

July 21, 2023

GENERAL LETTER NO. 6-D-43

ISSUED BY: Bureau of Financial, Food, and Work Supports
Division of Community Access

SUBJECT: Employees' Manual, Title 6, Chapter D, **Refugee Cash Assistance**, 1, 10, 14, 15, 21, 22 and 23, revised.

Summary

This chapter is revised to:

- Clarify a refugee enrolled in the matching grant program is not eligible for RCA.
- Add new acceptable document types for Cuban and Haitians.
- Add new acceptable document types related to non-Ukrainian individuals who received humanitarian parole and the U4U or UFP class of admission.
- Add new acceptable document types related to non-Ukrainian individuals who received humanitarian parole without the and the U4U or UFP class of admission. Also clarifies Crimea is part of Ukraine.

Effective Date

Upon receipt.

Material Superseded

Remove the following pages from Employees' Manual, Title 6, Chapter D, and destroy them:

<u>Page</u>	<u>Date</u>
1, 10, 14, 15,	October 7, 2022
21	March 24, 2023
22 and 23	October 7, 2022

Additional Information

Refer questions about this general letter to your area income maintenance administrator.

Overview

Refugees resettled in the United States are usually brought here by a national voluntary resettlement agency.

The refugees also usually have a local sponsor, such as an individual, a church, or fraternal group. The sponsors and resettlement agencies take on a moral obligation to help refugees secure employment, education, medical care, and basic needs, such as housing, food, clothing, furniture, and pocket money. They also help refugees adjust to life in the United States.

The Refugee Resettlement Program (RRP) is a federal program that provides for assistance when:

- There is a breakdown with the sponsor, or
- The refugee needs to help make the transition to self-sufficiency.

RRP provides funding for the following programs:

- Refugee Cash Assistance (RCA), described in this chapter.
- Refugee Medical Assistance (RMA), described in 6-D(1).
- Foster care and social casework services for refugee minors, described in XIII-F.

The RRP provides 100% federal funding for the Refugee Cash Assistance (RCA) program. RRP funds are available for a specific period of time, based upon each individual refugee's length of time in the United States. Once a refugee reaches the time limit, eligibility for RCA ceases. (See [Time Since Entry to the U.S.](#))

A refugee enrolled in the matching grant program is not eligible for RCA.

Legal Basis

The following statutes amend the Immigration and Nationality Act to revise procedures for the admission of refugees:

- The Refugee Act of 1980, Public Law 96-212.
- The Refugee Assistance Amendments of 1982, Public Law 97-363.
- The Refugee Assistance Extension Act of 1986, Public Law 99-605.

These laws also amend the Migration and Refugee Assistance Act of 1962 to establish a uniform basis for resettlement of admitted refugees. Public Law 100-202 provides for certain Amerasians in Vietnam and close family members to be admitted under immigrant status but be eligible for benefits as though they were refugees.

The Refugee Act of 1980 established an Office of Refugee Resettlement within the U.S. Department of Health and Human Services. The state plan for the Refugee Resettlement Program designates the Iowa Department of Human Services as the single state agency to administer the program.

Federal participation requirements are found in Code of Federal Regulations, Title 45, Part 400. The state's rules for Refugee Cash Assistance are found in 441--Chapter 60 of the Iowa Administrative Code.

Documents/Codes	Explanation
Order of an immigration judge granting asylum under Section 208 of the INA	Determine the 8 or 12-month RCA period from the date on the order (the date asylum was granted). An order of an immigration judge serves as proof of asylee status if the USCIS has waived the right to appeal the case. See Note 2 following this chart for information about cases for which the USCIS reserves the right to appeal. ²
Asylum Approval Letter from an USCIS Asylum Office “ Recommended Asylum Approval ” letters are not proof of asylee status.	The letter will note that the person has been granted asylum pursuant to Section 208 of the INA and may include information concerning refugee and asylee relative petition, work authorization, and the refugee travel document.
Written decision from the Board of Immigration Appeals (BIA)	The “entry date” (i.e., asylum grant date) will be the date on the BIA decision.
I-730, <i>Approval Letter</i>	The I-730 <i>Approval Letter</i> may be used as proof of asylee status for derivatives.
Visa 92 (or V-92) on the I-94, <i>Arrival/Departure Card</i>	May be accompanied by the words “section 208.” The person is the spouse or minor child of a previously granted asylee.

