

Access to State-Funded^a Public Benefits in Rhode Island 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	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
	<i>Qualified Immigrant^d</i>		<i>HHS Certification</i>	<i>Lawfully Present¹²</i>			<i>Limited Benefits Eligibility¹³</i>	
TANF (Cash Assistance)	VAWA: Eligible with prima facie determination, 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. ²¹ <u>T visa:</u> with HHS certification or eligibility	Human trafficking victims eligible: with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS	Not eligible. ³¹	Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. ³²	Eligible after receiving lawful permanency, subject to five-year bar for those who arrived on or after August 22, 1996 ³⁶ (may be subject to deeming). ³⁷	No federal eligibility. ⁴⁰	Not eligible. ⁴¹

^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 Nos. 15JOVW-21-GK-02208-MUMU and 15JOVW-23-GK-05119-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	Refugee, Asylee, 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. ^{10,11}	U Visa Applicants	Undocumented
TANF	<p>months may be subject to deeming).¹⁵</p> <p>Lawful permanent residents: Eligible subject to five-year bar for those who arrived on or after August 22, 1996¹⁶ (may be subject to deeming)¹⁷</p> <p>Naturalized citizens: Eligible without restrictions.¹⁸</p> <p><i>In Rhode Island, VAWA self-petitioners with prima facie determinations are eligible for state-funded TANF as abused¹⁹ immigrants during the five-year waiting period.²⁰</i></p>	<p>determination, eligible under the Victims of eligibility determination, eligible under the Victims of Trafficking and Violence Protection Act (TVPA) of 2000 to the same extent as refugees.²²</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, 1996.²³</p> <p><i>In Rhode Island, refugees, asylees, and T visa applicants with bona fide determinations are eligible for state-funded TANF who are abused²⁴ immigrants during the five-year waiting period.²⁵</i></p>	<p>eligibility determination (under 18).²⁶</p> <p>These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.²⁷</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.²⁸</p> <p><i>In Rhode Island, T visa applicants with bona fide determinations who are abused²⁹ immigrants are eligible for state-funded TANF during the five-year waiting period.³⁰</i></p>		<p>(may be subject to deeming).³³</p> <p><i>In Rhode Island, upon receiving lawful permanent residency, SIJS recipients who are abused³⁴ immigrants state-funded TANF during the five-year waiting period.³⁵</i></p>	<p><i>In Rhode Island, upon receiving lawful permanent residency, U visa holders, bona fide, or wait list approval who are abused³⁸ immigrants eligible for state-funded TANF during the five-year waiting period.³⁹</i></p>		

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ^{10,11}	U Visa Applicants	Undocumented
Child Care	<p>Children with VAWA prima facie determination and child lawful permanent residents are qualified immigrants eligible for Child Care Development Fund (CCDF)-funded child care.⁴²</p> <p>TANF-funded childcare subject to five-year bar for immigrants who entered on or after August 22, 1996.⁴³</p> <p>Naturalized citizens: Eligible without restrictions.⁴⁴</p> <p><i>In Rhode Island, eligible as abused⁴⁵ immigrants and as qualified immigrants for TANF-funded child care with no five-year bar.⁴⁶</i></p>	<p>Children who are <u>asylees or refugees</u> are eligible for CCDF-funded child care and TANF-funded child care.⁴⁷</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.⁴⁸</p> <p>Children who are T visa holders or applicants with prima facie (bona fide) determination are eligible for CCDF-funded child care.⁴⁹ They are also eligible for TANF-funded childcare subject to five-year bar for those who entered on or after August 22, 1996.⁵⁰</p>	<p>Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or an HHS eligibility determination (under 18) are eligible for CCDF-funded child care and TANF-funded child care.⁵²</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.⁵³</p> <p><i>In Rhode Island, eligible for TANF-funded child care with no five-year bar.⁵⁴</i></p>	<p>Eligible for CCDF-funded child care open to all 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.⁵⁵</p>	<p>Eligible for CCDF-funded child care open to all 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) Childcare is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵⁶</p> <p>Upon receiving lawful permanent residency, eligible as for CCDF-funded child care.⁵⁷ Also eligible for TANF-funded child care subject to five-year bar for those who</p>	<p>Eligible for CCDF-funded child care open to all 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) Childcare is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁶⁰</p> <p>Upon receiving lawful permanent residency, bona fide, or wait list approval eligible as for CCDF-funded child care.⁶¹ Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996.⁶²</p> <p><i>In Rhode Island, if abused upon lawful</i></p>	<p>Eligible for CCDF-funded child care open to all 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.⁶⁴</p>	<p>Eligible for CCDF-funded child care open to all 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.⁶⁵</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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 ¹¹	U Visa Applicants	Undocumented
Child Care		<i>In Rhode Island, eligible for TANF-funded child care with no five-year bar.⁵¹</i>			entered on or after August 22, 1996. ⁵⁸ <i>In Rhode Island, if abused upon lawful permanent residency eligible for TANF-funded child care with no five-year bar.⁵⁹</i>	<i>permanent residency eligible for TANF-funded child care with no five-year bar.⁶³</i>		
SNAP (Food Stamps) ⁶⁶	Eligible with VAWA prima facie determination or lawful permanent residence, subject to an additional condition, e.g.: five years residency, younger than 18, elderly (if lawfully residing in the U.S. on 8/22/1996), disabled, or if Lawful Permanent Resident with 40 quarters of work credit. ⁶⁷ Naturalized citizens: Eligible without restrictions. ⁶⁸	<u>Refugee/Asylee:</u> Eligible with no additional conditions. ⁶⁹ <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). ⁷⁰ Also eligible under the Trafficking Victims Protection Act to the same extent as refugees. ⁷¹	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). ⁷² Family members with T visa status eligible without HHS certification or eligibility determination. ⁷³	Not eligible.	Eligible upon receiving lawful permanent residency, subject to an additional condition. ⁷⁵ e.g.: under 18, ⁷⁶ five years residency, ⁷⁷ 40 qualifying work quarters, ⁷⁸ or disabled. ⁷⁹	Eligible upon receiving lawful permanent residency, subject to an additional condition, ⁸⁰ e.g.: under 18, ⁸¹ five years residency, ⁸² 40 qualifying work quarters, ⁸³ elderly, ⁸⁴ or disabled. ⁸⁵	Not Eligible.	Not eligible.

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SNAP (Food Stamps)			These human trafficking victims are eligible to the same extent as refugees and thus are eligible with no additional conditions. ⁷⁴					
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.⁸⁶ 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.⁸⁷ 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).⁸⁸</p> <p><i>In Rhode Island, applicants should call a local agency for WIC services.⁸⁹ In Rhode Island, income eligibility guidelines for parents, grandparents, foster parents, or guardians is set yearly and changes according to household size.⁹⁰</i></p>							
Purchase Health Insurance on Exchanges^e	Eligible with VAWA prima facie determination, ⁹¹ as a lawful permanent resident, ⁹² or naturalized citizen. ⁹³	<u>Refugee:</u> Eligible. ⁹⁴ <u>Asylee:</u> Eligible; applicants eligible if granted work authorization, applicants under 14 eligible if application pending at least 180 days. ⁹⁵ <u>T visa:</u> Eligible with prima facie (bona fide) determination	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). ⁹⁸ Family members with T visa status eligible	Eligible upon being granted Deferred Action for Childhood Arrivals (DACA). ¹⁰¹	Eligible upon filing SIJS application. ¹⁰²	Eligible upon U visa, bona fide determination, ¹⁰³ or wait list approval. ¹⁰⁴	Not eligible. ¹⁰⁵	Not eligible. ¹⁰⁶

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

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Purchase Health Insurance on Exchanges		on T visa application. ⁹⁶ <u>Afghans special immigrants and Afghan and Ukrainian parolees</u> are eligible to the same extent as refugees. ⁹⁷	without HHS certification or eligibility determination. ⁹⁹ These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry. ¹⁰⁰					
Child Health Insurance Program (CHIP) ¹⁰⁷	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. ¹⁰⁸ Naturalized citizens eligible. ¹⁰⁹ Eligible for emergency Medicaid ¹¹⁰ and payments for the costs of Medical Forensic Examinations (including rape kits) ¹¹¹ regardless of	<u>Refugee/Asylee</u> : Eligible, exempt from five-year bar. ¹²² <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. ¹²³ <u>Afghans special immigrants and Afghan and Ukrainian parolees</u> are eligible to the same extent as refugees. ¹²⁴	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). ¹³⁷ Family members with T visa status are eligible without HHS Certification or eligibility determination. ¹³⁸ These human trafficking victims are eligible to the same extent as refugees and are	Eligible for emergency Medicaid ¹⁵¹ and payments for the costs of Medical Forensic Examinations (including rape kits) ¹⁵² regardless of immigration or citizenship status. <i>In Rhode Island¹⁵³, medical assistance available for lawfully present¹⁵⁴ children (including</i>	Eligible upon receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. ¹⁶³ Eligible for emergency Medicaid ¹⁶⁴ and payments for the costs of Medical Forensic Examinations (including rape kits) ¹⁶⁵ regardless of immigration or citizenship status. <i>In Rhode Island¹⁶⁶, medical assistance available for lawfully present¹⁶⁷ children</i>	If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency. ¹⁷⁵ If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, but subject to five-year bar. ¹⁷⁶ Eligible for emergency Medicaid ¹⁷⁷ and payments for the costs of Medical Forensic Examinations (including rape kits) ¹⁷⁸ regardless of immigration or citizenship status. <i>In Rhode Island¹⁷⁹, medical assistance available for lawfully present¹⁸⁰ children</i>	Eligible for emergency Medicaid ¹⁸⁸ and payments for the costs of Medical Forensic Examinations (including rape kits) ¹⁸⁹ regardless of immigration or citizenship status. <i>In Rhode Island, all children up to age 19 up to 261% of the federal poverty level (FLP) eligible for state-funded Medicaid without regard to immigration status.¹⁹⁰</i> <i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to</i>	Eligible for emergency Medicaid ¹⁹² and payments for the costs of Medical Forensic Examinations (including rape kits) ¹⁹³ regardless of immigration or citizenship status. <i>In Rhode Island, all children up to age 19 up to 261% of the federal poverty level (FLP) eligible for state-funded Medicaid without regard</i>

