

# Appendix A



# Index of ORR Policy/State Letters

## Index of Guidance Related to Eligibility (click for hyperlink)

Federal Fiscal Year	Subject	Date of Issue
FY 2017	ORR Policy Letter #17-01 "Cuban Entrants" Remain Eligible for ORR Benefits and Services	02/08/2017
	ORR Guide to Eligibility, Placement, and Services for Unaccompanied Refugee Minors (URM)	10/17/2016
FY 2016	ORR Policy Letter #16-01 Documentation Requirements for the Refugee Resettlement Program	10/07/2015
	ORR Policy Letter #16-03 Restrictive Language on I94s Issued to Certain Haitians	10/02/2015
	ORR Guidance Asylee Eligibility for Assistance and Services	10/14/2015
FY 2015	ORR State Letter #15-01 In-Country Refugee/Parole Program for Children in El Salvador, Guatemala, and Honduras with Parents Lawfully Present in the United States -- Eligibility for ORR Benefits and Services	01/07/2015
FY 2014	ORR State Letter #14-03 Guidance for FY-14 ORR-1 Same-Sex Couple Benefits	05/29/2014
	ORR State Letter #14-02 Employment Eligibility Requirements for Asylees, Refugees, and other Populations Served by ORR	03/26/2014
FY 2013	ORR State Letter #13-10 Expansion of Medicaid Eligibility under the Affordable Care Act and Compliance with ORR Regulations at 45 CFR 400.101	11/26/2013
FY 2012	State Letter #12-04 Legal Assistance for Victims of Trafficking, Potential Vicistms, and Certain Family Members	07/29/2013
FY 2011	(None relevant)	
FY 2010	ORR State Letter #10-05 Requesting Assistance for Child Victims of Human Trafficking	03/19/2010
	ORR State Letter #10-03 "Cuban and Haitian Entrants": Eligibility for ORR-Funded Benefits and Services	01/27/2010

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	ORR State Letter #10-02 Afghan and Iraqi Special Immigrants Are Now Eligible for ORR Benefits and Services to the Same Extent and for the Same Periods of Time as Refugees	12/23/2009
FY 2009	ORR State Letter #09-24 Required Adjustment of State to Lawful Permanent Resident by Refugees after One Year in U.S. in Refugee Status; Travel Abroad by Refugees and Requirement for Refugee Travel Document; Required Notification by Refugee of Change of Address	07/24/2009
	ORR State Letter #09-17 Afghan Special Immigrants Are Now Eligible for Eight Months of ORR Benefits and Services from Date of Entry to U.S.	04/09/2009
	ORR State Letter #09-11 Policy Clarification on Legal Assistance for Trafficking Victims and T Visa Holders	12/03/2008
	ORR State Letter #09-09 Clarification of Unaccompanied Refugee Minor (URM) Eligibility for Chafee (Independent Living) Funds and Education and Training Vouchers (ETV)	11/20/2008
	ORR State Letter #09-02 Eligibility of Afghan Special Immigrants for ORR Benefits and Services Continues Beyond September 30, 2008 - Update to ORR State Letter 08-04	10/14/2008
FY 2008	ORR State Letter #08-09 Notification to State Refugee Coordinators and Refugee Health Coordinators of Issuances of Certifications/Eligibility Letters to Victims of a Severe Form of Trafficking in Persons	07/15/2008
	ORR State Letter #08-06 Public Law 110-181: National Defense Authorization Act for Fiscal Year 2008: Time Limited Eligibility for ORR Benefits and Services of Iraqis Granted Special Immigrant Status under Section 101(a)(27) of the Immigration and Nationality Act (INA)	02/07/2008
	ORR State Letter #08-04 Consolidated Appropriations Act, 2008: Time Limited Eligibility for ORR Benefits and Services of Iraqis and Afghans Granted Special Immigrant Status under Section 101 (a)(27) of the Immigration and Nationality Act (INA)	01/01/2008
FY 2007	ORR State Letter #07-14 Cuban Parolee and Non-Cuban Spouse or Non-Cuban Child Not Eligible for ORR Benefits and Services	10/19/2007
	ORR State Letter #07-07 Provisions of the REAL ID Act and the Notice of Proposed Rulemaking	04/12/2007
FY 2006	ORR State Letter #06-20 Clarification of the Medicaid Program's New Guidance on Citizenship Documentation for Medicaid Benefits	11/02/2006

