

Access to State-Funded^a Public Benefits in Wyoming for Survivors, Based on Immigration Status^{b,c}

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May 22, 2019 (Updated July 15, 2026)^d

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
	<i>Qualified Immigrant^e</i>		<i>HHS Certification</i>	<i>Lawfully Present¹¹</i>			<i>Limited Benefits Eligibility¹²</i>	
TANF (Cash Assistance)	VAWA: Eligible with prima facie determination, subject to five-year bar for those who	Refugee/Asylee: Eligible for TANF regardless of date of entry. ²⁰	Human trafficking victims eligible: with HHS Certification (based on continued presence or a bona fide	Not eligible. ²⁸	Eligible after receiving lawful permanent residency, subject to five-year bar for those who	Eligible after receiving lawful permanent residency, subject to five-year bar for those who	No federal eligibility. ³⁷	Not eligible. ³⁸

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

^b © National Immigrant Women's Advocacy Project, American University, Washington College of Law 2025. This publication was developed under Grant Nos. SJ1-15-T-234, SJ1-22-T-037, SJ1-23-T-043, and SJ1-24-T-046 from the State Justice Institute. The points of view expressed are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute. This project was supported by Grant Nos. 15JOVW-21-GK-02208-MUMU, 15JOVW-23-GK-05119-MUMU, and 15JOVW-24-GK-03012-MUMU awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this program are those of the authors and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

^c The chart shows eligibility based on immigration status. Applicants must also meet all other program eligibility requirements, such as income/resource limits. Children and other family members included in an individual's immigration application receive the same access to public benefits as the applicant. When children qualify for federal or state public benefits, immigrant parents can file child-only benefits applications on their children's behalf. Congress exempted from the public charge ground of inadmissibility immigrant victims applying for immigration relief and lawful permanent residency through the following immigration benefits programs: VAWA self-petitioning (as defined in footnote "e"), VAWA cancellation of removal, VAWA suspension of deportation, U visas, and T visas. For technical assistance on benefits access for immigrant survivors please contact the National Immigrant Women's Advocacy Project, American University, Washington College of Law (202) 274-4457 or info@niwap.org. NIWAP would like to thank Michelle Aronowitz and Dean's Fellows Alexandra Brown and Sandeep Purewal for their work in developing these state public benefits charts.

^d This document contains a partial update and does not yet include the provisions of HR1 which became law in July 2025. HR1 changes include SNAP and Health Care benefits. Full update coming in the Fall of 2026. Read together with infographics which are fully updated. [State-by-State Infographics and Timelines](#)

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

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
TANF	arrived on or after August 22, 1996.¹³ (After the first 12 months may be subject to deeming).¹⁴ <u>Lawful permanent residents</u>: Eligible subject to five-year bar for those who arrived on or after August 22, 1996¹⁵ (may be subject to deeming)¹⁶ <u>Naturalized citizens</u>: Eligible without restrictions.¹⁷ <i>In Wyoming, VAWA self-petitioners with bona fide determinations and lawful permanent residents are eligible during 5-year bar for the Personal Opportunities with Employment Responsibilities</i>	<u>T visa</u>: with HHS certification or eligibility determination, eligible under the Victims of eligibility determination, eligible under the Victims of Trafficking and Violence Protection Act (TVPA) of 2000 to the same extent as refugees.²¹ <u>T visa holders or bona fide applicants</u> are also eligible as qualified immigrants, subject to five-year bar for those who entered on or after August 22, 1996.²² <i>In Wyoming, refugees, asylees, T visa holders and T visa applicants with bona fide determinations eligible for the Personal Opportunities with Employment Responsibilities (POWER)²³ program</i>	determination on a T visa application) or with HHS eligibility determination (under 18).²⁵ These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.²⁶ 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.²⁷		arrived on or after August 22, 1996.²⁹ (may be subject to deeming).³⁰ <i>In Wyoming, SIJS applicants who receive lawful permanent residency are eligible during 5-year bar for the Personal Opportunities with Employment Responsibilities (POWER)³¹ program may be affected by deeming.³²</i>	arrived on or after August 22, 1996³³ (may be subject to deeming).³⁴ <i>In Wyoming, U visa holders who receive lawful permanent residency are eligible during 5-year bar for the Personal Opportunities with Employment Responsibilities (POWER)³⁵ program may be affected by deeming.³⁶</i>		

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
TANF	(POWER) ¹⁸ program may be affected by deeming. ¹⁹	may be affected by deeming. ²⁴						
Child Care	Children with VAWA prima facie determination and child lawful permanent residents are qualified immigrants eligible for Child Care Development Fund (CCDF)-funded child care.³⁹ TANF-funded childcare subject to five-year bar for immigrants who entered on or after August 22, 1996.⁴⁰ <u>Naturalized citizens</u>: Eligible without restrictions.⁴¹ <i>In Wyoming, VAWA self-petitioners with</i>	Children who are <u>asylees or refugees</u> are eligible for CCDF-funded child care and TANF-funded child care.⁴³ <u>T visa</u>: Eligible for CCDF-funded child care and TANF-funded child care under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.⁴⁴ Children who are T visa holders or applicants with prima facie (bona fide) determination are eligible for CCDF-funded child care.⁴⁵ They are also eligible for TANF-funded childcare subject to	Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or an HHS eligibility determination (under 18) are eligible for CCDF-funded child care and TANF-funded child care.⁴⁸ Family members with T visa status eligible for CCDF-funded child care and TANF-funded child care, no need for HHS Certification or eligibility determination.⁴⁹ <i>In Wyoming, eligible for TANF-funded child care once eligible for TANF.</i>⁵⁰	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; (2) Child care is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵¹ Eligible for child care	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; (2) Childcare is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵² Upon receiving lawful permanent residency, eligible as	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; (2) Childcare is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵⁶ Upon receiving lawful permanent residency, eligible as for CCDF-funded	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; (2) Child care is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵⁶ Upon receiving lawful permanent residency, eligible as for CCDF-funded	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; (2) Child care is subject to Head Start performance standards; or (3) Eligibility for child care services is determined by a nonprofit charitable organization.⁵⁶ Upon receiving lawful permanent residency, eligible as for CCDF-funded

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Child Care	<i>prima facie</i> determinations and lawful permanent residents are eligible for TANF-funded child care with no five-year bar once eligible for TANF. ⁴²	five-year bar for those who entered on or after August 22, 1996. ⁴⁶ <i>In Wyoming, eligible for TANF-funded child care once eligible for TANF.⁴⁷</i>		services is determined by a nonprofit charitable organization. ⁵¹	for CCDF-funded child care. ⁵³ Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996. ⁵⁴ <i>In Wyoming, eligible for TANF-funded child care once eligible for TANF.⁵⁵</i>	child care. ⁵⁷ Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996. ⁵⁸ <i>In Wyoming, eligible for TANF-funded child care once eligible for TANF.⁵⁹</i>	determined by a nonprofit charitable organization. ⁶⁰	determined by a nonprofit charitable organization. ⁶¹
SNAP (Food Stamps)⁶²	Eligible with VAWA prima facie determination, or lawful permanent residence, subject to an additional condition, e.g.: five years residency, younger than 18, elderly, disabled. ⁶³ (if lawfully residing in the U.S. on 8/22/96 disabled, or if Lawful Permanent Resident with 40 quarters of work credit.) ⁶⁴	<u>Refugee/Asylee:</u> Eligible with no additional conditions. ⁶⁶ <u>T visa:</u> Eligible with prima facie (bona fide) determination on T visa application, subject to an additional condition (e.g., five-years residency, under 18, elderly, or disabled). ⁶⁷ Also eligible under the Trafficking Victims Protection Act to the same extent as refugees. ⁶⁸	Human trafficking victims are eligible: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with an HHS eligibility determination (under 18). ⁶⁹ Family members with T visa status eligible without HHS certification or eligibility determination. ⁷⁰	Not eligible.	Eligible upon receiving lawful permanent residency, subject to an additional condition, ⁷² e.g.: under 18, ⁷³ five years residency, ⁷⁴ 40 qualifying work quarters, ⁷⁵ or disabled. ⁷⁶	Eligible upon receiving lawful permanent residency, subject to an additional condition, ⁷⁷ e.g.: under 18, ⁷⁸ five years residency, ⁷⁹ 40 qualifying work quarters, ⁸⁰ elderly, ⁸¹ or disabled. ⁸²	Not eligible.	Not eligible.

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
SNAP	<u>Naturalized citizens</u> : Eligible without restrictions. ⁶⁵		These human trafficking victims are eligible to the same extent as refugees and thus are eligible with no additional conditions. ⁷¹					
The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)	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.^{83 84} 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.⁸⁵ Applicants must also have an income at or below an income level or standard set by the State agency or be determined automatically income-eligible based on participation in certain programs (TANF, SNAP benefits, Medicaid).⁸⁶ <i>In Wyoming, applicants should contact a local clinic to schedule an appointment.⁸⁷ In Wyoming, income eligibility for applicants applying for their children is according to household size.⁸⁸</i>							
Health Insurance on Exchanges ^f	Eligible with VAWA prima facie determination, ⁸⁹ as a lawful permanent resident, ⁹⁰ or naturalized citizen. ⁹¹	<u>Refugee</u> : Eligible. ⁹² <u>Asylee</u> : Eligible; applicants eligible if granted work authorization, applicants under 14 eligible if application pending at least 180 days. ⁹³	Human trafficking victims eligible: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18). ⁹⁶	Eligible upon being granted Deferred Action for Childhood Arrivals (DACA). ⁹⁹	Eligible upon filing SIJS application. ¹⁰⁰	Eligible upon U visa, bona fide determination, ¹⁰¹ or wait list approval. ¹⁰²	Not eligible. ¹⁰³	Not eligible. ¹⁰⁴

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

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Health Insurance Exchanges		<u>T visa</u>: Eligible with prima facie (bona fide) determination on T visa application.⁹⁴ <u>Afghans special immigrants and Afghan and Ukrainian parolees</u> are eligible to the same extent as refugees.⁹⁵	Family members with T visa status eligible without HHS certification or eligibility determination.⁹⁷ These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.⁹⁸					
Child Health Insurance Program (CHIP) ¹⁰⁵	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, 1996.¹⁰⁶ Naturalized citizens eligible.¹⁰⁷ Eligible for emergency Medicaid¹⁰⁸ and	<u>Refugee/Asylee</u>: Eligible, exempt from five-year bar.¹¹⁴ <u>T visa</u>: with HHS certification or eligibility determination, immediately eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.¹¹⁵ <u>Afghans special immigrants and Afghan and Ukrainian</u>	Human trafficking victims are eligible with an HHS certification (based on continued presence or a bona fide determination on a T visa application) or eligibility determination (under 18).¹²³ Family members with T visa status are eligible without HHS Certification or eligibility determination.¹²⁴	Eligible for emergency Medicaid¹³¹ and payments for the costs of Medical Forensic Examinations (including rape kits)¹³² regardless of immigration or citizenship status. <i>In Wyoming,</i>¹³³ <i>medical assistance</i>	Eligible for emergency Medicaid¹³⁶ and payments for the costs of Medical Forensic Examinations (including rape kits)¹³⁷ regardless of immigration or citizenship status. Eligible upon receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996.¹³⁸	If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency.¹⁴² If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, but subject to five-year bar.¹⁴³ Eligible for emergency Medicaid¹⁴⁴ and payments for the costs of Medical	Eligible for emergency Medicaid¹⁴⁹ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁵⁰ regardless of immigration or citizenship status.	Eligible for emergency Medicaid¹⁵¹ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁵² regardless of immigration or citizenship status.

