### Access to State-Funded Public Benefits in Vermont for Survivors, Based on Immigration Status

**By: Monica Bates and Leslye E. Orloff** (With Updates by Mary Ann McLean & Meera Patel)

May 22, 2019 (Updated March 27, 2024)

<table>
<thead>
<tr>
<th>Qualified Immigrant</th>
<th>HHS Certification</th>
<th>Lawfully Present</th>
<th>Limited Benefits Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>TANF (Cash Assistance)</td>
<td>Eligible with VAWA prima facie determination, subject to five-year bar for those who arrived on or after August 22, 1996</td>
<td>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</td>
<td>Not eligible. 22</td>
</tr>
<tr>
<td>Refugee/Asylee: Eligible for TANF regardless of date of entry. 16</td>
<td>Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. 23 (may be)</td>
<td>Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. 23 (may be)</td>
<td>No federal eligibility. 27</td>
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<tr>
<td>T visa: with HHS certification or eligibility</td>
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<td>Not eligible. 28</td>
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</tbody>
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* Federally funded public benefits are non-italicized typeface and state-funded public benefits are italicized.
* 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 the public charge ground of inadmissibility immigrant victims applying for immigration relief and lawful permanent residency through the following immigration benefits programs: VAWA self-petitioning (as defined in footnote “d”), VAWA cancellation of removal, VAWA suspension of deportation, U visas, and T visas. For technical assistance on benefits access for immigrant survivors please contact the National Immigrant Women’s Advocacy Project, American University, Washington College of Law (202) 274-4457 or info@niwap.org. 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.
* © National Immigrant Women’s Advocacy Project, American University, Washington College of Law 2018. This publication was developed under grant number SJI-15-T-234 from the State Justice Institute. This project was supported by Grant No 15JOVW-21-GK-0208-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. 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.
* 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_overview ALOG/ 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, OPERATING POLICY AND Procedures 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).
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<tr>
<th>VAWA Self-Petitioners, Battered Spouse Waivers,1 Lawful Permanent Residents, and Naturalized Citizens</th>
<th>Refugee, Asylee, T Visa,2 Afghans,3 Ukrainians 4</th>
<th>T Visa5/ Continued Presence6</th>
<th>Deferred Action for Childhood Arrivals (DACA)7</th>
<th>Special Immigrant Juvenile Status (SIJS)8</th>
<th>U Visa, bona fide, or wait list approval.9</th>
<th>U Visa Applicants</th>
<th>Undocumented</th>
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<td><strong>TANF</strong></td>
<td>determination_eligible under the Victims of Trafficking and Violence Protection Act (TVPA) of 2000 to the same extent as refugees.17 At the state’s discretion, T visa holders or applicants eligible as qualified immigrants with prima facie (bona fide) determination, subject to five-year bar for those who entered on or after August 22, 1996.18</td>
<td>determination (under 18).19 These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.20 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.21</td>
<td>subject to deeming).</td>
<td>subject to deeming).</td>
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<td><strong>Child Care</strong></td>
<td>Children with prima facie determination and child lawful permanent residents are qualified immigrants eligible for Child Care Development Fund (CCDF)-funded child care.29 TANF-funded childcare subject to five-year bar for immigrants who</td>
<td>Children who are asylees or refugees are eligible for CCDF-funded child care and TANF-funded child care.32 T Visa: Eligible for CCDF-funded child care and TANF-funded child care under the Victims of Trafficking and Violence Protection Act</td>
<td>Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</td>
<td>Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</td>
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<td>entered on or after August 22, 1996.30</td>
<td>of 2000 to the same extent as refugees.33</td>
<td>for CCDF-funded child care and TANF-funded child care, no need for HHS Certification or eligibility determination.37</td>
<td>private child care provided after school or during school holidays; (2) Child care is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization.38</td>
<td>during school holidays; (2) Childcare is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization.59</td>
<td>(2) Childcare is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization.45</td>
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<td>Naturalized citizens: Eligible without restrictions.31</td>
<td>Children who are T visa holders or applicants with prima facie (bona fide) determination are eligible for CCDF-funded child care.34 They are also eligible for TANF-funded childcare subject to five-year bar for those who entered on or after August 22, 1996.35</td>
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<td>Upon receiving lawful permanent residency, eligible as for CCDF-funded child care.40 Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996.41</td>
<td>Upon receiving lawful permanent residency, eligible as for CCDF-funded child care.40 Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996.41</td>
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<td><strong>SNAP (Food Stamps)47</strong></td>
<td>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 8/22/96 disabled, or if Lawful Permanent</td>
<td>Refugee/Asylee: Eligible with no additional conditions.50</td>
<td>Not eligible.</td>
<td>Eligible upon receiving lawful permanent residency, subject to an additional condition,56 e.g.: under 18,57 five years residency, 58 40 qualifying work quarters,59 or disabled.60</td>
<td>Eligible upon receiving lawful permanent residency, subject to an additional condition,61 e.g.: under 18,62 five years residency, 63 40 qualifying work quarters,64 elderly,65 or disabled.66</td>
<td>Not eligible.</td>
<td>Not eligible.</td>
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<td>Resident with 40 quarters of work credit.48</td>
<td>Trafficking Victims Protection Act to the same extent as refugees.52</td>
<td>Family members with T visa status eligible without HHS certification or eligibility determination.54</td>
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<td>The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)</td>
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<td>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.67</td>
<td>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.68</td>
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<td>In Vermont, applicants should call a Local Health Office to find WIC Nutrition Services and schedule an appointment.70</td>
<td>In Vermont, income eligibility guidelines for pregnant, postpartum, or breastfeeding women applying for their children, is to be set at 185 percent or lower of the federal poverty level.71</td>
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<td>Eligible with VAWA prima facie determination,72 as a lawful permanent resident,73 or naturalized citizen.74</td>
<td>Refugee: Eligible.75</td>
<td>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</td>
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<td>Asylee: Eligible; applicants eligible if granted work authorization; applicants under 14 eligible if application</td>
<td>Asylee: Eligible;</td>
<td>Not eligible.81</td>
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<td>Purchase Health Insurance on Exchanges8</td>
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<td>Eligible upon filing SIJS application.82</td>
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<td></td>
<td>Not eligible.85</td>
<td>Eligible upon U visa, bona fide determination,83 or wait list approval.84</td>
<td>Not eligible.86</td>
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<td>Refugee/Asylee: 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. Naturalized citizens eligible. (^{89})</td>
<td>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. (^{88})</td>
<td>Eligible for emergency Medicaid regardless of immigration status. (^{99})</td>
<td>Eligible upon receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. (^{103})</td>
<td>Eligible for emergency Medicaid regardless of immigration status. (^{106})</td>
<td>Eligible for emergency Medicaid regardless of immigration status. (^{108})</td>
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<td>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. (^{95})</td>
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<td>Eligible upon receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996. (^{101})</td>
<td>In Vermont as of July 1, 2022, state-funded health care available to all children and pregnant children without regard to immigration status. (^{107})</td>
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<td>If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency. (^{103})</td>
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**Health Insurance on Exchanges**

