

Access to State-Funded^a Public Benefits in Massachusetts for Survivors,
Based on Immigration Status^{bc}

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	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
	<i>Qualified Immigrant^d</i>		<i>HHS Certification</i>	<i>Lawfully Present¹¹</i>			<i>Limited Benefits Eligibility¹²</i>	
TANF (Cash Assistance)	VAWA: Eligible with prima facie determination, ¹³ subject to five-year bar for those who arrived on or after August 22, 1996. ¹⁴ (After the first 12	<u>Refugee/Asylee</u> : Eligible for TANF regardless of date of entry. ²⁰ <u>T visa</u> : with HHS certification or eligibility determination, eligible under the Victims of	Human trafficking victims eligible: with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS eligibility	Not eligible. ²⁸	Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. ²⁹ (may be subject to deeming). ³⁰	Eligible after receiving lawful permanency, subject to five-year bar for those who arrived on or after August 22, 1996 ³² (may be subject to deeming). ³³	No federal eligibility. ³⁵	Not eligible. ³⁶

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

^b © National Immigrant Women’s Advocacy Project, American University, Washington College of Law 2025. This publication was developed under Grant Nos. SJI-15-T-234, SJI-22-T-037, SJI-23-T-043, and SJI-24-T-046 from the State Justice Institute. The points of view expressed are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute. This project was supported by Grant 15JOVW-21-GK-02208-MUMU, 15JOVW-23-GK-05119-MUMU and 15JOVW-24-GK-03012-MUMU awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this program are those of the authors and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

^c 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 “e”), VAWA cancellation of removal, VAWA suspension of deportation, U visas, and T visas. For technical assistance on benefits access for immigrant survivors please contact the National Immigrant Women’s Advocacy Project, American University, Washington College of Law (202) 274-4457 or info@niwap.org. NIWAP would like to thank Michelle Aronowitz and Dean’s Fellows Alexandra Brown and Sandeep Purewal for their work in developing these state public benefits charts.

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

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
TANF	<p>months may be subject to deeming).¹⁵</p> <p><u>Lawful permanent residents:</u> Eligible subject to five-year bar for those who arrived on or after August 22, 1996¹⁶ (may be subject to deeming)¹⁷</p> <p><u>Naturalized citizens:</u> Eligible without restrictions.¹⁸</p> <p><i>In Massachusetts, Battered Noncitizens (including VAWA self-petitioners with prima facie determinations and Battered Spouse Waivers, and lawful permanent residents who are battered immigrants) are eligible.¹⁹</i></p>	<p>eligibility determination, eligible under the Victims of Trafficking and Violence Protection Act (TVPA) of 2000 to the same extent as refugees.²¹</p> <p><u>T visa holders or bona fide applicants</u> are also eligible as qualified immigrants, subject to five-year bar for those who entered on or after August 22, 1996.²²</p> <p><i>In Massachusetts, Refugees and Asylees are eligible.²³</i></p>	<p>determination (under 18).²⁴</p> <p>These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.²⁵</p> <p>Family members with T visa status are eligible without HHS certification or determination; they are eligible to the same extent as refugees and thus eligible regardless of date of entry.²⁶</p> <p><i>In Massachusetts, human trafficking victims with HHS certification are eligible.²⁷</i></p>		<i>In Massachusetts, SIJS lawful permanent residents who are battered immigrants are eligible.³¹</i>	<i>In Massachusetts, lawful permanent residents who are battered immigrants are eligible.³⁴</i>		
Child Care	Children with VAWA prima facie determination and child lawful permanent residents	Children who are <u>asylees or refugees</u> are eligible for CCDF-funded child care and	Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination	Eligible for CCDF-funded child care open to all	Eligible for CCDF-funded child care open to all immigrants, when:	Eligible for CCDF-funded child care open to all immigrants, when:	Eligible for CCDF-funded child care open to all	Eligible for CCDF-funded child care open to all immigrants, when:

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Child Care	<p>are qualified immigrants eligible for Child Care Development Fund (CCDF)-funded child care.³⁷</p> <p>TANF-funded childcare subject to five-year bar for immigrants who entered on or after August 22, 1996.³⁸</p> <p><u>Naturalized citizens:</u> Eligible without restrictions.³⁹</p> <p><i>In Massachusetts, lawfully present (including lawful permanent residents, VAWA self-petitioner, and Battered Spouse Waivers) parents with a Transition Aid to Families With Dependent Children (TAFDC) eligible child are eligible for TAFDC funded child care.⁴⁰</i></p>	<p>TANF-funded child care.⁴¹</p> <p><u>T visa:</u> Eligible for CCDF-funded child care and TANF-funded child care under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.⁴²</p> <p>Children who are T visa holders or applicants with prima facie (bona fide) determination are eligible for CCDF-funded child care.⁴³ They are also eligible for TANF-funded childcare subject to five-year bar for those who entered on or after August 22, 1996.⁴⁴</p> <p><i>In Massachusetts, refugees and trafficking victims are eligible for TANF-funded child care with no five-year bar.⁴⁵</i></p>	<p>on a T visa application) or an HHS eligibility determination (under 18) are eligible for CCDF-funded child care and TANF-funded child care.⁴⁶</p> <p>Family members with T visa status eligible for CCDF-funded child care and TANF-funded child care, no need for HHS Certification or eligibility determination.⁴⁷</p> <p><i>In Massachusetts, trafficking victims with HHS certification or child eligibility letters are eligible for TANF-funded child care with no five-year bar.⁴⁸</i></p>	<p>immigrants, when:</p> <p>(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;</p> <p>(2) Child care is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁴⁹</p>	<p>(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;</p> <p>(2) Childcare is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵⁰</p> <p>Upon receiving lawful permanent residency, eligible as for CCDF-funded child care.⁵¹</p> <p>Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996.⁵²</p> <p><i>In Massachusetts, lawfully present</i></p>	<p>(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;</p> <p>(2) Childcare is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵⁴</p> <p>Upon receiving lawful permanent residency, eligible as for CCDF-funded child care.⁵⁵</p> <p>Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996.⁵⁶</p> <p><i>In Massachusetts, lawfully present</i></p>	<p>immigrants, when:</p> <p>(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;</p> <p>(2) Child care is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵⁸</p>	<p>(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;</p> <p>(2) Child care is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵⁹</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Child Care					<i>(including SIJS applicants and SIJS lawful permanent resident) parents with a Transition Aid to Families With Dependent Children (TAFDC) eligible child are eligible for TAFDC funded child care.⁵³</i>	<i>(including U visa holders, U visa applicants with bona fide determinations, or waitlist approvals and U visa lawful permanent residents) parents with a Transition Aid to Families With Dependent Children (TAFDC) eligible child are eligible for TAFDC funded child care.⁵⁷</i>		
SNAP (Food Stamps) ⁶⁰	Eligible with VAWA prima facie determination or lawful permanent residence, subject to an additional condition, e.g.: five years residency, younger than 18, (if lawfully residing in the U.S. on 8/22/96) disabled, or if Lawful Permanent Resident with 40 quarters of work credit. ⁶¹ <u>Naturalized citizens:</u> Eligible without restrictions. ⁶²	<u>Refugee/Asylee:</u> Eligible with no additional conditions. ⁶³ <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). ⁶⁴ Also eligible under the Trafficking Victims Protection Act to the same extent as refugees. ⁶⁵	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). ⁶⁶ Family members with T visa status eligible without HHS certification or eligibility determination. ⁶⁷ These human trafficking victims are eligible to the same extent as refugees and	Not eligible.	Eligible upon receiving lawful permanent residency, subject to an additional condition, ⁶⁹ e.g.: under 18, ⁷⁰ five years residency, ⁷¹ 40 qualifying work quarters, ⁷² or disabled. ⁷³	Eligible upon receiving lawful permanent residency, subject to an additional condition, ⁷⁴ e.g.: under 18, ⁷⁵ five years residency, ⁷⁶ 40 qualifying work quarters, ⁷⁷ elderly, ⁷⁸ or disabled. ⁷⁹	Not eligible.	Not eligible.

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SNAP			thus are eligible with no additional conditions. ⁶⁸					
The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)	<p>The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides Federal grants to States for supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk, without regard to immigration status or naturalized citizenship.⁸⁰ 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.⁸¹ 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).⁸²</p> <p><i>In Massachusetts, applicants should call the WIC clinic closest to them to make an appointment or begin the application process online and provide a phone number for a representative to contact them with information on how to complete the process.⁸³ In Massachusetts, income eligibility requirements for new moms or pregnant or breastfeeding women, applying for their children are according to household size.⁸⁴</i></p>							
Health Care on Exchanges^e	<p>Eligible with VAWA prima facie determination,⁸⁵ as a lawful permanent resident,⁸⁶ or naturalized citizen.⁸⁷</p> <p><i>In MA, lawfully present immigrants⁸⁸ (including lawful permanent residents, VAWA self-petitioners, with prima facie determinations, and Battered Spouse Waivers) are eligible during the 5-year-bar</i></p>	<p><u>Refugee</u>: Eligible.⁹²</p> <p><u>Asylee</u>: Eligible; applicants eligible if granted work authorization, applicants under 14 eligible if application pending at least 180 days.⁹³</p> <p><u>T visa</u>: Eligible with prima facie (bona fide) determination on T visa application.⁹⁴</p>	<p>Human trafficking victims eligible: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18).¹⁰¹</p> <p>Family members with T visa status eligible without HHS certification or eligibility determination.¹⁰²</p>	<p>Eligible upon being granted Deferred Action for Childhood Arrivals (DACA).¹⁰⁹</p> <p><i>In MA, lawfully present immigrants¹¹⁰ (including persons granted Deferred Action for Childhood Arrivals</i></p>	<p>Eligible upon filing SIJS application.¹¹⁷</p> <p><i>In MA, SIJS applicants who are non-pregnant adults are eligible for healthcare insurance with the same premiums as required through ConnectorCare.¹¹⁸</i></p> <p><i>In MA, lawfully present immigrants¹¹⁹ (including SIJS applicants, recipients and lawful permanent</i></p>	<p>Eligible upon U visa, bona fide determination,¹²³ or wait list approval.¹²⁴</p> <p><i>In MA, lawfully present immigrants¹²⁵ (including U visa holders and U visa applicants with bona fide determinations or waitlist approvals) are eligible to obtain MASSHealth¹²⁶ insurance through the Massachusetts Health Connector</i></p>	<p>Not eligible.¹²⁹</p> <p><i>In MA, Persons Residing Under Color of Law PRUCOL¹³⁰ (including U visa applicants) are eligible to obtain MASSHealth¹³¹ insurance through the Massachusetts Health Connector Marketplace¹³² and may be</i></p>	<p>Not eligible.¹³⁴</p>

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

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Health Insurance Exchanges	to obtain MASSHealth ⁸⁹ insurance through the Massachusetts Health Connector Marketplace ⁹⁰ and may be eligible for subsidies. ⁹¹	<u>Afghans special immigrants and Afghan and Ukrainian parolees</u> are eligible to the same extent as refugees. ⁹⁵ In MA, lawfully present immigrants ⁹⁶ (including refugees, asylees, T visa holders, and T visa applicants with bona fide determinations) or Persons Residing Under Color of Law PRUCOL ⁹⁷ (including asylum applicants) are eligible to obtain MASSHealth ⁹⁸ insurance through the Massachusetts Health Connector Marketplace ⁹⁹ and may be eligible for subsidies. ¹⁰⁰	These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry. ¹⁰³ In MA, lawfully present immigrants ¹⁰⁴ (including trafficking victims with HHS certifications or eligibility letters and recipients of continued presence)) or Persons Residing Under Color of Law PRUCOL ¹⁰⁵ (including T visa applicants) are eligible to obtain MASSHealth ¹⁰⁶ insurance through the Massachusetts Health Connector Marketplace ¹⁰⁷ and may be eligible for subsidies. ¹⁰⁸	(DACA)) ¹¹¹ of) or Persons Residing Under Color of Law PRUCOL ¹¹² (including DACA applicants) are eligible to obtain MASSHealth ¹¹³ insurance through the Massachusetts Health Connector Marketplace ¹¹⁴ and may be eligible for subsidies. ¹¹⁵ ¹¹⁶	residents) are eligible to obtain MASSHealth ¹²⁰ insurance through the Massachusetts Health Connector Marketplace ¹²¹ and may be eligible for subsidies. ¹²²	Marketplace ¹²⁷ and may be eligible for subsidies. ¹²⁸	eligible for subsidies. ¹³³	

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Child Health Insurance Program (CHIP) ¹³⁵	<p>Eligible with VAWA prima facie determination or lawful permanent residence if arrived prior to August 22, 1996 and subject to five-year bar for those who arrived on or after August 22, 1996.¹³⁶</p> <p>Naturalized citizens eligible.¹³⁷</p> <p>Eligible for emergency Medicaid¹³⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)¹³⁹ regardless of immigration or citizenship status.</p> <p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible qualified immigrant children</i></p>	<p><u>Refugee/Asylee</u>: Eligible, exempt from five-year bar.¹⁴⁴</p> <p><u>T visa</u>: with HHS certification or eligibility determination, immediately eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.¹⁴⁵</p> <p><u>Afghans special immigrants and Afghan and Ukrainian parolees</u> are eligible to the same extent as refugees.¹⁴⁶</p> <p><u>T visa holders and T visa applicants</u> with prima facie (bona fide) determinations eligible as qualified immigrants, subject to five-year bar for those who arrived on or after August 22, 1996.¹⁴⁷</p> <p>Eligible for emergency Medicaid¹⁴⁸ and payments for the costs of Medical Forensic</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).¹⁵⁵</p> <p>Family members with T visa status are eligible without HHS Certification or eligibility determination.¹⁵⁶</p> <p>These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar.¹⁵⁷</p> <p>Eligible for emergency Medicaid¹⁵⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁵⁹ regardless of immigration or citizenship status.</p>	<p>Eligible for emergency Medicaid¹⁶³ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁶⁴ regardless of immigration or citizenship status.</p> <p><i>In MA, ¹⁶⁵ medical assistance available through one or more MASSHealth programs for income eligible lawfully residing (including DACA recipients)¹⁶⁶ and PRUCOL (including DACA applicants)¹⁶⁷</i></p>	<p>Eligible upon receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996.¹⁷²</p> <p>Eligible for emergency Medicaid¹⁷³ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁷⁴ regardless of immigration or citizenship status.</p> <p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible lawfully present children under age 21 (including SIJS applicants).¹⁷⁵</i></p> <p><i>In MA, primary and preventive care available for children under age 19 regardless of</i></p>	<p>If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency.¹⁷⁹</p> <p>If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, but subject to five-year bar.¹⁸⁰</p> <p>Eligible for emergency Medicaid¹⁸¹ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁸² regardless of immigration or citizenship status.</p> <p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible lawfully present children under age 21 (including wait-list approved U visa bona fide determinations or</i></p>	<p>Eligible for emergency Medicaid¹⁸⁷ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁸⁸ regardless of immigration or citizenship status.</p> <p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible PRUCOL¹⁸⁹ children under age 21 (including U visa applicants) who have filed U visa applications.¹⁹⁰</i></p> <p><i>In MA, primary and preventive care</i></p>	<p>Eligible for emergency Medicaid¹⁹⁴ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁹⁵ regardless of immigration or citizenship status.</p> <p><i>In MA, primary and preventive care available for children under age 19 regardless of immigration status and income through the Children's Medical Security Plan.¹⁹⁶</i></p> <p><i>In MA, full-scope medical assistance available for income eligible children under the age of 21 and pregnant people including 12 months</i></p>

