



TO: **RSS-funded Agencies**
RSS Set-Aside-funded Agencies
RMS-funded Agencies
W-2 Agencies

FROM: Bojana Zorić Martinez, Director
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BRP/BWF OPERATIONS MEMO			
No:			
BRP 21-04 (Amended 7/29/22, 12/16/22 and 1/25/23)			
BWF 21-26 (Amended 7/29/22, 12/16/22 and 1/25/23)			
DATE: 12/16/2022			
RCA	<input type="checkbox"/>	RHP	<input type="checkbox"/>
RMA	<input type="checkbox"/>	RMS	<input type="checkbox"/>
RSI	<input type="checkbox"/>	RSS	<input type="checkbox"/>
RYM	<input type="checkbox"/>	SOR	<input type="checkbox"/>
ASA	<input type="checkbox"/>	ReMHI	<input type="checkbox"/>
W-2	<input type="checkbox"/>	EA	<input type="checkbox"/>
		JAL	<input type="checkbox"/>

SUBJECT: *Updates to Refugee Resettlement Program Benefits for Certain Afghan Individuals*

CROSS REFERENCE: [BRP Operations Memo \(OM\) 21-04](#)
[BWF Operations Memo \(OM\) 21-26](#)
[ORR Policy Letter 16-01](#)
[ORR Policy Letter 22-01](#)
[ORR Policy Letter 22-02](#)
[45 CFR §400.50](#)
[45 CFR §400.94](#)
[TANF-ACF-PI-2021-06](#)

EFFECTIVE DATE: September 30, 2021

PURPOSE:

The purpose of this memo is to summarize the contents of a series of federal policy letters and program instructions pertaining to individuals who are arriving to the United States from Afghanistan. The memo is intended to communicate critical information to contracted agencies who provide services to refugees pertaining to making eligibility determinations for Refugee Resettlement Program (RRP) benefits, and Wisconsin Works (W-2), Emergency Assistance (EA) and Job Access Loans (JAL).

BACKGROUND:

The Office of Refugee Resettlement (ORR) published a series of communications in response to a recent and significant increase of Afghan individuals arriving to the United States. These communications outlined the varying immigration statuses of those newly arrived Afghan individuals and announced their respective eligibility for various benefits.

December 16, 2022 Note: This memo was first published on November 9, 2021, as [BRP OM 21-04](#), and on 12/8/2021 as [BWF OM 21-26](#). ORR has since made several revisions to a series of policy letters related to the arrival of individuals from Afghanistan. Additional guidance incorporated into a July 2022 update of this memo are highlighted in yellow. Additional guidance published after July in updates to ORR Policy Letters [22-01](#) and [22-02](#) have been incorporated into the December 2022 update in green, with an additional January 2023 update to the eligibility period, highlighted in blue.

ORR encourages providers of RRP benefits to refer to its continuously updated [Documentation Guide](#) in order to determine program eligibility; however, further clarifications pertaining specifically to the population of recently arrived Afghan individuals are summarized below.

RRP benefits and services are provided through ORR-funded programs. In Wisconsin, this includes Refugee Support Services (RSS) and its set-aside programs: Refugee Health Promotion (RHP), Services for Older Refugees (SOR), Refugee School Impact (RSI), Refugee Youth Mentoring (RYM); as well as Wilson-Fish TANF Coordination Program (WFTCP), Refugee Cash Assistance (RCA), Refugee Medical Assistance (RMA), and Refugee Medical Screening (RMS). RRP-eligible individuals may also be eligible for other benefits, such as BWF's W-2, EA, and JAL programs and other programs administered outside of BWF and BRP.

This memo summarizes the statuses and categories of individuals arriving from Afghanistan, the benefits and services within BWF and BRP for which they may be eligible, and the documentation required to verify each eligible status. Due to the eligibility of refugees and other ORR-eligible statuses for BRP's as well as many of BWF's administered programs, these populations interact frequently with both ORR-funded agencies and W-2 agencies.

POLICIES:**IMMIGRATION STATUS AND RRP, W-2, JAL, AND EA ELIGIBILITY**

[ORR Policy Letter 22-02](#) identifies four distinct categories of ORR-eligible Afghan populations. The August 3, 2022 revision of that policy letter provided additional details about these categories. The complete list is below.

