



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Refugee Resettlement | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/programs/orr

Refugee Support Services Funded by the Afghanistan Supplemental Appropriation

Policy Letter 22-03

Initially published October 21, 2021

Revised November 26, 2021¹

This Policy Letter (PL) describes the Office of Refugee Resettlement (ORR) Refugee Support Services (RSS) base awards funded by the Afghanistan Supplemental Appropriations Act, 2022 (ASA). For information about funding allocations, please see the Dear Colleague Letter(s) on RSS ASA Funding Allocations on the ORR website.

Eligible Populations

ASA funding is designated to support:

- 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, 2022.
- A spouse or child of any Afghan humanitarian parolee described above, who is paroled into the United States after September 30, 2022.
- A parent or legal guardian of an Afghan humanitarian parolee who is determined to be an unaccompanied child as defined by 6 U.S.C. 279(g)(2), who is paroled into the United States after September 30, 2022.
- Citizens and nationals of Afghanistan for whom refugee and entrant assistance activities are authorized (e.g., Special Immigrant Visa holders, Special Immigrants with Conditional Permanent Residency, SQ/SI parolees, refugees, asylees), whose eligibility date is on or after July 31, 2021.²

ASA / RSS Priority

As part of Operation Allies Welcome (OAW), a significant number of Afghan arrivals are being resettled, including humanitarian parolees. As a result, states³ may need additional resources to adequately meet the needs of these arrivals, and in particular, may need resources to support resettlement housing needs. To provide services as quickly as possible, states should bypass standard procurement guidelines regarding competition, given the emergent nature of OAW and the need to quickly resettle Afghan arrivals (see also 45 C.F.R. § 75.329(f)(2)).⁴

This ASA funding is intended to provide support for traditional services provided under RSS base funding, but may also be used, when necessary, to support emergency/short-term and long-term housing for

¹ November 26, 2021 revisions are footnoted.

² Eligibility date information added November 26, 2021.

³ "States" throughout this Policy Letter refers to states and replacement designees.

⁴ This sentence added November 26, 2021.

Afghan arrivals as a critical component in resettlement stability, self-sufficiency, and integration. ORR seeks to provide states with the flexibility and necessary resources to support capacity planning and coordination efforts for housing, given that a lack of available and affordable housing can create additional barriers to helping refugee populations find and retain employment, achieve self-sufficiency, and fully integrate into their new communities. Housing instability can also create additional barriers to the educational success and development of children.

Through this funding, states are encouraged to develop and implement a strategy to support housing needs for Afghan arrivals and should ensure that the methodology for supporting this need is equitable and transparent. States should consider hiring a statewide housing coordinator or retaining other expertise, such as fair housing consultancies, to work in partnership with national resettlement agencies, local resettlement agencies, state and local housing agencies and public housing authorities, and other stakeholders. States should determine the best way to sustain this position with the funding options available, including external funding resources if available, or Cash and Medical Assistance/Planning and Coordination.⁵

Emergency/Short-term Housing

OAW's goal is to resettle Afghans from Safe Havens as quickly and successfully as possible. If needed, emergency/short-term housing support may be used to support the state's involvement in the statewide coordination of housing access for Afghans who are departing the Safe Havens. States are strongly encouraged to identify solutions so that housing availability is not a barrier to swift resettlement. This could include:

- Participating in national and local-level workgroups to identify solutions to emergency housing needs.
- Coordinating with federal, state, and local emergency management officials and/or other entities, such as housing rental companies, to secure short-term housing to support initial resettlement.
- Collaborating with local resettlement agencies to ensure that their clients' immediate housing needs are being met.
- Identifying emergency housing assistance through other federal, state, or locally-funded programs to supplement gaps in cash assistance and housing costs. States should be cognizant of implications for their clients' eligibility for other public assistance programs should emergency housing assistance count as income.

Long-term Housing

If a state chooses to use these funds to develop a strategy to address long-term housing needs, the state may consider implementing some of the following:

- Engaging with a variety of stakeholders to build relationships and identify options that may lead to increased housing supply over time.
- Creating a backstop or guarantee to cover missed rental payments or gaps in rental payments owed by tenants.
 - This would allow property management companies the assurance that rental costs would be paid for the duration of the lease. In the case where a tenant is unable to pay, the state or local program would step in and cover the gap in rental payments. Given the uncertainty of parolee employment and income over the course of a year, this may increase the supply

⁵ Funding options updated November 26, 2021.

- available to local resettlement programs.
- This program could include incentives for clients who consistently pay their rent. It could also include a recoupment payment process for clients who fail to pay their rent on a regular basis.
- Identifying innovative models in securing affordable housing suitable to the needs of Afghan arrivals, such as working with housing developers with available units, [Welcome.US](#), and other partners that focus on housing solutions.