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CHIP	<p>immigration or citizenship status.</p> <p><i>In Rhode Island,¹¹² medical assistance available during the five-year bar for qualified immigrant¹¹³ children (including VAWA self-petitioning children with prima facie determinations¹¹⁴ and lawful permanent residents).¹¹⁵</i></p> <p><i>In Rhode Island, all children up to age 19 up to 261% of the federal poverty level (FLP) eligible for state-funded Medicaid without regard to immigration status.¹¹⁶</i></p> <p><i>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP¹¹⁷ including prenatal care, full scope health care,¹¹⁸ and 12-months post-</i></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, 1996.¹²⁵</p> <p>Eligible for emergency Medicaid¹²⁶ and payments for the costs of Medical Forensic Examinations (including rape kits)¹²⁷ regardless of immigration or citizenship status.</p> <p><i>In Rhode Island,¹²⁸ medical assistance available for lawfully present¹²⁹ children (including refugees, asylees, T visa holders, and T visa applicants with bona fide determinations.)¹³⁰</i></p>	<p>exempt from five-year bar.¹³⁹</p> <p>Eligible for emergency Medicaid¹⁴⁰ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁴¹ regardless of immigration or citizenship status.</p> <p><i>In Rhode Island¹⁴², medical assistance available for lawfully present¹⁴³ children (including human trafficking victims with HHS certification or eligibility letters).¹⁴⁴</i></p> <p><i>In Rhode Island, all children up to age 19 up to 261% of the federal poverty level (FLP) eligible for state-funded Medicaid without regard to immigration status.¹⁴⁵</i></p>	<p><i>persons granted Deferred Action for Childhood Arrivals (DACA)).¹⁵⁵</i></p> <p><i>In Rhode Island, all children up to age 19 up to 261% of the federal poverty level (FLP) eligible for state-funded Medicaid without regard to immigration status.¹⁵⁶</i></p> <p><i>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP¹⁵⁷ including prenatal care, full scope health care,¹⁵⁸ and 12-months post-partum care,¹⁵⁹ for</i></p>	<p><i>(including SIJS applicants).¹⁶⁸</i></p> <p><i>In Rhode Island, all children up to age 19 up to 261% of the federal poverty level (FLP) eligible for state-funded Medicaid without regard to immigration status.¹⁶⁹</i></p> <p><i>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP¹⁷⁰ including prenatal care, full scope health care,¹⁷¹ and 12-months post-partum care,¹⁷² for lawfully present immigrants (including SIJS applicants, recipients, and lawful permanent residents).¹⁷³</i></p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons</i></p>	<p><i>(including U visa holders, and U visa applicants with bona fide determinations or waitlist approvals).¹⁸¹</i></p> <p><i>In Rhode Island, all children up to age 19 up to 261% of the federal poverty level (FLP) eligible for state-funded Medicaid without regard to immigration status.¹⁸²</i></p> <p><i>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP¹⁸³ including prenatal care, full scope health care,¹⁸⁴ and 12-months post-partum care,¹⁸⁵ for lawfully present immigrants (including U visa holders, and U visa applicants with bona fide determinations or waitlist approvals).¹⁸⁶</i></p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.¹⁸⁷</i></p>	<p><i>253% FLP regardless of immigration status.¹⁹¹</i></p>	<p><i>to immigration status.¹⁹⁴</i></p> <p><i>In Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.¹⁹⁵</i></p>

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CHIP	<p><i>partum care,¹¹⁹ for qualified and lawfully present immigrants (including VAWA self-petitioners with prima facie determinations, Battered spouse waivers, and lawful permanent residents).¹²⁰</i></p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.¹²¹</i></p>	<p><i>In Rhode Island, all children up to age 19 up to 261% of the federal poverty level (FLP) eligible for state-funded Medicaid without regard to immigration status.¹³¹</i></p> <p><i>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP¹³² including prenatal care, full scope health care,¹³³ and 12-months post-partum care,¹³⁴ for qualified and lawfully present immigrants (including refugees, asylees, T visa holders, and T visa applicants with bona fide determinations).¹³⁵</i></p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons</i></p>	<p><i>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP¹⁴⁶ including prenatal care, full scope health care,¹⁴⁷ and 12-months post-partum care,¹⁴⁸ for qualified and lawfully present immigrants (including human trafficking victims with HHS certification or eligibility letters).¹⁴⁹</i></p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.¹⁵⁰</i></p>	<p><i>lawfully present immigrants¹⁶⁰ (including DACA recipients).¹⁶¹</i></p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.¹⁶²</i></p>	<p><i>up to 253% FLP regardless of immigration status.¹⁷⁴</i></p>			

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ^{10,11}	U Visa Applicants	Undocumented
CHIP		up to 253% FLP regardless of immigration status. ¹³⁶						
Full-Scope Medicaid ¹⁹⁶	<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, 1996.¹⁹⁷</p> <p>Naturalized citizens eligible.¹⁹⁸</p> <p>Eligible for emergency Medicaid¹⁹⁹ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁰⁰ regardless of immigration or citizenship status.</p> <p><i>In Rhode Island, medical assistance available for lawfully present persons</i></p>	<p><u>Refugee/Asylee</u>: Eligible, exempt from five-year bar.²⁰⁹</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.²¹⁰</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, 1996.²¹¹</p> <p><u>Afghans special immigrants and Afghan and</u></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).²²⁴</p> <p>Family members with T visa status eligible without HHS Certification or eligibility determination, exempt from five-year bar.²²⁵</p> <p>These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar.²²⁶</p> <p>Eligible for emergency</p>	<p>Eligible for emergency Medicaid²³⁹ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁴⁰ regardless of immigration or citizenship status.</p> <p><i>In Rhode Island, medical assistance is available for lawfully present persons (including persons granted Deferred Action for Childhood Arrivals (DACA))²⁴¹</i></p>	<p>Eligible for emergency Medicaid²⁴⁹ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁵⁰ 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, 1996.²⁵¹</p> <p><i>In Rhode Island, medical assistance available for lawfully present persons (including SIJS, applicants, recipients and lawful permanent residents) who were in the U.S. before August 22, 1996 and were residents of the</i></p>	<p>Eligible for emergency Medicaid²⁶⁰ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁶¹ regardless of immigration or citizenship status.</p> <p>If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency.²⁶²</p> <p>If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, subject to five-year bar.²⁶³</p> <p><i>In Rhode Island, medical assistance available for lawfully present persons (including U visa holders and bona fide determinations or wait list, and U visa lawful permanent residents) who were in the U.S. before August 22, 1996</i></p>	<p>Eligible for emergency Medicaid²⁷² and payments for the costs of Medical Forensic Examinations (including rape kits)²⁷³ regardless of immigration or citizenship status.</p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.²⁷⁴</i></p>	<p>Eligible for emergency Medicaid²⁷⁵ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁷⁶ regardless of immigration or citizenship status.</p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.²⁷⁷</i></p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
Full-Scope Medicaid	<p>(including VAWA self-petitioners with prima facie determinations, Battered Spouse Waivers, and lawful permanent residents) who were in the U.S. before August 22, 1996 and were residents of the Rhode Island before July 1, 1997.²⁰¹</p> <p>In Rhode Island, medical assistance available during the five-year bar for lawfully present²⁰² non-citizens (including lawful permanent residents, VAWA self-petitioners with prima facie determinations, and Battered Spouse Waivers) who arrived on or after August 22, 1996, eligible after five-year bar if monthly income is at or below 138% of the federal poverty level.²⁰³</p>	<p><u>Ukrainian parolees</u> are eligible to the same extent as refugees.²¹²</p> <p>Eligible for emergency Medicaid²¹³ and payments for the costs of Medical Forensic Examinations (including rape kits)²¹⁴ regardless of immigration or citizenship status.</p> <p>In Rhode Island, medical assistance available for lawfully present²¹⁵ persons (including refugees, asylees, and T visa applicants with bona fide determinations) who were in the U.S. before August 22, 1996 and were residents of the Rhode Island before July 1, 1997.²¹⁶</p> <p>In Rhode Island, medical assistance</p>	<p>Medicaid²²⁷ and payments for the costs of Medical Forensic Examinations (including rape kits)²²⁸ regardless of immigration or citizenship status.</p> <p>In Rhode Island, medical assistance available for lawfully present²²⁹ persons (including human trafficking victims with HHS certification or eligibility letters).²³⁰ who were in the U.S. before August 22, 1996 and were residents of the Rhode Island before July 1, 1997.²³¹</p> <p>In Rhode Island, medical assistance available during any five-year bar for lawfully present²³² non-citizens (including human trafficking victims with HHS certification or</p>	<p>who were in the U.S. before August 22, 1996, and were residents of the Rhode Island before July 1, 1997.²⁴²</p> <p>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP²⁴³ including prenatal care, full scope health care,²⁴⁴ and 12-months post-partum care,²⁴⁵ for lawfully present immigrants²⁴⁶ (including DACA recipients)²⁴⁷</p> <p>Rhode Island also provides prenatal care and 12 months of post-partum care to</p>	<p>Rhode Island before July 1, 1997.²⁵²</p> <p>In Rhode Island, medical assistance available during the five-year bar for lawfully present²⁵³ non-citizens (including SIJS, applicants, recipients and lawful permanent residents) who arrived on or after August 22, 1996, eligible after five-year bar if monthly income is at or below 138% of the federal poverty level.²⁵⁴</p> <p>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP²⁵⁵ including prenatal care, full scope health care,²⁵⁶ and 12-months post-partum care,²⁵⁷ for lawfully present immigrants (including SIJS applicants, recipients, and lawful</p>	<p>and were residents of the Rhode Island before July 1, 1997.²⁶⁴</p> <p>In Rhode Island, medical assistance available during the five-year bar for lawfully present²⁶⁵ non-citizens including U visa holders and bona fide determinations or wait list, and U visa lawful permanent residents) who arrived on or after August 22, 1996, eligible after five-year bar if monthly income is at or below 138% of the federal poverty level.²⁶⁶.</p> <p>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP²⁶⁷ including prenatal care, full scope health care,²⁶⁸ and 12-months post-partum care,²⁶⁹ for lawfully present immigrants (including U visa holders, and U visa applicants with bona fide determinations or waitlist approvals).²⁷⁰</p>		

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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 ¹¹	U Visa Applicants	Undocumented	
Full-Scope Medicaid	<p><i>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP²⁰⁴ including prenatal care, full scope health care,²⁰⁵ and 12-months post-partum care,²⁰⁶ for qualified and lawfully present immigrants (including VAWA self-petitioners with prima facie determinations, Battered spouse waivers, and lawful permanent residents).²⁰⁷</i></p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.²⁰⁸</i></p>	<p><i>available during any five-year bar for lawfully present²¹⁷ non-citizens (including refugees, asylees, T visa holders, and T visa applicants with bona fide determinations) who arrived on or after August 22, 1996 eligible after five-year bar if monthly income is at or below 138% of the federal poverty level.²¹⁸</i></p> <p><i>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP²¹⁹ including prenatal care, full scope health care,²²⁰ and 12-months post-partum care,²²¹ for qualified and lawfully present immigrants (including refugees, asylees, T visa holders, and T visa applicants with</i></p>	<p><i>eligibility letters). who arrived on or after August 22, 1996, eligible after five-year bar if monthly income is at or below 138% of the federal poverty level.²³³</i></p> <p><i>In Rhode Island, medical assistance provided for pregnant persons up to 253% FLP²³⁴ including prenatal care, full scope health care,²³⁵ and 12-months post-partum care,²³⁶ for qualified and lawfully present immigrants (including human trafficking victims with HHS certification or eligibility letters).²³⁷</i></p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.²³⁸</i></p>	<p><i>pregnant persons up to 253% FLP regardless of immigration status.²⁴⁸</i></p>	<p><i>permanent residents).²⁵⁸</i></p> <p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.²⁵⁹</i></p>	<p><i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.²⁷¹</i></p>			

