



### **SUPPLEMENTAL TERMS and CONDITIONS**

The **General Terms and Conditions** apply to all non-discretionary programs. These Supplemental Terms and Conditions are additional requirements applicable to the programs named below.

By acceptance of awards for these programs, the recipient agrees to comply with the requirements included in both the General and Supplemental Terms and Conditions for these programs.

#### **Office of Refugee Resettlement (ORR)**

#### **REFUGEE CASH AND MEDICAL ASSISTANCE PROGRAM/ REFUGEE SUPPORT SERVICES PROGRAMS (INCLUDING REFUGEE SUPPORT SERVICES SET-ASIDE PROGRAMS)**

Assistance Listing No. 93.566

#### **APPLICABLE LEGISLATION, STATUTE, REGULATIONS**

1. The program is authorized and codified under the Refugee Act of 1980, Sections 411-414 of the Immigration and Nationality Act, 8 U.S.C. 1521-1524. Additional authorities for the program are the following:
  - a. Refugee Education Assistance Act of 1980, Title V, Section 501(a), [P.L. 96-422](#), 94 Stat. 1799 ([8 U.S.C. 1522 note](#)).
  - b. William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Section 235, [P.L. 110-457](#).
  - c. Victims of Trafficking and Violence Protection Act of 2000, [P.L. 106-386](#).
  - d. Afghan Allies Protection Act, 602(b)(8) of Div. F of Pub. L. 118-8, as amended (8 U.S.C. 1101 note)
  - e. Refugee Crisis in Iraq Act of 2007, 1244(g) of Div. A of Pub. L. 110-181, as amended (8 U.S.C. 1157 note)
  - f. Afghanistan Supplemental Appropriations Act, 2022, ([P.L. 117-43](#)), Title III, as amended through [P.L. 117-86](#).
  - g. Additional Ukraine Supplemental Appropriations Act, 2022 (P.L. 117-128)
  - h. Section 584 of Foreign Operations, Export Financing, and Related Programs Appropriations Act, Section 101(e) of public law 100-202
2. Implementing program regulations are published at:
  - a. [45 CFR Part 400](#), Refugee Resettlement Program.
  - b. [45 CFR Part 401](#), Cuban / Haitian Entrant Program.
3. Additional program requirements and policy are as follows:

- a. The recipient's approved state plan, including all approved amendments or revisions.
- b. All relevant ORR Policy Letters (PLs) and State Letters (SLs), which include the following:
  - PL 23-07 Waiver To Allow Refugee Medical Assistance Coverage For Full Time Students
  - PL 23-06 Continuation of ORR Services for Certain Afghans Who Have Filed for Re-Parole, Asylum, or Adjustment of Status
  - PL 23-05 ORR Authorized Legal Assistance Using AUSAA Funds
  - PL 23-01 ORR Waivers and Flexibilities for Capacity Management
  - PL 22-16 Continued Flexibilities through December 31, 2022
  - PL 22-05 ORR Funds and Flexibilities During Emergencies and Disasters
  - PL 22-04 Virtual Refugee Service Delivery and Elements of Program Administration
  - PL 22-03 Refugee Support Services (RSS) Funded by the Afghanistan Supplemental Appropriation
  - PL 22-02 Additional ORR-Eligible Statuses and Categories and Acceptable Documentation Requirements for Afghan Nationals
  - PL 22-01 Afghan Humanitarian Parolees and Unaccompanied Afghan Minors Eligible for ORR Benefits and Services
  - PL 21-08 Continued Flexibilities Related to COVID-19, through September 30, 2022
  - PL 21-07 Amendment to ORR Policy Letter 16-01: Additional Form of Documentation for Iraqi and Afghan Special Immigrants
  - PL 20-02 Limitations on Collection of ORR Client Information for Refugee Programs
  - PL 18-01 Federal Lobbying Restrictions
  - PL 17-02 Data Sharing
  - PL 17-01 "Cuban Entrants" Remain Eligible for ORR Benefits and Services
  - PL 16-03 Restrictive Language on I-94s issued to Certain Haitians
  - PL 16-01 Documentation Requirements for the Refugee Resettlement Program and its Frequently Asked Questions appendix
  - SL 05-20 Revised HHS "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons"
  - SL 05-03 Release of Individuals Previously Held in "Indefinite Detention"
  - SL 00-23 States cannot require that applicants for ORR funded assistance and services provide social security numbers
- c. All relevant ORR Policy Letters (PLs) and State Letters (SLs) for the Refugee Cash and Medical Assistance Program, which include the following:
  - PL 23-04 Expanding Income Disregards for RCA
  - PL 23-02 Waiver for Shift in RCA Time Eligibility Period for FY 2022 and FY 2023 Arrivals
  - PL 21-04 Guidance for Public-Private Refugee Cash Assistance Programs
  - PL 21-03 Replacement Designees: Authorization, Role, Responsibilities, and Status Changes
  - PL 21-02 COVID-19 Assistance for Unaccompanied Refugee Minor Youth, as applicable
  - PL 19-06 Eligibility for ORR Services for Cuban and Haitian Entrants Without Work Authorization
  - PL 19-05 Medical Costs Incurred During Transit
  - PL 19-04 Privately Administered Refugee Medical Assistance through a Medical Replacement Designee
  - PL 18-03 Replacement Designees
  - PL 16-05 The Role of Refugee Health Coordinators
  - PL 16-04 ACA Reporting Requirements for RMA
  - PL 16-02 Extension of the Waiver of RMA Financial Eligibility Standards
  - SL 14-03 Guidance for FY-14 ORR-1 Same-Sex Couple Benefits
  - SL 13-10 Expansion of Medicaid Eligibility under the Affordable Care Act and Compliance with ORR Regulations at 45 CFR 400.101
  - SL 13-09 The Affordable Care Act, Waiver of Financial Eligibility Standards for ORR Refugee Medical Assistance, and Application of the MAGI Income Methodology
  - SL 13-03 FY 14 ORR-1 and State Plan Submissions