- **Refugee, Asylee, T Visa, Afghans, Ukrainians**
  - 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. Naturalized citizens eligible. \(^{89}\)

- **T Visa**: Eligible with prima facie (bona fide) determination on T visa application. \(^{77}\)

- **Family members with T visa status eligible without HHS certification or eligibility determination.** \(^{79}\)

- **These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.** \(^{80}\)

**Child Health Insurance Program (CHIP)\(^{87}\)**

- **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.** \(^{88}\)

- **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.** \(^{95}\)

- **Family members with T visa status eligible without HHS certification or eligibility determination.** \(^{79}\)

- **In Vermont as of July 1, 2022, state-funded health care available to all children and pregnant children without regard to immigration status.** \(^{107}\)

- **Eligible for emergency Medicaid regardless of immigration status.** \(^{106}\)

**References**

1. VAWA Self-Petitioners, Battered Spouse Waivers
2. Lawful Permanent Residents
3. Naturalized Citizens
4. Refugees, Asylees, T Visa holders and T visa applicants with prima facie (bona fide) determination on T visa application
5. DACA
6. SIJS
7. U Visa
8. Bona fide, or wait list approval
9. U Visa Applicants
10. Undocumented
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<td>pregnant children without regard to immigration or citizenship status.</td>
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<td>CHIP</td>
<td>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.</td>
<td>Refugee/Asylee: Eligible, exempt from five-year bar.</td>
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<td>T visa : 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.</td>
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<td>In Vermont as of July 1, 2022, state-funded health care available to all persons while pregnant without regard to immigration status.</td>
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<td>In Vermont as of July 1, 2022, state-funded health care available to all persons while pregnant without regard to immigration status.</td>
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<td>Full-Scope Medicaid</td>
<td>VAWA Self-Petitioners, Battered Spouse Waivers,1 Lawful Permanent Residents, and Naturalized Citizens</td>
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<td>U Visa, bona fide, or wait list approval.9</td>
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<td><strong>Nationals</strong></td>
<td>health care available to all persons while pregnant without regard to immigration or citizenship status. 114</td>
<td>for those who arrived on or after August 22, 1996.117</td>
<td>These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar.121</td>
<td>Eligible for emergency Medicaid regardless of immigration status.122</td>
<td>In Vermont as of July 1, 2022, state-funded health care available to all persons while pregnant without regard to immigration status.123</td>
<td>In Vermont as of July 1, 2022, state-funded health care available to all persons while pregnant without regard to immigration status.128</td>
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</tr>
<tr>
<td><strong>Victims of Crime Act (VOCA) Compensation</strong></td>
<td>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.137</td>
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<tr>
<td><strong>Family Medical Leave Act (FMLA)138 – State Law 139</strong></td>
<td>May be eligible for both state and federal FMLA protections without regard to immigration or citizenship status.140</td>
<td>May be eligible for both state and federal FMLA protections without regard to immigration status.141</td>
<td>May be eligible for both state and federal FMLA protections without regard to immigration status.142</td>
<td>May be eligible for both state and federal FMLA protections without regard to immigration status.143</td>
<td>May be eligible for both state and federal FMLA protections without regard to immigration status.144</td>
<td>May be eligible for both state and federal FMLA protections without regard to immigration status.145</td>
<td>May be eligible for both state and federal FMLA protections without regard to immigration status.146</td>
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<tr>
<td><strong>Education-Federal Benefits: Federal</strong></td>
<td>VAWAs with prima facie determinations and all lawful permanent residents eligible.149</td>
<td>Refugees, Asylees, and T visa holders or T visa applicants with prima facie (bona fide) determination, an HHS Certification or</td>
<td>Human trafficking victims eligible: with an HHS Certification (based on continued presence or a bona fide determination on a T</td>