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
CHIP	payments for the costs of Medical Forensic Examinations (including rape kits)¹⁰⁹ regardless of immigration or citizenship status. <i>In Wyoming,¹¹⁰ medical assistance including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹¹¹ pregnant children (including VAWA self-petitioning children with prima facie determinations¹¹² and lawful permanent residents)¹¹³</i>	<u>parolees</u> are eligible to the same extent as refugees.¹¹⁶ <u>T visa holders and T visa applicants</u> with prima facie (bona fide) determinations eligible as qualified immigrants, subject to five-year bar for those who arrived on or after August 22, 1996.¹¹⁷ Eligible for emergency Medicaid¹¹⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)¹¹⁹ regardless of immigration or citizenship status. <i>In Wyoming,¹²⁰ medical assistance including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹²¹ pregnant children (including</i>	These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar.¹²⁵ Eligible for emergency Medicaid¹²⁶ and payments for the costs of Medical Forensic Examinations (including rape kits)¹²⁷ regardless of immigration or citizenship status. <i>In Wyoming,¹²⁸ medical assistance including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹²⁹ pregnant children (including human trafficking victims with HHS certification or eligibility letters).¹³⁰</i>	<i>including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹³⁴ pregnant children (including persons granted Deferred Action for Childhood Arrivals (DACA))¹³⁵</i>	<i>In Wyoming,¹³⁹ medical assistance including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹⁴⁰ pregnant children (SIJS applicant children).¹⁴¹</i>	Forensic Examinations (including rape kits)¹⁴⁵ regardless of immigration or citizenship status. <i>In Wyoming,¹⁴⁶ medical assistance including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹⁴⁷ pregnant children (including U visa holders, and U visa applicants with bona fide determinations or waitlist approvals).¹⁴⁸</i>		

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CHIP		<i>refugees, asylees, T visa holders and T visa applicants with bona fide determinations)</i> ¹²²						
Full-Scope Medicaid ¹⁵³	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, 1996.¹⁵⁴ Naturalized citizens eligible.¹⁵⁵ Eligible for emergency Medicaid¹⁵⁶ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁵⁷ regardless of immigration or citizenship status.	<u>Refugee/Asylee:</u> Eligible, exempt from five-year bar.¹⁶¹ <u>T visa :</u> with HHS certification or eligibility determination, immediately eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.¹⁶² <u>T visa holders and T visa applicants</u> with prima facie (bona fide) determinations eligible as qualified immigrants, subject to five-year bar for those who arrived on or after August 22, 1996.¹⁶³ <u>Afghans special immigrants and</u>	Human trafficking victims are eligible with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or eligibility determination (under 18).¹⁷⁰ Family members with T visa status eligible without HHS Certification or eligibility determination.¹⁷¹ These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar.¹⁷² Eligible for emergency Medicaid¹⁷³ and	Eligible for emergency Medicaid¹⁷⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁷⁹ regardless of immigration or citizenship status. <i>In Wyoming,¹⁸⁰ medical including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹⁸¹ pregnant</i>	Eligible for emergency Medicaid¹⁸³ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁸⁴ regardless of immigration or citizenship status. Eligible after receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996.¹⁸⁵ <i>In Wyoming,¹⁸⁶ including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹⁸⁷ pregnant persons</i>	Eligible for emergency Medicaid¹⁸⁹ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁹⁰ regardless of immigration or citizenship status. If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency.¹⁹¹ If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, subject to five-year bar.¹⁹²	Eligible for emergency Medicaid¹⁹⁶ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁹⁷ regardless of immigration or citizenship status.	Eligible for emergency Medicaid¹⁹⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁹⁹ regardless of immigration or citizenship status.

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Full-Scope Medicaid	<i>In Wyoming,¹⁵⁸ medical assistance including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹⁵⁹ pregnant persons (including VAWA self-petitioning women with prima facie determinations and lawful permanent residents).¹⁶⁰</i>	<u>Afghan and Ukrainian parolees</u> are eligible to the same extent as refugees. ¹⁶⁴ Eligible for emergency Medicaid ¹⁶⁵ and payments for the costs of Medical Forensic Examinations (including rape kits) ¹⁶⁶ regardless of immigration or citizenship status. <i>In Wyoming,¹⁶⁷ medical assistance including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹⁶⁸ pregnant persons (including refugees, asylees, T visa holders, and T visa applicants with bona fide determinations).¹⁶⁹</i>	payments for the costs of Medical Forensic Examinations (including rape kits) ¹⁷⁴ regardless of immigration or citizenship status. <i>In Wyoming,¹⁷⁵ including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹⁷⁶ pregnant persons (including human trafficking victims with HHS certification or eligibility letters).¹⁷⁷</i>	<i>persons (including persons granted Deferred Action for Childhood Arrivals (DACA))¹⁸²</i>	<i>(including SIJS applicants).¹⁸⁸</i>	<i>In Wyoming,¹⁹³ including prenatal care, full-scope health care, and 12 months postpartum care is available for lawfully present¹⁹⁴ pregnant persons (including U visa holders, and U visa applicants with bona fide determinations or waitlist approvals).¹⁹⁵</i>		
Victims of Crime Act (VOCA) Compensation	The Victims of Crime Act provides compensation to crime victims for costs associated with the crime victimization. Costs covered by VOCA include compensation for medical bills, lost wages, counseling sessions, crime scene clean up, and reimbursement for many other expenses. VOCA compensation is available to crime victims without regard to immigration status or naturalized citizenship. ²⁰⁰							

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Family Medical Leave Act – State Law	Wyoming has no state Family Medical Leave Act (FMLA). Federal FMLA law applies. ²⁰¹							
Education-Federal Benefits: Federal Student Aid, Grants and Loans²⁰²	VAWAs with prima facie determinations, Battered Spouse Waiver applicants, and all lawful permanent residents, eligible. ²⁰³ Naturalized citizens, eligible. ²⁰⁴	Refugees, Asylees, and T visa holders or T visa applicants with prima facie (bona fide) determination, an HHS Certification or eligibility letter are eligible for federal student aid. ²⁰⁵	Human trafficking victims eligible: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18), and family members with T visa status, are eligible for federal student aid. ²⁰⁶	Not eligible for federal student aid. ²⁰⁷	Eligible for federal student aid upon receipt of lawful permanent residency. ²⁰⁸	Eligible for federal student aid upon receipt of lawful permanent residency. ²⁰⁹	Not eligible for federal student aid.	Not eligible for federal student aid.
Education-State Law	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.²¹⁰ Eligible to apply for an enroll in state funded colleges and universities without regard to immigration status.²¹¹ <i>In Wyoming, to qualify for in-state tuition applicants must provide proof that they are domiciled in Wyoming for 12 consecutive months before the student's application.²¹² Qualified immigrants (e.g. VAWA self-petitioners, trafficking victims with T visas or T bona fide determinations, refugees, asylees, and lawful permanent residents) qualify for in-state tuition and can be verified through the SAVE system.²¹³ Noncitizen applicants will also need to meet state requirements including residency in Wyoming for in-state tuition.²¹⁴</i>							
Supplemental Security Income (SSI)²¹⁵	Eligible with VAWA prima facie determination or lawful permanent residence if received SSI on August 22, 1996,	<u>Refugees/Asylees:</u> Eligible during first seven years after the status was granted. ²²¹ <u>Trafficking victims:</u> Eligible under the Victims of	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	Not eligible.	Eligible upon receiving lawful permanent residency if credited with 40 quarters of work, ²²⁸ subject to five-year bar for those who	Eligible upon receiving lawful permanent residency if: credited with 40 quarters of work ²³⁰ subject to five-year bar for those who arrived on or after	Not eligible. ²³³	Not eligible. ²³⁴

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
SSI	or lawfully residing in the U.S. as of that date and now disabled.²¹⁶ May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979.²¹⁷ Eligible upon receiving lawful permanent residency if credited with 40 quarters of work,²¹⁸ subject to five-year bar for those who arrived on or after August 22, 1996.²¹⁹ Naturalized citizens, eligible.²²⁰	Trafficking and Violence Protection Act of 2000 to the same extent as refugees.²²² <u>T visa</u>²²³: Eligible as a qualified immigrant with prima facie (bona fide) determination on T visa application if receiving SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled.²²⁴ May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979.²²⁵ This eligibility allows trafficking victims who are disabled to continue to receive SSI after the 7-years.²²⁶	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.²²⁷		arrived on or after August 22, 1996.²²⁹	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.²³¹ Lawful permanent residents may also be eligible if currently receiving SSI based on an application filed before 1979.²³²		
Professional & Occupational Licenses	No state laws or policies regarding immigrant access to professional or occupational licenses including whether or not work authorization is sufficient or required.							

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Driver’s License²³⁵ Driver’s License	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.²³⁶ The Department of Homeland Security (DHS), by regulation, lists specific documents that will provide satisfactory evidence of lawful status.²³⁷ All documentation for REAL ID compliant ID’s will be submitted through the Systematic Alien Verification for Entitlements Program (S.A.V.E.).²³⁸ DHS will also approve acceptance of other documentation issued by DHS or other Federal agencies demonstrating lawful status, as determined by USCIS.²³⁹ In addition, DHS permits states to establish an “Exception Process” and consider “Alternative Documents.”²⁴⁰ <i>In Wyoming, the following documentation is required:</i>²⁴¹ • <i>Proof of identity (including Permanent resident card, employment authorization document,²⁴² Valid foreign passport with visa affixed and appropriate document regarding departure and arrival)</i> ◦ <i>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 .²⁴³</i> • <i>Proof of residence (Applicants need two proofs)</i> • <i>Proof of Social Security²⁴⁴</i>						Not Eligible.	
Housing, Health, and Other Services Necessary to Protect Life or Safety issues	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.²⁴⁵ 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.²⁴⁶ <i>In Wyoming, the Wyoming Homeless Collaborative partners with the State of Wyoming to administer the Emergency Solutions Grant (ESG) and provides street outreach, shelter, and rapid re-housing services to the homeless, and homelessness prevention services to those at risk of homelessness.²⁴⁷ The Housing First program assists those experiencing homelessness to find permanent housing and then provides voluntary supportive services.²⁴⁸</i>							
Public and Assisted²⁴⁹ Housing,²⁵⁰ Housing²⁵¹ and	Upon filing VAWA self-petition, applicant cannot be denied HUD public or assisted housing	<u>Refugee/Asylee, T visa holder or T visa applicant</u> with prima facie (bona fide) determination eligible for:	Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T	Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), ²⁷⁶	Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), ²⁷⁹ and Section 514/516	Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), ²⁸⁶ and Section 514/516	Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), ²⁹³	Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance), ²⁹⁶

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Low-Income Housing Tax Credit (LIHTC) Housing²⁵²	unless and until a final determination of ineligibility.²⁵³ USDA rental housing follows HUD procedures for processing VAWA self-petitions,²⁵⁴ so should be eligible for all USDA rental housing unless and until a final determination of ineligibility. Regardless of immigration status, eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),²⁵⁵ and USDA Section 514/516 Farm Labor Housing if immediate family member of eligible tenant.²⁵⁶ Upon filing self-VAWA self-petition, remaining household member	HUD public and assisted housing;²⁶⁵ USDA Section 515 Rural Rental Housing;²⁶⁶ USDA Section 521 Rural Rental Assistance;²⁶⁷ USDA Section 514/516 Farm Labor Housing if immediate family member²⁶⁸ or remaining household member²⁶⁹ of eligible domestic farm laborer. Upon receiving lawful permanent residency USDA Section 514/516 Farm Labor Housing.²⁷⁰ <i>In Wyoming, may be eligible to live in Low Income Housing Tax Credit property.²⁷¹</i>	visa application), or with an HHS eligibility determination (under 18), and family members with T visa status (no need for HHS certification or eligibility determination),²⁷² are eligible for: HUD public and assisted housing²⁷³ and USDA rental housing.²⁷⁴ <i>In Wyoming, may be eligible to live in Low Income Housing Tax Credit property.²⁷⁵</i>	and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.²⁷⁷ <i>In Wyoming, may be eligible to live in Low Income Housing Tax Credit property.²⁷⁸</i>	Farm Labor Housing if immediate family member of eligible domestic farm laborer.²⁸⁰ Upon receiving lawful permanent residency,²⁸¹ eligible for HUD²⁸² and USDA²⁸³ rental housing.²⁸⁴ <i>In Wyoming, may be eligible to live in Low Income Housing Tax Credit property.²⁸⁵</i>	Farm Labor Housing if immediate family member of eligible domestic farm laborer.²⁸⁷ Upon receiving lawful permanent residency,²⁸⁸ eligible for HUD²⁸⁹ and USDA²⁹⁰ rental housing.²⁹¹ <i>In Wyoming, may be eligible to live in Low Income Housing Tax Credit property.²⁹²</i>	and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.²⁹⁴ <i>In Wyoming, may be eligible to live in Low Income Housing Tax Credit property.²⁹⁵</i>	and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.²⁹⁷ <i>In Wyoming, may be eligible to live in Low Income Housing Tax Credit property.²⁹⁸</i>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Public and Assisted Housing and LIHTC	of eligible domestic farm laborer eligible to continue to occupy USDA Section 514/516 Farm Labor Housing unit.²⁵⁷ Lawful permanent residents are eligible for public and assisted housing²⁵⁸ and for USDA Section 514/516 Farm Labor Housing;²⁵⁹ USDA Section 521 Rural Rental Assistance.²⁶⁰ Naturalized citizens are eligible for public and assisted housing²⁶¹ and for USDA Section 514/516 Farm Labor Housing;²⁶² USDA Section 521 Rural Rental Assistance.²⁶³							

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Public and Assisted Housing and LIHTC	<i>In Wyoming, may be eligible to live in Low Income Housing Tax Credit property.</i> ²⁶⁴							
Income Tax Credits	<u>Child Tax Credit:</u> 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.²⁹⁹ A qualifying child must be a citizen, national, or resident of the U.S with an SSN or an Individual Taxpayer Identification Number (ITIN).³⁰⁰ 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.³⁰¹ <u>Child and Dependent Care Tax Credit:</u> 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.³⁰² The child or dependent must have a social security number or ITIN.³⁰³ 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.³⁰⁴							
Earned Income Tax Credit (EITC)	VAWA self-petitioners, lawful permanent residents, and naturalized citizens who ³⁰⁵ : have been granted work authorization or who are granted lawful permanent residency, have lived in the U.S.	Refugees, asylees, asylum applicants, and T visa holders with work authorization or lawful permanent residency who: have lived in the U.S. for at least 183 days during the tax year, ³¹⁰ have a social security number valid for work, ³¹¹ and have earned income	Recipients of T visa bona fide determinations or continued presence who: are granted work authorization, have lived in the U.S. for at least 183 days during the tax year, ³¹⁴ have a social security number valid for work, ³¹⁵ and have earned income	DACA applicants who: are granted work authorization, have lived in the U.S. for at least 183 days during the tax year, ³¹⁸ have a social security number valid	SIJS recipients granted lawful permanent residency who: have lived in the U.S. at least 183 days during the tax year, ³²² have a social security number valid for work, ³²³ and have earned income during the tax year ³²⁴ are eligible for the	Once granted lawful permanent residency ^a or work authorization U visa holders and U visa applicants with deferred action (based on bona fide determinations or wait-list approval) who have lived in the U.S. for six months, a who have a social	Not Eligible.	Not Eligible.