NOTES:

¹U.S. Citizenship and Immigration Services (USCIS) Form I-571 does not distinguish between refugees and asylees. A person with this document may be a refugee or an asylee. You must request other documentation to confirm whether the person is a refugee or asylee to be able to determine the eight or twelve-month RCA period. (See [Time Since Entry to the U.S.](#))

²If the USCIS has reserved its right to appeal, an immigration judge order will not serve, on its own, as proof of asylee status. If an asylee brings an immigration judge order that shows the USCIS has reserved its right to appeal, wait 30 days from the date on the immigration judge order.

On or after the 31st day, call the Executive Office for Immigration Review (EOIR) case status line at (800) 898-7180 to find out whether the USCIS has appealed the case. The EOIR reports that it may take up to five days after the 30-day appeal deadline for the information to be relayed to the case status line. Continue to call the EOIR case status line until the appeal information has been updated. Delay the RCA eligibility determination until then.

If the USCIS has appealed the case, the person is not yet an asylee and is not eligible for RCA benefits. In that instance, deny the application.

If the USCIS has not appealed the case and 30 days have passed since the date on the immigration judge order, the person is an asylee and is eligible for RCA. The date asylum is granted is 30 days after the date on the order.

- A national of Cuba or Haiti who was **paroled** into the United States and has not acquired any other status under the INA and with respect to whom a final, nonappealable, and legally enforceable order of removal, deportation, or exclusion¹ has **not** been entered.

Documents/Codes	Explanation
An I-94, <i>Arrival/Departure Card</i> , showing parole into the United States	I-94 may refer to Section 212(d)(5), humanitarian or public interest parole.
CHP admission code on I-94	Cuban Humanitarian Parolee
HHP admission code on I-94	Haitian Humanitarian Parolee
I-766, <i>Employment Authorization Document</i> , with the code A04	
I-766, <i>Employment Authorization Document</i> , with the code C11	

- A national of Cuba or Haiti who is the **subject** of removal, deportation or exclusion proceedings³ under the INA and with respect to whom a final, nonappealable, and legally enforceable order of removal, deportation or exclusion¹ has not been entered.

Documents	Explanation
USCIS Form I-221	<i>Order to Show Cause and Notice of Hearing</i>
USCIS Form I-862	<i>Notice to Appear</i>
USCIS Form I-220A	<i>Order of Release on Recognizance</i>
USCIS Form I-122	<i>Notice to Applicant Detained for a Hearing Before an Immigration Judge</i>
USCIS Form I-221S	<i>Order to Show Cause, Notice of Hearing and Warrant for Arrest</i>
Copy of USCIS Form I-589, <i>Application for Asylum and Withholding of Removal</i> date stamped by the Executive Office for Immigration Review (EOIR)	Person is subject of removal, deportation or exclusion proceedings.
Copy of USCIS Form I-485, <i>Application to Register Permanent Residence or to Adjust Status</i> , date stamped by EOIR	Person is subject of removal, exclusion or deportation proceedings.
EOIR-26, <i>Notice of Appeal</i>	Date stamped by the Office of the Immigration Judge
I-766, <i>Employment Authorization Document</i> , with the code C10	Application for suspension of deportation or cancellation of removal submitted
I-688B, <i>Employment Authorization Document</i> , with the provision of law 274a.12(c)(10) ²	Application for suspension of deportation or cancellation of removal submitted
Other applications for relief that have been date stamped by EOIR	

Documents	Explanation
Other documentation pertaining to an applicant's removal, exclusion, or deportation proceedings	EXAMPLES: A notice of a hearing date before an immigration judge An I-860 that indicates the individual is a native of Cuba or Haiti and are in expedited removal proceedings but the I-860 is not signed and executed so they are not ordered removed.

NOTES:

¹Whether there is a final, nonappealable, legally enforceable order of removal, deportation or exclusion is a legal determination that cannot be made by reviewing any of the listed documents. It is not a decision that can be made in the course of the RCA eligibility determination.