<td>Not eligible for federal student aid.153</td>
<td>Eligible for federal student aid upon receipt of lawful permanent residency.154</td>
<td>Eligible for federal student aid upon receipt of lawful permanent residency.155</td>
<td>Not eligible for federal student aid.</td>
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<tr>
<td>Student Aid, Grants and Loans</td>
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<td>Refugee, Asylee, T Visa, Afghan, Ukrainians</td>
<td>T Visa/ Continued Presence</td>
<td>Deferred Action for Childhood Arrivals (DACA)</td>
<td>Special Immigrant Juvenile Status (SIJS)</td>
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<td>Naturalized citizens, eligible.</td>
<td>Eligibility letter are eligible for federal student aid.</td>
<td>visa application, or with an HHS eligibility determination (under 18), and family members with T visa status, are eligible for federal student aid.</td>
<td>Eligible during first seven years after the status was granted.</td>
<td>Eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.</td>
<td>Eligible upon receiving lawful permanent residency if credited with 40 quarters of work, subject to five-year bar for those who arrived on or after August 22, 1996.</td>
<td>Eligible upon receiving lawful permanent residency if: credited with 40 quarters of work 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.</td>
<td>Not eligible.</td>
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<td>All children, without regard to immigration status or citizenship are eligible to attend public elementary and secondary (K-12) schools. State schools may not request citizenship or immigration status information and may not bar students from enrolling in public elementary or secondary schools based on the citizenship or immigration status of the student, their parent, or their guardian. Eligible to apply to enroll in state funded colleges and universities without regard to immigration status.</td>
<td>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. May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979.</td>
<td>Refugees/Asylees: Eligible during first seven years after the status was granted. Trafficking victims: Eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees. T visa: Eligible as a qualified immigrant with prima facie (bona fide) determination on T visa application if receiving SSI on August 22, 1996, or</td>
<td>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.</td>
<td>Not eligible.</td>
<td>Eligible upon receiving lawful permanent residency if credited with 40 quarters of work, subject to five-year bar for those who arrived on or after August 22, 1996.</td>
<td>Eligible upon receiving lawful permanent residency if: credited with 40 quarters of work 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.</td>
<td>Not eligible.</td>
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<td>VAWA Self-Petitioners, Battered Spouse Waivers, Lawful Permanent Residents, and Naturalized Citizens</td>
<td>Refugee, Asylee, T Visa, Refugees, Afghans, Ukrainians</td>
<td>T Visa5/ Continued Presence6</td>
<td>Deferred Action for Childhood Arrivals (DACA)7</td>
<td>Special Immigrant Juvenile Status (SIJS)8</td>
<td>U Visa, bona fide, or wait list approval,9</td>
<td>U Visa Applicants</td>
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<td><strong>SSI</strong></td>
<td>permanent residency if credited with 40 quarters of work, subject to five-year bar for those who arrived on or after August 22, 1996, Naturalized citizens, eligible.</td>
<td>lawfully residing in the U.S. as of that date and now disabled. May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979. This eligibility allows trafficking victims who are disabled to continue to receive SSI after the 7-years.</td>
<td>on an application filed before 1979.</td>
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<tr>
<td><strong>Driver’s License</strong>179</td>
<td>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. The Department of Homeland Security (DHS), by regulation, lists specific documents that will provide satisfactory evidence of lawful status. All documentation for REAL ID compliant ID’s will be submitted through the Systematic Alien Verification for Entitlements Program (S.A.V.E.). DHS will also approve acceptance of other documentation issued by DHS or other Federal agencies demonstrating lawful status, as determined by USCIS. In addition, DHS permits states to establish an “Exception Process” and consider “Alternative Documents.”</td>
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*In Vermont, applicants for a driver’s license must provide the following documentation:*