- SL 12-13 Guidance on Reporting and Estimating Administrative Costs For the Refugee Cash and Medical Assistance (CMA) Program and Attachment - Financial Capability and Partnership Resources Addendum
  - SL 03-03 Disregard of Monetary Allowances for Certain Children of Vietnam War Veterans
  - SL 99-17 Use of RMA Funds for Vaccination
  - Statement of Goals, Priorities, Standards, and Guidelines for the Unaccompanied Minor Refugee and Cuban/Haitian Entrant Programs, as applicable
  - ORR Guide to Eligibility, Placement, and Services for Unaccompanied Refugee Minors, as applicable
- d. All relevant ORR Policy Letters (PLs), Dear Colleague Letters (DCLs), and State Letters (SLs) for the Refugee Support Services Programs, which include the following:
- DCL 23-24 Refugee Support Services: Supplemental Federal Financial Report (SF-425) Instructions
  - PL 23-03 Afghan Extended Case Management and Extended Community Orientation Allowable Under ORR ASA Funding
  - PL 22-15 Refugee Support Services Funded by the Additional Ukraine Supplemental Appropriations Act
  - PL 22-12 Afghan Refugee School Impact: Support to Schools Initiative
  - PL 22-11 Immigration Related Legal Assistance Allowable Under ORR ASA Funding
  - PL 22-09 Youth Mentoring Program
  - PL 22-08 Services to Older Refugees
  - PL 22-07 Refugee School Impact Program
  - PL 22-06 Refugee Mental Health Initiative within the Refugee Health Promotion Program
  - PL 21-06 Family Self-Sufficiency Plan Requirements to Promote Self-Sufficiency and Integration
  - PL 21-05 Continued Assistance for ORR Populations Affected by COVID-19 Through September 30, 2021
  - PL 20-05 Refugee Health Promotion Program Transitions to Refugee Support Services Set-Aside Program
  - PL 19-06 Eligibility for ORR Services for Cuban and Haitian Entrants Without Work Authorization
  - PL 19-03 Services for Older Refugees Program
  - PL 19-02 Youth Mentoring Program
  - PL 19-01 Refugee School Impact Program
  - PL 18-04 Refugee Support Services
  - PL 16-08 SNAP Work Requirements and Participation in Office of Refugee Resettlement Training Programs
  - PL 16-07 Guidance on Refugee Social Services Funding
  - PL 16-05 The Role of Refugee Health Coordinators
  - SL 15-06 LGBT Resources and Information
  - SL 09-03 Employment Criteria and Reporting Guidance for Refugee Employment Services
  - SL 07-13 ORR Employment Outcomes: Refugee as Employee and Refugee as Self-Employed
4. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards is located under [45 CFR Part 75](#). For Refugee Cash and Medical Assistance, Subpart C does not apply, except for 75.202. For Refugee Support Services Programs, 45 CFR Part 75 applies in its entirety.
5. Additional applicable regulations and requirements can be found in the General Terms and Conditions for Non-discretionary: Formula, Block and Entitlement Awards.

