extent as refugees and thus are eligible with no additional conditions. <sup>62</sup>	Not eligible.	Eligible upon receiving lawful permanent residency, subject to an additional condition, <sup>63</sup> e.g.: under 18, <sup>64</sup> five years residency, <sup>65</sup> 40 qualifying work quarters, <sup>66</sup> or disabled. <sup>67</sup>	Eligible upon receiving lawful permanent residency, subject to an additional condition, <sup>68</sup> e.g.: under 18, <sup>69</sup> five years residency, <sup>70</sup> 40 qualifying work quarters, <sup>71</sup> elderly, <sup>72</sup> or disabled. <sup>73</sup>	Not eligible.	Not eligible.

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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>74</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>75</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>76</sup></p> <p><i>In Guam, applicants should call the WIC clinic to make an appointment.<sup>77</sup> In Guam, the income eligibility for parents or guardians applying for their children is set according to household size.<sup>78</sup></i></p>							
<b>Purchase Health Insurance on Exchanges</b>	<p><i>Applicants in Guam are not eligible to use the Health Insurance Marketplace to enroll in health coverage.<sup>79</sup></i></p>							
<b>Child Health Insurance Program (CHIP)<sup>80</sup></b>	<p>Eligible for emergency Medicaid regardless of immigration status.<sup>81</sup></p> <p><i>In Guam, eligible upon lawful permanent residency.<sup>82</sup></i></p>	<p><u>Refugee/Asylee</u>: Eligible, exempt from five-year bar with eligibility limited to seven years.<sup>83</sup></p> <p><u>Refugee/Asylee<sup>84</sup></u>: <i>In Guam eligible,<sup>85</sup> exempt from lawful permanent residency requirement and no limitation on eligibility to seven years.<sup>86</sup></i></p> <p><u>T visa</u> holders are eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.<sup>87</sup></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>88</sup></p> <p>These human trafficking victims are considered refugees.<sup>89</sup></p> <p>Family members with T visa status eligible without HHS Certification or eligibility determination, exempt from five-year bar.<sup>90</sup></p>	<p>Eligible for emergency Medicaid regardless of immigration status.<sup>91</sup></p>	<p>Eligible for emergency Medicaid regardless of immigration status.<sup>92</sup></p> <p><i>In Guam, eligible upon lawful permanent residency.<sup>93</sup></i></p>	<p>Eligible for emergency Medicaid regardless of immigration status.<sup>94</sup></p> <p><i>In Guam, eligible upon lawful permanent residency.<sup>95</sup></i></p>	<p>Eligible for emergency Medicaid regardless of immigration status.<sup>96</sup></p>	<p>Eligible for emergency Medicaid regardless of immigration status.<sup>97</sup></p>
<b>Full-Scope Medicaid<sup>98</sup></b>	<p>Eligible for emergency Medicaid</p>	<p><u>Refugee/Asylee<sup>101</sup></u>: <i>In Guam eligible,<sup>102</sup> exempt from lawful permanent</i></p>	<p>Human trafficking victims are eligible with an HHS</p>	<p>Eligible for emergency Medicaid</p>	<p>Eligible for emergency Medicaid regardless of immigration status.<sup>109</sup></p>	<p>Eligible for emergency Medicaid regardless</p>	<p>Eligible for emergency Medicaid</p>	<p>Eligible for emergency Medicaid</p>

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<b>Full-Scope Medicaid</b>	regardless of immigration status. <sup>99</sup>  <i>In Guam, eligible upon lawful permanent residency.</i> <sup>100</sup>	<i>residency requirement and no limitation on eligibility to seven years.</i> <sup>103</sup>  T visa holders are eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees. <sup>104</sup>	Certification (based on continued presence or a bona fide determination on a T visa application). <sup>105</sup>  These human trafficking victims are considered refugees. <sup>106</sup>  Family members with T visa status eligible without HHS Certification or eligibility determination. <sup>107</sup>	regardless of immigration status. <sup>108</sup>	<i>In Guam, eligible after receiving lawful permanent residency.</i> <sup>110</sup>	of immigration status. <sup>111</sup>  <i>In Guam, eligible after receiving lawful permanent residency.</i> <sup>112</sup>	regardless of immigration status. <sup>113</sup>	regardless of immigration status. <sup>114</sup>  <sup>115</sup>
<b>Victims of Crime Act (VOCA) Compensation</b>	The Victims of Crime Act provides compensation to crime victims for costs associated with the crime victimization. Costs covered by VOCA include compensation for medical bills, lost wages, counseling sessions, crime scene clean up, and reimbursement for many other expenses. VOCA compensation is available to crime victims without regard to immigration status. <sup>116</sup>							
<b>Family Medical Leave Act</b>	Guam has no territory Family Medical Leave Act law.							
<b>Education-Federal Benefits: Federal Student Aid, Grants and Loans<sup>117</sup> (FAFSA)</b>	With prima facie determination, eligible <sup>118</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>119</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>120</sup>	Not eligible for federal student aid. <sup>121</sup>	Eligible for federal student aid upon receipt of lawful permanent residency. <sup>122</sup>	Eligible for federal student aid upon receipt of lawful permanent residency. <sup>123</sup>	Not eligible for federal student aid.	Not eligible for federal student aid.

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<b>Education-State Law</b>	<p>All children, without regard to immigration status or citizenship are eligible to attend public elementary and secondary (K-12) schools. State schools may not request citizenship or immigration status information and may not bar students from enrolling in public elementary or secondary schools based on the citizenship or immigration status of the student, their parent or their guardian.<sup>124</sup> Eligible to apply for and enroll in state funded colleges and universities without regard to immigration status.<sup>125</sup></p> <p><i>At the University of Guam, students who have filed for Adjustment to Permanent Resident Status will be eligible for resident tuition rates only if they have resided in Guam for 12 consecutive months prior to applying to the university, submit additional documentation from USCIS, and have proof of residency in Guam.<sup>126</sup> Guam Community College identifies resident students as those who have their permanent home on Guam and pay Guam income taxes or is claimed as a dependent by someone who pays Guam income taxes. Noncitizens holding a non-immigrant visa<sup>127</sup> are classified as international students.<sup>128</sup> Merit Awards to University of Guam are available to those admitted as a permanent resident who has completed a minimum of 3 academic years, meets all academic credit requirements for graduation from high school on Guam and were a resident of Guam for a continuous period of at least 5 years.<sup>129</sup> The Board of Regents of the University of Guam can approve loans for graduate and undergraduate students who are admitted to the University of Guam and the Guam Community College provided that the student is a permanent resident.<sup>130</sup></i></p>							
<b>Supplemental Security Income (SSI)<sup>131</sup></b>	<p><i>In Guam, SSI payments are not available.<sup>132</sup> The former federal-state programs of Old-age Assistance, Aid to the Blind, and Aid to the Permanently and Totally Disabled still operate in Guam and are administered at the federal level.<sup>133</sup></i></p>							
<b>Old-Age (retirement), Survivors, and Disability Insurance (OASDI)<sup>134</sup></b>	<p><i>Eligible with prima facie determination if received SSI as of August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled.<sup>135</sup></i></p> <p><i>Eligible upon receiving lawful permanent residency if credited with 40 quarters of work,<sup>136</sup> subject to five-year bar for those who</i></p>	<p><u>Refugees/Asylees:</u> Eligible during first seven years after the status was granted.<sup>138</sup></p> <p><u>Trafficking victims with HHS certification:</u> Eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.<sup>139</sup></p> <p><u>T visa:</u> Eligible as a qualified immigrant with prima facie (bona fide) determination on T visa application if receiving SSI as of August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled.<sup>140</sup></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>142</sup></p>	<p>Not eligible.</p>	<p><i>Eligible upon receiving lawful permanent residency if credited with 40 quarters of work,<sup>143</sup> subject to five-year bar for those who arrived on or after August 22, 1996.<sup>144</sup></i></p>	<p><i>Eligible upon receiving lawful permanent residency if: credited with 40 quarters of work<sup>145</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>146</sup></i></p>	<p>Not eligible.<sup>147</sup></p>	<p>Not eligible.<sup>148</sup></p>

