

# Best Practices for Serving Immigrant Victims: Access to Public Benefits and Services in Virginia

Northern Virginia Family Service  
May 11<sup>th</sup>, 2023

**WEBINAR**

**NIWAP**

National Immigrant Women's Advocacy Project American  
University Washington College of Law

# Introduction



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# Learning Objectives

By the end of this webinar you will be better able to:

- Understand how filing for victim-related immigration benefits enhances access to public benefits safety net services
- Know which publicly funded benefits and services are open to immigrant survivors and immigrants regardless of their immigration status
- Navigate NIWAP's online benefits map and state-by-state charts to look up Virginia state and/or federally-funded benefits and services for which immigrant crime victims may qualify

# Poll 1: Let's see who is on the webinar with us

Please check the box that best describes you:

- A. Attorney
- B. Paralegal
- C. Social worker/Social services provider
- D. Child or victim advocate
- E. Other – type in the chat



# Demographics

What are the top five languages other than English and Spanish you encounter in your work? (Type in the chat)



# Virginia (2019)\*

- ❖ Total foreign born population – 1,083,823
- ❖ 12.7% of the country's ~ 8.5 million people are foreign born
  - 47% naturalized citizens
  - 26% legal permanent residents
  - 27% temporary visa holders or undocumented immigrants
- 90.1% rise in immigrant population from 2000 to 2019
- ❖ Length of time immigrants have lived in the U.S.
  - 43.7% entered before 1999
  - 28% entered 2000 - 2009
  - 28.3% since 2010
- ❖ 25.1% of children under age 18 have one or more immigrant parents
  - 86.3% of these children are native-born U.S. citizens

*\*Source: Migration Policy Institute Data Hub (April 2021) and Lawful Permanent Resident estimates MPI and DHS (2022)*



# Virginia– Countries/Regions of Origin & Limited English Proficiency (LEP)(2019)\*

- ❖ Asia – 38.1%
  - ❖ India (8.8%)
  - ❖ Other South Central Asia (8.5%)
  - ❖ China/Taiwan (5.4%)
  - ❖ Vietnam (4.6%)
  - ❖ Philippines (4.5%)
  - ❖ Korea (4.3%)
- ❖ Latin America – 36.1%
  - ❖ El Salvador (10.3%)
  - ❖ South America (8.6%)
  - ❖ Other Central America (7.4%)
  - ❖ Mexico (6.3%)
- ❖ Africa – 10.7%
- ❖ Europe – 9.1%
- ❖ Middle East – 4.4%
- ❖ Canada – 1.2%
- ❖ Oceania – 0.4%
- ❖ Language spoken
  - ❖ 16.8% of people in the state who speak a language other than English at home
  - ❖ 39.5% of foreign born persons are LEP - speak English less than “very well”

*\*Source: Migration Policy Institute Data Hub (April 2021)*

# Virginia-Languages Spoken at Home (2019)\*

- ❖ Spanish (616,226)
- ❖ Chinese (including Mandarin, Cantonese) (66,186)
- ❖ Vietnamese (57,496)
- ❖ Arabic (56,632)
- ❖ Korean (48,255)
- ❖ Tagalog (including Filipino) (44,005)
- ❖ Urdu (38,489)
- ❖ Amharic, Somali, or Other Afro-Asiatic Languages (35,162)
- ❖ French (including Cajun) (33,050)
- ❖ Persian (including Farsi, Dari) (32,472)
- ❖ Hindi (32,317)
- ❖ Telugu (27,514)
- ❖ Yoruba, Twi, Igbo, or Other Languages of Western Africa (23,044)
- ❖ German (23,070)
- ❖ Nepali, Marathi, or Other Indic Languages (18,944)
- ❖ Russian (15,314)
- ❖ Bengali (13,573)

\* Source: <https://www.migrationpolicy.org/data/state-profiles/state/languages/VA>  
(April 2021)

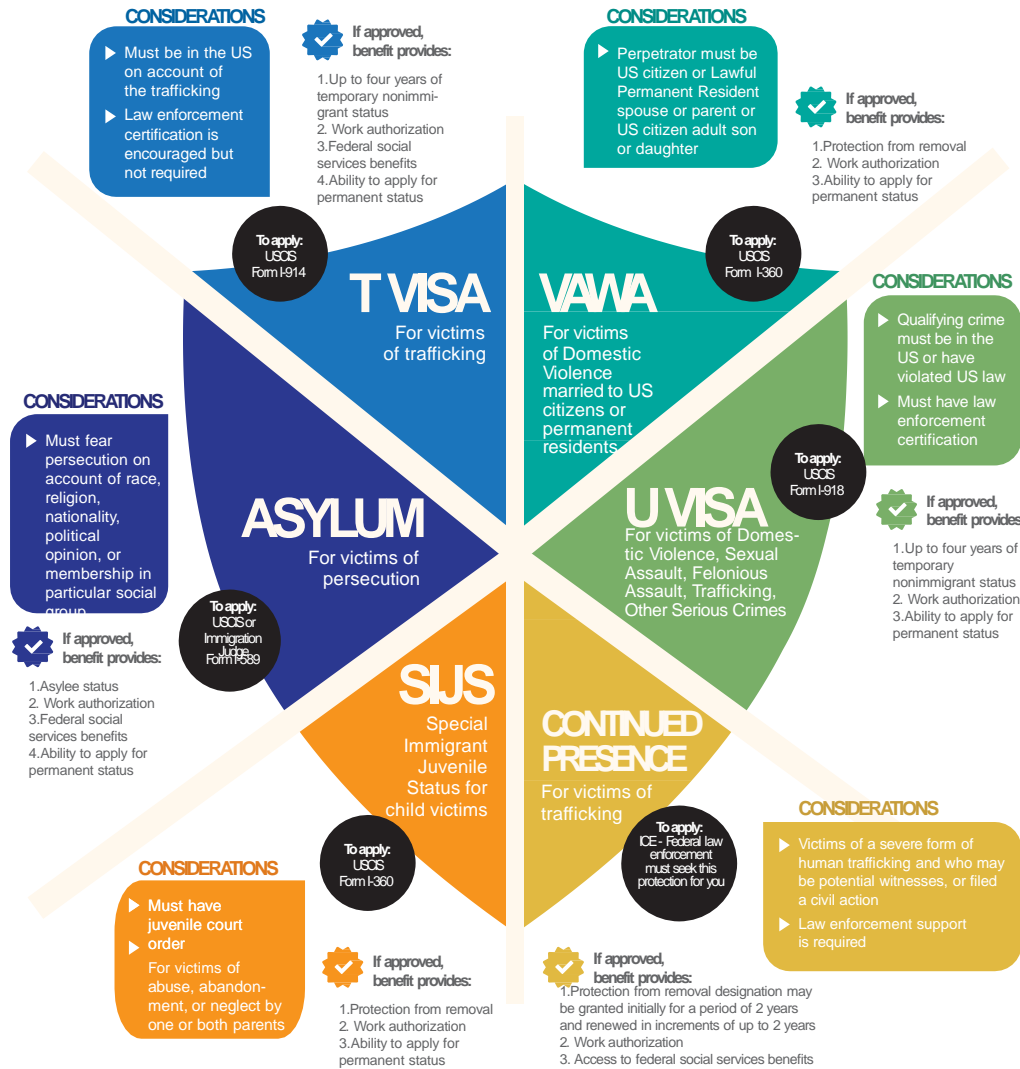
# Virginia-LEP (2019)\*

- ❖ Limited English Proficiency (Speak English less than very well)
  - ❖ Naturalized citizens - 28%
  - ❖ Noncitizens – 52.8%
- ❖ Limited English Proficiency by language spoken at home
  - ❖ Vietnamese (53.1%)
  - ❖ Korean (51.6%)
  - ❖ Chinese (including Mandarin, Cantonese) (44.9%)
  - ❖ Spanish (41.8%)
  - ❖ Amharic, Somali, or Other Afro-Asiatic Languages (38%)
  - ❖ Persian (including Farsi, Dari) (35.6%)
  - ❖ Nepali, Marathi, or Other Indic Languages (35.5%)
  - ❖ Bengali (31.8%)
  - ❖ Tagalog (including Filipino) (31.1%)
  - ❖ Urdu (30.1%)
  - ❖ Russian (30.1%)