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
EITC	for at least 183 days during the tax year, ³⁰⁶ have a social security number valid for work, ³⁰⁷ and have earned income during the tax year ³⁰⁸ are eligible for the earned income tax credit (EITC). ³⁰⁹	during the tax year ³¹² are eligible for the earned income tax credit (EITC). ³¹³	during the tax year ³¹⁶ are eligible for the earned income tax credit (EITC). ³¹⁷	for work, ³¹⁹ and have earned income during the tax year ³²⁰ are eligible for the earned income tax credit (EITC). ³²¹	earned income tax credit (EITC). ³²⁵	security number valid for work, a and who are earning income are eligible for the earned income tax credit (EITC). ^a		
Legal Services³²⁶	An immigrant who (or whose child) is battered or subjected to extreme cruelty ³²⁷ inside or outside of the United States ³²⁸ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies on matters related to the abuse. ³²⁹ Eligible for legal assistance on any matter the LSC-funded agency	<u>Refugee/Asylee:</u> Refugees and Asylees are eligible for legal assistance on any matter the Legal Services Corporation (LSC)-funded agency handles. ³³⁹ <u>T visa:</u> An immigrant who has been (or whose child has been) a victim of trafficking in the U.S., including a T visa holder, ³⁴⁰ is eligible for legal assistance on any matter the LSC-funded agency handles. ³⁴¹	An immigrant victim of severe forms of human trafficking with (or seeking) HHS Certification, ³⁴⁶ and family members with (or applying for) T visa status, ³⁴⁷ are eligible for legal assistance on any matter the LSC-funded agency handles. Eligible for Office of Violence Against Women funded Legal Assistance ³⁴⁸ for victims of domestic violence, sexual assault, stalking ³⁴⁹ or dating violence. ³⁵⁰	A DACA recipient who is (or whose child is) battered or subjected to extreme cruelty, ³⁵² or is a victim of sexual assault or trafficking in the U.S., ³⁵³ is eligible for legal services from LSC-funded agencies ³⁵⁴ on matters related to the abuse. ³⁵⁵	Eligible for LSC-funded legal assistance when the child has suffered battering or extreme cruelty, ³⁶⁰ or sexual assault or trafficking in the U.S., ³⁶¹ on matters related to the abuse. ³⁶² Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status, ³⁶³ or, for the spouse, parent or unmarried child under 21 of a U.S.	An immigrant who has (or whose child has) been granted, applied for, or qualifies to apply for U visa status and a family member eligible to apply for U visa status ³⁶⁹ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies ³⁷⁰ on matters related to the crime victimization. ³⁷¹ Eligible for legal assistance on any	An immigrant who has (or whose child has) applied for, or qualifies to apply for U visa status and a family members eligible to apply for U visa status ³⁷⁸ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies ³⁷⁹ on matters related to the crime victimization. ³⁸⁰	An immigrant victim who is (or whose child is), battered or subjected to extreme cruelty, ³⁸⁵ or is a victim of sexual assault or trafficking in the U.S., ³⁸⁶ is eligible for legal services from LSC-funded agencies ³⁸⁷ on matters related to the abuse. ³⁸⁸ Eligible for Office of Violence

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Legal Services	handles upon receiving lawful permanent resident status,³³⁰ or spouses, parents, and unmarried children under age 21 of U.S. citizens³³¹ become eligible for full representation on any matter upon filing an application for lawful permanent residency.³³² Lawful permanent residents, applicants for lawful permanent residency,³³³ and naturalized citizens³³⁴ are eligible for full representation. Eligible for Office of Violence Against Women funded Legal Assistance³³⁵ as a	Eligible for Office of Violence Against Women funded Legal Assistance³⁴² for victims of domestic violence, sexual assault, stalking³⁴³ or dating violence.³⁴⁴ Must be at least 11 years old.³⁴⁵	Must be at least 11 years old.³⁵¹	Eligible for Office of Violence Against Women funded Legal Assistance³⁵⁶ for victims of domestic violence, sexual assault, stalking³⁵⁷ or dating violence.³⁵⁸ Must be at least 11 years old.³⁵⁹	citizen, upon filing an application for LPR status.³⁶⁴ Eligible for Office of Violence Against Women funded Legal Assistance³⁶⁵ for victims of domestic violence, sexual assault, stalking³⁶⁶ or dating violence.³⁶⁷ Must be at least 11 years old.³⁶⁸	matter the LSC-funded agency handles upon receiving LPR status,³⁷² or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.³⁷³ Eligible for Office of Violence Against Women funded Legal Assistance³⁷⁴ for victims of domestic violence, sexual assault, stalking³⁷⁵ or dating violence.³⁷⁶ Must be at least 11 years old.³⁷⁷	Eligible for Office of Violence Against Women funded Legal Assistance³⁸¹ for victims of domestic violence, sexual assault, stalking³⁸² or dating violence.³⁸³ Must be at least 11 years old.³⁸⁴	Against Women funded Legal Assistance³⁸⁹ for victims of domestic violence, sexual assault, stalking³⁹⁰ or dating violence.³⁹¹ Must be at least 11 years old.³⁹²

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Legal Services	victim of domestic violence, sexual assault, stalking ³³⁶ or dating violence. ³³⁷ Must be at least 11 years old. ³³⁸							
Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.³⁹³ Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receipt of VAWA prima facie determination, lawful permanent	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.³⁹⁷ Refugees, asylees, T visa holders, and T visa applicants with prima facie (bona fide) determination eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance.³⁹⁸ <i>The Department of Family Services</i>	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without, regard to immigration status.⁴⁰⁰ Human trafficking victims with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS eligibility determination (under 18), are considered refugees and thus are eligible for LIHEAP heating/cooling and	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁰³	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴⁰⁴ Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.⁴⁰⁵ <i>The Department of Family Services administers the LIHEAP program.</i>⁴⁰⁶	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without, regard to immigration status.⁴⁰⁷ Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.⁴⁰⁸ <i>The Department of Family Services administers the LIHEAP program.</i>⁴⁰⁹	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴¹⁰	Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁴¹¹

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
LIHEAP	residence, or naturalized citizenship. ³⁹⁴ ³⁹⁵ <i>The Department of Family Services administers the LIHEAP program.³⁹⁶</i>	<i>administers the LIHEAP program.³⁹⁹</i>	single-family weatherization assistance. ⁴⁰¹ <i>The Department of Family Services administers the LIHEAP program.⁴⁰²</i>					
Federal Emergency Management Agency (FEMA) Assistance⁴¹²	Eligible for certain FEMA provided emergency services that are available to all victims regardless of their immigration status or naturalized citizenship. These services are short term, non-cash, in-kind emergency disaster relief, including: search and rescue, emergency medical care, mass care and shelter, resources for essential needs such as food, water and medicine, and reduction of immediate threats to life, property, public health and safety.⁴¹³ 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.⁴¹⁴							
Federal Emergency Management Agency (FEMA)-Restricted Programs⁴¹⁵	Upon receipt of VAWA prima facie determination, lawful permanent residence, or naturalized citizenship ⁴¹⁶ ; Eligible for FEMA Assistance Programs,	FEMA Assistance Programs, Individuals and Households Program (IHP), Disaster Unemployment Assistance (DUA): open to <u>Refugees, Asylees, T visa applicants</u> with prima facie (bona fide) determination. ⁴¹⁹	Human trafficking victims eligible: with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS eligibility determination (under 18) or family members with T visa status (no need for HHS certification or	Not eligible.	Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA). ⁴²⁴ Eligible for Emergency SNAP,	Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA). ⁴²⁶ Eligible for Emergency SNAP,	Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment	Not eligible. ⁴³⁰

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
FEMA-Restricted Programs	Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁴¹⁷ Eligible for Emergency Supplemental Nutrition Assistance Program (SNAP), subject to five-year bar, unless under 18, or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.⁴¹⁸	Emergency SNAP open to <u>Refugees/Asylees</u> (no five-year bar),⁴²⁰ and <u>T visa applicants</u> with prima facie (bona fide) determination, subject to five-year bar, unless under 18, or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.⁴²¹	eligibility determination).⁴²² These human trafficking victims are considered refugees and thus are eligible for FEMA Assistance Programs, Individual and Households Program (IHP), Disaster Unemployment Assistance (DUA), and Emergency SNAP.⁴²³		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, 1931.⁴²⁵	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, 1931.⁴²⁷	Assistance (DUA).⁴²⁸ 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, 1931.⁴²⁹	
Unemployment Insurance⁴³¹	Eligible for UI upon receipt of work authorization, lawful permanent residence, or citizenship.⁴³²	<u>Refugee</u>: Eligible for UI.⁴³³ <u>Asylee</u>: Eligible for UI upon grant receipt of work authorization.⁴³⁴ <u>T Visa, Afghans, and Ukrainian</u>: Eligible for	Eligible for UI upon receipt of HHS certification or eligibility letter and work authorization.⁴³⁶	Eligible for UI upon receipt of work authorization.⁴³⁷	Eligible for UI upon receipt of work authorization.⁴³⁸	Eligible for UI upon receipt of work authorization.⁴³⁹	Not eligible.⁴⁴⁰	Not eligible.⁴⁴¹

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugee, Asylee, T Visa, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Unemployment Insurance		UI upon receipt work authorization. ⁴³⁵						

¹ VAWA self-petitioner for public benefits purposes includes: VAWA self-petitioners, battered spouse waiver applicants, applicants for relief under VAWA Cuban Adjustment Act (“VAWA CAA”), VAWA Haitian Refugee Immigration and Fairness Act (“VAWA HRIFA”), VAWA Nicaraguan and Central American Relief Act (“VAWA NACARA”), VAWA cancellation of removal, VAWA suspension of deportation, and battered spouses and children with approved I-130 visa applications filed by their abusive citizen spouse, parent or step-parent. *See* 8 U.S.C. § 1641(c); 8 U.S.C. § 1101(a)(51).

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

³ *See* 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4) (Asylees, Refugees and trafficking victims and family members of trafficking victims with T visa status or a pending T visa application setting forth a “prima facie” (bona facie) case for eligibility); Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 81 Fed. Reg. 92266, 92279, 92304, 92307 (Dec. 19, 2016) (effective Jan. 18, 2017) (to be codified at 8 C.F.R. pts. 212, 214, 245, 274) (Prima facie/bona fide determinations on T visa applications are made by the Department of Homeland Security.).

Afghans entering between 7/31/21 and 9/30/23: In 2021, Congress extended benefits eligibility to certain Afghans paroled into the U.S. through § 2502 of the Extending Government Funding and Delivering Emergency Assistance Act, Pub. L. 117-43, 135 Stat. 344, 377 (2021). This law was amended by the Continuing Appropriations and Ukraine Supplemental Appropriations Act, Pub. L. 117-180 § 149, 135 Stat. 2114, 2124 (2022), and by the Consolidated Appropriations Act, 2023, Pub. L. 117-328 § 1501, 136 Stat. 4459, 5195 (2022). This law as amended provides that:

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

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

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

Afghans entering on or after 10/1/23:

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

Afghans under the Temporary Protected Status:

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

Afghans with pending or approved applications for asylum:

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

See also, Changes to Benefits Eligibility and Services for Afghans Arriving as Humanitarian Parolees, SETTLEIN (FEB. 21, 2024) <https://www.settlein.support/en-us/articles/16903785241629>.