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OASDI	<i>arrived on or after August 22, 1996.</i> <sup>137</sup>	This eligibility allows trafficking victims who are disabled to continue to receive benefits after the 7-years. <sup>141</sup>						
Driver's License <sup>149</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>150</sup> The Department of Homeland Security (DHS), by regulation, lists specific documents that will provide satisfactory evidence of lawful status.<sup>151</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>152</sup> DHS will also approve acceptance of other documentation issued by DHS or other Federal agencies demonstrating lawful status, as determined by USCIS.<sup>153</sup> In addition, DHS permits states to establish an “Exception Process” and consider “Alternative Documents.”<sup>154</sup></p> <p><i>In Guam, the following documentation is required for a REAL ID Driver’s License or Identification card. Some documentation may satisfy more than one category:</i></p> <ul style="list-style-type: none"> <li>• <i>Proof of identity (including unexpired foreign passport with supporting document, Valid, unexpired Permanent Resident Card (Form I-551) or non-REAL ID compliant stateside ID)</i></li> <li>• <i>Proof of Date of Birth (including unexpired foreign passport with supporting document, or non-REAL ID compliant stateside ID)</i></li> <li>• <i>Proof of Lawful Status (including Valid, unexpired Permanent Resident Card (Form I-551), Unexpired <b>employment authorization document</b> <sup>155</sup> issued by DHS, Unexpired foreign passport with visa affixed and accompanied by the approved I-94 form documenting most recent admittance to the U.S.)</i> <ul style="list-style-type: none"> <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>156</sup></li> </ul> </li> <li>• <i>Proof of Social Security Number (including Social Security, Tax forms issued within the last 5 years)</i></li> <li>• <i>Proof of Residency (applicants must provide 2 proofs with address)</i><sup>157</sup></li> </ul>						Not Eligible.	
Professional & Occupational Licenses	No territorial laws or policies regarding immigrant access to professional or occupational licenses including whether or not work authorization is sufficient or required.							
Housing, Health, and Other Services Necessary to Protect Life or Safety	<p>Certain federally assisted programs providing services necessary to protect life or safety must make those services available without regard to immigration status.<sup>158</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 (including federally qualified health centers); mental health, disability, or substance abuse assistance necessary to protect life or safety; activities designed to protect the life or safety of workers, children and youths, or community residents; programs to help individuals during periods of adverse weather conditions.<sup>159</sup></p> <p><i>In Guam, Housing and Urban Renewal Authority administers the Emergency Solutions Grant (ESG) and provides street outreach, shelter, and rapid re-housing services to the homeless, and homelessness prevention services to those at risk of homelessness.</i><sup>160</sup><i>Emergency general assistance may be available for needs such as shelter and utilities.</i><sup>161</sup></p>							

	VAWA Self-Petitioner <sup>1</sup> and Battered Spouse Waiver <sup>2</sup>	Refugee, <sup>3</sup> Asylee, T Visa <sup>4</sup>	T Visa <sup>5</sup> / Continued Presence <sup>6</sup>	Deferred Action for Childhood Arrivals (DACA) <sup>7</sup>	Special Immigrant Juvenile Status (SIJS) <sup>8</sup>	U Visa, bona fide, or wait list approval. <sup>9</sup>	U Visa Applicants	Undocumented
Public and Assisted <sup>162</sup> Housing <sup>163</sup> and Low-Income Housing Tax Credit (LIHTC). <sup>164</sup>	<p>Upon filing VAWA self-petition, applicant cannot be denied HUD public or assisted housing unless and until a final determination of ineligibility.<sup>165</sup></p> <p>USDA rental housing follows HUD procedures for processing VAWA self-petitions,<sup>166</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>167</sup> and USDA Section 514/516 Farm Labor Housing if immediate family</p>	<p><u>Refugee/Asylee, T visa holder or T visa applicant</u> with prima facie (bona fide) determination eligible for:</p> <p>HUD public and assisted housing;<sup>173</sup>  USDA Section 515 Rural Rental Housing;<sup>174</sup>  USDA Section 521 Rural Rental Assistance;<sup>175</sup>  USDA Section 514/516 Farm Labor Housing if immediate family member<sup>176</sup> or remaining household member<sup>177</sup> of eligible domestic farm laborer.  Upon receiving lawful permanent residency  USDA Section 514/516 Farm Labor Housing.<sup>178</sup></p> <p><i>In Guam, eligible to live in Low Income Housing Tax Credit Property.</i><sup>179</sup></p>	<p>Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18), and family members with T visa status (no need for HHS certification or eligibility determination),<sup>180</sup> are eligible for: HUD public and assisted housing<sup>181</sup> and USDA rental housing.<sup>182</sup></p> <p><i>In Guam, eligible to live in Low Income Housing Tax Credit Property.</i><sup>183</sup></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),<sup>184</sup> and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.<sup>185</sup></p> <p><i>In Guam, eligible to live in Low Income Housing Tax Credit Property.</i><sup>186</sup></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),<sup>187</sup> and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.<sup>188</sup></p> <p>Upon receiving lawful permanent residency,<sup>189</sup> eligible for HUD<sup>190</sup> and USDA<sup>191</sup> rental housing.<sup>192</sup></p> <p><i>In Guam, eligible to live in Low Income Housing Tax Credit Property.</i><sup>193</sup></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),<sup>194</sup> and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.<sup>195</sup></p> <p>Upon receiving lawful permanent residency,<sup>196</sup> eligible for HUD<sup>197</sup> and USDA<sup>198</sup> rental housing.<sup>199</sup></p> <p><i>In Guam, eligible to live in Low Income Housing Tax Credit Property.</i><sup>200</sup></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),<sup>201</sup> and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.<sup>202</sup></p> <p><i>In Guam, eligible to live in Low Income Housing Tax Credit Property.</i><sup>203</sup></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),<sup>204</sup> and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.<sup>205</sup></p> <p><i>In Guam, eligible to live in Low Income Housing Tax Credit Property.</i><sup>206</sup></p>



	VAWA Self-Petitioner <sup>1</sup> and Battered Spouse Waiver <sup>2</sup>	Refugee, <sup>3</sup> Asylee, T Visa <sup>4</sup>	T Visa <sup>5</sup> / Continued Presence <sup>6</sup>	Deferred Action for Childhood Arrivals (DACA) <sup>7</sup>	Special Immigrant Juvenile Status (SIJS) <sup>8</sup>	U Visa, bona fide, or wait list approval. <sup>9</sup>	U Visa Applicants	Undocumented
<b>Public and Assisted Housing and LIHTC.</b>	<p>member of eligible tenant.<sup>168</sup></p> <p>Upon filing self-VAWA self-petition, remaining household member of eligible domestic farm laborer eligible to continue to occupy USDA Section 514/516 Farm Labor Housing unit.<sup>169</sup></p> <p>Upon receiving lawful permanent residency, eligible for USDA Section 514/516 Farm Lab or Housing;<sup>170</sup> USDA Section 521 Rural Rental Assistance.<sup>171</sup></p> <p><i>In Guam, eligible to live in Low Income Housing Tax Credit Property.<sup>172</sup></i></p>							
<b>Income Tax Credits<sup>207</sup></b>	<p><u>Child Tax Credit:</u> <sup>208</sup> 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>209</sup> A qualifying child must be a citizen, national, or resident of the U.S with an SSN or an Individual Taxpayer Identification Number</p>							

