

Access to State Funded Public Benefits in Hawaii Based on Immigration Status

By: Alexandra Brown, Sandeep Purewal, and Leslye E. Orloff

July 19, 2017

	VAWA Self-Petitioner <sup>a</sup>	T-Visa <sup>1</sup>	Continued Presence	U-Visa (Upon wait list approval) <sup>2</sup>	Special Immigrant Juvenile Status (SIJS)	Deferred Action for Childhood Arrivals (DACA)	U-Visa Applicants	Undocumented
	Qualified Immigrant <sup>3</sup>		HHS Certification		Lawfully Present		Not qualified Immigrant	
<b>TANF</b>	Eligible with prima facie determination. <sup>4</sup>  Those who entered the U.S. after August 22, 1996 and are subject to the 5 year bar, are eligible for state-funded TANF during the 5 year bar. <sup>5</sup>	Eligible with a bona fide determination and HHS certification. <sup>6</sup>  Exempt from five-year bar. <sup>7</sup>	Eligible with HHS Certification. <sup>8</sup>  Exempt from five-year bar. <sup>9</sup>	Not eligible.	Eligible upon receiving lawful permanent residency. <sup>10</sup>  Those who entered the U.S. after August 22, 1996 and are subject to the 5 year bar, are eligible for state-funded TANF during the 5 year bar. <sup>11</sup>	Not eligible.	Not eligible.	Not eligible.
<b>Child Care</b>	Immigrant children with a prima facie determination <sup>12</sup> are eligible for CCDF-funded child care. <sup>13</sup>  Eligible for TANF-funded child care if receiving TANF benefits. <sup>14</sup>	Immigrant children with a bona fide determination <sup>15</sup> and HHS certification and their family members included in their T visa application are eligible for CCDF-funded child care. <sup>16</sup>	Immigrant children with HHS Certification <sup>20</sup> are eligible for CCDF-funded child care. <sup>21</sup>  Exempt from five-year bar. <sup>22</sup>	Eligible only 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	Eligible only 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	Eligible only for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in settings subject to public educational standards, including public	Eligible only 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	Eligible only 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

<sup>a</sup> 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. 8 U.S.C. 1641(c); 8 U.S.C. 1101(a)(51).

	VAWA Self-Petitioner <sup>a</sup>	T-Visa <sup>1</sup>	Continued Presence	U-Visa (Upon wait list approval) <sup>2</sup>	Special Immigrant Juvenile Status (SIJS)	Deferred Action for Childhood Arrivals (DACA)	U-Visa Applicants	Undocumented
		<p>Eligible for TANF child care<sup>17</sup> with a bona fide determination and HHS certification.<sup>18</sup></p> <p>Exempt from five-year bar.<sup>19</sup></p>		<p>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.<sup>23</sup></p> <p>Not eligible for TANF child care.<sup>24</sup></p>	<p>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.<sup>25</sup></p> <p>Eligible for CCDF<sup>26</sup> without and upon receiving lawful permanent residency.<sup>27</sup></p> <p>Eligible for TANF-funded child care if receiving TANF benefits.<sup>28</sup></p>	<p>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.<sup>29</sup></p> <p>Not eligible for TANF child care.<sup>30</sup></p>	<p>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.<sup>31</sup></p> <p>Not eligible for TANF child care.<sup>32</sup></p>	<p>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.<sup>33</sup></p> <p>Not eligible for TANF child care.<sup>34</sup></p>
<b>SNAP (Food Stamps)<sup>35</sup></b>	<p>Eligible with prima facie determination subject to five-year bar.<sup>36</sup></p> <p>Exempt from five-year bar if younger than 18 years old.<sup>37</sup></p>	<p>Eligible with bona fide determination and HHS certification.<sup>38</sup></p> <p>Exempt from five-year bar.<sup>39</sup></p>	<p>Eligible<sup>40</sup> with HHS certification.<sup>41</sup></p> <p>Exempt from five-year bar.<sup>42</sup></p>	Not eligible.	<p>Eligible if younger than 18.<sup>43</sup> After receiving lawful permanent residency, individual may still qualify if they have also been a qualified immigrant for 5 years (can include the time they received benefits prior to turning 18 if they were otherwise qualified).<sup>44</sup></p>	Not eligible.	Not eligible.	Not eligible.

	VAWA Self-Petitioner <sup>a</sup>	T-Visa <sup>1</sup>	Continued Presence	U-Visa (Upon wait list approval) <sup>2</sup>	Special Immigrant Juvenile Status (SIJS)	Deferred Action for Childhood Arrivals (DACA)	U-Visa Applicants	Undocumented
<b>Eligible to Purchase Health Insurance on the Exchanges<sup>b</sup></b>	Eligible upon approved self-petition. <sup>45</sup>	Eligible with bone fide determination. <sup>46</sup>	Eligible with HHS certification. <sup>47</sup>	Eligible upon receipt of U-Visa. <sup>48</sup>	Eligible. <sup>49</sup>	Not eligible. <sup>50</sup>	Not eligible. <sup>51</sup>	Not eligible. <sup>52</sup>
<b>Child Health Insurance Program (CHIP)</b>	Children up to the age of 19 are eligible for state funded Medicaid, exempt from five-year bar. <sup>53</sup>	Eligible with bona fide determination and HHS certification. <sup>54</sup> Exempt from five-year bar. <sup>55</sup>	Eligible <sup>56</sup> with HHS certification. <sup>57</sup> Exempt from five-year bar. <sup>58</sup>	Children up to the age of 19 are eligible for state funded Medicaid as lawfully present, and are exempt from five-year bar. <sup>59</sup>	Children up to the age of 19 are eligible for state funded Medicaid as lawfully present, and are exempt from five-year bar. <sup>60</sup>	Eligible only for emergency Medicaid. <sup>61</sup>	Eligible only for emergency Medicaid. <sup>62</sup>	Eligible only for emergency Medicaid. <sup>63</sup>
<b>Medicaid</b>	Eligible if entered the United States before August 22, 1996. <sup>64</sup>  Eligible if have been a qualified immigrant for 5 years. <sup>65</sup>  Pregnant women with prima facie determinations are eligible for state funded Medicaid, exempt from five-year bar. <sup>66</sup>	Eligible with bona fide determination. <sup>67</sup> Exempt from five-year bar. <sup>68</sup>	Eligible <sup>69</sup> with HHS certification. <sup>70</sup> Exempt from five-year bar. <sup>71</sup>	Those under 100% of the federal poverty level are eligible for state assistance and federal subsidies under the health care marketplace created by the Affordable Care Act. <sup>72</sup>  Pregnant woman are eligible for state funded Medicaid as lawfully present, and are exempt from five-year bar. <sup>73</sup>  Those not meeting	Those under 100% of the federal poverty level are eligible for state assistance and federal subsidies under the health care marketplace created by the Affordable Care Act. <sup>75</sup>  Pregnant woman are eligible for state funded Medicaid as lawfully present, and are exempt from five-year bar. <sup>76</sup>  Those not meeting	Eligible only for emergency Medicaid. <sup>78</sup>	Eligible only for emergency Medicaid. <sup>79</sup>	Eligible only for emergency Medicaid. <sup>80</sup>

