

# NIWAP

## CONFERENCE



Strengthening Community and Organizational Responses: Serving  
Immigrant Victims of Domestic Violence, Sexual Assault, and Stalking

# Improving Access to the Public Benefits Safety Net and Victims of Crime Act Compensation for Immigrant Survivors

Workshop 2B  
August 2023

# NIWAP

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

# Introduction



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# Thank you to OVW

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# Learning Objectives

By the end of this workshop, participants will be better able to



1

Understand how filing for victim-related immigration benefits enhances access to public benefits safety net services

2

Know which publicly funded benefits and services are open to immigrant survivors and immigrants regardless of their immigration status and best practices when applying for VOCA compensation

3

Navigate NIWAP's online benefits map and state-by-state charts to look up state and/or federally-funded benefits and services for which immigrant crime victims may qualify

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

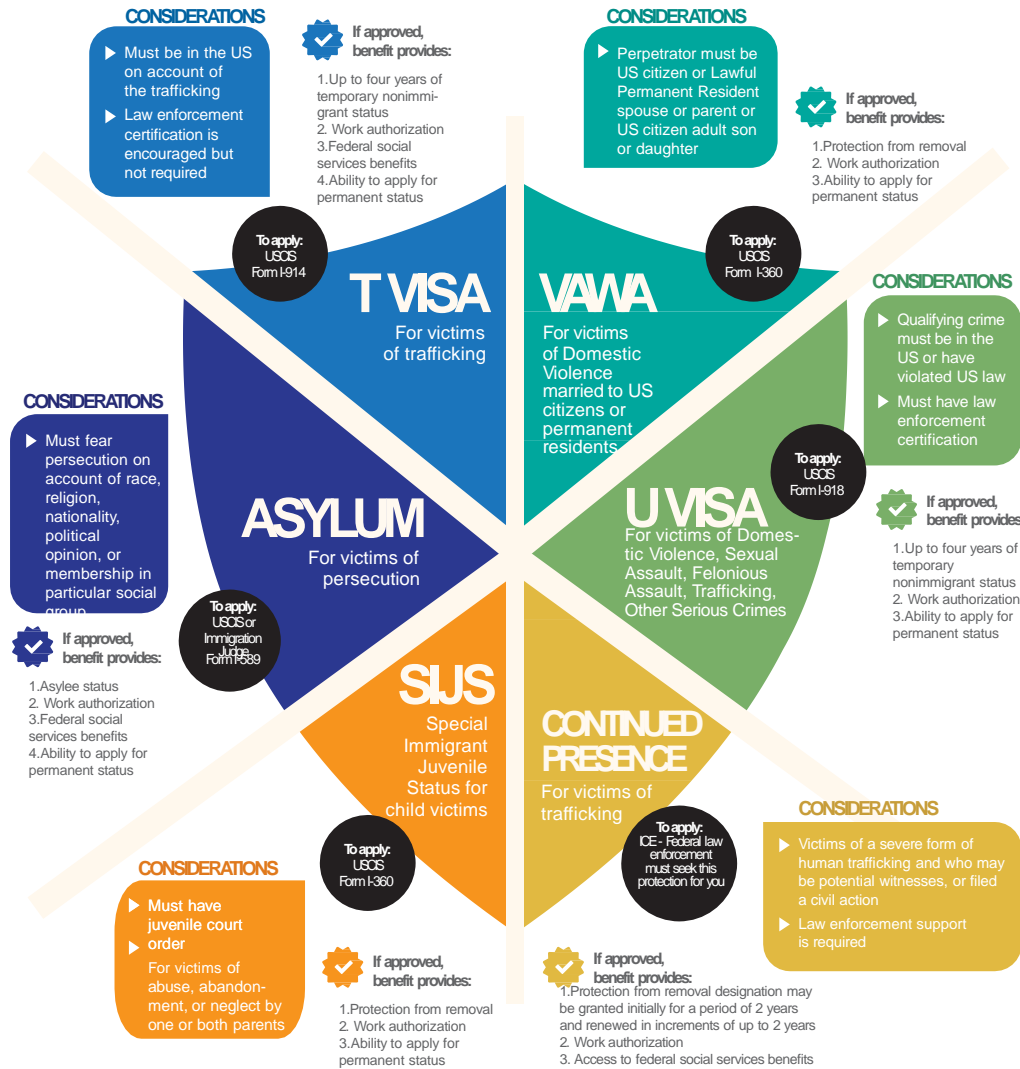
# Large Group Discussion

How do survivors benefit from the process of applying for and by gaining legal immigration status?