\* Source: <https://www.migrationpolicy.org/data/state-profiles/state/language/VA> (April 2021)

**Many Immigrant Victims of  
Domestic Violence, Child  
Abuse, Sexual Assault and  
Other Crimes Are Eligible for  
Immigration Relief**

# PROTECTIONS FOR IMMIGRANT VICTIMS



DHS.GOV/BLUE-CAMPAIGN

# Immigration Relief Available for Immigrant Victims of ---

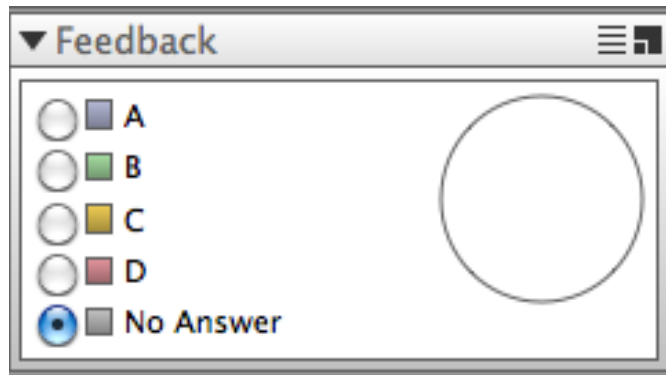
- Domestic violence
  - Child abuse
- Sexual assault
- Rape
- Incest
- Prostitution
- Torture
- Felonious assault
- Manslaughter
- Murder
- Female genital mutilation
- Kidnapping
- Abduction
- Trafficking
- Involuntary servitude
- Slave trade
- Being held hostage
- Fraud Foreign Labor Contracting
- Peonage
- False Imprisonment
- Blackmail
- Extortion
- Witness tampering
- Obstruction of justice
- Perjury
- Stalking
- **Parent perpetrated**
  - **Child abuse**
  - **Child neglect**
  - **Child abandonment**

**Attempt, conspiracy or solicitation to commit any of these crimes or any similar activity**

# Benefits for Survivors

- Protection from deportation
- Access to legal immigration status
- Ability get immigration relief for children
- Financial independence from perpetrator
  - Legal work authorization (6 months to 5 years from filing)
  - Issuance of federally recognized driver's licenses and IDs
  - Increased access to federal and state public benefits
- VAWA confidentiality

## Poll 2: Have you worked with survivors who have received...



- A. Threats of deportation from perpetrators
- B. Been contacted by immigration enforcement officials
- C. Both



# VAWA Self-Petitioning Requirements

- Subjected to Battery or Extreme Cruelty
- By a U.S. Citizen or Permanent Resident
  - spouse;
  - parent; or
  - Citizen adult son/daughter (over 21)
- With Whom Self-Petitioner Resided
  - No time period required
- Good Moral Character
- Good Faith Marriage
- VAWA cancellation of removal has similar eligibility requirements

# Battered Spouse Waivers

- For domestic violence survivors, provides for waiver of the “condition” placed on the status of immigrant spouses of marriages less than two years old
- Waives both the joint filing requirement and two year wait for full lawful permanent resident status
- Requires proof that
  - Marriage to U.S. citizen or permanent resident entered into in good faith *and*
  - Spouse or child was battered or subjected to extreme cruelty
    - Child can include step-child

Immigration and Nationality Act § 216(c)(4)

# Immigration Law Definition of Domestic Violence (Battering or Extreme Cruelty)

## Battering

- Physical violence against
  - Spouse/intimate partner
  - Child
- Use of a weapon
- Sexual abuse & assault
- Stalking
- Other acts defined as domestic violence under state law
- Attempts or threats to do any of these actions

## Coercive Control = Extreme Cruelty:

- Strategies designed to retain control or establish domination through fear, dependence, deprivation, isolation, immigration related abuse
- Deprivation of basic necessities
- Controlling regulating, monitoring the victim
- Compelling through force, intimidation threats to abstain or engage in conduct against victim's will

## Extreme Cruelty:

- Withholding medicine or medical care
- Adultery with a minor
- Financial abuse, seeking to destroy victim's credit
- Accusations of infidelity
- Using children as a tool
- Emotional abuse causing physical or psychological harm

# Special Immigrant Juvenile Status (SIJS)

- Immigration relief for unmarried children
- Under the age of majority under state law
- Victims of abuse, abandonment, neglect, or dependency
  - By at least **one parent**
- To apply must submit required findings from a state court with jurisdiction over
  - the care, custody, or dependency of the child

# U Visa Requirements

- Victim of a qualifying criminal activity
- Has been, is being, or is likely to be helpful in
  - Detection, investigation, prosecution, conviction or sentencing
- Suffered substantial physical or mental abuse as a result of the victimization
- Possesses information about the crime
- Crime occurred in the U.S. or violated U.S. law

# T Visa for Trafficking Victims

- A victim of a severe form of trafficking in persons
  - Sex or labor trafficking involving victim under 18 or and adult subject to force, fraud or coercion
- Victim is physically present in the U.S. on account of trafficking
- Victim must comply with reasonable requests for helpfulness in investigating or prosecuting trafficking.  
Exceptions
  - Under age 18
  - Physical or psychological trauma impede helpfulness/cooperation
- Removal from the U.S. would cause extreme hardship

# What are Severe Forms of Human Trafficking?

- **Sex Trafficking:** in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- **Labor:** The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery

(Federal Law—“Victims of Trafficking and Violence Prevention Act of 2000 can be found at [www.ojp.usdoj.gov/vawo/laws/vawo2000/](http://www.ojp.usdoj.gov/vawo/laws/vawo2000/))

# Familial Trafficking

- Over 62.7% of sex trafficked children their trafficker is a family member
  - Parent, grandparent, aunt, uncle, cousin, sibling
  - With 45.8% parent or guardian
- Up to 34% of sex trafficked children are trafficked by an intimate partner
- Cole, J., & Sprang, G. Sex trafficking of minors in metropolitan, micropolitan, and rural communities. *Child Abuse & Neglect* (2014), <http://dx.doi.org/10.1016/j.chiabu.2014.07.015>



# Time to Legal Work Authorization and Formal Protection Against Deportation

- Battered spouse waiver (Continues) Abused spouses of US citizens with 2-year conditional permanent residency
- VAWA self-petition (4-34 months)  
Abused spouses/children of US citizens and lawful permanent residents  
Abused parents of US citizens over 21 years of age
- VAWA cancellation of removal (1 year)  
Abused spouses/children of US citizen and lawful permanent residents protection from deportation
- Special Immigrant Juvenile (SIJS) (6 months) Children abused, abandoned or neglected by one or both parents
- U visa (4-5 years)  
Has been, is being, is likely to be helpful  
Substantial harm from criminal activity
- T visa-Continued Presence (18 months)  
Victims of severe forms of human trafficking
- Work Authorization -Abused Spouses of Work Visa Holders (9 months)  
A, Eiii, G and H visas