<sup>b</sup> Under the Affordable Care Act, individuals living in the U.S. are generally required to obtain health insurance or pay a tax penalty, unless you are ineligible or meet a hardship exemption. Additionally, in “mixed status” households, each member of family may have different eligibility for exchanges and subsidies. National Immigration Law Center, *Frequently Asked Questions: Immigrants & Exemptions from the ACA Individual Mandate* (Feb. 26, 2015), available at <https://www.nilc.org/wp-content/uploads/2016/04/exemptions-from-ACA-indiv-mandate.pdf>; National Immigration Law Center, *Frequently Asked Questions: The Affordable Care Act & Mixed-Status Families* (Dec. 2014), available at <https://www.nilc.org/wp-content/uploads/2015/11/FAQ-ACA-and-mixed-status-families-2014-12-1.pdf>.

	VAWA Self-Petitioner <sup>a</sup>	T-Visa <sup>1</sup>	Continued Presence	U-Visa (Upon wait list approval) <sup>2</sup>	Special Immigrant Juvenile Status (SIJS)	Deferred Action for Childhood Arrivals (DACA)	U-Visa Applicants	Undocumented
				either of the above requirements eligible for emergency Medicaid. <sup>74</sup>	either of the above requirements eligible for emergency Medicaid. <sup>77</sup>			
<b>Education-State Law</b>	<p>Students classified as “resident students” shall pay in-state tuition and fees. A student who is neither a USC or an LPR of the US must meet all of the following requirement to establish HI state residency and accordingly, be considered a resident for the purposes of tuition, financial assistance and university program participation at the University of Hawai’i campuses: (a) establish residency by domiciling or conducting an overt action that demonstrates intent on making HI the place of permanent residency and being physically present in HI for 12 months, (b) have attended a public or private high school in the US for at least three years, have graduated from a public or private high school, or attained the equivalent thereof in the US, (c) filed for DACA; or has filed an application for legal immigration status; or has filed an affidavit with the university affirming the student’s intent to file such an application as soon as possible.<sup>81</sup></p>							
<b>Education-Federal Benefits</b>	<p>Eligible for federal student aid with a prima facie determination.<sup>82</sup></p> <p>An immigrant that is legally able to reside within the U.S. may establish residency in Hawaii.<sup>83</sup> Hawaiian residents are eligible to receive in-state tuition and apply for financial assistance.<sup>84</sup></p>	<p>Eligible for federal student aid as a T visa holder based on a bona fide determination in a T visa case.<sup>85</sup></p> <p>An immigrant that is legally able to reside within the U.S. may establish residency in Hawaii.<sup>86</sup> Hawaiian residents are eligible to receive in-state tuition and apply for financial assistance.<sup>87</sup></p>	<p>Eligible<sup>88</sup> for federal student aid as recipient of an HHS certification.<sup>89</sup></p> <p>An immigrant that is legally able to reside within the U.S. may establish residency in Hawaii.<sup>90</sup> Hawaiian residents are eligible to receive in-state tuition and apply for financial assistance.<sup>91</sup></p>	<p>Upon receipt of a wait-list approval and deferred action status is able to establish residency in Hawaii.<sup>92</sup> Hawaiian residents are eligible to receive in-state tuition and apply for financial assistance.<sup>93</sup></p>	<p>Eligible for federal student aid upon receipt of lawful permanent residency.<sup>94</sup></p> <p>SIJS applicants are lawfully present upon filing their SIJS application.<sup>95</sup> An immigrant that is legally able to reside within the U.S. may establish residency in Hawaii.<sup>96</sup> Eligible, upon receiving lawful permanent residency and meeting Hawaiian residency requirements, to receive in-state tuition and apply</p>	<p>DACA students who meet the following requirements are considered residents of Hawaii for purposes of tuition, financial assistance, and university program participation:</p> <p>1) Domiciled in Hawaii and been physically present for a year;</p> <p>2) Attended a public high school in the U.S. for 3 years,</p>	<p>Undocumented students who meet the following requirements are considered residents of Hawaii for purposes of tuition, financial assistance, and university program participation:</p> <p>1) Domiciled in Hawaii and been physically present for a year;</p> <p>2) Attended a public high school in the U.S. for 3 years, and graduated from a U.S. public high school or the</p>	<p>Undocumented students who meet the following requirements are considered residents of Hawaii for purposes of tuition, financial assistance, and university program participation:</p> <p>1) Domiciled in Hawaii and been physically present for a year;</p> <p>2) Attended a public high school in the U.S. for 3 years, and graduated from a U.S. public high</p>

	VAWA Self-Petitioner <sup>a</sup>	T-Visa <sup>1</sup>	Continued Presence	U-Visa (Upon wait list approval) <sup>2</sup>	Special Immigrant Juvenile Status (SIJS)	Deferred Action for Childhood Arrivals (DACA)	U-Visa Applicants	Undocumented
					for financial assistance. <sup>97</sup>	and graduated from a U.S. public high school or the equivalent; and  3) Filed for DACA or legal immigrants status or filed affidavit with the school affirming student's intent to file when able. <sup>98</sup>	equivalent; and  3) Filed for DACA or legal immigrants status or filed affidavit with the school affirming student's intent to file when able. <sup>99</sup>	school or the equivalent; and  3) Filed for DACA or legal immigrants status or filed affidavit with the school affirming student's intent to file when able. <sup>100</sup>
<b>Supplemental Security Income (SSI)<sup>101</sup></b>	Only eligible with prima facie determination if they are seniors or persons with disabilities, then eligible for Hawaii state funded Aid to the Aged, Blind, and Disabled (AABD) <sup>102</sup>	Eligible upon receipt of T-visa. <sup>103</sup>  Only qualifies for the first seven years after receiving status. <sup>104</sup>  If seniors or persons with disabilities then eligible to receive Hawaii funded Aid to the Aged, Blind and Disabled. <sup>105</sup>	Eligible <sup>106</sup> with HHS certification. <sup>107</sup>  Only qualifies for the first seven years after receiving status. <sup>108</sup>  If seniors or persons with disabilities then eligible to receive Hawaii funded Aid to the Aged, Blind and Disabled. <sup>109</sup>	Not eligible.	Eligible upon receiving lawful permanent residency, but must wait five years after entry and have credit for 40 quarters of work. <sup>110</sup>  If seniors or persons with disabilities then eligible to receive Hawaii funded Aid to the Aged, Blind and Disabled. <sup>111</sup>  Few SIJS children will qualify because the child, their spouse, or a parent must, individually or collectively, worked for 40 quarters, unless received SSI prior to August 22,	Not eligible.	Not eligible.	Not eligible.

