

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



March 21, 2002

ALL COUNTY LETTER INFORMATION NOTICE I 24-02

TO: ALL COUNTY WELFARE DIRECTORS

**REASON FOR THIS
TRANSMITTAL**

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

SUBJECT: TRAFFICKING VICTIMS – REMOVAL OF EXPIRATION DATE FROM
CERTIFICATION LETTERS FOR ADULTS AND ELIGIBILITY
LETTERS FOR CHILDREN

REFERENCE: ACL 01-58

Attached is Office of Refugee Resettlement's ORR State Letter 02-01, which states that effective November 6, 2001, the letters that ORR issues certifying adults and children as victims of trafficking will no longer reflect an expiration date.

ORR will be reissuing letters to those individuals who were certified prior to November 6 as their certifications expire.

The new procedure does not affect eligibility for Refugee Cash Assistance, other benefits and services for which a trafficking victim may otherwise be eligible.

If you have any questions, please contact Ms. Linda Keene, Refugee Programs Branch, at (916) 654-2602 or e-mail at linda.keene@dss.ca.gov.

Sincerely,

***Original Signed by Thuan Nguyen
March 21, 2002***

THUAN NGUYEN, Chief
Refugee Programs Branch

Attachment



ORR State Letter

02-01

Date: Jan. 4, 2002

TO: STATE REFUGEE COORDINATORS
NATIONAL VOLUNTARY AGENCIES
OTHER INTERESTED PARTIES

FROM: Nguyen Van Hanh, Ph.D., Director
Office of Refugee Resettlement

SUBJECT: The Trafficking Victims Protection Act of 2000 - Removal of Expiration Dates
from Certification Letters for Adults and Eligibility Letters for Children

This State Letter modifies information in State Letter #01-13, which provided initial guidance on the Trafficking Victims Protection Act of 2000 (TVPA). The TVPA makes adult victims of a severe form of trafficking who have been certified by the U.S. Department of Health and Human Services (HHS) eligible for certain benefits and services to the same extent as refugees.¹ Victims of a severe form of trafficking who are under 18 years of age are also eligible for certain benefits to the same extent as refugees but do not need to be certified. As discussed in State Letter #01-13, the Office of Refugee Resettlement (ORR) makes certification determinations and issues certification letters for adults who meet the certification requirements. In addition, ORR issues similar eligibility letters for children who have been found to be victims of a severe form of trafficking. The initial certification letters for adults and eligibility letters for children contained eight-month expiration dates. **However, as of November 6, 2001, certification letters for adults and eligibility letters for children no longer contain expiration dates.**

Certification Letters

An individual who is certified² on or after November 6, 2001 will receive a certification letter without an expiration date. A sample of the new certification letters without expiration dates is attached. Individuals who were certified before November 6, 2001 received certification letters with eight-month expiration dates. As these letters begin to expire, ORR will issue re-certification letters

¹ "[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." TVPA §107(b)(1)(A)

² Although children do not need to be certified, "certify" will refer to both adults and children for ease of reading throughout the rest of this State Letter. In relation to children, "certify" in this State Letter will mean that the child was found to be a victim of a severe form of trafficking and received an eligibility letter from ORR.

without expiration dates. The re-certification letters will contain a lowercase "r" beside the HHS tracking number. A sample of a re-certification letter is attached.

Benefits

Although certain victims of a severe form of trafficking will be receiving re-certification letters, their "entry date"³ for refugee benefits purposes will not change. Their re-certification letters will contain the same certification date (i.e., "entry date") as the original certification letter. **In other words, the re-certification letter does not grant victims of a severe form of trafficking an additional eligibility period for any benefits and services.** It is simply a re-issuance of the original letter without an expiration date confirming that the individual continues to meet the certification requirements. Standard eligibility and/or re-determination periods under the various benefit programs will continue to apply to these individuals in the same manner as they apply to refugees. If an individual presents an expired certification letter when applying for benefits or an agency attempts to do a benefits program re-determination and finds that a certification letter has expired, call the ORR trafficking verification line at (202) 401-5510 for assistance.

