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EES POLICY NO. <b>01-07-04</b>	RE: Trafficking Victims
<b>POLICY MEMO</b>	<b>KEESM: <a href="#">2410</a>, <a href="#">2650</a></b>
FROM: Dennis Priest	OTHER:
DATE: July 12, 2001	
Program(s): Cash, Medical, Food Stamps, Refugee Cash, Refugee Medical	

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 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.

The Trafficking Victims Protection Act of 2000, Public Law No. 106-386, 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. Children who have been subjected to trafficking are also eligible like refugees but do not need to be certified.

HHS' Office of Refugee Resettlement (ORR) will make certification determinations and, at this time, issue letters of certification for victims of severe forms of trafficking. ORR also will issue similar letters for children who have been subjected to trafficking.

When a victim of trafficking applies for benefits (cash, medical, food stamps, etc.), SRS should follow their normal procedures for refugees with the following exceptions:

1. Accept the certification letter provided by ORR as proof of a status that confers eligibility for benefits instead of requiring Immigration and Naturalization Service (INS) documentation, such as the I-94 Arrival / Departure Card. Applicants must submit the original certification letter to receive benefits.
2. Call the trafficking verification line at 202.401.5510 to confirm the validity of the certification letter or similar letter for children and 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. 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). These individuals can be eligible for TAF, FS, Medical just as a refugee might and should be considered for those programs before the RE program.
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.

It should be noted that a copy of the certification letter is not to be accepted. The client must present the "original" letter in order to qualify for benefits. Even if you know that an individual has been certified as a trafficking victim, that individual is not eligible for benefits until they have presented the original certification letter. It should also be noted that the Act does not give victims of trafficking refugee status under immigration laws. Rather, victims of trafficking are treated like refugees **for benefits purposes.**

If you encounter an individual that you believe may qualify as a trafficking victim but the individual does not have the supporting documentation, the worker should contact SRS Central Office for guidance. The Central Office contact person for this matter is Lewis A. Kimsey; State Refugee Coordinator at 785.368.8115 or via email [lak@srskansas.org](mailto:lak@srskansas.org).

Note: The information above will be added to the next KEESM Revision in October.

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