

Oregon Public Benefits Screening Chart for Immigrant Survivors by Forms of Immigration Relief¹

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The purpose of this simplified chart is to provide a tool that victim advocates, attorneys, judges and court staff can use to identify which immigrant survivors and immigrant children qualify for which state or federally funded public benefits, programs and services. This tool was designed to be a first step to identify which immigrant survivors may qualify for which benefits and services. When an immigrant survivor is listed as qualifying or qualifying with conditions on this chart, the second step is to turn to the full public benefits chart NIWAP developed for your jurisdiction where you can look up the details/conditions of what is needed to prove eligibility and what are the sources of law that prove eligibility.

This chart is not an exhaustive list of public benefits available to immigrants in Oregon and but a simplified snapshot of access to certain benefits including cash assistance, healthcare, and housing. This chart is meant to be used in conjunction with NIWAP's [Access to State-Funded Public Benefits in Oregon for Survivors, Based on Immigration Status](#), available at: <https://niwaplibrary.wcl.american.edu/pubs/oregon-benefits> that provides detailed information with citations to all of the relevant sources of law, regulations, and policies. This more detailed publication includes citations to materials that you can take with you when you accompany an immigrant victim applying for state or federal public benefits or other forms of assistance. In addition to the benefits and services discussed on this chart below, there is also a wide range of assistance that is available as a matter of law to all immigrants regardless of status.¹ For an interactive map that breaks down available public benefits based on the state and immigration status go here: <http://map.niwap.org/>.

Note: The 1996 welfare reform laws authorized states to implement state laws that offer immigrants more state funded benefits than federal public benefits provided and also authorized states to impose more restrictions on the federal public benefits immigrants living in the state could access. This state has elected to:

- Offer MORE STATE FUNDED BENEFITS to certain groups of immigrants in the following benefits programs: Temporary Assistance for Needy Families (TANF), TANF-funded child care, Child Health Insurance Program (CHIP), Prenatal care, State Family Medical Leave Act (FMLA), Post-secondary education in-state tuition and financial aid, and state driver's licenses.
- Impose MORE RESTRICTIONS on immigrant access to federal public benefits: Not Applicable.

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PROGRAM	VAWA Self Petitioner and Battered Spouse Waiver ²	Refugees, ³ Asylees, T Visas	T Visa Bona Fide or Continued Presence	Deferred Action for Childhood Arrivals (DACA)	Special Immigrant Juvenile Status (SIJS)	U Visa, Bona Fide, or Wait List Approval	U Visa (Petition Filed)	Undocumented
CASH & NUTRITION ASSISTANCE, AND CHILDCARE								
<u>Temporary Assistance for Needy Families (TANF) (Cash Assistance)</u>	In OR, eligible as domestic violence victims.	Eligible.	Eligible with HHS certification or eligibility letter. In OR, if victims of domestic violence* ² eligible.	Not Eligible. In OR, if victims of domestic violence* eligible.	Eligible with conditions upon obtaining lawful permanent residency. In OR, if victims of domestic violence* eligible.	Eligible with conditions upon obtaining lawful permanent residency. In OR, if victims of domestic violence* eligible.	Not eligible. In OR, if victims of domestic violence* eligible.	Not eligible. In OR, if victims of domestic violence* eligible.
<u>Child Care Funded by TANF and the Child Care Development Fund (CCDF)</u>	Eligible for CCDF. In OR, eligible for TANF funded child care as domestic violence* victims.	Eligible for CCDF. Eligible for TANF funded child care. In OR, if victims of domestic violence* eligible for TANF-funded child care.	Eligible for CCDF. Eligible for TANF funded child care with HHS certification or eligibility letter. In OR, if victims of domestic violence* eligible for TANF-funded child care.	Eligible for CCDF. In OR, if victims of domestic violence* eligible for TANF-funded child care.	Eligible for CCDF. Eligible for TANF funded child care with conditions upon lawful permanent residency. In OR, if victims of domestic violence* eligible for TANF-funded child care.	Eligible for CCDF. Eligible for TANF funded child care with conditions upon lawful permanent residency. In OR, if victims of domestic violence* eligible for TANF-funded child care.	Eligible for CCDF. In OR, if victims of domestic violence* eligible for TANF-funded child care.	Eligible for CCDF. In OR, if victims of domestic violence* eligible for TANF-funded child care.
<u>Supplemental Security Income (SSI)</u>	Eligible with conditions upon prima facie determination.	Eligible during first 7 years after status is granted.	Eligible with conditions upon receipt of HHS certification or eligibility letter.	Not eligible.	Eligible with conditions upon lawful permanent residency.	Eligible with conditions upon lawful permanent residency.	Not eligible.	Not eligible.

