

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



August 30, 2001

ALL COUNTY LETTER NO. 01-58

TO: ALL COUNTY WELFARE DIRECTORS  
COUNTY REFUGEE COORDINATORS  
MUTUAL ASSISTANCE ASSOCIATIONS

SUBJECT: THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000

The Trafficking Victims Protection Act of 2000 makes adult victims of severe forms of trafficking, who have been certified by the federal Office of Refugee Resettlement (ORR), eligible for benefits and services to the same extent as refugees. Victims of severe forms of trafficking who are under 18 years of age are also eligible for benefits to the same extent as refugees, but do not need to be certified.

Severe Forms of Trafficking in Persons

The term "severe forms of trafficking in persons" means:

- Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not reached 18 years of age; or
- The recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

ORR will make certification determinations and issue letters of certification for victims of severe forms of trafficking. County welfare departments will not need to determine whether someone is a victim of a severe form of trafficking nor will they need to contact the Immigration and Naturalization Service.

Adults

Adult victims of severe forms of trafficking, who have been certified by ORR, are eligible for benefits to the same extent as refugees.

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

### Children

Children under 18 years of age, who have been subjected to a severe form of trafficking, do not need to be certified in order to receive benefits. ORR will issue letters, which will be similar to the adult certification letters, stating that a child is a victim of a severe form of trafficking. County welfare departments will not need to evaluate whether a child has been subjected to a severe form of trafficking.

### Documents

ORR will make certification determinations and issue certification letters for adults who meet the requirements for certification. In addition, ORR will issue similar letters for children who have been found to be victims of severe forms of trafficking. A sample copy of a certification letter and a similar letter for children are attached. In conducting a benefit eligibility determination for a victim of a severe form of trafficking, county welfare departments should follow their regular procedures for refugees and treat the victim of a severe form of trafficking the same as a refugee. However, instead of requiring Immigration and Naturalization Service documentation, such as the I-94 Arrival/Departure Card, county welfare departments are to acknowledge the certification letter or letter for children as proof of an immigration status that confers eligibility for benefits. Applicants must submit the original certification letter. A photocopy is to be retained for the files and the original letter returned to the applicant. Victims of severe forms of trafficking are not required to provide any immigration documents to receive benefits for which they are eligible.

### Eligibility Procedures

When a victim of a severe form of trafficking applies for benefits, county welfare departments are to follow their normal procedures for refugees and also take the following actions:

- Acknowledge the original certification letter or letter for children in place of Immigration and Naturalization Service documentation. Victims of severe forms of trafficking are not required to provide any documentation of their immigration status.
- Call the trafficking verification line at (202) 401-5510 to confirm validity of the certification letter or letter for children and to notify ORR of the benefits for which the individual has applied.
- Do not contact the Systematic Alien Verification for Entitlement (SAVE) system for information about victims of severe forms of trafficking. The SAVE system does not contain information about victims of severe forms of trafficking.

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- Note the “entry date” for refugee benefit purposes. The individual’s “entry date” is the certificate date, which appears in the body of the certification letter or letter for children.
- Issue benefits to the same extent as a refugee, provided the victim of a severe form of trafficking meets other program eligibility criteria, such as income and resource criteria.
- Record the expiration date of the certification letter or letter for children so that benefit-granting agencies will be prepared to conduct re-determinations of eligibility. The expiration dates are eight months from the initial certification date. The trafficking certification re-determinations must be conducted at the end of the eight-month period. ORR intends to issue follow-up certification letters if individuals continue to meet certification requirements.

Enclosed for reference are ORR State Letter #01-13, Summary: Benefits for Victims of Trafficking under the Trafficking Victims Protection Act of 2000, Frequently Asked Questions Benefits for Victims of Trafficking under the Trafficking Victims Protection Act of 2000, Sample Certification Letter, and Sample Letter for Children. If you have any questions, please contact Ms. Linda Keene at (916) 654-2602 or Ms. Betts Smith at (916) 654-0495 in the Refugee Programs Branch.

