

	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration for Children and Families Office on Trafficking in Persons	
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ASSISTANCE FOR CHILD VICTIMS OF HUMAN TRAFFICKING FACT SHEET

BACKGROUND

The U.S. Department of Health and Human Services (HHS) provides assistance to victims of human trafficking in the United States, guided by the Trafficking Victims Protection Act of 2000 (TVPA), Preventing Sex Trafficking Act and Strengthening Families Act of 2014, and the Justice for Victims of Trafficking Act of 2015. The Office on Trafficking in Persons (OTIP) within the Administration for Children and Families (ACF) was established to provide overall leadership of anti-trafficking programs and services including issuing Eligibility Letters, in accordance with the TVPA.

A foreign national child victim of human trafficking, under the age of 18, is eligible for Federal and State benefits and services to the same extent as a refugee upon the determination by HHS to issue an Interim Assistance Letter or Eligibility Letter.

U.S. citizens or lawful permanent residents who are victims of a severe form of human trafficking do not need to obtain an official certification from HHS in order to access specialized services for victims of trafficking or any other Federal benefits and protections to which they are entitled (22 U.S.C. § 7105).

FEDERAL DEFINITION OF HUMAN TRAFFICKING

The TVPA defines “severe forms of trafficking in persons” (22 U.S.C. § 7102) as:

- Sex trafficking:** The recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act which is induced by force, fraud, or coercion. Any child under the age of 18 who has been subjected to a commercial sex act is a victim of trafficking regardless of force, fraud, or coercion.
- Labor trafficking:** 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.

FEDERAL REPORTING REQUIREMENTS

The TVPA requires Federal, State, or local officials to notify HHS within 24 hours after discovering a foreign national child under the age of 18 who may be a victim of sex or labor trafficking to facilitate the provision of assistance (22 U.S.C. § 7105). Officials should notify the **Office on Trafficking in Persons** by emailing ChildTrafficking@acf.hhs.gov or calling 202-205-4582. To the extent possible, officials should provide the child’s name, age, location, and country of origin; location of exploitation and suspected form of trafficking; and official’s contact information or other preferred point of contact.

ASSISTANCE FOR FOREIGN CHILD VICTIMS OF TRAFFICKING

OTIP issues **Interim Assistance Letters** to foreign children who *may have been* subjected to sex or labor trafficking, providing potential victims with an up-to 90-day period of eligibility which may be extended for an additional 30 days. During that time, OTIP consults with the U.S. Department of Justice (DOJ), U.S. Department of Homeland Security (DHS), and nongovernmental organizations with expertise in human trafficking to inform the determination on whether the child is eligible for benefits and services as a victim of a severe form of human trafficking.

OTIP issues **Eligibility Letters** to foreign child trafficking victims upon receiving credible information that the child was subjected to a severe form of human trafficking as defined by the TVPA. Unlike a foreign adult victim of trafficking, a child victim *is not* required to cooperate with law enforcement or receive Continued Presence or T visa from DHS as a condition for receiving an HHS Eligibility Letter. Eligibility Letters do not expire, but some benefits are time-limited.

A child victim of trafficking with an Eligibility Letter who has no available parent or legal guardian in the United States is eligible for the **Unaccompanied Refugee Minor (URM)** program through the HHS Office of Refugee Resettlement. Under the URM program, children are placed in licensed foster homes or other care settings according to individual needs. An appropriate State or local court also awards legal responsibility to the State, county, or private agency providing services. Children in the URM program receive the full range of services available to other foster children in the State, as well as special services to help them adapt to life in the United States and recover from their trafficking experience.

REQUESTING ASSISTANCE

Anyone with information that a foreign minor may be a victim of human trafficking can request eligibility for federally funded benefits and services, on behalf of the child, by submitting a “Request for Assistance for Child Victims of Human Trafficking” form¹ to OTIP. The Request for Assistance must be received by OTIP prior to the potential victim’s 18th birthday. Requests for Assistance can be submitted by e-mail to ChildTrafficking@acf.hhs.gov. An OTIP Child Protection Specialist will respond to the requestor upon receipt and review of the request. Individuals can also contact an OTIP Child Protection Specialist at 1-202-205-4582 about a child who may be a victim of trafficking eligible for assistance.

Victims of trafficking and service providers can also contact the National Human Trafficking Resource Center (NHTRC) for emergency assistance and referrals for specialized victim services. The NHTRC is a dedicated national, toll-free, confidential anti-trafficking hotline that is available 24 hours a day in more than 200 languages. Get help, report a tip, or request services by calling 1-888-373-7888 or visit www.traffickingresourcecenter.org.

TRAFFICKING VICTIM VERIFICATION LINE

Benefit offices can contact OTIP to verify the validity of Interim Assistance or Eligibility Letters or for more information about the benefits available to victims of trafficking by emailing Trafficking@acf.hhs.gov or calling 1-866-401-5510. Victims of trafficking and service providers can also contact the Trafficking Victims Verification Line if they encounter difficulty enrolling eligible victims of trafficking into appropriate benefit programs and services.

¹ The “Request for Assistance for Child Victims of Human Trafficking” form is available at: https://www.acf.hhs.gov/sites/default/files/orr/request_for_assistance_form_feb_2015.pdf