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
Full-Scope Medicaid		<i>bona fide determinations</i>). ²²² <i>Rhode Island also provides prenatal care and 12 months of post-partum care to pregnant persons up to 253% FLP regardless of immigration status.</i> ²²³						
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. ²⁷⁸							
Family Medical Leave Act (FMLA)²⁷⁹ – State Law²⁸⁰	Eligible for state and federal FMLA protections without regard to immigration status. ²⁸¹	Eligible for state and federal FMLA protections without regard to immigration status. ²⁸²	Eligible for state and federal FMLA protections without regard to immigration status. ²⁸³	Eligible for state and federal FMLA protections without regard to immigration status. ²⁸⁴	Eligible for state and federal FMLA protections without regard to immigration status. ²⁸⁵	Eligible for state and federal FMLA protections without regard to immigration status. ²⁸⁶	Eligible for state and federal FMLA protections without regard to immigration status. ²⁸⁷	Eligible for state and federal FMLA protections without regard to immigration status. ²⁸⁸
Education-Federal Benefits: Federal Student Aid, Grants and Loans²⁸⁹ FAFSA	VAWAs with prima facie determinations, Battered Spouse Waiver applicants, and all lawful permanent residents, eligible. ²⁹⁰ Naturalized citizens, eligible. ²⁹¹	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. ²⁹²	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. ²⁹⁴	Eligible for federal student aid upon receipt of lawful permanent residency. ²⁹⁵	Eligible for federal student aid upon receipt of lawful permanent residency. ²⁹⁶	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	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
			status, are eligible for federal student aid. ²⁹³					
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.²⁹⁷ Eligible to apply for and enroll in state funded colleges and universities without regard to immigration status.²⁹⁸</p> <p><i>At its public postsecondary institutions, Rhode Island allows in-state tuition rates, effective with the fall 2012 semester, after 3 years of high school in the state.²⁹⁹ Students that are not U.S. citizens or permanent residents and meet the requirements to establish residency in Rhode Island may be eligible to pay in-state tuition. If a student is a noncitizen or does not have a lawful immigration status, then the student must submit an affidavit to the institution stating that the student has filed an application for lawful status or will file as soon as the student is eligible to do so.³⁰⁰</i></p>							
Supplemental Security Income (SSI)³⁰¹	<p>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.³⁰² May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979.³⁰³</p> <p>Eligible upon receiving lawful permanent residency if credited with 40 quarters of work,³⁰⁴ subject to five-year bar for those who</p>	<p><u>Refugees/Asylees:</u> Eligible during first seven years after the status was granted.³⁰⁷</p> <p><u>Trafficking victims:</u> Eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.³⁰⁸</p> <p><u>T visa³⁰⁹:</u> Eligible as a qualified immigrant with prima facie (bona fide) determination on T visa application if receiving SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled.³¹⁰ May also be eligible with a prima facie</p>	Human trafficking victims: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with an HHS eligibility determination (under 18), or family members with T visa status (no need for HHS certification or eligibility determination) are eligible to the same extent as refugees. ³¹³	Not eligible.	Eligible upon receiving lawful permanent residency if credited with 40 quarters of work, ³¹⁴ subject to five-year bar for those who arrived on or after August 22, 1996. ³¹⁵	Eligible upon receiving lawful permanent residency if: credited with 40 quarters of work ³¹⁶ subject to five-year bar for those who arrived on or after August 22, 1996; or if receiving SSI as of August 22, 1996; or if lawfully residing in U.S. as of that date and now disabled. ³¹⁷ Lawful permanent residents may also be eligible if currently receiving SSI based on an application filed before 1979. ³¹⁸	Not eligible. ³¹⁹	Not eligible. ³²⁰

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ^{10,11}	U Visa Applicants	Undocumented
SSI	arrived on or after August 22, 1996. ³⁰⁵ Naturalized citizens, eligible. ³⁰⁶	determination if currently receiving SSI based on an application filed before 1979. ³¹¹ This eligibility allows trafficking victims who are disabled to continue to receive SSI after the 7-years. ³¹²						
Professional & Occupational Licenses	No state laws or policies regarding immigrant access to professional or occupational licenses including whether or not work authorization is sufficient or required.							
Driver's License ³²¹	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. ³²² The Department of Homeland Security (DHS), by regulation, lists specific documents that will provide satisfactory evidence of lawful status. ³²³ All documentation for REAL ID compliant ID's will be submitted through the Systematic Alien Verification for Entitlements Program (S.A.V.E.). ³²⁴ DHS will also approve acceptance of other documentation issued by DHS or other Federal agencies demonstrating lawful status, as determined by USCIS. ³²⁵ In addition, DHS permits states to establish an "Exception Process" and consider "Alternative Documents." ³²⁶						Rhode Island driver's licenses will be available to immigrants residing in Rhode Island without regard to immigration status beginning July 1, 2023. ³³⁰ Driver privilege card for individuals who submit proof of identity and state residency, comply with insurance requirements, and have filed or been claimed as a dependent on a state tax return as a resident in the tax year preceding application. ³³¹	
Driver's License	<p><i>In Rhode Island, out-of-country driver license transactions are performed only at the DMV Cranston headquarters. Applicants are required to provide the following documentation:</i></p> <ul style="list-style-type: none"> • LI-1 form • Identity documents (including foreign passport, Form I-94, Temporary Resident ID Card, Employment Authorization Card³²⁷) <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.³²⁸ • Social Security card (official social security card or denial letter from the Social Security administration) • Visa with supporting documents • Proof of residency³²⁹ 						<p>The Division of Motor Vehicles is allowed to issue a Rhode Island state ID Card to residents who cannot establish lawful presence in the US upon proof of proper documentation.</p> <p>Individual must:</p> <ul style="list-style-type: none"> - Proof of identity and state residency - Comply with insurance requirements and - Have filed or been claimed as a dependent on a state tax return as a resident in the preceding tax year.³³² 	

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
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.³³³ 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.³³⁴</p> <p><i>In Rhode Island, the Office of 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.³³⁵ The Rhode Island Coalition for the Homeless provides information about shelter options available or individual adults can call 2-1-1 to be directed to a shelter.³³⁶</i></p>							
Public and Assisted³³⁷ Housing³³⁸ and Low-Income Housing Tax Credit (LIHTC) Housing³³⁹	<p>Upon filing VAWA self-petition, applicant cannot be denied HUD public or assisted housing unless and until a final determination of ineligibility.³⁴⁰</p> <p>USDA rental housing follows HUD procedures for processing VAWA self-petitions,³⁴¹ so should be eligible for all USDA rental housing unless and until a final determination of ineligibility. Regardless of immigration status, eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁴² and USDA Section 514/516 Farm Labor</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;³⁵² USDA Section 515 Rural Rental Housing;³⁵³ USDA Section 521 Rural Rental Assistance;³⁵⁴ USDA Section 514/516 Farm Labor Housing if immediate family member³⁵⁵ or remaining household member³⁵⁶ of eligible domestic farm laborer.</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),³⁵⁹ are eligible for: HUD public and assisted housing³⁶⁰ and USDA rental housing.³⁶¹</p> <p><i>In Rhode Island, may be eligible to live in Low Income Housing</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁶³ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁶⁴</p> <p><i>In Rhode Island, may be eligible to live in Low Income Housing Tax Credit property.³⁶⁵</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁶⁶ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁶⁷</p> <p>Upon receiving lawful permanent residency,³⁶⁸ eligible for HUD³⁶⁹ and USDA³⁷⁰ rental housing.³⁷¹</p> <p><i>In Rhode Island, may be eligible to live in Low Income Housing Tax Credit property.³⁷²</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁷³ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁷⁴</p> <p>Upon receiving lawful permanent residency,³⁷⁵ eligible for HUD³⁷⁶ and USDA³⁷⁷ rental housing.³⁷⁸</p> <p><i>In Rhode Island, may be eligible to live in Low Income Housing Tax Credit property.³⁷⁹</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁸⁰ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁸¹</p> <p><i>In Rhode Island, may be eligible to live in Low Income Housing Tax Credit property.³⁸²</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),³⁸³ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.³⁸⁴</p> <p><i>In Rhode Island, may be eligible to live in Low Income Housing Tax Credit property.³⁸⁵</i></p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
Public and Assisted Housing and LIHTC	<p>Housing if immediate family member of eligible tenant.³⁴³</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.³⁴⁴</p> <p>Lawful permanent residents are eligible for public and assisted housing³⁴⁵ and for USDA Section 514/516 Farm Lab or Housing;³⁴⁶ USDA Section 521 Rural Rental Assistance.³⁴⁷</p> <p>Naturalized citizens are eligible for public and assisted housing³⁴⁸ and for USDA Section 514/516 Farm Lab or Housing;³⁴⁹ USDA Section 521 Rural Rental Assistance.³⁵⁰</p> <p><i>In Rhode Island, may be eligible to live in Low Income Housing Tax Credit property.³⁵¹</i></p>	<p>Upon receiving lawful permanent residency USDA Section 514/516 Farm Labor Housing.³⁵⁷</p> <p><i>In Rhode Island, may be eligible to live in Low Income Housing Tax Credit property.³⁵⁸</i></p>	<p><i>Tax Credit property.³⁶²</i></p>					

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
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.³⁸⁶ A qualifying child must be a citizen, national, or resident of the U.S with an SSN or an Individual Taxpayer Identification Number (ITIN).³⁸⁷ 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.³⁸⁸</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.³⁸⁹ <p>The child or dependent must have a social security number or ITIN.³⁹⁰ 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.³⁹¹</p>							
Earned Income Tax Credit (EITC)	VAWA self-petitioners, lawful permanent residents, and naturalized citizens who ³⁹² : 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, ³⁹³ have a social security number valid for work, ³⁹⁴ and have earned income during the tax year ³⁹⁵ are eligible for the earned income tax credit (EITC). ³⁹⁶	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, ³⁹⁷ have a social security number valid for work, ³⁹⁸ and have earned income during the tax year ³⁹⁹ are eligible for the earned income tax credit (EITC). ⁴⁰⁰	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, ⁴⁰¹ have a social security number valid for work, ⁴⁰² and have earned income during the tax year ⁴⁰³ are eligible for the earned income tax credit (EITC). ⁴⁰⁴	DACA applicants who: are granted work authorization, have lived in the U.S. for at least 183 days during the tax year, ⁴⁰⁵ have a social security number valid for work, ⁴⁰⁶ and have earned income during the tax year ⁴⁰⁷ are eligible for the earned income tax credit (EITC). ⁴⁰⁸	SIJS recipients granted lawful permanent residency who: have lived in the U.S. at least 183 days during the tax year, ⁴⁰⁹ have a social security number valid for work, ⁴¹⁰ and have earned income during the tax year ⁴¹¹ are eligible for the earned income tax credit (EITC). ⁴¹²	Once granted lawful permanent residency 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, who have a social security number valid for work, and who are earning income are eligible for the earned income tax credit (EITC).	Not eligible.	Not eligible.
Legal Services⁴¹³	An immigrant who (or whose child) is	<u>Refugee/Asylee:</u>	An immigrant victim of severe forms of	A DACA recipient who	Eligible for LSC-funded legal	An immigrant who has (or whose child has) been	An immigrant who has (or whose child has)	An immigrant victim who is