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CHIP	<p><i>under age 21 (including VAWA self-petitioners with prima facie determinations and children included in VAWA self-petitions) during the five year bar.¹⁴⁰</i></p> <p><i>In MA, primary and preventive care available for income eligible children under age 19 regardless of immigration status through the Children's Medical Security Plan.¹⁴¹</i></p> <p><i>In MA, full-scope medical assistance available for income eligible children under the age of 21 and pregnant people including 12 months postpartum care¹⁴² regardless of immigration status.¹⁴³</i></p>	<p>Examinations (including rape kits)¹⁴⁹ regardless of immigration or citizenship status.</p> <p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible PRUCOL¹⁵⁰ children under age 21 (including asylum applicants).¹⁵¹</i></p> <p><i>In MA, primary and preventive care available for children under age 19 regardless of immigration status and income through the Children's Medical Security Plan.¹⁵²</i></p> <p><i>In MA, full-scope medical assistance available for income eligible children under the age of 21 and pregnant people including 12 months postpartum care¹⁵³ regardless of immigration status.¹⁵⁴</i></p>	<p><i>In MA, primary and preventive care available for children under age 19 regardless of immigration status and income through the Children's Medical Security Plan.¹⁶⁰</i></p> <p><i>In MA, full-scope medical assistance available for income eligible children under the age of 21 and pregnant people including 12 months postpartum care¹⁶¹ regardless of immigration status.¹⁶²</i></p>	<p><i>children under age 21.¹⁶⁸</i></p> <p><i>In MA, primary and preventive care available for children under age 19 regardless of immigration status and income through the Children's Medical Security Plan.¹⁶⁹</i></p> <p><i>In MA, full-scope medical assistance available for income eligible children under the age of 21 and pregnant people including 12 months postpartum care¹⁷⁰ regardless of immigration status.¹⁷¹</i></p>	<p><i>immigration status and income through the Children's Medical Security Plan.¹⁷⁶</i></p> <p><i>In MA, full-scope medical assistance available for income eligible children under the age of 21 and pregnant people including 12 months postpartum care¹⁷⁷ regardless of immigration status.¹⁷⁸</i></p>	<p><i>waitlist approved, and U visa holders).¹⁸³</i></p> <p><i>In MA, primary and preventive care available for children under age 19 regardless of immigration status and income through the Children's Medical Security Plan.¹⁸⁴</i></p> <p><i>In MA, full-scope medical assistance available for income eligible children under the age of 21 and pregnant people including 12 months postpartum care¹⁸⁵ regardless of immigration status.¹⁸⁶</i></p>	<p><i>available for children under age 19 regardless of immigration status and income through the Children's Medical Security Plan.¹⁹¹</i></p> <p><i>In MA, full-scope medical assistance available for income eligible children under the age of 21 and pregnant people including 12 months postpartum care¹⁹² regardless of immigration status.¹⁹³</i></p>	<p><i>postpartum care¹⁹⁷ regardless of immigration status.¹⁹⁸</i></p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Full-Scope Medicaid¹⁹⁹	<p>Eligible with VAWA prima facie determination or lawful permanent residence if arrived prior to August 22, 1996 and subject to five-year bar for those who arrived on or after August 22, 1996.²⁰⁰</p> <p>Naturalized citizens eligible.²⁰¹</p> <p>Eligible for emergency Medicaid²⁰² and payments for the costs of Medical Forensic Examinations (including rape kits)²⁰³ regardless of immigration or citizenship status.</p> <p><i>In MA, medical assistance available during the 5-year-bar through one or more MASSHealth programs for income eligible qualified</i></p>	<p><u>Refugee/Asylee:</u> Eligible, exempt from five-year bar.²¹²</p> <p><u>T visa:</u> with HHS certification or eligibility determination, immediately eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.²¹³</p> <p><u>T visa holders and T visa applicants</u> with prima facie (bona fide) determinations eligible as qualified immigrants, subject to five-year bar for those who arrived on or after August 22, 1996.²¹⁴</p> <p><u>Afghans special immigrants and Afghan and Ukrainian parolees</u> are eligible to the same extent as refugees.²¹⁵</p> <p>Eligible for emergency Medicaid²¹⁶ and payments for the costs of Medical Forensic</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).²²⁶</p> <p>Family members with T visa status eligible without HHS Certification or eligibility determination, exempt from five-year bar.²²⁷</p> <p>These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar.²²⁸</p> <p>Eligible for emergency Medicaid²²⁹ and payments for the costs of Medical Forensic Examinations (including rape kits)²³⁰ regardless of immigration or citizenship status.</p>	<p>Eligible for emergency Medicaid²³⁶ and payments for the costs of Medical Forensic Examinations (including rape kits)²³⁷ regardless of immigration or citizenship status.</p> <p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible lawfully present adults²³⁸ (including DACA recipients)²³⁹ and may be eligible for state funded health care subsidies.²⁴⁰</i></p>	<p>Eligible for emergency Medicaid²⁴⁵ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁴⁶ regardless of immigration or citizenship status.</p> <p>Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996.²⁴⁷</p> <p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible qualified noncitizen adults²⁴⁸ (including SIJS lawful permanent residents) and lawfully present adults²⁴⁹ (including SIJS applicants and recipients) and may be eligible for state funded health care subsidies.²⁵⁰</i></p>	<p>Eligible for emergency Medicaid²⁵³ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁵⁴ regardless of immigration or citizenship status.</p> <p>If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency.²⁵⁵</p> <p>If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, subject to five-year bar.²⁵⁶</p> <p><i>In MA, medical assistance is available through one or more MASSHealth programs for income eligible lawfully present adults²⁵⁷ (including U visa holders and U visa applicants with bona fide determinations or</i></p>	<p>Eligible for emergency Medicaid²⁶² and payments for the costs of Medical Forensic Examinations (including rape kits)²⁶³ regardless of immigration or citizenship status.</p> <p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible PRUCOL²⁶⁴ adults (including U visa applicants) who are pregnant, seniors,²⁶⁵ parents, caretaker relatives, or persons with disabilities.²⁶⁶</i></p>	<p>Eligible for emergency Medicaid²⁶⁹ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁷⁰ regardless of immigration or citizenship status.</p> <p><i>In MA, full-scope medical assistance available for income eligible pregnant people including 12 months postpartum care²⁷¹ regardless of immigration status.²⁷²</i></p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Full-Scope Medicaid	<p><i>noncitizen adults²⁰⁴ (including VAWA self-petitioners with prima facie determinations) and may be eligible for state funded health care subsidies²⁰⁵ and long-term or skilled nursing care.²⁰⁶</i></p> <p><i>In MA, medical assistance is available through one or more MASSHealth programs for income eligible PRUCOL²⁰⁷ adults (including VAWA self-petition and lawful permanent residency applicants) who are pregnant, seniors,²⁰⁸ parents, caretaker relatives, or persons with disabilities.²⁰⁹</i></p> <p><i>In MA, full-scope medical assistance available for income eligible pregnant people including 12 months postpartum</i></p>	<p>Examinations (including rape kits)²¹⁷ regardless of immigration or citizenship status.</p> <p><i>In MA,²¹⁸ medical assistance is available through one or more MASSHealth programs for income eligible qualified noncitizen adults (including refugees, asylees, T visa holders, T visa applicants with bona fide determinations) and may be eligible for state funded health care subsidies²¹⁹ and long-term or skilled nursing care.²²⁰</i></p> <p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible PRUCOL²²¹ adults (including asylum applicants) who are pregnant, seniors,²²² parents, caretaker relatives, or persons with disabilities.²²³</i></p>	<p><i>In MA, medical assistance is available through one or more MASSHealth programs for income eligible PRUCOL²³¹ adults (including T visa and continued presence applicants, asylum applicants) who are pregnant, seniors,²³² parents, caretaker relatives, or persons with disabilities.²³³</i></p> <p><i>In MA, full-scope medical assistance available for income eligible pregnant people including 12 months postpartum care²³⁴ regardless of immigration status.²³⁵</i></p>	<p><i>In MA, medical assistance available through one or more MASSHealth programs for income eligible PRUCOL²⁴¹ adults (including DACA applicants) who are pregnant, parents, caretaker relatives, or persons with disabilities.²⁴²</i></p> <p><i>In MA, full-scope medical assistance available for income eligible pregnant people including 12 months postpartum care²⁴³ regardless of</i></p>	<p><i>In MA, full-scope medical assistance available for income eligible pregnant people including 12 months postpartum care²⁵¹ regardless of immigration status.²⁵²</i></p>	<p><i>waitlist approvals) and may be eligible for state funded health care subsidies²⁵⁸ and qualified immigrants (including U visa lawful permanent residents) may be eligible for long-term or skilled nursing care.²⁵⁹</i></p> <p><i>In MA, full-scope medical assistance available for income eligible pregnant people including 12 months postpartum care²⁶⁰ regardless of immigration status.²⁶¹</i></p>	<p><i>In MA, full-scope medical assistance available for income eligible pregnant people including 12 months postpartum care²⁶⁷ regardless of immigration status.²⁶⁸</i></p>	

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Full-Scope Medicaid	<i>care²¹⁰ regardless of immigration status.²¹¹</i>	<i>In MA, full-scope medical assistance available for income eligible pregnant people including 12 months postpartum care²²⁴ regardless of immigration status.²²⁵</i>		<i>immigration status.²⁴⁴</i>				
Victims of Crime Act (VOCA) Compensation	The Victims of Crime Act provides compensation to crime victims for costs associated with the crime victimization. Costs covered by VOCA include compensation for medical bills, lost wages, counseling sessions, crime scene clean up, and reimbursement for many other expenses. VOCA compensation is available to crime victims without regard to immigration status or naturalized citizenship. ²⁷³							
Family and Medical Leave Act – State Law	Eligible for Massachusetts Paid Family and Medical Leave (PFML) ²⁷⁴ and the federal FMLA law also applies. ²⁷⁵	Eligible for Massachusetts Paid Family and Medical Leave (PFML) ²⁷⁶ and the federal FMLA law also applies. ²⁷⁷	Eligible for Massachusetts Paid Family and Medical Leave (PFML) ²⁷⁸ and the federal FMLA law also applies. ²⁷⁹	Eligible for Massachusetts Paid Family and Medical Leave (PFML) ²⁸⁰ and the federal FMLA law also applies. ²⁸¹	Eligible for Massachusetts Paid Family and Medical Leave (PFML) ²⁸² and the federal FMLA law also applies. ²⁸³	Eligible for Massachusetts Paid Family and Medical Leave (PFML) ²⁸⁴ and the federal FMLA law also applies. ²⁸⁵	Eligible for Massachusetts Paid Family and Medical Leave (PFML) ²⁸⁶ and the federal FMLA law also applies. ²⁸⁷	Eligible for Massachusetts Paid Family and Medical Leave (PFML) ²⁸⁸ and the federal FMLA law also applies. ²⁸⁹
Education-Federal Benefits: Federal Student Aid, Grants and Loans²⁹⁰	VAWAs with prima facie determinations, Battered Spouse Waiver applicants, and all lawful permanent residents,, eligible. ²⁹¹ Naturalized citizens, eligible. ²⁹²	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. ²⁹³	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	Not eligible for federal student aid. ²⁹⁵	Eligible for federal student aid upon receipt of lawful permanent residency. ²⁹⁶	Eligible for federal student aid upon receipt of lawful permanent residency. ²⁹⁷	Not eligible for federal student aid.	Not eligible for federal student aid.

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
FAFSA			status, are eligible for federal student aid. ²⁹⁴					
Education-State Law	<p>All children, without regard to immigration status or citizenship are eligible to attend public elementary and secondary (K-12) schools. State schools may not request citizenship or immigration status information and may not bar students from enrolling in public elementary or secondary schools based on the citizenship or immigration status of the student, their parent or their guardian.²⁹⁸ Eligible to apply for and enroll in state funded colleges and universities without regard to immigration status.²⁹⁹</p> <p><i>Students are eligible to apply for and enroll in state funded colleges and universities without regard to immigration status.³⁰⁰ In Massachusetts, individuals admitted to a public institution of higher education are eligible for in-state tuition and state-funded financial aid at both public institutions of higher education and state-approved private, independent nonprofit institutions of higher education if they have:³⁰¹</i></p> <ul style="list-style-type: none"> • <i>Attended at least three academic years in a Massachusetts high school;</i> • <i>Have graduated from high school in Massachusetts or have received the equivalent of a high school diploma in Massachusetts; and</i> • <i>Provide one of the following:</i> <ul style="list-style-type: none"> ○ <i>A valid Social Security Number (SSN);</i> ○ <i>Documentation reflecting issuance of an individual taxpayer identification number(ITIN);</i> ○ <i>Documentation of registration with selective service, if applicable; or</i> ○ <i>If the individual is not a citizen or legal permanent resident of the United States, provide a completed affidavit stating that the individual will file an application to become a citizen or legal permanent resident within 120 days after the individual becomes eligible to do so.</i> <p><i>The information about students and their families who apply for in-state tuition or state-funded financial aid shall be confidential.³⁰²</i></p> <p><i>Non-citizens who are eligible to apply for, have applied for, or have been granted refugee or asylee status are eligible to be considered for Massachusetts residency for tuition purposes once they have established residency in the state.³⁰³ Boston's Tuition-Free Community College (TFCC) Plan is open to all Boston residents regardless of immigration status who are 18-24 year's old without an advanced degree, who enroll in a degree or a short term certificate program at a partner college, who complete a student aid application (FAFSA, MAFA or alternative form provided by the college for students who are ineligible to compete the FAFSA or MAFA applications).³⁰⁴</i></p>							
Supplemental Security Income (SSI) ³⁰⁵	Eligible with VAWA prima facie determination or lawful permanent residence if received SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled. ³⁰⁶ May also be eligible with a prima facie	<u>Refugees/Asylees:</u> Eligible during first seven years after the status was granted. ³¹¹ <u>Trafficking victims:</u> Eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees. ³¹²	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	Not eligible.	Eligible upon receiving lawful permanent residency if credited with 40 quarters of work, ³¹⁸ subject to five-year bar for those who arrived on or after August 22, 1996. ³¹⁹	Eligible upon receiving lawful permanent residency if: credited with 40 quarters of work ³²⁰ 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	Not eligible. ³²³	Not eligible. ³²⁴