⁵ Ukraine Security Supplemental Appropriations Act of 2024, 118 P.L. 50; 2024 Enacted H.R. 815; 118 Enacted H.R. 815; 138 Stat. 895 (2024). *Department of Homeland Security, President Biden to Announce Uniting For Ukraine, a New Streamlined Process to Welcome Ukrainians Fleeing the Russian Invasion of Ukraine*, DEP'T OF HOMELAND SEC. (April 21, 2022)

<https://niwaplibrary.wcl.american.edu/pubs/ukrainians-2022-dhs/> (Ukrainians paroled into the U.S. between February 24, 2022, and September 30, 2024 – and their spouses and children, and parents, guardians or primary caregivers of unaccompanied children paroled into the U.S. after September 30, 2024 – are eligible for federal benefits to the same extent as refugees.); *See The Administration for Children and Families Office of Refugee Resettlement Policy Letters on Public Benefits for Ukrainian Refugees* (November 29, 2023) <https://niwaplibrary.wcl.american.edu/orr-policy-letters-ukrainian-refugees> (Contains HHS Policy Letters and Fact Sheets regarding Ukrainian Refugees).

⁶ *See* 22 U.S.C. § 7105(b)(1) (Bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees.); Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 81 Fed. Reg. 92266, 92278 (Dec. 19, 2016) (effective Jan. 18, 2017) (to be codified at 8 C.F.R. pts. 212, 214, 245, 274); New Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 67 Fed. Reg. 4784, 4789-91 (Jan. 31, 2002) (to be codified at 8 C.F.R. pt. 103), <http://niwaplibrary.wcl.american.edu/pubs/federal-register-new-classification/>.

⁷ *See* 22 U.S.C. § 7105(b)(1)(E)(i)(II)(bb) (Immigrants with HHS certification that their continued presence is needed to effectuate prosecution of human traffickers are eligible to receive public benefits to the same extent as refugees.); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.

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

⁹ *See* 8 U.S.C. § 1101(a)(27)(j) (Special Immigrant Juvenile Status (SIJS) allows certain youth immigrant survivors of abuse, abandonment, and/or neglect by a parent to obtain legal immigration status.).

¹⁰ *See* CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR “LAWFULLY RESIDING” CHILDREN AND PREGNANT WOMEN 2 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (Upon receipt of deferred action U visa applicants are considered lawfully present.). U visa applicants receive deferred action which provides formal protection from deportation when they receive a bona fide determination or wait-list approval from U.S. Citizenship and Immigration Services (USCIS). *See*, NIWAP, New DHS U Visa Bona Fide Policy Provides Earlier Access Deferred Action and Work Authorization To Applicants and NIWAP New Study Provides Evidence-Based Support for These New DHS Policies (June 14, 2021) <https://niwaplibrary.wcl.american.edu/transforming-lives-study-21>.

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

¹² State benefits agencies are only allowed to ask for immigration status and social security number information for the family members who is the applicant for the benefit. *See* NAT'L IMMIGRATION LAW CTR., *Privacy Protections in Selected Federal Benefits Programs* (Feb. 21, 2018) <https://www.nilc.org/wp-content/uploads/2018/03/privacy-protections-fed-programs-tbl-2018.pdf> (providing guidelines on what information a State may request from a parent applying on behalf of a child applicant); *see also* Anna Pohl, Hema Sarangapani, Amanda Baran, and Cecilia Olavarria, *Chapter 4.3: Barriers to Accessing Services: The Importance of Advocates Accompanying Battered Immigrants Applying for Public Benefits* (Jul. 10, 2013), <https://niwaplibrary.wcl.american.edu/pubs/ch4-3-importance-advocates/>; *see also* Policy Guidance Regarding Inquiries Into Citizenship, Immigration Status and Social Security Numbers In State Applications For Medicaid, State Children's Health Insurance Program (Schip), Temporary Assistance For Needy Families (Tanf), and Food Stamp Benefits, U.S. DEP'T HEALTH & HUM. SERV. (Mar. 24, 2006), <https://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhsqacitizenshippolicyguidance-03-24-06>.

¹³ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* 8 U.S.C. § 1641(c).

¹⁴ 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and

Work Opportunity Reconciliation Act of 1996, Att’y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)), <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/>. See Catherine Longville and Leslye Orloff, *Public Benefits: What is “Deeming” and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>. *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>

¹⁵ NAT’L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(c).

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

¹⁷ 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.)

¹⁸ SNAP and POWER Policy Manual, WYO. DEP’T OF FAMILY SERVS., <https://dfs.wyo.gov/about/policy-manuals/snap-and-power-policy-manual/> (last visited May 30, 2024);

Personal Opportunities with Employment Responsibilities (POWER), WYO. DEP’T OF FAMILY SERVS., <http://dfsweb.wyo.gov/economic-assistance/power> (last visited July 16, 2018); See also 49-30 WYO. CODE R. § 6 (2018).

¹⁹ NAT’L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03 (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/; Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants, See Catherine Longville & Leslye Orloff, *Public Benefits: What is “Deeming” and What are its Exceptions*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (Jan. 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; See also 049.0030.1 WYO. CODE R. § 1 (2018).

²⁰ 8 U.S.C. §§ 1612(b)(2)(A)(ii); 1613(b)(1). Federal eligibility for refugees and asylees extends for the first five years after attaining that status. However, if they have attained lawful permanent resident status with 40 qualifying work quarters, they will already have satisfied the five-year bar for eligibility as an LPR by the time their refugee/asylee benefit period for TANF ends. See 8 U.S.C. §§ 1612(b)(2)(B). Or, they may be eligible as a veteran and/or member of a veteran’s family, for which neither the five-year bar nor the five-year time limit applies. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Or, in some states their eligibility as a refugee or asylee continues past this five-year limit. *States can also continue to provide benefits once the mandated five year federal coverage period for refugees and asylees ends.* See Nat’l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. See OFFICE OF FAMILY ASSISTANCE, U.S. DEP’T OF HEALTH & HUM. SERV., *TANF-ACF-PI-2003-03 (Deeming of Sponsor’s Income and Resources to A Non-Citizen)* (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

²¹ See 22 U.S.C. § 7105(b)(1); *Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status*, 81 Fed. Reg. 92266, 92278 (Dec. 19, 2016) (effective Jan. 18, 2017) (codified at 8 C.F.R. pts. 212, 214, 245, 274; *New Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status*, 67 Fed. Reg. 4784, 4789-91 (Jan. 31, 2002) (codified at 8 C.F.R. pt. 103), <http://niwaplibrary.wcl.american.edu/pubs/federal-register-new-classification/>. TANF benefits for refugees are available without a five-year waiting period but are limited to five years. However, if the refugee attains lawful permanent resident status with 40 qualifying work quarters, they will already have satisfied the five-year bar for eligibility as a lawful permanent resident by the time their refugee/asylee benefit period for TANF ends. See 8 U.S.C. §§ 1612(b)(2)(B). Or, they may be eligible as a veteran and/or member of a veteran’s family, for which neither the five-year bar nor the five-year time limit applies. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Or, in some states their eligibility as a refugee or asylee continues past this five-year limit. See NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2023), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. See OFFICE OF FAMILY ASSISTANCE, U.S. DEP’T OF HEALTH & HUM. SERV., *TANF-ACF-PI-2003-03 (Deeming of Sponsor’s Income and Resources to A Non-Citizen)* (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

²² NAT’L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; 8 U.S.C. § 1641(c)(4). An applicant with a military connection is eligible as a matter of federal law, without the five-year bar. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Federal law does not require states to impose the five-year time limit to trafficking victim eligibility as a qualified immigrant and many states cover T visa holders and T visa applicants with bona fide determinations under Victims of

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

- ²³ Personal Opportunities with Employment Responsibilities (POWER), WYO. DEP'T OF FAMILY SERVS., <http://dfsweb.wyo.gov/economic-assistance/power> (last visited July 16, 2018); See also 49-30 WYO. CODE. R § 6 (2018).
- ²⁴ NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 102-03 (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/; Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants, See Catherine Longville & Leslye Orloff, *Public Benefits: What is "Deeming" and What are its Exceptions*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Jan. 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; See also 049.0030.1 WYO. CODE R. § 1 (2018).
- ²⁵ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).
- ²⁶ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>
- ²⁷ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).
- ²⁸ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.
- ²⁹ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1). SIJS applicant with a military connection is eligible without five-year bar. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2).
- ³⁰ 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/>; See Catherine Longville and Leslye Orloff, *Public Benefits: What is "Deeming" and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>
- ³¹ Personal Opportunities with Employment Responsibilities (POWER), WYO. DEP'T OF FAMILY SERVS., <http://dfsweb.wyo.gov/economic-assistance/power> (last visited July 16, 2018); See also 49-30 WYO. CODE. R § 6 (2018).
- ³² NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 102-03 (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/; Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants, See Catherine Longville & Leslye Orloff, *Public Benefits: What is "Deeming" and What are its Exceptions*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Jan. 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; See also 049.0030.1 WYO. CODE R. § 1 (2018).
- ³³ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).
- ³⁴ 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/>; See Catherine Longville and Leslye Orloff, *Public Benefits: What is "Deeming" and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>
- ³⁵ Personal Opportunities with Employment Responsibilities (POWER), WYO. DEP'T OF FAMILY SERVS., <http://dfsweb.wyo.gov/economic-assistance/power> (last visited July 16, 2018); See also 49-30 WYO. CODE. R § 6 (2018).

³⁶ NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03 (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/; Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants, *See* Catherine Longville & Leslye Orloff, *Public Benefits: What is "Deeming" and What are its Exceptions*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Jan. 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *See also* 049.0030.1 WYO. CODE R. § 1 (2018).

³⁷ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

³⁸ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

³⁹ In determining Child Care Development Fund direct eligibility for subsidized child care, eligibility is based on then citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. Citizen and qualified immigrant children are directly eligible for all CCDF funded child care, including but not limited to child care provided by non-profit charitable organizations. U.S. Department of Health and Human Services, Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees, in OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>; NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. *See* 8 U.S.C. § 1641(c).

⁴⁰ NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. *See* 8 U.S.C. § 1641(c).

⁴¹ *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.)

⁴² *See* 49-30 WYO. CODE R. § 6 (2018).

⁴³ *See* 8 U.S.C. § 1641(b)(2)-(3). NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁴⁴ *See* 22 U.S.C. § 7105(b)(1); NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁴⁵ *See* 8 U.S.C. § 1641(c)(4). NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁴⁶ *See* 8 U.S.C. § 1641(c)(4). NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁴⁷ *See* 49-30 WYO. CODE R. § 6 (2018); NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf; Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁴⁸ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>; NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. *See* 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

⁴⁹ NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf; Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. *See* 22 U.S.C. § 7105(b).

⁵⁰ *See* 49-30 WYO. CODE R. § 6 (2018); NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf; Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁵¹ NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁵² NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁵³ In determining Child Care Development Fund direct eligibility for subsidized child care, eligibility is based on then citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. Citizen and qualified immigrant children are directly eligible for all CCDF funded child care, including but not limited to child care provided by non-profit charitable organizations. U.S. Department of Health and Human Services, Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees, in OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>. NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. *See* 8 U.S.C. § 1641(c).

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

⁵⁵ See 49-30 WYO. CODE R. § 6 (2018); NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf; Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁵⁶ NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

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

⁵⁹ See 49-30 WYO. CODE R. § 6 (2018); NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf; Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁶⁰ NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁶¹ NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁶² 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.)

⁶³ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018); See 8 U.S.C. § 1641(c); See also 8 U.S.C. § 1612(a)(1)-1612(a)(2). Battered immigrants are not subject to deeming for at least 12 months, with the possibility of extension. See *Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31, available at https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Apr. 12, 2019).

⁶⁴ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018); See 8 U.S.C. § 1641(c); See also 8 U.S.C. § 1612(a)(1)-1612(a)(2). Battered immigrants are not subject to deeming for at least 12 months, with the possibility of extension. See *Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31, available at <https://www.fns.usda.gov/snap/eligibility/non-citizen-eligibility> (last accessed Apr. 29, 2023).

⁶⁵ *Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 4, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019).

⁶⁶ See 8 USC §1612(a)(2)(A) and (L). Directly eligible for SNAP as refugees and asylees for seven years. However, they retain eligibility past the seven years since they will have transitioned into qualified immigrant status, with indefinite eligibility for SNAP, after five years. See 8 U.S.C. § 1641(b)(2)-(3). See also Nat'l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; 8 U.S.C. § 1641(b)(2)-(3). See also *Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019). https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf

⁶⁷ 8 U.S.C. § 1641(c)(4); NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁶⁸ See 22 U.S.C. § 7105(b) (1). Eligible to the same extent as refugees. (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁶⁹ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018);. See 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)).

⁷⁰ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

⁷¹ 22 U.S.C. § 7105(b). Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification). See NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁷² NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁷³ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁷⁴ *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).

⁷⁵ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (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.).

⁷⁶ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). May be subject to deeming.

⁷⁷ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

⁷⁸ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Eligible children are exempt from sponsor deeming.).

⁷⁹ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Five-year residency includes time in qualified status prior to turning 18.). May be subject to deeming.