#### **COST SHARING OR MATCHING (NON-FEDERAL SHARE) OF PROGRAM FUNDING**

6. 8 U.S.C. 1522 is silent on match, therefore this program does not require a match.

#### **FINANCIAL MANAGEMENT AND REPORTING**

## 7. Cash and Medical Assistance Program

- a. *Funding Priorities.* If a funding shortfall is announced by ORR, Federal funds provided for this program must be used by the recipient to provide services in the following order of importance:
- Services for unaccompanied refugee minors, including the administrative costs of providing such services.
  - Provision of refugee cash assistance and refugee medical assistance, in accordance with the provisions of 45 CFR 400.203(b) and 400.204(b), respectively.
  - Certain administrative costs incurred for the overall management of the recipient's refugee program, in accordance with the provisions of 45 CFR 400.13(c).
- b. *Financial Reporting Forms:*
- Form ORR-1, "Cash and Medical Assistance Program Estimates" [OMB Control No. 0970-0030 expiration date of 06-30-2025]. The recipient must submit an estimate of reimbursable costs for the fiscal year, identifying the nature of each expense and including a statement justifying the expense. (See 45 CFR 400.11(b)(1).)
    - *Submission Schedule: Annual.* The initial estimate is due no later than 45 days prior to the beginning of the Federal fiscal year (i.e., **no later than August 15**). If the initial estimate is increased, the recipient must submit a revised copy of Form ORR-1, with a statement justifying the expense and the nature of the increase. The revision is due no later than 30 days prior to the beginning of the fiscal quarter to which the adjustment applies. (See 45 CFR 400.11(b)(3).) See the general T&C for Electronic Submission guidance.
  - Form ORR-2, "Quarterly Report on Expenditures and Obligations" [OMB Control No. 0970-407 expiration date of 02/28/2026]].
    - *Submission Schedule: Quarterly.* Each expenditure report must be submitted within 30 days following the end of each fiscal quarter (i.e., no later than January 30, April 30, July 30, and October 30) (See 45 CFR 400.11(c).) See the general T&C for Electronic Submission guidance.
- c. *Funding (Project) Period / Obligation Deadline.* The funding (project) period and the obligation period are synonymous. The obligation periods and deadlines and liquidation periods and deadlines are governed by Federal regulations at 45 CFR 400.210(a)(1), (b)(1) and (b)(2).
- *Special Requirement:* If the Federal funding for the current fiscal year includes "reauthorized funds" from a previous fiscal year, the reauthorized funds must be obligated before newly awarded funds.
  - For general expenditures, this program has a **1-year project / obligation period**: starting the first day of the Federal Fiscal Year for which these funds were awarded and ending the last day of the same Federal Fiscal Year. (i.e., October 1, Federal Fiscal Year 1 through September 30, Federal Fiscal Year 1.) Any Federal funds not obligated by the end of the obligation period will be recouped by this Department.
  - For expenditures for unaccompanied refugee minors, this program has a **2-year project / obligation period**: starting the first day of the Federal Fiscal Year for which these funds were awarded and ending the last day of the following Federal Fiscal Year. (i.e., October 1, Federal Fiscal Year 1 through September 30, Federal Fiscal Year 2.) Any Federal funds not obligated by the end of the obligation period will be

recouped by this Department.

d. *Liquidation Deadline.*

- For all obligations, this program has a **2-year liquidation period**: starting the first day of the Federal Fiscal Year for which these funds were awarded and ending the last day of the following Federal Fiscal Year. (i.e., October 1, Federal Fiscal Year 1 through September 30, Federal Fiscal Year 2.) Any Federal funds not liquidated by the end of the liquidation period will be recouped by this Department. Recipients that use accrual accounting may liquidate obligations for services delivered during the liquidation period, if those obligations were recorded within the project obligation period.