Sincerely,

*Original signed by  
Bruce Wagstaff on 8/28/01*

BRUCE WAGSTAFF  
Deputy Director  
Welfare to Work Division

Enclosure

c: CWDA

Department of Health and Human Services  
Administration for Children and Families  
370 L'Enfant Promenade, S.W.  
Washington, D.C. 20447

ORR State Letter #01-13

May 3, 2001

TO: STATE REFUGEE COORDINATORS  
NATIONAL VOLUNTARY AGENCIES  
OTHER INTERESTED PARTIES

FROM: Carmel Clay-Thompson, Acting Director  
Office of Refugee Resettlement

SUBJECT: The Trafficking Victims Protection Act of 2000

The Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, Division A, 114 Stat. 1464 (2000), makes adult victims of severe forms of trafficking who have been certified by the U.S. Department of Health and Human Services (HHS) **eligible for benefits and services to the same extent as refugees.**<sup>1</sup> Victims of severe forms of trafficking who are under 18 years of age are also eligible for benefits to the same extent as refugees but do not need to be certified. The Office of Refugee Resettlement (ORR), which has been delegated the authority to conduct certification activities, is in the process of developing certification procedures. Until formal procedures are developed, benefit-granting agencies should follow the guidance in this State Letter. This State Letter provides background information on the trafficking of human beings into the United States, the requirements for certification, the documents that victims of severe forms of trafficking will present and the procedures agencies should follow in confirming eligibility for benefits. **For a quick guide to the law and agency responsibilities, please see the attached Summary page.**

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<sup>1</sup> "[A]n alien who is a victim of a severe form of trafficking in persons shall be eligible for benefits and services under any Federal or State program or activity funded or administered by any [Federal agency] to the same extent as an alien who is admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act." §107(b)(1)(A)

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Welfare Reform Act") restricted immigrant eligibility for many federal and state public benefits. Most victims of severe forms of trafficking will not have an immigration status that confers eligibility for benefits under the Welfare Reform Act's provisions. This, however, will not prohibit them from receiving benefits because, as noted above, the Trafficking Victims Protection Act makes victims of severe forms of trafficking eligible for benefits to the same extent as refugees, who were exempted from most of the Welfare Reform Act restrictions. In addition, the Trafficking Victims Protection Act allows victims of severe forms of trafficking to access refugee benefits and services.

## Background

An estimated 700,000 persons, primarily women and children, are trafficked worldwide each year. Approximately 50,000 women and children are trafficked annually into the United States along with an unknown number of men. Traffickers force their victims into the international sex trade, prostitution, slavery and forced labor through coercion, threats of physical violence, psychological abuse, torture and imprisonment. To deter these crimes, Congress passed and the President signed into law the Trafficking Victims Protection Act (the Act) in October 2000. The law aims to combat trafficking through increased law enforcement, to ensure effective punishment of traffickers, to protect victims and to provide Federal and State assistance to victims.

## Requirements for Certification

### **Adults**

Adult victims of severe forms of trafficking who have been certified by HHS are eligible for benefits to the same extent as refugees. When preparing a certification, ORR reviews whether the individual has been subjected to a severe form of trafficking and whether she or he meets the two certification requirements, which are listed below.<sup>2</sup> In the Act, the term "severe forms of trafficking in persons" means

- (A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- (B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

### §103(8)

HHS, after consultation with the Attorney General, may certify a victim of a severe form of trafficking who

- (I) is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons;  
and
- (II)(aa) has made a bona fide application for a visa under section 101(a)(15)(T) of the Immigration and Nationality Act. . . that has not been denied; or
- (bb) is a person whose continued presence in the United States the Attorney General is ensuring in order to effectuate prosecution of traffickers in persons.

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<sup>2</sup> At this point in time, ORR has relied on evaluations provided by federal legal and investigatory personnel when reviewing whether an individual has been subjected to a severe form of trafficking. As required by the Act, ORR also has consulted with various offices of the Department of Justice on the certification requirements prior to issuing certification letters.