⁸⁰ See *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Although eligibility based on 40 work quarters includes work performed by applicant, spouse, and parents while the applicant was under 18, SIJS youth are generally not able to satisfy this condition.).

⁸¹ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Born on or before August 22, 1931 and lawfully resided in the U.S. on August 22, 1996.). May be subject to deeming.

⁸² *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). May be subject to deeming.

⁸³ 42 U.S.C.S. § 1786; *Women, Infants, and Children (WIC)*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/women-infants-and-children-wic> (last visited June 14, 2018).

⁸⁴ 42 U.S.C.S. § 1786; *Women, Infants, and Children (WIC)*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/women-infants-and-children-wic> (last visited June 14, 2018).

- ⁸⁵ *WIC Contacts*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/wic-contacts> (last visited June 14, 2018).
- ⁸⁶ *WIC Eligibility Requirements*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/wic-eligibility-requirements> (last visited June 14, 2018).
- ⁸⁷ *Clinic Locations*, WYO. DEP'T OF HEALTH, <https://health.wyo.gov/publichealth/wic/clinicservices/wic-clinic-locator/> (last visited July 16, 2018); *How to Get WIC*, WYO. DEP'T OF HEALTH, <https://health.wyo.gov/publichealth/wic/clinicservices/> (last visited July 16, 2018).
- ⁸⁸ *Income Guidelines*, WYO. DEP'T OF HEALTH, <https://health.wyo.gov/publichealth/wic/clinicservices/householdincomeguidelines/> (last visited July 16, 2018).
- ⁸⁹ 8 U.S.C. § 1641(c); HealthCare.gov, Immigrants, Immigration status and the Marketplace (last visited November 29, 2023) (Listing immigrants with which immigration statuses are legally able to use the Marketplace); See NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁹⁰ 8 U.S.C. § 1641(c); HealthCare.gov, Immigrants, Immigration status and the Marketplace (last visited November 29, 2023) (Listing immigrants with which immigration statuses are legally able to use the Marketplace); See NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁹¹ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁹² NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 2 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(b)(2); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁹³ Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>. See 8 U.S.C. § 1641(b)(3); 45 C.F.R. § 152.2(5) (2017) ("A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. § 1158) or for withholding of removal under section 241(b)(3) of the INA (8 U.S.C. § 1231) or under the Convention Against Torture who has been granted employment authorization, and such an applicant under the age of 14 who has had an application pending for at least 180 days."); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁹⁴ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c)(4). See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>.
- ⁹⁵ 42 C.F.R. § 435.4(2)(ii), (iv), and (v); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>.
- ⁹⁶ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>.
- ⁹⁷ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

⁹⁸ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>.

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

¹⁰⁰ 45 C.F.R. 152.2(7); NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>; See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

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

¹⁰² 45 C.F.R. 152.2(4)(vi); Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>; Carly Erickson & Leslye E. Orloff, *U-Visa Victim Benefits under the Affordable Care Act (ACA)*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (June 18, 2014), <http://niwaplibrary.wcl.american.edu/pubs/u-visa-healthcare-aca/>; See, Centers for Medicare and Medicaid Services (CMS), Department of Health and Human Services (HHS), *Clarifying the Eligibility of Deferred Action for Childhood Arrivals (DACA) Recipients and Certain Other Noncitizens for a Qualified Health Plan through an Exchange, Advance Payments of the Premium Tax Credit, Cost-Sharing Reductions, and a Basic Health Program* (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024) <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁰³ Carly Erickson & Leslye E. Orloff, *U-Visa Victim Benefits under the Affordable Care Act (ACA)*, NAT'L IMMGR. WOMEN'S ADVOC. PROJECT (June 18, 2014), <http://niwaplibrary.wcl.american.edu/pubs/u-visa-healthcare-aca/>; NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5-6 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.

¹⁰⁴ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 1 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf> (DACA coverage limited to those "lawfully present" in the United States).

¹⁰⁵ See, WYO DEP'T OF HEALTH, *Wyoming Medicaid, Programs and Eligibility*, <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (last visited May 27, 2022). (Note that as of April 1, 2022, Wyoming Medicaid will no longer require 40 qualifying quarters of work credit for lawful permanent residents to be eligible for Medicaid in Wyoming). See, WYO DEP'T OF HEALTH, *40 Quarters Requirement Change* (April 26, 2021) <https://health.wyo.gov/wp-content/uploads/2021/04/Public-Notice-40-Quarters-1.pdf> (last visited Aug. 24, 2022); See also, CTR. MEDICAID SERVICES (CMS), *Medicaid Eligibility Wyoming* available at <https://health.wyo.gov/wp-content/uploads/2018/01/S89-MAGI-Citizenship-and-Non-Citizen-Eligibility.pdf> (last visited Aug. 23, 2022). Footnotes in this section contain additional details on health care subsidies, including co-pays that may be required. They contain further state by state information on health care access for immigrant survivors of domestic and sexual violence. See MORGAN, LEWIS & BOCKIUS, LLP *Chapter 17.1: Emergency Medicaid – Urgent Medical Services for Immigrant Crime Victims and Children*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (December 2016), <http://niwaplibrary.wcl.american.edu/pubs/ch17-1-emergencymedicaid/>; see *id.* *Chapter 17.2: Coverage for Forensic Costs for Immigrant crime Victims: Medical Coverage and Services* (February 12, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-2-forensiccoverageimmvictims/>; see *id.* *Chapter 17.3: Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence* (June 13, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation/>; see *id.* *Chapter 17.4: Pre-Natal and Child Health Care For Immigrant Victims and Their Children* (February 17, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-4-prenatal-care/>.

¹⁰⁶ 42 C.R.F. § 435.406(2)(i); 8 U.S.C. § 1641(c); NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁰⁷ Health Case.gov, *Immigrants, Coverage for U.S. Citizens and U.S. Nationals* (last visited November 29, 2023) <https://www.healthcare.gov/immigrants/immigration-status/>. NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c).

¹⁰⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹¹⁰See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 8 (2014); WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); see also 48-2 WYO CURRENT RULES & REGULATIONS § 8, 2, <https://rules.wyo.gov/> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). 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, footnote 5 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹¹¹WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

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

¹¹³ 42 C.F.R. § 435.4(1)(i).

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

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

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

¹¹⁷ See 8 U.S.C. § 1641(c)(4).

¹¹⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹²⁰ See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 8 (2014); WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); see also 48-2 WYO CURRENT RULES & REGULATIONS § 8, 2, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). 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, footnote 5 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹²¹WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); See, CENTERS

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¹²² 42 C.F.R. § 435.4(1)(xii).

¹²³ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 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.

¹²⁴ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

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

¹²⁶ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹²⁸ See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 8 (2014); WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); see also 48-2 WYO CURRENT RULES & REGULATIONS § 8, 2, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). See NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹²⁹ WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹³⁰ 42 U.S.C. § 435.4(2)(i)

¹³¹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹³³ See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 8 (2014); WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); see also 48-2 WYO CURRENT RULES & REGULATIONS § 8, 2, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). See NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹³⁴WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

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

¹³⁶NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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¹³⁸NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* 8 U.S.C. § 1641(b)(1).

¹³⁹*See* WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 8 (2014); WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); *see also* 48-2 WYO CURRENT RULES & REGULATIONS § 8, 2, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). *See* NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/ (stating that Wyoming mostly denies Medicaid to non-pregnant lawful permanent residents who do not have credit for 40 quarters of work history in the U.S. unless they are a veteran or a person on active duty military or the spouse, unmarried surviving spouse or child of a veteran or a person on active military duty).

¹⁴⁰WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁴¹45 C.F.R. § 155.20(13).

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

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¹⁴⁶*See* WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 8 (2014); WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); *see also* 48-2 WYO CURRENT RULES & REGULATIONS § 8, 2, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). *See* NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/, (stating that Wyoming mostly denies Medicaid to non-pregnant lawful permanent residents who do not have credit for 40 quarters of work history in the U.S. unless they are a veteran or a person on active duty military or the spouse, unmarried surviving spouse or child of a veteran or a person on active military duty).

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¹⁴⁸ 45 C.F.R. 155.20(9).

¹⁴⁹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹⁵¹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹⁵³ Footnotes in this section contain additional details on health care subsidies including co-pays that may be required. They contain further state by state information on health care access for immigrant survivors of domestic and sexual violence. See MORGAN, LEWIS & BOCKIUS, LLP *Chapter 17.1: Emergency Medicaid – Urgent Medical Services for Immigrant Crime Victims and Children*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (December 2016), <http://niwaplibrary.wcl.american.edu/pubs/ch17-1-emergencymedicaid/>; see *id.* *Chapter 17.2: Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (February 12, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-2-forensiccoverageimmvictims/>; see *id.* *Chapter 17.3: Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence* (June 13, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation/>; see *id.* *Chapter 17.4: Pre-Natal and Child Health Care For Immigrant Victims and Their Children* (February 17, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-4-prenatal-care/>.

¹⁵⁴ 42 C.R.F. § 435.406(2)(i); 8 U.S.C. § 1641(c); NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁵⁵ *Immigrants, Coverage for U.S. Citizens and U.S. Nationals*, HEALTHCARE.GOV (last visited November 29, 2023) <https://www.healthcare.gov/immigrants/immigration-status/>. NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c).

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

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

¹⁵⁸ See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); See, WYO DEP'T OF HEALTH, *Wyoming Medicaid, Programs and Eligibility*, <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (last visited May 27, 2022). (Note that as of April 1, 2022, Wyoming Medicaid will no longer require 40 qualifying quarters of work credit for lawful permanent residents to be eligible for Medicaid in Wyoming); see also 48-1 WYO CURRENT RULES & REGULATIONS, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). See NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁵⁹ WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC

HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁶⁰ See, ARK. DEP'T OF HUM. SERVICES, TEMPLATE FOR CHILD HEALTH PLAN UNDER TITLE XXI OF THE SOCIAL SECURITY ACT CHILDREN'S HEALTH INSURANCE PROGRAM, <https://humanservices.arkansas.gov/wp-content/uploads/CHIPStatePlan.pdf> (last visited Apr. 14, 2022); See, NAT'L IMMIGRATION LAW CTR., *Table 3: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated July 2021), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

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

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

¹⁶³ See 8 U.S.C. § 1641(c)(4).

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

¹⁶⁵ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹⁶⁷ See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); See, WYO DEP'T OF HEALTH, *Wyoming Medicaid, Programs and Eligibility*, <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (last visited May 27, 2022). (Note that as of April 1, 2022, Wyoming Medicaid will no longer require 40 qualifying quarters of work credit for lawful permanent residents to be eligible for Medicaid in Wyoming); see also 48-1 WYO CURRENT RULES & REGULATIONS, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). See NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁶⁸ WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁶⁹ See, ARK. DEP'T OF HUM. SERVICES, TEMPLATE FOR CHILD HEALTH PLAN UNDER TITLE XXI OF THE SOCIAL SECURITY ACT CHILDREN'S HEALTH INSURANCE PROGRAM, <https://humanservices.arkansas.gov/wp-content/uploads/CHIPStatePlan.pdf> (last visited Apr. 14, 2022); See, NAT'L IMMIGRATION LAW CTR., *Table 3: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated July 2021), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁷⁰ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 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)).

¹⁷¹ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

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

¹⁷³ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹⁷⁵ See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); See, WYO DEP'T OF HEALTH, *Wyoming Medicaid, Programs and Eligibility*, <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (last visited May 27, 2022). (Note that as of April 1, 2022, Wyoming Medicaid will no longer require 40 qualifying quarters of work credit for lawful permanent residents to be eligible for Medicaid in Wyoming); see also 48-1 WYO CURRENT RULES & REGULATIONS, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). See NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁷⁶ WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁷⁷ See, ARK. DEP'T OF HUM. SERVICES, TEMPLATE FOR CHILD HEALTH PLAN UNDER TITLE XXI OF THE SOCIAL SECURITY ACT CHILDREN'S HEALTH INSURANCE PROGRAM, <https://humanservices.arkansas.gov/wp-content/uploads/CHIPStatePlan.pdf> (last visited Apr. 14, 2022); See, NAT'L IMMIGRATION LAW CTR., *Table 3: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20, (4th ed. 2002, table updated July 2021), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁷⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹⁸⁰ See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); See, WYO DEP'T OF HEALTH, *Wyoming Medicaid, Programs and Eligibility*, <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (last visited May 27, 2022). (Note that as of April 1, 2022, Wyoming Medicaid will no longer require 40 qualifying quarters of work credit for lawful permanent residents to be eligible for Medicaid in Wyoming); see also 48-1 WYO CURRENT RULES & REGULATIONS, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). See NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁸¹ WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC

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

<https://www.cms.gov/newsroom/fact-sheets/hhs-final-rule-clarifying-eligibility-deferred-action-childhood-arrivals-daca-recipients-and-certain#>.