² * Child abuse is not included within the definition of domestic violence in Oregon. OR. REV. STAT. §107.705(4)(c). Thus, for public benefits purposes a child who suffered abuse by a parent would not qualify for domestic violence based public benefits eligibility in Oregon.

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Supplemental Nutrition Assistance Program (SNAP)	Eligible with conditions upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible with conditions upon obtaining lawful permanent residency.	Eligible with conditions upon obtaining lawful permanent residency.	Not eligible.	Not eligible.
Nutrition Program: For Women, Infants & Children (WIC)	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
HEALTHCARE								
Emergency Medicaid	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
Health Insurance Exchanges	Eligible with prima facie determination.	<u>Refugee:</u> Eligible. <u>Asylee:</u> Eligible upon receipt of work authorization or 6 months after filing for asylum for children under age 14. <u>T visa:</u> Eligible upon prima facie determination.	Eligible.	Not eligible.	Eligible upon filing SIJS application.	Eligible upon U visa bona fide determination, wait list approval, or U visa.	Not eligible.	Not eligible.
Medicaid	In OR, eligible for full-scope health care through Cover All People program.	Eligible. In OR, eligible for full-scope health care through Cover All People program.	Eligible with HHS certification or eligibility letter. In OR, eligible for full-scope health care through Cover All People program.	Not eligible. In OR, eligible for full-scope health care through Cover	Eligible upon lawful permanent residency with conditions. In OR, eligible for full-scope health care through	Eligible upon lawful permanent residency with conditions. In OR, eligible for full-scope health care through Cover All People program.	Not eligible. In OR, eligible for full-scope health care through Cover All People program.	Not eligible. In OR, eligible for full-scope health care through Cover All People program.

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<u>Medicaid</u>				All People program.	Cover All People program.			
<u>Prenatal Care</u>	Eligible for prenatal care and full scope health care while pregnant as well as post-partum care without regard to immigration status.	Eligible for prenatal care and full scope health care while pregnant as well as post-partum care without regard to immigration status.	Eligible for prenatal care and full scope health care while pregnant as well as post-partum care without regard to immigration status.	Eligible for prenatal care and full scope health care while pregnant as well as post-partum care without regard to immigration status.	Eligible for prenatal care and full scope health care while pregnant as well as post-partum care without regard to immigration status.	Eligible for prenatal care and full scope health care while pregnant as well as post-partum care without regard to immigration status.	Eligible for prenatal care and full scope health care while pregnant as well as post-partum care without regard to immigration status.	Eligible for prenatal care and full scope health care while pregnant as well as post-partum care without regard to immigration status.
<u>Children's Health Insurance Program (CHIP)</u>	In OR, eligible for child health care through Cover All Kids without regard to immigration status.	Eligible. In OR, eligible for child health care through Cover All Kids without regard to immigration status.	Eligible with HHS certification or eligibility letter. In OR, eligible for child health care through Cover All Kids without regard to immigration status.	In OR, eligible for child health care through Cover All Kids without regard to immigration status.	In OR, eligible for child health care through Cover All Kids without regard to immigration status.	In OR, eligible for child health care through Cover All Kids without regard to immigration status.	In OR, eligible for child health care through Cover All Kids without regard to immigration status.	In OR, eligible for child health care through Cover All Kids without regard to immigration status.
<u>Victims of Crime Act (VOCA) Compensation</u>	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.							
<u>Family Medical Leave Act (FMLA)</u>	May be eligible for OR Family Leave Act without regard to	May be eligible for OR Family Leave Act without regard to	May be eligible for OR Family Leave Act without regard to immigration status.	May be eligible for OR Family Leave Act without regard	May be eligible for OR Family Leave Act without regard to	May be eligible for OR Family Leave Act without regard to immigration status.	May be eligible for OR Family Leave Act without regard	May be eligible for OR Family Leave Act without regard