	VAWA Self-Petitioner <sup>a</sup>	T-Visa <sup>1</sup>	Continued Presence	U-Visa (Upon wait list approval) <sup>2</sup>	Special Immigrant Juvenile Status (SIJS)	Deferred Action for Childhood Arrivals (DACA)	U-Visa Applicants	Undocumented
					1996. <sup>112</sup>			
<b>Driver's License</b>	<p>Under the REAL ID Act, evidence of "lawful status" is required for driver's license to be a federally recognized form of identification.<sup>113</sup> The Act lists specific immigration statuses,<sup>114</sup> however, the Department of Homeland Security has certified states as REAL ID-compliant that issue licenses to broader ranges of "lawfully present" immigrants.<sup>115</sup> Therefore, this may be an area for advocacy. Regardless, Hawaii definitely accepts employment authorization.<sup>116</sup></p> <p>OR</p> <p>If unable to establish "lawful status," eligible for limited purpose driver's license.<sup>117</sup> Must show proof of identity and residency.</p>					<p>Hawaii accepts employment authorization documents as proof of lawful status, which would provide eligibility for a federally recognized Driver's License upon receiving lawful permanent residency.<sup>118</sup></p> <p>OR</p> <p>Eligible for limited purpose driver's license if no proof of lawful presence.<sup>119</sup></p>	<p>Eligible for limited purpose driver's license if no proof of lawful presence.<sup>120</sup> Must show proof of identity and residency.</p>	
<b>Transitional Housing</b>	Eligible. Programs receiving federal financial assistance that are necessary to protect life or safety (including transitional housing for the homeless, victims of domestic abuse, sexual assault, stalking, dating violence, human trafficking, or runaway, abused or abandoned children) should not be withheld based on immigration status. <sup>121</sup>							
<b>Public and Assisted Housing</b>	<p>Eligible upon filing VAWA application<sup>122</sup> for HUD Sec. 8 Programs.<sup>123</sup></p> <p>Eligible for Sec. 515 Rural Rental Housing.<sup>124</sup></p> <p>Eligible for LIHTC.<sup>125</sup></p>	<p>Eligible with bona fide determination as qualified immigrant for HUD Sec. 8 Programs.<sup>126</sup></p> <p>Eligible for Sec. 515 Rural Rental Housing.<sup>127</sup></p> <p>Eligible for LIHTC.<sup>128</sup></p>	<p>Eligible with HHS certification<sup>129</sup> to the same extent as refugees for HUD Sec. 8 Programs.<sup>130</sup></p> <p>Eligible for Sec. 515 Rural Rental Housing.<sup>131</sup></p> <p>Eligible for LIHTC.<sup>132</sup></p>	<p>Not eligible for HUD Sec. 8 Programs.<sup>133</sup></p> <p>May reside in a household that receives public or assisted housing for citizen, lawful permanent resident and any other qualified family members, but the subsidy the family receives will be reduced to exclude the U visa</p>	<p>Upon receiving lawful permanent residency for HUD Sec. 8 Programs<sup>137</sup> and Sec 514/516 Farm Labor Housing (if head of the household).<sup>138</sup></p> <p>Eligible for Sec. 515 Rural Rental Housing.<sup>139</sup></p> <p>Eligible for LIHTC.<sup>140</sup></p> <p>May reside in a</p>	<p>Not eligible for HUD Sec. 8 Programs.<sup>142</sup></p> <p>Eligible for Sec. 515 Rural Rental Housing.<sup>143</sup></p> <p>Eligible for LIHTC.<sup>144</sup></p> <p>May reside in a household that receives public or assisted housing for citizen, lawful</p>	<p>Not eligible for HUD Sec. 8 Programs.<sup>146</sup></p> <p>Eligible for Sec. 515 Rural Rental Housing.<sup>147</sup></p> <p>Eligible for LIHTC.<sup>148</sup></p> <p>May reside in a household that receives public or assisted housing for citizen, lawful permanent resident</p>	<p>Not eligible for HUD Sec. 8 Programs.<sup>150</sup></p> <p>Eligible for Sec. 515 Rural Rental Housing.<sup>151</sup></p> <p>Eligible for LIHTC.<sup>152</sup></p> <p>May reside in a household that receives public or assisted housing for citizen, lawful permanent resident</p>

	VAWA Self-Petitioner <sup>a</sup>	T-Visa <sup>1</sup>	Continued Presence	U-Visa (Upon wait list approval) <sup>2</sup>	Special Immigrant Juvenile Status (SIJS)	Deferred Action for Childhood Arrivals (DACA)	U-Visa Applicants	Undocumented
				family member by proration. <sup>134</sup>  Eligible for Sec. 515 Rural Rental Housing. <sup>135</sup>  Eligible for LIHTC. <sup>136</sup>	household that receives public or assisted housing for citizen, lawful permanent resident and any other qualified family members, but the subsidy the family receives will be reduced to exclude the U visa family member by proration. <sup>141</sup>	permanent resident and any other qualified family members, but the subsidy the family receives will be reduced to exclude the U visa family member by proration. <sup>145</sup>	and any other qualified family members, but the subsidy the family receives will be reduced to exclude the U visa family member by proration. <sup>149</sup>	and any other qualified family members, but the subsidy the family receives will be reduced to exclude the U visa family member by proration. <sup>153</sup>
<b>Low Income Home Energy Assistance Program (LIHEAP)</b>	Eligible for weatherization assistance for families living in multi-unit dwellings. <sup>154</sup>  Eligible for LIHEAP upon receipt of prima facie determination. <sup>155</sup>	Eligible for weatherization assistance for families living in multi-unit dwellings. <sup>156</sup>  Eligible for LIHEAP upon receipt of bona fide determination. <sup>157</sup>	Eligible for weatherization assistance for families living in multi-unit dwellings. <sup>158</sup>  Eligible <sup>159</sup> for LIHEAP upon HHS certification. <sup>160</sup>	Not eligible, except for weatherization assistance for families living in multi-unit dwellings. <sup>161</sup>	Eligible for weatherization assistance for families living in multi-unit dwellings. <sup>162</sup>  Eligible for LIHEAP upon receiving lawful permanent residency. <sup>163</sup>	Not eligible, except for weatherization assistance for families living in multi-unit dwellings. <sup>164</sup>	Not eligible, except for weatherization assistance for families living in multi-unit dwellings. <sup>165</sup>	Not eligible, except for weatherization assistance for families living in multi-unit dwellings. <sup>166</sup>
<b>Federal Emergency Management Agency (FEMA) Assistance</b> <sup>167</sup>	Eligible for certain FEMA provided emergency services that are available to all victims regardless of their immigration status. These services are short term, non-cash, and in-kind emergency help 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. <sup>168</sup>							
<b>Federal Emergency Management Agency (FEMA)-</b>	Upon receipt of prima facie determination, eligible for FEMA's Individual	Upon receipt of a bona fide determination in a T visa case and receipt of HHS	Upon receipt of HHS certification eligible for FEMA's Individual	Not eligible.	Not eligible.  Eligible for FEMA Assistance Programs,	Not eligible.	Not eligible.	Not eligible.



