Refugee Services (RS)

Refugee Services (RS) Frequently Asked Questions

The information provided in the following questions and answers is informational only and is not intended to constitute legal advice. Anyone seeking direct assistance should contact a reputable immigration counselor and/or an attorney who specializes in immigration law. Referral information may be obtained from:

New Americans Hotline ☏: 212-419-3737 or 1-800-566-7636

What is ORR?

ORR is the Office of Refugee Resettlement, an office within the U.S. Department of Health and Human Services.

What is USCIS?

USCIS is the U.S. Citizenship and Immigration Services, an office within the U.S. Department of Homeland Security.

What is a Refugee?

Any person outside of their country who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. Refugees are usually given an I-94 Form stamped "Admitted as a Refugee pursuant to section 207 of the Act".

What is an Asylee?

An asylee is a person who applies for and receives a grant of asylum while in the United States or on U.S. territory, based on the same reasons as a refugee.

What is a Special Immigrant Visa (SIV) Holder from Iraq and Afghanistan?

For their service to the U.S. government in Iraq and Afghanistan, certain Iraqis and Afghans are granted Special Immigrant (SIV) status overseas by the U.S. Department of State and are admitted to the U.S. by the Department of Homeland Security.
**What is an Entrant?**

A Cuban or Haitian entrant, or an "entrant", is any person granted parole status as a Cuban/Haitian entrant (status pending) or granted any other special status subsequently established under the immigration laws for nationals of Cuba or Haiti, or any other national of Cuba or Haiti who:

1. Was paroled into the United States and has not been granted any other status;
2. Is facing exclusion or deportation proceedings under the Immigration and Nationality Act.
3. Has applied for asylum with the U.S. Citizenship and Immigration Services (USCIS); and for whom no final decision has been made.

**What is an Amerasian?**

An immigrant under Public Law 100-202 (Act of 12/22/87), which allows aliens born in Vietnam after January 1, 1962, and before January 1, 1976 to enter the United States, if the alien’s father is a U.S. citizen. Spouses, children, and parents or guardians may enter with the alien.

**What is a Certified Trafficking Victim?**

A person who, under Section 103(8) of the federal Trafficking Victims Protection Act, has been certified or determined eligible by the Office of Refugee Resettlement (ORR). Severe forms of trafficking include the following:

1. Sex trafficking in which the victim is engaged in prostitution by force, fraud, or coercion, or sex trafficking in which the victim is engaged in prostitution and has not attained 18 years of age; or
2. Recruiting, holding, transporting or providing/obtaining a person, for labor or services, using force or fraud or coercion, in order to have that person enter into slavery or other involuntary servitude, including debt servitude.

In order to be eligible for a T Visa, each applicant must demonstrate that he or she:

- is a victim of a severe form of trafficking in persons;
- is physically present in the US on account of the trafficking;
- has been willing to comply with any reasonable request for assistance in the investigation or prosecution of the trafficking (children under 18 are exempted from this requirement); and
- would suffer extreme hardship involving unusual and severe harm if removed from the United States.

**What is a Confirmed Trafficking Victim?**

A person who, under New York State Social Services Law, has been confirmed by the New York State Division of Criminal Justice Services (DCJS) in consultation with OTDA. A state-confirmed human trafficking victim shall mean a human trafficking victim referred by a statutory referral source who appears to meet the criteria for certification as a victim of a severe form of trafficking in persons pursuant to the federal Trafficking Victims Protection Act. The referral source may also deem the person as meeting the criteria under New York State Penal Law Section 230.34 or 135.35.
What is an Unaccompanied Refugee Minor?

A child under age 18 who is a refugee, asylee, entrant or trafficking victim, who has no parent or guardian, and who has been classified as an unaccompanied refugee minor by the U.S. Department of State.

What is a Special Immigrant Juvenile?

A foreign-born child under age 21 who is:

- Not married;
- Abused, neglected, or abandoned, as determined by a court;
- Not going to be reunited with his/her birth family as determined by a court; and
- Going to remain in the United States as determined by a court

What is a Lawful Permanent Resident (LPR)?

An immigrant who comes to the United States and is given permission to live and work permanently in the United States. An LPR can travel abroad and return to the United States, as long as he or she has not abandoned their U.S. residence. An LPR can apply to become a U.S. citizen after living in the U.S. for five years (three years if married to a U.S. citizen). The USCIS documents that prove LPR status include a “green card” (form I-151 or I-551), a reentry permit (I-327), or a foreign passport with a stamp showing temporary evidence of LPR status.

What is a U.S. Citizen Repatriate?