	VAWA Self-Petitioner <sup>1</sup> and Battered Spouse Waiver <sup>2</sup>	Refugee, <sup>3</sup> Asylee, T Visa <sup>4</sup>	T Visa <sup>5</sup> / Continued Presence <sup>6</sup>	Deferred Action for Childhood Arrivals (DACA) <sup>7</sup>	Special Immigrant Juvenile Status (SIJS) <sup>8</sup>	U Visa, bona fide, or wait list approval. <sup>9</sup>	U Visa Applicants	Undocumented
<b>Income Tax Credits</b>	<p>(ITIN).<sup>210</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>211</sup></p> <p><u>Child and Dependent Care Tax Credit:</u><sup>212</sup> 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>213</sup></li> </ul> <p>The child or dependent must have a social security number or ITIN.<sup>214</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>215</sup></p>							
<b>Earned Income Tax Credit (EITC)<sup>216</sup></b>	<i>Not available.</i>	<i>Not available.</i>	<i>Not available.</i>	<i>Not available.</i>	<i>Not available.</i>	<i>Not available.</i>	<i>Not available.</i>	<i>Not available.</i>
<b>Legal Services<sup>217</sup></b>	<p>An immigrant who (or whose child) is battered or subjected to extreme cruelty<sup>218</sup> inside or outside of the United States<sup>219</sup> is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies on matters related to the abuse.<sup>220</sup> Eligible for legal assistance on any matter the LSC-funded agency handles upon</p>	<p><u>Refugee/Asylee:</u> Refugees and Asylees are eligible for legal assistance on any matter the Legal Services Corporation (LSC)-funded agency handles.<sup>228</sup></p> <p><u>T visa:</u> An immigrant who has been (or whose child has been) a victim of trafficking in the U.S., including a T visa holder,<sup>229</sup> is eligible for legal assistance on any matter the LSC-funded agency handles.<sup>230</sup></p> <p>Eligible for Office of Violence Against Women funded Legal</p>	<p>An immigrant victim of severe forms of human trafficking with (or seeking) HHS Certification,<sup>235</sup> and family members with (or applying for) T visa status,<sup>236</sup> are eligible for legal assistance on any matter the LSC-funded agency handles.</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance<sup>237</sup> for victims of domestic violence, sexual assault, stalking<sup>238</sup> or dating violence.<sup>239</sup></p>	<p>A DACA recipient who is (or whose child is) battered or subjected to extreme cruelty,<sup>241</sup> or is a victim of sexual assault or trafficking in the U.S.,<sup>242</sup> is eligible for legal services from LSC-funded agencies<sup>243</sup> on matters related to the abuse.<sup>244</sup></p>	<p>Eligible for LSC-funded legal assistance when the child has suffered battering or extreme cruelty,<sup>249</sup> or sexual assault or trafficking in the U.S.,<sup>250</sup> on matters related to the abuse.<sup>251</sup></p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status,<sup>252</sup> or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.<sup>253</sup></p>	<p>An immigrant who has (or whose child has) been granted, applied for, or qualifies to apply for U visa status and a family member eligible to apply for U visa status<sup>258</sup> is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies<sup>259</sup> on matters related to the crime victimization.<sup>260</sup></p> <p>Eligible for legal assistance on any matter the LSC-</p>	<p>An immigrant who has (or whose child has) applied for, or qualifies to apply for U visa status and a family members eligible to apply for U visa status<sup>267</sup> is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies<sup>268</sup> on matters related to the crime victimization.<sup>269</sup></p> <p>Eligible for Office of</p>	<p>An immigrant victim who is (or whose child is), battered or subjected to extreme cruelty,<sup>274</sup> or is a victim of sexual assault or trafficking in the U.S.,<sup>275</sup> is eligible for legal services from LSC-funded agencies<sup>276</sup> on matters related to the abuse.<sup>277</sup></p> <p>Eligible for Office of Violence Against Women</p>

	<b>VAWA Self-Petitioner<sup>1</sup> and Battered Spouse Waiver<sup>2</sup></b>	<b>Refugee,<sup>3</sup> Asylee, T Visa<sup>4</sup></b>	<b>T Visa<sup>5</sup>/ Continued Presence<sup>6</sup></b>	<b>Deferred Action for Childhood Arrivals (DACA)<sup>7</sup></b>	<b>Special Immigrant Juvenile Status (SIJS)<sup>8</sup></b>	<b>U Visa, bona fide, or wait list approval.<sup>9</sup></b>	<b>U Visa Applicants</b>	<b>Undocumented</b>
<b>Legal Services</b>	receiving lawful permanent resident status, <sup>221</sup> or spouses, parents, and unmarried children under age 21 of U.S. citizens <sup>222</sup> become eligible for full representation on any matter upon filing an application for lawful permanent residency. <sup>223</sup> Eligible for Office of Violence Against Women funded Legal Assistance <sup>224</sup> as a victim of domestic violence, sexual assault, stalking <sup>225</sup> or dating violence. <sup>226</sup> Must be at least 11 years old. <sup>227</sup>	Assistance <sup>231</sup> for victims of domestic violence, sexual assault, stalking <sup>232</sup> or dating violence. <sup>233</sup> Must be at least 11 years old. <sup>234</sup>	Must be at least 11 years old. <sup>240</sup>	Eligible for Office of Violence Against Women funded Legal Assistance <sup>245</sup> for victims of domestic violence, sexual assault, stalking <sup>246</sup> or dating violence. <sup>247</sup> Must be at least 11 years old. <sup>248</sup>	Eligible for Office of Violence Against Women funded Legal Assistance <sup>254</sup> for victims of domestic violence, sexual assault, stalking <sup>255</sup> or dating violence. <sup>256</sup> Must be at least 11 years old. <sup>257</sup>	funded agency handles upon receiving LPR status, <sup>261</sup> or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status. <sup>262</sup>  Eligible for Office of Violence Against Women funded Legal Assistance <sup>263</sup> for victims of domestic violence, sexual assault, stalking <sup>264</sup> or dating violence. <sup>265</sup> Must be at least 11 years old. <sup>266</sup>	Violence Against Women funded Legal Assistance <sup>270</sup> for victims of domestic violence, sexual assault, stalking <sup>271</sup> or dating violence. <sup>272</sup> Must be at least 11 years old. <sup>273</sup>	funded Legal Assistance <sup>278</sup> for victims of domestic violence, sexual assault, stalking <sup>279</sup> or dating violence. <sup>280</sup> Must be at least 11 years old. <sup>281</sup>
<b>Weatherization Assistance Program (WAP)<sup>282</sup> and Low-Income</b>	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings,	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status. <sup>286</sup>	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings	Eligible for weatherization assistance (WAP) for families living in	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without, regard to	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings,	Eligible for weatherization assistance (WAP) for families living in multi-unit

	VAWA Self-Petitioner <sup>1</sup> and Battered Spouse Waiver <sup>2</sup>	Refugee, <sup>3</sup> Asylee, T Visa <sup>4</sup>	T Visa <sup>5</sup> / Continued Presence <sup>6</sup>	Deferred Action for Childhood Arrivals (DACA) <sup>7</sup>	Special Immigrant Juvenile Status (SIJS) <sup>8</sup>	U Visa, bona fide, or wait list approval. <sup>9</sup>	U Visa Applicants	Undocumented
<b>Home Energy Assistance Program (LIHEAP)<sup>283</sup></b>	without regard to immigration status. <sup>284</sup>  Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receipt of prima facie determination. <sup>285</sup>	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>287</sup>	without, regard to immigration status. <sup>288</sup>  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>289</sup>	multi-unit dwellings, without regard to immigration status. <sup>290</sup>	regard to immigration status. <sup>291</sup>  Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency. <sup>292</sup>	immigration status. <sup>293</sup>  Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency. <sup>294</sup>	without regard to immigration status. <sup>295</sup>	dwellings, without regard to immigration status. <sup>296</sup>
<b>Federal Emergency Management Agency (FEMA) Assistance<sup>297</sup></b>	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>298</sup>  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>299</sup>							
<b>Federal Emergency Management Agency (FEMA)-Restricted Programs<sup>300</sup></b>	Upon receipt of prima facie determination:  Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster	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>303</sup>	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) <sup>306</sup>	Not eligible.	Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA). <sup>308</sup>  Eligible for Emergency SNAP, subject to five-	Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment	Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment	Not eligible. <sup>314</sup>