8. Refugee Support Services Program

a. *Financial Reporting Form:*

- Form SF-425, “Federal Financial Report”
  - *Submission Schedule: Quarterly, with a final report annually.* Each quarterly expenditure report must be submitted within 30 days following the end of each fiscal quarter (i.e., no later than January 30, April 30, July 30, and October 30) (See 45 CFR 400.11(c).) The final expenditure report must be submitted within 90 days after the program project period end date (i.e., no later than December 30). See the general T&C for Electronic Submission guidance.

b. *Funding (Project) Period / Obligation Deadline.* The funding (project) period and the obligation period are synonymous. The obligation periods and deadlines and liquidation periods and deadlines are governed by Federal regulations at 45 CFR 400.210(a)(1), (b)(1) and (b)(2).

- This program and its set-asides each have a **2-year project / obligation period**: starting the first day of the Federal Fiscal Year for which these funds were awarded and ending the last day of the following Federal Fiscal Year. (i.e., October 1, Federal Fiscal Year 1 through September 30, Federal Fiscal Year 2.) Any Federal funds not obligated by the end of the obligation period will be recouped by this Department.

c. *Liquidation Deadline.*

- For all obligations, this program and its set-asides each have a **3-year liquidation period**: starting the first day of the Federal Fiscal Year for which these funds were awarded and ending the last day of the second following Federal Fiscal Year. (i.e., October 1, Federal Fiscal Year 1 through September 30, Federal Fiscal Year 3.) Any Federal funds not liquidated by the end of the liquidation period will be recouped by this Department. Recipients that use accrual accounting may liquidate obligations for services delivered during the liquidation period if those obligations were recorded within the project obligation period.

## PROGRAM MANAGEMENT AND REPORTING

9. The OMB approved [OMB Control No. 0970-0036 expiration date of 12/31/2025] Program Report form for the Cash and Medical Assistance Program and the Refugee Support Services Program is the Form ORR-6, “Performance Report.”

a. Submission Schedule:

- **Semi-annual: Schedules A-E** are due May 31st for the reporting period October 1 –

- March 31 and November 30th for the reporting period April 1 – September 30.
  - **Annual:** The **Annual Service Plan** is due November 30th for the reporting period October 1 – September 30.
  - **The Refugee Support Services (RSS) and RSS Set Aside Subrecipient list** is due November 30 for the reporting period covering the 12-month period of services under contract as of October 1 that year.
  - **Annual: Schedule F** is due January 31st for the reporting period October 1 – September 30.
- b. Submission Methodology: **Online.** Each of these reports must be submitted electronically through the [ORR Refugee Arrival Data System \(RADS\)](#).
10. The OMB approved [OMB Control No. 0970-0043 expiration date of 04/30/2024] Individual Report form for the Cash and Medical Assistance Program and the Refugee Support Services Program is the Form ORR-5, “Refugee Data Submission System for Formula Funds Allocations.”
- a. Submission Schedule: **Annual.** The ORR-5 report is due January 15 for the reporting period October 1- September 30 of the prior federal fiscal year.
- b. Submission Methodology: **Online.** The ORR-5 report must be submitted electronically through the [ORR Refugee Arrival Data System \(RADS\)](#).

## PROPERTY REPORTING

11. The OMB approved property reporting is the following:
- a. Real Property Reports (SF-429s). The SF-429 Real Property forms are not applicable to this program. Purchase, construction, and major renovation are not an allowable activity or expenditure under these awards.
- b. Tangible Property Report (SF-428s). The SF-428 Tangible Personal Property forms must be submitted as described in the General Terms and Conditions.

## EFFECTIVE PERIOD

12. These program-specific Supplemental Terms and Conditions are effective on the date shown in the margin at the bottom of the page and will remain in effect until updated. They will be updated and reissued only as needed whenever a new program-specific statute, regulation, or other requirement is enacted or whenever any of the applicable existing Federal statutes, regulations, policies, procedures, or restrictions is amended, revised, altered, or repealed.

## POINTS OF CONTACT

13. Points of contact for additional information or questions concerning either the operation of the program or related financial matters can be found on the Notice of Award.