ORR will make certification determinations and, at this time, issue letters of certification for victims of severe forms of trafficking (see below). Benefit-issuing agencies are not authorized to issue certifications. Agencies will not need to determine whether someone is a victim of a severe form of trafficking nor will they need to contact the Immigration and Naturalization Service (INS) or any other division of the Department of Justice to consult on certification issues. ORR will conduct these activities.

### **Children**

Children under 18 years of age who have been subjected to a severe form of trafficking do not need to be certified in order to receive benefits. For the purposes of benefits eligibility, the Act defines a minor victim of a severe form of trafficking as a person who has been subjected to a severe form of trafficking (see the definition above from the Act §103(8)) and who has not attained 18 years of age. ORR will issue letters, which will be similar to the adult certification letters, stating that a child is a victim of a severe form of trafficking (see below). Benefit-granting agencies will not need to evaluate whether a child has been subjected to a severe form of trafficking.

## **Documents and Eligibility Procedures**

As mentioned above, ORR will make certification determinations and issue certification letters for adults who meet the requirements for certification. In addition, ORR will issue similar letters for children who have been found to be victims of severe forms of trafficking. A sample copy of a certification letter and a similar letter for children are attached. Please note that the signature and make-up of these letters may change in the coming months.

In conducting a benefits eligibility determination for a victim of a severe form of trafficking, benefit-granting agencies should follow their regular procedures for refugees and treat the victim of a severe form of trafficking the same as a refugee. However, instead of requiring Immigration and Naturalization Service (INS) documentation, such as the I-94 Arrival/Departure Card, agencies should accept the certification letter or letter for children as proof of a status that confers eligibility for benefits.<sup>3</sup> Applicants must submit the original certification letter.<sup>4</sup> A photocopy should be retained for the files and the original letter returned to the applicant. Victims of severe forms of trafficking are not required to provide any immigration documents to receive benefits. Although they are not required for benefits purposes, victims of severe forms of trafficking may have a variety of immigration documents, including an I-94 Arrival/Departure Card with a stamp showing parole under section 212(d)(5) of the Immigration and Nationality Act, an employment authorization document, or proof of deferred action or an order of supervision. These documents also may be useful in proving identity.

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<sup>3</sup> Please note that other agencies, such as the INS, may issue letters or other documents to victims of severe forms of trafficking. However, only the ORR certification letter (samples attached) may be accepted as proof of certification.

<sup>4</sup> In some cases, the original certification letter may be sent to the U.S. Attorneys Office or the State Refugee Coordinator's Office. If this is done, victims of severe forms of trafficking will receive a separate letter informing them to contact the appropriate office. Victims may not submit this explanatory letter to receive benefits. They must submit the original certification letter.

The certification letters for adults and the letters for children have a phone number to call to verify their validity. **Benefit-granting agencies must call the trafficking verification line at (202) 401-5510 for verification before providing benefits.** During this verification phone call, agencies also must notify ORR of the benefits for which the victim of a severe form of trafficking has applied. At this time, the INS Systematic Alien Verification for Entitlements (SAVE) system does not contain information about victims of severe forms of trafficking. ORR is working with the INS on this issue, and further instructions will be released as soon as possible. Until further notice, benefit-issuing agencies should not contact the SAVE system to confirm eligibility for benefits for victims of severe forms of trafficking.

When confirming identity, agencies may find that many victims of severe forms of trafficking do not yet possess standard identity documents, such as driver's licenses. If agencies have difficulty confirming identity in these cases, they should not automatically deny the applications but should call the trafficking verification line at (202) 401-5510 for assistance. In addition, for victims of severe forms of trafficking who do not yet have or who are unable to obtain social security numbers for work purposes, agencies should assist these individuals in obtaining non-work social security numbers by following the instructions in ORR State Letter #00-23.<sup>5</sup>

Once an agency has received the certification letter or similar letter for children and verified the validity of the document by calling the trafficking verification line at (202) 401-5510, the agency should note the individual's "entry date"<sup>6</sup> for refugee benefits purposes. The individual's "entry date" for refugee benefits purposes is the date of certification. The certification date appears in the body of the certification letter or letter for children. If an applicant meets other program eligibility criteria (e.g., income levels), the individual then should receive benefits and services to the same extent as a refugee.