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
Legal Services	<p>battered or subjected to extreme cruelty⁴¹⁴ inside or outside of the United States⁴¹⁵ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies on matters related to the abuse.⁴¹⁶</p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving lawful permanent resident status,⁴¹⁷ or spouses, parents, and unmarried children under age 21 of U.S. citizens⁴¹⁸ become eligible for full representation on any matter upon filing an application for lawful permanent residency.⁴¹⁹</p> <p>Lawful permanent residents, applicants for lawful permanent residency,⁴²⁰ and naturalized citizens⁴²¹ are eligible for full representation.</p> <p>Eligible for Office of Violence Against</p>	<p>Refugees and Asylees are eligible for legal assistance on any matter the Legal Services Corporation (LSC)-funded agency handles.⁴²⁶</p> <p><u>T visa:</u> An immigrant who has been (or whose child has been) a victim of trafficking in the U.S., including a T visa holder,⁴²⁷ is eligible for legal assistance on any matter the LSC-funded agency handles.⁴²⁸</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴²⁹ for victims of domestic violence, sexual assault, stalking⁴³⁰ or dating violence.⁴³¹ Must be at least 11 years old.⁴³²</p>	<p>human trafficking with (or seeking) HHS Certification,⁴³³ and derivative family members with (or applying for) T visa status,⁴³⁴ are eligible for legal assistance on any matter the LSC-funded agency handles.</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>is (or whose child is) battered or subjected to extreme cruelty,⁴³⁹ or is a victim of sexual assault or trafficking in the U.S.,⁴⁴⁰ is eligible for legal services from LSC-funded agencies⁴⁴¹ on matters related to the abuse.⁴⁴²</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁴³ for victims of domestic violence, sexual assault, stalking⁴⁴⁴ or dating violence.⁴⁴⁵ Must be at least 11 years old.⁴⁴⁶</p>	<p>assistance when the child has suffered battering or extreme cruelty,⁴⁴⁷ or sexual assault or trafficking in the U.S.,⁴⁴⁸ on matters related to the abuse.⁴⁴⁹</p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status,⁴⁵⁰ or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.⁴⁵¹</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁵² for victims of domestic violence, sexual assault, stalking⁴⁵³ or dating violence.⁴⁵⁴ Must be at least 11 years old.⁴⁵⁵</p>	<p>granted, applied for, or qualifies to apply for U visa status and a family member eligible to apply for U visa status⁴⁵⁶ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies⁴⁵⁷ on matters related to the crime victimization.⁴⁵⁸</p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status,⁴⁵⁹ or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.⁴⁶⁰</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁶¹ for victims of domestic violence, sexual assault, stalking⁴⁶² or dating violence.⁴⁶³ Must be at least 11 years old.⁴⁶⁴</p>	<p>applied for, or qualifies to apply for U visa status and a family member eligible to apply for U visa status⁴⁶⁵ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies⁴⁶⁶ on matters related to the crime victimization.⁴⁶⁷</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁶⁸ for victims of domestic violence, sexual assault, stalking⁴⁶⁹ or dating violence.⁴⁷⁰ Must be at least 11 years old.⁴⁷¹</p>	<p>(or whose child is), battered or subjected to extreme cruelty,⁴⁷² or is a victim of sexual assault or trafficking in the U.S.,⁴⁷³ is eligible for legal services from LSC-funded agencies⁴⁷⁴ on matters related to the abuse.⁴⁷⁵</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁴⁷⁶ for victims of domestic violence, sexual assault, stalking⁴⁷⁷ or dating violence.⁴⁷⁸ Must be at least 11 years old.⁴⁷⁹</p>

	VAWA Self-Petitioners, Battered Spouse Waivers,¹ Lawful Permanent Residents, COFA Nationals,² and Naturalized Citizens	Refugee, Asylee, 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.¹⁰¹¹	U Visa Applicants	Undocumented
Legal Services	Women funded Legal Assistance ⁴²² as a victim of domestic violence, sexual assault, stalking ⁴²³ or dating violence. ⁴²⁴ Must be at least 11 years old. ⁴²⁵							
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.⁴⁸⁰</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.⁴⁸¹</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁸²</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.⁴⁸³</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without, regard to immigration status.⁴⁸⁴</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.⁴⁸⁵</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁸⁶</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁸⁷</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.⁴⁸⁸</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without, regard to immigration status.⁴⁸⁹</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.⁴⁹⁰</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁹¹</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁹²</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. ⁴⁹⁴							

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
(FEMA) Assistance ⁴⁹³	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. ⁴⁹⁵							
Federal Emergency Management Agency (FEMA)-Restricted Programs ⁴⁹⁶	<p>Upon receipt of VAWA prima facie determination, lawful permanent residence, or naturalized citizenship.⁴⁹⁷</p> <p>Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁴⁹⁸</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, 1931.⁴⁹⁹</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.⁵⁰⁰</p> <p>Emergency SNAP open to <u>Refugees/Asylees</u> (no five-year bar),⁵⁰¹ 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, 1931.⁵⁰²</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).⁵⁰³</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.⁵⁰⁴</p>	Not eligible.	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁵⁰⁵</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, 1931.⁵⁰⁶</p>	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁵⁰⁷</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, 1931.⁵⁰⁸</p>	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁵⁰⁹</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, 1931.⁵¹⁰</p>	Not eligible. ⁵¹¹

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, 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. ¹⁰¹¹	U Visa Applicants	Undocumented
Unemployment Insurance ⁵¹²	Eligible for UI upon receipt of work authorization, lawful permanent residence, or citizenship. ⁵¹³	<p><u>Refugee:</u> Eligible for UI.⁵¹⁴</p> <p><u>Asylee:</u> Eligible for UI upon grant receipt of work authorization.⁵¹⁵</p> <p><u>T Visa, Afghans, and Ukrainians:</u> Eligible for UI upon receipt of work authorization.⁵¹⁶</p>	Eligible for UI upon receipt of HHS certification or eligibility letter and work authorization. ⁵¹⁷	Eligible for UI upon receipt of work authorization. ⁵¹⁸	Eligible for UI upon receipt of work authorization. ⁵¹⁹	Eligible for UI upon receipt of work authorization. ⁵²⁰	Not eligible. ⁵²¹	Not eligible. ⁵²²

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/16903785241629>.

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 Nat’l Immigrant Women’s Advoc. Project, *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 See DEP’T OF HOMELAND SEC., U AND T VISA LAW ENFORCEMENT RESOURCE GUIDE FOR FEDERAL, STATE, LOCAL, TRIBAL AND TERRITORIAL LAW ENFORCEMENT, PROSECUTORS, JUDGES, AND OTHER GOVERNMENT AGENCIES 3 (2015), <http://niwaplibrary.wcl.american.edu/pubs/dhs-updated-u-certification-resource-guide-2015/> (U visas benefit victims of certain crimes who have suffered severe

physical or emotional abuse. If certain conditions are met, a U visa holder may apply for adjustment to lawful permanent resident status.); See CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 2 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (Upon wait list approval, U visa applicants receive deferred action and are considered lawfully present.).

¹² 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/>.

¹³ 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>.

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 Mar. 2023), 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 Mar. 2023), 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 at 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*, (Jan. 13, 2015), <https://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 Advoc. Project (Apr. 9, 2015), <https://niwaplibrary.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 Abused immigrants include immigrants who have suffered battering or extreme cruelty as defined by U.S. immigration laws. 8 C.F.R. §204.2(c)(1). See, Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, "Battering or Extreme Cruelty" *Drawing Examples from Civil Protection Order and Family Law Cases* (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order-2>. Victims of domestic violence and child abuse as defined under state law also qualify. See 12 R.I. GEN. LAWS ANN. § 12-29-2, 15 R.I. GEN. LAWS ANN. §§ 15-15-1, 15-15-3; 40 R.I. GEN. LAWS ANN. §40-11-2, 12 R.I. GEN. LAWS ANN. § 12-29-2; *Domestic Violence Includes Child Abuse and Child Neglect*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-n-domestic-violence-abuse-and-neglect/>; See also *State Law Definitions of Child Abuse*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS 1-33 (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-k-state-law-definitions-of-child-abuse-chart/>.

²⁰ See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. § 1406.30, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03 (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.

²¹ 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 OFF. OF FAM. 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 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>.

²³ 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(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>.

²⁴ Abused immigrants include immigrants who have suffered battering or extreme cruelty as defined by U.S. immigration laws. 8 C.F.R. §204.2(c)(1). See, Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, "Battering or Extreme Cruelty" *Drawing Examples from Civil Protection Order and Family Law Cases* (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order-2>. Victims of domestic violence and child abuse as defined under state law also qualify. See 12 R.I. GEN. LAWS ANN. § 12-29-2, 15 R.I. GEN. LAWS ANN. §§ 15-15-1, 15-15-3; 40 R.I. GEN. LAWS ANN. §40-11-2, 12 R.I. GEN. LAWS ANN. § 12-29-2; *Domestic Violence Includes Child Abuse and Child Neglect*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-n-domestic-violence-abuse-and-neglect/>; See also *State Law Definitions of Child Abuse*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS 1-33 (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-k-state-law-definitions-of-child-abuse-chart/>.

²⁵ See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. § 1406.30, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); NAT'L IMMIGR. L. CTR., *Table 8: State Funded TANF Replacement Programs* in *GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 102-03 (4th ed. 2002, table updated May. 2023), https://www.nilc.org/issues/economic-support/guide_tanf/ (Eligibility terminates if application is not filed within one year (with limited exceptions) or if application is denied).

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) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

²⁷ 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>

²⁸ 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).

²⁹ Abused immigrants include immigrants who have suffered battering or extreme cruelty as defined by U.S. immigration laws. 8 C.F.R. §204.2(c)(1). See, Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, "Battering or Extreme Cruelty" *Drawing Examples from Civil Protection Order and Family Law Cases* (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order-2>. Victims of domestic violence and child abuse as defined under state law also qualify. See 12 R.I. GEN. LAWS ANN. § 12-29-2, 15 R.I. GEN. LAWS ANN. §§ 15-15-1, 15-15-3; 40 R.I. GEN. LAWS ANN. §40-11-2, 12 R.I. GEN. LAWS ANN. § 12-29-2; *Domestic Violence Includes Child Abuse and Child Neglect*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-n-domestic-violence-abuse-and-neglect/>; See also *State Law Definitions of Child Abuse*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS 1-33 (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-k-state-law-definitions-of-child-abuse-chart/>.

³⁰ See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. § 1406.30, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); NAT'L IMMIGR. L. CTR., *Table 8: State Funded TANF Replacement Programs* in *GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 102-03 (4th ed. 2002, table updated May 2023), https://www.nilc.org/issues/economic-support/guide_tanf/ (Eligibility terminates if application is not filed within one year (with limited exceptions) or if application is denied).