¹⁸³ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹⁸⁵ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

¹⁸⁶ See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); See, WYO DEP'T OF HEALTH, *Wyoming Medicaid, Programs and Eligibility*, <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (last visited May 27, 2022). (Note that as of April 1, 2022, Wyoming Medicaid will no longer require 40 qualifying quarters of work credit for lawful permanent residents to be eligible for Medicaid in Wyoming); see also 48-1 WYO CURRENT RULES & REGULATIONS, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). See NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁸⁷ WYO. DEP'T OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁸⁸ See, ARK. DEP'T OF HUM. SERVICES, TEMPLATE FOR CHILD HEALTH PLAN UNDER TITLE XXI OF THE SOCIAL SECURITY ACT CHILDREN'S HEALTH INSURANCE PROGRAM, <https://humanservices.arkansas.gov/wp-content/uploads/CHIPStatePlan.pdf> (last visited Apr. 14, 2022); See, NAT'L IMMIGRATION LAW CTR., *Table 3: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20, (4th ed. 2002, table updated July 2021), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁸⁹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹⁹¹ 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, footnote 7 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁹² See, WYO DEP'T OF HEALTH, *Wyoming Medicaid, Programs and Eligibility*, <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (last visited May 27, 2022). (Note that as of April 1, 2022, Wyoming Medicaid will no longer require 40 qualifying quarters of work credit for lawful permanent residents to be eligible for Medicaid in Wyoming); NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

¹⁹³ See WYO. RULES & REGULATIONS, DEP'T OF HEALTH, ch. 2, § 2 (2014); See, WYO DEP'T OF HEALTH, *Wyoming Medicaid, Programs and Eligibility*, <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (last visited May 27, 2022). (Note that as of April 1, 2022, Wyoming Medicaid will no longer require 40 qualifying quarters of work credit for lawful permanent residents to be eligible for Medicaid in Wyoming); see also 48-1 WYO CURRENT RULES & REGULATIONS, <https://rules.wyo.gov/Search.aspx> (containing PDF versions of the rules and regulations. For more information and access to the PDF files use the search tool provided in the link). See NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

¹⁹⁴WYO. DEP'T. OF HEALTH, *Wyoming Medicaid, Programs and Eligibility, Assistance for Pregnant Women, Pregnant Women* <https://health.wyo.gov/healthcarefin/medicaid/programs-and-eligibility/> (Last visited Jan. 19, 2025) (Lawfully present immigrants who are pregnant are eligible for prenatal care, full health care, and 12 months of postpartum care); 45 C.F.R. § 155.20(1); *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁹⁵ *See*, ARK. DEP'T OF HUM. SERVICES, TEMPLATE FOR CHILD HEALTH PLAN UNDER TITLE XXI OF THE SOCIAL SECURITY ACT CHILDREN'S HEALTH INSURANCE PROGRAM, <https://humanservices.arkansas.gov/wp-content/uploads/CHIPStatePlan.pdf> (last visited Apr. 14, 2022); *See*, NAT'L IMMIGRATION LAW CTR., *Table 3: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated July 2021), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-immigrants-in-states.pdf>.

¹⁹⁶ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

¹⁹⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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

²⁰⁰ Victims of Crime Act (VOCA) compensation for crime victims is a program providing services necessary to protect health and safety of crime victims that helps victims heal and overcome the emotional and financial impact of crime victimization on their lives. VOCA compensation is separate from and does not fall within the definitions of “federal public benefit” or “state public benefit” under U.S. public benefits laws and thus is open to all crime victims without regard to immigration status. *See*, Joye E. Frost, Office for Victims of Crime, U.S. Department of Justice, Letter to Cassie T Jones Alabama Crime Victims’ Compensation Commission (July 2, 2010) available at <https://niwaplibrary.wcl.american.edu/pubs/ojp-ovc-letter-on-access-to-voca-victim-compensation-7-2-2010/>; For an overview of what types of victim compensation are covered by VOCA compensation programs in each state *see*, Leslye Orloff, Katelyn Deibler and Annie Roebuck, *Post-Assault Healthcare and Victims of Crime Act Coverage for Domestic and Sexual Violence Victims* (July 18, 2018) available at: <https://niwaplibrary.wcl.american.edu/pubs/post-assault-coverage-chart>; and : Sarah Andrews, Vanessa Brown, Aurora de Heer, Joseph Leonard, Ryan Lighty, Katherine O’Keefe, Celia Soehner, William Springer, Josh Sterling, Linda Way-Smith, Beau Yanoshik, Morgan Lewis and Bockius, LLP and NIWAP, *Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence – Medical Coverage and Services for Immigrants* (July 13, 2018) available at <https://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation> (contains a more detailed discussion of VOCA compensation available in each state with links and citations).

²⁰¹ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).

²⁰² *See generally* OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., *FEDERAL STUDENT AID HANDBOOK 2016-2017* (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf> (The information in this section applies to all student financial aid including grants and loans.).

²⁰³ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., *MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID* (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>; Daniel T. Madzelan, OFFICE. OF POST-SECONDARY EDUC., U.S. DEP'T OF EDUC., *ELIGIBILITY FOR TITLE IV AID FOR "BATTERED IMMIGRANTS-QUALIFIED ALIENS" AS PROVIDED FOR IN THE VIOLENCE AGAINST WOMEN ACT* (2007), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-memovawapetitionsgrantsloans-6-4-10/>. *See* 8 U.S.C. § 1641(c); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., *FEDERAL STUDENT AID HANDBOOK 2016-2017* 1-33, 1-34 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.

²⁰⁴ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., *FEDERAL STUDENT AID HANDBOOK 2022-2023* (2022), <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2022-2023/vol1/ch2-us-citizenship-eligible-noncitizens> (Naturalized citizens are eligible for financial aid).

²⁰⁵ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., *MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID* (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. *See* 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., *FEDERAL STUDENT AID HANDBOOK 2016-2017* 1-29 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.

- ²⁰⁶ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 22 U.S.C. § 7105(b); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2016-2017 1-33 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.
- ²⁰⁷ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>.
- ²⁰⁸ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 8 U.S.C. § 1641(b)(1).
- ²⁰⁹ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 8 U.S.C. § 1641(b)(1).
- ²¹⁰ Plyler v. Doe 457 U.S. 202 (1982); U.S. DEPARTMENT OF EDUCATION, STUDENTS, IMMIGRATION STATUS, AND THE RIGHT TO PUBLIC EDUCATION (JUNE 20, 2021) <https://blog.ed.gov/2021/07/students-immigration-status-and-the-right-to-public-education/>.
- ²¹¹ U.S. Immigration and Customs Enforcement, Memo: Undocumented Students Authorized to Enroll in Post-Secondary Educational Institutions (July 24, 2008) <https://niwaplibrary.wcl.american.edu/pubs/pb-gov-dhsundocstudentpost2ndeduaccess-7-24-08>. This law applies to all states except those that have implemented state laws or policies that limit or deny enrollment in public colleges or universities which are Alabama, Georgia and South Carolina. (Current as of July 2021). See, NAT'L IMMIGRATION LAW CTR., *Current State Laws and Policies on Access to Higher Education for Immigrants* (July 2021) <https://www.nilc.org/issues/education/eduaccess toolkit/eduaccess toolkit2/#maps>.
- ²¹² UW Regulation 2-200, UNIV. OF. WYO., https://www.uwyo.edu/regs-policies/_files/docs/regulations-2021/uw_reg_2-200_approved_10-13-21.pdf (last visited July 15, 2026).
- ²¹³ Wyoming Stat. 67-7901(6)(last visited Jul. 15, 2026) <https://legislature.idaho.gov/wp-content/uploads/statutesrules/idstat/Title67/T67CH79.pdf>. It is important to note the VAWA self-petitioners and trafficking victims because of VAWA confidentiality protections will need to request secondary verification. See, HUD – VAWA Self-Petitioner Verification Procedures (January 19, 2017) <https://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>.
- ²¹⁴ UW Regulation 8-1, UNIV. OF. WYO., http://www.uwyo.edu/generalcounsel/_files/docs/uw%20reg%20updates%202016/uw-reg-8-1.pdf#UniReg8-1 (last visited July 16, 2018); ACLU WYO, *Immigrant Students Know Your Rights* (September 6, 2019) https://www.aclu-wy.org/sites/default/files/field_documents/kyr_immigrant_students_in_wyoming_0.pdf.
- ²¹⁵ 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.).
- ²¹⁶ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. §§ 1612(a)(2)(E) (prior SSI), 1612(a)(2)(F) (current disability), 1641(c) (battered immigrant).
- ²¹⁷ See 8 U.S.C. § 1612(a)(2)(H).
- ²¹⁸ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.
- ²¹⁹ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. § 1641(b)(1) (Due to the work requirement, few SIJS children will qualify, although work done by the applicant, parent or spouse counts toward the 40 quarters of work.).
- ²²⁰ SOC. SEC. ADMIN., *Understanding Supplemental Security Income SSI, Eligibility Requirements – 2023 Edition, Supplemental Security Income (SSI) Eligibility Requirements*, <https://www.ssa.gov/ssi/text-eligibility-ussi.htm> (last visited November 29, 2023).
- ²²¹ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. 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.
- ²²² See 22 U.S.C. § 7105(b).
- ²²³ 22 U.S.C. § 7105(b)(1). T visa holders, bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. See 8 U.S.C. §§ 1612(a)(1)-(2); 1613. Federal eligibility for refugees and asylees extends for the first seven years after attaining that status. However, § 1612(b)(2) lists exceptions that independently lift the seven year limit; including, if they have attained LPR status with 40 qualifying quarters, are a veteran, and/or a member of a veteran's family. See § 1641(b)(2)-(3). States can also continue to provide benefits once the mandated seven year federal coverage period for refugees and asylees ends. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven year limitation. NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal*

Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

²²⁴ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. §§ 1612(a)(2)(E) (prior SSI), 1612(a)(2)(F) (current disability), 1641(c)(4) (trafficking victims).*

²²⁵ See 8 U.S.C. § 1612(a)(2)(H).

²²⁶ See 8 U.S.C. § 1641(c)(4).

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

²²⁸ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

²²⁹ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. § 1641(b)(1) (Due to the work requirement, few SIJS children will qualify, although work done by the applicant, parent or spouse counts toward the 40 quarters of work.).*

²³⁰ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

²³¹ NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. §§ 1612(a)(2)(B) (LPR eligibility for SSI), 1612(a)(2)(E) (prior SSI), 1612(a)(2)(F) (current disability), 1641(b)(1) (LPR qualified immigrant status).*

²³² See 8 U.S.C. § 1612(a)(2)(H).

²³³ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

²³⁴ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

²³⁵ NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT, ACCEPTABLE FORMS OF DOCUMENTATION AND IDENTIFICATION FOR STATE DRIVER'S LICENSE/IDENTIFICATION CARD (SEPTEMBER 5, 2014) 1 (2014), <http://library.niwap.org/wp-content/uploads/2015/Drivers-License-Access.pdf>.

²³⁶ REAL ID Act of 2005, 49 U.S.C. § 30301 Note (2005). See also 6 C.F.R. § 37.11 (g) (2012); Joan Friedland, *Updates on REAL ID and Increased Information Sharing by Departments of Motor Vehicles*, NAT'L IMMIGRATION LAW CTR., (Jan. 8, 2018), <https://www.nilc.org/news/the-torch/1-04-18/>.

²³⁷ See 6 C.F.R. § 37.11(g)(1) (2012).

²³⁸ See *SAVE CaseCheck*, U.S. CITIZENSHIP & IMMGR. SERVS., <https://www.uscis.gov/save/casecheck> (last visited July 9, 2018). For special rules and step-by-step instructions for SAVE verification in cases of VAWA self-petitioners, see PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/> and Benish Anver, Alexandra Brown and Leslye E. Orloff, HOW TO ADVOCATE FOR PUBLIC AND ASSISTED HOUSING FOR YOUR BATTERED IMMIGRANT OR TRAFFICKING SURVIVOR CLIENT (2017) <http://niwaplibrary.wcl.american.edu/pubs/pub-asst-housing-advocacy>.

²³⁹ 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/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (For example, the U.S. Department of Health and Human Services has identified categories of lawfully present immigrants for purposes of Medicaid and CHIP eligibility. These individuals should be able to access full Real ID compliant driver's licenses without waiting for work authorization. This may be an area for advocacy in individual cases).

²⁴⁰ See 6 C.F.R. § 37.11(h) (2012); NAT'L IMMIGRATION LAW CTR., THE REAL ID ACT: QUESTIONS AND ANSWERS 8-9 (2016), <https://www.nilc.org/wp-content/uploads/2015/11/REAL-ID-Act-Q-and-A.pdf>.

²⁴¹ See WYO. STAT. § 31-7-111.

