American Samoa Public Benefits Screening Chart for Immigrant Survivors by Forms of Immigration Relief[1]

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

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

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

- Offer AMERICAN SAMOA FUNDED BENEFITS to certain groups of immigrants in the following benefits programs: Prenatal care and health care for pregnant persons.

[1] © National Immigrant Women's Advocacy Project, American University, Washington College of Law 2025. This publication was developed under Grant Nos. SJI-15-T-234, SJI-22-T-037, SJI-23-T-043, and SJI-24-T-046 from the State Justice Institute. The points of view expressed are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute. This project was supported by Grant Nos. 15JOVW-21-GK-02208-MUMU, 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.

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- The FEDERAL GOVERNMENT imposes MORE RESTRICTIONS on immigrant access to federal public benefits: TANF, TANF funded-child care, Health insurance exchange Marketplace, Child Health Insurance Program (CHIP), Medicaid, SSI, Earned Income Tax Credit, and Unemployment Insurance.

PROGRAM	Lawful Permanent Residents, COFA Nationals,[2] and Naturalized Citizens	VAWA Self Petitioner and Battered Spouse Waiver[3]	Refugees,[4] Asylees, T Visas, Afghans,[5] and Ukrainians[6]	T Visa Bona Fide or Continued Presence	Deferred Action for Childhood Arrivals (DACA)	Special Immigrant Juvenile Status (SIJS)	U Visa, Bona Fide, or Wait List Approval	U Visa (Petition Filed)	Undocumented
	CASH & NUTRITION ASSISTANCE, AND CHILDCARE								
Temporary Assistance for Needy Families (TANF) (Cash Assistance)	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available
Child Care Funded by TANF and the Child Care Development Fund (CCDF)	Eligible for CCDF. In AS, TANF-funded child care not available.	Eligible for CCDF. In AS, TANF-funded child care not available.	Eligible for CCDF. In AS, TANF-funded child care not available.	Eligible for CCDF. In AS, TANF-funded child care not available.	Eligible for CCDF.	Eligible for CCDF. In AS, TANF-funded child care not available.	Eligible for CCDF. In AS, TANF-funded child care not available.	Eligible for CCDF.	Eligible for CCDF.
Supplemental Security Income (SSI)	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available
American Samoa Nutrition Assistance Program (ASNAP)	Lawful permanent residents, eligible with conditions. Naturalized citizens, eligible.	Eligible with conditions upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible with conditions upon obtaining lawful permanent residency.	Eligible with conditions upon obtaining lawful permanent residency.	Not eligible.	Not eligible.

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Nutrition Program: For Women, Infants & Children (WIC)	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
	HEALTHCARE								
Emergency Medicaid and Sexual Assault Forensic Medical Examinations	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
Health Insurance Exchanges	Individuals in American Samoa are not eligible to use the federal health care insurance Marketplace.								
Medicaid	Lawful permanent residents, eligible with conditions. In AS, eligible while pregnant. Naturalized citizens, eligible.	Eligible with conditions upon VAWA prima facie determination. In AS, eligible while pregnant.	Eligible. In AS, eligible while pregnant.	Eligible with HHS certification or eligibility letter. In AS, eligible while pregnant.	Not eligible. In AS, eligible while pregnant.	Eligible with conditions upon lawful permanent residency. In AS, eligible while pregnant.	Eligible with conditions upon lawful permanent residency. In AS, eligible while pregnant.	Not eligible.	Not eligible.
Prenatal Care	In AS, eligible for full-scope health care and prenatal care while pregnant.	In AS, eligible for full-scope health care and prenatal care while pregnant.	In AS, eligible for full-scope health care and prenatal care while pregnant.	In AS, eligible for full-scope health care and prenatal care while pregnant.	In AS, eligible for full-scope health care and prenatal care while pregnant.	In AS, eligible for full-scope health care and prenatal care while pregnant.	In AS, eligible for full-scope health care and prenatal care while pregnant.	Not eligible.	Not eligible.

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Children's Health Insurance Program (CHIP)	In AS, lawful permanent residents are eligible up to age 21. After age 21, lawful permanent residents are eligible with conditions. Naturalized citizens eligible.	In AS, eligible up to age 21 upon prima facie determination. After age 21 eligible with conditions upon prima facie determination.	Eligible.	Eligible upon HHS certification or eligibility letter.	In AS, DACA recipients are eligible up to age 21.	In AS, eligible up to age 21 upon filing. After age 21 eligible with conditions upon receiving lawful permanent residency.	In AS, eligible up to age 21 upon receipt of bona fide determination, wait list approval, U visa or lawful permanent residency. After age 21 eligible with conditions upon lawful permanent residency.	Not eligible.	Not eligible.
Victims of Crime Act (VOCA) Compensation	The Victims of Crime Act (VOCA) COMPENSATION is not available to crime victims in AS. Victim's assistance programs are supported by VOCA.								
Family Medical Leave Act	American Samoa has no territorial Family Medical Leave Act law. Federal FMLA law applies.								
	HOUSING AND WEATHERIZATION								
Public & Assisted Housing and Low Income Tax Credit Housing[7]	Eligible. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon filing. In American Samoa may be eligible to live in Low Income	Eligible. In American Samoa may be eligible to live in Low Income Housing Tax	Eligible upon HHS certification or eligibility letter. In American Samoa may	Not eligible. In American Samoa may be eligible to live in Low Income Housing Tax	Eligible upon receiving lawful permanent residency. In American Samoa may be eligible to live in	Eligible upon receiving lawful permanent residency. In American Samoa may be	Not eligible. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In American Samoa may be eligible to live in Low Income Housing Tax Credit property.

