

May 27, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY WELFARE DIRECTORS LETTER**

This letter provides County Welfare Departments (CWDs) with information on implementing the benefit time extension from eight to twelve months for Refugee Cash Assistance (RCA), Entrant Cash Assistance (ECA), and state Trafficking and Crime Victims Assistance Program (TCVAP).



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GAVIN NEWSOM  
GOVERNOR

May 27, 2022

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: **TIME EXTENSION OF ELIGIBILITY PERIOD FOR THE REFUGEE CASH ASSISTANCE (RCA), ENTRANT CASH ASSISTANCE (ECA), AND TRAFFICKING AND CRIME VICTIMS ASSISTANCE PROGRAM (TCVAP) CASH ASSISTANCE**

REFERENCE: [45 Code of Federal Regulations \(CFR\) Parts 400.203 and 400.211](#), [Office of Refugee Resettlement Dear Colleague Letter \(DCL\) 22-12](#), [Policy Letter \(PL\) 22-02](#), [Welfare and Institutions Code \(WIC\) Section 18945 and 13283](#), [All County Welfare Directors Letter \(ACWDL\) dated December 15, 2020 and December 2, 2021](#), [All County Information Notice \(ACIN\) I-07-15](#), and [Manual of Policies and Procedures \(MPP\) Section 69-202.41](#), [MPP Sections 70-101.1, 70-101.1, 70-105.12, 70-105.122, and 105.123](#).

This letter provides County Welfare Departments (CWDs) with information on implementing the extension of the benefit eligibility period from eight (8) to twelve (12) months for the RCA/ECA and TCVAP Cash Assistance programs. RCA/ECA and TCVAP recipients whose eligibility date is on or after October 1, 2021, are eligible to receive up to 12 months of cash assistance, unless deemed ineligible.

**RCA/ECA Time Extension**

On March 28, 2022, the Office of Refugee Resettlement (ORR) issued Dear Colleague Letter [\(DCL\) 22-12](#), *Expansion of the Refugee Cash Assistance and Refugee Medical Assistance Eligibility Period*, which extends the RCA/ECA eligibility period from 8 to 12 months to provide eligible refugee populations additional time to integrate into the workforce..

Pursuant to [45 CFR Part 400.211](#) and DCL 22-12, authorize the California Department of Social Services (CDSS) to provide a time extension of RCA/ECA benefits from 8 to 12 months. The RCA/ECA time extension is limited to eligible RCA/ECA recipients whose date of eligibility for RCA/ECA benefits is on or after October 1, 2021.

Time on aid for RCA/ECA recipients is calculated using the date of eligibility for benefits. According to the [ORR Documentation Guide](#), with the few exceptions mentioned below, the date of eligibility for ORR benefits and services is the date of admission to the United States (U.S.) in qualifying immigration status, date of grant of qualifying status, or date of the Certification or Eligibility Letter to a Victim of a Severe Form of Trafficking.

Per [ACWDL dated December 2, 2021](#) and ORR [PL 22-02](#), *Additional ORR-Eligible Statutes and Categories and Acceptable Documentation Requirements for Afghan Nationals*, dated February 18, 2022, the date of eligibility for Afghan Humanitarian Parolees (AHPs) is October 1, 2021, or the date the parolee “entered the community” whichever is later. For AHPs who traveled to Safe Havens [U.S. military bases in the continental U.S. that housed Afghans evacuated under Operation Allies Refuge (OAR)/Operation Allies Welcome (OAW)], their date of eligibility is the latter of October 1, 2021, or the date that they departed the Safe Haven for a resettlement location (e.g., “date entered the community”). For AHPs who did not travel to Safe Havens, but rather entered the community directly upon arrival in the U.S., their date of eligibility would be the latter of October 1, 2021, or the date of entry into the U.S. as verified by their immigration entry documents.

Per ORR [PL 22-02](#), the date of eligibility for Afghan Special Immigrant Visa (SIV) holders, Special Immigrant Conditional Permanent Residents (SI CPRs), and SI/SQ Parolees for ORR benefits and services is the date of entry into the U.S., as noted on the Form I-94 arrival/departure record or other federal travel documentation. However, effective November 10, 2021, for individuals in these categories who were evacuated under OAR/OAW and traveled directly to Safe Havens, the ORR has authorized CWDs to use the date of entry into the community (i.e., the date the individual departed the Safe Haven) as the eligibility date.

**Example:** Samira, who is an Afghan SIV holder without children, arrived at Fort Dix (Safe Haven) on September 15, 2021. Samira waited for resettlement at the Safe Haven for two months and traveled to California on December 15, 2021. Samira applied for and was enrolled in RCA in December 2021. Samira’s eligibility date for RCA is December 15, 2021.