²⁴² VAWA self-petitioners receive employment authorization once their case has been approved. Trafficking victims receive legal work authorization based on HHS certification for victims with continued presence and for T visa applicants with bona fide determinations. U visa applicants will receive work authorization after their case has been wait-list approved based on deferred action. Asylum applicants become eligible for work authorization approximately 6 months after filing for asylum. DACA recipients receive work authorization based on deferred action and SIJS children receive work authorization once they are granted lawful permanent residency. Once an immigrant receives legal work authorization from DHS they can apply for and receive a Social Security Number.

²⁴³ VAWA self-petitioners receive employment authorization once their case has been approved. Trafficking victims receive legal work authorization based on HHS certification for victims with continued presence and for T visa applicants with bona fide determinations. U visa applicants will receive work authorization after their case has been wait-list approved based on deferred action.

Asylum applicants become eligible for work authorization approximately 6 months after filing for asylum. DACA recipients receive work authorization based on deferred action and SIJS children receive work authorization once they are granted lawful permanent residency. Once an immigrant receives legal work authorization from DHS they can apply for and receive a Social Security Number.

²⁴⁴ *Are You Renewing In Person?*, WYO. DEP'T OF TRANSP.,

http://www.dot.state.wy.us/files/live/sites/wydot/files/shared/Driver_Services/Forms/ARE%20YOU%20RENEWING%20IN%20PERSON%2020171129.pdf (last visited July 20, 2018).

²⁴⁵ U.S. Dep't of Justice, Dep't of Health & Human Servs. & Dep't of Hous. & Human Dev., Joint Letter on Immigrant Access to Shelter and Transitional Housing (Aug. 5, 2016),

<http://niwaplibrary.wcl.american.edu/pubs/joint-letter-hud-hhs-ad-doj-immigrant-access-shelter-transitional-housing-aug-2016/> (stating that services must be in-kind, available regardless of income, and provided at the community level). See 8 U.S.C. § 1611(b)(1)(D).

²⁴⁶ CATHERINE LONGVILLE & LESLYE E. ORLOFF, PROGRAMS OPEN TO IMMIGRANT VICTIMS AND TO ALL IMMIGRANTS WITHOUT REGARD TO IMMIGRATION STATUS 1 (2014),

<http://niwaplibrary.wcl.american.edu/pubs/programs-open-to-all-immigrants/>; *Three Federal Agencies Issue Joint Letter on Shelters and Transitional Housing*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Aug. 12, 2016), <http://niwaplibrary.wcl.american.edu/joint-agency-letter-shelters-transitional-housing/>.

²⁴⁷ *Emergency Solutions Grant (ESG)*, WYO. HOMELESS COLLABORATIVE, <https://www.wyomingwhc.org/emergency-solutions-grants-program-esg> (last visited Sept. 4, 2022).

²⁴⁸ *Housing First*, WYO. DEP'T OF HEALTH, <https://health.wyo.gov/behavioralhealth/mhsa/initiatives/housingfirst/> (last visited July 20, 2018).

²⁴⁹ 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).

²⁵⁰ See generally *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (contains lists of housing programs that are unrestricted and lists of housing programs that various forms of immigration restrictions).

²⁵¹ See generally *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (contains lists of housing programs that are unrestricted and lists of housing programs that various forms of immigration restrictions).

²⁵² 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).

²⁵³ HUD public and assisted housing refers to HUD assisted housing covered by Section 214 of the Housing and Community Development Act of 1980, Title 42 of the U.S. Code Section 1436a. See *Housing Act. Section 2.14, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT*, <http://niwaplibrary.wcl.american.edu/pubs/housing-act-sec 214/> (last visited Mar. 9, 2018); DEP'T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>; TONYA ROBINSON, ACTING GENERAL COUNSEL, C., U.S. DEP'T OF HOUS. & URBAN DEV., MEMORANDUM FOR SECRETARY JULIAN CASTRO ON ELIGIBILITY OF BATTERED NONCITIZEN SELF-PETITIONERS FOR FINANCIAL ASSISTANCE UNDER SECTION 214 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980 (2016), <http://library.niwap.org/wp-content/uploads/Eligibility-of-VAWA-Self-Petitioners-2016-12-14.pdf>; U.S. DEP'T OF HOUS. & URBAN DEV., HUD HANDBOOK 4350.3: OCCUPANCY REQUIREMENTS OF SUBSIDIZED MULTIFAMILY HOUSING PROGRAMS at Appendix 2-B (2013), <https://www.hud.gov/sites/documents/43503HSGH.PDF> (instructions for verifying battered immigrant eligibility for multi-family programs) (referring to the *Interim Guidance on Verification of Citizenship, Qualified Alien Status, and Eligibility* Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 62 FR 61344 at Exhibit B to Attachment 5 (Nov. 17, 1997)). See also 8 U.S.C. § 1641(c) (2012).

²⁵⁴ USDA RURAL HOUSING SERVICE, Interim Rule, *Reinvention of the Sections 514, 515, 516 and 521 Multi-Family Housing Programs*, 69 Fed. Reg. 69032 (Nov. 26, 2004) (to be codified at 7 C.F.R. pt. 1806, 1822, 1902, 1925 ("Appendix 2 to the HUD Handbook 4350.3 is incorporated into internal Agency procedures."); USDA RURAL HOUSING SERVICE, Interim Final Rule, *Reinvention of the Sections 514, 515, 516 and 521 Multi-Family Housing Programs*, 70 Fed. Reg. 8503 (Feb. 22, 2005) (to be codified at 7 C.F.R. 3560) (deciding "to delay implementation of the sections listed below in order to harmonize its procedures with HUD under 42 U.S.C. 1436a"); DEP'T OF HOUS. & URBAN DEV., HUD HANDBOOK 4350.3: OCCUPANCY REQUIREMENTS OF SUBSIDIZED MULTIFAMILY HOUSING PROGRAMS at Appendix 2-B (2013), <https://www.hud.gov/sites/documents/43503HSGH.PDF> (instructions on verifying battered immigrant eligibility for HUD multi-family programs) (referring to the *Interim Guidance on Verification of Citizenship, Qualified Alien Status, and Eligibility* Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 62 FR 61344 at Exhibit B to Attachment 5) (Nov. 17, 1997); DEP'T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>; MEMORANDUM FOR SECRETARY JULIAN CASTRO ON ELIGIBILITY OF BATTERED NONCITIZEN SELF-PETITIONERS FOR FINANCIAL ASSISTANCE UNDER SECTION 214 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980 (2016), <http://library.niwap.org/wp-content/uploads/Eligibility-of-VAWA-Self-Petitioners-2016-12-14.pdf>. See also 8 U.S.C. § 1641(c).

²⁵⁵ See 42 U.S.C. § 1485.

²⁵⁶ *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (stating that Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident). See 7 C.F.R. § 3560.11 (including immediate family member).

²⁵⁷ See 7 C.F.R. § 3560.158(d); USDA MFH ASSET MANAGEMENT HANDBOOK HB 2-3650, § 6.30(D) (stating that a remaining family member who is a co-tenant or member of the household, who has the legal capacity to sign the lease, and is a U.S. citizen or qualified immigrant, may remain in the housing after the original tenant has departed); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/; see also 8 U.S.C. §§ 1641(c).

²⁵⁸ 42 U.S.C. § 1436a(a)(1).

²⁵⁹ See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (“Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident.”).

²⁶⁰ See 42 U.S.C. § 1490(a); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.²⁶¹ 24 C.F.R. § 5.506(a)(1).

²⁶² See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (“Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident.”).

²⁶³ See 42 U.S.C. § 1490(a); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

²⁶⁴ See *Low Income Housing Tax Credit*, WYO. COMMUNITY DEV. AUTH., <https://www.wyomingcda.com/multifamily/> (last visited July 20, 2018). The Wyoming Community Development Authority allocates the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including VAWA self-petitioners, who could meet the eligibility requirements of the federal subsidies involved. See, DEP’T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>.

²⁶⁵ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

²⁶⁶ See 42 U.S.C. § 1485.

²⁶⁷ See 42 U.S.C. § 1490(a); see also 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

²⁶⁸ *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (stating that Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident). See 7 C.F.R. § 3560.11 (including immediate family member).

²⁶⁹ See 7 C.F.R. § 3560.158(d); USDA MFH ASSET MANAGEMENT HANDBOOK HB 2-3650, § 6.30(D) (stating that a remaining family member who is a co-tenant or member of the household, who has the legal capacity to sign the lease, and is a U.S. citizen or qualified immigrant, may remain in the housing after the original tenant has departed); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/; see also 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

²⁷⁰ See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing).

²⁷¹ See *Low Income Housing Tax Credit*, WYO. COMMUNITY DEV. AUTH., <https://www.wyomingcda.com/multifamily/> (last visited July 20, 2018). The Wyoming Community Development Authority allocates the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including refugees, asylees and T-visa holders or applicants with a bona fide determination, who could meet the eligibility requirements of the federal subsidies involved. See, NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁷² 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)).

²⁷³ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See also 22 U.S.C. 7105(b); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP’T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.

²⁷⁴ See OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP’T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>; 22 U.S.C. § 7105(b)(1)(B) (requirement to expand benefits and services); see also 22 U.S.C. 7105(b); 42 U.S.C. § 1485 (Section 515 Rural Housing); 42 U.S.C. § 1490(a) (Section 521 housing assistance); 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing). *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

- ²⁷⁵ See *Low Income Housing Tax Credit*, WYO. COMMUNITY DEV. AUTH., <https://www.wyomingcda.com/multifamily/> (last visited July 20, 2018). The Wyoming Community Development Authority allocates the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, T visa applicants with a bona fide determination and trafficking victims with continued presence, who could meet the eligibility requirements of the federal subsidies involved. NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See also 22 U.S.C. 7105(b) (2005) (Applicants under 18 require only HHS eligibility determination (not certification).); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.
- ²⁷⁶ See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.
- ²⁷⁷ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from other unrestricted programs. See 7 C.F.R. § 3560.11 (2012).
- ²⁷⁸ See *Low Income Housing Tax Credit*, WYO. COMMUNITY DEV. AUTH., <https://www.wyomingcda.com/multifamily/> (last visited July 20, 2018). The Wyoming Community Development Authority allocates the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. DACA applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.
- ²⁷⁹ See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.
- ²⁸⁰ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).
- ²⁸¹ See 8 U.S.C. § 1641(b)(1).
- ²⁸² NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.
- ²⁸³ See 42 U.S.C. § 1490(a) (2011) (Section 521 rental assistance); 42 U.S.C. §§ 1484(f)(3)(A), 1486(g)(4) (2010) (Sections 514 and 516 Farm Labor Housing); 42 U.S.C. § 1485 (2011) (Section 515 Rural Rental Housing).
- ²⁸⁴ See 8 U.S.C. § 1641(b)(1) (2012).
- ²⁸⁵ See *Low Income Housing Tax Credit*, WYO. COMMUNITY DEV. AUTH., <https://www.wyomingcda.com/multifamily/> (last visited July 20, 2018). The Wyoming Community Development Authority allocates the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants including SIJS applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. SIJS applicants and recipients prior to receipt of lawful permanent residency will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.
- ²⁸⁶ See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.
- ²⁸⁷ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).
- ²⁸⁸ See 8 U.S.C. § 1641(b)(1).
- ²⁸⁹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.
- ²⁹⁰ See 42 U.S.C. § 1490(a) (2011) (Section 521 rental assistance); 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (2010) (Sections 514 and 516 Farm Labor Housing); 42 U.S.C. § 1485 (2011) (Section 515 Rural Rental Housing).
- ²⁹¹ See 8 U.S.C. § 1641(b)(1) (2012).
- ²⁹² See *Low Income Housing Tax Credit*, WYO. COMMUNITY DEV. AUTH., <https://www.wyomingcda.com/multifamily/> (last visited July 20, 2018). The Wyoming Community Development Authority allocates the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including U visa wait list approved applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency applicants approved for the U visa wait list will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.
- ²⁹³ See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.
- ²⁹⁴ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).
- ²⁹⁵ See *Low Income Housing Tax Credit*, WYO. COMMUNITY DEV. AUTH., <https://www.wyomingcda.com/multifamily/> (last visited July 20, 2018). The Wyoming Community Development Authority allocates the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, including U visa applicants upon receipt of lawful permanent residency,

who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency, U visa applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

²⁹⁶ See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

²⁹⁷ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

²⁹⁸ See *Low Income Housing Tax Credit*, WYO. COMMUNITY DEV. AUTH., <https://www.wyomingcda.com/multifamily/> (last visited July 20, 2018). The Wyoming Community Development Authority allocates the federal Low Income Housing Tax Credits (LIHTC). The LIHTC program does not impose immigration restrictions. However, when housing units use these federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. Undocumented immigrants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

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

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

³⁰¹ See <https://www.irs.gov/individuals/individual-taxpayer-identification-number> (IRS ITIN Information Page).

³⁰² 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).

³⁰³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 3 (2017).