³¹ 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/.

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 Mar. 2023), 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).

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 ADVOC. 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>

³⁴ Abused immigrants include immigrants who have suffered battering or extreme cruelty as defined by U.S. immigration laws. 8 C.F.R. §204.2(c)(1). See, Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, "Battering or Extreme Cruelty" *Drawing Examples from Civil Protection Order and Family Law Cases* (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order-2>. Victims of domestic violence and child abuse as defined under state law also qualify. See 12 R.I. GEN. LAWS ANN. § 12-29-2, 15 R.I. GEN. LAWS ANN. §§ 15-15-1, 15-15-3; 40 R.I. GEN. LAWS ANN. §40-11-2, 12 R.I. GEN. LAWS ANN. § 12-29-2; *Domestic Violence Includes Child Abuse and Child Neglect*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-n-domestic-violence-abuse-and-neglect/>; See also *State Law Definitions of Child Abuse*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS 1-33 (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-k-state-law-definitions-of-child-abuse-chart/>.

³⁵ See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. § 1406.30, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); NAT'L IMMIGR. L. CTR., *Table 8: State Funded TANF Replacement Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03 (4th ed. 2002, table updated May 2023), https://www.nilc.org/issues/economic-support/guide_tanf/ (Eligibility terminates if application is not filed within one year (with limited exceptions) or if application is denied.).

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/. See 8 U.S.C. § 1641(b)(1).

³⁷ 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>

³⁸ Abused immigrants include immigrants who have suffered battering or extreme cruelty as defined by U.S. immigration laws. 8 C.F.R. §204.2(c)(1). See, Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, "Battering or Extreme Cruelty" *Drawing Examples from Civil Protection Order and Family Law Cases* (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order-2>. Victims of domestic violence and child abuse as defined under state law also qualify. See 12 R.I. GEN. LAWS ANN. § 12-29-2, 15 R.I. GEN. LAWS ANN. §§ 15-15-1, 15-15-3; 40 R.I. GEN. LAWS ANN. §40-11-2, 12 R.I. GEN. LAWS ANN. § 12-29-2; *Domestic Violence Includes Child Abuse and Child Neglect*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-n-domestic-violence-abuse-and-neglect/>; See also *State Law Definitions of Child Abuse*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS 1-33 (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-k-state-law-definitions-of-child-abuse-chart/>.

³⁹ See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. § 1406.30, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); NAT'L IMMIGR. L. CTR., *Table 8: State Funded TANF Replacement Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03 (4th ed. 2002, table updated May 2023), https://www.nilc.org/issues/economic-support/guide_tanf/ (Eligibility terminates if application is not filed within one year (with limited exceptions) or if application is denied.).

⁴⁰ 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/.

⁴¹ 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/.

⁴² 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. Dep't of Health and Hum. 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 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).

⁴³ 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).

⁴⁴ *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.)

⁴⁵ Abused immigrants include immigrants who have suffered battering or extreme cruelty as defined by U.S. immigration laws. 8 C.F.R. §204.2(c)(1). See, Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, "Battering or Extreme Cruelty" *Drawing Examples from Civil Protection Order and Family Law Cases* (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order-2>. Victims of domestic violence and child abuse as defined under state law also qualify. See 12 R.I. GEN. LAWS ANN. § 12-29-2, 15 R.I. GEN. LAWS ANN. §§ 15-15-1, 15-15-3; 40 R.I. GEN. LAWS ANN. §40-11-2, 12 R.I. GEN. LAWS ANN. § 12-29-2; *Domestic Violence Includes Child Abuse and Child Neglect*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-n-domestic-violence-abuse-and-neglect/>; See also *State Law Definitions of Child Abuse*, in NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS 1-33 (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-k-state-law-definitions-of-child-abuse-chart/>.

⁴⁶ See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. §§ 1406.30, 1412.15.10, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOC. PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁴⁷ See 8 U.S.C. § 1641(b)(2)-(3). 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.

⁴⁸ See 22 U.S.C. § 7105(b)(1); 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.

⁴⁹ See 8 U.S.C. § 1641(c)(4). 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 See 8 U.S.C. § 1641(c)(4). 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 See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. §§ 1406.30, 1412.15.10, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); 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/>.

⁵² OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERVS., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>; 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)).

⁵³ 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; Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRANT WOMEN'S ADVOC. 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).

⁵⁴ See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. §§ 1406.30, 1412.15.10, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGR. WOMEN'S ADVOC. PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁵⁵ 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.

⁵⁶ 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.

⁵⁷ 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. Dep't 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).

⁵⁸ 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 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(b)(1).

⁵⁹ See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. §§ 1406.30, 1412.15.10, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁶⁰ 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.

⁶¹ 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. Dep't 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 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).

⁶² 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 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(b)(1).

⁶³ See *Rhode Island Works Program Rule*, 218-20 R.I. CODE R. §§ 1406.30, 1412.15.10, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DHS/8242.pdf> (last visited Aug. 6, 2018); 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/>.

⁶⁴ 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.

⁶⁵ 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.

⁶⁶ 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.)

⁶⁷ 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); 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)

⁶⁸ *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).

⁶⁹ 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 Immigr. 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).

⁷⁰ 8 U.S.C. § 1641(c)(4); 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/; *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 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/; *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)).

⁷² 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/; *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)).

⁷³ 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).

⁷⁴ 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 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/; *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 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/; *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).

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).

⁷⁷ *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).

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). (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.)

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 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/; *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).

⁸¹ *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.)

⁸² *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.

⁸³ *See SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Although eligibility based on 40 work quarters includes work performed by applicant, spouse, and parents while the applicant was under 18, SIJS youth are generally not able to satisfy this condition.)

⁸⁴ *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.

⁸⁵ *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.

⁸⁶ 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).

⁸⁷ *WIC Contacts*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/wic-contacts> (last visited February 14, 2024).

⁸⁸ *WIC Eligibility Requirements*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/wic-eligibility-requirements> (last visited February 14, 2024).

⁸⁹ *Women, Infants, and Children (WIC) Services*, STATE OF RI DEP'T OF HEALTH, <http://www.health.ri.gov/find/services/detail.php?id=44> (last visited February 14, 2024).

⁹⁰ *WIC Income Guidelines*, STATE OF RI DEP'T OF HEALTH, <http://www.health.ri.gov/programs/wic/about/incomeguidelines/> (last visited February 14, 2024).

⁹¹ 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/) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

⁹² 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/) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

⁹³ 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); 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/) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

⁹⁴ 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/) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

⁹⁵ 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/) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

⁹⁶ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c)(4). 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/>.

⁹⁷ 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/>.

⁹⁸ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). 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/>.

⁹⁹ 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%20282%29.pdf>. See 22 U.S.C. § 7105(b).

¹⁰⁰ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). 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/>.

¹⁰¹ 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/>.

¹⁰² 45 C.F.R. 152.2(7); 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/>.

¹⁰³ 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/>.

¹⁰⁴ ¹⁰⁴ 45 C.F.R. 152.2(4)(vi); Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>; Carly Erickson & Leslye E. Orloff, *U-Visa Victim Benefits under the Affordable Care Act (ACA)*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (June 18, 2014), <http://niwaplibrary.wcl.american.edu/pubs/u-visa-healthcare-aca/>; *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/>.

¹⁰⁵ 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 IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5-6 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>.

¹⁰⁶ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 1 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf> (DACA coverage limited to those "lawfully present" in the United States).

¹⁰⁷ 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/>.

¹⁰⁸ 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/. *See* 8 U.S.C. § 1641(c).

¹⁰⁹ HealthCare.gov, *Immigrants, Coverage for U.S. Citizens and U.S. Nationals* (last visited February 14, 2024) <https://healthcare.gov/immigrants/us-citizens-and-nationals/>; Nat'l Immigr. L. Ctr., "Lawfully Present" Individuals Eligible Under the Affordable Care Act 5 (2012, rev. 2022), <https://www.nilc.org/wp-content/uploads/2022/12/Lawfully-Present-Individuals-Eligible-Under-ACA.-PDF.pdf>. *See* 8 U.S.C. § 1641(c).

¹¹⁰ 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/.

¹¹¹ 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).

¹¹² 210-RICR-10-00-3.7(A)(2)(b)(1); 210-RICR-10-00-3.7(A)(2)(a)(3)(AA)(lawful permanent residents and Battered Spouse Waivers); 210-RICR-10-00-3.7(A)(2)(a)(GG)(battered non-citizen VAWA self-petitioners)(2025) <https://rules.sos.ri.gov/regulations/part/210-10-00-3>; The cited eligibility requirements from the Rhode Island Rules and Regulations are effective through August 21, 2018. *See* *Citizenship and Immigration Status Requirements*, 210-30 R.I. Code R. § 0304.05.15, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf.

¹¹³ 45 C.F.R. § 155.20(1); 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/>.

¹¹⁴ 42 C.F.R. § 435.4(1)(ix), (x), and (xi).

¹¹⁵ 42 C.F.R. § 435.4(1)(i).

¹¹⁶ 210-RICR-10-00-3.6(b); 210-RICR-10-00-3.7(A)(3)(2025)(Medicaid and Children’s Health Insurance Program (CHIP) Non-Financial General Eligibility Requirements); 210-RICR-30-00-1.6(A)(1)(e)(Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways)(2025); R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); R.I. S 2187, *Health Care for Children and Pregnant Women* (Provides comprehensive health care through Medicaid expansion for noncitizen children up to age 19, whose family income is up to 250% of the federal poverty level); 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. Oct. 2024), <https://www.nilc.org/wp-content/uploads/2024/10/med-services-for-imms-in-states-2024-10-.pdf>.

¹¹⁷ State of Rhode Island, Health and Human Services, Rite Care, Eligibility <https://eohhs.ri.gov/Consumer/FamilieswithChildren/RIteCare.aspx> (Last visited Jan. 25, 2025).

¹¹⁸ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

¹¹⁹ Rhode Island State Plan Amendment (SPA) #: RI-22-0025 <https://www.medicaid.gov/CHIP/Downloads/RI-22-0025.pdf> pp. 2, 4 (covering 12 months of post-partum care).

¹²⁰ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

¹²¹ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

¹²² 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 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/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

¹²³ 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 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/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

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

¹²⁵ See 8 U.S.C. § 1641(c)(4).

¹²⁶ 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/.

¹²⁷ 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).

¹²⁸ The cited eligibility requirements from the Rhode Island Rules and Regulations are effective through August 21, 2018. See *Citizenship and Immigration Status Requirements*, 210-30 R.I. Code R. § 0304.05.15, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf.

¹²⁹ 45 C.F.R. § 155.20(1); 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/>.

¹³⁰ 42 C.F.R. § 435.4(1)(xii).