	VAWA Self-Petitioner <sup>1</sup> and Battered Spouse Waiver <sup>2</sup>	Refugee, <sup>3</sup> Asylee, T Visa <sup>4</sup>	T Visa <sup>5</sup> / Continued Presence <sup>6</sup>	Deferred Action for Childhood Arrivals (DACA) <sup>7</sup>	Special Immigrant Juvenile Status (SIJS) <sup>8</sup>	U Visa, bona fide, or wait list approval. <sup>9</sup>	U Visa Applicants	Undocumented
<b>FEMA-Restricted Programs</b>	Unemployment Assistance (DUA). <sup>301</sup>  Eligible for Emergency Supplemental Nutrition Assistance Program (SNAP), subject to five-year bar, unless under 18, or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931. <sup>302</sup>	Emergency SNAP open to <u>Refugees/Asylees</u> (no five-year bar), <sup>304</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 receiving disability-related benefits or born before Aug. 22, 1931. <sup>305</sup>	These human trafficking victims are considered refugees and thus are eligible for FEMA Assistance Programs, Individual and Households Program (IHP), Disaster Unemployment Assistance (DUA), and Emergency SNAP. <sup>307</sup>		year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931. <sup>309</sup>	Assistance (DUA). <sup>310</sup>  Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931. <sup>311</sup>	Assistance (DUA). <sup>312</sup>  Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931. <sup>313</sup>	
<b>Unemployment Insurance</b>	<i>Guam is a territory that is not eligible to participate in the unemployment insurance program run by the U.S. federal government.<sup>315</sup> The Guam Department of Labor may offer unemployment related assistance which may be open to all persons including immigrants with legal work authorization.<sup>316</sup></i>							

<sup>1</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). Battered Spouse Waiver (BSW) applicants/recipients have the same eligibility for public benefits purposes as VAWA self-petitioners. BWS victims are eligible either as conditional permanent residents if they still have that status and/or are or continue to be eligible once they file their battered spouse waiver application. Battered spouse waiver applicants have greater benefits access than conditional and lawful permanent residents because they have access to exemptions from deeming and have access to benefits that are only available to battered immigrants.

<sup>2</sup> Battered Spouse Waiver victims are VAWA self-petitioners as defined in INA § 101(a)(51). To be eligible for a battered spouse waiver the victim must be a battered immigrant spouse of a U.S. citizen or lawful permanent resident who filed an immigration case on the battered spouse’s behalf through which the immigrant spouse was granted conditional permanent residency. Most battered spouse waiver applicants will have conditional permanent residency at the time they file their battered spouse waiver application. Their public benefits eligibility is based either on their conditional permanent residency or on their battered spouse waiver application. It is important to note that after an abused immigrant spouse files their battered spouse waiver application, they become eligible

for VAWA self-petitioning related deeming exceptions and eligible for state funded public benefits to the same extent as all other VAWA self-petitioners in states that grant self-petitioners access to state funded public benefits.

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

<sup>4</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>5</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>6</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>7</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>8</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>9</sup> See CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP’T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR “LAWFULLY RESIDING” CHILDREN AND PREGNANT PERSONS 2 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (Upon receipt of deferred action U visa applicants are considered lawfully present). U visa applicants receive deferred action which provides formal protection from deportation when they receive a bona fide determination or wait-list approval from U.S. Citizenship and Immigration Services (USCIS), see NIWAP, New DHS U Visa Bona Fide Policy Provides Earlier Access Deferred Action and Work Authorization to Applicants and NIWAP New Study Provides Evidence-Based Support for These New DHS Policies (June 14, 2021), available at <https://niwaplibrary.wcl.american.edu/transforming-lives-study-21>.

<sup>10</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* (Jul. 10, 2013), <https://niwaplibrary.wcl.american.edu/pubs/ch4-3-importance-advocates>; see also *Policy Guidance Regarding Inquiries Into Citizenship, Immigration Status and Social Security Numbers In State Applications For Medicaid, State Children’s Health Insurance Program (Schip), Temporary Assistance For Needy Families (Tanf), and Food Stamp Benefits*, U.S. DEP’T HEALTH & HUM. SERV. (Mar. 24, 2006), <https://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhsqacitizenshippolicyguidance-03-24-06>.

<sup>11</sup> See *Executive Order No. 97-13*, GOVERNOR OF GUAM, <http://governor.guam.gov/governor-content/uploads/2017/07/E.O.-97-13-Relative-to-Implementing-Guams-Temporary-Assista.pdf> (last visited July 18, 2018). SAVE verification required for TANF applicants. See 26 GUAM ADMIN. R. & REGS. §1803(b) (1997).

<sup>12</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(6) (1997); 10 GUAM ADMIN. R. & REGS. §2201.1 & 2022 (1997) (allowing only lawful permanent residents to be eligible for AFDC/TANF benefits in Guam). 1997 amendments to Guam laws confirm exemptions from the lawful permanent residency requirement for immigrants listed. 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations).

<sup>13</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>14</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>15</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations. See also Guam Div. of Pub. Welfare: Guam Dep't of Pub. Health & Soc. Servs, *Summer Pandemic Electronic Benefits Transfer (P-EBT)*, GUAM DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/division-of-public-welfare/> (last visited Aug. 16, 2022); Gov't of Guam: Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, GUAM DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency).

<sup>16</sup> Federal eligibility for refugees and asylees extends for the first seven years after attaining that status; after which, eligibility requirements vary by state law.

<sup>17</sup> See 26 GUAM ADMIN. R. & REGS. §1822 (g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. Only LPRs eligible for AFDC/TANF benefits in Guam. 45 C.F.R. § 400.51 requires that refugees receive refugee cash assistance if they do not qualify for TANF and if they are aged, blind or disabled until their application for Old-Age Assistance, Aid to the Blind, and Aid to the Permanently and Totally Disabled while their applications for relief under these programs are pending.

<sup>18</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)(2) (refugees), (b)(3) (asylees).

<sup>19</sup> 26 GUAM ADMIN. R. & REGS. §1822 (g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. Only LPRs eligible for AFDC/TANF benefits in Guam. 45 C.F.R. § 400.51 requires that refugees receive refugee cash assistance if they do not qualify for TANF and if they are aged, blind or disabled until their application for Old-Age Assistance, Aid to the Blind, and Aid to the Permanently and Totally Disabled while their applications for relief under these programs are pending. <https://www.ecfr.gov/current/title-45/subtitle-B/chapter-IV/part-400/subpart-E>

<sup>20</sup> 22 U.S.C. Section 7105(b)(1)(A); 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)(4). Trafficking victims are immediately eligible to access TANF based upon eligibility under the Trafficking Victim's Protection Act, which limits benefits to 7 years following the required HHS certification or HHS determination letter. See 22 U.S.C. § 7105(b)(1). In most states, once the 7 years of eligibility under the Trafficking Act has passed, they can continue their eligibility for TANF as a qualified immigrant, 8 U.S.C. § 1641(c), if they are a T visa holder or a T visa applicant with a bona fide determination which will include an HHS certification or an HHS determination letter.

<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)).

<sup>22</sup> 26 GUAM ADMIN. R. & REGS. §1822 (g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. Only LPRs eligible for AFDC/TANF benefits in Guam. 45 C.F.R. § 400.51 requires that refugees receive refugee cash assistance if they do not qualify for TANF and if they are aged, blind or disabled until their application for Old-Age Assistance, Aid to the Blind, and Aid to the Permanently and Totally Disabled while their applications for relief under these programs are pending. <https://www.ecfr.gov/current/title-45/subtitle-B/chapter-IV/part-400/subpart-E>

<sup>23</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>24</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>25</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>26</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>27</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(6) (1997); see also Division of Public Welfare: See also Guam Div. of Pub. Welfare: Guam Dep't of Pub. Health & Soc. Servs, *Summer Pandemic Electronic Benefits Transfer (P-EBT)*, GUAM DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/division-of-public-welfare/> (last visited Aug. 16, 2022); Guam Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency).

<sup>28</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>29</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>30</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(6) (1997); see also Guam Div. of Pub. Welfare: Guam Dep't of Pub. Health & Soc. Servs, *Summer Pandemic Electronic Benefits Transfer (P-EBT)*, GUAM DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/division-of-public-welfare/> (last visited Aug. 16, 2022); Guam Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, GUAM DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency).

<sup>31</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>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/).