1. Special Immigrant Visa (SIV) holders

2. Afghan individuals with SI/SQ Parole (aka Afghan Special Immigrant Parolee)
3. Afghan individuals with Special Immigrant Conditional Permanent Residence (SI CPR)
4. Afghan Humanitarian Parolees (AHP)

Information pertaining to eligibility for each of these statuses is provided below. Note that “mainstream benefits” refers to benefits typically available to refugees, such as W-2, SSI, Medicaid, and FoodShare. Pursuant to [45 CFR §400.50](#) and [45 CFR §400.94](#), individuals with the above named qualifying non-citizen statuses should be given the opportunity to apply for other benefits at the appropriate W-2 and Income Maintenance agencies so that eligibility may be determined. However, eligibility policy and processing instructions for mainstream benefits must come from the appropriate governing agencies. This memo only authorizes eligibility for RRP benefits and W-2, EA, and JAL, and directs RRP service providers to ensure that individuals with qualifying Afghan statuses are given the opportunity to apply for other programs as appropriate. As always, eligibility must still be determined individually upon applying for any benefit or service.

1. Afghan Special Immigrant Visa (SIV)

Individuals with Special Immigrant Visas continue to be eligible for all RRP benefits and services, as announced in [Policy Letter 16-01](#), published October 2, 2015. They may be eligible to receive mainstream benefits if all other eligibility criteria are met and should continue to be tested for W-2 non-financial eligibility, according to Section 2.4.2 of the W-2 manual.

Details pertaining to the documentation that verifies this status can be found in the chart below, and can also be found in ORR’s updated [Documentation Guide](#). Dates found on these documents must be used to determine eligibility dates as well.

2. Afghan individuals with SI/SQ Parole (aka Afghan Special Immigrant Parolee)

[ORR Policy Letter 22-01](#) announces that citizens or nationals of Afghanistan who were paroled into the United States between July 31, 2021 and **September 30, 2023** may be eligible to receive mainstream benefits if all other eligibility criteria are met. They are authorized to receive resettlement assistance, W-2, and other benefits available to refugees, per the Afghanistan Supplemental Appropriations Act, 2022. [ORR Policy Letter 22-02](#) announces that Afghan individuals who receive SI/SQ Parole status are among those parole categories authorized by Congress to receive RRP benefits, W-2, and other benefits and services.

Details pertaining to the documentation that verifies this status can be found in the chart below, and can also be found in ORR’s updated [Documentation Guide](#). Dates found on those documents must be used to determine eligibility dates **for those who did not enter the U.S. through a Safe Haven (i.e. military base). For anyone else, follow the additional guidance below to determine eligibility start dates.**

3. Afghan individuals with Special Immigrant Conditional Permanent Residence (SI CPR)

[ORR Policy Letter 22-01](#) announces that citizens or nationals of Afghanistan who were paroled into the United States between July 31, 2021 and [September 30, 2023](#) may be eligible to receive mainstream benefits if all other eligibility criteria are met. They are authorized to receive resettlement assistance, W-2, and other benefits available to refugees, per the Afghanistan Supplemental Appropriations Act, 2022. [ORR Policy Letter 22-02](#) announces that Afghan individuals who receive Special Immigration (SI) Conditional Permanent Residence (CPR) status are among those categories authorized by Congress to receive RRP benefits, W-2, and other benefits and services.

Details pertaining to the documentation that verifies this status can be found in the chart below, and can also be found in ORR's updated [Documentation Guide](#). Dates found on those documents must be used to determine eligibility dates for those who did not enter the U.S. through a Safe Haven (i.e., military base). For anyone else, follow the additional guidance below to determine eligibility start dates.

4. Afghan Humanitarian Parolees (AHP)

[ORR Policy Letter 22-01](#) announces that citizens or nationals of Afghanistan who were paroled into the United States between July 31, 2021 and [September 30, 2023](#) may be eligible to receive mainstream benefits if all other eligibility criteria are met. This applies to:

- a) Citizens or nationals of Afghanistan paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act between July 31, 2021 and [September 30, 2023](#); including anyone determined to be an unaccompanied minor;
- b) A spouse or child of anyone described above in (a), who is paroled into the U.S. after [September 30, 2023](#); and,
- c) A parent or legal guardian of an unaccompanied minor as described in (a), who is paroled into the U.S. after [September 30, 2023](#).

Individuals who are determined to be AHPs are authorized to receive resettlement assistance, W-2, and other benefits available to refugees, per the Afghanistan Supplemental Appropriations Act, 2022. [ORR Policy Letter 22-02](#) announces that Afghan humanitarian parolees, who are admitted to the United States due to urgent humanitarian reasons, are among those parole categories authorized by Congress to receive RRP benefits, W-2, and other benefits and services.

[ORR Policy Letter 22-02](#) notes that the eligibility date of Afghan Humanitarian Parolees for ORR benefits and services is October 1, 2021 (if the individual has already entered the community) or their date of entry into the community (for example, the date on which the Afghan Humanitarian Parolee departs the military base), whichever is later.