¹³¹ 210-RICR-10-00-3.6(b); 210-RICR-10-00-3.7(A)(3)(2025)(Medicaid and Children's Health Insurance Program (CHIP) Non-Financial General Eligibility Requirements); 210-RICR-30-00-1.6(A)(1)(e)(Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways)(2025); R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> ("the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms"); R.I. S 2187, *Health Care for Children and Pregnant Women* (Provides comprehensive health care through Medicaid expansion for noncitizen children up to age 19, whose family income is up to 250% of the federal poverty level); 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. Oct. 2024), <https://www.nilc.org/wp-content/uploads/2024/10/med-services-for-imms-in-states-2024-10-.pdf>.

¹³² State of Rhode Island, Health and Human Services, Rite Care, Eligibility <https://eohhs.ri.gov/Consumer/FamilieswithChildren/RIteCare.aspx> (Last visited Jan. 25, 2025).

¹³³ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

¹³⁴ Rhode Island State Plan Amendment (SPA) #: RI-22-0025 <https://www.medicaid.gov/CHIP/Downloads/RI-22-0025.pdf> pp. 2, 4 (covering 12 months of post-partum care).

¹³⁵ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

¹³⁶ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> ("the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms"); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

¹³⁷ 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/. 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.

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 Mar. 2023), 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).

¹³⁹ 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 Mar. 2023), 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)).

¹⁴⁰ 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/.

¹⁴¹ 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).

¹⁴² The cited eligibility requirements from the Rhode Island Rules and Regulations are effective through August 21, 2018. See *Citizenship and Immigration Status Requirements*, 210-30 R.I. Code R. § 0304.05.15, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-immis-in-states-Jan_2024.pdf.

¹⁴³ 45 C.F.R. § 155.20(1); 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/>.

¹⁴⁴ 42 U.S.C. § 435.4(2)(i)

¹⁴⁵ 210-RICR-10-00-3.6(b); 210-RICR-10-00-3.7(A)(3)(2025)(Medicaid and Children's Health Insurance Program (CHIP) Non-Financial General Eligibility Requirements); 210-RICR-30-00-1.6(A)(1)(e)(Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways)(2025); R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); R.I. S 2187, *Health Care for Children and Pregnant Women* (Provides comprehensive health care through Medicaid expansion for noncitizen children up to age 19, whose family income is up to 250% of the federal poverty level); 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. Oct. 2024), <https://www.nilc.org/wp-content/uploads/2024/10/med-services-for-immis-in-states-2024-10-.pdf>.

¹⁴⁶ State of Rhode Island, Health and Human Services, Rite Care, Eligibility <https://eohhs.ri.gov/Consumer/FamilieswithChildren/RIteCare.aspx> (Last visited Jan. 25, 2025).

¹⁴⁷ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

¹⁴⁸ Rhode Island State Plan Amendment (SPA) #: RI-22-0025 <https://www.medicaid.gov/CHIP/Downloads/RI-22-0025.pdf> pp. 2, 4 (covering 12 months of post-partum care).

¹⁴⁹ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

¹⁵⁰ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-immis-in-states-Jan_2024.pdf

¹⁵¹ 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/.

¹⁵² 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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¹⁵⁴ 45 C.F.R. § 155.20(1); 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/>.

¹⁵⁵ 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.,

¹⁵⁶ 210-RICR-10-00-3.6(b); 210-RICR-10-00-3.7(A)(3)(2025)(Medicaid and Children's Health Insurance Program (CHIP) Non-Financial General Eligibility Requirements); 210-RICR-30-00-1.6(A)(1)(e)(Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways)(2025); R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the

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¹⁵⁷ State of Rhode Island, Health and Human Services, Rite Care, Eligibility <https://eohhs.ri.gov/Consumer/FamilieswithChildren/RIteCare.aspx> (Last visited Jan. 25, 2025).

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¹⁶⁰ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

¹⁶¹ 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.,

¹⁶² See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024),

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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 Mar. 2023), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

¹⁶⁴ 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/.

¹⁶⁵ 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).

¹⁶⁶ The cited eligibility requirements from the Rhode Island Rules and Regulations are effective through August 21, 2018. See *Citizenship and Immigration Status Requirements*, 210-30 R.I. Code R. § 0304.05.15, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf.

¹⁶⁷ 45 C.F.R. § 155.20(1); 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/>.

¹⁶⁸ 45 C.F.R. § 155.20(13).

¹⁶⁹ 210-RICR-10-00-3.6(b); 210-RICR-10-00-3.7(A)(3)(2025)(Medicaid and Children’s Health Insurance Program (CHIP) Non-Financial General Eligibility Requirements); 210-RICR-30-00-1.6(A)(1)(e)(Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways)(2025); R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); R.I. S 2187, *Health Care for Children and Pregnant Women* (Provides comprehensive health care through Medicaid expansion for noncitizen children up to age 19, whose family income is up to 250% of the federal poverty level); 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. Oct. 2024), <https://www.nilc.org/wp-content/uploads/2024/10/med-services-for-imms-in-states-2024-10-.pdf>.

¹⁷⁰ State of Rhode Island, Health and Human Services, Rite Care, Eligibility <https://eohhs.ri.gov/Consumer/FamilieswithChildren/RIteCare.aspx> (Last visited Jan. 25, 2025).

¹⁷¹ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

¹⁷² Rhode Island State Plan Amendment (SPA) #: RI-22-0025 <https://www.medicaid.gov/CHIP/Downloads/RI-22-0025.pdf> pp. 2, 4 (covering 12 months of post-partum care).

¹⁷³ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

¹⁷⁴ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

¹⁷⁵ 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 Mar. 2023), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁷⁶ 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/. See 8 U.S.C. § 1641(b)(1).

¹⁷⁷ 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/.

¹⁷⁸ 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).

¹⁷⁹ The cited eligibility requirements from the Rhode Island Rules and Regulations are effective through August 21, 2018. See *Citizenship and Immigration Status Requirements*, 210-30 R.I. Code R. § 0304.05.15, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf.

¹⁸⁰ 45 C.F.R. § 155.20(1); 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/>.

¹⁸¹ 45 C.F.R. 155.20(9).

¹⁸² 210-RICR-10-00-3.6(b); 210-RICR-10-00-3.7(A)(3)(2025)(Medicaid and Children’s Health Insurance Program (CHIP) Non-Financial General Eligibility Requirements); 210-RICR-30-00-1.6(A)(1)(e)(Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways)(2025); R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); R.I. S 2187, *Health Care for Children and Pregnant Women* (Provides comprehensive health care through Medicaid expansion for noncitizen children up to age 19, whose family income is up to 250% of the federal poverty level); 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. Oct. 2024), <https://www.nilc.org/wp-content/uploads/2024/10/med-services-for-imms-in-states-2024-10-.pdf>.

¹⁸³ State of Rhode Island, Health and Human Services, Rite Care, Eligibility <https://eohhs.ri.gov/Consumer/FamilieswithChildren/RiteCare.aspx> (Last visited Jan. 25, 2025).

¹⁸⁴ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

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¹⁸⁷ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

¹⁸⁸ 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/.

¹⁸⁹ 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).

¹⁹⁰ 210-RICR-10-00-3.6(b); 210-RICR-10-00-3.7(A)(3)(2025)(Medicaid and Children’s Health Insurance Program (CHIP) Non-Financial General Eligibility Requirements); 210-RICR-30-00-1.6(A)(1)(e)(Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways)(2025); R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); R.I. S 2187, *Health Care for Children and Pregnant Women* (Provides comprehensive health care through Medicaid expansion for noncitizen children up to age 19, whose family income is up to 250% of the federal poverty level); 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. Oct. 2024), <https://www.nilc.org/wp-content/uploads/2024/10/med-services-for-imms-in-states-2024-10-.pdf>.

¹⁹¹ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

¹⁹² 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/.

¹⁹³ 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).

¹⁹⁴ 210-RICR-10-00-3.6(b); 210-RICR-10-00-3.7(A)(3)(2025)(Medicaid and Children’s Health Insurance Program (CHIP) Non-Financial General Eligibility Requirements); 210-RICR-30-00-1.6(A)(1)(e)(Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways)(2025); R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); R.I. S 2187, *Health Care for Children and Pregnant Women* (Provides comprehensive health care through Medicaid expansion for noncitizen children up to age 19, whose family income is up to 250% of the federal poverty level); 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. Oct. 2024), <https://www.nilc.org/wp-content/uploads/2024/10/med-services-for-imms-in-states-2024-10-.pdf>.

¹⁹⁵ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

¹⁹⁶ 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/>.

¹⁹⁷ 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/. See 8 U.S.C. § 1641(c).

¹⁹⁸ *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](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).

¹⁹⁹ 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/.

²⁰⁰ 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).

²⁰¹ See *Eligibility as a State Funded Non-Citizen*, 210-30 R.I. Code R. § 0304.05.45.05, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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/2024/01/med-services-for-imms-in-states-Jan_2024.pdf.

²⁰² 45 C.F.R. § 155.20(1); 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/>.

²⁰³ RI Dep't of Health and Hum. Servs., Health Care, <https://eohhs.ri.gov/consumer/health-care> (last visited February 21, 2024)

²⁰⁴ State of Rhode Island, Health and Human Services, Rite Care, Eligibility <https://eohhs.ri.gov/Consumer/FamilieswithChildren/RItCare.aspx> (Last visited Jan. 25, 2025).

²⁰⁵ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

²⁰⁶ Rhode Island State Plan Amendment (SPA) #: RI-22-0025 <https://www.medicaid.gov/CHIP/Downloads/RI-22-0025.pdf> pp. 2, 4 (covering 12 months of post-partum care).

²⁰⁷ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

²⁰⁸ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

²⁰⁹ 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 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/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

²¹⁰ 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 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/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

²¹¹ See 8 U.S.C. § 1641(c)(4).

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

²¹³ 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/.

²¹⁴ 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/>.

[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).

²¹⁵ 45 C.F.R. § 155.20(1); *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/>.

²¹⁶ *See Eligibility as a State Funded Non-Citizen*, 210-30 R.I. Code R. § 0304.05.45.05, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf.

²¹⁷ 45 C.F.R. § 155.20(1); *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/>.

²¹⁸ RI Dep't of Health and Hum. Servs., Health Care, <https://eohhs.ri.gov/consumer/health-care> (last visited February 21, 2024)

²¹⁹ State of Rhode Island, Health and Human Services, Rite Care, Eligibility <https://eohhs.ri.gov/Consumer/FamilieswithChildren/RIteCare.aspx> (Last visited Jan. 25, 2025).

²²⁰ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

²²¹ Rhode Island State Plan Amendment (SPA) #: RI-22-0025 <https://www.medicaid.gov/CHIP/Downloads/RI-22-0025.pdf> pp. 2, 4 (covering 12 months of post-partum care).

²²² Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

²²³ *See MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); *See also*, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); *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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

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²²⁵ 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/; 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).

²²⁶ 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 Mar. 2023), 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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²²⁸ 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).

²²⁹ 45 C.F.R. § 155.20(1); *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/>.