<sup>33</sup> For Guam's child care application requirements see Guam Bureau of Child Care Serv., *Child Care Assistance Program: New Applicant*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., [https://guamchildcare.com/sites/default/files/app\\_checklist\\_new\\_0.pdf](https://guamchildcare.com/sites/default/files/app_checklist_new_0.pdf) (last visited Aug. 16, 2022) and Guam Bureau of Mgmt. Support, *Child Care Application*, GUAM DIV. OF PUB. WELFARE: DEP'T OF PUB. HEALTH & SOC. SERVS, [https://guamchildcare.com/sites/default/files/bccs.2022.apppacket\\_fillable\\_update\\_v6.pdf](https://guamchildcare.com/sites/default/files/bccs.2022.apppacket_fillable_update_v6.pdf) (last visited Aug 15., 2022).

<sup>34</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>35</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>36</sup> 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>37</sup> Center on Budget and Policy Priorities, *Policy Basics: Temporary Assistance for Needy Families: Eligibility for immigrants*, CENTER ON BUDGET AND POLICY PRIORITIES, <https://www.cbpp.org/research/family-income-support/temporary-assistance-for-needy-families> (last visited Aug. 16, 2022).

<sup>38</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>39</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>40</sup> Trafficking victims are immediately eligible to access TANF and thus TANF-funded child care based upon eligibility under the Trafficking Victim's Protection Act, which limits benefits to 7 years following the required HHS certification or HHS determination letter. See 22 U.S.C. § 7105(b)(1). In most states, once the 7 years of eligibility under the Trafficking Act has passed, they can continue their eligibility for TANF as a qualified immigrant, 8 U.S.C. § 1641(c), if, e.g., they are a T visa holder or a T visa applicant with a bona fide determination.

<sup>41</sup> 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>42</sup> Center on Budget and Policy Priorities, *Policy Basics: Temporary Assistance for Needy Families: Eligibility for immigrants*, CENTER ON BUDGET AND POLICY PRIORITIES, <https://www.cbpp.org/research/family-income-support/temporary-assistance-for-needy-families> (last visited Aug. 16, 2022).

<sup>43</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>44</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>45</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>46</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>47</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>48</sup> Center on Budget and Policy Priorities, *Policy Basics: Temporary Assistance for Needy Families: Eligibility for immigrants*, CENTER ON BUDGET AND POLICY PRIORITIES, <https://www.cbpp.org/research/family-income-support/temporary-assistance-for-needy-families> (last visited Aug. 16, 2022).

<sup>49</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>50</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>51</sup> Center on Budget and Policy Priorities, *Policy Basics: Temporary Assistance for Needy Families: Eligibility for immigrants*, CENTER ON BUDGET AND POLICY PRIORITIES, <https://www.cbpp.org/research/family-income-support/temporary-assistance-for-needy-families> (last visited Aug. 16, 2022).

<sup>52</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>53</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>54</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>55</sup> See Guam Div. of Pub. Welfare: Guam Dep't of Pub. Health & Soc. Servs, *Summer Pandemic Electronic Benefits Transfer (P-EBT)*, GUAM DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/division-of-public-welfare/> (last visited Aug. 16, 2022); see also Guam Bureau of Economic Security, Frequently Asked Questions (FAQS), GUAM DEP'T OF PUB. HEALTH & SOC. SERVS, <http://dphss.guam.gov/frequently-asked-questions-faqs/> (last visited Aug. 15, 2022). SAVE verification required for SNAP applicants 26 GUAM ADMIN. R. & REGS. §1803(b) (1997).

<sup>56</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).

<sup>57</sup> If advocates are told there is a seven year bar, they should cite to 8 USC 1612(a)(2)(L), which after 5-years provides indefinitely eligibility for SNAP for all qualified immigrants. 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(b)(2)-(3).

<sup>58</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)(4).

<sup>59</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>60</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>61</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>62</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>63</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>64</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>65</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>66</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>67</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>68</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>69</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>70</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>71</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>72</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>73</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>74</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>75</sup> *WIC Contacts*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/wic-contacts> (last visited June 14, 2018).
- <sup>76</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>77</sup> *Where to Apply?*, DEP'T OF PUB. HEALTH & SOC. SERVS., [https://sites.psu.edu/guamn nutrition/files/2016/09/Guam-WIC-Brochure\\_1-1b96hp0.pdf](https://sites.psu.edu/guamn nutrition/files/2016/09/Guam-WIC-Brochure_1-1b96hp0.pdf) (last visited July 18, 2018); See also *Welcome to WIC Brochure*, DEP'T OF PUB. HEALTH & SOC. SERVS., [http://www.dphss.guam.gov/sites/default/files/Welcome%20to%20WIC%20Brochure\\_rev20Nov2018.pdf](http://www.dphss.guam.gov/sites/default/files/Welcome%20to%20WIC%20Brochure_rev20Nov2018.pdf) (last visited Nov. 27, 2018).
- <sup>78</sup> *Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): 2018/2019 Income Eligibility Guidelines*, 83 Fed. Reg. 14240 (Apr. 3, 2018), <https://www.gpo.gov/fdsys/pkg/FR-2018-04-03/pdf/2018-06178.pdf>.
- <sup>79</sup> Applicants in Guam are not eligible to use the Marketplace and are advised to check with local offices to learn about Medicaid, CHIP, or other healthcare options. *See Overview*, U.S. CENTERS FOR MEDICARE & MEDICAID SERVS., <https://www.healthcare.gov/guam/> (last visited July 23, 2018); See also *A quick guide to the Health Insurance Marketplace*, U.S. CENTERS FOR MEDICARE & MEDICAID, <https://www.healthcare.gov/quick-guide/eligibility/> (last visited Nov. 27, 2018).
- <sup>80</sup> *See* Medicaid.gov, Guam: Medicaid Overview, <https://www.medicaid.gov/state-overviews/guam.html> (last visited Aug. 16, 2022) (discussing the relationship between Medicaid and CHIP in Guam); in Guam, SAVE verification required for CHIP applicants. 26 GUAM ADMIN. R. & REGS. §1803(b) (1997). ] 26 GUAM ADMIN. R. & REGS. §1822(g)(6) (1997). 10 GUAM ADMIN. R. & REGS. §2201.1 & 2022(1995) (allowing only lawful permanent residents to be eligible for AFDC/TANF benefits in Guam). 1997 amendments to Guam laws confirm exemptions from the lawful permanent residency requirement for immigrants listed. 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations);Footnotes in this section contain additional details on health care subsidies, including co-pays that may be required. They contain further state by state information on health care access for immigrant survivors of domestic and sexual violence. *See* MORGAN, LEWIS & BOCKIUS, LLP *Chapter 17.1: Emergency Medicaid – Urgent Medical Services for Immigrant Crime Victims and Children*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (December 2016), <http://niwaplibrary.wcl.american.edu/pubs/ch17-1-emergencymedicaid>; *see id. Chapter 17.2: Coverage for Forensic Costs for Immigrant crime Victims: Medical Coverage and Services* (February 12, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-2-forensiccoverageimmvictims>; *see id. Chapter 17.3: Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence* (June 13, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation>; *see id. Chapter 17.4: Pre-Natal and Child Health Care For Immigrant Victims and Their Children* (February 17, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-4-prenatal-care>.
- <sup>81</sup> Guam Dep't of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP’T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).

<sup>82</sup> 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997)(exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); <https://dphss.guam.gov/division-of-public-welfare/>; Guam Div. of Pub. Welfare: Guam Dep’t of Pub. Health & Soc. Servs, *Summer Pandemic Electronic Benefits Transfer (P-EBT)*, GUAM DEP’T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/division-of-public-welfare/> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). See also 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).

<sup>83</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)(2)-(3).

<sup>84</sup> Federal eligibility for refugees and asylees extends for the first seven years after attaining that status; after which, eligibility requirements vary by state law.

<sup>85</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6)(1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); Guam Div. of Pub. Welfare: Guam Dep’t of Pub. Health & Soc. Servs, *Summer Pandemic Electronic Benefits Transfer (P-EBT)*, GUAM DEP’T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/division-of-public-welfare/> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). See also 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (1997) (noting acceptable documents include naturalization or government immigration papers or records).

<sup>86</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); Guam Dep’t of Pub. Health & Soc. Servs, Application for Public Assistance, DEP’T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency).. See also 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (1997) (noting acceptable documents include naturalization or government immigration papers or records).