Finally, benefit-granting agencies should note that the certification letters and the letters for children contain expiration dates. At this time, the expiration dates are 8 months from the initial certification date. Benefit-issuing agencies should record the expiration dates so that, if necessary, they can conduct re-determinations of eligibility at that time. The trafficking certification redeterminations **MUST** be conducted at the end of the 8-month period, regardless of other benefits program redetermination schedules. ORR intends to issue follow-up certification letters if individuals continue to meet the statutory certification requirements.

## **Highlights of Eligibility Procedures**

When a victim of a severe form of trafficking applies for benefits, benefit-granting agencies should follow their normal procedures for refugees except agencies should:

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<sup>5</sup> States cannot require that applicants for ORR-funded assistance and services provide social security numbers. While Medicaid, Temporary Assistance for Needy Families and Food Stamp eligibility rules require applicants for benefits who do not have social security numbers to apply for them, the State may not delay, deny or discontinue assistance pending the issuance of their social security numbers. States and local agencies also must assist applicants to apply for social security numbers. See ORR State Letter #00-23.

<sup>6</sup> "Entry date" is the first day of the individual's eligibility period for refugee benefits.

- (1) **Accept the original certification letter** or letter for children in place of INS documentation. Victims of severe forms of trafficking are not required to provide any documentation of their immigration status.
- (2) **Call the trafficking verification line at (202) 401-5510 to confirm the validity of the certification letter** or similar letter for children and to notify ORR of the benefits for which the individual has applied. (Note: At this time, SAVE does not contain information about victims of severe forms of trafficking. Until further notice, do not contact SAVE concerning victims of severe forms of trafficking.)
- (3) **Note the "entry date"** for refugee benefits purposes. The individual's "entry date" for refugee benefits purposes is the certification date, which appears in the body of the certification letter or letter for children.
- (4) **Issue benefits to the same extent as a refugee**, provided the victim of a severe form of trafficking meets other program eligibility criteria (e.g., income levels).
- (5) **Record the expiration date** of the certification letter or letter for children so that benefit-granting agencies will be prepared to conduct re-determinations of eligibility at that time.

## **Individuals without Certification**

At this time, ORR is in the process of developing procedures under which an individual may apply for certification as a victim of a severe form of trafficking. Until formal procedures are developed, requests for certification are being handled on a case-by-case basis. If benefit-granting agencies encounter an individual that they believe may meet the definition in the Act, they should call Michael Jewell at (202) 401-4561, Neil Kromash at (202) 401-5702 or their State Analyst. If agencies encounter a child that they believe has been subjected to a severe form of trafficking, they should call Loren Bussert at (202) 401-4732.

Agencies should note that certification is not automatic. ORR must consult with various offices at the Department of Justice (DOJ) prior to a certification. Therefore, in order to expedite the process, agencies may want to contact Lorna Grenadier, DOJ, Criminal Section of the Civil Rights Division at (202) 616-3807.

If you have questions about any of the information in this State Letter, please call Anna Marie Bena at (202) 260-5186.

### **Attachments:**

- (1) Summary page
- (2) Frequently Asked Questions
- (3) Sample copy of a certification letter for an adult victim of a severe form of trafficking
- (4) Sample copy of a letter for children



## **\*Summary: Benefits for Victims of Trafficking under The Trafficking Victims Protection Act of 2000**

### **Eligibility**

Under the Trafficking Victims Protection Act (the Act), adult victims of trafficking who are certified by the U.S. Department of Health and Human Services (HHS) are eligible for benefits to the same extent as refugees. Children who have been subjected to trafficking are also eligible like refugees but do not need to be certified.

### **Certification**

HHS' Office of Refugee Resettlement (ORR) has been delegated the authority to conduct certifications. At this time, ORR will issue certification letters to victims of trafficking who meet the certification requirements. ORR also will issue similar letters for children who have been subjected to trafficking.

