Subpart I—Refugee Social Services

§ 400.140 Basis and scope.
This subpart sets forth requirements concerning formula allocation grants to States under section 412(c) of the Act for refugee social services.

§ 400.141 Definitions.
For purposes of this subpart—
Refugee social services means any service set forth in §§ 400.154 or 400.155 of this subpart.

§ 400.145 Opportunity to apply for services.
(a) A State must provide any individual wishing to do so an opportunity to apply for services and determine the eligibility of each applicant.
(b) Except as otherwise specified in this subpart, a State must determine eligibility for and provide refugee social services specified in §§ 400.154 and 400.155 in accordance with the same procedures which it follows in its social service program under title XX of the Social Security Act with respect to determining eligibility, acting on applications and requests for services, and providing notification of right to a hearing.
(c) A State must insure that women have the same opportunities as men to participate in all services funded under this part, including job placement services.

§ 400.146 Use of funds.
The State must use its social service grants primarily for employability services designed to enable refugees to obtain jobs within one year of becoming enrolled in services in order to achieve economic self-sufficiency as soon as possible. Social services may continue to be provided after a refugee has entered a job to help the refugee retain employment or move to a better job. Social service funds may not be used for long-term training programs such as vocational training that last for more than a year or educational programs that are not intended to lead to employment within a year.

§ 400.147 Priority in provision of services.
A State must plan its social service program and allocate its social service funds in such a manner that services are provided to refugees in the following order of priority, except in certain individual extreme circumstances:
(a) All newly arriving refugees during their first year in the U.S., who apply for services;
(b) Refugees who are receiving cash assistance;
(c) Unemployed refugees who are not receiving cash assistance; and
(d) Employed refugees in need of services to retain employment or to attain economic independence.

§ 400.150 General eligibility requirements.
Eligibility for refugee social services is limited to those refugees who—
(a) Meet immigration status and identification requirements in Subpart D of this part;
(b) Meet the other eligibility requirements and conditions in this subpart.
§ 400.152 Limitations on eligibility for services.

(a) A State may provide the social services defined in § 400.154 to refugees who are 16 years of age or older and who are not full-time students in elementary or secondary school, except that such a student may be provided services under § 400.154 (a) and (b) in order to obtain part-time or temporary (e.g., summer) employment while a student or full-time permanent employment upon completion of schooling.

(b) A State may not provide services under this subpart, except for citizenship and naturalization preparation services and referral and interpreter services, to refugees who have been in the United States for more than 60 months.


SCOPE OF REFUGEE SOCIAL SERVICES

§ 400.154 Employability services.

A State may provide the following employability services—

(a) Employment services, including development of a family self-sufficiency plan and an individual employability plan, world-of-work and job orientation, job clubs, job workshops, job development, referral to job opportunities, job search, and job placement and followup.

(b) Employability assessment services, including aptitude and skills testing.

(c) On-the job training, when such training is provided at the employment site and is expected to result in full-time, permanent, unsubsidized employment with the employer who is providing the training.

(d) English language instruction, with an emphasis on English as it relates to obtaining and retaining a job.

(e) Vocational training, including driver education and training when provided as part of an individual employability plan.

(f) Skills recertification, when such training meets the criteria for appropriate training in § 400.81(b) of this part.

(g) Day care for children, when necessary for participation in an employability service or for the acceptance or retention of employment.

(h) Transportation, when necessary for participation in an employability service or for the acceptance or retention of employment.

(i) Translation and interpreter services, when necessary in connection with employment or participation in an employability service.

(j) Case management services, as defined in § 400.2 of this part, for refugees who are considered employable under § 400.76 and for recipients of TANF and GA who are considered employable, provided that such services are directed toward a refugee's attainment of employment as soon as possible after arrival in the United States.

(k) Assistance in obtaining Employment Authorization Documents (EADs).


§ 400.155 Other services.

A State may provide the following other services—

(a) Information and referral services.

(b) Outreach services, including activities designed to familiarize refugees with available services, to explain the purpose of these services, and facilitate access to these services.

(c) Social adjustment services, including:

(1) Emergency services, as follows: Assessment and short-term counseling to persons or families in a perceived crisis; referral to appropriate resources; and the making of arrangements for necessary services.

(2) Health-related services, as follows: Information; referral to appropriate resources; assistance in scheduling appointments and obtaining services; and counseling to individuals or families to help them understand and identify their physical and mental health needs and maintain or improve their physical and mental health.

(3) Home management services, as follows: Formal or informal instruction to individuals or families in management of household budgets, home maintenance, nutrition, housing standards, tenants' rights, and other consumer education services.
§ 400.202 Extent of Federal funding.

Subject to the availability of funds and under the terms and conditions approved by the Director, FF will be provided for 100 percent of authorized allowable costs of determining eligibility and providing assistance and services in accordance with this part.