<sup>87</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); Guam Dep’t of Pub. Health & Soc. Servs, Application for Public Assistance, DEP’T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency).. See also 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).

<sup>88</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>89</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>90</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>91</sup> Guam Dep’t of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP’T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e>

<sup>92</sup> Guam Dep’t of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP’T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP’T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).

<sup>93</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); <https://dphss.guam.gov/division-of-public-welfare/>; Guam Dep’t of Pub. Health & Soc. Servs, Application for Public Assistance, DEP’T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). See also 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).

- <sup>94</sup> Guam Dep't of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP'T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).
- <sup>95</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. ; Guam Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). See also 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).
- <sup>96</sup> Guam Dep't of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP'T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).
- <sup>97</sup> Guam Dep't of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP'T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).
- <sup>98</sup> See Medicaid.gov, Guam: Medicaid Overview, <https://www.medicaid.gov/state-overviews/guam.html> (last visited Aug. 16, 2022) (discussing the relationship between Medicaid and CHIP in Guam); in Guam, SAVE verification required for CHIP applicants. 26 GUAM ADMIN. R. & REGS. §1803(b) (1997). ] 26 GUAM ADMIN. R. & REGS. §1822(g)(6) (1997). 10 GUAM ADMIN. R. & REGS. §2201.1 & 2022(1995) (allowing only lawful permanent residents to be eligible for AFDC/TANF benefits in Guam). 1997 amendments to Guam laws confirm exemptions from the lawful permanent residency requirement for immigrants listed. 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); Footnotes in this section contain additional details on health care subsidies including co-pays that may be required. They contain further state by state information on health care access for immigrant survivors of domestic and sexual violence. See MORGAN, LEWIS & BOCKIUS, LLP *Chapter 17.1: Emergency Medicaid – Urgent Medical Services for Immigrant Crime Victims and Children*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (December 2016), <http://niwaplibrary.wcl.american.edu/pubs/ch17-1-emergencymedicaid>; see id. *Chapter 17.2: Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (February 12, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-2-forensiccoverageimmvictims>; see id. *Chapter 17.3: Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence* (June 13, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation>; see id. *Chapter 17.4: Pre-Natal and Child Health Care For Immigrant Victims and Their Children* (February 17, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-4-prenatal-care>.
- <sup>99</sup> Guam Dep't of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP'T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).
- <sup>100</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement.. This section does not exempt VAWA self-petitioners with prima facie determinations); Guam Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). See also 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).
- <sup>101</sup> Federal eligibility for refugees and asylees extends for the first seven years after attaining that status; after which, eligibility requirements vary by state law.
- <sup>102</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); Guam Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). See also 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).
- <sup>103</sup> See 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); <https://dphss.guam.gov/division-of-public-welfare/>; Guam Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS->

[Public-Assistance-Application-fillable-form.pdf](#) (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). *See also* 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).

<sup>104</sup> *See* 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); <https://dphss.guam.gov/division-of-public-welfare/>; Guam Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). *See also* 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).

<sup>105</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>106</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>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/); 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>108</sup> Guam Dep't of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP'T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).

<sup>109</sup> Guam Dep't of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP'T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).

<sup>110</sup> *See* 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); <https://dphss.guam.gov/division-of-public-welfare/>; Guam Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). *See also* 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).

<sup>111</sup> Guam Dep't of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP'T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).

<sup>112</sup> *See* 26 GUAM ADMIN. R. & REGS. §1822(g)(30)(A)(5) & (6) (1997) (exempting refugees and asylees and therefore T visa holders and trafficking victims with bona fide determinations or continued presence from the lawful permanent residency requirement. This section does not exempt VAWA self-petitioners with prima facie determinations); <https://dphss.guam.gov/division-of-public-welfare/>; Guam Dep't of Pub. Health & Soc. Servs, Application for Public Assistance, DEP'T OF PUB. HEALTH & SOC. SERVS, <https://dphss.guam.gov/wp-content/uploads/2022/04/Guam-DPHSS-Public-Assistance-Application-fillable-form.pdf> (last visited Aug. 16, 2022) (eligible upon receiving lawful permanent residency). *See also* 26 GUAM ADMIN. R. & REGS. §1822(g)(4)(E) & (F) (noting acceptable documents include naturalization or government immigration papers or records).

<sup>113</sup> Guam Dep't of Pub. Health and Soc. Servs., *Medicaid FAQs*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., <https://niwaplibrary.wcl.american.edu/pubs/guam-medicaid-faqs> (last visited Aug 02, 2022); 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/). Assistance from HHS funded public health centers also available without regard to immigration status. Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP'T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).

<sup>114</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/). Assistance from HHS funded public health centers also available without regard to immigration status.

Health Res. and Servs. Admin., III.E.2.b.v.a. Public and Private Partnerships - Guam – 2021, DEP'T OF HEALTH AND HUMAN SERVS., <https://mchb.tvisdata.hrsa.gov/Narratives/IIF4HealthReform/08312f4f-d1b8-4988-a861-b6aa9678a13e> (last visited Aug. 16, 2022).

<sup>115</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>116</sup>Victims of Crime Act (VOCA) compensation for crime victims is a program providing services necessary to protect health and safety of crime victims that helps victims heal and overcome the emotional and financial impact of crime victimization on their lives. VOCA compensation is separate from and does not fall within the definitions of "federal public benefit" or "state public benefit" under U.S. public benefits laws and thus is open to all crime victims without regard to immigration status. See, Joye E. Frost, Office for Victims of Crime, U.S. Department of Justice, Letter to Cassie T Jones Alabama Crime Victims' Compensation Commission (July 2, 2010) available at <https://niwaplibrary.wcl.american.edu/pubs/ojp-ovc-letter-on-access-to-voca-victim-compensation-7-2-2010>; For an overview of what types of victim compensation are covered by VOCA compensation programs in each state see, Leslye Orloff, Katelyn Deibler and Annie Roebuck, *Post-Assault Healthcare and Victims of Crime Act Coverage for Domestic and Sexual Violence Victims* (July 18, 2018) available at: <https://niwaplibrary.wcl.american.edu/pubs/post-assault-coverage-chart>; and : Sarah Andrews, Vanessa Brown, Aurora de Heer, Joseph Leonard, Ryan Lighty, Katherine O'Keefe, Celia Soehner, William Springer, Josh Sterling, Linda Way-Smith, Beau Yanoshik, Morgan Lewis and Bockius, LLP and NIWAP, *Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence – Medical Coverage and Services for Immigrants* (July 13, 2018) available at <https://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation> (contains a more detailed discussion of VOCA compensation available in each state with links and citations).

<sup>117</sup> Post-secondary educational grants and loans (both direct loans and Pell grants) are available to students in Guam. See *Appendix B-1: Territorial Eligibility for Select Federal Programs that Provide Direct Payments to Individuals*, COMM. ON WAYS & MEANS U.S. Hous. OF REPRESENTATIVES, <https://greenbook-waysandmeans.house.gov/2016-green-book/appendix-b-social-welfare-programs-in-the-territories> (last visited Aug 4, 2022); 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>118</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>119</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>120</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>121</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>122</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>123</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>124</sup> Plyler v. Doe 457 U.S. 202 (1982); U.S. DEPARTMENT OF EDUCATION, STUDENTS, IMMIGRATION STATUS, AND THE RIGHT TO PUBLIC EDUCATION (JUNE 20, 2021) <https://blog.ed.gov/2021/07/students-immigration-status-and-the-right-to-public-education/>.

<sup>125</sup> U.S. Immigration and Customs Enforcement, Memo: Undocumented Students Authorized to Enroll in Post-Secondary Educational Institutions (July 24, 2008) <https://niwaplibrary.wcl.american.edu/pubs/pb-gov-dhsundocstudentpost2ndeduaccess-7-24-08>. This law applies to all states except those that have implemented state laws or policies that limit or deny enrollment in public colleges or universities which are Alabama, Georgia and South Carolina. (Current as of July 2021). See, NAT'L IMMIGRATION LAW CTR., *Current State Laws and Policies on Access to Higher Education for Immigrants* (July 2021), <https://www.nilc.org/issues/education/eduaccess toolkit/eduaccess toolkit2/#maps>.