- ²³⁰ See, ARK. DEP’T OF HUM. SERVICES, TEMPLATE FOR CHILD HEALTH PLAN UNDER TITLE XXI OF THE SOCIAL SECURITY ACT CHILDREN’S HEALTH INSURANCE PROGRAM, <https://humanservices.arkansas.gov/wp-content/uploads/CHIPStatePlan.pdf> (last visited Apr. 14, 2022); See, NAT’L IMMIGRATION LAW CTR., *Table 3: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20*, (4th ed. 2002, table updated July 2021), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.
- ²³¹ See *Eligibility as a State Funded Non-Citizen*, 210-30 R.I. Code R. § 0304.05.45.05, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf.
- ²³² 45 C.F.R. § 155.20(1); 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/>.
- ²³³ RI Dep’t of Health and Hum. Servs., Health Care, <https://eohhs.ri.gov/consumer/health-care> (last visited February 21, 2024)
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- ²³⁵ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).
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²⁵² *See Eligibility as a State Funded Non-Citizen*, 210-30 R.I. Code R. § 0304.05.45.05, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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/2024/01/med-services-for-imms-in-states-Jan_2024.pdf.

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²⁵⁸ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

²⁵⁹ *See MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); *See also*, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); *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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

²⁶⁰ 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/.

²⁶¹ 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).

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, footnote 7 (4th ed. 2002, table updated Mar. 2023), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁶³ 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/. *See* 8 U.S.C. § 1641(b)(1).

²⁶⁴ *See Eligibility as a State Funded Non-Citizen*, 210-30 R.I. Code R. § 0304.05.45.05, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/7548.pdf> (last visited Aug. 6, 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/2024/01/med-services-for-imms-in-states-Jan_2024.pdf.

²⁶⁵ 45 C.F.R. § 155.20(1); *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/>.

²⁶⁶ RI Dep’t of Health and Hum. Servs., Health Care, <https://eohhs.ri.gov/consumer/health-care> (last visited February 21, 2024)

²⁶⁷ State of Rhode Island, Health and Human Services, Rite Care, Eligibility <https://eohhs.ri.gov/Consumer/FamilieswithChildren/RIteCare.aspx> (Last visited Jan. 25, 2025).

²⁶⁸ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

²⁶⁹ Rhode Island State Plan Amendment (SPA) #: RI-22-0025 <https://www.medicaid.gov/CHIP/Downloads/RI-22-0025.pdf> pp. 2, 4 (covering 12 months of post-partum care).

²⁷⁰ Rhode Island State Plan Amendment (SPA) #: 22-0024 <https://www.medicaid.gov/medicaid/spa/downloads/RI-22-0024.pdf> p. 9-10 (covering qualified immigrants); p. 11-12 (covering lawfully present immigrants).

²⁷¹ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

²⁷² 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/.

²⁷³ 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).

²⁷⁴ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

²⁷⁵ 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/.

²⁷⁶ 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).

²⁷⁷ See *MACC Group General Eligibility Requirements*, 210-30 R.I. CODE R. §§ 1.6(A)(5)(d), 1.6(A)(5)(f), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/EOHHS/9690.pdf> (last visited Aug. 6, 2018); See also, R.I. Governor Dan McKee, *What People Are Saying About the Signing of the Historic FY2023 State Budget*, (June 28, 2022) available at <https://governor.ri.gov/press-releases/what-people-are-saying-about-signing-historic-fy2023-state-budget> (“the budget includes important wins for child and maternal health including expanding Medicaid coverage for low-income children regardless of immigration status and expanding Medicaid coverage through 12-months postpartum to ensure the health of new moms”); 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. 2024), https://www.nilc.org/wp-content/uploads/2024/01/med-services-for-imms-in-states-Jan_2024.pdf

²⁷⁸ 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).
- ²⁷⁹ 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).
- ²⁸⁰ The Rhode Island Parental Family & Medical Leave Act defines “employee” as “any full-time employee who works an average of thirty (30) or more hours per week.” *See* 28 R.I. GEN. LAWS § 28-48-1(2).
- ²⁸¹ The Rhode Island Parental Family & Medical Leave Act does not explicitly exclude individuals based on their immigration status but applies to “[e]very employee who has been employed by the same employer for twelve (12) consecutive months.” *See* 28 R.I. GEN. LAWS § 28-48-2(a).
- ²⁸² The Rhode Island Parental Family & Medical Leave Act does not explicitly exclude individuals based on their immigration status but applies to “[e]very employee who has been employed by the same employer for twelve (12) consecutive months.” *See* 28 R.I. GEN. LAWS § 28-48-2(a).
- ²⁸³ The Rhode Island Parental Family & Medical Leave Act does not explicitly exclude individuals based on their immigration status but applies to “[e]very employee who has been employed by the same employer for twelve (12) consecutive months.” *See* 28 R.I. GEN. LAWS § 28-48-2(a).
- ²⁸⁴ The Rhode Island Parental Family & Medical Leave Act does not explicitly exclude individuals based on their immigration status but applies to “[e]very employee who has been employed by the same employer for twelve (12) consecutive months.” *See* 28 R.I. GEN. LAWS § 28-48-2(a).
- ²⁸⁵ The Rhode Island Parental Family & Medical Leave Act does not explicitly exclude individuals based on their immigration status but applies to “[e]very employee who has been employed by the same employer for twelve (12) consecutive months.” *See* 28 R.I. GEN. LAWS § 28-48-2(a).
- ²⁸⁶ The Rhode Island Parental Family & Medical Leave Act does not explicitly exclude individuals based on their immigration status but applies to “[e]very employee who has been employed by the same employer for twelve (12) consecutive months.” *See* 28 R.I. GEN. LAWS § 28-48-2(a).
- ²⁸⁷ The Rhode Island Parental Family & Medical Leave Act does not explicitly exclude individuals based on their immigration status but applies to “[e]very employee who has been employed by the same employer for twelve (12) consecutive months.” *See* 28 R.I. GEN. LAWS § 28-48-2(a).
- ²⁸⁸ The Rhode Island Parental Family & Medical Leave Act does not explicitly exclude individuals based on their immigration status but applies to “[e]very employee who has been employed by the same employer for twelve (12) consecutive months.” *See* 28 R.I. GEN. LAWS § 28-48-2(a).
- ²⁸⁹ *See generally* OFF. 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.).
- ²⁹⁰ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>; Daniel T. Madzellan, OFFICE OF POST-SECONDARY EDUC., U.S. DEP'T OF EDUC., ELIGIBILITY FOR TITLE IV AID FOR "BATTERED IMMIGRANTS-QUALIFIED ALIENS" AS PROVIDED FOR IN THE VIOLENCE AGAINST WOMEN ACT (2007), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-memovawapetitionsgrantsloans-6-4-10/>. *See* 8 U.S.C. § 1641(c); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2016-2017 1-33, 1-34 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.
- ²⁹¹ 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).
- ²⁹² OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS (LAST VISITED FEB. 12, 2024), <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>. *See* 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4); OFF. OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2023-2024 (2023), <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2023-2024/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., ELIGIBILITY FOR NON-U.S. CITIZENS (LAST VISITED FEB. 12, 2024), <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>. *See* 22 U.S.C. § 7105(b); OFF. OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2023-2024 (2023), <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2023-2024/vol1/ch2-us-citizenship-eligible-noncitizens> (Naturalized citizens are eligible for financial aid)..
- ²⁹⁴ OFF. OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS (LAST VISITED FEB. 12, 2024), <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>.
- ²⁹⁵ OFF. OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS (LAST VISITED FEB. 12, 2024), <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>. *See* 8 U.S.C. § 1641(b)(1).
- ²⁹⁶ OFF. OF FED. STUDENT AID, U.S. DEP'T OF EDUC., ELIGIBILITY FOR NON-U.S. CITIZENS (LAST VISITED FEB. 12, 2024), <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>. *See* 8 U.S.C. § 1641(b)(1).
- ²⁹⁷ 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/>.
- ²⁹⁸ 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 IMMIGR. L. 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>.
- ²⁹⁹ 16.97 R.I. Gen. Laws §16-59-9.3 (2024). *See Toolkit: Access to Postsecondary Education*, NAT'L IMMIGR. L. CTR. (Aug. 2023) <https://www.nilc.org/issues/education/eduaccess toolkit2a/#tables..>
- ³⁰⁰ *Residency Policy*, BD. OF GOVERNORS FOR HIGHER EDUC., <http://www.ribghe.org/residency1for2012.pdf> (last visited May 30, 2018).

³⁰¹ 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.).

³⁰² 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/; 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).

³⁰³ See 8 U.S.C. § 1612(a)(2)(H).

³⁰⁴ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONG. RSCH. SERV., Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/OC.html>.

³⁰⁵ 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/; 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.).

³⁰⁶ 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).

³⁰⁷ 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/; 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.

³⁰⁸ See 22 U.S.C. § 7105(b).

³⁰⁹ 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 Mar. 2023), 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>.

³¹⁰ 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/; 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).

³¹¹ See 8 U.S.C. § 1612(a)(2)(H).

³¹² See 8 U.S.C. § 1641(c)(4).

³¹³ 22 U.S.C. § 7105(b); 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/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

³¹⁴ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONG. RSCH. SERV., Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/OC.html>.

³¹⁵ 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/; 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.).

³¹⁶ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONG. RSCH. SERV., Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/OC.html>.

³¹⁷ 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.bvbZ.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SEC. 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).

³¹⁸ See 8 U.S.C. § 1612(a)(2)(H).

³¹⁹ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONG. RSCH. SERV., Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/OC.html>.

³²⁰ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONG. RSCH. SERV., 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 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/>

³²² REAL ID Act of 2005, 49 U.S.C. § 30301 Note (2005). See also 6 C.F.R. § 37.11 (g) (2012); Joan Friedland, *Updates on REAL ID and Increased Information Sharing by Departments of Motor Vehicles*, NAT'L IMMIGRATION LAW CTR., (Jan. 8, 2018), <https://www.org/news/the-torch/1-04-18/>.

³²³ See 6 C.F.R. § 37.11(g)(1) (2012).

³²⁴ See *SAVE CaseCheck*, U.S. CITIZENSHIP & IMMIGR. SERVS., <https://www.uscis.gov/save/casecheck> (last visited July 9, 2018). For special rules and step-by-step instructions for SAVE verification in cases of VAWA self-petitioners, see PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/> and Benish Anver, Alexandra Brown and Leslye E. Orloff, HOW TO ADVOCATE FOR PUBLIC AND ASSISTED HOUSING FOR YOUR BATTERED IMMIGRANT OR TRAFFICKING SURVIVOR CLIENT (2017) <http://niwaplibrary.wcl.american.edu/pubs/pub-asst-housing-advocacy>.

³²⁵ 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).

³²⁶ 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>.

³²⁷ 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.

³²⁸ 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 an receive a Social Security Number.

³²⁹ NAT'L IMMIGRANT WOMEN'S ADVOC. 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/>; See also *Application for License, Identification Card and Permit*, at 3, STATE OF R.I. & PROVIDENCE PLANTATIONS, <http://www.dmv.ri.gov/documents/forms/license/LI-1.pdf> (last visited May 30, 2018); See also *Rules of Practice & Procedure*, STATE OF R.I. & PROVIDENCE PLANTATIONS, DEP'T OF REVENUE, DIV. OF MOTOR VEHICLES, <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DMV/6744.pdf> (last visited June 19, 2018).