	VAWA Self-Petitioner <sup>a</sup>	T-Visa <sup>1</sup>	Continued Presence	U-Visa (Upon wait list approval) <sup>2</sup>	Special Immigrant Juvenile Status (SIJS)	Deferred Action for Childhood Arrivals (DACA)	U-Visa Applicants	Undocumented
<b>Restricted Programs</b> 169	Households Program, Individual and Family Grant Program (IFGP), US Small Business Administration loans, and Disaster Unemployment Assistance (DUA). <sup>170</sup>	certification eligible for FEMA's Individual Households Program, Individual and Family Grant Program (IFGP), US Small Business Administration loans Disaster Unemployment Assistance (DUA) <sup>171</sup> and for Emergency Food Stamps. <sup>172</sup>	Households Program, Individual, Family Grant Program, US Small Business Administration loans, Disaster Unemployment Assistance (DUA) <sup>173</sup> and for Emergency Food Stamps. <sup>174</sup>		Individual and Family Grant Program (IFGP), and Disaster Unemployment Assistance (DUA) upon receiving lawful permanent residency.  Eligible for Emergency Food Stamps upon receiving lawful permanent residency if they can be credited with 40 quarters of work credit <sup>175</sup> earned by either themselves or their parents. <sup>176</sup>			

<sup>1</sup> Victims of severe forms of human trafficking who receive HHS certification based on continued presence in a T visa case are eligible for federal and state public benefits for up to 7 years to the same extent as refugees. 22 U.S.C. Sec. 7105(b). Trafficking victims who apply for T visas become “qualified immigrants” when they receive a bona fide determination as T visa applicants and they are eligible for public benefits to the same extent as lawful permanent residents and all other qualified immigrants. 8 U.S.C. 1641(c)(4). Jordan Tacher & Leslye E. Orloff, *Trafficking Victim Benefits Eligibility Process*, NATIONAL IMMIGRANT WOMEN’S ADVOCACY PROJECT (Apr. 12, 2013), available at <http://niwaplibrary.wcl.american.edu/pubs/bchcrd-trafficking-victim-benefits-eligibility-process/>.

<sup>2</sup> Upon wait list approval U visa applicants receive deferred action. Immigrants with deferred action are considered lawfully present. Center for Medicare and Medicaid Services, Medicaid and CHIP Coverage for “Lawfully Residing” Children and Pregnant Women (July 1, 2010) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>. The only group of deferred action recipients not considered lawfully present for public benefits purposes are recipients of Deferred Action for Childhood Arrivals. National Immigration Law Center, A Quick Guide to Immigrant Eligibility for ACA and Key Federal Means-tested Programs (September 2015) available at <https://www.nilc.org/wp-content/uploads/2015/11/imm-eligibility-quickguide-2015-09-21.pdf>.

<sup>3</sup> Qualified immigrants are: lawful permanent residents (LPRs); refugees, asylees, persons granted withholding of deportation/removal, conditional entry (in effect prior to Apr. 1, 1980), paroled into the U.S. for at least one year; Cuban/Haitian entrants; spouses and children who have been battered or subjected to extreme cruelty by a citizen or lawful permanent resident spouse, parent or step-parent with (a) a prima facie determination or approved self-petition for an immigrant visa, (b) an approved immigrant visa filed for an abusive citizen or LPR spouse, parent or step-parent or (c) a prima facie determination or approved application for cancellation of removal or suspension of deportation (for prima facie determinations from immigration judges see, <http://niwaplibrary.wcl.american.edu/pubs/prima-facie-verification-requests/>), whose need for benefits has a substantial connection to the battery or cruelty (parent/child of such battered child/spouse is also “qualified”); and victims of trafficking and their derivative beneficiaries who have obtained a T visa or whose application for a T visa sets forth a prima facie case. See 8 USCS § 1641.



- <sup>4</sup> Eligible as a qualified immigrant. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(c)(1)(B).
- <sup>5</sup> National Immigration Law Center, *Table 8: State Funded TANF Replacement Programs 1* (Aug. 2016), available at [https://www.nilc.org/issues/economic-support/guide\\_tanf/](https://www.nilc.org/issues/economic-support/guide_tanf/).
- <sup>6</sup> Eligible as a qualified immigrant. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(c)(4).
- <sup>7</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>8</sup> Upon certification by HHS, victims of human trafficking are eligible to receive federal and state benefits to the same extent as a refugee. *Certification for Adult Victims of Human Trafficking Fact Sheet*, 1 (U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, May 10, 2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. Refugees are eligible as qualified immigrants. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(b)(3).
- <sup>9</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>10</sup> Eligible as a qualified immigrant. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(b)(1).
- <sup>11</sup> National Immigration Law Center, *Table 8: State Funded TANF Replacement Programs 1* (Aug. 2016), available at [https://www.nilc.org/issues/economic-support/guide\\_tanf/](https://www.nilc.org/issues/economic-support/guide_tanf/).
- <sup>12</sup> Eligible as a qualified immigrant. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(c)(1)(B).
- <sup>13</sup> Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>14</sup> Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>15</sup> Eligible as a qualified immigrant. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(c)(4).
- <sup>16</sup> Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>17</sup> Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>18</sup> Eligible as a qualified immigrant. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(c)(4).
- <sup>19</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>20</sup> Upon certification by HHS, victims of human trafficking are eligible to receive federal and state benefits to the same extent as a refugee. *Certification for Adult Victims of Human Trafficking Fact Sheet*, 1 (U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, May 10, 2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. Refugees are eligible as qualified immigrants. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(b)(3).
- <sup>21</sup> Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>22</sup> Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>23</sup> Benish Anver and Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>24</sup> *Guide to Immigrant Eligibility for Federal Programs*, National Immigration Law Center (2002), available at [https://www.nilc.org/wp-content/uploads/2016/03/childcare\\_pp116-17\\_053106.pdf](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).
- <sup>25</sup> Benish Anver and Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>26</sup> *Guide to Immigrant Eligibility for Federal Programs*, National Immigration Law Center (2002), available at [https://www.nilc.org/wp-content/uploads/2016/03/childcare\\_pp116-17\\_053106.pdf](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).
- <sup>27</sup> Eligible as a qualified immigrant. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(b)(1).
- <sup>28</sup> Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