# Clara and Eduardo Case Scenario

Clara met Eduardo a lawful permanent resident when he came back to his hometown to visit his family in El Salvador. Eduardo started dating Clara who was raising her 9 year old son Miguel. After Clara became pregnant and gave birth to a baby girl Lupe, Eduardo decided to bring Clara, Miguel and Lupe to the U.S. to live with him. When they arrived in the U.S. Eduardo took Clara, Miguel and Lupe's passports and became physically and sexually abusive of Clara and abusive of Miguel who tried to protect his mother from Eduardo's abuse. Eduardo also physically beat Lupe when he said she "misbehaved". Within a year following their arrival in the U.S. Eduardo forced both Clara and Miguel to work for his family's business and never paid them for their labor. One night when Miguel was 13 and Lupe was 5, Eduardo's rage led to severe beatings with a belt of Miguel and of Lupe. When Clara intervened to protect the children, Eduardo strangled her until she passed out. The neighbors call the police for help, Clara talked to police when they arrived. The police arrested Eduardo for attempted murder and child abuse, took Clara to the hospital and placed the children in the care of the state.

# Poll 3: What forms of immigration relief would Clara qualify for:

- A. U visa
- B. VAWA self-petition as the parent of Lupe
- C. T visa
- D. All of the above

The image shows a screenshot of a poll interface. At the top left, there is a 'Feedback' window with a dropdown arrow and a menu icon. Below this, there are five radio button options: A (blue square), B (green square), C (yellow square), D (red square), and 'No Answer' (grey square). The 'No Answer' option is selected, indicated by a blue dot in the center of its radio button. To the right of the options is a large empty circle.

## Poll 4: What forms of immigration relief would Lupe not qualify for:

The image shows a screenshot of a poll interface. At the top left, there is a 'Feedback' button with a downward arrow. To the right of the 'Feedback' button is a menu icon (three horizontal lines) and a square icon. Below the 'Feedback' button is a legend with five options, each with a colored square and a radio button:

- A (blue square)
- B (green square)
- C (yellow square)
- D (red square)
- No Answer (grey square)

To the right of the legend is a large, empty circle, which is the target for the poll response.

- A. VAWA self-petition
- B. U visa
- C. T visa
- D. SIJS

# Poll 5: What forms of immigration relief would Miguel qualify for (Check all that apply):

The image shows a screenshot of a poll interface. At the top left, there is a 'Feedback' button with a downward arrow. To the right of the 'Feedback' button is a menu icon (three horizontal lines) and a window icon (a square with a smaller square inside). Below the 'Feedback' button is a legend with five items: 'A' with a blue square, 'B' with a green square, 'C' with a yellow square, 'D' with a red square, and 'No Answer' with a grey square. To the right of the legend is a large empty circle, which is the poll question area.

- A. VAWA self-petition
- B. U visa
- C. T visa
- D. SIJS

# With Deferred Action and Work Authorization Trust Improves

- Increased justice system involvement
  - 114% increase in willingness to trust the police
  - 36% make police reports regarding future crimes
  - 22% help other victims report abuse and seek help/justice
- Significant reductions in abusers using the victim's immigration status as a tool to perpetuate abuse
  - 74% decline in immigration related abuse
  - 78% decline in threats to snatch/cut off access to children
  - 65% decline in efforts to use immigration status of the victim to gain advantage in family court

Orloff, Magwood, Campos-Mendez, & Hass, Transforming Lives: How the VAWA Self-petition and U Visa Change the Lives of Victims and their Children After Work-Authorization and Legal Immigration Status (June 2021)

# 2013 and 2017 Research Found Increased Justice System Participation

- VAWA Self-Petitioners
  - 62% participate in criminal investigations and prosecutions
  - 63% seek civil protection orders
  - 60% turn to the courts for child custody orders
- U Visa Victims
  - 70% participate in active criminal prosecutions and investigations
    - 29% willing to cooperate if their criminal cases went forward
  - 67% seek protection orders
  - 64% seek custody orders

Krisztina E. Szabo, David Stauffer, Benish Anver, *Authorization For VAWA Self-Petitioners and U Visa Applicants*, NIWAP (Feb. 12, 2014) and Rodrigues et al. *Promoting Access to Justice for Immigrant and Limited English Proficient Crime Victims in an Age of Increased Immigration Enforcement: Initial Report from a 2017 National Survey* (May 3, 2018); Leslye Orloff, et. al., *U Visa Victims and Lawful Permanent Residency 5* (September 6, 2012)

# Benefits Impact of Immigration Relief Options for Clara, Lupe and Miguel – Examples VA

- TANF: T visa eligible Clara, Miguel, Lupe if included
  - VAWA self-petitioners (5yr); SIJS LPR(8yr); U LPR (26yr)
- Housing: VAWA self-petition eligible no wait
  - T visa (18mo); SIJS (1-3yr), U visa (21yr)
- Education (FAFSA):
  - T visa (18 mo); VAWA (3mo); SIJS (1-3yr), U visa (21 yr)
- SNAP: T eligible – Clara and children
  - Children: VAWAs (3mo), LPRs - e.g., SIJS (3yr); U visa(21yr)
  - Clara: VAWA (5yr); U visa (26 yr)



# **Access to Publicly Funded Programs and Legal Services Open to all Immigrant Survivors**

# Access for All

Both documented and undocumented immigrant survivors can access:

- Legal Services
- Family Court (Divorce)
- Language Access
- Police Assistance
- Protection Orders
- Child Custody & Support
- Have Their Abusers  
Criminally Prosecuted
- Public Benefits for Their  
Children
- Assistance for Crime Victims
- Shelter
- Transitional Housing
- GED
- WIC/school lunch & breakfast
- Primary/Secondary education
- Immunizations
- Emergency medical care
- Care from community &  
migrant health clinics
- VOCA

# Attorney General's List of Required Services



- In-kind services
- Provided at the community level
- Not based on the individual's income or resources
- Necessary to protect life and safety

# Federal Benefits Available to ALL Immigrants



- Elementary and Secondary education
- School lunch and breakfast
- WIC
- Immunizations, testing, and treatment of communicable diseases
- Emergency Medicaid

# In-Kind Services Necessary to Protect Life and Safety Open to All Immigrants

- Child and adult protection services
- Crisis counseling and intervention
- Violence and abuse prevention
- Victim assistance
- Treatment of mental illness or substance abuse
- Help during adverse weather conditions
- Soup kitchens
- Community food banks
- Shelter & transitional housing assistance
- Nutrition programs for those requiring special assistance



# Representation Under VAWA Anti-Abuse Laws and Regulations

- Legal Services Corporation funded programs can represent the following immigrant survivors **without regard to the survivor's immigration status**
  - Domestic violence
  - Child abuse
  - Elder abuse
  - Sexual Assault
  - Human trafficking
  - Any other U visa listed criminal activity
- Representation is available whether or not the survivor has filed for or plans to file for victim related immigration relief
- In SIJS family court cases representation is available based on the child's eligibility

# Survivors of Human Trafficking

- To be eligible for benefits, survivors of trafficking:
  - Must be children with an OTIP letter; Or
  - Must receive certification from the Office of Refugee Resettlement (ORR) that they are eligible for benefits as victims of trafficking
    - Based on having received a bona fide determination in their T visa case or continued presence
- Benefits agencies must accept ORR certification letter in place of typical Immigration documentation
- Also eligible for refugee programs
- OTIP children are assigned case workers

# Benefits of OTIP Letters for Miguel

- The Office of Trafficking in Persons (OTIP) at HHS issues
  - Certification Letters to foreign national adults and
  - Eligibility Letters to foreign national children
- OTIP Letters provide access to public benefits, as refugees, for life.
- Must be accepted by Federal and State agencies.



