

## .01 RCA Noncitizen Requirements

[REVISION 45](#)  
(01/01/17 – 12/31/17)

RCA is time limited to eight months from the date of the refugee's entry into the U.S. The arrival month is included in the eight month count. The RCA time period ends the first day of the ninth month after entry in the U.S.

### EXCEPTION

For asylees the eight month maximum eligibility period begins from the month asylee status is granted, NOT the month of U.S. entry.

Refugees who meet both of the following are potentially eligible for RCA:

- Entered the U.S. within the last eight months
- Are ineligible for CA

### WARNING

Do NOT send refugees to the RCA office when their date of entry into the U.S. has been more than 8 months.

The refugee must also meet one of the following USCIS noncitizen requirements:

- Admitted as a refugee or Amerasian under Section 207. A refugee or Amerasian and their family members who have one of the following USCIS documents:  
I-94 indicating PROCESSED FOR I-551. TEMPORARY EVIDENCE OF LAWFUL ADMISSION PERMANENT RESIDENCE. VALID UNIT DATE and authorized with one of the following:

- For refugees, RE1, RE2, RE3, RE4, or RE5
- For Amerasians, AM1, AM2, or AM3

[I-551](#) denoting adjusted refugee status with the following:

- For refugees, RE6, RE7, RE8, RE9
- For Amerasians, AM6, AM7, AM8

NOTE Most refugees or Amerasians are not issued the I-551 during their first year in the U.S.

- Admitted as an asylee under Section 208. For purposes of counting months of eligibility, use the date asylum was granted, NOT the date of entry into the U.S. Family members have the same entry date when the spouse and children are included on the asylee's USCIS asylee application. Documents verifying asylee status include the following:

The USCIS Form I-94 noting Section 208 admittance and one of the following Admission Codes:

- AS-1
- AS-2
- AS-3
- Visa 92 (V 92)

Asylum approval letter from an USCIS Asylum Office. The date noted on the Asylum approval letter serves as the entry date.

- Admitted as parolee under Section 212. Applicants normally have an I-94 document with the words, PAROLE PURSUANT TO SECTION 212(D)(5) on the front. Refugee status is limited to parolees from either Cuba or Haiti. Cuban or Haitian parolees are not subject to the one year parole duration period.
- Admitted as Cuban or Haitian entrant with an I-94 meeting one of the following conditions:

CUBAN ENTRANT (STATUS PENDING) or HAITIAN ENTRANT (STATUS PENDING).

States the refugee was a citizen of Cuba or Haiti and was either paroled or a voluntary deportee.

**EXCEPTION**

When the I-94 contains the words OUTSTANDING ORDER OF EXCLUSION the Cuban or Haitian refugee is ineligible for RCA.

- Admitted as Cuban or Haitian who is the subject of a pending removal, deportation or exclusion proceeding.  
USCIS forms I-122, I-220A, I-221, I221S, I-485, I-589, or I-862.

- Admitted as an adult victim of severe forms of trafficking. Applicants must have been certified by the Office of Refugee Resettlement (ORR). Victims of severe forms of trafficking who are under 18 are eligible to the same extent as adults. Trafficking victims are persons who have been certified by the ORR to have been subjected to any of the following:
  - Commercial sex acts
  - Debt bondage
  - Involuntary servitude
  - Peonage
  - Slavery

The following apply to trafficking victims:

- Immigration laws do not give them refugee status.
- USCIS Arrival/Departure documents are not required.
- The Trafficking Victims Protection Act of 2000 makes victims of trafficking eligible for benefits to the same extent as refugees.

For benefit eligibility determination purposes, the ORR issues trafficking victims a certification letter.

The entry date for refugee benefit purposes is the date of certification. Place a copy of the certification letter in the [case file\(g\)](#).

NOTE When a participant's present certification letter has expired, contact the [ORR Trafficking Verification](#) for assistance.

Applications received from trafficking victims must follow normal refugee procedures. [VIS](#) must NOT be used to confirm a trafficking victim's eligibility. Instead, the validity of each certification must be confirmed by calling Trafficking Verification.

During the verification phone call, inform ORR of the benefits for which the applicant is applying. Use of the [initial VIS verification procedures](#) is optional. This is optional because in most instances VIS will not include these applicants due to their recent U.S. entry.