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
SSI	determination if currently receiving SSI based on an application filed before 1979. ³⁰⁷ Eligible upon receiving lawful permanent residency if credited with 40 quarters of work, ³⁰⁸ subject to five-year bar for those who arrived on or after August 22, 1996. ³⁰⁹ Naturalized citizens, eligible. ³¹⁰	T visa ³¹³ : Eligible as a qualified immigrant with prima facie (bona fide) determination on T visa application if receiving SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled. ³¹⁴ May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979. ³¹⁵ This eligibility allows trafficking victims who are disabled to continue to receive SSI after the 7-years. ³¹⁶	eligibility determination) are eligible to the same extent as refugees. ³¹⁷			that date and now disabled. ³²¹ Lawful permanent residents may also be eligible if currently receiving SSI based on an application filed before 1979. ³²²		
Professional and Occupational Licenses	In Massachusetts, ³²⁵ lawfully present immigrants with social security numbers (SSNs) qualify for licenses in the following professions: <ul style="list-style-type: none"> Nurse, Physician’s Assistant, Counselor, Medical/Clinical Lab Technician (not regulated by the state), Dentist, and Dental Hygienist, Immigrants without proof of lawful presence can apply with or without Individual Tax Identification Numbers (ITINs) or SSNs for licenses for the following professions: Social Worker, Professional Engineer, and Medical/Clinical Lab Technician (not regulated by the state). Massachusetts requires individuals and corporations to pay state taxes on business income and may require an SSN to register for state business taxes or may accept an ITIN or EIN. ³²⁶							
Driver’s License ³²⁷	Under the REAL ID Act, evidence of “lawful status” or naturalized citizenship is required for a driver’s license to be accepted by a federal agency for official purposes. ³²⁸ The Department of Homeland Security (DHS), by regulation, lists specific documents that will provide satisfactory evidence of lawful status; ³²⁹ DHS will also approve acceptance of other documentation issued by DHS or other Federal agencies demonstrating lawful status, as determined by USCIS. ³³⁰ In addition, DHS permits states to establish an “Exception Process” and consider “Alternative Documents.” ³³¹ <i>In Massachusetts accepts the following documentation before issuing a REAL ID compliant driver license or id:</i>						<i>Massachusetts state driver’s license will be available to all persons without regard to immigration status.³³⁵ Massachusetts license for otherwise eligible individuals who present proof of identity, date of birth and state residence.³³⁶ Prohibits inquiries and recording of an applicant’s or license holder’s</i>	

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Driver's License	<ul style="list-style-type: none"> • Proof of lawful presence and date of birth (including Unexpired employment authorization document (EAD) ³³² issued by DHS, Temporary I-551 stamp in foreign passport; Form I-766 or Form I-688B; Refugee Travel Document (I-571); Re-Entry Permit (I-327); Unexpired foreign passport with a valid, or unexpired U.S. visa affixed, valid, unexpired Permanent Resident Card Form (I-551)) <ul style="list-style-type: none"> ○ 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.³³³ • Proof of Social Security Number (including , Social Security card, Tax documents) • Proof of Massachusetts Residency ³³⁴ 						citizenship or immigration status, with limited exceptions ³³⁷ and includes confidentiality provisions. ³³⁸	
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 or naturalized citizenship and may not withhold those services based on immigration status or naturalized citizenship.³³⁹ 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.³⁴⁰</p> <p><i>In Massachusetts, Massachusetts Housing and Community Development 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.³⁴¹ The Residential Assistance for Families in Transition (RAFT) program provides short-term financial assistance to low-income families who are homeless or at risk of becoming homeless. HomeBASE is a re-housing benefit that can provide assistance to families who are in the emergency shelter assistance system.³⁴²</i></p>							
Public and Assisted³⁴³ Housing³⁴⁴ and Low-Income Housing Tax Credit (LIHTC) Housing³⁴⁵	<p>Upon filing VAWA self-petition, applicant cannot be denied HUD public or assisted housing unless and until a final determination of ineligibility.³⁴⁶</p> <p>USDA rental housing follows HUD procedures for processing VAWA self-petitions,³⁴⁷ so should be eligible for</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;³⁵⁸</p> <p>USDA Section 515 Rural Rental Housing;³⁵⁹</p> <p>USDA Section 521 Rural Rental Assistance;³⁶⁰</p> <p>USDA Section 514/516 Farm Labor Housing if immediate family</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),³⁶⁵ are eligible for: HUD public</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁶⁹ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁷⁰</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁷² and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁷³</p> <p>Upon receiving lawful permanent residency,³⁷⁴ eligible</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁷⁹ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁸⁰</p> <p>Upon receiving lawful permanent residency,³⁸¹ eligible</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁸⁶ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁸⁷</p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁸⁹ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁹⁰</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Public and Assisted Housing and LIHTC	<p>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),³⁴⁸ and USDA Section 514/516 Farm Labor Housing if immediate family member of eligible tenant.³⁴⁹</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.³⁵⁰</p> <p>Lawful permanent residents are eligible for public and assisted housing³⁵¹ and for USDA</p>	<p>member³⁶¹ or remaining household member³⁶² of eligible domestic farm laborer. Upon receiving lawful permanent residency USDA Section 514/516 Farm Labor Housing.³⁶³</p> <p><i>In Massachusetts, may be eligible to live in Massachusetts State Low Income Housing Tax Credit property.³⁶⁴</i></p>	<p>and assisted housing³⁶⁶ and USDA rental housing.³⁶⁷</p> <p><i>In Massachusetts, may be eligible to live in Massachusetts State Low Income Housing Tax Credit property.³⁶⁸</i></p>	<p><i>In Massachusetts, may be eligible to live in Massachusetts State Low Income Housing Tax Credit property.³⁷¹</i></p>	<p>for HUD³⁷⁵ and USDA³⁷⁶ rental housing.³⁷⁷</p> <p><i>In Massachusetts, may be eligible to live in Massachusetts State Low Income Housing Tax Credit property.³⁷⁸</i></p>	<p>for HUD³⁸² and USDA³⁸³ rental housing.³⁸⁴</p> <p><i>In Massachusetts, may be eligible to live in Massachusetts State Low Income Housing Tax Credit property.³⁸⁵</i></p>	<p><i>In Massachusetts, may be eligible to live in Massachusetts State Low Income Housing Tax Credit property.³⁸⁸</i></p>	<p><i>In Massachusetts, may be eligible to live in Massachusetts State Low Income Housing Tax Credit property.³⁹¹</i></p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
LIHTC	<p>Section 514/516 Farm Lab or Housing;³⁵² USDA Section 521 Rural Rental Assistance.³⁵³</p> <p>Naturalized citizens are eligible for public and assisted housing³⁵⁴ and for USDA Section 514/516 Farm Lab or Housing;³⁵⁵ USDA Section 521 Rural Rental Assistance.³⁵⁶</p> <p><i>In Massachusetts, may be eligible to live in Massachusetts State Low Income Housing Tax Credit property.³⁵⁷</i></p>							
Income Tax Credits	<p>Child Tax Credit: Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) who care for dependent children under the age of 17 are eligible to claim a child tax credit on their income taxes.³⁹² A qualifying child must be a citizen, national, or resident of the U.S with an SSN or an Individual Taxpayer Identification Number (ITIN).³⁹³ Immigrants eligible to receive social security numbers include naturalized citizens, lawful permanent residents, refugees, asylees, and VAWA self-petitioners, T visa applicants with bona fide determinations, and wait-list approved U visa applicants once they are granted work authorization. Any immigrant without regard to immigration status can obtain an ITIN.³⁹⁴</p> <p>Child and Dependent Care Tax Credit: Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) can claim a child or dependent care tax credit on their income taxes when they care for—</p> <ul style="list-style-type: none"> • A dependent child under the age of 13, • A spouse who is unable to physically or mentally care for themselves, or • An individual who is unable to care for themselves, mentally or physically who has lived with the taxpayer for at least six months.³⁹⁵ 							

	VAWA Self-Petitioners, Battered Spouse Waivers,¹ Lawful Permanent Residents, COFA Nationals,² and Naturalized Citizens	Refugees, Asylees, T Visas,³ Afghans,⁴ and Ukrainians⁵	T Visa⁶/ Continued Presence⁷	Deferred Action for Childhood Arrivals (DACA)⁸	Special Immigrant Juvenile Status (SIJS)⁹	U Visa, bona fide, or wait list approval.¹⁰	U Visa Applicants	Undocumented
Income Tax Credits	The child or dependent must have a social security number or ITIN. ³⁹⁶ Immigrants eligible to receive social security numbers include naturalized citizens, lawful permanent residents, refugees, asylees, and VAWA self-petitioners, T visa applicants with bona fide determinations and wait-list approved U visa applicants once they are granted work authorization. Any immigrant without regard to immigration status can obtain an ITIN. ³⁹⁷							
Earned Income Tax Credit (EITC)	VAWA self-petitioners, lawful permanent residents, and naturalized citizens who ³⁹⁸ : : have been granted work authorization or who are granted lawful permanent residency, have lived in the U.S. for at least 183 days during the tax year, ³⁹⁹ have a social security number valid for work, ⁴⁰⁰ and have earned income during the tax year ⁴⁰¹ are eligible for the earned income tax credit (EITC). ⁴⁰²	Refugees, asylees, asylum applicants, and T visa holders with work authorization or lawful permanent residency who: have lived in the U.S. for at least 183 days during the tax year, ⁴⁰³ have a social security number valid for work, ⁴⁰⁴ and have earned income during the tax year ⁴⁰⁵ are eligible for the earned income tax credit (EITC). ⁴⁰⁶	Recipients of T visa bona fide determinations or continued presence who: are granted work authorization, have lived in the U.S. for at least 183 days during the tax year, ⁴⁰⁷ have a social security number valid for work, ⁴⁰⁸ and have earned income during the tax year ⁴⁰⁹ are eligible for the earned income tax credit (EITC). ⁴¹⁰	DACA applicants who: are granted work authorization, have lived in the U.S. for at least 183 days during the tax year, ⁴¹¹ have a social security number valid for work, ⁴¹² and have earned income during the tax year ⁴¹³ are eligible for the earned income tax credit (EITC). ⁴¹⁴	SIJS recipients granted lawful permanent residency who: have lived in the U.S. at least 183 days during the tax year, ⁴¹⁵ have a social security number valid for work, ⁴¹⁶ and have earned income during the tax year ⁴¹⁷ are eligible for the earned income tax credit (EITC). ⁴¹⁸	Once granted lawful permanent residency ^a or work authorization U visa holders and U visa applicants with deferred action (based on bona fide determinations or wait-list approval) who have lived in the U.S. for six months, a who have a social security number valid for work, a and who are earning income are eligible for the earned income tax credit (EITC). ^a	Not Eligible.	Not Eligible.
Legal Services⁴¹⁹	An immigrant who (or whose child) is battered or subjected to extreme cruelty ⁴²⁰ inside or outside of the United States ⁴²¹ is eligible for legal assistance from Legal Services Corporation (LSC)-funded	<u>Refugee/Asylee:</u> Refugees and Asylees are eligible for legal assistance on any matter the Legal Services Corporation (LSC)-funded agency handles. ⁴³²	An immigrant victim of severe forms of human trafficking with (or seeking) HHS Certification, ⁴³⁹ and family members with (or applying for) T visa status, ⁴⁴⁰ are eligible for legal assistance on any	A DACA recipient who is (or whose child is) battered or subjected to extreme cruelty, ⁴⁴⁵ or is a victim of	Eligible for LSC-funded legal assistance when the child has suffered battering or extreme cruelty, ⁴⁵³ or sexual assault or trafficking in the U.S., ⁴⁵⁴ on matters related to the abuse. ⁴⁵⁵	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 ⁴⁶² is eligible for legal assistance from Legal	An immigrant who has (or whose child has) applied for, or qualifies to apply for U visa status and a family member eligible to apply	An immigrant victim who is (or whose child is), battered or subjected to extreme cruelty, ⁴⁷⁸ or is a victim of sexual assault or

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Legal Services	<p>agencies on matters related to the abuse.⁴²²</p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving lawful permanent resident status,⁴²³ or spouses, parents, and unmarried children under age 21 of U.S. citizens⁴²⁴ become eligible for full representation on any matter upon filing an application for lawful permanent residency.⁴²⁵</p> <p>Lawful permanent residents, applicants for lawful permanent residency,⁴²⁶ and naturalized citizens⁴²⁷ are eligible for full representation.</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴²⁸ as a victim of domestic violence, sexual assault, stalking⁴²⁹ or</p>	<p><u>T visa:</u></p> <p>An immigrant who has been (or whose child has been) a victim of trafficking in the U.S, including a T visa holder,⁴³³ is eligible for legal assistance on any matter the LSC-funded agency handles.⁴³⁴</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴³⁵ for victims of domestic violence, sexual assault, stalking⁴³⁶ or dating violence.⁴³⁷ Must be at least 11 years old.⁴³⁸</p>	<p>matter the LSC-funded agency handles.</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁴¹ for victims of domestic violence, sexual assault, stalking⁴⁴² or dating violence.⁴⁴³ Must be at least 11 years old.⁴⁴⁴</p>	<p>sexual assault or trafficking in the U.S.,⁴⁴⁶ is eligible for legal services from LSC-funded agencies⁴⁴⁷ on matters related to the abuse.⁴⁴⁸</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁴⁹ for victims of domestic violence, sexual assault, stalking⁴⁵⁰ or dating violence.⁴⁵¹ Must be at least 11 years old.⁴⁵²</p>	<p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status,⁴⁵⁶ or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.⁴⁵⁷</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁵⁸ for victims of domestic violence, sexual assault, stalking⁴⁵⁹ or dating violence.⁴⁶⁰ Must be at least 11 years old.⁴⁶¹</p>	<p>Services Corporation (LSC)-funded agencies⁴⁶³ on matters related to the crime victimization.⁴⁶⁴</p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status,⁴⁶⁵ or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.⁴⁶⁶</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁶⁷ for victims of domestic violence, sexual assault, stalking⁴⁶⁸ or dating violence.⁴⁶⁹ Must be at least 11 years old.⁴⁷⁰</p>	<p>for U visa status⁴⁷¹ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies⁴⁷² on matters related to the crime victimization.⁴⁷³</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁷⁴ for victims of domestic violence, sexual assault, stalking⁴⁷⁵ or dating violence.⁴⁷⁶ Must be at least 11 years old.⁴⁷⁷</p>	<p>trafficking in the U.S.,⁴⁷⁹ is eligible for legal services from LSC-funded agencies⁴⁸⁰ on matters related to the abuse.⁴⁸¹</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁸² for victims of domestic violence, sexual assault, stalking⁴⁸³ or dating violence.⁴⁸⁴ Must be at least 11 years old.⁴⁸⁵</p>