The eligibility period for all AHPs lasts until the **later** of either:

- When parole expires (typically, **two years** from the date of parole/entry), or
- March 31, 2023

To determine when someone's eligibility period expires, check their Form I-94 for their date of parole. **Most Afghan Humanitarian Parolees will remain eligible past March 31, 2023.**

Note that ORR cannot provide service to AHPs beyond the date their parole expires, unless they have attained another ORR-eligible status (such as asylum). ORR does not have the authority to extend a grace period of service to AHPs for whom parole has expired and eligibility has lapsed.

Additional Guidance for Determining Eligibility Start Dates

Additional guidance from ORR clarified that, in addition to using "date of entry into the community" for Afghan Humanitarian Parolees' benefits eligibility start date, "date of entry into the community" should also be used as the "benefits eligibility start date" for those with statuses of Afghan Special Immigrant Conditional Permanent Residence and Afghan Special Immigrant Parole. This guidance must be followed in order to determine an exact "date of entry into the community", which is a functional "Date of Entry" for any benefit or service form that requires this information in order to determine eligibility start dates.

For those who arrived through a Safe Haven (i.e., military base), "date of entry into the community" must be established by taking the following actions, which must be attempted in the following order:

1. Obtain a travel notification, assurance, or other type of travel documentation from the Resettlement Agency that received the individual(s) and use that date of travel as the "date of entry into the community". Resettlement Agency staff are required to provide such documentation along with relevant benefit and service forms, in order to determine eligibility start dates.
2. Seek evidence of travel from a Safe Haven (e.g., plane ticket, bus ticket, etc.), especially for those who did not coordinate departure from the Safe Haven with a Resettlement Agency (i.e., "Walk-ins"), and use that date of travel as the "date of entry into the community" (i.e., functional "Date of Entry").
3. If the above actions do not result in establishing a specific "date of entry into the community" (i.e., functional "Date of Entry"), verbal or written attestation of the individual's "date of entry into the community" may be used to establish this date, but authorization must first be requested by contacting BRP.

Note that other documentation items detailed in this memo (e.g., I-94s, stamped passports, etc.) are still required to establish an individual's ORR-eligible immigration status; the date of entry into the community begins the eligibility clock for time-limited benefits and services (e.g., Refugee Cash and Medical Assistance, RSS, etc.). This

distinction is critical in that it allows stakeholders to provide maximum benefits to individuals based on this “date of entry into the community”.

Additional Guidance about I-94s for Afghan Special Immigrant Parolees

If an Afghan national has a passport, the Form I-94 arrival/departure record should be contained within the passport or be retrievable on Custom and Border Patrol’s (CBP) website at: <https://i94.cbp.dhs.gov/I94>. If an Afghan national does not have a passport, the Form I-94 may be obtained by searching CBP’s website at: <https://i94.cbp.dhs.gov/I94>. The individual should enter their complete name and A-number or wristband number in the passport number search field. When searching by A-number, add the letter ‘A’ at the beginning of the line of numbers. Alternatively, the Afghan individual may elect to retrieve a copy of their I-94 through the CBP One Mobile App. This method is most useful in situations where there is no biographic information available for the individual. For more information on the CBP One Mobile App, visit: <https://www.cbp.gov/about/mobile-apps-directory/cbpone>. When having difficulty finding Form I-94 arrival/departure records, an individual can contact CBP by emailing TCC@cbp.dhs.gov or by visiting a local CBP Deferred Inspection Site.

Details pertaining to documentation can be found in the chart below, and can also be found in ORR’s updated [Documentation Guide](#).

EXAMPLE 1: An Afghan Humanitarian Parolee entered the United States on 08/26/2021 and was placed at a Safe Haven in the state of Wisconsin. On 09/30/2022, the individual chose to leave the Safe Haven before receiving resettlement assistance to travel to Milwaukee, WI to find long-term housing, employment, and other integral facets of livelihood. Since the individual entered the community as an Afghan Humanitarian Parolee on 09/30/2021, [ORR Policy Letter 22-01](#) and [ORR Policy Letter 22-02](#), state these Afghan populations are eligible for ORR services effective 10/01/2021, the first date of the new Afghan eligibility period

EXAMPLE 2: An Afghan Humanitarian Parolee entered the United States on 10/02/2021, where they arrived at a Safe Haven located in the state of Georgia. On 12/01/2021, the individual moved to Madison, WI for permanent residence with the assistance of a resettlement agency. They arrived at temporary housing in Madison on 12/02/2021 and later moved into their permanent residence on 12/05/2021. According to [ORR Policy Letter 22-01](#) and [ORR Policy Letter 22-02](#) and ORR Policy Letter 22-01, the individual’s “date of entry into the community” and “Date of Entry” would begin on 12/02/2021 since that is the later date between the beginning of the specified eligibility period for Afghans and the date they arrived in Madison. This policy refers to the date individual(s) leave their respective Safe Haven and enter a community, not necessarily the date they find permanent housing.