To receive a certification, a victim of trafficking must be willing to assist with the investigation and prosecution of trafficking cases AND either (1) have made a bona fide application for a T visa OR (2) be an individual whose continued presence the Attorney General is ensuring to effectuate a trafficking prosecution.

Benefit-issuing agencies do not need to conduct any certification activities.

### **Applications for Benefits**

When a victim of trafficking applies for benefits, benefit-granting agencies should follow their normal procedures for refugees **except agencies should:**

- (1) **Accept the original certification letter** or letter for children in place of INS documentation. Victims of severe forms of trafficking are not required to provide any documentation of their immigration status.
- (2) **Call the trafficking verification line at (202) 401-5510 to confirm the validity of the certification letter** or letter for children and to notify ORR of the benefits for which the individual has applied. (Note: At this time, SAVE does not contain information about victims of severe forms of trafficking. Until further notice, do not contact SAVE concerning victims of severe forms of trafficking.)
- (3) **Note the "entry date"** for refugee benefits purposes. The individual's "entry date" is the certification date, which is in the body of the certification letter or letter for children.
- (4) **Issue benefits to the same extent as a refugee**, provided the victim of a severe form of trafficking meets other program eligibility criteria (e.g., income levels).
- (5) **Record the expiration date** of the certification letter or letter for children so that benefit-granting agencies will be prepared to conduct re-determinations of eligibility at that time.

### **Individuals without Certification**

If benefit-granting agencies encounter an individual that they believe may meet the definition in the Act, they should call Michael Jewell at (202) 401-4561, Neil Kromash at (202) 401-5702 or their State Analyst. If agencies encounter a child that they believe has been subjected to a severe form of trafficking, they should call Loren Bussert at (202) 401-4732.

**\*Frequently Asked Questions  
Benefits for Victims of Trafficking under  
The Trafficking Victims Protection Act of 2000**

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**(1) Are adult victims of trafficking eligible for benefits to the same extent as refugees?**

Yes, provided they have been certified and meet other program eligibility requirements (e.g., income levels). Under The Trafficking Victims Protection Act (the Act), adult victims of trafficking who have been certified by the U.S. Department of Health and Human Services (HHS) are eligible for benefits to the same extent as refugees.

**(2) Are children who have been subjected to trafficking eligible for benefits to the same extent as refugees?**

Yes. Children who are under 18 years old and who have been subjected to trafficking are eligible for benefits to the same extent as refugees. Children do not need to be certified.

**(3) What is trafficking?**

Under section 103(8) of the Act, the term "severe forms of trafficking in persons" means:

- (A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- (B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

**(4) What is certification?**

HHS, after consultation with the Attorney General, may certify an adult victim of trafficking who (1) is willing to assist in every reasonable way in the investigation and prosecution of trafficking cases AND (2) has made a bona fide application for a T visa OR is a person whose continued presence the Attorney General is ensuring to effectuate a prosecution of traffickers.

**(5) Who conducts certification activities?**

The Office of Refugee Resettlement (ORR) at HHS has been delegated the authority to conduct certification activities. Benefit-issuing agencies are not authorized to issue certifications. Similarly, other federal government agencies are not authorized to issue certifications.

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\* U.S. Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement, May 2001

**(6) Does ORR conduct certification activities without consulting the Attorney General?**

No. After consultation with the Attorney General, ORR may certify victims of trafficking who meet the certification requirements.

**(7) Do children who have been subjected to trafficking need certification?**

No. Children who have been subjected to trafficking do NOT need to be certified in order to receive benefits. Minors, under 18 years old, who have been subjected to trafficking are eligible for benefits to the same extent as refugees, without having to be certified. At this time, ORR is issuing letters, similar to adult certification letters (see #8), stating that the child is a victim of a severe form of trafficking and is therefore eligible for benefits to the same extent as a refugee. A sample letter is attached.

**(8) What proof do adult victims have that they have been certified?**

At this time, adult victims of trafficking who have been certified will be issued a certification letter by ORR. A sample certification letter is attached. However, please note that the signature and make-up of this letter may change in the coming months.