	VAWA Self-Petitioners, Battered Spouse Waivers,¹ Lawful Permanent Residents, COFA Nationals,² and Naturalized Citizens	Refugees, Asylees, T Visas,³ Afghans,⁴ and Ukrainians⁵	T Visa⁶/ Continued Presence⁷	Deferred Action for Childhood Arrivals (DACA)⁸	Special Immigrant Juvenile Status (SIJS)⁹	U Visa, bona fide, or wait list approval.¹⁰	U Visa Applicants	Undocumented
Legal Services	dating violence. ⁴³⁰ Must be at least 11 years old. ⁴³¹							
Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁸⁶</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receipt of VAWA prima facie determination, lawful permanent residence, or naturalized citizenship.⁴⁸⁷</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁸⁸</p> <p>Refugees, asylees, T visa holders, and T visa applicants with prima facie (bona fide) determination eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance.⁴⁸⁹</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without regard to immigration status.⁴⁹⁰</p> <p>Human trafficking victims with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS eligibility determination (under 18), are considered refugees and thus are eligible for LIHEAP heating/cooling and single-family weatherization assistance.⁴⁹¹</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁹²</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁹³</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.⁴⁹⁴</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without, regard to immigration status.⁴⁹⁵</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.⁴⁹⁶</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁹⁷</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁹⁸</p>
Federal Emergency Management Agency	Eligible for certain FEMA provided emergency services that are available to all victims regardless of their immigration status or naturalized citizenship. These services are short term, non-cash, in-kind emergency disaster relief, including: search and rescue, emergency medical care, mass care and shelter, resources for essential needs such as food, water and medicine, and reduction of immediate threats to life, property, public health and safety. ⁵⁰⁰							

	VAWA Self-Petitioners, Battered Spouse Waivers,¹ Lawful Permanent Residents, COFA Nationals,² and Naturalized Citizens	Refugees, Asylees, T Visas,³ Afghans,⁴ and Ukrainians⁵	T Visa⁶/ Continued Presence⁷	Deferred Action for Childhood Arrivals (DACA)⁸	Special Immigrant Juvenile Status (SIJS)⁹	U Visa, bona fide, or wait list approval.¹⁰	U Visa Applicants	Undocumented
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(FEMA) Assistance⁴⁹⁹	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. ⁵⁰¹
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Federal Emergency Management Agency (FEMA)-Restricted Programs⁵⁰²	<p>Upon receipt of VAWA prima facie determination, lawful permanent residence, or naturalized citizenship⁵⁰³:</p> <p>Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁵⁰⁴</p> <p>Eligible for Emergency Supplemental Nutrition Assistance Program (SNAP), subject to five-year bar, unless under 18, or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.⁵⁰⁵</p>	<p>FEMA Assistance Programs, Individuals and Households Program (IHP), Disaster Unemployment Assistance (DUA): open to <u>Refugees, Asylees, T visa applicants</u> with prima facie (bona fide) determination.⁵⁰⁶</p> <p>Emergency SNAP open to <u>Refugees/Asylees</u> (no five-year bar),⁵⁰⁷ 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, 1931.⁵⁰⁸</p>	<p>Human trafficking victims eligible: with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS eligibility determination (under 18) or family members with T visa status (no need for HHS certification or eligibility determination).⁵⁰⁹</p> <p>These human trafficking victims are considered refugees and thus are eligible for FEMA Assistance Programs, Individual and Households Program (IHP), Disaster Unemployment Assistance (DUA), and Emergency SNAP.⁵¹⁰</p>	Not eligible.	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁵¹¹</p> <p>Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.⁵¹²</p>	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁵¹³</p> <p>Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.⁵¹⁴</p>	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁵¹⁵</p> <p>Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on</p>	Not eligible. ⁵¹⁷
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	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
FEMA Restricted Programs							August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931. ⁵¹⁶	
Unemployment Insurance ⁵¹⁸	Eligible for UI upon receipt of work authorization, lawful permanent residence, or citizenship. ⁵¹⁹	<p><u>Refugee:</u> Eligible for UI.⁵²⁰</p> <p><u>Asylee:</u> Eligible for UI upon grant receipt of work authorization.⁵²¹</p> <p><u>T Visa, Afghans, and Ukrainians:</u> Eligible for UI upon receipt of work authorization.⁵²²</p>	Eligible for UI upon receipt of HHS certification or eligibility letter and work authorization. ⁵²³	Eligible for UI upon receipt of work authorization. ⁵²⁴	Eligible for UI upon receipt of work authorization. ⁵²⁵	Eligible for UI upon receipt of work authorization. ⁵²⁶	Not eligible. ⁵²⁷	Not eligible. ⁵²⁸

¹ VAWA self-petitioner for public benefits purposes includes: VAWA self-petitioners, battered spouse waiver applicants, applicants for relief under VAWA CUBAN ADJUSTMENT ACT (“VAWA CAA”), VAWA HAITIAN REFUGEE IMMIGRATION AND FAIRNESS ACT (“VAWA HRIFA”), VAWA NICARAGUAN AND CENTRAL AMERICAN RELIEF ACT (“VAWA NACARA”), VAWA cancellation of removal, VAWA suspension of deportation, and battered spouses and children with approved I-130 visa applications filed by their abusive citizen spouse, parent or step-parent. *See* 8 U.S.C. § 1641(c); 8 U.S.C. § 1101(a)(51).

² For those working with immigrant clients who are Compact of Free Association (COFA) citizens/nationals please see NIWAP’s Hawaii Public Benefits Chart (<https://niwaplibrary.wcl.american.edu/pubs/hawaii-benefits/>) which contains a detailed explanation with footnotes for each public benefit describing what COFA nationals/citizens are eligible for in all U.S. jurisdictions. Under COMPACT OF FREE ASSOCIATION ACT (COFA) Pacific Islanders who are citizens/nationals of the Marshall Islands, Palau, and the Federated States of Micronesia (collectively the Freely Associated States or FAS) living in the United States (including all U.S. territories) are eligible for federal public benefits without being subject to the 5-year bar. COMPACT IMPACT FAIRNESS ACT (CIFA) included in CONSOLIDATED APPROPRIATIONS ACT of 2024 (March 9, 2024). Information about COFA eligibility for public benefits is also being included in each state’s listing in NIWAP’s public benefits map <https://niwaplibrary.wcl.american.edu/benefits-map/>.

³ *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.).

⁴ **Afghans entering between 7/31/21 and 9/30/23:** In 2021, Congress extended benefits eligibility to certain Afghans paroled into the U.S. through § 2502 of the EXTENDING GOVERNMENT FUNDING AND DELIVERING EMERGENCY ASSISTANCE ACT, Pub. L. 117-43, 135 Stat. 344, 377 (2021). This law was amended by the CONTINUING APPROPRIATIONS AND UKRAINE SUPPLEMENTAL APPROPRIATIONS

ACT, Pub. L. 117-180 § 149, 135 Stat. 2114, 2124 (2022), and by the Consolidated Appropriations Act, 2023, Pub. L. 117-328 § 1501, 136 Stat. 4459, 5195 (2022). This law as amended provides that:

- Afghans granted humanitarian parole between July 31, 2021 and September 30, 2023 are eligible for resettlement assistance, entitlement programs, federally recognized driver's licenses and identification cards, and other federal and state public benefits to the same extent as refugees through the end of their humanitarian parole.
- The spouses and children of these Afghans granted humanitarian parolees who are granted their own humanitarian parole after September 30, 2022, are also eligible for resettlement assistance, entitlement programs, federally recognized driver's licenses and identification cards, and other federal and state public benefits to the same extent as refugees through the end of their humanitarian parole.
- Parents or guardians of unaccompanied Afghan children granted parole after September 30, 2023 are— also eligible for resettlement assistance, entitlement programs, federally recognized driver's licenses and identification cards, and other federal and state public benefits to the same extent as refugees through the end of their humanitarian parole.

See OFF. OF REFUGEE RESETTLEMENT, U.S. DEP'T OF HEALTH AND HUM. SERV., *Fact Sheet: Benefits for Afghan and Iraqi Special Immigrant Visa (SIV) Holders or SQ/SI Parolees*

<https://www.acf.hhs.gov/orr/fact-sheet/benefits-afghan-and-iraqi-special-immigrant-visa-siv-holders-or-sq/si-parolees> (last visited November 29, 2023) (Iraqi and Afghan special immigrant visa holders (SIV) and special immigrant parolees (who have applied for SIV status) are eligible for federal benefits to the same extent as refugees.) See also *The Administration for Children and Families Office of Refugee Resettlement Policy Letters on Public Benefits for Afghan Refugees* (November 29, 2023) <https://niwaplibrary.wcl.american.edu/orr-policy-letters-afghan-refugees> (Contains HHS Policy Letters and Fact Sheets regarding Afghan Refugees).

Afghans entering on or after 10/1/23:

- Afghan humanitarian parolees arriving on or after October 1, 2023, are not eligible for federal public benefits to the same extent as refugees. See *The Administration for Children and Families Office of Refugee Resettlement Policy Letters on Public Benefits for Afghan Refugees* (November 29, 2023) <https://niwaplibrary.wcl.american.edu/orr-policy-letters-afghan-refugees> (Contains HHS Policy Letters and Fact Sheets regarding Afghan Refugees).

Afghans under the Temporary Protected Status:

- Are considered lawful present individuals which provides access to healthcare exchanges to purchase health insurance and some states state-funded healthcare subsidies or other access to state funded benefits to the same extent as other lawful present individuals, cited on this public benefits chart as DACA, SIJS, U-visa bona fide or wait list approval. Extension of Designation of Afghanistan for TPS, 88 Fed. Reg. 65728 (Sep. 25, 2023). See *Clarifying the Eligibility of Deferred Action for Childhood Arrivals (DACA) Recipients and Certain Other Noncitizens for a Qualified Health Plan through an Exchange, Advance Payments of the Premium Tax Credit, Cost-Sharing Reductions, and a Basic Health Program*, 89 Fed. Reg. 39392, 39436 (May 8, 2024).

Afghans with pending or approved applications for asylum:

- Receive the same public benefits access as all other asylees. Afghan asylum applicants will have greater access to public benefits than other asylum applicants if they were granted one of the forms of humanitarian parole listed above that receives access to public benefits to the same extent as refugees. Once an Afghan recipient of humanitarian parole applies for and is granted asylum, they receive access to state and federal public benefits to the same extent as asylees.

See also, *Changes to Benefits Eligibility and Services for Afghans Arriving as Humanitarian Parolees*, SETTLEIN (FEB. 21, 2024) <https://www.settlein.support/en-us/articles/16903785241629Refugees> (November 29, 2023) <https://niwaplibrary.wcl.american.edu/orr-policy-letters-afghan-refugees> (Contains HHS Policy Letters and Fact Sheets regarding Afghan Refugees).

⁵ UKRAINE SECURITY SUPPLEMENTAL APPROPRIATIONS ACT OF 2024, 118 P.L. 50; 2024 Enacted H.R. 815; 118 Enacted H.R. 815; 138 Stat. 895 (2024). *Department of Homeland Security, President Biden to Announce Uniting For Ukraine, a New Streamlined Process to Welcome Ukrainians Fleeing the Russian Invasion of Ukraine*, DEP'T OF HOMELAND SEC. (April 21, 2022) <https://niwaplibrary.wcl.american.edu/pubs/ukrainians-2022-dhs/> (Ukrainians paroled into the U.S. between February 24, 2022, and September 30, 2024 – and their spouses and children, and parents, guardians or primary caregivers of unaccompanied children paroled into the U.S. after September 30, 2024 – are eligible for federal benefits to the same extent as refugees.); See *The Administration for Children and Families Office of Refugee Resettlement Policy Letters on Public Benefits for Ukrainian Refugees* (November 29, 2023) <https://niwaplibrary.wcl.american.edu/orr-policy-letters-ukrainian-refugees> (Contains HHS Policy Letters and Fact Sheets regarding Ukrainian Refugees).

⁶ 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/>.

⁷ 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>.

⁸ See DACA, NAT'L IMMIGR. L. CTR. (last visited Mar. 2, 2018), <https://www.nilc.org/issues/daca/> (DACA is “deferred action” for certain undocumented youth who came to the United States as children.).

⁹ 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.).

¹⁰ See CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR “LAWFULLY RESIDING” CHILDREN AND PREGNANT WOMEN 2 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (Upon receipt of deferred action U visa applicants are considered lawfully

present.). U visa applicants receive deferred action which provides formal protection from deportation when they receive a bona fide determination or wait-list approval from U.S. Citizenship and Immigration Services (USCIS). *See*, NIWAP, New DHS U Visa Bona Fide Policy Provides Earlier Access Deferred Action and Work Authorization To Applicants and NIWAP New Study Provides Evidence-Based Support for These New DHS Policies (June 14, 2021) <https://niwaplibrary.wcl.american.edu/transforming-lives-study-21>.

¹¹ 45 C.F.R. § 155.20 (Defining lawfully present immigrants); 42 CFR § 435.4 (Defining qualified immigrants). For a detailed list of lawfully present immigrants eligible under federal law to purchase health insurance on the exchanges, who may also be eligible for federal or state funded healthcare subsidies, *see*, Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>; Leslye E. Orloff, *Annotated Statutes Related to Public Benefits Eligibility for Immigrant Survivors of Domestic Violence, Child Abuse and Human Trafficking* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/1641-1631-benefits-laws-annotated/>; Leslye E. Orloff, *Annotated Violence Against Women Act (VAWA) Self-Petition Definition INA 101(a)(51)* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/vawa-self-petitioner-annotated-ina-101a51/>.

¹² 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>.

¹³ 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.

¹⁴ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* 8 U.S.C. § 1641(c).

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

¹⁶ 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/. *See* 8 U.S.C. § 1641(c).

¹⁷ 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/>

¹⁸ DEP'T OF HEALTH & HUM. SERV., *Administration for Children and Families, Office of Family Assistance, Q & A: Immigrants* (August 20, 2019), <https://www.acf.hhs.gov/ofa/faq/q-immigrants>. (Q2: Does the five-year bar for certain newly arrived qualified aliens apply to all federally-funded TANF benefits (e.g., including benefits that do not meet the definition of assistance)? "A service that is only available to the financially needy would not meet the AG criteria and could be provided only to otherwise eligible citizens and qualified aliens." TANF is such a program.)

¹⁹ 106 MASS. CODE REGS. 703.430 (2024).

²⁰ 8 U.S.C. §§ 1612(b)(2)(A)(ii); 1613(b)(1). Federal eligibility for refugees and asylees extends for the first five years after attaining that status. However, if they have attained lawful permanent resident status with 40 qualifying work quarters, they will already have satisfied the five-year bar for eligibility as an LPR by the time their refugee/asylee benefit period for TANF ends. *See* 8 U.S.C. §§ 1612(b)(2)(B). Or, they may be eligible as a veteran and/or member of a veteran's family, for which neither the five-year bar nor the five-year time limit applies. *See* 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Or, in some states their eligibility as a refugee or asylee continues past this five-year limit. *States can also continue to provide benefits once the mandated five year federal coverage period for refugees and asylees ends.* *See* Nat'l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. Since refugees, asylees and trafficking victims with continued

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

²¹ See 22 U.S.C. § 7105(b)(1); *Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for "T" Nonimmigrant Status*, 81 Fed. Reg. 92266, 92278 (Dec. 19, 2016) (effective Jan. 18, 2017) (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) (codified at 8 C.F.R. pt. 103), <http://niwaplibrary.wcl.american.edu/pubs/federal-register-new-classification/>. TANF benefits for refugees are available without a five-year waiting period but are limited to five years. However, if the refugee attains lawful permanent resident status with 40 qualifying work quarters, they will already have satisfied the five-year bar for eligibility as a lawful permanent resident by the time their refugee/asylee benefit period for TANF ends. See 8 U.S.C. §§ 1612(b)(2)(B). Or, they may be eligible as a veteran and/or member of a veteran's family, for which neither the five-year bar nor the five-year time limit applies. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Or, in some states their eligibility as a refugee or asylee continues past this five-year limit. See NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Mar. 2023), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. See OFFICE OF FAMILY ASSISTANCE, U.S. DEP'T. OF HEALTH & HUM. SERV., *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources to A Non-Citizen)* (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

²² 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/; 8 U.S.C. § 1641(c)(4). An applicant with a military connection is eligible as a matter of federal law, without the five-year bar. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Federal law does not require states to impose the five-year time limit to trafficking victim eligibility as a qualified immigrant and many states cover T visa holders and T visa applicants with bona fide determinations under Victims of

Trafficking and Violence Protection Act (TVPA) of 2000. Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. See OFFICE OF FAMILY ASSISTANCE, U.S. DEP'T OF HEALTH & HUM. SERV., *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources to A Non-Citizen)* (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

²³ 106 MASS. CODE REGS. 703.430 (2024).