## Poll 6: True or False?

Immigrants applying for benefits for their children can refuse to provide immigration or social security information about themselves.



True



False

# When children qualify and their parents/guardians do not:

- If a child qualifies for benefits as a citizen or qualified immigrant
  - the benefits granting agency *may only ask questions* about the child's eligibility
- Although questions about income may be asked
  - *No questions may be asked* about the immigration status of the child's parent if the parent is not applying for additional benefits for themselves
  - Must provide accurate income information and keep it up to date. If not = fraud

## Poll 7: True or False?

Receiving public benefits can harm an immigrant victim's ability to obtain legal immigration status.



True



False

# Public Charge

- The public charge ground of inadmissibility refers to barring a foreign national from obtaining lawful permanent resident status if he or she is likely to become a public charge (primarily dependent on government subsistence).

# List of Exemptions from Public Charge

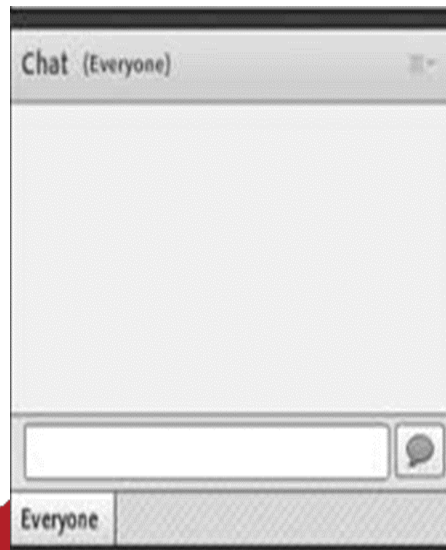
- VAWA self-petitioners;
- VAWA cancellation of removal;
- VAWA suspension of deportation;
- Battered spouse waiver;
- Abused approved family-based visa applicants (I-130);
- VAWA NACARA,
- HRIFA or Cuban Adjustment;
- U visa;
- T visa applicants and holders\*
- Refugees;
- Asylees;
- Special Immigrant Juvenile Status (SIJS);
- (DACA) applicants;
- Amerasians;
- Afghan and Iraqi military translators;
- certain Cuban and Haitian adjustment applicants;
- certain Nicaraguans and Central Americans under NACARA;
- Registry applicants;
- Soviet and Southeast Asian Lautenberg parolees;
- Certain visa holders\*\*;
- Green Card holders

# Public Charge Determination

- USCIS will review the following:
  - Non-citizen age, health, family status, financial status (including assets and resources), education, and skills;
  - Form I-864, *Affidavit of Support Under Section 213A of the INA*
  - Whether the person themselves (not a family member) received or are receiving:
    - Supplemental Security Income (SSI); Cash assistance for income maintenance Temporary Assistance for Needy Families (TANF); State or local income assistance “General Assistance”; or Long-term institutionalization at government expense.
- Other public benefits are excluded from the public charge determination – examples include:
  - Food stamps, nutritional assistance, CHIP, Medicaid, public or assisted housing, educational grants and loans

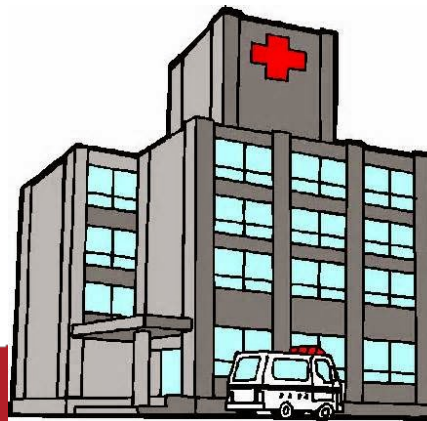
# Access to Health Care

Where can immigrant survivors receive health care that is subsidized without regard to immigration status?



# Emergency Medicaid

- Available only in cases where the person needs treatment for medical conditions with acute symptoms that could:
  - place the patient's health in serious jeopardy;
  - result in serious impairment of bodily functions; or
  - cause dysfunction of any bodily organ or part
  - Includes COVID-19 testing and treatment





# Eligibility for Healthcare

- Community and Migrant Health Centers regardless of immigration status
- The Families First Act provides additional funding to pay for coronavirus testing for anyone who is uninsured
- Eligibility for Emergency Medicaid includes payment for COVID -19 treatment without regard to immigration status

# Health Care Open to All Immigrants

- Community and migrant health clinics
  - [www.nachc.com](http://www.nachc.com)
  - [www.hrsa.gov](http://www.hrsa.gov)
  - Enter zip code
- State funded programs
- Post-assault health care paid by VOCA
- Immunizations, testing, and treatment of communicable diseases
- Emergency Medicaid



# How to find free health clinics in your area



**Step 1:** In IE, go to [www.hrsa.gov](http://www.hrsa.gov)

**Step 2:** Select “Get Health Care”

**Step 3:** Select **“Find a Health Center”**

**Step 4:** Search by location

**OR**

**Step 3:** Select “Find out more about Hill-Burton...”

**Step 4:** Select **“Hill-Burton Obligated Facilities”**



# Federally Qualified Health Centers

- Primary care
- Diagnostic, laboratory and radiological services
- Prenatal care
- Post-assault health care
- Cancer and other disease screening
- Child wellness services
- Emergency medical and dental services
- Mental health treatment
- Immunizations
- Blood test screening
- Eye, ear and dental screenings for children
- Family planning services
- Preventative dental services
- Pharmaceutical services
- Substance abuse services

# Access to Shelter, Transitional Housing and Permanent Housing



# Poll 8: Do you work with immigrant survivors who need Emergency Shelter and Transitional housing?

Feedback

A

B

C

D

No Answer

A. Yes

B. No

# HUD, DOJ and HHS Confirmed in August 2016

- Housing providers must not turn away immigrants based on their immigration status from:
  - Emergency shelter
  - Transitional housing
  - Rapid re-housing

# Shelter/Transitional/Rapid Re-Housing Open to All persons Without Regard to:

- Immigration status
- Citizenship
- Nationality
- English language abilities



# NIWAP Research: Immigrant Victim Transitional Housing Acceptance Rates

Type of Crime	% Accepted	# Accepted	% Denied	# Denied
Domestic Violence	47.1%	1759	<b>52.9%</b>	1979
Sexual Assault	5.8%	29	<b>94.2%</b>	466
Human Trafficking	78.5%	146	<b>21.5%</b>	40
Abused/Abandoned /Run Away Children	80.8%	51	<b>19.2%</b>	12

# NIWAP Research: Reasons Immigrant Victims Turned Away From Transitional Housing

Primary Reasons Immigrant Domestic and Sexual Violence Victims Were Turned Away from Transitional Housing		
	Domestic Violence	Sexual Assault
Immigrant victim lacked the required documentation of immigration status	34.4%	99.4%
When documentation was required the program sought evidence of one of the following:		
Documentation related immigration status	84.1%	99.4%
Documentation of current employment or ability to work	56.0%	98.9%
An employment authorization document as proof of legal work authorization	52.9%	98.9%
Did not have a driver's license*	45.0%	98.8%
Program required documentation that the victim did not have	33.2%	87.0%
Immigrant applicant was undocumented	25.6%	90.0%
Immigrant victim did not meet the formal income requirements	23.7%	85.8%
The battered immigrant applicant failed to present government issued I.D.	18.3%	86.1%
They were told that the evidence presented of being self-sufficient was insufficient	9.0%	85.7%
They were not a victim of domestic violence	n/a	85.6%
They did not speak English	2.9%	3.1%