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<b>FY 2005</b>	ORR State Letter #05-27 National Waiver of the 90-Day Limitation on Medical Screening for Refugees Evacuated or Displaced by Hurricane Katrina	09/20/2005
	ORR State Letter #05-26 Disaster Assistance Payments Received by Victims of Hurricane Katrina	09/20/2005
	ORR State Letter #05-25 National Waiver of the 60-Month Limitation on Targeted Assistance for Refugees Evacuated or Displaced by Hurricane Katrina	09/20/2005
	ORR State Letter #05-24 Eligibility Guidance for ORR Populations Displaced by Hurricane Katrina	09/09/2005
	ORR State Letter #05-23 National Waiver of the 60-Month Limitation on Social Services	09/02/2005
	ORR State Letter #05-04 Immigration Consequences of a Criminal Conviction	03/24/2005
	ORR State Letter #05-03 Release of Individuals Previously Held in "Indefinite Detention"	03/01/2005
	ORR State Letter #05-02 Public Charge and ORR Populations	01/27/2005
<b>FY 2004</b>	ORR State Letter #04-14 Clarification of the Social Security Administration's Procedure for Verifying Refugee and Asylee Status When Applying for a Social Security Card and Verification of Refugee Status with the Department of State Refugee Processing Center	08/06/2004
	ORR State Letter #04-12 The Trafficking Victims Protection Reauthorization Act of 2003 -- Eligibility for Federally Funded or Administered Benefits and Services to the Same Extent as Refugees Extended to Certain Family Members of Victims of a Severe Form of Trafficking in Persons	06/18/2004
	ORR State Letter #04-10 Guidelines Regarding the Use of RMA Health Screening Programs	05/28/2004
<b>FY 2003</b>	(None relevant)	
<b>FY 2002</b>	ORR State Letter #02-29 Reminders on Registration, Change of Address and Adjustment of Status	08/30/2002
	ORR State Letter #02-25 Toll-Free Phone Number for Trafficking Victim Verification -- 1 866 401 5510	07/23/2002
	ORR State Letter #02-04 Verification of Refugee Status with the Department of State Refugee Data Center	02/08/2002
	ORR State Letter #02-03 Release of Individuals Previously Held in "Indefinite Detention" (superseded)	01/24/2002
	ORR State Letter #02-01 The Trafficking Victims Protection Act of 2000 -- Removal of Expiration Dates from Certification Letters for Adults and Eligibility Letters for Children	01/04/2002

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Federal Fiscal Year	Subject	Date of Issue
<b>FY 2001</b>	ORR State Letter #01-31 Federal Fiscal Year (FFY) 2002 Presidential Determination and Steps Taken by the Office of Refugee Resettlement (ORR) to Address the Impact of September 11 on Refugee Communities	12/05/2001
	ORR State Letter #01-30 Employment Eligibility Requirements	11/21/2001
	ORR State Letter #01-25 Events of September 11, 2001	09/28/2001
	ORR State Letter #01-22 Clarification of Acceptable Documentation for Category One "Cuban and Haitian Entrants"	08/15/2001
	ORR State Letter #01-18 Asylee Information Hotline	07/09/2001
	ORR State Letter #01-13 The Trafficking Victims Protection Act of 2000	05/03/2001
	ORR State Letter #01-09 Change in Issuance of Social Security Numbers to Asylees	04/05/2001
	ORR State Letter #01-01 Lost Boys: Arrival of Sudanese Youths during FY 2001	01/11/2001
<b>FY 2000</b>	ORR State Letter #00-23 States Cannot Require that Applicants for Office of Refugee Resettlement (ORR)-funded Assistance and Services Provide Social Security Numbers	11/16/2000
	ORR State Letter #00-17 Status and Documentation Requirements for the Federal Refugee Resettlement Program	09/14/2000
	ORR State Letter #00-15 Asylee Eligibility for Refugee Resettlement Program Benefits	08/03/2000
	ORR State Letter #00-14 Refugees Should Receive Unrestricted Social Security Cards	07/12/2000
	ORR State Letter #00-12 Asylee Eligibility for Refugee Resettlement Program Benefits Date of Entry Will Be Date Individual is Granted Asylum	06/15/2000

**Department of Health and Human Services**



Administration for Children and Families  
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Washington, D.C. 20447