²⁴ 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)).

²⁵ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>

²⁶ 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).

²⁷ 106 Mass. Code Regs. 703.430 (2024).

²⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1). SIJS applicant with a military connection is eligible without five-year bar. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2).

³⁰ 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/>; See Catherine Longville and Leslye Orloff, *Public Benefits: What is "Deeming" and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>

³¹ 106 MASS. CODE REGS. 703.430 (2024).

³² 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/. See 8 U.S.C. § 1641(b)(1).

³³ 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/>; See Catherine Longville and Leslye Orloff, *Public Benefits: What is "Deeming" and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>

³⁴ 106 MASS. CODE REGS. 703.430 (2024).

³⁵ 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/.

³⁶ 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/.

³⁷ 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. See 8 U.S.C. § 1641(c).

³⁸ NAT'L IMMIGR. L. CTR., *GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117* (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(c).

³⁹ *Administration for Children and Families, Office of Family Assistance, Q & A: Immigrants*, DEP'T OF HEALTH & HUM. SERV (August 20, 2019), <https://www.acf.hhs.gov/ofa/faq/q-immigrants..> (Q2: Does the five-year bar for certain newly arrived qualified aliens apply to all federally-funded TANF benefits (e.g., including benefits that do not meet the definition of assistance)? "A service that is only available to the financially needy would not meet the AG criteria and could be provided only to otherwise eligible citizens and qualified aliens." TANF is such a program.)

⁴⁰ Commonwealth of Massachusetts, Department of Transitional Assistance, Field Operations Memo 2002-18A Elimination of Supplemental Transitional Aid to Families with Dependent Children (STAFDC) Program; Ongoing Noncitizens 4, Appendix A 2 (October 10, 2002) https://www.masslegalservices.org/system/files/library/3775_FOM_200218a.pdf (confirming qualified immigrant eligibility for TAFDC including battered qualified immigrants and also the ability of legally present noncitizen parents with a child on TAFDC to qualify for TAFDC related services including child care.); Massachusetts Law Reform Institute, TAFDC Advocacy Guide: An Advocate's Guide to Massachusetts Welfare Rules for Families 44-45 (January 2024) (Immigrants with work authorization or who are lawfully present who are ineligible for TAFDC who have an eligible child are eligible for education, training, childcare, and transportation assistance to the same extent as other TAFDC recipients); See also *TAFDC Noncitizen Status*, 106 MASS. CODE REGS. 703.430(A)(8), <https://www.mass.gov/files/documents/2018/03/14/106cmr703.pdf> (last visited Aug. 7, 2018). For a full list of immigrants who under HHS regulations are lawfully present see, Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

⁴¹ 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.

⁴² See 22 U.S.C. § 7105(b)(1); NAT'L IMMIGRATION LAW CTR., *GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117* (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁴³ 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.

⁴⁴ 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.

⁴⁵ 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/>; See also *TAFDC Noncitizen Status*, 106 MASS. CODE REGS. 703.430(A)(1)(g), <https://www.mass.gov/files/documents/2018/03/14/106cmr703.pdf> (last visited Aug. 7, 2018).

⁴⁶ 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. 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)).

⁴⁷ 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; 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).

⁴⁸ 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/>; See also *TAFDC Noncitizen Status*, 106 MASS. CODE REGS. 703.430(A)(1)(g), <https://www.mass.gov/files/documents/2018/03/14/106cmr703.pdf> (last visited Aug. 7, 2018).

⁴⁹ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁵⁰ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁵¹ 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. See 8 U.S.C. § 1641(c).

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

⁵³ Commonwealth of Massachusetts, Department of Transitional Assistance, Field Operations Memo 2002-18A Elimination of Supplemental Transitional Aid to Families with Dependent Children (STAFDC) Program; Ongoing Noncitizens 4, Appendix A 2 (October 10, 2002) https://www.masslegalservices.org/system/files/library/3775_FOM_200218a.pdf (confirming qualified immigrant eligibility for TAFDC including battered qualified immigrants and also the ability of legally present noncitizen parents with a child on TAFDC to qualify for TAFDC related services including child care.); Massachusetts Law Reform Institute, TAFDC Advocacy Guide: An Advocate's Guide to Massachusetts Welfare Rules for Families 44-45 (January 2024) (Immigrants with work authorization or who are lawfully present who are ineligible for TAFDC who have an eligible child are eligible for education, training, childcare, and transportation assistance to the same extent as other TAFDC recipients); See also *TAFDC Noncitizen Status*, 106 MASS. CODE REGS. 703.430(A)(8), <https://www.mass.gov/files/documents/2018/03/14/106cmr703.pdf> (last visited Aug. 7, 2018). For a full list of immigrants who under HHS regulations are lawfully present see, Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

⁵⁴ 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.

⁵⁵ 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. See 8 U.S.C. § 1641(c).

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

⁵⁷ Commonwealth of Massachusetts, Department of Transitional Assistance, Field Operations Memo 2002-18A Elimination of Supplemental Transitional Aid to Families with Dependent Children (STAFDC) Program; Ongoing Noncitizens 4, Appendix A 2 (October 10, 2002) https://www.masslegalservices.org/system/files/library/3775_FOM_200218a.pdf (confirming qualified immigrant eligibility for TAFDC including battered qualified immigrants and also the ability of legally present noncitizen parents with a child on TAFDC to qualify for TAFDC related services including child care.); Massachusetts Law Reform Institute, TAFDC Advocacy Guide: An Advocate's Guide to Massachusetts Welfare Rules for Families 44-45 (January 2024) (Immigrants with work authorization or who are lawfully present who are ineligible for TAFDC who have an eligible child are eligible for education, training, childcare, and transportation assistance to the same extent as other TAFDC recipients); See also *TAFDC Noncitizen Status*, 106 MASS. CODE REGS. 703.430(A)(8), <https://www.mass.gov/files/documents/2018/03/14/106cmr703.pdf> (last visited Aug. 7, 2018). For a full list of immigrants who under HHS regulations are lawfully present see, Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

⁵⁸ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁵⁹ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁶⁰ 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.)

⁶¹ 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/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018); See 8 U.S.C. § 1641(c); See also 8 U.S.C. § 1612(a)(1)-1612(a)(2). Battered immigrants are not subject to deeming for at least 12 months, with the possibility of extension. See *Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31, available at <https://www.fns.usda.gov/snap/eligibility/non-citizen-eligibility> (last accessed Apr. 29, 2023)

⁶² *Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 4, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019).

⁶³ See 8 USC §1612(a)(2)(A) and (L). Directly eligible for SNAP as refugees and asylees for seven years. However, they retain eligibility past the seven years since they will have transitioned into qualified immigrant status, with indefinite eligibility for SNAP, after five years. See 8 U.S.C. § 1641(b)(2)-(3). See also Nat'l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; 8 U.S.C. § 1641(b)(2)-(3). See also *Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019). https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf

⁶⁴ 8 U.S.C. § 1641(c)(4); NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *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).

⁶⁵ 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/; *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)).

⁶⁶ 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/; *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)).

⁶⁷ 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).

⁶⁸ 22 U.S.C. § 7105(b). Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification). See NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *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).

⁶⁹ 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/; *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).

⁷⁰ *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).

⁷¹ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). Five-year residency includes time in qualified status prior to turning 18. When SIJS children become qualified immigrants, they may be exempt from deeming when they naturalize, or if they can show they are credited with 40 qualifying quarters of work, or if they are eligible for a 12 month exception for indigence, or have another form of immigration status does not require sponsorship. 8 U.S.C. § 1631; *Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31-33, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019).

⁷² *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.)

- ⁷³ *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.
- ⁷⁴ 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/; *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).
- ⁷⁵ *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.)
- ⁷⁶ *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.
- ⁷⁷ *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, SIIS youth are generally not able to satisfy this condition.)
- ⁷⁸ *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.
- ⁷⁹ *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.
- ⁸⁰ 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).
- ⁸¹ *WIC Contacts*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/wic-contacts> (last visited June 14, 2018).
- ⁸² *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).
- ⁸³ *Apply for the Women, Infants, & Children (WIC) Nutrition Program*, MA DEP'T OF HEALTH, <https://www.mass.gov/how-to/apply-for-the-women-infants-children-wic-nutrition-program> (last visited June 18, 2018).
- ⁸⁴ *Check eligibility for WIC*, COMMONWEALTH OF MA, <https://www.mass.gov/service-details/check-eligibility-for-wic> (last visited June 18, 2018).
- ⁸⁵ 8 U.S.C. § 1641(c); HealthCare.gov, *Immigrants, Immigration status and the Marketplace* (last visited November 29, 2023) (Listing immigrants with which immigration statuses are legally able to use the Marketplace); *See* NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁸⁶ 8 U.S.C. § 1641(c); HealthCare.gov, *Immigrants, Immigration status and the Marketplace* (last visited November 29, 2023) (Listing immigrants with which immigration statuses are legally able to use the Marketplace); *See* NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁸⁷ NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. *See* 8 U.S.C. § 1641(c); *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁸⁸ *MassHealth Information for Noncitizens (July 17, 2023)* <https://www.mass.gov/info-details/masshealth-information-for-noncitizens> (*Describing the groups of immigrant children and adults who are not eligible for MassHealth Standard who are eligible for MassHealth Family Assistance including lawful permanent residents and VAWA battered immigrants subject to the federal 5-year bar, nonqualified lawfully present immigrants, and non-qualified PRUCOL immigrants.*); *Mass.gov, Overview of Noncitizen Groups* <https://www.mass.gov/doc/overview-of-noncitizen-groups-0/download> (last visited Jan. 18, 2025) (Contains a chart that tracks immigrant eligibility for immigration status for MassHealth insurance programs); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (Lawfully present nonpregnant adults under 300% FPL who purchase coverage through the ACA marketplace and receive federal subsidies may also be eligible for additional state subsidies and cost-sharing equivalent to what was available under Commonwealth Care.). *See also ConnectorCare Health Plans*, MASS. HEALTH CONNECTOR, https://www.mahealthconnector.org/wp-content/uploads/Guide_to_ConnectorCare.pdf (last visited Aug. 1, 2018).

- ⁸⁹ MassHealth Information for Noncitizens (July 17, 2023) <https://www.mass.gov/info-details/masshealth-information-for-noncitizens>; Mass.gov, Overview of Noncitizen Groups <https://www.mass.gov/doc/overview-of-noncitizen-groups-0/download> (last visited Jan. 18, 2025); Mass Health, Member Booklet for health and dental coverage and help paying costs (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>.
- ⁹⁰ Massachusetts, Health Connector, ConnectorCare Health Plans (2024) <https://www.mahealthconnector.org/wp-content/uploads/ConnectorCare-Overview-2024.pdf>
- ⁹¹ MassHealth, member booklet for health and dental coverage and help paying costs (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>(Section 4 discusses subsidies available including to lawfully present immigrants).
- ⁹² NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 2 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(b)(2); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁹³ Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>. See 8 U.S.C. § 1641(b)(3); 45 C.F.R. § 152.2(5) (2017) ("A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. § 1158) or for withholding of removal under section 241(b)(3) of the INA (8 U.S.C. § 1231) or under the Convention Against Torture who has been granted employment authorization, and such an applicant under the age of 14 who has had an application pending for at least 180 days."); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
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- ⁹⁵ 42 C.F.R. § 435.4(2)(ii), (iv), and (v); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>.
- ⁹⁶ MassHealth Information for Noncitizens (July 17, 2023) <https://www.mass.gov/info-details/masshealth-information-for-noncitizens> (*Describing the groups of immigrant children and adults who are not eligible for MassHealth Standard who are eligible for MassHealth Family Assistance including lawful permanent residents and VAWA battered immigrants subject to the federal 5-year bar, nonqualified lawfully present immigrants, and non-qualified PRUCOL immigrants.*); Mass.gov, Overview of Noncitizen Groups <https://www.mass.gov/doc/overview-of-noncitizen-groups-0/download> (last visited Jan. 18, 2025) (Contains a chart that tracks immigrant eligibility for immigration status for MassHealth insurance programs); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (Lawfully present nonpregnant adults under 300% FPL who purchase coverage through the ACA marketplace and receive federal subsidies may also be eligible for additional state subsidies and cost-sharing equivalent to what was available under Commonwealth Care.). See also *ConnectorCare Health Plans*, MASS. HEALTH CONNECTOR, https://www.mahealthconnector.org/wp-content/uploads/Guide_to_ConnectorCare.pdf (last visited Aug. 1, 2018).
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¹⁰² 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).

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¹⁰⁷ Massachusetts, Health Connector, ConnectorCare Health Plans (2024) <https://www.mahealthconnector.org/wp-content/uploads/ConnectorCare-Overview-2024.pdf>

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¹⁰⁹ 45 C.F.R. 152.2(4)(vi); 8 C.F.R. 236.22. (Beginning November 1, 2024 recipients of Deferred Action for Childhood Arrivals (DACA) are eligible for access to state and federal healthcare exchanges.); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

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¹¹¹ 45 C.F.R. 155.20(9); See, CMS, HHS Final Rule Clarifying Eligibility of Deferred Action for Childhood Arrivals (DACA) Recipients and Certain Other Noncitizens (May 3, 2024) <https://www.cms.gov/newsroom/fact-sheets/hhs-final-rule-clarifying-eligibility-deferred-action-childhood-arrivals-daca-recipients-and-certain#>; See, NAT'L IMMIGRATION LAW CTR.,

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- ¹²³ 45 C.F.R. 152.2(4)(vi); U visa bona fide determinations come with deferred action which is protection from deportation and which makes U visa applicants eligible for health care as lawfully residing immigrant. Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>; See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
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¹²⁷ Massachusetts, Health Connector, ConnectorCare Health Plans (2024) <https://www.mahealthconnector.org/wp-content/uploads/ConnectorCare-Overview-2024.pdf>

¹²⁸ Mass Health, member booklet for health and dental coverage and help paying costs (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> (Section 4 discusses subsidies available including to lawfully present immigrants).