# Benefits Available to all Immigrants Include:

- Short-term shelter or housing assistance, victim services counseling, and intervention for:
  - Victims of:
    - Domestic violence
    - Sexual assault
    - Stalking
    - Dating violence
    - Human trafficking
    - Child abuse
    - Other abuse
  - Homeless
  - Runaway or homeless youth
  - Abandoned children

# HUD Stated in 2001

- Both emergency shelter and transitional housing are:
  - Necessary to protect life and safety
- Transitional housing is by its nature:
  - Short-term
  - A bridge toward permanent housing

# HUD/DOJ/HHS Letter

- HUD, DOJ, and HHS confirmed in a joint letter that federally funded housing providers must not turn away individuals based on their immigration status from programs, services, or assistance necessary to protect life or safety
- Examples of such programs and services:
  - Short-term shelter or housing assistance
  - Crisis counseling or intervention programs
  - Medical and public health services necessary to protect life or safety

# Transitional Housing

- When transitional housing meets the in-kind, community level, and life and safety tests
  - Unit is owned or leased by the grantee and used to provide transitional housing
  - Must be open to all; No immigration restrictions
- Exception: Grantee paying rental assistance payments for participant *when regulations require income test*

# Anti-Discrimination Protections

- No discrimination based on:
  - Title VI/FVPSA- race, color, and national origin
  - Fair Housing Act-race, color, national origin, religion, sex, familial status, and disability
  - VAWA- race, color religion, national origin, sex, gender identity, sexual orientation, and disability
  - HUD Section 109- race, color, national origin, sex, and religion

# NNEDV/OVW Admission Criteria

- Survivor actively fleeing abusive relationship or situation (e.g., employment, housing where rape occurred)
- 18 or older or legally emancipated
- Willing and desiring to participate in transitional housing program and meet with staff on mutually determined schedule
- Willing to create individualized safety plan with help of victim advocate
- Able to live 24/7 independently



# Common Criteria for Transitional Housing

- Residence in the city/county
- Homelessness/at risk of homelessness
- Employment/self-sufficiency criteria
- Cannot be an active substance abuser
- No sex offender criminal record

# Evidence of Residency: Examples

- Victim's statement
- Postmarked mail received at a residence in the jurisdiction
- School, health, court records with address
- Copies of police reports
- Letters from neighbors, shelter, victim advocate, social worker, faith based organization staff

# Evidence of Victimization or Homelessness: Examples

- Victim's statement
- Police reports
- Medical or court records
- U-Visa/VAWA application
- Photographs, recordings of abuse
- Protection order
- Evidence of poor rental history/evictions

# Evidence of Self-Sufficiency

- Evidence of employment
  - Documentation of income from employment
  - Tax ID number
  - Employer's statement court form
  - Letter from employer with photo attached
- Evidence of other income
  - Child support, benefits citizen/lawful permanent resident children receive
- Evidence that taking steps toward employment
  - Filed VAWA self-petition, U visa, taking ESL classes

# Access to Benefits and Services Grows as Children and Victims Pursue Immigration Relief



# Children and Crime Victims Qualified to Receive Public Benefits— Common Examples

- Qualified Immigrants benefits eligible
  - Lawful permanent residents
    - Includes U visas and SIJS
  - Refugees/Asylees
  - VAWA self-petitioners
  - Trafficking victim with
    - Continued presence or
    - Bona fide determination in T visa case
- Not generally benefits eligible some variation by state
  - Asylum applicants
  - DACA recipients
  - U visa applicants & recipients
  - Work/Student visa holders
  - Undocumented

# Qualified Immigrant Access to Federal Public Benefits

- All qualified immigrants can access some federal public benefits
  - Which benefits they can access depends on:
    - Immigration status
    - When they entered the United States
    - Whether they meet heightened program requirements for some programs
    - What benefits are offered by the state

# Federal Benefits Immigrant Restrictions

- Only programs that as a matter of law have immigrant restrictions are those categorized as:
  - “federal public benefits,” “state public benefits” or
  - “federal means-tested public benefits”
- Not a federal or state benefits unless payment is made directly to:
  - An individual
  - A household
  - A family eligibility unit



# Examples of “Federal Public Benefits”

- **US Agency Funded/Provided:**
  - Grants
  - Contracts
  - Loans
  - Professional or commercial licenses
    - Drivers licenses
- **Federally Funded Benefits for**
  - Retirement
  - Welfare
  - Health
  - Disability
  - Postsecondary education
  - Public or assisted housing
  - Food assistance or
  - Unemployment

# Who are “Qualified Immigrants”?

- Lawful permanent residents
- Refugees and asylees
- Cuban/Haitian entrants
- Veterans
- Amerasians
- Trafficking victims filing for or with T visas
- Persons granted conditional entry
- Persons paroled into U.S. one year or more
- Persons granted withholding of deportation or cancellation of removal
- VAWA: Persons who (or whose children) have been battered or subject to extreme cruelty by a U.S. citizen or lawful permanent resident spouse or parent

# Partial List of Federal Public Benefits/Community Programs Open to All “Qualified Immigrants”

- Public and assisted housing
- Supportive housing for the elderly or disabled
- Post-secondary educational grants & loans
- Access to most subsidized child care
- Receive payments for providing foster care
- FEMA individual family grants and disaster unemployment
- Job opportunities for low income individuals
- Adoption assistance
- Low income and residential energy assistance programs
- Disability benefits
- Assistance to developmentally disabled
- Social services block grant programs

# Additional Housing Access for Qualified Immigrants: Public and Assisted Housing

# Poll 9: Which is the following programs does NOT have immigrant access restrictions under Section 214 of the Housing and Community Development Act ?

- A. Public housing
- B. Section 8 vouchers
- C. Project-based Section 8
- D. Low Income Housing Tax Credit
- E. Section 514 and 516 Farm Labor Housing programs

Feedback

A

B

C

D

No Answer

# “Section 214” Restricted HUD Programs

- Public Housing
- Housing Choice Voucher Program
- Section 8 Project-Based Housing
- Section 236 Housing
- Section 235 Homeownership Housing
- Rent Supplement Housing
- Housing Development Grants (HoDAG)
- Section 23 Leased Housing Program

# “Section 214” Restricted RD Programs

- Section 514 and 516 Farm Labor Housing programs
- Section 502 home loan program
- Section 504 rehabilitation loan and grant program
- Section 521 Rental Assistance Program
- RD Voucher Program

# Poll 10: Which of the following immigrants NOT eligible for Public and Assisted Housing?

Feedback

A

B

C

D

No Answer

- A. Lawful permanent residents, refugees & asylum recipients
- B. VAWA self-petition applicants
- C. U visa applicants/recipients
- D. Bona Fide T visa
- E. Continued Presence



# Section 214 Eligible Immigrant Categories

- U.S. Citizens/U.S. Nationals
- Lawful Permanent Residents
- VAWA self-petitioners
- Refugees and Asylees
- Parolees
- Persons granted withholding of removal/deportation
- Victims of trafficking – Continued presence and T visa bona fide
- Persons granted admission for emergent or public interest reasons
- Persons granted amnesty under the Immigration Reform and Control Act of 1986
- Immigrants eligible for registry who entered the U.S. before June 30, 1948
- Lawful U.S. residents under the Compacts of Free Association with the Marshall Islands, Micronesia, Palau and Guam
- Immigrants admitted for lawful temporary residence prior to January 1, 1982