<sup>126</sup> *Residency Policy*, UNIV. OF GUAM, [https://www.uog.edu/\\_resources/files/admissions/uog\\_residency\\_policy\\_cy\\_2017-2018.pdf](https://www.uog.edu/_resources/files/admissions/uog_residency_policy_cy_2017-2018.pdf) (last visited July 18, 2018).

<sup>127</sup> Includes B,C,D,F,H,J, L, or M visas.

<sup>128</sup> *Tuition and Fees*, GUAM COMMUNITY COLLEGE, <http://www.guamcc.edu/Runtime/tuitionfees.aspx> (last visited July 18, 2018).

<sup>129</sup> *Merit Awards to the University of Guam*, tit. 17 GUAM CODE ANN. § 28201, <http://www.guamcourts.org/CompilerofLaws/GCA/17gca/17gc028.pdf> (last visited July 23, 2018).

<sup>130</sup> *Students Entitled to Loans*, tit. 17 GUAM CODE ANN. § 15201, <http://www.guamcourts.org/CompilerofLaws/GCA/17gca/17gc015.PDF> (last visited Dec. 12, 2018).

<sup>131</sup> Supplemental Security Income (SSI) is not available to individuals in Guam. The former federal-state program of Old-Age Assistance, Aid to the Blind, and Aid to the Permanently and Totally Disabled still operates in Guam.

<sup>132</sup> *Appendix B: Social Welfare in the Territories*, CONG. RESEARCH SERV., <https://greenbook-waysandmeans.house.gov/2016-green-book/appendix-b-social-welfare-programs-in-the-territories> (last visited July 18, 2018); See also *Table B-1*, CONG. RESEARCH SERV., <https://greenbook-waysandmeans.house.gov/sites/greenbook.waysandmeans.house.gov/files/Table%20B-1.pdf> (last visited July 18, 2018).

<sup>133</sup> *Social Security and SSI Statistics by Congressional District, December 2002: Guam*, SOC. SEC. OFF. OF POL'Y, [https://www.ssa.gov/policy/docs/factsheets/cong\\_stats/2002/gu.html](https://www.ssa.gov/policy/docs/factsheets/cong_stats/2002/gu.html) (last visited Aug. 16, 2022).

<sup>134</sup> Supplemental Security Income (SSI) is not available to individuals in Guam. The former federal-state programs of Old-Age Assistance, Aid to the Blind, and Aid to the Permanently and Totally Disabled still operates in Guam. *Policy Basics: Aid to the Aged, Blind, and Disabled*, CTR ON BUDGET AND POL'Y PRIORITIES, <https://www.cbpp.org/research/aid-to-the-aged-blind-and-disabled> (last visited Aug. 16, 2022).

<sup>135</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>136</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>137</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.). 42 C.F.R. § 436.406 (a)(2)(ii) (2007).

<sup>138</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).

<sup>139</sup> See 22 U.S.C. § 7105(b).

<sup>140</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>141</sup> See 8 U.S.C. § 1641(c)(4).

<sup>142</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 22 U.S.C. § 7105(b).

<sup>143</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>144</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). 42 C.F.R. § 436.406 (a)(2)(ii) (2007).

<sup>145</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>146</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). 42 C.F.R. § 436.406 (a)(2)(ii) (2007).

<sup>147</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>148</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>149</sup> *Guam Driver's License and Identification Card Application*, GUAM DEP'T OF REVENUE AND TAX'N,

[http://www.govguamdocs.com/revtax/docs/GUAMDriver'sLicenseANDIdentificationCardApplication\(06.17.2019\)-S....pdf](http://www.govguamdocs.com/revtax/docs/GUAMDriver'sLicenseANDIdentificationCardApplication(06.17.2019)-S....pdf) (last visited Aug. 16, 2022) (providing options for a Read ID driver's license or a Guam ID or Driver's License and are available to immigrants with work authorization and social security numbers); 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://library.niwap.org/wp-content/uploads/2015/Drivers-License-Access.pdf>.

<sup>150</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>151</sup> See 6 C.F.R. § 37.11(g)(1) (2012).

<sup>152</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>153</sup> See 6 C.F.R. § 37.11(g)(2) (2012); Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERVS., U.S. DEP'T OF HEALTH & HUM. SERVS., 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>154</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>155</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>156</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>157</sup> See *License: Requirement*, tit. 16 GUAM CODE ANN. § 3101, <http://www.guamcourts.org/CompilerofLaws/GCA/16gca/16gc003.PDF> (last visited July 18, 2018); See also *Real ID Policy*, GUAM DEP'T OF REVENUE & TAX'N, <https://www.guamtax.com/help/realIDpolicy.html> (last visited July 18, 2018).

<sup>158</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>159</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>160</sup> *Emergency Solutions Grant*, GUAM HOUSING & URBAN RENEWAL AUTHORITY, <https://ghura.org/about-ghura/community-development/community-development-applications/emergency-solutions-grant> (last visited Sept. 3, 2022).

<sup>161</sup> See tit. 10 GUAM CODE ANN. § 2603, <http://www.guamcourts.org/CompilerofLaws/GCA/10gca/10gc002.PDF> (last visited July 19, 2018); See also tit. 26 GUAM ADMIN. R. & REGS. § 1843(a), <http://www.guamcourts.org/CompilerofLaws/GAR/26GAR/26GAR001-1H4.pdf> (last visited July 19, 2018).

<sup>162</sup> Immigrants including victims who are lawfully residing in the United States or its territories and possessions under section 141 of the Compacts of Free Association between the U.S. and the Governments of the Marshall Islands, the Federated States of Micronesia and Palau are eligible for public and assisted housing. *Housing Choice Voucher Program Guidebook: Eligibility Determination and Denial of Assistance*, DEP'T OF HOUS. AND URB. DEV., [https://www.hud.gov/sites/dfiles/PIH/documents/HCV\\_Guidebook\\_Eligibility\\_Determination\\_and\\_Denial\\_of\\_Assistance.pdf](https://www.hud.gov/sites/dfiles/PIH/documents/HCV_Guidebook_Eligibility_Determination_and_Denial_of_Assistance.pdf) (last visited Aug. 16, 2022). However in Guam, such immigrants are not

entitled to a preference in receiving housing assistance over a U.S. citizen or national resident who is otherwise eligible for such assistance.

<sup>163</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>164</sup> For detailed information about Low Income Housing Tax Credit (LIHTC) funding housing eligibility and how to find LIHTC funded units in communities across the country see, VAWA Home: Rights for Survivors in LIHTC <https://www.vawahome.com/> (last visited February 10, 2022).

<sup>165</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., <http://niwaplibrary.wcl.american.edu/access-public-assisted-housing-vawa-self-petitioners/> 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>166</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>167</sup> See 42 U.S.C. § 1485.

<sup>168</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>169</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(c).

<sup>170</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://www.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>171</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://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).

<sup>172</sup> See *LIHTC QAP and Application*, GUAM HOUS. & URBAN RENEWAL AUTH., [https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final\\_1.pdf](https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final_1.pdf) (last visited July 18, 2018). The Guam Housing and Urban Renewal Authority allocated the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including VAWA self-petitioners, who could meet the eligibility requirements of the federal subsidies involved. See, DEP’T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>.

<sup>173</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>174</sup> See 42 U.S.C. § 1485.

<sup>175</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>176</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>177</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>178</sup> See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing).

<sup>179</sup> See *LIHTC QAP and Application*, GUAM HOUS. & URBAN RENEWAL AUTH., [https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final\\_1.pdf](https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final_1.pdf) (last visited July 18, 2018). The Guam Housing and Urban Renewal Authority allocated the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including refugees, asylees and T-visa holders or applicants with a bona fide determination, who could meet the eligibility requirements of the federal subsidies involved. See, NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), [https://www.nilc.org/issues/economic-support/table\\_ovrw\\_fedprogs/](https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/).

<sup>180</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>181</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. 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>182</sup> See OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>; 22 U.S.C. § 7105(b)(1)(B) (requirement to expand benefits and services); see also 22 U.S.C. 7105(b); 42 U.S.C. § 1485 (Section 515 Rural Housing); 42 U.S.C. § 1490(a) (Section 521 housing assistance); 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing). NHLP, *Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), [www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/](http://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/).