**ORR State Letter # 02-29**

**Date: August 30, 2002**

**TO:** STATE REFUGEE COORDINATORS  
NATIONAL VOLUNTARY AGENCIES  
OTHER INTERESTED PARTIES

**FROM:** Nguyen Van Hanh, Ph.D.  
Director  
Office of Refugee Resettlement

**SUBJECT:** Reminders on Registration, Change of Address and Adjustment of Status

In recent months, the Attorney General has published proposed rules, which mention already existing responsibilities that non-citizens have under the Immigration and Nationality Act (INA) to register with the Immigration and Naturalization Service (INS) and to report changes of address.<sup>[1]</sup> Although these requirements are not new, many of the individuals that provide or receive ORR-funded benefits and services may not be aware of these responsibilities. Some benefit-granting agencies have expressed concern that refugees and other ORR-eligible groups<sup>[2]</sup> will be penalized for not complying with these rules. ORR is issuing this State Letter to inform the organizations that serve ORR-eligible groups about the registration and change of address requirements. This State Letter also notes a refugee's responsibility to apply for adjustment of status after one year in the United States.

ORR does not enforce this country's immigration laws and cannot provide legal advice on individual cases. However, ORR encourages organizations that are in a position to advise ORR - eligible groups to work with them on these INS requirements so that their resettlement in the United States is not marred by immigration complications.

**Registration**

Section 262(a) of the INA requires virtually all non-citizens 14 years of age or older who remain in the United States for 30 days or longer to register with the INS.<sup>[3]</sup> The groups that ORR serves must register with the INS. The INS has designated certain forms as evidence of registration. Some of those forms are the I-551, Lawful Permanent Resident Card; I-688B, Employment Authorization Document; I-766, Employment Authorization Document; and the I-94, Arrival-Departure Record, for individuals paroled into the United States under section 212 (d)(5) of the INA.<sup>[4]</sup> (The I-94 is not a registration document for refugees and asylees.) Under section 266(a) of the INA, non-citizens who willfully fail or refuse to apply for registration will be guilty of a misdemeanor and, upon conviction, be fined not more than \$1,000 or be imprisoned not more than six months, or both. Under section 266(c) of the INA, non-citizens who file an application for registration that contains false statements or who procure or attempt to procure registration through fraud will be guilty of a misdemeanor and, upon conviction, be fined not more than \$1,000 or be imprisoned not more than six months, or both. Any non-citizen so convicted will, upon the warrant of the Attorney General, be taken into custody and removed.

### **Change of Address**

Section 265(a) of the INA says that non-citizens who are required to register must notify the Attorney General of a change of address within 10 days of the change. The groups that ORR serves must report a change of address. To do this, they may fill out INS Form AR-11, which can be found on the INS website at [www.ins.gov](http://www.ins.gov). Section 266(b) of the INA says that a noncitizen who fails to report a change of address will be guilty of a misdemeanor and, upon conviction, be fined not more than \$200 or be imprisoned not more than thirty days, or both. The section also says that a non-citizen who fails to report a change of address shall be taken into custody and removed from the United States, unless he or she can establish that the failure to report the change of address was reasonably excusable or was not willful.

### **Adjustment of Status for Refugees**

Refugees (not asylees, Cuban and Haitian entrants, Amerasians or trafficking victims) **are required** to apply to the INS for adjustment of their status (i.e., to become lawful permanent residents, "green card" holders) one year after entry.<sup>[5]</sup> Refugees apply for lawful permanent resident status by filling out INS Form I-485, for which refugees do not need to pay a fee.

<sup>[1]</sup> 67 FR 40581, June 13, 2002. 67 FR 48818, July 26, 2002.

<sup>[2]</sup> Individuals with the following statuses are eligible for ORR benefits (45 CFR §400.43(a)(1) - (6)): refugees admitted under §207 of the INA, asylees whose status was granted under §208 of the INA, Cuban and Haitian entrants, in accordance with the requirements in 45 CFR §401.2, certain Amerasians, and victims of a severe form of trafficking as defined in §107(b) (1)(C) of the Trafficking Victims Protection Act.

<sup>[3]</sup> Non-citizens under the age of 14 must be registered by their parent or legal guardian. INA §262(b)

<sup>[4]</sup> For a complete list of forms designated as evidence of registration, see 8 CFR §264.1(b).

<sup>[5]</sup> INA §209(a)(1), 8 CFR §209.1(a)(1).