Re-Certification Process

ORR anticipates that the re-issuance of expiring certification letters will run smoothly. However, ORR is aware that some victims of a severe form of trafficking may have moved since they received their first certification letter. To aid ORR in the re-certification process, benefit-granting agencies are encouraged to call the ORR trafficking verification line at (202) 401-5510 if they are aware of any address changes for victims of a severe form of trafficking.

State Letter #01-13

Please refer to State Letter #01-13 for background information on the trafficking of human beings into the United States, the requirements for certification, the documents that victims of a severe form of trafficking will present and the procedures agencies should follow in confirming eligibility for benefits. With the exception of the removal of expiration dates from the certification letters, all of the other information in State Letter #01-13 remains accurate. For a copy of State Letter #01-13, access the ORR website at www.acf.dhhs.gov/programs/orr.

Attachments:

- (1) Sample copy of a re-certification letter for an adult victim of a severe form of trafficking
- (2) Sample copy of a re-issued eligibility letter for a child victim of a severe form of trafficking
- (3) Sample copy of a new certification letter without an expiration date
- (4) Sample copy of a new eligibility letter without an expiration date for a child victim of a severe form of trafficking

³ "Entry date" is the first day of the individual's eligibility period for refugee benefits.



DEPARTMENT OF HEALTH & HUMAN SERVICES

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

HHS Tracking Number
5555555555

Ms. Susie Doe
c/o Smith County Community Service Office
Department of Social Services
123 Main St.
Everytown, CA 33333-3333

CERTIFICATION LETTER

Dear Ms. Doe:

This letter confirms that you have been certified by the U.S. Department of Health and Human Services (HHS) under section 107(b) of the Trafficking Victims Protection Act of 2000. 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. Certification does not confer immigration status.

Your certification date is **JANUARY 1, 1999**. The benefits outlined in the previous paragraph may offer assistance for only limited time periods that start from the date of this certification. Therefore, if you wish to seek assistance, *it is important that you do so as soon as possible after receipt of this letter.*

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

Sincerely,

Nguyen Van Hanh, PhD
Director
Office of Refugee Resettlement



DEPARTMENT OF HEALTH & HUMAN SERVICES

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

HHS Tracking Number
5555555555

Ms. Susie Doe
c/o Community Service Office
Department of Social Services
555 Main St.
Everytown, WA 55555-5555

Dear Ms. Doe:

This letter confirms that under 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. This letter does not confer immigration status.

Your eligibility date is JANUARY 1, 1999. The benefits outlined in the previous paragraph may offer assistance for only limited time periods that start from the date of this eligibility letter. Therefore, if you wish to seek assistance, *it is important that you do so as soon as possible after receipt of this letter.*

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

Sincerely,

Nguyen Van Hanh, PhD
Director
Office of Refugee Resettlement



DEPARTMENT OF HEALTH & HUMAN SERVICES

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

HHS Tracking Number
5555555555r

Ms. Jane Doe
c/o Seattle Community Service Office
Department of Social Services
116 Anderson Ave.
Seattle, WA 55555-2222

CERTIFICATION LETTER

Dear Ms. Doe:

This letter confirms that you have been certified by the U.S. Department of Health and Human Services (HHS) under section 107(b) of the Trafficking Victims Protection Act of 2000. 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. Certification does not confer immigration status.

Your certification date is APRIL 4, 2001. The benefits outlined in the previous paragraph may offer assistance for only limited time periods that start from the date of this certification.

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

Sincerely,

Nguyen Van Hanh, PhD
Director
Office of Refugee Resettlement



DEPARTMENT OF HEALTH & HUMAN SERVICES

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

HHS Tracking Number
2222222222r

Ms. Betty Doe
c/o Department of Children and Family Services
4444 Wilson St.
San Francisco, CA 55555 --

Dear Ms. Doe:

This letter confirms that under 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. This letter does not confer immigration status.

Your eligibility date is **FEBRUARY 15, 2001**. The benefits outlined in the previous paragraph may offer assistance for only limited time periods that start from the date of this eligibility letter.

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

Sincerely,

Nguyen Van Hanh, PhD
Director
Office of Refugee Resettlement