It is suggested that you require a written declaration, under penalty of perjury, that the person has a status that makes the person eligible for RCA and use other methods to verify this information. For example, you may call the EOIR case status line at (800) 898-7180, submit Form G-845 to the local USCIS office, ask the applicant for more information, or access the SAVE system.

²If a person provides an I-688B *Employment Authorization Document*, which does not provide information about nationality, you must request other documentation to confirm that the person is a Cuban or Haitian national.

³Although the listed documents show that proceedings have been initiated in a case, they do not confirm that proceedings are continuing. To confirm that proceedings are continuing, you will need to use other methods, such as calling the EOIR case status line at (800) 898-7180, submitting Form G-845 to the local USCIS office or accessing the SAVE system.

If an applicant appears eligible from the available documentation, include the person in the RCA grant until verification is received. If the verification received from USCIS indicates that the person is not an eligible refugee, remove the person from the RCA grant, subject to timely notice. Recoup excess RCA issued for the person during the interim.

- A national of Cuba or Haiti who has an application for asylum pending with the DHS/USCIS or with an EOIR Immigration Court or the Board of Immigration Appeals and with respect to whom a final, non-appealable, and legally enforceable order of removal, deportation or exclusion has not been entered.

Documents/Codes	Explanation
USCIS Receipt for Filing Form I-589	Application for Asylum and Withholding of Removal
I-766, <i>Employment Authorization Document</i> with the code C08	

Applicant	Documentation	Special Conditions
Afghan Humanitarian Parolee Arriving in the U.S. Between July 31, 2021 and September 30, 2023	Form I-94 with COA codes – “OAR”, “OAW”, “PAR”, “DT”, “PAROLED”, or Humanitarian Parole (per INA section 212(d)(5)(A)) Or Foreign passport with DHS/CBP admission stamp with COA codes “OAR”, “OAW”, “PAR”, “DT”, “PAROLED” or Humanitarian Parole (per INA section 212(d)(5)(A)) Or Foreign passport with DHS/CBP admission stamp noting Operation Allies Welcome or “OAW” Or Foreign passport with DHS/CBP admission stamp noting “DT” Or Form I-765 Employment Authorization Document (EAD) receipt notice with code C11 Or I-765 Employment Authorization Document (EAD) with code C11 Or Form I-766 Employment Authorization Document (EAD) with the code C11.	The 12 months of RCA for Afghan Humanitarian Parolees (AHP) is the later of Oct 1, 2021, or the date of entry into community which is the date the individual departed the Safe Haven, whichever is later. If an AHP departed the Safe Haven prior to October 1, 2021, or bypassed the Safe Haven upon entry, use the eligibility date of October 1, 2021. If an AHP departed the Safe Haven after October 1, 2021, use the eligibility date from the travel documentation that they may have. See more information on how to verify the date of “entry into the community” below the chart. Afghan Humanitarian Parolees are eligible for a limited period of time, either through March 31, 2023, or until the end of their parole term, whichever is later. Spouses and children of such individuals are eligible to apply for benefits even if they are granted parole after September 30, 2023.

IMs can share the following steps with the resettlement agency, working with the client, so the agency can assist the client to verify their documentation and the date of entry into the community:

1. Contact the national resettlement agency for assurance and travel documentation.
2. Check the I-94 website: <https://i94.cbp.dhs.gov/i94/#/home>.
3. Check the CBP One Mobile App: see attached email titled “I-94 retrieval for Afghan arrivals”
4. Reach CBP online at TCC@cbp.dhs.gov with required information
5. Contact the local CBP deferred inspection site.
6. Seek evidence of travel from the Safe Haven (e.g., plane ticket, bus ticket, etc.)

7. Contact Catherine Lovan at Bureau of Refugee services (BRS) via email at clovan@dhs.state.ia.us with applicant biographic information (Name, DOB, passport number, A-number, etc.) to enable BRS to reach out to ORR so that they can search their database for departure information.

*If the client or resettlement agency requests assistance in getting the verification of the alien’s documentation or date of entry into the community the worker should follow the 7 steps above to obtain the information.