Under the 8-month maximum eligibility period, Samira would have been required to submit a semi-annual SAR-7 Report in May 2022, due to receive an RCA terminating notice in June 2022, and then discontinued in July 2022. Under the time extension, Samira is now eligible to receive RCA for 12 months from the date of entry to the community on December 15, 2021, subject to meeting other eligibility requirements. Samira will reach the new maximum time on aid in November 2022. If Samira received a discontinuing notice in July 2022, then the CWD would need to manually rescind the

discontinuance, issue a notice with the additional time extension, and extend eligibility to the new maximum of 12 months, subject to meeting eligibility requirements.

### **TCVAP Time Extension**

Pursuant to the [WIC Section 18945](#), noncitizen victims of trafficking, domestic violence, and other serious crimes, as defined, are entitled to the same public social benefits as refugees. Pursuant to [WIC Section 13283](#), these individuals are entitled to cash assistance to the same extent as refugees, and can receive state-funded TCVAP cash assistance to the extent federal funding is unavailable. Per [MPP Section 70-105.122](#), TCVAP Cash Assistance follows the time limits of the RCA program. As such, the federal time extension of RCA also applies to TCVAP Cash Assistance. The time on aid for TCVAP Cash Assistance recipients is calculated using the initial date of TCVAP application. TCVAP Cash Assistance recipients who applied for benefits on or after October 1, 2021 are eligible for an extension of eligibility up to 12 months, subject to meeting eligibility requirements. TCVAP Cash Assistance recipients who applied for benefits before October 1, 2021, are **not** eligible for the time extension.

The extension of the aid eligibility period supersedes [MPP Section 70-105.123](#), changing the maximum time on aid for TCVAP Cash Assistance from 8 to 12 months. Pursuant to MPP Section 70-105.123, survivors of human trafficking who have yet to apply for a T Visa are permitted up to one year to apply and limited to a maximum of 8 months of TCVAP cash aid during this period. However, for trafficking victim TCVAP Cash Assistance recipients whose date of eligibility is on or after October 1, 2021, the time extension of eligibility from 8 to 12 months supersedes MPP Section 70-105.123, and they are now eligible to receive up to 12 months of cash aid, subject to meeting eligibility requirements. They are still subjected to the one-year time limit to apply for a T-visa in order to continue receiving employment and supportive services.

Pursuant to [MPP Section 70-105.124](#), TCVAP crime victim recipients must have filed a request for a U-Visa to be eligible for TCVAP benefits and services. For crime victim TCVAP cash aid recipients whose date of application is on or after October 1, 2021, the extension of the aid eligibility period supersedes MPP Section 70-105.124, changing the maximum time on aid for TCVAP Cash Assistance from 8 to 12 months, subject to meeting eligibility requirements.

**Example:** On January 14, 2022, Jose, who has no children, applied for TCVAP Cash Assistance with a sworn statement stating Jose is a survivor of human trafficking and is in the process of applying for a T-visa with help from a legal aid provider. The CWD issued the cash aid in February 2022 and determined time on aid using the date of application in January 2022. Under the original 8-month time clock, Jose would have been required to submit a semi-annual SAR-7 Report in June 2022 and would have been terminated on aid due to the 8-month time limit in August 2022. Under the new

time extension, Jose is now eligible to receive TCVAP Cash Assistance until December 2022, for a total of 12 months. By August 2022, the CWD should rescind the automated discontinuance and notify Jose regarding the additional months of cash aid.

In August 2022, Jose submits to the CWD a copy of the T-visa application. In November 2022, Jose submits a human trafficking certification letter from the federal Office of Trafficking in Persons (OTIP), which provides eligibility for federal benefits under ORR. At this point, Jose will be terminated from state-funded TCVAP Cash Assistance and be provided an additional 12 months of federal RCA with the eligibility date on the OTIP certification letter, with a new SAR-7 date, subject to meeting eligibility requirements.

## **RCA/ECA and TCVAP Time Extension Implementation**

### Continuing Cash Assistance Cases

For recipients who became eligible for RCA/ECA and TCVAP on or after October 1, 2021, CWDs must provide uninterrupted cash aid until the 12-month time limit is exhausted, or until the recipient is no longer eligible, whichever is earlier. RCA/ECA and TCVAP Cash Assistance is continuous with no time stoppers. The CDSS is facilitating automation changes as soon as possible. In the absence of automation, the CWDs must manually rescind the case discontinuance for those who are facing termination at the 8<sup>th</sup> month of aid beginning May 2022 and for all subsequent time periods, ensuring the maximum (up to 12 months) of cash assistance is issued, subject to continued eligibility. Along with manual continuance of these cases, CWDs must notify all eligible recipients of the time extension. CWDs should not require these recipients to reapply for RCA/ECA and TCVAP benefits to continue accessing cash aid. Please see below for noticing requirements and language.

### Cash Assistance Reapplication After Discontinuance

RCA/ECA and TCVAP cash aid recipients with an eligibility date on or after October 1, 2021 may have exited the program due to employment and then subsequently lost employment, sustained a reduction in hours, become unable to maintain current employment, or become unable to gain new employment. These former recipients are eligible to reapply for cash assistance within the 12-month eligibility period.