- <sup>29</sup> Benish Anver and Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>30</sup> *Guide to Immigrant Eligibility for Federal Programs*, National Immigrant Law Center (2002), available at [https://www.nilc.org/wp-content/uploads/2016/03/childcare\\_pp116-17\\_053106.pdf](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).
- <sup>31</sup> Benish Anver and Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>32</sup> *Guide to Immigrant Eligibility for Federal Programs*, National Immigrant Law Center (2002), available at [https://www.nilc.org/wp-content/uploads/2016/03/childcare\\_pp116-17\\_053106.pdf](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).
- <sup>33</sup> Benish Anver and Leslye E. Orloff, *Immigrant Crime Victim Child Care Access* (Mar. 13, 2013) available at <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.
- <sup>34</sup> *Guide to Immigrant Eligibility for Federal Programs*, National Immigrant Law Center (2002), available at [https://www.nilc.org/wp-content/uploads/2016/03/childcare\\_pp116-17\\_053106.pdf](https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf).
- <sup>35</sup> While the chart shows eligibility to apply for food stamps by immigration status, those with qualified immigration statuses must also meet all other eligibility requirements. 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 these benefits. Food and Nutrition Service, *Supplemental Nutrition Assistance Program*, Department of Agriculture, (Apr. 24, 2017), available at <https://www.fns.usda.gov/snap/eligibility>.
- <sup>36</sup> United States Department of Agriculture, *Supplemental Nutrition Assistance Program: Guidance on Non-Citizen Eligibility*, 1-3 (June 2011), available at [https://www.fns.usda.gov/sites/default/files/Non-Citizen\\_Guidance\\_063011.pdf](https://www.fns.usda.gov/sites/default/files/Non-Citizen_Guidance_063011.pdf).
- <sup>37</sup> United States Department of Agriculture, *Supplemental Nutrition Assistance Program: Guidance on Non-Citizen Eligibility*, 2 (June 2011), available at [https://www.fns.usda.gov/sites/default/files/Non-Citizen\\_Guidance\\_063011.pdf](https://www.fns.usda.gov/sites/default/files/Non-Citizen_Guidance_063011.pdf).
- <sup>38</sup> United States Department of Agriculture, *Supplemental Nutrition Assistance Program: Guidance on Non-Citizen Eligibility*, 1-3 (June 2011), available at [https://www.fns.usda.gov/sites/default/files/Non-Citizen\\_Guidance\\_063011.pdf](https://www.fns.usda.gov/sites/default/files/Non-Citizen_Guidance_063011.pdf).
- <sup>39</sup> Karina Fortuny & Ajay Chaudry, *A Comprehensive Review of Immigrant Access to Health and Human Services*, URBAN INSTITUTE, 4 (June 2011), available at <https://aspe.hhs.gov/system/files/pdf/76301/index.pdf>; United States Department of Agriculture, *Supplemental Nutrition Assistance Program: Guidance on Non-Citizen Eligibility*, 1-3 (June 2011), available at [https://www.fns.usda.gov/sites/default/files/Non-Citizen\\_Guidance\\_063011.pdf](https://www.fns.usda.gov/sites/default/files/Non-Citizen_Guidance_063011.pdf).
- <sup>40</sup> Center for Medicare and Medicaid Services, *Medicaid and CHIP Coverage for "Lawfully Residing" Children and Pregnant Women* (July 1, 2010), available at <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>.
- <sup>41</sup> Upon certification by HHS, victims of human trafficking are eligible to receive federal and state benefits to the same extent as a refugee. *Certification for Adult Victims of Human Trafficking Fact Sheet*, 1 (U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, May 10, 2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. Refugees are eligible as qualified immigrants. National Immigrant Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(b)(3).
- <sup>42</sup> Karina Fortuny & Ajay Chaudry, *A Comprehensive Review of Immigrant Access to Health and Human Services*, URBAN INSTITUTE, 4 (June 2011), available at <https://aspe.hhs.gov/system/files/pdf/76301/index.pdf>.
- <sup>43</sup> United States Department of Agriculture, *Supplemental Nutrition Assistance Program: Guidance on Non-Citizen Eligibility*, 2 (June 2011), available at [https://www.fns.usda.gov/sites/default/files/Non-Citizen\\_Guidance\\_063011.pdf](https://www.fns.usda.gov/sites/default/files/Non-Citizen_Guidance_063011.pdf).
- <sup>44</sup> United States Department of Agriculture, *Supplemental Nutrition Assistance Program: Guidance on Non-Citizen Eligibility*, 5 (June 2011), available at [https://www.fns.usda.gov/sites/default/files/Non-Citizen\\_Guidance\\_063011.pdf](https://www.fns.usda.gov/sites/default/files/Non-Citizen_Guidance_063011.pdf).
- <sup>45</sup> National Immigrant Law Center, *"Lawfully Present" Individuals Eligible under the Affordable Care Act* (July 2016), available at <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.
- <sup>46</sup> National Immigrant Law Center, *"Lawfully Present" Individuals Eligible under the Affordable Care Act* (July 2016), available at <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.
- <sup>47</sup> National Immigrant Law Center, *"Lawfully Present" Individuals Eligible under the Affordable Care Act* (July 2016), available at <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.
- <sup>48</sup> National Immigrant Law Center, *"Lawfully Present" Individuals Eligible under the Affordable Care Act* (July 2016), available at <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.
- <sup>49</sup> National Immigrant Law Center, *"Lawfully Present" Individuals Eligible under the Affordable Care Act* (July 2016), available at <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.

