



Department of Human Resources  
 311 West Saratoga Street  
 Baltimore MD 21201

**FIA ACTION TRANSMITTAL**

**Control Number: #02-17**

**Effective Date: Upon Receipt**

**Issuance Date: September 11, 2001**

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES  
 DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT  
 FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF  
 DIRECTORS, LOCAL HEALTH DEPARTMENTS**

**FROM: CHARLES E. HENRY, EXECUTIVE DIRECTOR  
 JOSEPH DAVIS, EXECUTIVE DIRECTOR, DHMH/OOE**

**RE: IMMIGRANTS WHO ARE VICTIMS OF SEVERE TRAFFICKING TO BE  
 TREATED AS REFUGEES**

**PROGRAM AFFECTED: ALL PROGRAMS**

**ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH AND SYSTEMS**

**SUMMARY:**

The Office of Refugee Resettlement (ORR) has certified a number of individual immigrants as adult victims of a severe form of trafficking. These individuals are eligible to apply for public benefits and services to the same extent as refugees, per Public Law 1063-386 Trafficking Victims Protection Act of 2000. In the Act, the term "severe form 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.

**CURRENT POLICY:**

There are no special provisions for victims of a severe form of trafficking.

## **NEW POLICY:**

No changes have been made existing immigrant policy, other than eligibility as been extended to victims of a severe form of trafficking. ORR has begun issuing certification letters to adult victims of human trafficking. Those who present a certification letter are eligible for the same benefits for which refugees are eligible. There is no need to inquire further in terms of the immigration status of individuals who have this letter. Currently, the Systematic Alien Verification for Entitlements (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.

The certification letter includes the telephone number to verify its authenticity. **The local department must call the trafficking verification line at (202) 401-5510 for verification before providing benefits.** During that call the local department must notify ORR of the benefits for which the victim of a severe form of trafficking has applied.

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

Sample copies 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.

When confirming identity the local departments may find that victims of severe forms of trafficking do not possess standard identity documents, such as driver's licenses. If there is difficulty in confirming identity the local departments should not automatically deny the case but instead call the trafficking verification line at (202) 401-5510 for assistance.

For victims of severe forms of trafficking who do not yet have a social security number, the agency must assist the individual in obtaining a social security number. Do not delay, deny or terminate assistance pending issuance of a social security number.

Once the agency has received the certification letter or similar letter for children and verified the validity of the document by calling the trafficking verification line, the agency should note the individual's "entry date" for refugee benefits purposes. The individual's entry date is the date of certification that appears in the body of the certification letter or the letter for children.

The agency should also note that the certification letters and letters for children contain expiration dates. At this time, the expiration dates are 8 months from the initial certification date. 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 that the end of an 8 month period. ORR intends to issue follow-up certification letters if individuals continue to meet the certification requirements.

### **ACTION REQUIRED:**

When a victim of a severe form of trafficking applies for benefits, the local department 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 regarding immigrant status. (Do not call SAVE.)
- (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 as applied.
- (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.

### **ACTION DUE**

This policy is effective upon receipt.

### **INQUIRIES**

Please direct policy questions to Kay Finegan at (410) 767-7939 and CARES questions to Lee Wurtzer at (410) 238-1293.

## **CARES PROCEDURES**

When a victim of a severe form of trafficking applies for benefits:

- Complete the mandatory fields on the **STAT** and **DEM1** screens
- On the **DEM2** screen, in the **Citiz** field, enter **L** (legal immigrant).
- On the **ALAS** screen:
  - In the **Ins Stat** field enter **RF** (refugee),
  - In the **V** field, enter **LE** (letter),
  - In the **Country of Origin** field, enter the appropriate valid value,
  - Using the month and year taken from the date of the certification letter, complete the **Entry Date** field,
  - Enter the INS number in the **INS Number** field, and
  - Enter the verification type in the **V** field.

**Note:** If the INS number is unknown, press **PF4** to exit the **ALAS** screen.

cc: DHR Executive Staff  
FIA Management Staff  
Constituent Services  
OIM Help Desk  
RESI