Other Notable Activities Allowable Under the ASA⁶

If a state has met the ASA / RSS priorities under this policy letter, states are able to use ASA RSS funding for the following activities:

Legal assistance: States may provide legal assistance to Afghan arrivals as defined under 45 C.F.R. § 400.155(i). Additionally and specifically, states can assist Afghan humanitarian parolees to fill out asylum applications and help Afghan Special Immigrant Conditional Permanent Residents remove the conditions from their permanent residence. States should not use ASA RSS funds to pay for Afghan arrivals to be represented in legal proceedings, especially when they are in an adversarial position to the U.S. government; pay for application fees; or duplicate services already provided by the U.S. Citizenship and Immigration Services under the U.S. Department of Homeland Security.

Food Assistance: ORR will allow states to use ASA RSS funding to provide food to Afghan arrivals in the short-term. ORR defines short-term as the period before Afghan arrivals (a) are able to access Supplemental Nutrition Assistance Program (SNAP) benefits and (b) have housing that will allow them to prepare food and cook. States should continue to focus on connecting Afghans to necessary food assistance programs as soon as possible.

Service Requirements

States must provide RSS base (and RSS set-aside) services in accordance with [45 CFR Part 400 Subpart I -- Refugee Social Services](#), [ORR PL 21-06](#), and, if a state requested waivers modifying RSS requirements, [ORR PL 21-08](#) (as well as any additional PLs governing the relevant RSS set-aside(s)).

The regulations at 45 C.F.R. §§ 400.154 and 400.155 define services allowable under RSS. If a state wishes to provide additional services not delineated in these sections, pursuant to 45 C.F.R. § 400.155(h), a state must submit a request to the ORR Director and receive approval, prior to providing the service.

[ORR PL 16-07](#) authorizes base RSS funding to be used for transitional housing assistance, aimed at supporting economic self-sufficiency on occasions when there is an increased number of new arrivals.

In accordance with ORR PL 21-06, a state must ensure that each individual member of a household in which a member is receiving RSS employability services is assessed for a family self-sufficiency plan (FSSP), is subsequently referred to services, and receives appropriate follow-up minimally at six and twelve months post enrollment.

Equity and Inclusion

ORR stresses the importance of advancing equity consistent with the Executive Order on Advancing Racial Equity and Support for Underserved Communities ([E.O. 13985](#)) in all of its programming. ORR

⁶ Section added November 26, 2021.

urges all states to:

- Use an equity lens when developing new programming, to ensure that all ORR-eligible populations, regardless of race, religion, gender identity, sexual orientation, disability, or other characteristic(s), receive fair treatment, access, and opportunity;
- Review existing programming with an equity lens; and
- Identify and eliminate barriers that may prevent the full participation of some groups.

ORR also strongly encourages states to practice inclusion through purposeful collaboration and engagement with ethnic communities to inform service design and delivery. For the implementation of ASA funding, states should engage Afghan leaders and communities in meaningful and consistent ways to inform program design and implementation, including creating consultative and advisory bodies, to the extent possible.

ORR hopes to facilitate intentional programming that fully meets the needs of all populations; innovation and ingenuity in program design, outreach, and partnerships; and increased and equitable access to digital services and digital literacy. ORR requests that states dedicate focus to outcomes and data analysis to ensure that states and ORR can identify the impacts of this funding, enabling the adjustment of priorities to address gaps as needed.

Reporting and Monitoring

States must describe ASA-funded activities for RSS base (and RSS set-asides) in their state plans and should ensure appropriate mechanisms to assess the need for, and track, all assistance provided to Afghan arrivals.

States should develop and track specific, measurable, achievable, relevant, and time-bound (SMART) annual program outcomes for all ASA-funded RSS base (and RSS set-aside) activities. States must report the number of clients served, the type and frequency of services provided, outcomes, accomplishments, and challenges in the ORR-6 Program Performance Report (“ORR-6”) semi-annual schedules A, C, and D, and submit the ORR-6 Annual Service Plan. States must also submit the annual RSS Sub-Grantee Report (OMB Clearance Number 0970-0556). These forms, instructions, and the reporting schedule are available on the [ORR website](#).

States are required to submit data for all enrollments, including those enrollees served through ASA-funded RSS (and set-asides), within ORR’s State Arrival and Service Data Collection Process, using the ORR-5 data collection form. Instructions for the ORR-5 are also on the [ORR website](#).

States must also submit the Standard Form (SF) 425 Federal Financial Report through the Payment Management System (PMS) on a quarterly basis. For questions regarding PMS, please contact the PMS Help Desk at 877.614.5533 or pmssupport@psc.gov.

ORR will monitor ASA-funded awards through routine monitoring activities to ensure that states are in compliance and the services provided meet the needs of ASA-eligible populations. During monitoring, ORR will review a state’s annual program outcomes and progress towards each goal. Additionally, ORR will assess how services are provided, identify promising practices, and observe trends for further analysis and information sharing. ORR may create additional monitoring activities for ASA eligible individuals. States are responsible for monitoring sub-recipients for compliance and achievement of objectives as outlined in their approved state plan.

Resources

Please direct any questions about this PL to the Refugee Policy Unit at RefugeePolicy@acf.hhs.gov. ORR also encourages you to utilize ORR's [Technical Assistance provider\(s\)](#) for additional resources on serving refugees.

We appreciate all of your work to support the health and well-being of these new Afghan arrivals.

Sincerely,

Cindy Huang
Director
Office of Refugee Resettlement