- <sup>50</sup> National Immigrant Law Center, “Lawfully Present” Individuals Eligible under the Affordable Care Act (July 2016), available at <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.
- <sup>51</sup> National Immigrant Law Center, “Lawfully Present” Individuals Eligible under the Affordable Care Act (July 2016), available at <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.
- <sup>52</sup> National Immigrant Law Center, “Lawfully Present” Individuals Eligible under the Affordable Care Act (July 2016), available at <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.
- <sup>53</sup> Medicaid, *Medicaid and CHIP Coverage of Lawfully Residing Children and Pregnant Women* (Sept. 9, 2016), available at <https://www.medicaid.gov/medicaid/outreach-and-enrollment/lawfully-residing/index.html>; Center for Medicaid, CHIP, and Survey & Certification, *Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women*, DEPARTMENT OF HEALTH AND HUMAN SERVICES (July 1, 2010), available at <https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf>.
- <sup>54</sup> United States Department of Agriculture, *Supplemental Nutrition Assistance Program: Guidance on Non-Citizen Eligibility*, 1-3 (June 2011), available at [https://www.fns.usda.gov/sites/default/files/Non-Citizen\\_Guidance\\_063011.pdf](https://www.fns.usda.gov/sites/default/files/Non-Citizen_Guidance_063011.pdf).
- <sup>55</sup> Karina Fortuny & Ajay Chaudry, *A Comprehensive Review of Immigrant Access to Health and Human Services*, URBAN INSTITUTE, 4 (June 2011), available at <https://aspe.hhs.gov/system/files/pdf/76301/index.pdf>.
- <sup>56</sup> Center for Medicare and Medicaid Services, *Medicaid and CHIP Coverage for “Lawfully Residing” Children and Pregnant Women* (July 1, 2010), available at <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>.
- <sup>57</sup> Upon certification by HHS, victims of human trafficking are eligible to receive federal and state benefits to the same extent as a refugee. *Certification for Adult Victims of Human Trafficking Fact Sheet*, 1 (U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, May 10, 2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. Refugees are eligible as qualified immigrants. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(b)(3).
- <sup>58</sup> Karina Fortuny & Ajay Chaudry, *A Comprehensive Review of Immigrant Access to Health and Human Services*, URBAN INSTITUTE, 4 (June 2011), available at <https://aspe.hhs.gov/system/files/pdf/76301/index.pdf>.
- <sup>59</sup> Medicaid, *Medicaid and CHIP Coverage of Lawfully Residing Children and Pregnant Women* (Sept. 9, 2016), available at <https://www.medicaid.gov/medicaid/outreach-and-enrollment/lawfully-residing/index.html>; For more information about the “lawfully residing” immigrant category: Center for Medicaid, CHIP, and Survey & Certification, *Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women*, DEPARTMENT OF HEALTH AND HUMAN SERVICES (July 1, 2010), available at <https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf>.
- <sup>60</sup> Medicaid, *Medicaid and CHIP Coverage of Lawfully Residing Children and Pregnant Women* (Sept. 9, 2016), available at <https://www.medicaid.gov/medicaid/outreach-and-enrollment/lawfully-residing/index.html>; For more information about the “lawfully residing” immigrant category: Center for Medicaid, CHIP, and Survey & Certification, *Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women*, DEPARTMENT OF HEALTH AND HUMAN SERVICES (July 1, 2010), available at <https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf>.
- <sup>61</sup> National Immigration Law Center, *Frequently Asked Questions: Exclusion of People Granted “Deferred Action for Childhood Arrivals” from Affordable Health Care* (Sept 2012), available at <http://library.niwap.org/wp-content/uploads/2015/IMM-Tkit-DACAHealthcare-09.20.12.pdf>.
- <sup>62</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>63</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>64</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>65</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>66</sup> Medicaid, *Medicaid and CHIP Coverage of Lawfully Residing Children and Pregnant Women* (Sept. 9, 2016), available at <https://www.medicaid.gov/medicaid/outreach-and-enrollment/lawfully-residing/index.html>; Center for Medicaid, CHIP, and Survey & Certification, *Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women*, DEPARTMENT OF HEALTH AND HUMAN SERVICES (July 1, 2010), available at <https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf>.
- <sup>67</sup> United States Department of Agriculture, *Supplemental Nutrition Assistance Program: Guidance on Non-Citizen Eligibility*, 1-3 (June 2011), available at [https://www.fns.usda.gov/sites/default/files/Non-Citizen\\_Guidance\\_063011.pdf](https://www.fns.usda.gov/sites/default/files/Non-Citizen_Guidance_063011.pdf).



- <sup>68</sup> Karina Fortuny & Ajay Chaudry, *A Comprehensive Review of Immigrant Access to Health and Human Services*, URBAN INSTITUTE, 4 (June 2011), available at <https://aspe.hhs.gov/system/files/pdf/76301/index.pdf>.
- <sup>69</sup> Center for Medicare and Medicaid Services, *Medicaid and CHIP Coverage for “Lawfully Residing” Children and Pregnant Women* (July 1, 2010), available at <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>.
- <sup>70</sup> Upon certification by HHS, victims of human trafficking are eligible to receive federal and state benefits to the same extent as a refugee. *Certification for Adult Victims of Human Trafficking Fact Sheet*, 1 (U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, May 10, 2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. Refugees are eligible as qualified immigrants. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(b)(3).
- <sup>71</sup> Karina Fortuny & Ajay Chaudry, *A Comprehensive Review of Immigrant Access to Health and Human Services*, URBAN INSTITUTE, 4 (June 2011), available at <https://aspe.hhs.gov/system/files/pdf/76301/index.pdf>.
- <sup>72</sup> National Immigration Law Center, *Medical Assistance Programs for Immigrants in Various States* (Aug. 2016), available at <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.
- <sup>73</sup> Medicaid, *Medicaid and CHIP Coverage of Lawfully Residing Children and Pregnant Women* (Sept. 9, 2016), available at <https://www.medicaid.gov/medicaid/outreach-and-enrollment/lawfully-residing/index.html>; For more information about the “lawfully residing” immigrant category: Center for Medicaid, CHIP, and Survey & Certification, *Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women*, DEPARTMENT OF HEALTH AND HUMAN SERVICES (July 1, 2010), available at <https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf>.
- <sup>74</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>75</sup> National Immigration Law Center, *Medical Assistance Programs for Immigrants in Various States* (Aug. 2016), available at <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.
- <sup>76</sup> Medicaid, *Medicaid and CHIP Coverage of Lawfully Residing Children and Pregnant Women* (Sept. 9, 2016), available at <https://www.medicaid.gov/medicaid/outreach-and-enrollment/lawfully-residing/index.html>; For more information about the “lawfully residing” immigrant category: Center for Medicaid, CHIP, and Survey & Certification, *Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women*, DEPARTMENT OF HEALTH AND HUMAN SERVICES (July 1, 2010), available at <https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf>.
- <sup>77</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>78</sup> National Immigration Law Center, *Frequently Asked Questions: Exclusion of People Granted “Deferred Action for Childhood Arrivals” from Affordable Health Care* (Sept 2012), available at <http://library.niwap.org/wp-content/uploads/2015/IMM-Tkit-DACAHealthcare-09.20.12.pdf>.
- <sup>79</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>80</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).
- <sup>81</sup> UH Systemwide Policies and Procedures Information Systems (PPIS), *Viewing Policy RP 6.209: Undocumented Students* (Oct. 2014), available at <http://www.hawaii.edu/policy/index.php?action=viewPolicy&policySection=rp&policyChapter=6&policyNumber=209&menuView=closed>. See generally National Immigration Law Center, *Table: Laws and Policies Improving Access to Higher Education for Immigrants*, available at <https://www.nilc.org/wp-content/uploads/2017/04/table-access-to-ed-toolkit-2017-04.pdf>
- <sup>82</sup> Office of Federal Student Aid, *Many Non-U.S. Citizens Qualify for Federal Student Aid*, Department of Education, available at <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>.
- <sup>83</sup> Hawaii Administrative Rules 20-4-9(g), available at <https://www.hawaii.edu/offices/bor/adminrules/chapter04.pdf>. Approved VAWA self-petitioners have vague permission through deferred action to reside within the United States. VAWA self-petitioners are considered lawfully present for health care purposes. Center for Medicaid, CHIP, and Survey & Certification, *Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women*, DEPARTMENT OF HEALTH AND HUMAN SERVICES (July 1, 2010), available at <https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf>. With a copy of the CMS Letter, the prima facie determination form, and advocacy, victims and their children may be able to establish residency in Hawaii.
- <sup>84</sup> National Immigration Law Center, *Toolkit: Access to Post-secondary Education* (May 2016), available at <https://www.nilc.org/issues/education/eduaccesstoolkit2a/#tables>.