**(9) What documents must adult victims of trafficking submit to a benefit-issuing agency when they apply for benefits?**

Adult victims of trafficking must submit their certification letters. To apply for benefits, adult victims do NOT need to provide any immigration documents.

**(10) Will victims of trafficking have standard identity documents?**

When confirming identity, agencies may find that many victims of trafficking do not yet possess standard identity documents, such as driver's licenses. If agencies have difficulty confirming identity in these cases, they should not automatically deny the applications but should call the trafficking verification line at (202) 401-5510 for assistance.

**(11) Will victims of trafficking have social security numbers for work purposes?**

Some victims of trafficking may not yet have or may not be able to obtain social security numbers for work purposes. Agencies should assist these individuals in obtaining non-work social security numbers by following the instructions in ORR State Letter #00-23.

**(12) Do victims of trafficking need social security numbers to receive ORR-funded benefits and services?**

No. States cannot require that applicants for ORR-funded assistance and services provide social security numbers. While Medicaid, Temporary Assistance for Needy Families and Food Stamp eligibility rules require applicants for benefits who do not have social security numbers to apply for them, the State may not delay, deny or discontinue assistance pending the issuance of their social security numbers. States and local agencies also must assist applicants to apply for social security numbers. See ORR State Letter #00-23.

**(13) How do victims of trafficking apply for certification?**

At this time, ORR is in the process of developing procedures under which an individual may apply for certification as a victim of trafficking. Until formal procedures are developed, requests for certification are being handled on a case-by-case basis. If benefit-granting agencies encounter an individual that they believe may meet the definition in the Act, they should call Michael Jewell at (202) 401-4561, Neil Kromash at (202) 401-5702 or their State Analyst. If agencies encounter a child that they believe has been subjected to trafficking, they should call Loren Bussert at (202) 401-4732. Agencies should note that certification is not automatic. ORR must consult with various offices at the Department of Justice (DOJ) prior to a certification. Therefore, in order to expedite the process, agencies may want to contact Lorna Grenadier, DOJ, Criminal Section of the Civil Rights Division at (202) 616-3807.

**(14) Does the Act give victims of trafficking refugee status under immigration laws?**

No. The Act does not give victims of trafficking refugee status under immigration laws. The Act makes victims of trafficking eligible for benefits to the same extent as refugees. In other words, victims of trafficking are treated like refugees for benefits purposes.

**(15) Do victims of trafficking need to have a certain immigration status in order to receive benefits?**

No. Victims of trafficking do NOT need to hold a certain immigration status in order to receive benefits. (Victims of trafficking need to be certified by HHS in order to receive benefits.) Although they do not need them for benefits purposes, victims of trafficking may hold a variety of immigration documents including an I-94 Arrival/Departure Card with a stamp showing parole under section 212(d)(5) of the Immigration and Nationality Act, an employment authorization document, or proof of deferred action or an order of supervision.

**(16) Should agencies use the INS Systematic Alien Verification for Entitlements (SAVE) system to confirm a trafficking victim's eligibility for benefits?**

Not at this time. The SAVE system does not contain information about victims of trafficking. ORR is working with the INS on this issue and further instructions will be released as soon as possible. Until further notice, benefit-issuing agencies should not contact the SAVE system to confirm eligibility for benefits for victims of trafficking. Agencies

should call the trafficking verification line at (202) 401-5510 to confirm the validity of a certification letter.

**(17) Are the certification letters valid indefinitely?**

No. At this time, the certification letters contain expiration dates, which are 8 months from the initial certification date. Benefit-issuing agencies should record the expiration dates so that, if necessary, they can conduct re-determinations of eligibility at that time. ORR intends to issue follow-up certification letters if individuals continue to meet the statutory certification requirements.

**(18) What is the "entry date" for refugee benefits purposes (first day of an individual's eligibility period for refugee benefits) for victims of trafficking?**

A trafficking victim's "entry date" for refugee benefits purposes is the date of certification. The date of certification appears in the body of the certification letter or letter for children.