# Reminder: Housing Programs That Are Not Restricted by Section 214

- Low Income Housing Tax Credit (LIHTC)
- Section 202 Housing for the Elderly
- Section 811 Housing for the Disabled
- Section 221 (d)(3)
- Indian Housing
- CDBG
- HOME
- HOPWA
- McKinney-Vento/HEARTH Act\*
- Rental Rehabilitation
- HOPE 2
- Section 515 Rural Rental Housing Program (without Rental Assistance)
- Rural Housing Preservation Grants
- Section 538 Multi-family Loan Guarantees

# VAWA Self-Petitioners

- Since 1996 VAWA self-petitioners eligible for public and assisted housing
- HUD issued a legal memo confirming that VAWA self-petitioners have “satisfactory immigrant status” when applying for Section 214 housing.
  - Housing providers must verify immigrant status by using the SAVE system
  - Documents to verify VAWA self-petitioner’s status
  - VAWA protections apply
- HUD PIH issued notice for public housing authorities on VAWA self-petitioner verification procedures.

# VAWA Self-Petitioners Eligible for Public and Assisted Housing

- Victims with VAWA self-petition filed
  - Children included in VAWA self-petition
- VAWA cancellation of removal and VAWA suspension of deportation applicants
  - Victims' children are not included in these applications
  - Will only appear in SAVE system if have work authorization
- Victims with approved I-130 visa petitions filed by their abusive spouse or parent
  - Children included in I-130 visa application filed for victim

# SAVE Program

- The SAVE Program provides immigration status information to authorized agencies providing federally funded benefits
- VAWA confidentiality: DHS does not place victims into SAVE until they receive work authorization
  - VAWA cases require housing provider to “Institute Additional Verification”
  - DHS conducts this additional verification in a VAWA confidentiality compliant manner
  - VAWA confidentiality protections apply to VAWA, Battered Spouse Waiver, T, and U visa, and abused Visa Holder Spouse work authorization applications

# How Housing Providers Are to Complete DHS -SAVE System Online

- 1) Enter into SAVE the VAWA immigrant victim's:
  - Name + A# + Date of birth
- 2) System issues “Match” or “No Match” response
- 3) If “No Match” - Click “Institute Additional Verification”  
AND Enter in the note field either
  - “Verify VAWA Self-Petition” or “Verify I-130 Visa Petition” AND
  - Upload copy of the victim's DHS document:
    - I-360 VAWA self-petition
    - I-130 Family-based visa petition
    - I-797 Notice of Action: Used for receipt notice, prima facie determination, and approval notice

# Be Prepared to Advocate...

- For survivor and children remain in the unit when perpetrator is removed
- Based on a child's or survivor's legal status able to avoid proration and include the survivor as a qualified immigrant in the subsidy
- DHS or immigration judge (not HUD) adjudicate battering or extreme cruelty
  - Exception: family petition (I-130) filed by abuser

# Interactive Public Benefits Map: State-By-State

Hide fields Filter Group Sort ...

	Ben...	STATE & TERRITORY	Benefit Name	VAWA Self-Petitioner
1	309	Florida Public Benefits	Child Care - TANF Funded	Eligible for TANF funded child care if receiving TANF.
2	308	Florida Public Benefits	Child Care: Child Care Development Fund (CCDF)	Eligible for CCDF
3	310	Florida Public Benefits	Children's Health Insurance Program (CHIP)	Eligible up to age 19 upon prima facie determination ...
4	311	Florida Public Benefits	Earned Income Tax Credits (EITC)	Eligible with conditions upon receipt of work ...
5	313	Florida Public Benefits	Emergency Medicaid	Eligible.
6	315	Florida Public Benefits	Family Medical Leave Act - State Law	No state law, federal law applies.
7	316	Florida Public Benefits	Federal Education Student Aid, Grants, and Loans	Eligible upon prima facie determination.

30 records um 13017

Airtable Download

### BENEFITS MAP

Welcome to NIWAP's Interactive Public Benefits Map (October 24, 2022)

<https://niwaplibrary.wcl.american.edu/benefits-map>





# A GUIDE TO THE PUBLIC BENEFITS MAP



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**HOW TO DETERMINE  
PUBLIC BENEFITS  
ELIGIBILITY BY STATE AND  
IMMIGRATION STATUS  
FOR IMMIGRANT CRIME  
VICTIMS AND  
TRAFFICKING SURVIVORS**

---

## **STEP ONE**

TO START, BEGIN BY  
ACCESSING THE NIWAP  
WEBPAGE AT:  
[HTTPS://NIWAPLIBRARY.  
WCL.AMERICAN.EDU/  
BENEFITS-MAP](https://niwaplibrary.wcl.american.edu/benefits-map)



## STEP TWO

SEARCH BY...

# STATE



SELECT THE STATE FOR WHICH WOULD LIKE TO SEE ELIGIBILITY INFORMATION.

## STEP THREE

# RESOURCES

NOTE THAT EACH STATE PAGE HAS THREE STATE-SPECIFIC RESOURCE LINKS FOR USE WITH THE MAP BELOW [FURTHER DETAILED INFORMATION]



SCREENING CHART	QUICK DESKTOP REFERENCE
FULL PUBLIC BENEFITS CHART	FULL CITATIONS FOR ALL LISTED BENEFITS
DEMOGRAPHICS	FOREIGN-BORN POPULATION IN EACH STATE (2019)

## STEP FOUR LOCATING BY.....

SCROLLING TO THE BOTTOM OF EACH STATE PAGE WILL ALLOW YOU TO ACCESS A COMPREHENSIVE LIVE DATA STATE TABLE WITH ELIGIBILITY BY TYPE OF BENEFIT AND BY IMMIGRATION STATUS OR APPLICATION TYPE.



Women's Advocacy Project American University Washington College of Law

## STEP FIVE

# NAVIGATING

CUSTOMIZING THE TABLE FOR YOUR NEEDS [RELEVANT TABS EXPLAINED]

## WHY DOES THIS MATTER?

Effective navigation can help you use the table more efficiently. For example, if you know your client's state and immigration status, you can **hide all columns except state, benefit name, and immigration status** to see all the benefits your client qualifies for at a glance.