- **Proof of identity and age (including Permanent resident alien card (I-551 or similar document, valid foreign passport with acceptable visa, Employment authorization document[165])**
  - 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.166
- **Proof of lawful status in the U.S.**
- **Proof of Social Security number (including Social Security card, other proof of Social Security number, Tax documents proving Social Security number, Letter from Social Security stating non-eligibility)**
- **Proof of Vermont residency and current address (must display residential address).**167
<table>
<thead>
<tr>
<th>Professional &amp; Occupational Licenses</th>
<th>No state laws or policies regarding immigrant access to professional or occupational licenses including whether or not work authorization is sufficient or required.</th>
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<tr>
<td>Housing and Other Services Necessary to Protect Life or Safety</td>
<td>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. 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.</td>
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</table>

Emergency/ General Assistance can assist with housing needs including mortgages, rent, room rent, or temporary housing. Applicants apply in person at a local district office. The Vermont, Department of Children and Families, administers emergency shelter and transitional housing programs victims of domestic violence and low-income victims.

<table>
<thead>
<tr>
<th>Public and Assisted** Housing** and Low-Income Housing Tax Credit (LIHTC) Housing</th>
<th>VAWA Self-Petitioners Eligible. Upon filing VAWA self-petition, applicant cannot be denied HUD public or assisted housing unless and until a final determination of eligibility. USDA rental housing follows HUD procedures for processing VAWA self-petitions, so should be eligible for all USDA rental housing unless and until a final determination of eligibility.</th>
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<tbody>
<tr>
<td>Refugee/Asylee, T visa holder or T visa applicant with prima facie (bona fide) determination eligible for:</td>
<td>HUD public and assisted housing; USDA Section 515 Rural Rental Housing; USDA Section 521 Rural Rental Assistance; USDA Section 514/516 Farm Labor Housing if immediate family member or remaining household member of Human trafficking victims with an HHS Certification.</td>
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<td>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance); and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer. In Vermont, may be eligible to live in Vermont Affordable Housing Tax.</td>
<td>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance). In Vermont, may be eligible to live in Vermont Affordable Housing Tax.</td>
</tr>
<tr>
<td>Public and Assisted Housing and LIHTC</td>
<td>VAWA Self-Petitioners, Battered Spouse Waivers, Lawful Permanent Residents, and Naturalized Citizens</td>
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<td>determination of ineligibility. Regardless of immigration status, eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), and USDA Section 514/516 Farm Labor Housing if immediate family member of eligible tenant. 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. Lawful permanent residents are eligible for public and assisted housing and for USDA Section 514/516 Farm Labor Housing. USDA Section 521 Rural Rental Assistance.</td>
</tr>
<tr>
<td>Public and Assisted Housing and LIHTC</td>
<td>VAWA Self-Petitioners, Battered Spouse Waivers, Lawful Permanent Residents, and Naturalized Citizens</td>
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<tr>
<td>Naturalized citizens are eligible for public and assisted housing204 and for USDA Section 514/516 Farm Lab or Housing;205 USDA Section 521 Rural Rental Assistance.206</td>
<td>In Vermont, may be eligible to live in Vermont Affordable Housing Tax Credit property.207</td>
</tr>
</tbody>
</table>

**Income Tax Credits**

- **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.242 A qualifying child must be a citizen, national, or resident of the U.S with an SSN or an Individual Taxpayer Identification Number (ITIN).243 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.244

- **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—
  - 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.245

  The child or dependent must have a social security number or ITIN.246 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.247