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FMLA	immigration status.	immigration status.		to immigration status.	immigration status.		to immigration status.	to immigration status.
HOUSING AND WEATHERIZATION								
Public & Assisted Housing and Low Income Tax Credit Housing ⁴	Eligible upon filing. In OR may be eligible to live in Low Income Housing Tax Credit property.	Eligible. In OR may be eligible to live in Low Income Housing Tax Credit property.	Eligible with HHS certification or eligibility letter. In OR may also be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In OR may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon receiving lawful permanent residency. In OR may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon receiving lawful permanent residency. In OR may be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In OR may be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In OR may be eligible to live in Low Income Housing Tax Credit property.
Emergency Shelter, Transitional Housing, Health, and Life and Safety Services	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)	Eligible for WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon prima facie determination.	WAP if living in multi-family dwellings. Eligible for LIHEAP.	WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon receipt of HHS certification or eligibility letter.	WAP if living in multi-family dwellings.	WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	WAP if living in multi-family dwellings.	WAP if living in multi-family dwellings.

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EDUCATION								
Federal Education	Eligible upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible upon lawful permanent residency.	Eligible upon lawful permanent residency.	Not eligible.	Not eligible.
State Education	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.
<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. Eligible to apply for and enroll in state funded colleges and universities without regard to immigration status.</p> <p>In Oregon student who are not citizens or lawful permanent residents are eligible for pay in-state tuition and fees for enrollment in a public university in Oregon and may be eligible for some scholarships if the student: 1) during each of the 3 years prior to receiving a high school diploma or leaving school before receiving a high school diploma, the student attended an elementary or secondary school in Oregon; 2) during each of the 5 years immediately prior to receiving a high school diploma or leaving school before receiving a high school diploma, attended an elementary or a secondary school in any state or territory of the United States, D.C. or Puerto Rico; 3) No more than 3 years before initially enrolling in an Oregon public university received a high school diploma or GED from an Oregon secondary school; and shows an intention to become a citizen or lawful permanent resident by submitting either: submitting an official copy of the student's application for federal immigration benefits or a statement of intent to apply for citizenship as permitted under federal law. Students must also submit an affidavit attesting to the fact that the student had applied for or a federal individual taxpayer identification number (ITIN).</p>								
LEGAL SERVICES, DRIVER'S LICENSES, AND EARNED INCOME TAX CREDITS								
Legal Services	Eligible for Legal Services Corporation (LSC)-funded legal services with conditions and fully eligible when victims file for lawful permanent residency.	Eligible for all LSC funded legal services. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	Eligible for LSC funded legal services when they receive HHS certification or eligibility letter. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	May be eligible if victims of abuse for LSC funded legal services with conditions. Victims of domestic, sexual, or dating violence, or stalking	May be eligible if victims of abuse for LSC funded legal services with conditions and when SIJS children file for lawful permanent residency fully eligible. Victims of domestic, sexual, or dating violence,	Eligible for LSC-funded legal services with conditions and fully eligible when victims file for lawful permanent residency. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA	Eligible for LSC-funded legal services with conditions and fully eligible when victims file for lawful permanent residency. Victims of domestic, sexual, or	May be eligible if victims of abuse for LSC funded legal services with conditions. Victims of domestic, sexual, or dating violence, or stalking eligible for