³³⁰ Asher Klein, NECN, *Rhode Island Letting Undocumented Residents Get Driver's Licenses*, <https://www.necn.com/news/local/rhode-island-letting-undocumented-residents-get-drivers-licenses/2770223/> (last visited July 7, 2022).

³³¹ Rhode Island SB 2006 (June 28, 2022); 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>

³³² RI Dep't of Revenue; Div. of Taxation; Driver Privilege Cards, <https://tax.ri.gov/guidance/special-programs/driver-privilege-cards> (last visited February 21, 2024).

³³³ 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).

³³⁴ 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/>.

³³⁵ *Apply for Funds and Grants*, R.I. OFF. OF HOUS. & CMTY. DEV., <https://ohcd.ri.gov/homelessness/apply-funds-grants> (last visited Sept. 4, 2022).

³³⁶ *Looking for Shelter?*, R.I. COALITION FOR THE HOMELESS, <http://www.rihomeless.org/looking-for-help> (last visited June 1, 2018).

³³⁷ 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).

³³⁸ 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/ (contains lists of housing programs that are unrestricted and lists of housing programs that various forms of immigration restrictions).

³³⁹ 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).

³⁴⁰ 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*, <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).

³⁴¹ 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).

³⁴² See 42 U.S.C. § 1485.

³⁴³ *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).

³⁴⁴ 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).

³⁴⁵ 42 U.S.C. § 1436(a)(1)

³⁴⁶ 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.”).

³⁴⁷ 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/.

³⁴⁸ 24 C.F.R. § 5.506(a)(1).

³⁴⁹ 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 (2017), <https://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.”).

³⁵⁰ 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), <https://www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/>.

³⁵¹ See *Housing Credit Program Compliance Monitoring Manual*, R.I. HOUS., <http://www.rihousing.com/filelibrary/lihtc.pdf> (last visited June 19, 2018). Rhode Island Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including VAWA self-petitioners, who could meet the eligibility requirements of the federal subsidies involved. See, DEP’T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>.

³⁵² 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).

³⁵³ See 42 U.S.C. § 1485.

³⁵⁴ 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/.

³⁵⁵ *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).

³⁵⁶ 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).

³⁵⁷ See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing).

³⁵⁸ See *Housing Credit Program Compliance Monitoring Manual*, R.I. HOUS., <http://www.rihousing.com/filelibrary/lihtc.pdf> (last visited June 19, 2018). Rhode Island Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does 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/.

³⁵⁹ 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)).

³⁶⁰ 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>.

³⁶¹ See OFF. 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/.

³⁶² See *Housing Credit Program Compliance Monitoring Manual*, R.I. HOUS., <http://www.rihousing.com/filelibrary/lihtc.pdf> (last visited June 19, 2018). Rhode Island Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, 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>.

³⁶³ 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/.

³⁶⁴ 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).

³⁶⁵ See *Housing Credit Program Compliance Monitoring Manual*, R.I. HOUS., <http://www.rihousing.com/filelibrary/lihtc.pdf> (last visited June 19, 2018). Rhode Island Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. DACA applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

³⁶⁶ 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/.

³⁶⁷ 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).

³⁶⁸ See 8 U.S.C. § 1641(b)(1).

³⁶⁹ 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/.

³⁷⁰ 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).

³⁷¹ See 8 U.S.C. § 1641(b)(1) (2012).

³⁷² See *Housing Credit Program Compliance Monitoring Manual*, R.I. HOUS., <http://www.rihousing.com/filelibrary/lihtc.pdf> (last visited June 19, 2018). Rhode Island Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants including 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.

³⁷³ 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/.

³⁷⁴ 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).

³⁷⁵ See 8 U.S.C. § 1641(b)(1).

³⁷⁶ 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/.

³⁷⁷ 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).

³⁷⁸ See 8 U.S.C. § 1641(b)(1) (2012).

³⁷⁹ See *Housing Credit Program Compliance Monitoring Manual*, R.I. HOUS., <http://www.rihousing.com/filelibrary/lihtc.pdf> (last visited June 19, 2018). Rhode Island Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including U visa 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.

³⁸⁰ 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/.

³⁸¹ 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).

³⁸² See *Housing Credit Program Compliance Monitoring Manual*, R.I. HOUS., <http://www.rihousing.com/filelibrary/lihtc.pdf> (last visited June 19, 2018). Rhode Island Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including U visa applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency, U visa applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

³⁸³ 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/.

³⁸⁴ 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).

³⁸⁵ See *Housing Credit Program Compliance Monitoring Manual*, R.I. HOUS., <http://www.rihousing.com/filelibrary/lihtc.pdf> (last visited June 19, 2018). Rhode Island Housing allocates the federal Low Income Housing Tax Credits. The LIHTC program does not impose immigrant restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. Undocumented immigrants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

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

³⁸⁷ 26 U.S.C. § 24(f); U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 2 (2017).

³⁸⁸ See <https://www.irs.gov/individuals/individual-taxpayer-identification-number> (IRS ITIN Information Page).

³⁸⁹ 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).

³⁹⁰ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 3 (2017).

³⁹¹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 2 (2017).

³⁹² 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>.

³⁹³ 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).

³⁹⁴ 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).

³⁹⁵ 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).

³⁹⁶ U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

³⁹⁷ 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).

³⁹⁸ 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).

³⁹⁹ 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).

⁴⁰⁰ U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁴⁰¹ 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).

⁴⁰² 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).

⁴⁰³ 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).

⁴⁰⁴ U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁴⁰⁵ 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).

⁴⁰⁶ 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).

⁴⁰⁷ 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).

⁴⁰⁸ U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁴⁰⁹ 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).

⁴¹⁰ 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).

⁴¹¹ 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).

⁴¹² U.S. DEP'T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁴¹³ *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).

⁴¹⁴ 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).

⁴¹⁵ 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)).

⁴¹⁶ 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-accesspubliclyfundedlsc/>.

⁴¹⁷ 45 C.F.R. § 1626.5(a).

⁴¹⁸ 45 C.F.R. § 1626.5(b).

⁴¹⁹ 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/>.

⁴²⁰ 45 C.F.R. § 1626.5(a)

⁴²¹ *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).

⁴²² 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.").

⁴²³ 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/>.

⁴²⁴ 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/>.

⁴²⁵ *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).

⁴²⁶ *See* 45 C.F.R. § 1626.5(c).

⁴²⁷ *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).

⁴²⁸ *See* 45 C.F.R. § 1626.4(a)(2).

⁴²⁹ 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.").

⁴³⁰ 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/>.

⁴³¹ 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/>.

⁴³² *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).

⁴³³ *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).

⁴³⁴ *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).

⁴³⁵ OFF. 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.”).

⁴³⁶ 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/>.

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)(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).

⁴⁴⁰ 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.).

⁴⁴¹ The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

⁴⁴² 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/>.

⁴⁴³ OFF. 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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⁴⁴⁵ 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/>.

⁴⁴⁶ 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).

⁴⁴⁷ 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, 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).

⁴⁴⁸ 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.).

⁴⁴⁹ 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/>.

⁴⁵⁰ See 45 C.F.R. § 1626.5(a).

⁴⁵¹ 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-accesspubliclyfunded/>.

⁴⁵² 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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⁴⁵⁴ 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/>.

⁴⁵⁵ 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).

⁴⁵⁶ 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)-(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).

⁴⁵⁷ 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).

⁴⁵⁸ “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/>.

⁴⁵⁹ *See* 45 C.F.R. § 1626.5(a).

⁴⁶⁰ *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/>.

⁴⁶¹ 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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⁴⁶³ 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/>.

⁴⁶⁴ *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).

⁴⁶⁵ *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 on to commit any of the above mentioned crimes).

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⁴⁶⁸ 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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⁴⁷⁰ 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/>.

⁴⁷¹ 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).

⁴⁷² 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, 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/>. Compare 45 C.F.R. § 1626.2(b) (1997) and 8 C.F.R. § 204.2(c)(1)(vi) (2012).

⁴⁷³ 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.).

⁴⁷⁴ The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

⁴⁷⁵ 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/>.

⁴⁷⁶ 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.”).

⁴⁷⁷ 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/>.

⁴⁷⁸ 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/>.

⁴⁷⁹ 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).

⁴⁸⁰ 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.

- ⁴⁸¹ 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).
- ⁴⁸² 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.
- ⁴⁸³ 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).
- ⁴⁸⁴ 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.
- ⁴⁸⁵ 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)).
- 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.
- 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. See 8 U.S.C. § 1640(b)(1).
- 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.
- 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. See 8 U.S.C. § 1641(b)(1).
- 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.
- 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 42 U.S.C. § 5121; See American Red Cross and the Nat'l Council of La Raza, and NAT'L IMMIGR. L. CTR., *Fact Sheet: Immigrant Eligibility for Disaster Assistance* (June 2007), <https://www.nilc.org/issues/economic-support/immigrant-eligibility-disaster-assistance/>.
- ⁴⁹⁴ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>.
- ⁴⁹⁵ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>; U.S. DEP'T AGRIC. FOOD & NUTRITION SERV., DISASTER SNAP GUIDANCE: POLICY GUIDANCE, LESSONS LEARNED, AND TOOLKITS TO OPERATE A SUCCESSFUL D-SNAP (2014), https://fns-prod.azureedge.net/sites/default/files/D-SNAP_handbook_0.pdf.
- ⁴⁹⁶ 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/>.
- ⁴⁹⁷ 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).
- ⁴⁹⁸ 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).
- ⁴⁹⁹ 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).
- 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/> (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).
- 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/>. See 8 U.S.C. §§ 1641(b)(2)-(b)(3).

- ⁵⁰² 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).
- ⁵⁰³ 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).
- 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), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).
- 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/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 8 U.S.C. § 1641(b)(1).
- 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/>. See 8 U.S.C. § 1641(b)(1).
- 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/> (explaining that to receive Disaster Unemployment Assistance (DUA), LPRs must have employment authorization). See 8 U.S.C. § 1641(b)(1).
- 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(b)(1).
- 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), LPRs must have employment authorization). See 8 U.S.C. § 1641(b)(1).
- 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/>. See 8 U.S.C. § 1641(b)(1).
- ⁵¹¹ 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).
- ⁵¹² 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.
- ⁵¹³ 8 U.S.C. § 1641(c)(1)(B)(i), or (ii); or 8 U.S.C. § 1641(c)(2), or (3).
- ⁵¹⁴ 8 U.S.C. § 1641(b)(3).
- ⁵¹⁵ 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).
- ⁵¹⁶ 8 U.S.C. § 1641(c)(4).
- ⁵¹⁷ 8 U.S.C. § 1641(c)(4).
- ⁵¹⁸ 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.”).
- ⁵¹⁹ 8 U.S.C. § 1641(b)(1).
- ⁵²⁰ 8 U.S.C. § 1641(b)(1).
- ⁵²¹ 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.”).
- ⁵²² 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.”).