<sup>85</sup> Office of Federal Student Aid, *Many Non-U.S. Citizens Qualify for Federal Student Aid*, Department of Education, available at <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>.

<sup>86</sup> Hawaii Administrative Rules 20-4-9(g), available at <https://www.hawaii.edu/offices/bor/adminrules/chapter04.pdf>. T visa recipients have legal permission to reside in the United States and therefore can establish residency in Hawaii.

<sup>87</sup> National Immigrant Law Center, *Toolkit: Access to Post-secondary Education* (May 2016), available at <https://www.nilc.org/issues/education/eduaccess toolkit2a/#tables>.

<sup>88</sup> Center for Medicare and Medicaid Services, *Medicaid and CHIP Coverage for “Lawfully Residing” Children and Pregnant Women* (July 1, 2010), available at <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>.

<sup>89</sup> Office of Federal Student Aid, *Many Non-U.S. Citizens Qualify for Federal Student Aid*, Department of Education, available at <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>.

<sup>90</sup> Hawaii Administrative Rules 20-4-9(g), available at <https://www.hawaii.edu/offices/bor/adminrules/chapter04.pdf>.

<sup>91</sup> National Immigrant Law Center, *Toolkit: Access to Post-secondary Education* (May 2016), available at <https://www.nilc.org/issues/education/eduaccess toolkit2a/#tables>.

<sup>92</sup> Hawaii Administrative Rules 20-4-9(g), available at <https://www.hawaii.edu/offices/bor/adminrules/chapter04.pdf>. U-visa wait list approvals are legally present for health care purposes. Center for Medicaid, CHIP, and Survey & Certification, *Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women*, DEPARTMENT OF HEALTH AND HUMAN SERVICES (July 1, 2010), available at <https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf>. With a copy of the CMS Letter, the prima facie determination form, and advocacy, victims and their children may be able to establish residency in Hawaii.

<sup>93</sup> National Immigrant Law Center, *Toolkit: Access to Post-secondary Education* (May 2016), available at <https://www.nilc.org/issues/education/eduaccess toolkit2a/#tables>.

<sup>94</sup> Office of Federal Student Aid, *Many Non-U.S. Citizens Qualify for Federal Student Aid*, Department of Education, available at <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>.

<sup>95</sup> Centers for Medicare and Medicaid Services, *Re: Medicaid and CHIP Coverage of “Lawfully Residing” Children and Pregnant Women*, DEPARTMENT OF HEALTH AND HUMAN SERVICES, available at <http://library.niwap.org/wp-content/uploads/2015/pdf/PB-Gov-HHSLawfullyResidingMedicaid-07.01.10-also-in-Qualified-Immigrants.pdf>.

<sup>96</sup> Hawaii Administrative Rules 20-4-9(g), available at <https://www.hawaii.edu/offices/bor/adminrules/chapter04.pdf>.

<sup>97</sup> National Immigrant Law Center, *Toolkit: Access to Post-secondary Education* (May 2016), available at <https://www.nilc.org/issues/education/eduaccess toolkit2a/#tables>.

<sup>98</sup> Hawaii Board of Regents Policy sec. 6-9, available at <http://www.hawaii.edu/policy/archives/bor/borpch6.pdf>.

<sup>99</sup> Hawaii Board of Regents Policy sec. 6-9, available at <http://www.hawaii.edu/policy/archives/bor/borpch6.pdf>.

<sup>100</sup> Hawaii Board of Regents Policy sec. 6-9, available at <http://www.hawaii.edu/policy/archives/bor/borpch6.pdf>.

<sup>101</sup> 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. Social Security Administration *Understanding Supplemental Security Income SSI Eligibility Requirements – 2017 Edition* (2017), available at <https://www.ssa.gov/ssi/text-eligibility-ussi.htm>.

<sup>102</sup> National Immigration Law Center, *Table 9: State-Funded SSI Replacement Programs* (Mar. 2011), available at [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>103</sup> 22 U.S.C. Sec. 7105(b); Social Security, *Under what circumstances may a non-citizen be eligible for SSI?*, available at <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

<sup>104</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).

<sup>105</sup> National Immigration Law Center, *Table 9: State-Funded SSI Replacement Programs* (Mar. 2011), available at [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdelated2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdelated2014-04.pdf).

<sup>106</sup> 22 U.S.C. Sec. 7105(b); Social Security, *Under what circumstances may a non-citizen be eligible for SSI?*, available at <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

<sup>107</sup> Upon certification by HHS, victims of human trafficking are eligible to receive federal and state benefits to the same extent as a refugee. *Certification for Adult Victims of Human Trafficking Fact Sheet*, 1 (U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, May 10, 2016),

<https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. Refugees are eligible as qualified immigrants. National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at 8 U.S.C. 1641(b)(3).

<sup>108</sup> National Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf).

<sup>109</sup> National Immigration Law Center, *Table 9: State-Funded SSI Replacement Programs* (Mar. 2011), available at [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdeleted2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdeleted2014-04.pdf).

<sup>110</sup> 22 U.S.C. Sec. 7105(b); Social Security, *Under what circumstances may a non-citizen be eligible for SSI?*, available at <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

<sup>111</sup> National Immigration Law Center, *Table 9: State-Funded SSI Replacement Programs* (Mar. 2011), available at [https://www.nilc.org/wp-content/uploads/2016/03/tbl9\\_state-ssi\\_2011-03\\_NEdeleted2014-04.pdf](https://www.nilc.org/wp-content/uploads/2016/03/tbl9_state-ssi_2011-03_NEdeleted2014-04.pdf).

<sup>112</sup> 8 U.S.C. § 1612(a)(2)(D)(I) (2011); Social Security, *Under what circumstances may a non-citizen be eligible for SSI?*, available at <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

<sup>113</sup> REAL ID ACT, 6 C.F.R. 37.11 (g).

<sup>114</sup> REAL ID ACT, 6 C.F.R. 37.11 (g).