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<u>Legal Services</u>	Eligible for VAWA funded legal services.			eligible for VAWA funded legal services.	or stalking eligible for VAWA funded legal services.	funded legal services.	dating violence, or stalking eligible for VAWA funded legal services.	VAWA funded legal services.
<u>Driver's License</u>	Eligible for OR driver's license. Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for OR driver's license. Eligible for federally recognized driver's license and ID.	Eligible for OR driver's license. Eligible upon receipt of HHS certification or eligibility letter for federally recognized driver's license and ID.	Eligible for OR driver's license. Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for OR driver's license. Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for OR driver's license. Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for OR driver's license.	Eligible for OR driver's license.
<u>Professional & Occupational Licenses</u>	Oregon grants professional and occupational licenses to all persons who are eligible without regard to immigration status and allows applicants to provide either an Individual Taxpayer Identification Number (ITIN) or a Social Security Number (SSN).							
<u>Income Tax Credit</u>	Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) who care for dependent children under the age of 17 or who care for a spouse or other individual unable to physically or mentally care for themselves are eligible to claim a child or dependent tax credit on their income taxes.							
<u>Earned Income Tax Credit (EITC)</u>	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Not eligible.	Not eligible.

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FEMA AND UNEMPLOYMENT INSURANCE								
<u>Federal Emergency Management Agency (FEMA)</u>	Eligible for disaster relief. Eligible upon prima facie determination for food, unemployment and other FEMA assistance.	Eligible for disaster relief. Eligible for food, unemployment and other FEMA assistance.	Eligible for disaster relief. Eligible upon receipt of HHS determination or eligibility letter for food, unemployment and other FEMA assistance.	Eligible for disaster relief.	Eligible for disaster relief. Eligible receipt of lawful permanent residency for food, unemployment and other FEMA assistance.	Eligible for disaster relief. Eligible receipt of lawful permanent residency for food, unemployment and other FEMA assistance.	Eligible for disaster relief.	Eligible for disaster relief.
<u>Unemployment Insurance</u>	Eligible upon receipt of work authorization.	<u>Refugees:</u> Eligible upon receipt of work authorization. <u>Asylees:</u> Eligible upon receipt of work authorization. <u>T Visa:</u> Eligible upon receipt work authorization.	Eligible upon receipt of HHS certification or eligibility letter and work authorization.	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Not eligible.	Not eligible.
*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.								

¹ Catherine Longville & Leslye E. Orloff, *Programs Open to Immigrant Victims and All Immigrants Without Regard to Immigration Status*, National Immigrant Women's Advocacy Project (July 23, 2015), <https://niwaplibrary.wcl.american.edu/pubs/programs-open-to-all-immigrants>.

² Battered Spouse Waiver (BSW) applicants/recipients have the same eligibility for public benefits purposes as VAWA self-petitioners. BWS victims are eligible either as conditional permanent residents if they still have that status and/or are or continue to be eligible once they file their battered spouse waiver application. Battered spouse waiver applicants have greater benefits access than conditional and lawful permanent residents because they have access to exemptions from deeming and have access to benefits that are only available to battered immigrants.

³ Afghans granted humanitarian parole between July 31, 2021, and September 30, 2022 — and their spouses and children, and parents or guardians of unaccompanied children granted parole after September 30, 2022 — also are eligible for federal benefits to the same extent as refugees. Eligibility for this group continues until March 31, 2023, or the end of their parole term, whichever is later. Extending Government Funding and Delivering Emergency Assistance Act, Pub. L. 117-43 (Sept. 30, 2021).

⁴ Some households, depending on the immigration status of its residents, may qualify for the Low-Income Housing Tax Credit; see [Access to State-Funded Public Benefits in Oregon for Survivors](#) to determine whether the immigrant or family members may be eligible. For more information on LIHTC see <https://www.vawahome.com/>.