NOTE: If the client/resettlement agency is unable to obtain sufficient documentation to **establish the date of entry into the community** to establish the eight or twelve-month period after going through steps 1-7 above, eligibility workers may accept verbal/written attestations by the Afghan arrival in order to provide immediate services to the applicant. Case notes should be updated to reflect this occurrence, and **appropriate documentation must be obtained within 60 days or as soon as available – whichever is sooner.**

Workers must get verification of the alien’s status; you **cannot** accept verbal/written attestation.

Acceptable Documents For Ukrainian Humanitarian Parolees (UHP) and Non-Ukrainian Individuals Who Last Habitually Resided In Ukraine and Received Humanitarian Parole Who Arrived in the U.S. Between February 24, 2022 and September 30, 2023:

Immigration Status or Category of Applicant	Documentation
Ukrainian citizen or national who received humanitarian parole, known as a Ukrainian Humanitarian Parolee (UHP)	Form I-94 noting humanitarian parole (per INA section 212(d)(5) or 8 U.S.C. § 1182(d)(5)) Or Foreign passport with DHS/CBP admission stamp noting “DT” Or Foreign passport with DHS/CBP admission stamp noting Uniting for Ukraine or “U4U” Or Foreign passport with DHS/CBP admission stamp noting Ukrainian Humanitarian Parolee or “UHP” Or Form I-765 Employment Authorization Document (EAD) receipt notice with code C11 Or Form I-766 Employment Authorization Document (EAD) with the code C11
A non-Ukrainian individual who received humanitarian parole and the U4U or UHP class of admission in response to their displacement from Ukraine	Foreign passport with DHS/CBP admission stamp noting Uniting for Ukraine or “U4U” Or Foreign passport with DHS/CBP admission stamp noting Ukrainian Humanitarian Parolee or “UHP”

Immigration Status or Category of Applicant	Documentation
<p>A non-Ukrainian individual who last habitually resided in Ukraine and received humanitarian parole, but without the U4U or UHP class of admission</p>	<p>Any one of the forms or stamps listed above for UHPs</p> <p>And</p> <p>Documentation of last habitual residence in Ukraine, including Crimea. (per U.S. department of State, Crimea is part of Ukraine, see https://www.state.gov/crimea-is-ukraine-2/)</p> <p>Acceptable documentation indicating last habitual residency in Ukraine includes an original Ukrainian government-issued document, such as a current driver’s license or identification card.</p> <p>For documentation outside of these examples, contact the SPIRS helpdesk for assistance.</p>

Ukrainian Humanitarian Parolees (UHP) and non-Ukrainian individuals who last habitually resided in Ukraine and received humanitarian parole arriving in the U.S. between February 24, 2022 and September 30, 2023 are eligible to receive RCA without a waiting period and are immediately eligible for benefits as long as they meet all other RCA financial and non-financial eligibility requirements. They are eligible for a limited period of time, until the end of their parole term.

These policies also apply to the following family members of these individuals, even if they are granted parole after September 30, 2023: spouses, children, parents, legal guardians, and primary caregivers of such individuals who were unaccompanied minors.

NOTE: The 12 months of RCA eligibility is calculated differently for UHP and non-Ukrainian individual who last habitually resided in Ukraine and received humanitarian parole that have one of these statuses.

Their 12 months starts on May 21, 2022, or the individual’s date of humanitarian parole, whichever is later. If an individual from either of these populations was paroled and entered the United States between February 24, 2022 and May 21, 2022, their date of eligibility is May 21, 2022. If they entered the United States after May 21, 2022 their date of eligibility is their date of humanitarian parole.

UHPs and other non-Ukrainian individuals displaced from Ukraine are eligible for ORR benefits and services until the end of the individual’s parole term, unless otherwise amended by law or the individual gains another ORR-eligible category or status.

If a UHP or other non-Ukrainian individual displaced from Ukraine applies for and obtains Temporary Protected Status (TPS), the individual will remain eligible for ORR benefits and services until the end of the individual’s parole term, due to their underlying receipt of humanitarian parole per INA section 212(d)(5). Note, however, that an individual with only TPS and no underlying humanitarian parole is not eligible for ORR benefits and services.