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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Refugee Resettlement

Federal Register Notice: Change in Eligibility Period for Refugee Cash Assistance and Refugee Medical Assistance

AGENCY: Office of Refugee Resettlement (ORR), Administration for Children and Families (ACF), U.S. Department of Health and Human Services (HHS).

ACTION: Notice of change of eligibility period.

SUMMARY: The Office of Refugee Resettlement (ORR) announces a change to the eligibility period for Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA). Pursuant to ORR regulations at 45 CFR 400.211(b), the ORR Director (hereinafter "the Director") has determined that the RCA and RMA eligibility period will be increased from 4 months to 8 months. This change is intended to support the effective resettlement of refugees and other ORR-eligible populations and assist them in achieving economic self-sufficiency, consistent with the requirements of the Refugee Act of 1980, while maintaining efficient use of federal resources.

DATES: The changes described in this *Federal Register* notice are effective upon the date of publication. States should begin implementing the expanded RCA and RMA eligibility period as soon as possible and will have up to 30 days to complete any necessary system or operational changes, consistent with 45 CFR 400.211(b).

FOR FURTHER INFORMATION CONTACT: Miro Marinovich, Office of Refugee Resettlement, Administration for Children and Families, by phone at (240) 856-2610, and email at Miro.Marinovich@acf.hhs.gov.

SUPPLEMENTARY INFORMATION: Under the Refugee Act of 1980 (8 U.S.C. 1522), ORR provides for the effective resettlement of refugees and supports their transition to economic self-sufficiency as quickly as possible. The Act also authorizes the Director to provide RCA and RMA during a defined period not to exceed 36 months following arrival in the United States (8 U.S.C. 1522(e)(1)). RCA and RMA are time-limited benefits available to eligible individuals who do not qualify for certain mainstream assistance programs.

ORR's regulations at 45 CFR 400.211 authorize the Director to determine the appropriate eligibility period for RCA and RMA each fiscal year using a methodology based on factors including available appropriations, and projected arrivals. The regulations also require that any change to the eligibility period currently in effect be announced through publication in the *Federal Register* (45 CFR 400.211(b)). Prior to 1993, ORR amended its regulations each time it changed the eligibility period. In 1993, ORR revised its approach by removing the specific duration from the regulatory text and establishing a methodology for determining the eligibility period annually (58 FR 64499, Dec. 8, 1993). Under this framework, the methodology is set in regulation, while annual determinations of the eligibility period are issued as interpretive rules.

The eligibility period for RCA and RMA has changed over time in response to funding levels and program needs. Initially, ORR provided these benefits for up to 36 months after arrival. Due to funding constraints, the eligibility period was subsequently reduced to 18 months, then 12 months, and to 8 months in FY 1992. The 8-month eligibility period remained in place for 30 years until FY 2022, when ORR expanded eligibility to

12 months. In FY 2025, ORR reduced the eligibility period to 4 months due to limited funding availability (90 FR 13370, March 31, 2025).

Consistent with regulations, the Director has considered arrival trends, available appropriations, participation rates and projected expenditures in determining the appropriate eligibility period at this time. ORR received a full-year appropriation at the FY 2024 enacted level, resulting in greater available funding than previously anticipated. In addition, actual arrival trends are lower than earlier projections. These factors will allow ORR to increase the months of assistance. But, at the same time, recent legislative changes have limited access to certain government benefits for some ORR-eligible populations, increasing reliance on ORR-funded assistance during the initial resettlement period. These changes are expected to increase participation in ORR benefits, including RMA, as more individuals who might otherwise enroll in other programs, instead access ORR-funded services and thus limits the number of months by which ORR can increase benefits.

In light of these factors, the Director has determined that the RCA and RMA eligibility period will be increased to 8 months. This change will also help ensure that participants have sufficient time to engage in employment services, access needed supports and health services, and move toward economic self-sufficiency, while maintaining the program within available resources. ORR will continue to monitor funding levels, arrival trends, and program needs to ensure that the RCA and RMA eligibility period remains appropriate and sustainable.

ORR-eligible individuals whose eligibility date is on or after January 1, 2026, will be eligible for up to 8 months of RCA and RMA, provided they meet all applicable eligibility requirements under 45 CFR Part 400 Subparts E and G. For individuals who received fewer than eight months of RCA or RMA because the eligibility period was previously limited to four months, States or Replacement Designees (RDs) may provide additional months of assistance, up to the eight-month maximum, if the individual remains eligible for benefits at the time the additional assistance is provided. Alternatively, States and RDs may issue retroactive payments for months within the individual's eight-month eligibility period for which assistance was not previously paid, provided the State or RD determines that the individual met all program eligibility requirements during those unpaid months.

Nothing in this notice is intended to allow payment for any month in which an individual did not meet all eligibility requirements in effect for RCA or RMA.

The revised 8-month eligibility period for RCA and RMA is effective on the date of publication of this *Federal Register* notice. States should begin implementing the expanded RCA and RMA eligibility period as soon as possible and will have up to 30 days to complete any necessary system or operational changes.

(Authority: 45 CFR 400.211.)

Angie Salazar,

Acting Director,

Office of Refugee Resettlement.

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