**(19) What process should benefit-granting agencies follow when a victim of trafficking applies for benefits?**

When a victim of trafficking applies for benefits, benefit-granting agencies should follow their normal procedures for refugees except agencies should:

- (1) Accept the certification letter or letter for children in place of INS documentation. Victims of severe forms of trafficking do not need to provide any documentation of their immigration status.
- (2) Call the trafficking verification line at (202) 401-5510 to confirm the validity of the certification letter or letter for children and to notify ORR of the benefits for which the individual has applied. (Note: At this time, SAVE does not contain information about victims of severe forms of trafficking. Until further notice, do not contact SAVE concerning victims of severe forms of trafficking.)
- (3) Note the "entry date" for refugee benefits purposes. The individual's "entry date" is the certification date, which is in the body of the certification letter or letter for children.
- (4) Issue benefits to the same extent as a refugee, provided the victim of a severe form of trafficking meets other program eligibility criteria (e.g., income levels).
- (5) Record the expiration date of the certification letter or letter for children so that benefit-granting agencies will be prepared to conduct re-determinations of eligibility at that time.

**(20) Can an adult victim of trafficking be de-certified?**

At this time, there are no formal procedures for de-certification of adult victims of trafficking. However, if an adult victim of trafficking no longer meets the statutory certification requirements at the 8-month re-determination, ORR will not issue a follow-up certification letter and the individual will no longer be eligible for benefits to the same extent as a refugee. In addition, procedures are being considered to address cases where, prior to the end of the 8-month certification period, the Attorney General advises that a victim of trafficking no longer meets the certification requirements.



**DEPARTMENT OF HEALTH & HUMAN SERVICES**

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**ADMINISTRATION FOR CHILDREN AND FAMILIES**  
370 L'Enfant Promenade, S.W.  
Washington, D.C. 20447

**HHS Tracking Number**  
5555555555

Ms. Susie Doe  
c/o Jim Thomas, Refugee Social Worker  
Smith County Community Service Office  
123 Main St.  
Bellevue, WA 55555-5555

**CERTIFICATION LETTER**

Dear Ms. Doe:

This letter confirms that you have been certified by the Department of Health and Human Services (HHS) pursuant to section 107(b) of the Trafficking Victims Protection Act of 2000. Your certification date is \_\_\_\_\_. This certification is valid for eight months from the date of this letter. The expiration date is \_\_\_\_\_.

With this certification, you are eligible for benefits and services under any Federal or State program or activity funded or administered by any Federal agency to the same extent as an individual who is admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act, provided you meet other eligibility criteria. This certification does not confer immigration status.

You should present this letter when you apply for benefits or services. Benefit-issuing agencies should call the trafficking verification line at (202) 401-5510 to verify the validity of this document and to inform HHS of the benefits for which you have applied.

Sincerely,

Carmel Clay-Thompson  
Acting Director  
Office of Refugee Resettlement



## DEPARTMENT OF HEALTH & HUMAN SERVICES

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ADMINISTRATION FOR CHILDREN AND FAMILIES  
370 L'Enfant Promenade, S.W.  
Washington, D.C. 20447

**HHS Tracking Number**  
5555555555

Ms. Susie Doe  
c/o Jim Thomas, Refugee Social Worker  
Smith County Community Service Office  
123 Main St.  
Bellevue, WA 55555-5555

Dear Ms. Doe:

This letter confirms that, pursuant to section 107(b) of the Trafficking Victims Protection Act of 2000, you are eligible for benefits and services under any Federal or State program or activity funded or administered by any Federal agency to the same extent as an individual who is admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act, provided you meet other eligibility criteria.

Your initial eligibility date is \_\_\_\_\_. This eligibility is valid for eight months from the date of this letter.  
The expiration date is \_\_\_\_\_.

You should present this letter when you apply for benefits or services. Benefit-issuing agencies should call the trafficking verification line at (202) 401-5510 to verify the validity of this document and to inform HHS of the benefits for which you have applied.

Sincerely,

Carmel Clay-Thompson  
Acting Director  
Office of Refugee Resettlement