**HIDE:** Only display columns needed

**FILTER:** Select for specific results for each column

**SORT:** Organize by alphabetical/numerical order for specific columns

Adjusting row height for full text view

	Be...	STATE...	Benefit Name	VAWA Self-Petitioner	Battered Spouse Waiver	Refugee	Asylee
1	138	California	Child Care - Child Care Develo...	Eligible for CCDF	Eligible for CCDF	Eligible for CCDF	Eligible for c...
2	139	California	Child Care - TANF Funded	Eligible for TANF funded c...	Eligible for TANF funded c...	Eligible	Eligible.
3	140	California	Children's Health Insurance Pr...	In CA, all children eligible ...	In CA, all children eligible ...	In CA, all children eligible ...	In CA, all ch
4	141	California	Earned Income Tax Credits (EIT...	Eligible with conditions up...	Eligible with conditions up...	Eligible with conditions up...	Eligible with
5	143	California	Emergency Medicaid	Eligible.	Eligible.	Eligible.	Eligible.
6	145	California	Family Medical Leave Act - Sta...	May be eligible for CA Fam...	May be eligible for CA Fam...	May be eligible for CA Fam...	May be elig
7	146	California	Federal Education Student Aid...	Eligible upon prima facie d...	Eligible as Battered Spous...	Eligible.	Eligible.
8	147	California	Federal Emergency Managemen...	Eligible for disaster relief.	Eligible for disaster relief.	Eligible for disaster relief.	Eligible for c
9	170	California	Federally Recognized Driver's ...	Eligible for federally recog...	Eligible for federally recog...	Eligible for federally recog...	Eligible for f
10	149	California	FEMA-Restricted Programs	Eligible upon prima facie d...	Eligible as Battered Spous...	Eligible for food, unemploy...	Eligible for f
11	150	California	Health Insurance Exchanges - ...	Eligible with prima facie de...	Eligible as Battered Spous...	Eligible.	Eligible.
	153	California	Income Tax Credits	Immigrants with social sec...	Immigrants with social sec...	Immigrants with social sec...	Immigrants

Hover mouse next to a row number to expand its details. Click on the blue arrows to view complete information in a pop up box.

Download table into CSV file then use "save as" to convert to Excel format

A better way to view the full state table.

## STEP SIX

# BENEFITS

Expanding an individual row allows you to see detailed eligibility status information for each benefit category (example below):

"Eligible with conditions" means the immigrant may be eligible, but is subject to additional requirements before being able to access the benefit.

The screenshot shows a modal window for benefit number 150. The modal contains the following information:

- Benefit Number:** 150
- STATE & TERRITORY:** California Public Benefits
- Benefit Name:** Health Insurance Exchanges - Purchase Eligibility
- VAWA Self-Petitioner:** Eligible with prima facie determination.  
In CA, with conditions may be eligible for subsidies.
- Battered Spouse Waiver:** Eligible as Battered Spouse Waiver victim.  
In CA, with conditions may be eligible for subsidies.

USING THE STATE BENEFITS MAP TABLE INFORMATION, YOU CAN LOOK UP ALL OF THE DETAILS REGARDING ELIGIBILITY WITH THE SOURCES OF LAW CITED IN FOOTNOTES IN YOUR STATE'S FULL BENEFITS CHART LINKED ON THE INTRO PAGE FOR THE STATE.

IF YOU WOULD FURTHER INFORMATION, CALL NIWAP FOR TECHNICAL ASSISTANCE AT (202) 274-4457 OR EMAIL [INFO@NIWAP.ORG](mailto:INFO@NIWAP.ORG)



Immigration Policy Project American College of Law

# Maps by Benefit

- Cash Assistance (TANF)
- Child Care
- Children's Health Insurance Program
- Driver's License, IDs, & Professional Licenses
- Earned Income Tax Credit
- Emergency & Transitional Housing & Safety Programs
- Emergency Medicaid
- Family Medical Leave
- Federal Education Benefits
- FEMA Assistance & Restricted Programs
- Food Stamps
- Health Insurance Exchanges
- Income Tax Credits
- Legal Services
- Medicaid
- Prenatal Care
- State Education Benefits
- Supplemental Security Income
- VOCA
- Weatherization & Energy Assistance
- WIC
- Unemployment Insurance

# Benefits Map Demonstration

<https://niwaplibrary.wcl.american.edu/benefits-map>

# Importance of Accompanying Immigrants in Applying for Public Benefits

- Help educate state benefits workers
- Accompanying immigrant applicants helps
  - Children and survivor get what they are legally entitled to access
    - Varies by state, immigration status, benefits program
  - Helps undocumented parents/guardians file for benefits for their eligible citizen and immigrant children
  - State welfare worker reporting requirements

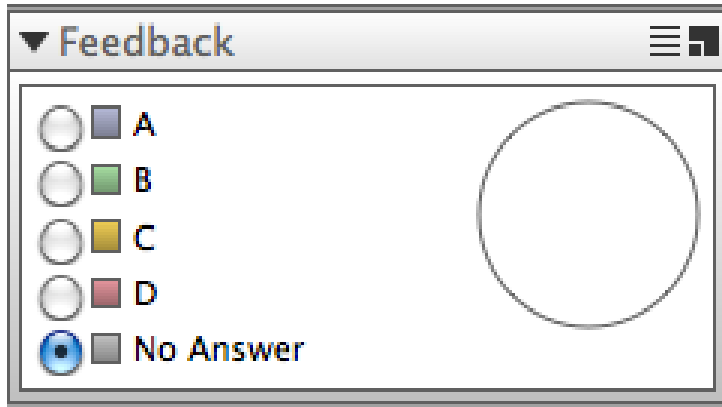


# Importance of Accompaniment

- Federal Reporting Requirements
- Widespread Problems Nationally
  - Turned away at the door
  - No language access
  - Denied benefits for citizen children
  - VAWA eligible denied benefits
  - state benefits
- Need witnesses and documentation of treatment by benefits workers



## Poll 11: What would you take with you to a public benefits agency with an immigrant survivor?



Feedback

A

B

C

D

No Answer

- A. Copy of the state/federal benefits statute
- B. DHS documents showing how the victim is eligible
- C. Relevant state/federal policies
- D. All of the above

# What to Bring with you to Advocate

- The Law indicating the benefit (you can find it on NIWAP's Public Benefit Map)
- Check also <https://www.benefits.gov/>
- Documentation of income eligibility
  - See links by program on state screening charts
- Documents from DHS
  - If eligibility requires immigration status



**Poll 12:** Where other than the State Benefits agency have you had to advocate with to ensure access to benefits for your client? (Check all that apply)

The image shows a screenshot of a poll interface. At the top left, there is a tab labeled "Feedback" with a downward arrow. To the right of the tab is a menu icon (three horizontal lines) and a close icon (a square with an 'X'). Below the tab is a legend with five items, each consisting of a colored square and a radio button: A (blue), B (green), C (yellow), D (red), and No Answer (grey). To the right of the legend is a large, empty white circle with a thin black border, intended for selecting an answer.

- A. Transitional Housing office
- B. Legal Service
- C. Healthcare Program
- D. Other Social Service programs
- E. Universities or College
- F. Dept. of Motor Vehicles (DMV)
- G. None of the Above

# Public Benefits Eligibility by States

# The Five Year Bar

- Due to 1996 welfare reform, qualified immigrants, including battered immigrant women, that enter the United States after August 22, 1996 are ineligible for “federal means-tested public benefits” for the first five years of holding qualified status.
- Certain immigrants are not subject to the five year bar e.g.:
  - Refugees,
  - Asylees
  - Amerasian immigrants
  - Cuban/Haitian entrants,
  - Immigrants granted withholding of deportation
  - Victims of severe forms of human trafficking
    - T visas, T bona fide, continued presence and OTIP letters

# State Option

- States have the option to provide some state funded benefits to immigrants
  - During the 5 year bar and/or
  - Those who are abused
- Varies by state and type of benefit
  - Can be important to look up neighboring states
- Advocacy includes safety planning during the 5 year bar

# State and Federal Benefits in Virginia

- TANF: T visas & Continued Presence (CP) with ORR letters
  - 5 year bar: VAWAs with prima facie and LPRs (e.g., SIJS & U visas)
- Child care: TANF same as above **Lawful permanent resident = LPR**
  - Child Care Development Fund – no restrictions
- SNAP: Children, Elderly, Disabled, after 5 years, or 40 quarters work:
  - VAWAs prima facie, T visas/CP (ORR Letter), LPRs (e.g., SIJS & U visas) – work permit is not enough
- Education
  - Federal: VAWA, T visas/CP (ORR letter), LPRs (e.g., SIJS & U visas)
  - State in-state tuition/financial aid: Child granted SIJS **OR**
  - VA high school 2yr or VA GED + diploma + 2 yrs. VA tax returns filed by student, parent, guardian (ITIN or SSN) **OR**
  - Some universities/ colleges