ELGIBILITY VERIFICATION DOCUMENTS:

The following documents indicate eligibility for the qualifying non-citizen statuses named above as described in [ORR Policy Letter 22-02](#).

Applicant	Documentation
Afghan Special Immigrant Parolee (Principal Applicant, Spouse of Principal Applicant, or Child of Principal Applicant)	Form I-94 noting SI or SQ Parole (per section 602(B)(1) AAPA/Sec 1059(a) NDAA 2006) Or Form I-765 Employment Authorization Document (EAD) receipt notice with code C11 Or Form I-766, Employment Authorization Document (EAD) with code C11
Afghan Special Immigrant Conditional Permanent Resident (SI CPR) (Principal Applicant, Spouse of Principal Applicant, or Child of Principal Applicant)	Foreign passport with Machine Readable Immigrant Visa (MRIV) with code CQ1, CQ2, or CQ3 Or Foreign passport with DHS/CBP admission stamp noting that the individual has been classified under IV (immigrant visa) Category CQ1, CQ2 or CQ3 Or DHS Form I-551 ("green card") with an IV (immigrant visa) code for category CQ1, CQ2 or CQ3 Or DHS/CBP temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp Or DHS/USCIS temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp Or Form I-765 Employment Authorization Document (EAD) receipt notice with code C11 Or Form I-766 Employment Authorization

	Document (EAD) with code C11
Afghan Humanitarian Parolee	<p>Form I-94 with COA codes – “OAR”, “OAW”, “PAR”, “DT”, “PAROLED” or Humanitarian Parole (per INA section 212(d)(5)(A))</p> <p>Or</p> <p>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))</p> <p>Or</p> <p>Interim Notice Authorizing Parole (INAP), noting parole under INA 212(d)(5)(A)</p> <p>Or</p> <p>Form I-765 Employment Authorization Document (EAD) receipt notice with code C11</p> <p>Or</p> <p>Form I-766 Employment Authorization Document (EAD) with the code C11</p>

In addition, ORR will also accept the following documents as proof of eligibility for Afghan Special Immigrants:

Applicant	Documentation
Afghan Special Immigrant (Principal Applicant, Spouse of Principal Applicant, or Child of Principal Applicant)	<p>Form I-551 Permanent Resident Card (aka: Green Card)</p> <p>Or</p> <p>Foreign Passport with Machine Readable Immigrant Visa (MRIV)</p> <p>Or</p> <p>DHS/CBP temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp</p> <p>Or</p> <p>DHS/USCIS temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp</p> <p>Or</p> <p>Form I-765 Employment Authorization Document (EAD) receipt notice with code SQ1, SQ2, SQ3, SQ6, SQ7, or SQ8</p> <p>Or</p> <p>Form I-766 Employment Authorization Document (EAD) with code SQ1, SQ2, SQ3,</p>

	SQ6, SQ7, SQ8
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All other elements of ORR's [Documentation Guide](#), including guidance on the eligibility of Special Immigrant Visa Holders (SIVs), remain unchanged and in effect.

SYSTEMS OR FORMS IMPACTS

The additional statuses described above will be reflected in the Non-Citizen Eligibility Desk Guide found in the appendix of the W-2 manual, in order to ensure that eligibility is documented using the appropriate CARES code for anyone possessing one of these qualifying non-citizen statuses.

REPORTING IMPACTS

Individuals with any of the statuses named in this memo should be reported by ORR-funded service providers as ORR-eligible individuals on any required reports whenever ORR services have been provided.

TRAINING

There will be no training at this time, though technical assistance will be provided as needed. Providers of RRP benefits and services (as listed on page 1) are encouraged to contact BRP as questions arise. Providers of W-2, EA, or JAL are encouraged to make use of BWF's Policy Question SharePoint-based process as questions arise related to those programs.

AGENCY ACTION

There is no agency action required at this time.

CONTACTS

Questions regarding this memo should be directed to:

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ATTACHMENTS:

Please reference the policy documents below for the most updated versions of the impacted sections of the W-2 Manual.

[Non-Citizen Eligibility Desk Guide](#)

[W-2 Policy Manual Section 18.2.4.1](#)

[W-2 Policy Manual Appendix – Refugee Assistance Program \(RAP\) Tools](#)

[SIV FAQs_8.6.21](#)

[Sample SIV I-94](#)
[SIV Afghan I-485s and Change of Address](#)