

# **Bureau of Refugee Programs (BRP) Technical Assistance**

Eligibility



Wisconsin Department of Children and Families

# Importance of Eligibility

- BRP programs are all governed by federal eligibility rules
- These rules center around:
  - Immigration status
  - Time passed since date of eligibility
  - Age
  - In some cases, time period of arrival



# Eligibility Verification

- Verification means providing evidence that documentation is true.
  - Examples: Uploading a copy of an I-94, Social Security card, check stub
- [BRP Ops Memo 23-06](#)
- This section may often apply:
  - “It is only necessary to verify information in Table 2 once. If one of the acceptable sources of verification is already present in WRPD at the time of program enrollment, use the existing documentation to verify, but note that all program staff are responsible for ensuring that program’s requirements have been met” (page 7).



# “Date of Eligibility”

- BRP refers to the date on which an individual became eligible, which may be
  - Date of arrival to U.S.
  - Date status granted
  - Something else (e.g. for a time, this was “date entered community” for Afghan Humanitarian Parolees entering from U.S. Safe Havens)



# ORR Eligibility

- All of the guidance issued by BRP refers to “ORR eligibility”, despite potential eligibility for other programs, such as
  - FoodShare
  - Health care
  - W-2
- BRP strives to keep its partners informed about other programs for which clients may be eligible, so that effective referrals can be made at every opportunity.



# Populations Ineligible for ORR Programs

- BRP also strives to keep its partners informed about programs to which an individual may be referred when he/she is not eligible for ORR programs, such as
  - Legal immigration services
  - Health care (Covering Wisconsin)
  - W-2
  - FoodShare



# ORR-Eligible Populations

- Refugees
- Asylees
- Cuban and Haitian Entrants
- Iraqi and Afghan Special Immigrant Visa (SIV) Holders
- Amerasians
- Victims of human trafficking
- Afghan Humanitarian Parolees\*
- Ukrainian Humanitarian Parolees\*
  - \*Eligibility date ranges must be considered and are subject to change



# Refugee

- An individual paroled in under § 212(d)(5) of the Immigration and Nationality Act (INA), or admitted under § 207 of the INA
- There are multiple examples of documentation that may verify refugee status
  - [ORR Status and Documentation Requirements](#)



# Asylees

- An individual paroled in under § 212(d)(5) of the INA, or an individual whose status was granted under § 208 of the INA
- There are multiple examples of documentation that may verify asylee status
  - [ORR Status and Documentation Requirements](#)
- Note that “date of eligibility” depends on how/where status was granted



# Cuban and Haitian Entrants (CHEs)

- A Cuban/Haitian entrant is... a Cuban or Haitian **and**
  - A parolee
  - An asylum applicant\*
  - In removal proceedings\*

\*Until a final, non-appealable, legally enforceable order of removal (deportation) is issued



# CHE Documentation

- CHE determinations can either be straightforward or incredibly complex; another presentation specifically on this topic can be found on the BRP Provider Resources page (<https://dcf.wisconsin.gov/refugee/providers/resources>)
- There are multiple examples of documentation which may verify that someone is a CHE
  - [ORR Status and Documentation Requirements](#)



# Amerasians

- Certain Amerasians from Vietnam, admitted as immigrants pursuant to § 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act
- There are multiple examples of documentation that may verify this status
  - [ORR Status and Documentation Requirements](#)



# Permanent Resident

- An individual admitted for permanent residence is ORR-eligible, provided they previously held one of the statuses identified above, and meet other eligibility requirements.



# Iraqi and Afghan Special Immigrant Visa (SIV) Holders

- Iraqi and Afghan Special Immigrants obtained their status because they worked with U.S. Armed Forces or under Chief of Mission authority as a translator/interpreter in Iraq or Afghanistan
- Admitted per section 1244(g) of Div. A of Pub. L. 110-181, as amended (8 U.S.C. § 1157 note) and section 602(b) (8) of Div. F of Pub. L. 111-8, as amended (8 U.S.C. § 1101 note)
- This differs from recent legislation related to Afghan arrivals
- There are multiple examples of documentation that may verify asylee status
  - [ORR Status and Documentation Requirements](#)



# Victims of human trafficking

- Per the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, as amended, 22 U.S.C. § 7105(b) (1) (A) and (C).
- There are multiple examples of documentation that may verify this status
  - [ORR Status and Documentation Requirements](#)



# Afghan Humanitarian Parolees

- Afghans paroled into the US between July 31, 2021 and September 30, 2023\*
  - Children and spouses of the above remain eligible
- Forms of documentation vary
  - [BRP Ops memo](#)
  - ORR Policy Letters [22-01](#) and [22-02](#)

\*This information is current as of October 25, 2023.



# Ukrainian Humanitarian Parolees

- Ukrainians paroled into the US between February 24, 2022 and September 30, 2023\*
  - Children and spouses of the above remain eligible
- Forms of documentation vary
  - [BRP 22-05](#)
  - ORR Policy Letter [22-13](#)

\*This information is current as of October 25, 2023.



# Resources

- [ORR Status and Documentation Guide](#)
- [BRP Policy Site](#)
- [Immigration Legal Services \(BRP website\)](#)
- [BRP Resources Page](#) or [Refugee Service Providers- Resources](#)
- [Covering Wisconsin](#) (health care resource)
- [W-2 Agency Locator](#)
- [IM Agency \(FoodShare, Health Care\) Contact Information](#)
- When in doubt, reach out!
  - [DCFRefugee@wisconsin.gov](mailto:DCFRefugee@wisconsin.gov)



# Questions?

[DCFRefugee@wisconsin.gov](mailto:DCFRefugee@wisconsin.gov)