**Poll 13:** DHS requires universities to ask about the immigration status of applicants or enrolling students.



True



False



# Education

- DHS does not require universities to ask about immigration status of applicant or enrolling students
- Immigrants eligible for student federal student loans
  - VAWA self-petitioners and their children
  - Permanent residents including SIJS
  - Trafficking victims
  - Refugees/asylees
  - SIJS recipients of lawful permanent residency

# Post secondary educational grants and loans

- VAWA self-petitioners and their children are qualified immigrants eligible to receive DOE funded grants and loans
- Universities are to accept DHS/Immigration Judge
  - Documentation of VAWA self-petition/cancellation status
- On FAFSA check “eligible noncitizen” and provide “A” number
- Explains no-match with DOE/DHS computer system and
  - DOES NOT require verification
- DHS documents must be current at each time of re-application
- Students remain eligible after age of majority unless
  - VAWA case is denied
- **NOTE in VA: DACA qualify for financial aid/scholarships at some colleges/universities**

# Benefits in Virginia

- Housing
  - Transitional – all victims + homeless + abused children
  - Public and Assisted: VAWA applicants, T visas/CP (ORR Letter) , LPRs (SIJS/U visa)
- LIHEAP
  - Weatherization everyone
  - LIHEAP – VAWA, T visa/CP (ORR Letter), LPRs (SIJS & U visas)
- FEMA
  - Emergency assistance: everyone
  - Individual Households Program; Individual & Family Grant Program; & US Small Business Administrations Loans
    - VAWA, T visa, CP, LPRs (SIJS & Us)
  - Disaster Unemployment Assistance: Requires work authorization

# Benefits in Virginia

- Health Care
  - Exchanges: VAWA, CP, T visa, SIJS applicants, U visa bona fides, LPRs
  - CHIP for children or pregnant persons until 19:
    - VAWAs, CP, T visa (after LPR no 7yr limit), OTIP letter, U visa bona fides, SIJS filed, LPRs
  - Full scope adult Medicaid: CP, T visa (after LPR no 7yr limit)
    - Pregnant: VAWAs, SIJS applicants, U bona fide, LPRs
    - After 5yr bar: VAWAs, LPRs (SIJS & U visas) or military exception
- SSI (most limited): CP, T visa (ORR Letter)
  - VAWA & SIJS, U visa Need LPR +5 year bar+ 40 quarters work

When during the immigration case process is it possible for your client to obtain a driver's license or State issued ID in your State?



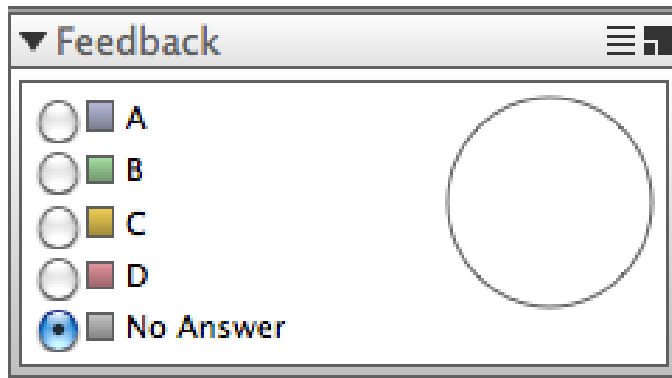
# Drivers' Licenses Virginia

- Upon receipt of work authorization federally recognized driver's license or ID = All states, DC and PR
  - VAWA approved cases with deferred action (2 years)
  - U with deferred action (up to 5 years)
    - Bona fide or waitlist approval
  - T visa bona fide or Continued presence
  - DACA
  - SIJS ( $\approx$ 3 years) with lawful permanent residence
- State issued licenses and IDs = Virginia
  - ITIN or SSN
  - Tax return
  - Proof of residency and identity

# Federally Recognized Driver's Licenses and IDs

- Under the REAL ID Act, evidence of lawful presence is required for driver's license to be a federally recognized form of identification
  - T visa bona fide
  - Continued Presence
  - Immigrants with work authorization
    - Approved VAWA self-petitioners, SIJS, DACA
    - Bona fide or waitlist approved U visa victims
    - Lawful permanent residents

# Poll 14: Have you helped a client obtain any of the following documents (check all that apply)?



The image shows a screenshot of a poll interface. At the top left, there is a dropdown menu labeled "Feedback" with a downward arrow. To the right of the dropdown are three horizontal lines and a square icon. Below the dropdown, there are five radio button options: A (blue square), B (green square), C (yellow square), D (red square), and No Answer (blue square). To the right of these options is a large empty circle.

- A. ITIN
- B. Non-work SSN
- C. Passport
- D. Driver's license or Government-issued identification card



# Individual Taxpayer Identification Number (ITIN) Purpose

- A tax-processing number issued by the IRS to ensure that people pay taxes even if they do not have a Social Security number (SSN) and regardless of their immigration status.
- Complying with federal tax laws.
- Can open an interest-bearing bank account.
- Helps secure a driver's license.
- Proof of “good moral character” for immigration applications
- Immigrants can use tax returns to document their work history and physical presence in the U.S. in future immigration applications

# How to apply for ITIN

- Applicants must fill out a W-7 application form and submit it to the IRS with a completed tax return.
- Applicants are required to submit documents (original or certified copies) to the IRS verifying identity and “foreign status.”
- An applicant can apply for an ITIN by mail, in person through a designated IRS Taxpayer Assistance Center (TAC), or with the help of an Acceptance Agent (AA) or a Certified Acceptance Agent (CAA) authorized by the IRS.

# Non-Work SSNs

## Example VAWA Self-Petitioners

- HUD regulations require that public and assisted housing recipients provide a Social Security Number.
- VAWA self-petitioners can request a non-work social security number from SSA.
- The victims' advocate or attorney should simultaneously request that the Public Housing Authority which received the victims' application for public or assisted housing issue a letter that the victim can request a non-work social security number from SSA.

# Web Page Materials

- Materials List:  
<https://niwaplibrary.wcl.american.edu/publicbenefits-nvfs>
- Directory
- Multi-lingual Know your Rights Materials
  - <https://niwaplibrary.wcl.american.edu/multilingual-materials-by-title>
- Public Benefits Training Materials
  - NIWAP's public benefits map and state-by-state charts
  - Benefits Open to all Immigrants -Brochure
  - State Benefits Charts
  - Brochure: Immigrant crime victims and public charge
  - Privacy protections and benefits reporting requirements

# We want to hear from you...



Scan the QR code to  
answer the webinar  
evaluation

# Technical Assistance and Materials

- NIWAP is a national organization that provides various services to professionals who work with immigrant women, children, and crime victims.
- NIWAP offers training, legal and social science research, policy development, and technical assistance to a wide range of professionals, including advocates, attorneys, local law enforcement, social services, etc.
- NIWAP Technical Assistance:
  - Call (202) 274-4457
  - E-mail [info@niwap.org](mailto:info@niwap.org)

# NIWAP Web library

[niwaplibrary.wcl.american.edu](http://niwaplibrary.wcl.american.edu)



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[Language Access](#)

[Access to Legal Services](#)

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