



MINOR VICTIMS OF TRAFFICKING: ELIGIBILITY FOR REFUGEE BENEFITS



Under the Trafficking Victims Protection Act (TVPA), the U.S. Department of Health and Human Services (HHS) is authorized to provide benefits to victims of human trafficking who are non-U.S. citizen minors (under the age of 18). The HHS Anti-Trafficking in Persons Division in the Office of Refugee Resettlement (ORR) issues Eligibility Letters to allow these child victims access to benefits and services to the same extent as refugees, without regard to immigration status, in an effort to help them rebuild their lives. (U.S. citizen victims may be eligible for similar benefits and services and do not need to receive an Eligibility Letter to obtain them.)

If a child is in urgent need of assistance, call the National Human Trafficking Resource Center at 1.888.3737.888, law enforcement at 911, or the National Center for Missing and Exploited Children at 1.800.THE.LOST (1.800.843.5678)

Obtaining an Eligibility Letter

HHS can issue a minor victim of human trafficking an Eligibility Letter immediately upon HHS receipt of a recommendation from the U.S. Department of Homeland Security (DHS) or the U.S. Department of Justice (DOJ). Unlike adults, minors are not required to comply with requests to assist with a law enforcement investigation or prosecution of a trafficking case to receive an Eligibility Letter. Minors are also not required to have been granted Continued Presence (CP) or a T Visa before receiving an Eligibility Letter. However, a Federal law enforcement official must provide a recommendation to HHS stating that the minor is believed to be a victim of human trafficking under the Trafficking Victims Protection Act. The law enforcement recommendation must include the signature of the endorsing official on agency letterhead and the following information about the minor victim:

LAST NAME, First Name Alien Number (A#) Date of Birth Country of Origin

Federal law enforcement recommendations should be faxed to ORR at: **202-401-5487**
For assistance in this process contact the ORR Child Protection Specialist at: **202-401-4732**

Unaccompanied Minor Victims of Human Trafficking

An *unaccompanied* trafficked minor does not have a parent or legal custodian living in the U.S. who is able to care for the minor. ORR's Unaccompanied Refugee Minors (URM) program can provide care to an unaccompanied minor victim of trafficking who has received an Eligibility Letter. The URM program provides specialized, culturally appropriate foster care or other licensed care settings according to children's individual needs. The program establishes legal responsibility, under State law, to ensure that unaccompanied minor refugees and entrants receive the full range of assistance, care, and services which are available to all foster children in the State; a legal authority is designated to act in place of the child's unavailable parent(s). Reunification of children with their parents or other appropriate adult relatives is encouraged, through family tracing and coordination with local refugee resettlement agencies.

Additional services include: indirect financial support for housing, food, clothing, and medical care; intensive case management by social workers; independent living skills training; educational supports; English language training; career/college counseling; mental health services; assistance adjusting immigration status; cultural activities; recreational opportunities; support for social integration; and cultural and religious preservation. Two voluntary agencies – Lutheran Immigration and Refugee Service (LIRS) and the United States Conference of Catholic Bishops (USCCB) – place unaccompanied minors in their national networks of affiliated agencies and conduct training, research and technical assistance on URM services. To access the URM program for a minor victim of trafficking who has received an Eligibility Letter, contact the ORR Child Protection Specialist at: **202-401-4732**.

For more information on ORR's URM program visit:
http://www.acf.hhs.gov/programs/orr/programs/unaccompanied_refugee_minors.htm.

National Human Trafficking Resource Center 1.888.3737.888



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Benefits and Services Available for Victims of Human Trafficking

All victims of trafficking are eligible to receive benefits and services to the same extent as refugees, provided they meet other program eligibility criteria (e.g., income levels). Some of the programs for which victims may be eligible include Refugee Cash Assistance and Refugee Medical Assistance, Temporary Assistance for Needy Families (TANF), Medicaid and Job Corp/One Stop Career Centers.

In addition, each state has a State Refugee Coordinator and often a State Refugee Health Coordinator. The State Refugee Coordinator's office oversees services and refugee benefits to eligible clients. Contact HHS State Refugee Coordinators for state-specific information:

http://www.acf.hhs.gov/programs/orr/partners/state_partners.htm.

Victims of human trafficking can be issued Continued Presence (CP), which can only be requested by a Federal law enforcement official. CP allows the victim to stay in the United States for one year (renewable if necessary) during the ongoing investigation or prosecution of the trafficker. Victims who are granted Continued Presence also receive an Employment Authorization Document (EAD), which is the documentation required for a foreign victim to work legally in the U.S.

The T visa is a non-immigrant visa designed for individuals who have been trafficked in the United States. To receive a T visa, adult trafficking victims must cooperate with reasonable requests for assistance from law enforcement during an investigation. Trafficking victims under the age of 18 are exempt from this requirement. T visa recipients may remain in the United States for up to four years if it is determined that such victims could suffer extreme hardship if returned to their home countries. T visa recipients are also subsequently able to adjust their status to Lawful Permanent Resident. Recipients under the age of 21 may apply for non-immigrant status for their spouse, children, and parents. Minor victims who receive T visas may also seek non-immigrant status for their unmarried minor siblings. Although the T visa is self-petitioned, assistance from an immigration attorney or other legal service provider is helpful in this process. For instructions on how to complete and file the form I-914, Application for T Nonimmigrant Status, please visit <http://www.uscis.gov>.

Eligibility Letters and Benefit-Issuing Agencies

A victim applying for benefits at a benefit-issuing office must present the Eligibility Letter to apply for benefits; the victim does not need to provide any immigration documents. Benefit-issuing agencies may photocopy the letter for record-keeping purposes only. The victim should retain the original Eligibility Letter. Benefit-issuing agencies should contact the HHS Anti-Trafficking in Persons Division by calling the Trafficking Victim Verification line (1-866-401-5510) at intake to verify the validity of each Eligibility Letter. These agencies should also inform HHS of the benefits for which each trafficking victim has applied.

*If you think you have come in contact with a victim of human trafficking, call the **National Human Trafficking Resource Center at 1.888.3737.888**. The NHTRC will provide you with information that can help you determine if you may have encountered a victim of human trafficking, identify local resources available in your community to help victims, and coordinate with local social service organizations to help protect and serve victims so they can begin the process of restoring their lives. For more information on human trafficking, visit www.acf.hhs.gov/trafficking.*

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