**Earned Income Tax Credit (EITC)**

<p>| VAWA self-petitioners, lawful permanent residents, and naturalized citizens who248: have been granted work authorization or who | Refugees, asylees, asylum applicants, and T visa holders with work authorization or lawful permanent residency who: have lived in the U.S. for at | Recipients of T visa bona fide determinations or continued presence who: are granted work authorization, have lived in the U.S. for at | DACA applicants who: are granted work authorization, have lived in the U.S. for at least 183 days during | SIJS recipients granted lawful permanent residency who: have lived in the U.S. at least 183 days during the tax | Once granted lawful permanent residency5 or work authorization U visa holders and U visa applicants with deferred action | Not eligible. | Not eligible. |</p>
<table>
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<tr>
<th>EITC</th>
<th>Refugee, Asylee, T Visa, Refugees and Asylees, T Visa Applicants, and Undocumented</th>
<th>VAWA Self-Petitioners, Battered Spouse Waivers, and Lawful Permanent Residents, and Naturalized Citizens</th>
<th>Deferred Action for Childhood Arrivals (DACA)</th>
<th>Special Immigrant Juvenile Status (SIJS)</th>
<th>U Visa, bona fide, or wait list approval</th>
<th>U Visa Applicants</th>
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<td>are granted lawful permanent residency, have lived in the U.S. for at least 183 days during the tax year, have a social security number valid for work, have earned income during the tax year, are eligible for the earned income tax credit (EITC).</td>
<td>at least 183 days during the tax year, have a social security number valid for work, and have earned income during the tax year are eligible for the earned income tax credit (EITC).</td>
<td>the tax year, have a social security number valid for work, and have earned income during the tax year are eligible for the earned income tax credit (EITC).</td>
<td>year, have a social security number valid for work, and have earned income during the tax year are eligible for the earned income tax credit (EITC).</td>
<td>(based on bona fide determinations or wait-list approval) who have lived in the U.S. for six months, and who are earning income are eligible for the earned income tax credit (EITC).</td>
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**Legal Services**

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<th>Legal Services</th>
<th>VAWA Self-Petitioners, Battered Spouse Waivers, Lawful Permanent Residents, and Naturalized Citizens</th>
<th>Refugee, Asylee, T Visa, Afghan, Ukranian</th>
<th>T Visa/ Continued Presence</th>
<th>Deferred Action for Childhood Arrivals (DACA)</th>
<th>Special Immigrant Juvenile Status (SIJS)</th>
<th>U Visa, bona fide, or wait list approval</th>
<th>U Visa Applicants</th>
<th>Undocumented</th>
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<tr>
<td>become eligible for full representation on any matter upon filing an application for lawful permanent residency.</td>
<td>Assistance for victims of domestic violence, sexual assault, stalking or dating violence. Must be at least 11 years old.</td>
<td>funded Legal Assistance for victims of domestic violence, sexual assault, stalking or dating violence. Must be at least 11 years old.</td>
<td>an application for LPR status.</td>
<td>Eligible for Office of Violence Against Women funded Legal Assistance for victims of domestic violence, sexual assault, stalking or dating violence. Must be at least 11 years old.</td>
<td>handles upon receiving LPR status, or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.</td>
<td>Eligible for Office of Violence Against Women funded Legal Assistance for victims of domestic violence, sexual assault, stalking or dating violence. Must be at least 11 years old.</td>
<td>Assistance for victims of domestic violence, sexual assault, stalking or dating violence. Must be at least 11 years old.</td>
<td>Assistance for victims of domestic violence, sexual assault, stalking or dating violence. Must be at least 11 years old.</td>
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<tr>
<td>Lawful permanent residents, applicants for lawful permanent residency, and naturalized citizens are eligible for full representation.</td>
<td>Eligible for Office of Violence Against Women funded Legal Assistance as a victim of domestic violence, sexual assault, stalking or dating violence. Must be at least 11 years old.</td>
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<tr>
<td>Eligible for Office of Violence Against Women funded Legal Assistance as a victim of domestic violence, sexual assault, stalking or dating violence. Must be at least 11 years old.</td>
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### Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)