<sup>183</sup> See *LIHTC QAP and Application*, GUAM HOUS. & URBAN RENEWAL AUTH., [https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final\\_1.pdf](https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final_1.pdf) (last visited July 18, 2018). The Guam Housing and Urban Renewal Authority allocated the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, T visa applicants with a bona fide determination and trafficking victims with continued presence, who could meet the eligibility requirements of the federal subsidies involved. NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated 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) (2005) (Applicants under 18 require only HHS eligibility determination (not certification).); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.

<sup>184</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>185</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>186</sup> See *LIHTC QAP and Application*, GUAM HOUS. & URBAN RENEWAL AUTH., [https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final\\_1.pdf](https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final_1.pdf) (last visited July 18, 2018). The Guam Housing and Urban Renewal Authority allocated the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. DACA applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

<sup>187</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>188</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>189</sup> See 8 U.S.C. § 1641(b)(1).

<sup>190</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>191</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>192</sup> See 8 U.S.C. § 1641(b)(1) (2012).

<sup>193</sup> See *LIHTC QAP and Application*, GUAM HOUS. & URBAN RENEWAL AUTH., [https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final\\_1.pdf](https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final_1.pdf) (last visited July 18, 2018). The Guam Housing and Urban Renewal Authority allocated the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants including SIJS applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. SIJS applicants and recipients prior to receipt of lawful permanent residency will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

<sup>194</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>195</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>196</sup> See 8 U.S.C. § 1641(b)(1).

<sup>197</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>198</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>199</sup> See 8 U.S.C. § 1641(b)(1) (2012).

<sup>200</sup> See *LIHTC QAP and Application*, GUAM HOUS. & URBAN RENEWAL AUTH., [https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final\\_1.pdf](https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final_1.pdf) (last visited July 18, 2018). The Guam Housing and Urban Renewal Authority allocated the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including U visa wait list approved applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency applicants approved for the U visa wait list will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

<sup>201</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>202</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>203</sup> See *LIHTC QAP and Application*, GUAM HOUS. & URBAN RENEWAL AUTH., [https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final\\_1.pdf](https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final_1.pdf) (last visited July 18, 2018). The Guam Housing and Urban Renewal Authority allocated the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including U visa applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency, U visa applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

<sup>204</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>205</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>206</sup> See *LIHTC QAP and Application*, GUAM HOUS. & URBAN RENEWAL AUTH., [https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final\\_1.pdf](https://www.ghura.org/ghuramain/userfiles/2018%20Application%20and%20QAP%20Final_1.pdf) (last visited July 18, 2018). The Guam Housing and Urban Renewal Authority allocated the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. Undocumented immigrants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

<sup>207</sup> See *Guam Tax Structure*, GUAM DEP’T OF REVENUE & TAX’N, <https://www.guamtax.com/info/structure.html> (last visited July 25, 2018).

<sup>208</sup> For eligibility in the Guam see Additional Child Tax Credit. *Bona Fide Residents of Guam - Tax Credits*, INTERNAL REVENUE SERV., <https://www.irs.gov/individuals/bona-fide-residents-of-guam-tax-credits> (last visited Aug. 16, 2022).

<sup>209</sup> 26 U.S.C. § 24; U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 3 (2017).

<sup>210</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>211</sup> See <https://www.irs.gov/individuals/individual-taxpayer-identification-number> (IRS ITIN Information Page).

<sup>212</sup> For eligibility in the Guam see Tax Credit for Other Dependents. *Bona Fide Residents of Guam - Tax Credits*, INTERNAL REVENUE SERV., <https://www.irs.gov/individuals/bona-fide-residents-of-guam-tax-credits> (last visited Aug. 16, 2022).

<sup>213</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>214</sup> U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 3 (2017).

<sup>215</sup> U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 2 (2017).

<sup>216</sup> Earned Income Tax Credits not available to bona fide residents of Guam. *Bona Fide Residents of Guam - Tax Credits*, INTERNAL REVENUE SERV., <https://www.irs.gov/individuals/bona-fide-residents-of-guam-tax-credits> (last visited Aug. 16, 2022).

<sup>217</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>218</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>219</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>220</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-accesspubliclyfundedls/>.

<sup>221</sup> 45 C.F.R. § 1626.5(a).

<sup>222</sup> 45 C.F.R. § 1626.5(b).

<sup>223</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>224</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>225</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>226</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>227</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>228</sup> See 45 C.F.R. § 1626.5(c).

<sup>229</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>230</sup> See 45 C.F.R. § 1626.4(a)(2).

<sup>231</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>232</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>233</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>234</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>235</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>236</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>237</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>238</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>239</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>240</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>241</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>242</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>243</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>244</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-accesspubliclyfundedlsl/>.

<sup>245</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>246</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>247</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>248</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>249</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 forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced

prostitution may be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence.”). See Leslye E. Orloff, Brittney 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>250</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>251</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-accesspubliclyfunded/>.

<sup>252</sup> See 45 C.F.R. § 1626.5(a).

<sup>253</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-accesspubliclyfunded/>.

<sup>254</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>255</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>256</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>257</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>258</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>259</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>260</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-accesspubliclyfunded/>.

<sup>261</sup> See 45 C.F.R. § 1626.5(a).

<sup>262</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-accesspubliclyfunded/>.

<sup>263</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>264</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>265</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>266</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>267</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>268</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>269</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-accesspubliclyfunded/>.

<sup>270</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>271</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>272</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>273</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>274</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>275</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>276</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>277</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>278</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>279</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>280</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>281</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>282</sup> *Guam Weatherization Assistance Program*, GUAM ENERGY OFF., <https://energy.guam.gov/wp-content/uploads/2021/03/1WAP-Application-PACKET-rev-03.24.21Fillable-Form.pdf> (last visited Aug. 16, 2022).
- <sup>283</sup> Off. of Comty. Servs., *LIHEAP Map State and Territory Contact Listing*, DEP'T OF HEALTH & HUMAN SERVS., [https://www.acf.hhs.gov/ocs/map/liheap-map-state-and-territory-contact-listing#GU\\_5213](https://www.acf.hhs.gov/ocs/map/liheap-map-state-and-territory-contact-listing#GU_5213); See also <https://liheapassistance.org/faqs/guam/> (last visited Aug. 16, 2022).
- <sup>284</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>285</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>286</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>287</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>288</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>289</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. SER., 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>290</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>291</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>292</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>293</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>294</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>295</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>296</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>297</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>298</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>299</sup> See *Guam Local-Level Referrals*, FED. EMERGENCY MAGMT. AGENCY, <https://www.fema.gov/assistance/individual/disaster-survivors/state-local-referral-lists/guam> (last visited Aug. 16, 2022). Guam participates in SNAP making D-SNAP available during disasters. *Public Assistance Application for SNAP, Cash Assistance, Medicaid and MIP*, GUAM DEP'T OF PUB. HEALTH AND SOC. SERVS., DIV. OF PUB. WELFARE, <https://dphss.guam.gov/division-of-public-welfare/> (last visited Aug. 16, 2022); 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>300</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>301</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>302</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>303</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>304</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>305</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>306</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).

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<sup>307</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>308</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>309</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>310</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>311</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>312</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>313</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>314</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).

<sup>315</sup> See Appendix B: Social Welfare Programs in the Territories, COMM. ON WAYS & MEANS U.S. HOUS. OF REPRESENTATIVES, <https://greenbook-waysandmeans.house.gov/2016-greenbook/appendix-b-social-welfare-programs-in-the-territories> (last visited Aug. 5 2022).

<sup>316</sup> Generally, to be eligible for unemployment insurance, each class of immigrant must have had prior work authorization and had to have been working with the authorization at the time they applied for unemployment. Work authorization must remain valid while they receive unemployment and if work authorization expires, then so does the eligibility for unemployment. The Guam Department of Labor's website contains information on what unemployment assistance is available in Guam. Go to *Unemployment*, GUAM DEP'T. OF LABOR, <https://dol.guam.gov/unemployment/> (last visited Aug. 4, 2022).