

## FAQ for New RSS State Administrators

This FAQ gathers recurring questions from new RSS State Administrators and distinguishes federal requirements from decisions that states may make based on program structure and community needs.

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| Federal Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | State Flexibility                                                                                                                                                                                                                                                                                                                                          |
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| <p><b>How may states use RSS funding? What employment outcomes should RSS support?</b></p> <p>States must use RSS funding for <b>"employability" services and "other" supports</b> that help participants obtain employment within one year of enrollment and achieve economic self-sufficiency as quickly as possible.*</p> <ul style="list-style-type: none"> <li>• <b>Employability services</b> include skills and aptitude assessments; job search and placement support; training and certification support; English language instruction; and employability-related case management. Certain supports that address employment barriers are also allowed, including transportation, interpretation, childcare, and helping a client obtain their Employment Authorization Document (EAD). Allowable barrier-removal supports include English-language instruction, day care, transportation, translation and interpretation, and assistance in obtaining Employment Authorization Documents (<a href="#">45 CFR 400.154</a>).</li> <li>• <b>"Other" services</b> are supports that promote family stability and community integration. These include outreach services; information and referral services; naturalization preparation; and social adjustment support (<a href="#">45 CFR 400.155</a>).</li> </ul> <p>States establish annual <b>employment outcome goals</b> through ORR's <a href="#">Annual Outcome Goal Plan</a> (AOGP). The AOGP measures: (1) entry into full-time or part-time employment; (2) cash-assistance terminations and reductions resulting from earnings; (3) entry into full-time employment offering health benefits within six months; (4) average hourly wage at entry into full-time employment; and (5) employment retention at 90 days, even if the participant has changed jobs.</p> <p><small>*Note: The one-year employment objective is not a one-year eligibility limit; most RSS eligibility is governed separately by the <a href="#">60-month rule</a>.</small></p> | <p>States may choose the mix of allowable "employability" and "other" support services, as well as annual outcome goals. States may seek approval from the Director of ORR to fund other services that promote economic self-sufficiency, family stability, and community integration but are not currently available via alternative funding sources.</p> |

| Federal Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | State Flexibility                                                                                                                                                                                                                                                                                                  |
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| <p><b>Can RSS fund other services not explicitly mentioned in § 400.154–400.155?</b></p> <p>States should only fund employability services listed in <a href="#">§ 400.154</a>, other listed services in <a href="#">§ 400.155</a>, and services that meet <a href="#">§ 400.156</a>. If a proposed activity is not already specifically listed within these regulations, States must follow the applicable ORR process before charging RSS base funds. For additional services under § 400.155(h), States must follow the requirements in § 400.155(h) and PL 24–03, including any required submission and ORR approval or notification, depending on the service.</p>                                                                                                                                                                                                                                                                                                                 | <p>Within the limits outlined in § 400.154–400.155, states choose their mix of services, intensity, sequence, location, <a href="#">modality</a>, and provider assignment.</p>                                                                                                                                     |
| <p><b>Who is eligible for RSS, and who should be prioritized when resources are limited?</b></p> <p><b>Eligibility:</b> To enroll in RSS, an individual must hold an <a href="#">ORR-eligible status</a> and provide the proper <a href="#">documentation</a> (<a href="#">45 CFR § 400.43</a>; <a href="#">§ 400.150</a>). Section 400.154 employability services generally serve people age 16 or older who are not full-time elementary/ secondary students, subject to the student exceptions in <a href="#">§ 400.152(a)</a>. Most RSS services end after 60 months; citizenship/naturalization preparation, referral, and interpreter services are excepted from the 60-month timeframe.</p> <p><b>Prioritization:</b> When resources are limited, States must apply the <a href="#">§ 400.147 order</a>: prioritize first-year new arrivals; cash-assistance recipients; unemployed nonrecipients; then employed people needing retention or economic-independence services.</p> | <p>States design their own processes for intake and eligibility verification, but may not alter federal eligibility requirements or reorder priorities. The regulation permits departures only in certain individual <a href="#">extreme circumstances</a>; States must document the basis for any exceptions.</p> |
| <p><b>When is a Family Self-Sufficiency Plan (FSSP) required?</b></p> <p>Under <a href="#">§ 400.156(g)</a> and <a href="#">PL 21-06</a>, when at least one adult enrolls in RSS employment services under § 400.154(a), providers should complete a <b>whole-family FSSP</b> within 30 days; document the baseline assessment, family budget, <b>Individual Employability Plan (IEP)</b>, goals, referrals, and 6- and 12-month follow-up. According to PL 21–06, no FSSP is required for a person enrolled only in § 400.154(b)–(k). States must coordinate services to prevent duplication and meet cultural and language-access requirements (<a href="#">§ 400.156(b), (e)–(f)</a>; <a href="#">PL 25-02</a>).</p>                                                                                                                                                                                                                                                                 | <p>States may use their own forms, case management systems, staffing, and referral networks if all federally required elements are completed.</p>                                                                                                                                                                  |