<table>
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<tr>
<th>Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)</th>
<th>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.</th>
<th>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.</th>
<th>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.</th>
<th>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.</th>
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<th>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.</th>
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<td>Eligible for LIHEAP heating/cooling assistance and single-</td>
<td>Refugees, asylees, T visa holders, and T visa applicants with prima</td>
<td>Human trafficking victims with HHS Certification (based on</td>
<td>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.</td>
<td>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.</td>
<td>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.</td>
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<td>WAP and LIHEAP</td>
<td>VAWA Self-Petitioners, Battered Spouse Waivers, 1 Lawful Permanent Residents, and Naturalized Citizens</td>
<td>Refugee, Asylee, T Visa, 2 Afghans, 3 Ukrainians 4</td>
<td>T Visa 5/ Continued Presence 6</td>
<td>Deferred Action for Childhood Arrivals (DACA) 7</td>
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<td>U Visa, bona fide, or wait list approval 9</td>
<td>U Visa Applicants</td>
<td>Undocumented</td>
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<td>Eligible for certain FEMA provided emergency services that are available to all victims regardless of their immigration status or naturalized citizenship. 337</td>
<td>Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), Disaster Unemployment Assistance (DUA): open to Refugees, Asylees, T visa applicants with prima facie (bona fide) determination eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance, 340</td>
<td>Green Mountain Power Energy Assistance and Vermont Gas Energy Assistance 341</td>
<td>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency. 348</td>
<td>Green Mountain Power Energy Assistance and Vermont Gas Energy Assistance 346</td>
<td>Green Mountain Power Energy Assistance and Vermont Gas Energy Assistance 349</td>
<td>Green Mountain Power Energy Assistance and Vermont Gas Energy Assistance 354</td>
<td>Green Mountain Power Energy Assistance and Vermont Gas Energy Assistance 356</td>
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<td>Federal Emergency Management Agency (FEMA) Assistance 357</td>
<td>Upon receipt of VAWA prima facie determination, lawful permanent residence, or naturalized citizenship 361. Eligible for FEMA Assistance Programs, Individuals and</td>
<td>FEMA Assistance Programs, Individuals and Households Program (IHP), Disaster Unemployment Assistance (DUA): open to Refugees, Asylees, T visa applicants with prima facie (bona fide) determination 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</td>
<td>Not eligible.</td>
<td>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster</td>
<td>Not eligible.</td>
<td>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster</td>
<td>Not eligible.</td>
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<tr>
<td>Federal Emergency Management Agency (FEMA)-Restricted Programs 360</td>
<td>Eligible for certain FEMA provided emergency services that are available to all victims regardless of their immigration status or naturalized citizenship. 337</td>
<td>Eligible for certain FEMA provided emergency services that are available to all victims regardless of their immigration status or naturalized citizenship. 337</td>
<td>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. 359</td>
<td>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster</td>
<td>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster</td>
<td>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster</td>
<td>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster</td>
<td>Not eligible. 381</td>
</tr>
<tr>
<td>FEMA Restricted Programs</td>
<td>VAWA Self-Petitioners, Battered Spouse Waivers,</td>
<td>Refugee, Asylee, T Visa, Afghans, Ukrainians</td>
<td>T Visa/ Continued Presence</td>
<td>Deferred Action for Childhood Arrivals (DACA)</td>
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<tr>
<td>Households Program (IHP), and Disaster Unemployment Assistance (DUA)</td>
<td>facie (bona fide) determination.</td>
<td>with T visa status (no need for HHS certification or eligibility determination).</td>
<td>Unemployment Assistance (DUA).</td>
<td>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.</td>
<td>Unemployment Assistance (DUA).</td>
<td>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.</td>
<td>Unemployment Assistance (DUA).</td>
<td>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.</td>
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<tr>
<td>Emergency SNAP open to Refugees/Asylees (no five-year bar), and T visa applicants 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.</td>
<td>Emergency/ General Assistance may be available to assist individuals and families with their emergency basic needs.</td>
<td>Emergency/ General Assistance may be available to assist individuals and families with their emergency basic needs.</td>
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<td>Emergency/ General Assistance may be available to assist individuals and families with their emergency basic needs.</td>
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<td>Unemployment Insurance</td>
<td>Eligible for UI upon receipt of work authorization, lawful permanent residence, or citizenship.</td>
<td>Refugee: Eligible for UI upon receipt of work authorization.</td>
<td>Eligible for UI upon receipt of a HHS certification or eligibility letter and work authorization.</td>
<td>Eligible for UI upon receipt of work authorization.</td>
<td>Eligible for UI upon receipt of work authorization.</td>
<td>Not eligible.</td>
<td>Not eligible.</td>
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<tr>
<td><strong>VAWA Self-Petitioners, Battered Spouse Waivers,</strong></td>
<td><strong>Lawful Permanent Residents, and Naturalized Citizens</strong></td>
<td><strong>Refugee, Asylee, T Visa,</strong></td>
<td><strong>T Visa</strong> Continued Presence</td>
<td><strong>Deferred Action for Childhood Arrivals (DACA)</strong></td>
<td><strong>Special Immigrant Juvenile Status (SIJS)</strong></td>
<td><strong>U Visa, bona fide, or wait list approval.</strong></td>
<td><strong>U Visa Applicants</strong></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Afghans, Ukrainians</td>
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<tr>
<td>2 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 fide) case for eligibility); Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 81 Fed. Reg. 92266, 92278, 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.).</td>
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8. 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.).  


15. 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.)

16. 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 years, 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). 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. 2021), https://www.nilc.org/issues/economic-support/table_oervw_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.
17 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) (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/. 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/asyilee 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 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. 2021), https://www.nilc.org/issues/economic-support/table_overw_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. Or, in some states their eligibility as a refugee or asylee continues past this five-year limit. 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. 2021), https://www.nilc.org/issues/economic-support/table_overw_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. 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.


20 Office on Trafficking in Persons, U.S. Dep’t of Health & Hum. Serv., OTIP-PS-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. See 22 U.S.C. § 7105(b).


23 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-doij-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-factsheet/; 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 sponsorhip. 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), http://niwaplibrary.wcl.american.edu/pubs/deeming-factsheet/; 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 sponsorhip. 8 U.S.C. § 1631; Dep’t of
In determining Child Care Development Fund direct eligibility for subsidized child care, eligibility is based on the citizenship or immigration status of the child. The immigration status of the child’s parents 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. 