¹²⁹ Carly Erickson & Leslye E. Orloff, *U-Visa Victim Benefits under the Affordable Care Act (ACA)*, NAT'L IMMIGR. WOMEN'S ADVOC. PROJECT (June 18, 2014), <http://niwaplibrary.wcl.american.edu/pubs/u-visa-healthcare-aca/>; NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5-6 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.

¹³⁰ Mass Health, member booklet for health and dental coverage and help paying costs 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>; Mass.gov, MassHealth Information for Noncitizens (July 17, 2023) <https://www.mass.gov/info-details/masshealth-information-for-noncitizens> (*Describing the groups of immigrant children and adults who are not eligible for MassHealth Standard who are eligible for MassHealth Family Assistance including lawful permanent residents and VAWA battered immigrants subject to the federal 5-year bar, nonqualified lawfully present immigrants, and non-qualified PRUCOL immigrants.*); Mass.gov, Overview of Noncitizen Groups <https://www.mass.gov/doc/overview-of-noncitizen-groups-0/download> (last visited Jan. 18, 2025) (Contains a chart that tracks immigrant eligibility for immigration status for MassHealth insurance programs).

¹³¹ MassHealth Information for Noncitizens (July 17, 2023) <https://www.mass.gov/info-details/masshealth-information-for-noncitizens>; Mass.gov, Overview of Noncitizen Groups <https://www.mass.gov/doc/overview-of-noncitizen-groups-0/download> (last visited Jan. 18, 2025); Mass Health, Member Booklet for health and dental coverage and help paying costs (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>.

¹³² Massachusetts, Health Connector, ConnectorCare Health Plans (2024) <https://www.mahealthconnector.org/wp-content/uploads/ConnectorCare-Overview-2024.pdf>

¹³³ Mass Health, member booklet for health and dental coverage and help paying costs (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> (Section 4 discusses subsidies available including to lawfully present immigrants).

¹³⁴ NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 1 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf> (DACA coverage limited to those "lawfully present" in the United States).

¹³⁵ 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/>.

¹³⁶ 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/. See 8 U.S.C. § 1641(c).

¹³⁷ Health Case.gov, Immigrants, Coverage for U.S. Citizens and U.S. Nationals (last visited November 29, 2023) <https://www.healthcare.gov/immigrants/immigration-status/>. NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c).

¹³⁸ 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/.

¹³⁹ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant>

[survivors-factsheet/](#) (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

¹⁴⁰ See *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS. CODE REGS. 505.002(B)(2) (2024); See also *Immigrants*, 130 MASS CODE REGS. 504.003; Mass.gov, MassHealth Information for Noncitizens (July 17, 2023) <https://www.mass.gov/info-details/masshealth-information-for-noncitizens>; Mass.gov, Overview of Noncitizen Groups <https://www.mass.gov/doc/overview-of-noncitizen-groups-0/download> (last visited Jan. 18, 2025); Mass Health, member booklet for health and dental coverage and help paying costs 41-42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>

¹⁴¹ See *Children's Medical Security Plan*, 130 MASS. CODE REGS. 522.004 (2024); Mass.gov, MassHealth Information for Noncitizens (July 17, 2023) <https://www.mass.gov/info-details/masshealth-information-for-noncitizens>; see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁴² Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

¹⁴³ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, Member Booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>; see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/masshealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

¹⁴⁴ 8 U.S.C. §§ 1612(b)(2)(A); 1613. Federal eligibility for Medicaid for refugees and asylees extends for the first seven years after attaining that status; however, in most states their eligibility can continue past this seven-year limitation, since by seven years they may have become lawful permanent residents with 40 qualifying quarters of work credit and will have satisfied the five-year bar to access to Medicaid. See 8 U.S.C. § 1612(b)(2)(B). Or, they may be a veteran and/or a member of a veteran's family, for whom the five-year bar and seven-year limit do not apply. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat'l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

¹⁴⁵ 22 U.S.C. § 7105(b)(1). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits. States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat'l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

¹⁴⁶ 42 C.F.R. § 435.4(2)(ii), (iv), and (v).

¹⁴⁷ See 8 U.S.C. § 1641(c)(4).

¹⁴⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁴⁹ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

¹⁵⁰ See 130 MASS. CODE REGS. 504.003 (2018); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (describing PROCOLs to be persons who are permanently residing in the U.S. under color of law. This is not an immigration status. It is a benefits eligibility category. The term generally means that immigration authorities are aware of a person's presence but have no plans to deport/remove him or her from the country. It is interpreted differently, depending on the benefit program and jurisdiction).

¹⁵¹ See *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS. CODE REGS. 505.002(B)(2) (2024); See also *Immigrants*, 130 MASS CODE REGS. 504.003.

¹⁵² See *Children's Medical Security Plan*, 130 MASS. CODE REGS. 522.004 (2024); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁵³ Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

¹⁵⁴ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/masshealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

¹⁵⁵ 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/. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). See also 8 U.S.C. § 1641(c)(4). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed, since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits.

¹⁵⁶ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), 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).

¹⁵⁷ 22 U.S.C. § 7105(b)(1). Bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), 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)).

¹⁵⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁵⁹ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

¹⁶⁰ See *Children's Medical Security Plan*, 130 MASS. CODE REGS. 522.004 (2024); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁶¹ Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

¹⁶² See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/masshealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

¹⁶³ 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/.

¹⁶⁴ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant>

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¹⁶⁵ See *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS. CODE REGS. 505.002(B)(2) (2024); See also *Immigrants*, 130 MASS CODE REGS. 504.003.

¹⁶⁶ 45 C.F.R. 155.20(9); See, CMS, HHS Final Rule Clarifying Eligibility of Deferred Action for Childhood Arrivals (DACA) Recipients and Certain Other Noncitizens (May 3, 2024)

<https://www.cms.gov/newsroom/fact-sheets/hhs-final-rule-clarifying-eligibility-deferred-action-childhood-arrivals-daca-recipients-and-certain#>; See, NAT'L IMMIGR. L. CTR.,

¹⁶⁷ See 130 MASS. CODE REGS. 504.003 (2018); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (describing PROCOLs to be persons who are permanently residing in the U.S. under color of law. This is not an immigration status. It is a benefits eligibility category. The term generally means that immigration authorities are aware of a person's presence but have no plans to deport/remove him or her from the country. It is interpreted differently, depending on the benefit program and jurisdiction).

¹⁶⁸ 45 C.F.R. 155.20(9); See, CMS, HHS Final Rule Clarifying Eligibility of Deferred Action for Childhood Arrivals (DACA) Recipients and Certain Other Noncitizens (May 3, 2024)

<https://www.cms.gov/newsroom/fact-sheets/hhs-final-rule-clarifying-eligibility-deferred-action-childhood-arrivals-daca-recipients-and-certain#>; See, NAT'L IMMIGR. L. CTR.,

¹⁶⁹ See *Children's Medical Security Plan*, 130 MASS. CODE REGS. 522.004 (2024); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁷⁰ Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised

Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

¹⁷¹ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/mashealth> (last visited June 18,2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

¹⁷² 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/. See 8 U.S.C. § 1641(b)(1).

¹⁷³ 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/.

¹⁷⁴ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

¹⁷⁵ See *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS. CODE REGS. 505.002(B)(2) (2024); See also *Immigrants*, 130 MASS CODE REGS. 504.003.

¹⁷⁶ See *Children's Medical Security Plan*, 130 MASS. CODE REGS. 522.004 (2024); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁷⁷ Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised

Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

¹⁷⁸ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/mashealth> (last visited June 18,2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

¹⁷⁹ 8 U.S.C. § 1641(b)(1). NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁸⁰ 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/. See 8 U.S.C. § 1641(b)(1).

¹⁸¹ 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/.

¹⁸² 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

¹⁸³ See *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS. CODE REGS. 505.002(B)(2) (2024); See also *Immigrants*, 130 MASS CODE REGS. 504.003.

¹⁸⁴ See *Children's Medical Security Plan*, 130 MASS. CODE REGS. 522.004 (2024); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁸⁵ Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

¹⁸⁶ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/mashealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

¹⁸⁷ 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/.

¹⁸⁸ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

¹⁸⁹ See 130 MASS. CODE REGS. 504.003 (2018); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (describing PROCOLs to be persons who are permanently residing in the U.S. under color of law. This is not an immigration status. It is a benefits eligibility category. The term generally means that immigration authorities are aware of a person's presence but have no plans to deport/remove him or her from the country. It is interpreted differently, depending on the benefit program and jurisdiction).

¹⁹⁰ See *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS. CODE REGS. 505.002(B)(2) (2024); See also *Immigrants*, 130 MASS CODE REGS. 504.003.

¹⁹¹ See *Children's Medical Security Plan*, 130 MASS. CODE REGS. 522.004 (2024); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁹² Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

¹⁹³ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/mashealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

¹⁹⁴ 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/.

¹⁹⁵ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also,

Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

¹⁹⁶ See *Children's Medical Security Plan*, 130 MASS. CODE REGS. 522.004 (2024); see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁹⁷ Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

¹⁹⁸ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/mashealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

¹⁹⁹ 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-forensiccoverageimmigrants>; 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>.

²⁰⁰ 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/. See 8 U.S.C. § 1641(c).

²⁰¹ *Immigrants, Coverage for U.S. Citizens and U.S. Nationals*, HEALTHCARE.GOV (last visited November 29, 2023) <https://www.healthcare.gov/immigrants/immigration-status/>. NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c).

²⁰² 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/.

²⁰³ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²⁰⁴ Mass Health, member booklet for health and dental coverage and help paying costs 40 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>

²⁰⁵ See 956 MASS. CODE REGS. 12.04 (2018); See *Immigrants*, 130 MASS CODE R. 504.003, <https://www.mass.gov/files/documents/2017/09/29/130cmr504.pdf> (last visited Aug. 7, 2018); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (Lawfully present nonpregnant adults under 300% FPL who purchase coverage through the ACA marketplace and receive federal subsidies may also be eligible for additional state subsidies and cost-sharing equivalent to what was available under Commonwealth Care.). See also *ConnectorCare Health Plans*, MASS. HEALTH CONNECTOR, https://www.mahealthconnector.org/wp-content/uploads/Guide_to_ConnectorCare.pdf (last visited Aug. 1, 2018).

²⁰⁶ Through CommonHealth qualified immigrants can receive long-term-care services at home or in a longterm-care facility, including home health services and up to six (6) months of services from a skilled nursing facility. Mass Health, Senior Guide to Health Care Coverage, 26, 37(March 2024) <https://www.mass.gov/doc/senior-guide-to-health-care-coverage-4/download>

²⁰⁷ See 130 MASS. CODE REGS. 504.003 (2018); Mass Health, member booklet for health and dental coverage and help paying costs 12, 16, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>; see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (describing PROCOLs to be persons who are permanently residing in the U.S. under color of law. This is not an immigration status. It is a benefits eligibility category. The term generally means that immigration authorities are aware of a person's presence but have no plans to deport/remove him or her from the country. It is interpreted differently, depending on the benefit program and jurisdiction).

- ²⁰⁸ Mass Health, Senior Guide to Health Care Coverage, 36-39 (March 2024) <https://www.mass.gov/doc/senior-guide-to-health-care-coverage-4/download>; *See MassHealth Standard: Disabled Individuals*, 130 MASS. CODE R. 505.002(E); *see also Immigrants*, 130 MASS. CODE R. 504.003 (2024); *MassHealth CommonHealth*, 130 MASS. CODE R. 505.004 (2024); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (excluding long-term care).
- ²⁰⁹ *See MassHealth Standard: Disabled Individuals*, 130 MASS. CODE R. 505.002(E); *see also Immigrants*, 130 MASS. CODE R. 504.003 (2024); *MassHealth CommonHealth*, 130 MASS. CODE R. 505.004 (2024); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (excluding long-term care).
- ²¹⁰ Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.
- ²¹¹ *See MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS. CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> *see also* NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); *see also MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/mashealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).
- ²¹² 8 U.S.C. §§ 1612(b)(2)(A); 1613. Federal eligibility for Medicaid for refugees and asylees extends for the first seven years after attaining that status; however, in most states their eligibility can continue past this seven-year limitation, since by seven years they may have become lawful permanent residents with 40 qualifying quarters of work credit and will have satisfied the five-year bar to access to Medicaid. *See* 8 U.S.C. § 1612(b)(2)(B). Or, they may be a veteran and/or a member of a veteran's family, for whom the five-year bar and seven-year limit do not apply. *See* 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. *See also* Nat'l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.
- ²¹³ 22 U.S.C. § 7105(b)(1). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits. States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. *See also* Nat'l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.
- ²¹⁴ *See* 8 U.S.C. § 1641(c)(4).
- ²¹⁵ 42 C.F.R. § 435.4(2)(ii), (iv), and (v).
- ²¹⁶ 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/.
- ²¹⁷ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); *See*, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. *See also*, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).
- ²¹⁸ Mass Health, member booklet for health and dental coverage and help paying costs 40 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>
- ²¹⁹ *See* 956 MASS. CODE REGS. 12.04 (2018); *See Immigrants*, 130 MASS. CODE R. 504.003, <https://www.mass.gov/files/documents/2017/09/29/130cmr504.pdf> (last visited Aug. 7, 2018); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (Lawfully present nonpregnant adults under 300% FPL who purchase coverage through the ACA marketplace and receive federal subsidies may also be eligible for additional state subsidies and cost-sharing equivalent to what was available under Commonwealth Care.). *See also ConnectorCare Health Plans*, MASS. HEALTH CONNECTOR, https://www.mahealthconnector.org/wp-content/uploads/Guide_to_ConnectorCare.pdf (last visited Aug. 1, 2018).
- ²²⁰ Through CommonHealth qualified immigrants can receive long-term-care services at home or in a long-term-care facility, including home health services and up to six (6) months of services from a skilled nursing facility. Mass Health, Senior Guide to Health Care Coverage, 26, 37 (March 2024) <https://www.mass.gov/doc/senior-guide-to-health-care-coverage-4/download>

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²²² Mass Health, Senior Guide to Health Care Coverage, 36-39 (March 2024) <https://www.mass.gov/doc/senior-guide-to-health-care-coverage-4/download>; See *MassHealth Standard: Disabled Individuals*, 130 MASS. CODE R. 505.002(E); see also *Immigrants*, 130 MASS CODE R. 504.003 (2024); *MassHealth CommonHealth*, 130 MASS. CODE R. 505.004 (2024); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (excluding long-term care).

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²²⁵ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, Member Booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>; see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/mashealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

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²²⁷ 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/; 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).

²²⁸ 22 U.S.C. § 7105(b)(1). Bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), 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)).

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²³³ See *MassHealth Standard: Disabled Individuals*, 130 MASS. CODE R. 505.002(E); see also *Immigrants*, 130 MASS CODE R. 504.003 (2024); *MassHealth CommonHealth*, 130 MASS. CODE R. 505.004 (2024); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (excluding long-term care).

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²³⁵ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/mashealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

²³⁶ 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/.