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Public & Assisted Housing and Low Income Tax Credit Housing[8]		Housing Tax Credit property.	Credit property.	also be eligible to live in Low Income Housing Tax Credit property.	Credit property.	Low Income Housing Tax Credit property.	eligible to live in Low Income Housing Tax Credit property.		
Emergency Shelter, Transitional Housing, Health, and Life and Safety Services	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)	Eligible for WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon prima facie determination.	Eligible for WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon prima facie determination.	WAP if living in multi-family dwellings. Eligible for LIHEAP.	WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon receipt of HHS certification or eligibility letter.	WAP if living in multi-family dwellings.	WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	WAP if living in multi-family dwellings.	WAP if living in multi-family dwellings.
	EDUCATION								
Federal Education	Eligible	Eligible upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible upon lawful permanent residency.	Eligible upon lawful permanent residency.	Not eligible.	Not eligible.

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State Education	Eligible.	Eligible with HHS certification or eligibility letter.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible with conditions until lawful permanent residency.	Eligible with conditions until lawful permanent residency.	Not eligible.	Not eligible.
	All children, without regard to immigration status or citizenship are eligible to attend public elementary and secondary (K-12) schools. State schools may not request citizenship or immigration status information and may not bar students from enrolling in public elementary or secondary schools based on the citizenship or immigration status of the student, their parent or their guardian. Eligible to apply for and enroll in state funded colleges and universities without regard to immigration status. In American Samoa, applicants may qualify for financial assistance if the student qualifies for permanent residency in American Samoa or is a legal resident of American Samoa.								
	LEGAL SERVICES, DRIVER'S LICENSES, AND EARNED INCOME TAX CREDITS								
Legal Services	Lawful permanent residents, applicants for lawful permanent residency, and naturalized citizens eligible for all LSC funded legal services. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	Eligible for Legal Services Corporation (LSC)-funded legal services with conditions and fully eligible when victims file for lawful permanent residency. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	Eligible for all LSC funded legal services. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	Eligible for LSC funded legal services when they receive HHS certification or eligibility letter. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	May be eligible if victims of abuse for LSC funded legal services with conditions. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	May be eligible if victims of abuse for LSC funded legal services with conditions and when SIJS children file for lawful permanent residency fully eligible. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	Eligible for LSC-funded legal services with conditions and fully eligible when victims file for lawful permanent residency. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	Eligible for LSC-funded legal services with conditions and fully eligible when victims file for lawful permanent residency. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	May be eligible if victims of abuse for LSC funded legal services with conditions. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.

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Driver's License	Eligible for federally recognized driver's license and ID.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for federally recognized driver's license and ID.	Eligible upon receipt of HHS certification or eligibility letter for federally recognized driver's license and ID.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Not eligible.	Not eligible. e
Professional and Occupational Licenses	No American Samoa laws or policies regarding immigrant access to professional or occupational licenses including whether or not work authorization is sufficient or required.								
Income Tax Credit	Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) who care for dependent children under the age of 17 or who care for a spouse or other individual unable to physically or mentally care for themselves are eligible to claim a child or dependent tax credit on their income taxes.								
Earned Income Tax Credit (EITC)	Not Available in American Samoa.								
	FEMA AND UNEMPLOYMENT INSURANCE								
Federal Emergency Management Agency (FEMA)	Eligible for disaster relief. Eligible for food, unemployment and all other FEMA assistance.	Eligible for disaster relief. Eligible upon prima facie determination for food,	Eligible for disaster relief. Eligible for food, unemployment and other	Eligible for disaster relief. Eligible upon receipt of HHS determination	Eligible for disaster relief.	Eligible for disaster relief. Eligible upon receipt of lawful permanent residency for	Eligible for disaster relief. Eligible upon receipt of lawful permanent	Eligible for disaster relief.	Eligible for disaster relief.

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Federal Emergency Management Agency (FEMA)		unemployment and other FEMA assistance.	FEMA assistance.	or eligibility letter for food, unemployment and other FEMA assistance.		food, unemployment and other FEMA assistance.	residency for food, unemployment and other FEMA assistance.		
Unemployment Insurance	American Samoa is a territory that is not eligible to participate in the unemployment insurance program run by the U.S. federal government. American Samoa offers unemployment assistance during the pandemic through its Pandemic Unemployment Assistance (PUA) program. Immigrant eligibility for PUA in American Samoa is limited to lawful permanent residents and U.S. Nationals.								

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

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

[4] Afghans granted humanitarian parole between July 31, 2021, and September 30, 2022 — and their spouses and children, and parents or guardians of unaccompanied children granted parole after September 30, 2022 — also are eligible for federal benefits to the same extent as refugees. Eligibility for this group continues until March 31, 2023, or the end of their parole term, whichever is later. Extending Government Funding and Delivering Emergency Assistance Act, Pub. L. 117-43 (Sept. 30, 2021). Ukrainians paroled into the U.S. between February 24, 2022, and September 30, 2023 – and their spouses and children, and parents, guardians or primary caregivers of unaccompanied children paroled into the U.S. after September 30, 2023 – are eligible for federal benefits to the same extent as refugees. Department of Homeland Security, President Biden to Announce Uniting For Ukraine, a New Streamlined Process to Welcome Ukrainians Fleeing the Russian Invasion of Ukraine. (April 21, 2022) https://www.dhs.gov/news/2022/04/21/president-biden-announce-uniting-ukraine-new-streamlined-process-welcome-ukrainians.

[5] **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.

[6] 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).

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

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