<sup>115</sup> National Immigrant Law Center, *The Real ID Act: Questions and Answers*, 8-9 (Jan. 2016), available at <https://www.nilc.org/wp-content/uploads/2015/11/REAL-ID-Act-Q-and-A.pdf>.

<sup>116</sup> *Driver's License Documents Chart by State*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT, available at <http://library.niwap.org/wp-content/uploads/2015/pdf/PB-Chart-DocsDriversLicense.pdf>.

<sup>117</sup> H.B. 1007, available at [http://www.capitol.hawaii.gov/session2015/bills/HB1007\\_SD2\\_.htm](http://www.capitol.hawaii.gov/session2015/bills/HB1007_SD2_.htm).

<sup>118</sup> *Driver's License Documents Chart by State*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT, available at <http://library.niwap.org/wp-content/uploads/2015/pdf/PB-Chart-DocsDriversLicense.pdf>.

<sup>119</sup> H.B. 1007, available at [http://www.capitol.hawaii.gov/session2015/bills/HB1007\\_SD2\\_.htm](http://www.capitol.hawaii.gov/session2015/bills/HB1007_SD2_.htm).

<sup>120</sup> H.B. 1007, available at [http://www.capitol.hawaii.gov/session2015/bills/HB1007\\_SD2\\_.htm](http://www.capitol.hawaii.gov/session2015/bills/HB1007_SD2_.htm).

<sup>121</sup> Joint Letter, DEPARTMENT OF JUSTICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES & DEPARTMENT OF HOUSING AND HUMAN DEVELOPMENT (Aug. 5, 2016), available at <http://niwaplibrary.wcl.american.edu/joint-agency-letter-shelters-transitional-housing/>.

<sup>122</sup> Office of Public and Indian Housing, *Violence Against Women Act (VAWA) Self-Petitioner Verification Procedures*, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Jan. 19, 2017), available at <http://niwaplibrary.wcl.american.edu/access-public-assisted-housing-vawa-self-petitioners/>.

<sup>123</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.

<sup>124</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.

<sup>125</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.

<sup>126</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.

<sup>127</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.

<sup>128</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.

<sup>129</sup> Upon certification by HHS, victims of human trafficking are eligible to receive federal and state benefits to the same extent as a refugee. *Certification for Adult Victims of Human Trafficking Fact Sheet*, 1 (U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, May 10, 2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. Refugees are eligible as qualified immigrants. National







- <sup>144</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.
- <sup>145</sup> *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/>. See generally *Proration of Assistance*, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, available at <https://www.hud.gov/offices/adm/hudclips/guidebooks/7465.7G/74657gc11GUID.pdf>.
- <sup>146</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.
- <sup>147</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.
- <sup>148</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.
- <sup>149</sup> *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/>. See generally *Proration of Assistance*, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, available at <https://www.hud.gov/offices/adm/hudclips/guidebooks/7465.7G/74657gc11GUID.pdf>.
- <sup>150</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.
- <sup>151</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.
- <sup>152</sup> *Federally Assisted Housing and Immigrant Eligibility*, NATIONAL HOUSING LAW PROJECT (Feb. 2017), available at <http://library.niwap.org/wp-content/uploads/NHLP-Chart-Federally-Assisted-Housing-and-Immigrants-Feb.-2017.pdf>. See generally *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://library.niwap.org/wp-content/uploads/Info-Packet-Webinar-Immigrant-Access-and-Housing.pdf>.
- <sup>153</sup> *Info Packet for Immigrant Access to Housing Webinar*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT & NATIONAL HOUSING LAW PROJECT (Feb. 22, 2017), available at <http://niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/>. See generally *Proration of Assistance*, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, available at <https://www.hud.gov/offices/adm/hudclips/guidebooks/7465.7G/74657gc11GUID.pdf>.
- <sup>154</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).
- <sup>155</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).
- <sup>156</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).
- <sup>157</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).
- <sup>158</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).
- <sup>159</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).
- <sup>160</sup> Upon certification by HHS, victims of human trafficking are eligible to receive federal and state benefits to the same extent as a refugee. *Certification for Adult Victims of Human Trafficking Fact Sheet*, 1 (U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, May 10, 2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%28%29.pdf>. Refugees are eligible as qualified immigrants. National

---

Immigration Law Center, *Table 1: Overview of Immigrant Eligibility for Federal Programs 2* (Oct. 2011), available at [https://www.nilc.org/wp-content/uploads/2015/11/tbl1\\_ovrvw-fed-pgms.pdf](https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf); see 8 U.S.C. 1641(b)(3).

<sup>161</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).

<sup>162</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).

<sup>163</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).

<sup>164</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).

<sup>165</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).

<sup>166</sup> National Immigrant Law Center, *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* (May 2016), available at [https://www.nilc.org/wp-content/uploads/2016/03/liheapwap\\_pp150-51\\_053006.pdf](https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf).

<sup>167</sup> 42 U.S.C. 5121.

<sup>168</sup> National Immigration Law Center, *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* (Sept. 2005), available at [https://www.nilc.org/wp-content/uploads/2016/05/disaster\\_assistance\\_0905.pdf](https://www.nilc.org/wp-content/uploads/2016/05/disaster_assistance_0905.pdf).

<sup>169</sup> *Supra* note 165.

<sup>170</sup> See National Immigration Law Center, *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* (Sept. 2005), available at [https://www.nilc.org/wp-content/uploads/2016/05/disaster\\_assistance\\_0905.pdf](https://www.nilc.org/wp-content/uploads/2016/05/disaster_assistance_0905.pdf) (stating that to receive DUA, qualified immigrants and victims of trafficking must have employment authorization).

<sup>171</sup> See National Immigration Law Center, *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* (Sept. 2005), available at [https://www.nilc.org/wp-content/uploads/2016/05/disaster\\_assistance\\_0905.pdf](https://www.nilc.org/wp-content/uploads/2016/05/disaster_assistance_0905.pdf) (stating that to receive DUA, qualified immigrants and victims of trafficking must have employment authorization).

<sup>172</sup> 7 C.F.R. 280.1.

<sup>173</sup> See National Immigration Law Center, *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* (Sept. 2005), available at [https://www.nilc.org/wp-content/uploads/2016/05/disaster\\_assistance\\_0905.pdf](https://www.nilc.org/wp-content/uploads/2016/05/disaster_assistance_0905.pdf) (stating that to receive DUA, qualified immigrants and victims of trafficking must have employment authorization).

<sup>174</sup> 7 C.F.R. 280.1.

<sup>175</sup> 7 C.F.R. 280.1.

<sup>176</sup> Supplemental Nutrition Assistance Program: Guidance on Non-Citizen Eligibility (U.S. DEPARTMENT OF AGRICULTURE, June 2011), available at <http://niwaplibrary.wcl.american.edu/pubs/imms-snap/>.