²³⁷ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

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²³⁹ 45 C.F.R. 155.20(9); See, CMS, HHS Final Rule Clarifying Eligibility of Deferred Action for Childhood Arrivals (DACA) Recipients and Certain Other Noncitizens (May 3, 2024)

<https://www.cms.gov/newsroom/fact-sheets/hhs-final-rule-clarifying-eligibility-deferred-action-childhood-arrivals-daca-recipients-and-certain#>; See, NAT'L IMMIGRATION LAW CTR.,

²⁴⁰ See 956 MASS. CODE REGS. 12.04 (2018); See *Immigrants*, 130 MASS CODE R. 504.003, <https://www.mass.gov/files/documents/2017/09/29/130cmr504.pdf> (last visited Aug. 7, 2018); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (Lawfully present nonpregnant adults under 300% FPL who purchase coverage through the ACA marketplace and receive federal subsidies may also be eligible for additional state subsidies and cost-sharing equivalent to what was available under Commonwealth Care.). See also *ConnectorCare Health Plans*, MASS. HEALTH CONNECTOR, https://www.mahealthconnector.org/wp-content/uploads/Guide_to_ConnectorCare.pdf (last visited Aug. 1, 2018).

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²⁴⁶ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

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²⁶¹ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, member booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/masshealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

²⁶² 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/.

²⁶³ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²⁶⁴ See 130 MASS. CODE REGS. 504.003 (2018); Mass Health, member booklet for health and dental coverage and help paying costs 12, 16, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download>; see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (describing PROCOLs to be persons who are permanently residing in the U.S. under color of law. This is not an immigration status. It is a benefits eligibility category. The term generally means that immigration authorities are aware of a person's presence but have no plans to deport/remove him or her from the country. It is interpreted differently, depending on the benefit program and jurisdiction).

²⁶⁵ Mass Health, Senior Guide to Health Care Coverage, 36-39 (March 2024) <https://www.mass.gov/doc/senior-guide-to-health-care-coverage-4/download>; See *MassHealth Standard: Disabled Individuals*, 130 MASS. CODE R. 505.002(E); see also *Immigrants*, 130 MASS. CODE R. 504.003 (2024); *MassHealth CommonHealth*, 130 MASS. CODE R. 505.004 (2024); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (excluding long-term care).

²⁶⁶ See *MassHealth Standard: Disabled Individuals*, 130 MASS. CODE R. 505.002(E); see also *Immigrants*, 130 MASS. CODE R. 504.003 (2024); *MassHealth CommonHealth*, 130 MASS. CODE R. 505.004 (2024); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (excluding long-term care).

²⁶⁷ Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

²⁶⁸ See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, Member Booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/masshealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

²⁶⁹ 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/.

²⁷⁰ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²⁷¹ Commonwealth of Massachusetts, Executive Office of Health and Human Services, Office of Medicaid, Extension of Postpartum Coverage for Eligible Individuals – Revised

Eligibility Criteria Eligibility Operations Memo 22-12 (September 19, 2022) <https://www.mass.gov/doc/eom-22-12-extension-of-postpartum-coverage-for-eligible-individuals-revised-eligibility-criteria-0>.

²⁷² See *MassHealth Standard: Eligibility Requirements for People who are Pregnant* 130 MASS. CODE REGS. 505.002(D); *MassHealth Standard: Eligibility Requirements for Children and Young Adults*, 130 MASS CODE REGS. 505.002(B)(1) (2024); Mass Health, Member Booklet for health and dental coverage and help paying costs 8, 41, 42 (March 2024) <https://www.mass.gov/doc/member-booklet-for-health-and-dental-coverage-and-help-paying-costs-0/download> see also NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf> (co-pays and premiums required for certain families on the basis of their income); see also *MassHealth*, COMMONWEALTH OF MA, <https://www.mass.gov/topics/mashealth> (last visited June 18, 2018) (In Massachusetts, Medicaid and CHIP are combined into one program called MassHealth).

²⁷³ 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).

²⁷⁴ Paid Family Medical Leave is available to all workers without regard to immigration status. To apply workers will need to submit proof of identify and either a social security number or an individual tax identification number (ITIN). See, Massachusetts Department of Family and Medical Leave, Get ready to apply for Paid Family and Medical Leave (PFML) benefits <https://www.mass.gov/doc/get-ready-to-apply-for-pfml/download> (last visited Jan. 18, 2025); Massachusetts Department of Family and Medical, Required documents for your Paid Family and Medical Leave (PFML) application (March 24, 2023); Massachusetts Department of Family and Medical, Who in your workforce does the PFML law cover? <https://www.mass.gov/info-details/who-in-your-workforce-does-the-pfml-law-cover> (last visited Jan. 18, 2025) (Employees with temporary foreign worker visas and participants in international student and foreign exchange program visas are covered by the Massachusetts PFML. Exception: H-2A workers are not covered.)

²⁷⁵ U.S. DEP’T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).

²⁷⁶ Paid Family Medical Leave is available to all workers without regard to immigration status. To apply workers will need to submit proof of identify and either a social security number or an individual tax identification number (ITIN). See, Massachusetts Department of Family and Medical Leave, Get ready to apply for Paid Family and Medical Leave (PFML) benefits <https://www.mass.gov/doc/get-ready-to-apply-for-pfml/download> (last visited Jan. 18, 2025); Massachusetts Department of Family and Medical, Required documents for your Paid Family and Medical Leave (PFML) application (March 24, 2023); Massachusetts Department of Family and Medical, Who in your workforce does the PFML law cover? <https://www.mass.gov/info-details/who-in-your-workforce-does-the-pfml-law-cover> (last visited Jan. 18, 2025) (Employees with temporary foreign worker visas and participants in international student and foreign exchange program visas are covered by the Massachusetts PFML. Exception: H-2A workers are not covered.)

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²⁸¹ U.S. DEP’T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).

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²⁸³ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).

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²⁸⁵ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).

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²⁸⁷ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).

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²⁸⁹ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).

²⁹⁰ 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.).

²⁹¹ 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. Madzalan, 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>.

²⁹² OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2022-2023 (2022), <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2022-2023/vol1/ch2-us-citizenship-eligible-noncitizens> (Naturalized citizens are eligible for financial aid).

²⁹³ 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>.

²⁹⁴ 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>.

²⁹⁵ 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>.

- ²⁹⁶ 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).
- ²⁹⁷ 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).
- ²⁹⁸ 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/>.
- ²⁹⁹ 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>.
- ³⁰⁰ 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>.
- ³⁰¹ MASS. GEN. LAWS CH.15A § 9 (2024); See also, Massachusetts Office of Higher Education, In-State Tuition Rates and Massachusetts State Financial Aid, <https://www.mass.edu/forstufam/instatetuition/home.asp> (last visited Jan. 18, 2025).
- ³⁰² MASS. GEN. LAWS CH.15A § 9 (2024).
- ³⁰³ MASS. BOARD OF HIGHER ED., *Rules and Regulations Governing the Residency Status of Student for Tuition Purposes* (last visited June 20, 2024), <https://www.mass.edu/bhe/lib/documents/2008-11-12ResidencyStatuswithFormandDocuments.pdf>.
- ³⁰⁴ City of Boston, Tuition-Free Community College (TFCC) Plan (Dec. 2, 2024) <https://www.boston.gov/departments/workforce-development/tuition-free-community-college-plan#eligibility> (Participating colleges: [Benjamin Franklin Cummings Institute of Technology](#); [Bunker Hill Community College](#); [Massasoit Community College](#); [MassBay Community College](#); [Roxbury Community College](#); and [Urban College of Boston](#)).
- ³⁰⁵ SOC. SECURITY ADMIN., UNDERSTANDING SUPPLEMENTAL SECURITY INCOME SSI ELIGIBILITY REQUIREMENTS – 2017 EDITION (2017), <https://www.ssa.gov/ssi/text-eligibility-ussi.htm> (While the chart shows eligibility to apply for SSI benefits by immigration status, those with qualified immigration statuses must also meet all other eligibility requirements. To obtain SSI benefits individuals must be aged 65 or over, blind, or disabled; and have limited income, limited resources, be a resident of one of the 50 states, DC, or Northern Mariana Islands, and not be absent from the country for a full calendar month, in addition to other requirements.).
- ³⁰⁶ 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/; 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).
- ³⁰⁷ See 8 U.S.C. § 1612(a)(2)(H).
- ³⁰⁸ *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>.
- ³⁰⁹ 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/; 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.).
- ³¹⁰ SOC. SEC. ADMIN., *Understanding Supplemental Security Income SSI, Eligibility Requirements – 2023 Edition, Supplemental Security Income (SSI) Eligibility Requirements*, <https://www.ssa.gov/ssi/text-eligibility-ussi.htm> (last visited November 29, 2023).
- ³¹¹ 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/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. § 1641(b)(2)-(3). For some Federal programs such as SSI, a general bar applies where qualified immigrants are ineligible, unless they have attained LPR status with 40 qualifying quarters and satisfy the five-year bar, have a specified military connection, or fall within other limited exceptions. See 8 U.S.C. 1612(a)(2). For refugees and asylees, this bar does not apply until seven years after the date that they are admitted to refugee or asylee status; however, § 1612(b)(2) lists exceptions that independently lift the bar after seven years.
- ³¹² See 22 U.S.C. § 7105(b).
- ³¹³ 22 U.S.C. § 7105(b)(1). T visa holders, bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. See 8 U.S.C. §§ 1612(a)(1)-(2); 1613. Federal eligibility for refugees and asylees extends for the first seven years after attaining that status. However, § 1612(b)(2) lists exceptions that independently lift the seven year limit; including, if they have attained LPR status with 40 qualifying quarters, are a veteran, and/or a member of a veteran's family. See § 1641(b)(2)-(3). States can also continue to provide benefits once the mandated seven year federal coverage period for refugees and asylees ends. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven year limitation. NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in*

GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), 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>.

³¹⁴ 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/; 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).

³¹⁵ See 8 U.S.C. § 1612(a)(2)(H).

³¹⁶ See 8 U.S.C. § 1641(c)(4).

³¹⁷ 22 U.S.C. § 7105(b); See NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

³¹⁸ *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>.

³¹⁹ 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/; 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.).

³²⁰ *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>.

³²¹ 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/; 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).

³²² See 8 U.S.C. § 1612(a)(2)(H).

³²³ *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>.

³²⁴ *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>.

³²⁵ Higher Ed. Immigration Portal, State Professional / Occupational License Requirements for Immigrants: Massachusetts (July 2023) <https://www.higheredimmigrationportal.org/wp-content/uploads/2023/10/Massachusetts-1.pdf>

³²⁶ Higher Ed. Immigration Portal, State Requirements for Business and Tax Registration for Immigrants: Massachusetts (July 2023) <https://www.higheredimmigrationportal.org/wp-content/uploads/2023/10/Massachusetts-Business-and-Tax-State-Requirements.pdf>.

³²⁷ NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT, ACCEPTABLE FORMS OF DOCUMENTATION AND IDENTIFICATION FOR STATE DRIVER'S LICENSE/IDENTIFICATION CARD (SEPTEMBER 5, 2014) 1 (2014), <http://niwaplibrary.wcl.american.edu/pubs/drivers-license-access/>.

³²⁸ REAL ID Act of 2005, 49 U.S.C. § 30301 Note (2005). See also 6 C.F.R. § 37.11 (g) (2012); Joan Friedland, *Updates on REAL ID and Increased Information Sharing by Departments of Motor Vehicles*, NAT'L IMMIGR. L. CTR., (Jan. 8, 2018), <https://www.nilc.org/news/the-torch/1-04-18/>.

³²⁹ See 6 C.F.R. § 37.11(g)(1) (2012).

³³⁰ See 6 C.F.R. § 37.11(g)(2) (2012); Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 2 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (For example, the U.S. Department of Health and Human Services has identified categories of lawfully present immigrants for purposes of Medicaid and CHIP eligibility. These individuals should be able to access full Real ID compliant driver's licenses without waiting for work authorization. This may be an area for advocacy in individual cases).

³³¹ See 6 C.F.R. § 37.11(h) (2012); NAT'L IMMIGR. L. CTR., THE REAL ID ACT: QUESTIONS AND ANSWERS 8-9 (2016), <https://www.nilc.org/wp-content/uploads/2015/11/REAL-ID-Act-Q-and-A.pdf>.

³³² 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.

³³³ 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.

- ³³⁴ *Section 8: Operator's licenses; applications; examinations*, MASS. LEGISLATURE, <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter90/Section8> (last visited June 5, 2018); See also *Identification Documents Checklist*, MASS. REGISTRY OF MOTOR VEHICLES, https://www.mass.gov/files/documents/2018/06/21/Document%20Checklist_0618_1.pdf (last visited July 18, 2018); See also *Massachusetts Identification (ID) Requirements*, MASS. REGISTRY OF MOTOR VEHICLES, <https://www.mass.gov/guides/massachusetts-identification-id-requirements> (last visited July 18, 2018).
- ³³⁵ 2022 Mass. Acts. 81; Sarah Betacourt, WGBH, *Mass. Senate overrides Baker veto: Undocumented immigrants will be able to get driver's licenses*, <https://www.wgbh.org/news/local-news/2022/06/09/mass-senate-overrides-baker-veto-undocumented-immigrants-will-be-able-to-get-drivers-licenses> (last visited July 7, 2022).
- ³³⁶ 2022 Mass. Acts. 81; NAT'L IMMIGR. L.CTR., *State Laws Providing Access to Driver's Licenses or Cards, Regardless of Immigration Status* (July 2022) <https://www.nilc.org/wp-content/uploads/2022/07/drivers-license-access-table-2022-07-05.pdf>
- ³³⁷ 2022 House Bill 4805 Section 1 <https://malegislature.gov/Bills/192/H4805> See also MASS. GEN. LAWS CH. 90 §8
- ³³⁸ 2022 House Bill 4805 Section 7 <https://malegislature.gov/Bills/192/H4805> See also MASS. GEN. LAWS CH. 90 §8B
- ³³⁹ 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).
- ³⁴⁰ 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/>.
- ³⁴¹ *Emergency Solutions Grant Program*, MA HOUSING & COMMUNITY DEVELOPMENT, <https://www.mass.gov/service-details/emergency-solutions-grant-program-esp> (last visited Sept. 3, 2022).
- ³⁴² *Learn about Residential Assistance for Families in Transition (RAFT)*, COMMONWEALTH OF MASS., <https://www.mass.gov/service-details/learn-about-residential-assistance-for-families-in-transition-raft> (last visited May 23, 2018); *HomeBASE*, COMMONWEALTH OF MASS., <https://www.mass.gov/service-details/homebase> (last visited May 23, 2018).
- ³⁴³ Immigrants including victims who are lawfully residing in the United States or its territories and possessions under section 141 of the Compacts of Free Association between the U.S. and the Governments of the Marshall Islands, the Federated States of Micronesia and Palau are eligible for public and assisted housing. HUD PUBLIC AND INDIAN HOUSING, *Eligibility Determination and Denial of Assistance*, Citizenship Status 10 (November 2019) available at: https://www.hud.gov/sites/dfiles/PIH/documents/HCV_Guidebook_Eligibility_Determination_and_Denial_of_Assistance.pdf (last visited Aug. 27, 2022) (However in Guam, such immigrants are not entitled to a preference in receiving housing assistance over a U.S. citizen or national resident who is otherwise eligible for such assistance).
- ³⁴⁴ 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).
- ³⁴⁵ 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).
- ³⁴⁶ HUD public and assisted housing refers to HUD assisted housing covered by Section 214 of the Housing and Community Development Act of 1980, Title 42 of the U.S. Code Section 1436a. See *Housing Act. Section 2.14*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT, <http://niwaplibrary.wcl.american.edu/pubs/housing-act-sec-214/> (last visited Mar. 9, 2018); DEP'T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>; TONYA ROBINSON, ACTING GENERAL COUNSEL, C., U.S. DEP'T OF HOUS. & URBAN DEV., MEMORANDUM FOR SECRETARY JULIAN CASTRO ON ELIGIBILITY OF BATTERED NONCITIZEN SELF-PETITIONERS FOR FINANCIAL ASSISTANCE UNDER SECTION 214 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980 (2016), <http://library.niwap.org/wp-content/uploads/Eligibility-of-VAWA-Self-Petitioners-2016-12-14.pdf>; U.S. DEP'T OF HOUS. & URBAN DEV., HUD HANDBOOK 4350.3: OCCUPANCY REQUIREMENTS OF SUBSIDIZED MULTIFAMILY HOUSING PROGRAMS at Appendix 2-B (2013), <https://www.hud.gov/sites/documents/43503HSGH.PDF> (instructions for verifying battered immigrant eligibility for multi-family programs) (referring to the *Interim Guidance on Verification of Citizenship, Qualified Alien Status, and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996*, 62 FR 61344 at Exhibit B to Attachment 5 (Nov. 17, 1997)). See also 8 U.S.C. § 1641(c) (2012).
- ³⁴⁷ 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).
- ³⁴⁸ See 42 U.S.C. § 1485.