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.)


47 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.)


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).

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.)


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://niwlibrary.wcl.american.edu/pubs/ph.gov-hhs-lawfullyresidingmedicaid-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.”).


“LAWFULLY PRESENT” INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 1, 1 n.4, 4-5 n.8 (2012, rev. 2016), https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf (DACA recipients are the only deferred action recipients not eligible for insurance under the ACA.).


§ 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.


91 8 U.S.C. §§ 1612(b)(2)(A); 1613. Federal eligibility for Medicaid for refugees and asylees extends for the first seven years after attaining that status; however, in most states their eligibility can continue past this seven-year limitation, since by seven years they may have become lawful permanent residents with 40 qualifying quarters of work credit and will have satisfied the five-year bar to access to Medicaid. See 8 U.S.C. § 1612(b)(2)(B). Or, they may be a veteran and/or a member of a veteran’s family, for whom the five-year bar and seven-year limit do not apply. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat’l Immigration Law Ctr., Table: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2021), https://www.nilc.org/issues/economic-support/table_overview_fedprogs/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

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 human trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits. States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat’l Immigration Law Ctr., Table: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct.
See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limit.


95 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. 2021), https://www.nilc.org/issues/economic-support/table_overv 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. This allows them to continue to qualify for public benefits as qualified immigrants.


113 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. 2021), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. §§ 1612(b)(2)(A); 1613. Federal eligibility for Medicaid for refugees and asylees extends for the first seven years after attaining that status; however, in most states their eligibility can continue past this seven-year limitation, since by seven years they may have become lawful permanent residents with 40 qualifying quarters of work credit and will have satisfied the five-year bar to access to Medicaid. See 8 U.S.C. § 1612(b)(2)(B). Or, they may be a veteran and/or a member of a veteran’s family, for whom the five-year bar and seven-year limit do not apply. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat’l Immigration Law Ctr., Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2021), 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.

114 22 U.S.C. § 7105(b)(1). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits. States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. See also Nat’l Immigration Law Ctr., Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2021), 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.


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.”

138 Employees who are eligible for Family Medical Leave Act (FMLA) protection under federal law in addition to the protections that state laws offer. Employers are required to comply with both state and federal FMLA laws and employees are entitled to take FMLA leave described in either state or federal law. Federal FMLA laws cover employees who work for companies with 50 or more employees within a 75-mile radius who have worked at least one year and a minimum of 1,250 hours within the previous year. U.S. DEP’T OF LABOR, WAGE & HOUR DIVISION, Employer’s Guide to The Family Medical Leave Act 16-18, 68 available at https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/employerguide.pdf (last visited Sept. 1, 2022);

139 The Vermont Parental and Family Leave Act defines “employee” as “a person who, in consideration of direct or indirect gain or profit, has been continuously employed by the same employer for a period of one year for an average of at least 30 hours per week.” See VT. STAT. ANN. tit. 21, § 471(2) (1989).

140 The Vermont Parental and Family Leave does not explicitly exclude individuals based on their immigration status but applies to any employee. See VT. STAT. ANN. tit. 21, § 472-472a (1989).

141 The Vermont Parental and Family Leave does not explicitly exclude individuals based on their immigration status but applies to any employee. See VT. STAT. ANN. tit. 21, § 472-472a (1989).

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147 The Vermont Parental and Family Leave does not explicitly exclude individuals based on their immigration status but applies to any employee. See VT. STAT. ANN. tit. 21, § 472-472a (1989).


157 U.S. Immigration and Customs Enforcement, Memo: Undocumented Students Authorized to Enroll in Post-Secondary Educational Institutions (July 4, 2008) https://niwaplibrary.wcl.american.edu/pubs/pb-gov-dhsundocstudentpost2deducaccess-7-24-08. This law applies to all states except those that have implemented state laws or policies that limit or


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.).


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. 2021), 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.


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 period. 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. 2021), 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 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 PERSONS 2 (2010), http://niwaplibrary.wcl.american.edu/pubs/techbrief-fulltime-residencymedicaid-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).

See 6 C.F.R. § 37.11(g)(1)(2012).

VWA 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.

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193 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).


195 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).


200 See 42 U.S.C. § 1490(a); 24 C.F.R. § 5.506(a)(1).

201 See 42 U.S.C. § 1436a(a)(1).
The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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, 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/.

The Vermont Housing Finance Agency allocates the federal Low Income Housing Tax Credits. The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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, 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/.


See Tax Credit Program, VT. HOUS. FIN. AGENCY, http://www.vhfa.org/rentalhousing/developers (last visited June 19, 2018). The Vermont Housing Finance Agency allocates the federal Low Income Housing Tax Credits. The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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, 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/.