# Benefits for Survivors

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

# PROTECTIONS FOR IMMIGRANT VICTIMS



DHS.GOV/BLUE-CAMPAIGN



# Immigration Relief Available for Immigrant Victims of ---

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

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

# Time to Legal Work Authorization and Formal Protection Against Deportation

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

# List of Exemptions from Public Charge

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

# Public Charge Determination

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

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

# Access for All

Both documented and undocumented immigrant survivors can access:

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

# Attorney General's List of Required Services



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

# Federal Benefits Available to ALL Immigrants



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



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

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



# Survivors of Human Trafficking

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

# Benefits of OTIP Letter

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

# Raise Your Hand: True or False?

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



True



False

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

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

# Raise Your Hand: True or False?

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



# Importance of Accompanying Immigrants in Applying for Public Benefits

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

# Importance of Accompaniment

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



# What to Bring with you to Advocate

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

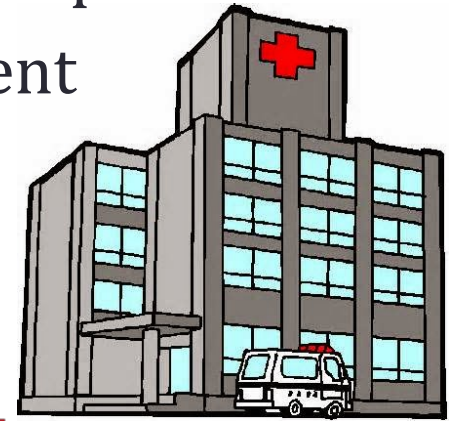


# Large Group Discussion

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

# Emergency Medicaid

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



# Health Care Open to All Immigrants

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



# Federally Qualified Health Centers

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

# Large Group Discussion

What is your experience helping immigrant domestic and sexual violence survivor applying for VOCA Compensation?

# VAWA self-petitioners and U visa applicants that usually/often seek:

## Victim assistance

- Before filing – 35%
- After filing – 23%
- At work authorization – 15%
- After lawful permanent residency – 14%

## VOCA Compensation

- Before filing – 10%
- After filing – 6%
- At work authorization – 2%
- After lawful permanent residency – 2%

Transforming Lives: How the VAWA Self-petition and U Visa Change the Lives of Survivors and Their Children After Employment Authorization and Legal Immigration Status (June 8, 2021) <https://niwaplibrary.wcl.american.edu/pubs/transforming-lives-final-report>

# Access to Shelter, Transitional Housing and Permanent Housing





# HUD, DOJ and HHS Confirmed in August 2016

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

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

- Immigration status
- Citizenship
- Nationality
- English language abilities

# NIWAP Research: Immigrant Victim Transitional Housing Acceptance Rates

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

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

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

# Benefits Available to all Immigrants Include:

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

# Transitional Housing

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

# Anti-Discrimination Protections

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

# NNEDV/OVW Admission Criteria

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



# Large Group Discussion

- What criteria do transitional housing programs in your state/community require for admission?
- How are those requirements similar/different from the NNEDV/OVW recommended criteria?

# Common Criteria for Transitional Housing

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

# Small Group Activity

- Participants will work at their tables to create a list of how they would help their clients with pending VAWA self-petition, U visa or T visa cases prove the following:
  - Residency in the jurisdiction
  - Victimization, homelessness, or risk of homelessness
  - Employment/potential for self-sufficiency

# Evidence of Residency: Examples

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

# Evidence of Victimization or Homelessness: Examples

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

# Evidence of Self-Sufficiency

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

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



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

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



# Qualified Immigrant Access to Federal Public Benefits

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

# Federal Benefits Immigrant Restrictions

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

# Examples of “Federal Public Benefits”

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

# Who are “Qualified Immigrants”?

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

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

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

# Interactive Public Benefits Map: State-By-State

Hide fields Filter Group Sort ...