³⁴⁹ *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/ (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).

³⁵⁰ 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/; see also 8 U.S.C. §§ 1641(c).

³⁵¹ 42 U.S.C. § 1436a(a)(1).

³⁵² 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/ (“Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident.”).

³⁵³ 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/.

³⁵⁴ 24 C.F.R. § 5.506(a)(1).

³⁵⁵ 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/ (“Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident.”).

³⁵⁶ 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/.

³⁵⁷ See *Low Income Housing Tax Credit (LIHTC)*, DEP’T OF HOUS. & COMMUNITY DEV., <https://www.mass.gov/service-details/low-income-housing-tax-credit-lihtc> (last visited June 18, 2018). The Department of Housing and Community Development allocates the federal low income housing tax credits. Massachusetts State Low Income Housing Tax Credits do not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including VAWA self-petitioners, who could meet the eligibility requirements of the federal subsidies involved. See, DEP’T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>.

³⁵⁸ 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/. See 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

³⁵⁹ See 42 U.S.C. § 1485.

³⁶⁰ 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/.

³⁶¹ *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/ (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).

³⁶² 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/; see also 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

³⁶³ See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing).

³⁶⁴ See *Low Income Housing Tax Credit (LIHTC)*, DEP’T OF HOUS. & COMMUNITY DEV., <https://www.mass.gov/service-details/low-income-housing-tax-credit-lihtc> (last visited June 18, 2018). The Department of Housing and Community Development allocates the federal low income housing tax credits. Massachusetts State Low Income Housing Tax Credits do not impose immigrant 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/.

³⁶⁵ 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)).

³⁶⁶ 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/. 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>.

³⁶⁷ 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/.

³⁶⁸ See *Low Income Housing Tax Credit (LIHTC)*, DEP'T OF HOUS. & COMMUNITY DEV., <https://www.mass.gov/service-details/low-income-housing-tax-credit-lihtc> (last visited June 18, 2018). The Department of Housing and Community Development allocates the federal low income housing tax credits. Massachusetts State Low Income Housing Tax Credits do not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, 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/. 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>.

³⁶⁹ 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/.

³⁷⁰ 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).

³⁷¹ See *Low Income Housing Tax Credit (LIHTC)*, DEP'T OF HOUS. & COMMUNITY DEV., <https://www.mass.gov/service-details/low-income-housing-tax-credit-lihtc> (last visited June 18, 2018). The Department of Housing and Community Development allocates the federal low income housing tax credits. Massachusetts State Low Income Housing Tax Credits do not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. DACA applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

³⁷² 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/.

³⁷³ 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).

³⁷⁴ See 8 U.S.C. § 1641(b)(1).

³⁷⁵ 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/.

³⁷⁶ 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).

³⁷⁷ See 8 U.S.C. § 1641(b)(1) (2012).

³⁷⁸ See *Low Income Housing Tax Credit (LIHTC)*, DEP'T OF HOUS. & COMMUNITY DEV., <https://www.mass.gov/service-details/low-income-housing-tax-credit-lihtc> (last visited June 18, 2018). The Department of Housing and Community Development allocates the federal low income housing tax credits. Massachusetts State Low Income Housing Tax Credits do not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants including 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.

³⁷⁹ 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/.

³⁸⁰ 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).

³⁸¹ See 8 U.S.C. § 1641(b)(1).

³⁸² 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/.

³⁸³ 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).

³⁸⁴ See 8 U.S.C. § 1641(b)(1) (2012).

³⁸⁵ See *Low Income Housing Tax Credit (LIHTC)*, DEP'T OF HOUS. & COMMUNITY DEV., <https://www.mass.gov/service-details/low-income-housing-tax-credit-lihtc> (last visited June 18, 2018). The Department of Housing and Community Development allocates the federal low income housing tax credits. Massachusetts State Low Income Housing Tax Credits do not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including U visa 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.

- ³⁸⁶ 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/.
- ³⁸⁷ 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).
- ³⁸⁸ See *Low Income Housing Tax Credit (LIHTC)*, DEP’T OF HOUS. & COMMUNITY DEV., <https://www.mass.gov/service-details/low-income-housing-tax-credit-lihtc> (last visited June 18, 2018). The Department of Housing and Community Development allocates the federal low income housing tax credits. Massachusetts State Low Income Housing Tax Credits do not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including U visa applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency, U visa applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.
- ³⁸⁹ 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/.
- ³⁹⁰ 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).
- ³⁹¹ See *Low Income Housing Tax Credit (LIHTC)*, DEP’T OF HOUS. & COMMUNITY DEV., <https://www.mass.gov/service-details/low-income-housing-tax-credit-lihtc> (last visited June 18, 2018). The Department of Housing and Community Development allocates the federal low income housing tax credits. Massachusetts State Low Income Housing Tax Credits do not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. Undocumented immigrants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.
- ³⁹² 26 U.S.C. § 24; U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 3 (2017).
- ³⁹³ 26 U.S.C. § 24(f); U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 2 (2017).
- ³⁹⁴ See <https://www.irs.gov/individuals/individual-taxpayer-identification-number> (IRS ITIN Information Page).
- ³⁹⁵ 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).
- ³⁹⁶ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 3 (2017).
- ³⁹⁷ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 2 (2017).
- ³⁹⁸ U.S. DEP’T OF TREASURY, I.R.S., WHO QUALIFIES FOR THE EARNED INCOME TAX CREDIT (EITC) (Jul.10, 2023), <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/who-qualifies-for-the-earned-income-tax-credit-eitc>.
- ³⁹⁹ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).
- ⁴⁰⁰ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).
- ⁴⁰¹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).
- ⁴⁰² U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- ⁴⁰³ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).
- ⁴⁰⁴ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).
- ⁴⁰⁵ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).
- ⁴⁰⁶ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- ⁴⁰⁷ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).
- ⁴⁰⁸ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).
- ⁴⁰⁹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).
- ⁴¹⁰ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- ⁴¹¹ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).
- ⁴¹² U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).
- ⁴¹³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).
- ⁴¹⁴ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).
- ⁴¹⁵ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).
- ⁴¹⁶ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).
- ⁴¹⁷ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

⁴¹⁸ U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁴¹⁹ See Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families).

⁴²⁰ 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).

⁴²¹ 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)).

⁴²² 45 C.F.R. 1626.4 (b) (“Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”). See also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New*

Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes, NAT'L IMMIGRANT WOMEN'S 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/>.

⁴²³ 45 C.F.R. § 1626.5(a).

⁴²⁴ 45 C.F.R. § 1626.5(b).

⁴²⁵ Upon applying for 45 C.F.R. § 1626.5(b) or receiving lawful permanent residency 45 C.F.R. § 1626.5(a) victim switch eligibility tracks from anti-abuse (which includes a restriction that the legal assistance be related to the abuse 45 C.F.R. § 1626.4 to immigration related eligibility under for 45 C.F.R. § 1626.5 under which applicants are eligible of any legal assistance offered by the LSC funded agency. See Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S 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/>.

⁴²⁶ 45 C.F.R. § 1626.5(a)

⁴²⁷ *Can LSC Grantees Represent Undocumented Immigrants?*, LEGAL SERVICES CORPORATION, <https://www.lsc.gov/our-impact/publications/other-publications-and-reports/can-lsc-grantees-represent-undocumented> (last visited November 29, 2023) (LSC funded agencies can represent U.S. citizens which includes naturalized citizens).

⁴²⁸ 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.”).

⁴²⁹ 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/>.

⁴³⁰ 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/>.

⁴³¹ 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).

⁴³² See 45 C.F.R. § 1626.5(c).

⁴³³ 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).

⁴³⁴ See 45 C.F.R. § 1626.4(a)(2).

⁴³⁵ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

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⁴³⁷ 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/>.

⁴³⁸ 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).

⁴³⁹ 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).

⁴⁴⁰ 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).

⁴⁴¹ 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.”).

⁴⁴² 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/>.

⁴⁴³ 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/>.

⁴⁴⁴ 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).

⁴⁴⁵ 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).

⁴⁴⁶ 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.).

⁴⁴⁷ The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

⁴⁴⁸ Related legal assistance means legal assistance directly related to the prevention of, or obtaining relief from, the battery or cruelty and includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions). 45 C.F.R. § 1626.4 (b); see also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S 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/>.

⁴⁴⁹ 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.”).

⁴⁵⁰ 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/>.

⁴⁵¹ 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/>.

⁴⁵² 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).

⁴⁵³ 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).

⁴⁵⁴ 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.).

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

⁴⁵⁶ See 45 C.F.R. § 1626.5(a).

⁴⁵⁷ See 45 C.F.R. § 1626.5(b); Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S 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/>.

⁴⁵⁸ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

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⁴⁶⁰ 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/>.

⁴⁶¹ 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).

⁴⁶² 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).

⁴⁶³ 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).

⁴⁶⁴ “Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).” 45 C.F.R. 1626.4 (b); see also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S 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/>.

⁴⁶⁵ See 45 C.F.R. § 1626.5(a).

⁴⁶⁶ See 45 C.F.R. § 1626.5(b); Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S 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/>.

⁴⁶⁷ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

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⁴⁶⁹ 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/>.

⁴⁷⁰ 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).

⁴⁷¹ 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).

⁴⁷² 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).

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

⁴⁷⁴ 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.”).

⁴⁷⁵ 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/>.

⁴⁷⁶ 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/>.

⁴⁷⁷ 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).

⁴⁷⁸ 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).

⁴⁷⁹ 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.).

⁴⁸⁰ The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

⁴⁸¹ See also 45 C.F.R. 1626.4(b) (“Related legal assistance means legal assistance directly related to the prevention of, or obtaining relief from, the battery or cruelty and includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”; Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S 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/>.

⁴⁸² 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.”).

⁴⁸³ 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/>.

⁴⁸⁴ 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/>.

⁴⁸⁵ 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).

⁴⁸⁶ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁸⁷ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1641(c).

⁴⁸⁸ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁸⁹ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. §§ 1641(b)(2), (b)(3), (c)(4).

⁴⁹⁰ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁹¹ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP’T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016),

<https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

⁴⁹² NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁹³ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁹⁴ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1640(b)(1).

⁴⁹⁵ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁹⁶ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1641(b)(1).

⁴⁹⁷ NAT’L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP) in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51* (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁹⁸ NAT'L IMMIGR. L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁹⁹ 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/>.

⁵⁰⁰ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>.

⁵⁰¹ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>; U.S. DEP'T AGRIC. FOOD & NUTRITION SERV., *DISASTER SNAP GUIDANCE: POLICY GUIDANCE, LESSONS LEARNED, AND TOOLKITS TO OPERATE A SUCCESSFUL D-SNAP* (2014), https://fns-prod.azureedge.net/sites/default/files/D-SNAP_handbook_0.pdf.

⁵⁰² 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/>.

⁵⁰³ FEMA, *You May Be Able to Get Disaster Assistance* (February 21, 2023), https://www.fema.gov/sites/default/files/documents/fema_undocumented-immigrants-disaster-assistance_flyer_2023.pdf (listing naturalized citizens, lawful permanent residents, and certain battered non-citizens or their spouses or children which includes VAWA self-petitioners).

⁵⁰⁴ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), "qualified" immigrants must have employment authorization). See 8 U.S.C. § 1641(c).

⁵⁰⁵ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(c).

⁵⁰⁶ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), "qualified" immigrants must have employment authorization). See 8 U.S.C. §§ 1641(b)(2)-(b)(3), (c)(4).

⁵⁰⁷ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. §§ 1641(b)(2)-(b)(3).

⁵⁰⁸ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(c)(4).

⁵⁰⁹ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).

⁵¹⁰ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).

⁵¹¹ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 8 U.S.C. § 1641(b)(1).

⁵¹² NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(b)(1).

⁵¹³ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), LPRs must have employment authorization). See 8 U.S.C. § 1641(b)(1).

⁵¹⁴ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(b)(1).

⁵¹⁵ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), LPRs must have employment authorization). See 8 U.S.C. § 1641(b)(1).

⁵¹⁶ NAT'L IMMIGR. L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(b)(1).

⁵¹⁷ 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).

⁵¹⁸ 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.

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

⁵²⁰ 8 U.S.C. § 1641(b)(3).

⁵²¹ INA § 208(d)(2); 8 C.F.R. § 274a.12(c)(8); 8 C.F.R. §§ 274a.12(a)(5). 8 U.S.C. § 1641(b)(2).

⁵²² 8 U.S.C. § 1641(c)(4).

⁵²³ 8 U.S.C. § 1641(c)(4).

⁵²⁴ See Rebecca Smith, *Immigrant Workers' Eligibility for Unemployment Insurance*, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("The general rule is that workers must have valid work authorization during the base period, at the time that they apply for benefits, and throughout the period during which they are receiving benefits.").

⁵²⁵ 8 U.S.C. § 1641(b)(1).

⁵²⁶ 8 U.S.C. § 1641(b)(1).

⁵²⁷ See Rebecca Smith, *Immigrant Workers' Eligibility for Unemployment Insurance*, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("The general rule is that workers must have valid work authorization during the base period, at the time that they apply for benefits, and throughout the period during which they are receiving benefits.").

⁵²⁸ See Rebecca Smith, *Immigrant Workers' Eligibility for Unemployment Insurance*, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("Under the current state and federal systems, undocumented workers are not eligible for unemployment benefits.").