³⁰⁴ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 2 (2017).

³⁰⁵ U.S. DEP’T OF TREASURY, I.R.S., WHO QUALIFIES FOR THE EARNED INCOME TAX CREDIT (EITC) (Jul.10, 2023), <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/who-qualifies-for-the-earned-income-tax-credit-eitc>.

³⁰⁶ U.S. DEP’T OF TREASURY, I.R.S., WHO QUALIFIES FOR THE EARNED INCOME TAX CREDIT (EITC) (Jul.10, 2023), <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/who-qualifies-for-the-earned-income-tax-credit-eitc>.

³⁰⁷ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

³⁰⁸ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

³⁰⁹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

³¹⁰ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

³¹¹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

³¹² U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

³¹³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

³¹⁴ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

³¹⁵ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

³¹⁶ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

³¹⁷ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

³¹⁸ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

³¹⁹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

³²⁰ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

³²¹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

³²² 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

³²³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

³²⁴ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

³²⁵ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

³²⁶ See Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families).

³²⁷ Battered or subjected to extreme cruelty includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution may be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence. 45 C.F.R. § 1626.2(b) (1996). The definition of battering or extreme cruelty is identical to that in the immigration regulations. See 45 C.F.R. §§ 1626.4(a)(1)(i) (1996) (victim); 45 C.F.R. §§ 1626.4(a)(1)(ii) (1996) (parent of victim); Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, *Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law*

Cases, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/>. Compare 45 C.F.R. § 1626.2(b) (1997) and 8 C.F.R. § 204.2(c)(1)(vi) (2012).

³²⁸ 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)).

³²⁹ 45 C.F.R. 1626.4 (b) (“Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”). See also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedlsc/>.

³³⁰ 45 C.F.R. § 1626.5(a).

³³¹ 45 C.F.R. § 1626.5(b)

³³² Upon applying for 45 C.F.R. § 1626.5(b) or receiving lawful permanent residency 45 C.F.R. § 1626.5(a) victim switch eligibility tracks from anti-abuse (which includes a restriction that the legal assistance be related to the abuse 45 C.F.R. § 1626.4 to immigration related eligibility under for 45 C.F.R. § 1626.5 under which applicants are eligible of any legal assistance offered by the LSC funded agency. See Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedlsc/>.

³³³ 45 C.F.R. § 1626.5(a)

³³⁴ *Can LSC Grantees Represent Undocumented Immigrants?*, LEGAL SERVICES CORPORATION, <https://www.lsc.gov/our-impact/publications/other-publications-and-reports/can-lsc-grantees-represent-undocumented> (last visited November 29, 2023) (LSC funded agencies can represent U.S. citizens which includes naturalized citizens).

³³⁵ 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.”).

³³⁶ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

³³⁷ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³³⁸ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³³⁹ See 45 C.F.R. § 1626.5(c).

³⁴⁰ See 45 C.F.R. § 1626.4(a)(1)(i) (trafficking victim); 45 C.F.R. §§ 1626.4 (a)(1)(ii) (parent of trafficking victim); 45 C.F.R. § 1626.2(k)(2) (A “victim of trafficking” under the anti-abuse regulation is a victim of any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Department of Health and Human Services (HHS)); 45 C.F.R. § 1626.4(c)(2)(ii) (stating that to qualify for legal assistance by an LSC funded agency, the trafficking must have occurred in the U.S. or violate U.S. law, 45 C.F.R. § 1626.4(c)(1), and the trafficking victim must be present in the U.S. at the time of the application for legal assistance).

³⁴¹ See 45 C.F.R. § 1626.4(a)(2).

³⁴² 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.”).

³⁴³ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

³⁴⁴ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³⁴⁵ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³⁴⁶ See 45 C.F.R. § 1626.4(a)(2)(i)(A) (HHS certified victim); 45 C.F.R. § 1626.4(a)(2)(ii) (seeking certification); 45 C.F.R. § 1626.2(j) (“Victim of severe forms of trafficking” means any person described at 22 U.S.C. § 7105(b)(1)(C), with the inclusion of those still seeking HHS certification.); 45 C.F.R. § 1626.4(c)(1) (stating that to qualify for legal assistance by an LSC funded agency, the victim must be present in the U.S. at the time of the application for legal assistance, 45 C.F.R. § 1626.4(c)(2)(ii), and the trafficking must have occurred in the U.S. or violated U.S. law).

³⁴⁷ See 45 C.F.R. § 1626.4(a)(2)(i)(B) (visa holder); 45 C.F.R. § 1626.4(a)(2)(ii) (visa applicant); 45 C.F.R. § 1626.4(c) (stating that eligibility for legal assistance under these provisions does not require HHS certification, 45 C.F.R. § 1626.4(a)(2)(ii), although the trafficking must either have occurred in the U.S. or violated U.S. law).

³⁴⁸ 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.”).

³⁴⁹ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

³⁵⁰ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³⁵¹ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³⁵² See 45 C.F.R. §§ 1626.4(a)(1)(i) (crime victim or family member eligible for U visa relief); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of U visa eligible child); 45 C.F.R. § 1626.2(h) (definitions); 8 U.S.C. § 1101(a)(15)(U)(i)(I)-(a)(15)(U)(iii) (stating that to qualify for a U visa, the victim must have suffered substantial physical or mental abuse as a result of having been a victim of one or more of the following, or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in section 1351 of title 18); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes); Leslye E. Orloff, Brittney Roberts & Stefanie Gitler, *Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/> (suggesting the definition of battering or extreme cruelty is identical to that in the immigration regulations). Compare 45 C.F.R. § 1626.2(b) and 8 C.F.R. § 204.2(c)(1)(vi).

³⁵³ 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.).

³⁵⁴ The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

³⁵⁵ 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 to the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions). 45 C.F.R. § 1626.4 (b); see also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

³⁵⁶ 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.”).

³⁵⁷ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

³⁵⁸ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³⁵⁹ See, e.g. Office on Violence Against Women, U.S. Dep’t of Justice, OVW FY 2017 Legal Assistance for Victims (LAV) Grant Program Solicitation (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

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

³⁶¹ 45 C.F.R. § 1626.4(a)(1)(i); 45 C.F.R. § 1626.2(k) (“Victim of sexual assault or trafficking” means a victim of sexual assault subjected to any conduct included in the definition of sexual assault in VAWA, 42 U.S.C. 13925(a)(29), or a victim of trafficking subjected to any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Department of Health and Human Services.).

³⁶² 45 C.F.R. 1626.4(b) (“Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”). See also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

³⁶³ See 45 C.F.R. § 1626.5(a).

³⁶⁴ See 45 C.F.R. § 1626.5(b); Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

³⁶⁵ 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.”).

³⁶⁶ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

³⁶⁷ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³⁶⁸ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³⁶⁹ 45 C.F.R. §§ 1626.4(a)(1)(i) (crime victim or family member eligible for U visa relief); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of U visa eligible child); 45 C.F.R. § 1626.2(h) (definitions); 8 U.S.C. § 1101(a)(15)(U)(i)(I)-(a)(15)(U)(iii) (stating that to qualify for a U visa, the victim must have suffered substantial physical or mental abuse as a result of having been a victim of one or more of the following, or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in section 1351 of title 18); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes).

³⁷⁰ 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).

³⁷¹ “Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).” 45 C.F.R. 1626.4 (b); see also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

³⁷² See 45 C.F.R. § 1626.5(a).

³⁷³ See 45 C.F.R. § 1626.5(b); Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

³⁷⁴ 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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³⁷⁶ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³⁷⁷ See, e.g., Office on Violence Against Women, U.S. Dep’t of Justice, OVW FY 2017 Legal Assistance for Victims (LAV) Grant Program Solicitation (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³⁷⁸ See 45 C.F.R. § 1626.4(a)(1)(i) (crime victim or family member eligible for U visa relief); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of U visa eligible child); 45 C.F.R. § 1626.2(h) (definitions); 8 U.S.C. § 1101(a)(15)(U)(i)(I)-(a)(15)(U)(iii) (stating that to qualify for a U visa, the victim must have suffered substantial physical or mental abuse as a result of having been a victim of one or more of the following, or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in section 1351 of title 18); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes).

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³⁸⁰ 45 C.F.R. 1626.4 (b) (“Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”). See also

Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

³⁸¹ 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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³⁸³ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³⁸⁴ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³⁸⁵ 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).

³⁸⁶ 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.).

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³⁸⁹ 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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³⁹¹ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

³⁹² See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

³⁹³ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³⁹⁴ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1641(c).

³⁹⁵ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1641(c).

³⁹⁶ See 49-24 WYO. CODE R. § 1 (2012).

³⁹⁷ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

³⁹⁸ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. §§ 1641(b)(2), (b)(3), (c)(4).

³⁹⁹ See 49-24 WYO. CODE R. § 1 (2012).

⁴⁰⁰ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁰¹ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

⁴⁰² See 49-24 WYO. CODE R. § 1 (2012).

⁴⁰³ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁰⁴ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁰⁵ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1640(b)(1).

⁴⁰⁶ See 49-24 WYO. CODE R. § 1 (2012).

⁴⁰⁷ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴⁰⁸ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1641(b)(1).

⁴⁰⁹ See 49-24 WYO. CODE R. § 1 (2012).

⁴¹⁰ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴¹¹ NAT'L IMMIGRATION LAW CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁴¹² 42 U.S.C. § 5121; See American Red Cross and the Nat'l Council of La Raza, and NAT'L IMMIGRATION LAW CTR., *Fact Sheet: Immigrant Eligibility for Disaster Assistance* (June 2007), <https://www.nilc.org/issues/economic-support/immigrant-eligibility-disaster-assistance/>.

⁴¹³ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>.

⁴¹⁴ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>; U.S. DEP'T AGRIC. FOOD & NUTRITION SERV., DISASTER SNAP GUIDANCE: POLICY GUIDANCE, LESSONS LEARNED, AND TOOLKITS TO OPERATE A SUCCESSFUL D-SNAP (2014), https://fns-prod.azureedge.net/sites/default/files/D-SNAP_handbook_0.pdf.

⁴¹⁵ 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/>.

- ⁴¹⁶ 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).
- ⁴¹⁷ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), “qualified” immigrants must have employment authorization). See 8 U.S.C. § 1641(c).
- ⁴¹⁸ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(c).
- ⁴¹⁹ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), “qualified” immigrants must have employment authorization). See 8 U.S.C. §§ 1641(b)(2)-(b)(3), (c)(4).
- ⁴²⁰ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. §§ 1641(b)(2)-(b)(3).
- ⁴²¹ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(c)(4).
- ⁴²² NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).
- ⁴²³ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).
- ⁴²⁴ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 8 U.S.C. § 1641(b)(1).
- ⁴²⁵ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(b)(1).
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- ⁴²⁷ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(b)(1).
- ⁴²⁸ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), LPRs must have employment authorization). See 8 U.S.C. § 1641(b)(1).
- ⁴²⁹ NAT'L IMMIGRATION LAW CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(b)(1).
- ⁴³⁰ See FED. EMERGENCY MGMT. AGENCY, FEMA CITIZENSHIP/IMMIGRATION REQUIREMENTS (2015), <https://www.fema.gov/fac-details/FEMA-Citizenship-Immigration-requirements-1370032118159> (stating that undocumented individuals can apply on behalf of a minor US citizen child who has a social security card).
- ⁴³¹ To be eligible for unemployment insurance, each class of immigrant must have had prior work authorization and had to have been working with the authorization at the time they applied for unemployment. Work authorization must remain valid while they receive unemployment and if work authorization expires, then so does the eligibility for unemployment.
- ⁴³² 8 U.S.C. § 1641(c)(1)(B)(i), or (ii); or 8 U.S.C. § 1641(c)(2), or (3).
- ⁴³³ 8 U.S.C. § 1641(b)(3).
- ⁴³⁴ INA § 208(d)(2); 8 C.F.R. § 274a.12(c)(8); 8 C.F.R. §§ 274a.12(a)(5). 8 U.S.C. § 1641(b)(2).
- ⁴³⁵ 8 U.S.C. § 1641(c)(4).
- ⁴³⁶ 8 U.S.C. § 1641(c)(4).
- ⁴³⁷ See Rebecca Smith, *Immigrant Workers' Eligibility for Unemployment Insurance*, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> (“The general rule is that workers must have valid work authorization during the base period, at the time that they apply for benefits, and throughout the period during which they are receiving benefits.”).
- ⁴³⁸ 8 U.S.C. § 1641(b)(1).
- ⁴³⁹ 8 U.S.C. § 1641(b)(1).

⁴⁴⁰ See Rebecca Smith, *Immigrant Workers' Eligibility for Unemployment Insurance*, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("The general rule is that workers must have valid work authorization during the base period, at the time that they apply for benefits, and throughout the period during which they are receiving benefits.").

⁴⁴¹ See Rebecca Smith, *Immigrant Workers' Eligibility for Unemployment Insurance*, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("Under the current state and federal systems, undocumented workers are not eligible for unemployment benefits.").