207 See Tax Credit Program, VT. HOUS. FIN. AGENCY, http://www.vhfa.org/rentalhousing/developers (last visited June 19, 2018). The Vermont Housing Finance Agency allocates the federal Low Income Housing Tax Credits. The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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, 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/.


210 See Tax Credit Program, VT. HOUS. FIN. AGENCY, http://www.vhfa.org/rentalhousing/developers (last visited June 19, 2018). The Vermont Housing Finance Agency allocates the federal Low Income Housing Tax Credits. The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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, 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/.


214 See Tax Credit Program, VT. HOUS. FIN. AGENCY, http://www.vhfa.org/rentalhousing/developers (last visited June 19, 2018). The Vermont Housing Finance Agency allocates the federal Low Income Housing Tax Credits. The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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, 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/.

215 See Tax Credit Program, VT. HOUS. FIN. AGENCY, http://www.vhfa.org/rentalhousing/developers (last visited June 19, 2018). The Vermont Housing Finance Agency allocates the federal Low Income Housing Tax Credits. The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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, 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/.


220 May also be eligible for prosecution in HUD or USDA housing programs, or for federal housing assistance from other unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

221 See Tax Credit Program, VT. HOUS. FIN. AGENCY, http://www.vhfa.org/rentalhousing/developers (last visited June 19, 2018). The Vermont Housing Finance Agency allocates the federal Low Income Housing Tax Credits. The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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.

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The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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 resident, who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent resident 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.


The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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 resident, who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent resident, U visa applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

See Tax Credit Program, VT. HOUS. FIN. AGENCY, http://www.vhfa.org/rentalhousing/developers (last visited June 19, 2018). The Vermont Housing Finance Agency allocates the federal Low Income Housing Tax Credits. The Vermont Affordable Housing Tax Credit Program does not impose immigrant restrictions. However, when housing units that use these Vermont based funds also receive 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. Prior to receipt of lawful permanent resident, U visa applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

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See 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).

264 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)).
265 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 representation 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.”).”)

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.”).


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 42 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).

See 45 C.F.R. § 1626.4(a)(2)(ii) (visa holder); 45 C.F.R. § 1626.4(c)(2)(i) (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).

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.”).
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.”


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

298 Related legal assistance means legal assistance directly related to the provision 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 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).

299 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.”).


303 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(b) (definitions); 8 U.S.C. § 1101(a)(15)(U)(i)-(a)(15)(U)(iiii) (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, Brittany 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).

304 Compare 45 C.F.R. § 1626.4(a)(1)(i) with 8 C.F.R. § 204.2(c)(1)(vi).


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

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

309 Compare 45 C.F.R. § 1626.4(a)(1) with 8 C.F.R. § 204.2(c)(1)(vi).


“Victim of sexual assault or trafficking” means a victim of sexual assault subjected to any conduct included in the definition of “sexual assault” 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.

(4) 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, patriarchy, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”


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/pag/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, 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.”).


45 C.F.R. §§ 1626.4(a)(1)(ii) (crime victim or family member eligible for U visa relief); 45 C.F.R. § 1626.4(a)(1)(iii) (parent of U visa eligible child); 45 C.F.R. § 1626.2(h) (definitions); 8 U.S.C. § 1101(a)(15)(U)(ii)(I)(a)-(I)(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; felony 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).

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).

45 C.F.R. §§ 1626.4(a)(1)(i)(A) (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)(ii)(I)(I)-(I)(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; felony 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).

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, 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.”.)


45 C.F.R. § 1626.4(a)(1)(i)(A) (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)(ii)(I)(I)-(I)(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; felony 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).

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).

“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, patriarchy, 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’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) (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) (2015), at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/;
See 45 C.F.R. § 1626.5(a).  


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.”).


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)-(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).

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).

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-arg-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/.

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.”).


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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327 45 C.F.R. §§ 1626.4(a)(1)(i) (1996) (victim); 45 C.F.R. §§ 1626.4(a)(1)(ii) (1996) (parent of victim); 45 C.F.R. § 1626.2(b) (1996) (“Battered or subjected to extreme cruelty includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution may be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence. The definition of battering or extreme cruelty is identical to that in the immigration regulations.” See Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases, Nat’l Immigrant Women’s Advocacy Project (Sept. 12, 2015), http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/. Compare 45 C.F.R. § 1626.2(b) (1997) and 8 C.F.R. § 204.2(c)(1)(vi) (2012).

328 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.).

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

330 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’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/immigrants-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/.


333 See, e.g., Office On Violence Against Women, U.S. Dep’t of Justice, OVW FY 2017 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.”).


349 American Red Cross and the Nat'l Council of La Raza, Fact Sheet: Immigrant Eligibility for Disaster Assistance (June 2007), https://www.nilc.org/issues/economic-support/immigrant-eligibility-disaster-assistance/.


352 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/.

353 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).


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.”).