A U.S. citizen and her/his dependents who have returned from a foreign country to the United States because of poverty, illness, threat of war or similar crisis, and who have no available resources. The U.S. Department of State certifies that a citizen or dependent of a citizen is eligible for repatriation and returns him or her to the United States.

What is an Immigrant?

A person admitted to the United States as a lawful permanent resident. A lawful permanent resident can legally live permanently in the United States. He or she may be given an immigrant visa by the U.S. Department of State overseas, or made a permanent resident by the U.S. Citizenship and Immigration Services (USCIS) in the United States.

What is a Non-immigrant?

A person who temporarily enters the United States for a specific purpose. The person must have a permanent residence abroad and qualify as a nonimmigrant. Nonimmigrant classifications include: foreign government officials, visitors for business and for pleasure, aliens traveling through the United States, treaty traders and investors, students, international representatives, temporary workers and trainees, representatives of foreign media, exchange visitors, fiancées of U.S. citizens, NATO officials, religious workers, and others. Most nonimmigrants can be accompanied or joined by spouses and unmarried minor (or dependent) children.
What is an Undocumented Alien?

A person who enters the United States without a valid immigrant or non-immigrant visa, or a person who enters with a valid visa and remains in the United States after the visa expires.

Refugees

Are there special types of help for refugees?

Yes. RS administers several federal and state programs that serve refugees. Please review the Programs and Providers section of this site for a listing of available programs and benefits.

How do refugees come to the U.S. and New York State?

The number of refugees admitted each year into the United States is established by the President, the Congress and the U.S. Department of State. The Department of State works with the national voluntary resettlement agencies to decide the number of refugees to be settled in a particular region or state.

Can refugees apply for and receive loans for college?

Yes. Refugees can apply for federal and state funded loans and tuition assistance. The New York State Higher Education Services Corporation gives information about these loans and assistance. Information about federal loans and financial assistance, such as Pell and National Direct Student loans, can be received from the U.S. Department of Education.

Are undocumented immigrants, or people who are not in possession of valid U.S. immigration documentation, considered refugees?

No. Undocumented persons, or people who cross the U.S. border without valid U.S. immigration documentation, are not considered refugees. Undocumented persons are not eligible for any services under federally funded programs administered by RS.

Eligibility for Services

Is there a document that describes assistance available to immigrants, based on their specific status?

Yes. Non-Citizen Eligibility Desk Aid - LDSS-4579. The Desk Aid describes each status, the assistance available, and the period of time within which assistance is available to the person based on her or his status. Some of the types of assistance include Medicaid, Family Assistance, Safety Net Assistance and the Supplemental Nutrition Assistance Program (SNAP).
Are there government programs to help immigrants?

Yes. Legal immigrants in the United States may be eligible for several federal and state assistance programs. Contact your local department of social services for a listing of the available services and/or consult the Non-Citizen Eligibility Desk Aid - LDSS-4579.

My relative just arrived in this country and needs help - what should I do?

In New York State contact the New Americans Hotline at 212-419-3737 or 1-800-566-7636. Hotline staff speak many languages and can give you information about the help available in your community.

There are other things you can do:

- Ask people in your community about what is available. Many communities have large numbers of immigrants who have an opinion about what programs are good for immigrants (but you should decide for yourself);
- Check with community institutions (places of worship, social clubs, neighborhood associations, immigrant community centers);
- Use the local branch of your public library to find information;
- Use the Internet to search for federal, state and local immigrant assistance resources. If you don’t have a computer, you can find one at a public library.

Always try to find out as much as you can about any resource that you are considering. Generally, if someone promises to do something that seems impossible, or that doesn’t seem proper, you should avoid them.

Who else can help refugee and immigrants in New York State? In the United States?

First check our programs page to see if we have programs for which you may be eligible.

Refugees can receive virtually any assistance that any U.S. citizen can receive. There are also special programs for refugees run by many states, usually funded by the federal Office of Refugee Resettlement.

The federal government often restricts immigrants (other than refugees) from certain programs of assistance.

For information about help in New York State, and to find out who can help you find information nationally, you should call the New Americans Hotline at 212-419-3737 or (toll-free in NYS) 1-800-566-7636.

RS Programs

What programs does RS fund? What services do they offer?

RS Programs and Providers describes programs and services that RS offers.

What programs are available to help in my area?
The RS Providers by Region map should help you find programs that operate in your area.

**Where do I apply for help?**

If you are an immigrant or a refugee and want to apply for help, contact one or more of the providers in your area.

**Why are some services only provided to refugees and asylees that have been here for less than five years?**

Sometimes federal regulations prohibit providing services beyond the five-year limit. This is to ensure that the focus of services is primarily for new arrivals.

**What is the capacity to serve people in their own language?**

All of RS' providers have the capacity to serve clients in many different languages.