

entrant and refugee arrivals. These funds will be awarded under a separate announcement.

- \$26,000,000 will be awarded through discretionary grants for communities with large concentrations of refugees whose cultural differences make assimilation especially difficult thereby justifying a more intense level and longer duration of Federal assistance. A combination of new and continuation awards will be made through new and prior year separate announcements.

- \$14,000,000 will be awarded to address the needs of refugees and communities impacted by recent changes in Federal assistance programs relating to welfare reform. Awards will be made through a separate announcement.

- \$7,500,000 will be used to continue educational support to schools with a significant proportion of refugee children, consistent with previous support to schools heavily impacted by large concentrations of refugees. Available surplus funds will be used to raise educational support to \$15,000,000.

In addition, we are adding \$2 million from FY 2001 unexpended refugee funds for allocation to States to fund programs promoting healthy marriages. Through this set-aside, ORR is looking to promote marriage education, relationship enhancement programs, divorce reduction activities, and/or other activities that promote and sustain healthy marriages. Unlike the FY 2002 healthy families' set-aside that provided for a wide range of activities to enhance families, the FY 2003 set-aside is available exclusively for marriage-building or relationship enhancement activities.

Refugee Social Service Funds

The FY 2003 population figures for the formula social services allocation include refugees, Cuban/Haitian entrants, Amerasians from Viet Nam, and victims of severe forms of trafficking. (A State must, however, have an approved State plan for the Cuban/Haitian Entrant Program or indicate in its refugee program State plan that Cuban/Haitian entrants will be served in order to use funds on behalf of entrants as well as refugees). Data on trafficking victims are taken from the total number of trafficking victim's certification letters issued by ORR. States that have served asylees during the past three years may submit to ORR the asylee-related information listed at the end of this section in order to have their service population estimate adjusted to include those asylees whose

asylum was granted within the 36 month period ending September 30, 2002.

The Director is proposing to allocate \$71,092,907 to States on the basis of each State's proportion of the national population of refugees who have been in the U.S. three years or less as of October 1, 2002 (including a floor amount for States that have small refugee populations).

The use of the 3-year population base in the allocation formula is required by section 412(c)(1)(B) of the Immigration and Nationality Act (INA) which states that "funds available for a fiscal year for grants and contracts [for social services] * * * shall be allocated among the States based on the total number of refugees (including children and adults) who arrived in the United States not more than 36 months before the beginning of such fiscal year and who are actually residing in each State (taking into account secondary migration) as of the beginning of the fiscal year."

As established in the FY 1992 social services notice published in the **Federal Register** on August 29, 1991, section I, "Allocation Amounts" (56 FR 42745), a variable floor amount for States which have small refugee populations is calculated as follows: If the application of the regular allocation formula yields less than \$100,000, then—

(1) A base amount of \$75,000 is provided for a State with a population of 50 or fewer refugees who have been in the U.S. 3 years or less; and

(2) For a State with more than 50 refugees who have been in the U.S. 3 years or less: (a) A floor has been calculated consisting of \$50,000 plus the regular per capita allocation for refugees above 50 up to a total of \$100,000 (in other words, the maximum under the floor formula is \$100,000); (b) if this calculation has yielded less than \$75,000, a base amount of \$75,000 is provided for the State.

Population To Be Served and Allowable Services

Eligibility for refugee social services includes persons who meet all requirements of 45 CFR 400.43 (see Footnote 1 for service populations). In addition, persons granted asylum are eligible for refugee benefits and services from the date that asylum was granted (See ORR State Letter No. 00-12, effective June 15, 2000). Victims of a severe form of trafficking who have received a certification or eligibility letter from ORR are eligible from the date on the certification letter (See ORR State Letter No. 01-13, May 3, 2001, as

modified by ORR State Letter No. 02-01, January 4, 2002).

Services to refugees must be provided in accordance with the rules of 45 CFR part 400 Subpart I—Refugee Social Services. Although the allocation formula is based on the 3-year refugee population, States may provide services to refugees who have been in the country up to 60 months (5 years), with the exception of referral and interpreter services and citizenship and naturalization preparation services for which there is no time limitation (45 CFR 400.152(b)).

Under waiver authority at 45 CFR 400.300, the Director of ORR may issue a waiver of the limitation on eligibility for social services contained in 45 CFR 400.152(b). There is no blanket waiver of this provision in effect for FY 2003. States may apply for a waiver of 45 CFR 400.152(b) in writing from the Director of ORR. Each waiver request will be reviewed based on supporting data and information provided. The Director of ORR will approve or disapprove each waiver request as expeditiously as possible.

Allowable social services are those indicated in 45 CFR 400.154 and 400.155. Additional services not included in these sections that the State may wish to provide must be submitted to and approved by the Director of ORR as required under 45 CFR 400.155(h).

The Administration for Children and Families (ACF) is currently supporting several initiatives that promote and encourage healthy marriages and strengthen families. The \$2 million set-aside allocation reflects ORR's participation in these initiatives as they relate to supporting healthy marriages and strengthening refugee families. The cultures of most refugee populations are built upon successful and stable family life. ORR believes that refugee married and non-married couples face unique difficulties because of their flight from persecution and long periods of insecurity and that marriage education is social services that can help refugees cope with these difficulties. ORR also believes that there are benefits to marriage that extend to children, adults, and to all society. Thus, ORR is committed to promoting policies and programs that help strengthen marriage as an institution and help refugee parents raise their children in positive and healthy environments.

Many refugee families have endured persecution or torture, trauma, abrupt flight from war, and separation from, or death of, friends and family members. Furthermore, the relationships in refugee families may become strained before arrival because of suffering and