### Cash Assistance Reapplication After Non-compliance Discontinuance

Former RCA/ECA recipients who were eligible for ORR benefits on or after October 1, 2021, and were terminated due to non-compliance, may reapply for benefits if there is a change in their circumstances, they meet the RCA/ECA reapplication requirements per [MPP Section 69-209.3, and they are still within the 12-month eligibility period.](#)

### Time Extension for New Applicants Eligible on or after May 1, 2022

By May 1, 2022, for applicants who are applying for RCA/ECA and TCVAP Cash Assistance for the first time and meet the eligibility requirements, CWDs must issue up to 12 months of benefits and notices accordingly. Please see below for noticing requirements and notice language.

### RCA/ECA Eligible but Never Applied

RCA/ECA applicants who were eligible for benefits on or after October 1, 2021, but had never applied or received RCA/ECA benefits, may now submit applications for the extended cash assistance for the remainder of the 12-month continuous eligibility period.

### **SAR-7 and Annual Redetermination Requirements**

As a condition of aid, recipients of the RCA/ECA and TCVAP time extensions are required to comply with the SAR-7 reporting requirements. Since cash benefits for RCA/ECA and TCVAP recipients will be discontinued on the 12<sup>th</sup> month of eligibility, annual redetermination reporting is not required.

### **Work Participation Requirements**

RCA/ECA and TCVAP recipients are mandated to enroll and continue with appropriate work participation activities as a condition of aid, and the time extension does not change the requirement. CWDs should continue to ensure all RCA/ECA and TCVAP recipients are enrolled in the appropriate employability services and referred for English language proficiency classes and other supportive social services when appropriate.

### **Tracking and Data Reporting Requirements**

CWDs are required to continue maintaining RCA/ECA operational records as necessary for federal reporting and monitoring purposes and must retain records for all issuances of extended RCA/ECA payments, subject to ORR and CDSS monitoring requirements. CWDs are still required to report TCVAP caseloads on the semi-annual survey caseload report.

### **Notices for RCA/ECA and TCVAP Time Extension**

CWDs must notify the RCA/ECA and TCVAP recipients whose time on aid was extended about the additional four months of cash assistance eligibility and continuance of aid. For new RCA/ECA and TCVAP applicants, including those who have just applied

and will be receiving their initial notice, CWDs must provide notice of the extended eligibility period. Language regarding the notice should be as follows:

*The eligibility period for (insert RCA, ECA or TCVAP Cash Assistance) has been extended from 8 to 12 months. You may be eligible to receive up to 12 months of cash assistance from your eligibility date. Subject to certain exceptions, the month you entered the United States or the month you were granted asylum, is counted as the first month. Your benefit will be discontinued upon completion of your maximum allowable (up to 12) months on aid or until you no longer meet the eligibility requirements, whichever occurs first.*

*This is in accordance with the Office of Refugee Resettlement Dear Colleague Letter 22-12, dated March 28, 2022, regarding 45 CFR Parts 400.203 and 400.211.*

CWDs must also change relevant notices to reflect the expansion of the continuous eligibility period / time on aid from 8 to 12 months. The CDSS will provide additional language as needed.

If you have any questions or need additional guidance regarding the information in this letter, contact the Refugee Programs Bureau at (916) 654-4356 or [RPB@dss.ca.gov](mailto:RPB@dss.ca.gov).

Sincerely,

**Original Document Signed By:**

ELIANA KAIMOWITZ, Chief  
Immigrant Integration Branch  
Office of Equity

### Eligibility for Time on Aid Extension

<b>RCA/ECA and TCVAP Cash Assistance</b>	<b>Eligibility Period</b>	<b>Rescind Discontinuance</b>	<b>Requires Manual Noticing</b>	<b>Eligible to apply or reapply</b>	<b>SAR 7 Requirements</b>
<b>Continuing Cash Assistance</b>	Eligible on or after October 1, 2021 and terminated in May 2022 for reaching 8 months on aid	Yes	Yes	N/A Will remain on aid	Yes No Change
<b>Reapplication after Discontinuance</b>	Eligible on or After October 1, 2021 but terminated due to income	No	Yes	Yes Eligible to reapply for the extension until 12-month limit	Yes Required upon 6 months of continuous aid
<b>Reapplication after Discontinuance Due to Non-compliance</b>	Eligible on or After October 1, 2021 but terminated due to Non-compliance	No	Yes	Yes, But only eligible after a waiting period <sup>1</sup>	Yes Required upon 6 months of continuous aid
<b>New Applicants after date of this ACWDL</b>	Eligible on or after date of this ACWDL	N/A	Maybe	Yes	Yes
<b>RCA/ECA Eligible but Never Applied</b>	Eligible for benefits on or after October 1, 2021 but never applied or received RCA/ECA benefits	N/A	Yes	Yes	Yes

<sup>1</sup> Per [MPP Section 69-209.3](#), a noncomplying recipient shall be ineligible for RCA benefits for three payment months for the first occurrence and six payment months for subsequent occurrences from the date of discontinuance for refusal or failure to comply without good cause.