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

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Airtable Download

## BENEFITS MAP

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

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

# Maps by Benefit

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

# Small Group Activity

Choose a state and navigate on the public benefits map to find what type of public benefits your client is eligible for.

- Groups 1:
  - Clara as a U visa recipient
- Groups 2:
  - Clara as a VAWA Self-petitioner
- Group 3:
  - Lupe as a Special Immigrant Juvenile Status recipient
- Group 4:
  - Miguel as a T-visa recipient





# Public Benefits Eligibility by States

# The Five-Year Bar

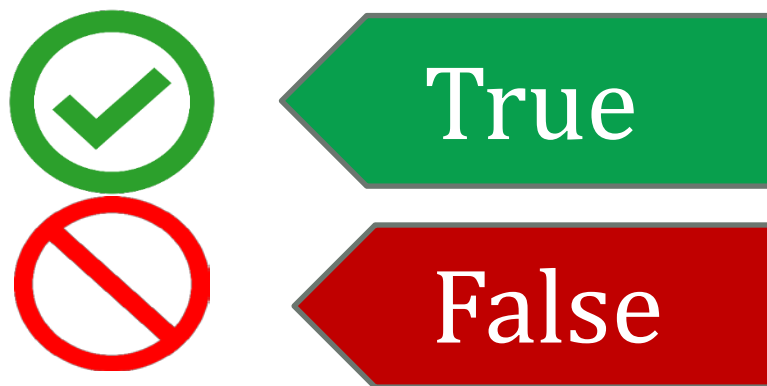
- Due to 1996 welfare reform, qualified immigrants, including battered immigrant women, that enter the United States after August 22, 1996 are ineligible for “federal means-tested public benefits” for the first five years of holding qualified status.
- Certain immigrants are not subject to the five year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

# State Option

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

# Raise Your Hand Experience: True or False?

DHS requires universities to ask about the immigration status of applicants or enrolling students.



# Education

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

# Federally Recognized Driver's Licenses and IDs

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

# Individual Taxpayer Identification Number (ITIN) Purpose

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

# Non-Work SSNs

## Example VAWA Self-Petitioners

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



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

# Multiple Choice:

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



**A**

Public housing

**B**

Section 8 vouchers

**C**

Project-based Section 8

**D**

Low Income Housing Tax Credit

**E**

Section 514 and 516 Farm Labor Housing programs

# “Section 214” Restricted HUD Programs

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

# “Section 214” Restricted RD Programs

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

# Multiple Choice:

Which of the following immigrants NOT eligible for Public and Assisted Housing?



**A**

Lawful permanent residents, refugees & asylum recipients

**B**

VAWA self-petitioners

**C**

U visa applicants/recipients

**D**

Bona Fide T visa

**E**

Continued Presence

# Section 214 Eligible Immigrant Categories

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

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

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

# VAWA Self-Petitioners

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



# VAWA Self-Petitioners Eligible for Public and Assisted Housing

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

# SAVE Program

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

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

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

# Be Prepared to Advocate...

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

# Creative Community-Based Advocacy for Immigrant Survivors



# Small Group Activity



- Groups 1 and 2:
  - If you are working with an immigrant victim who is subjected to proration what creative options might you use to help the victim keep housing for herself and her children?
- Groups 3 and 4:
  - When a victim living with her abuser wants to separate what are some creative options you could take to prevent the victim's homelessness?
    - This is apart from public/assisted/transitional housing or emergency shelter

# Technical Assistance and Materials

- NIWAP Technical Assistance:
  - Call (202) 274-4457
  - E-mail [info@niwap.org](mailto:info@niwap.org)
  - Web Library:  
[www.niwaplibrary.wcl.american.edu](http://www.niwaplibrary.wcl.american.edu)
- Materials for this Workshop:
  - <https://niwaplibrary.wcl.american.edu/BostonBenefits>
- Contact NIWAP to provide training for your jurisdiction