| Federal Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | State Flexibility                                                                                                                                                                                                                                                                    |
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| <p><b>What responsibilities must the State retain, and which services may be delivered by other organizations?</b></p> <p>ORR awards RSS formula grants only to <a href="#">“States” as defined in 45 CFR § 400.2</a>. States may still buy services from public or private providers under <a href="#">§ 400.148</a>, but it <b>may not delegate administration or supervision of its plan</b> (<a href="#">§ 400.22</a>). States must maintain monitoring, systematic evaluation, corrective action, and compliance controls.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>States may choose direct delivery or compliant subawards/contracts, geographic coverage, provider roles, staffing, and service-delivery modality.</p>                                                                                                                             |
| <p><b>How should States structure provider relationships?</b></p> <p>States should classify each agreement as a <b>subaward</b> or a <b>procurement contract</b> (<a href="#">2 CFR § 200.331</a>). State recipients must follow <a href="#">§ 200.317</a> and their own documented procurement procedures for contracts; subawards follow <a href="#">§ 200.331–200.333</a>. Where <a href="#">§ 200.320</a> applies, noncompetitive procurement is limited to its five circumstances. A <b>fixed-amount subaward</b> requires prior written Federal approval, may not exceed \$500,000, and must meet <a href="#">§ 200.201(b)</a> and <a href="#">§ 200.333</a>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>After classification, states may choose a lawful payment structure, such as cost reimbursement, fee-for-service/fixed price, or performance-based terms.</p>                                                                                                                      |
| <p><b>What planning, reporting, recordkeeping, and oversight systems must be in place?</b></p> <p>In order for a State to receive RSS funds, it must submit to ORR a <b>State Plan</b> every fiscal year that describes its administration of the program in accordance with 45 CFR § 400.5. States must obtain approval for amendments when the plan changes (45 CFR § 400.4; § 400.8).</p> <p>Recipients must also comply with the versions of the <a href="#">ACF Standard Terms and Conditions</a> and <a href="#">ORR’s FY 2026 Supplemental Terms and Conditions</a> incorporated into their Notice of Award and any award amendments.</p> <p>Required reporting includes the ORR-6 Performance Report and Annual Service Plan, RSS Subrecipient Report, Annual Outcome Goal Plan, ORR-5 data submission, quarterly SF-425 financial reports, and any additional reports identified in the award. States must maintain internal controls and records under <a href="#">2 CFR § 200.303</a> and <a href="#">§ 200.334–200.338</a>. Before transferring participant records, states must document an authorized administrative purpose or consent and comply with <a href="#">45 CFR § 400.27</a>.</p> | <p>States may add local dashboards, outcomes, quality standards, monitoring cadence, communication protocols, and oversight. These additions may exceed the federal minimum, but may not replace required reports, controls, records retention, confidentiality, or award terms.</p> |

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