

Joint Interim Committee to Study Human Trafficking

International Victims of Trafficking

Caitriona Lyons

HHSC Office of Immigration and Refugee Affairs

June 26, 2012

Refugee v. International Victim of Trafficking

- A refugee is a person living outside their country of origin who cannot return to their home due to fear of persecution based on their race, religion, or membership in a particular social or political group.
- An International Victim of Trafficking is someone who has been forced through abduction, the use of threat, deception, fraud, or sale for the purposes of sexual exploitation or forced labor.
 - Unlike Domestic Victims of Trafficking, these individuals are not United States citizens and will need to seek legal remedy to remain in the country when they are rescued.

The Trafficking Victims Protection Act (TVPA) directs the U.S. Department of Health and Human Services' Office of Refugee Resettlement (ORR) to:

- Identify and assist trafficking victims.
- Issue “Certification Letters” for Adult Victims.
 - Certification allows trafficking victims to access federally funded benefits and services to the same extent as refugees.
- Issue “Eligibility Letters” for International Child Victims.
 - These letters allow international minor victims to obtain services and benefits.

The TVPA further defines the role of ORR:

- ORR funds the State Refugee Coordinator's office to provide federally funded refugee programs.
- International trafficking victims are eligible for refugee programs once they are certified by ORR.
 - Twenty-six International certified adult victims and six minor cases have been served in Texas so far in 2012.

In Texas, the programs and functions of the State Refugee Coordinator's Office are administered by the Health and Human Services Commission's Office of Immigration and Refugee Affairs (OIRA).

- OIRA is the single point of contact for refugee affairs including refugee funded services and benefits for international certified trafficking victims.
 - OIRA is also the point of contact for the Unaccompanied Refugee Minor programs in Texas.
- Public/private partnerships to serve these individuals are located in eight primary resettlement areas of the state:
 - Abilene, Amarillo, Austin, Dallas, El Paso, Fort Worth, Houston and San Antonio

Refugee Benefits for Certified Victims

ORR-certified international trafficking victims are eligible to access federally funded benefits and services to the same extent as refugees, including:

- Refugee Medical Assistance (RMA)
- Refugee Cash Assistance (RCA)
- Refugee Social Service Programs - Employment, Education, and Case Management
- Medicaid, CHIP, SNAP, and TANF

Domestic victims of trafficking are not eligible for refugee-related assistance; however, they may apply and be determined eligible under the traditional Medicaid, CHIP, SNAP and TANF programs.

Unaccompanied Refugee Minors (URM)

OIRA funds the Department of Family and Protective Services to administer two programs in Fort Worth and Houston for URMs.

- Programs include refugee children from overseas, children granted asylum, trafficked minors and unaccompanied alien children who are granted Special Immigrant Juvenile Status.
- Programs establish legal responsibility and custody in accordance with applicable state laws. URM's are in custody of the local Agency.