



**Collaborating to Access Benefits for Foreign National  
Labor Trafficking Victims**  
**Presenters: Jami Wilson and Becky Burnside**  
**Catholic Charities of Louisville**



# Labor Trafficking

Definition

Global  
Statistics

National  
Statistics



## Labor Trafficking Defined

- Using force, fraud or coercion to recruit, harbor, transport, obtain or employ a person for labor or services in involuntary servitude, peonage, debt bondage or slavery
  - Victims can be found in domestic situations as nannies or maids, sweatshop factories, janitorial jobs, construction sites, farm work, restaurants, panhandling



## Labor Trafficking Statistics

- It is estimated that 14.2 million people are forced into labor worldwide.
- According to the U.S. Dept. of Labor, 136 goods from 74 countries are made by child labor trafficking victims.

Source: <https://polarisproject.org/human-trafficking/labor-trafficking>



## National Labor Trafficking Statistics

- Polaris has received more than 6,656 calls about labor trafficking between Dec. 2007-Dec. 2017
  - Top 3 forms of labor trafficking nation-wide: domestic servitude, agriculture, and begging/panhandling



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# Services

Basic Needs

Immigration  
Legal Services

Housing

Medical and  
Mental Health

Employment  
and Education

# Basic Needs

- Toiletries
- Food
- Clothing
- Quarters for Laundry

Obstacles?



# Immigration Legal Services

- Catholic Charities: Immigration Legal Services
  - Free to clients
  - Completion of T and U-visa applications
  - Representation in court and when reporting to ICE
- Private lawyers (community partners)
  - Provide services at free or reduced cost
  - Usually work with more difficult cases

# Housing

## Emergency and Temporary Housing

- Hotels
- Apartments through Catholic Charities

## Long-term Housing

- Subsidized housing programs
- Partnerships with local property owners

Obstacles?

# Medical and Mental Health

## Medical:

- Family Health Centers- income-based services
- Free health clinics
- Medicaid for eligible family members

## Mental Health:

- Trauma-informed therapist
- Center for Promoting Recovery and Resilience- youth survivors

Obstacles?



## **Education and Employment**

- English as Second Language classes (ESL)
- Culinary Program
- Sewing/Tapestry programs

## **Community Training and Education**



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# Immigration Process



Legal Representation  
and Advocacy



Continued  
Presence



T & U Visas



## Representation and Advocacy

- Assessment for referral to appropriate legal representative
  - Catholic Charities vs. Private
- Request CP
- Prepare for application
  - Gather documentation (including police reports, T/U visa certification, pictures, emails, affidavits, etc).
  - Meet with law enforcement if applicable
- Comply with ICE if applicable
- File application (s)

## What is Continued Presence (CP)?

- CP is temporary immigration status granted to those identified as victims of human trafficking by law enforcement.
- It is granted in 1 year increments and can be revoked or renewed.
- Requested by federal law enforcement officials and prosecutors.

<https://www.ice.gov/doclib/human-trafficking/pdf/continued-presence.pdf>

**Benefits of  
CP**



## Benefits of CP...

- Work Authorization
- Access to public benefits
- CP can assist law enforcement with successful prosecutions.

<https://www.ice.gov/doclib/human-trafficking/pdf/continued-presence.pdf>



## T and U Visas

- Both visas grant nonimmigrant status to victims of crime for up to 4 years.
- These allow victims of certain forms of crime to legally remain in the U.S. and assist law enforcement with investigations and/or prosecutions.
- There are different requirements for each type of visa.



T Visas



U Visas

## T Visas

- An annual cap of 5,000 visas per year
- Specific to human trafficking victims
- A T visa certification from law enforcement is strongly encouraged, but not required to apply
- Receive work authorization AND immediate access to public benefits
- T visa recipients are eligible to apply for derivative T-1 visas for qualifying family members.
- Current processing times: 12-15.5 mos

<https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-human-trafficking-t-nonimmigrant-status>

## U Visas

- An annual cap of 10,000 visas per year
- Must be a victim of a qualifying crime who has suffered "substantial physical or mental abuse" as a result.
- A U visa certification from law enforcement IS required for the application.
- Will receive work authorization, but are ineligible for public benefits for 5 years
- Current wait time for determination is 48 mos; applicant is then placed on a waiting list.

<https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>



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# Eligibility

<https://www.acf.hhs.gov/orr/resource/status-and-documentation-requirements-for-the-orr-refugee-resettlement-program>

Certification  
Letter

I-797

T-Visa



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**

Office on Trafficking in Persons | 330 C Street, S.W., Washington, DC 20201  
[www.acf.hhs.gov/programs/ondtrafficking](http://www.acf.hhs.gov/programs/ondtrafficking)

HHS Tracking Number

DOB [REDACTED]

[REDACTED]  
C/O  
Catholic Charities of Louisville  
2222 West Market Street  
Louisville, KY 40212

CERTIFICATION LETTER

Dear Ms. [REDACTED]

This letter confirms that you have been certified by the U.S. Department of Health and Human Services (HHS) under section 107(b)(1)(E) 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 **September 21, 2017**. 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 toll-free trafficking verification line at 1 (866) 501-5510 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.

The Department of Labor offers employment and training services for which you may be eligible. Call 1-877-USA-JOBS or visit [www.servicelocator.org](http://www.servicelocator.org) to find out about the nearest One-Stop Career Center

You must notify this office of your current mailing address. Please send a dated and signed letter with any changes of address to: Trafficking Program Specialist, Office on Trafficking in Persons, 330 C Street SW, Room 4126, Washington, DC 20201. We will send all notices to your current mailing address, and any notice mailed to your current mailing address constitutes adequate service. You may also need to share this same information with state and local benefit-issuing agencies.

Sincerely,

Katherine Chon  
Director  
Office on Trafficking in Persons



Receipt Number [REDACTED]	Form Type I-797A - APPLICATION FOR T NONIMMIGRANT STATUS
Receipt Date 12/22/2016	Priority Date [REDACTED]
Issue Date 07/13/2017	Page 1 of 2
City [REDACTED] LOUISVILLE KY 40202	Notice Type: Approval Notice Class: T1 Valid from 07/13/2017 to 07/12/2021

This application for T-1 Nonimmigrant Classification has been approved. You will receive your T-1 Nonimmigrant Status I-797A Notice of Action on 07/13/2017. This notice is valid from 07/13/2017 to 07/12/2021. You must enter the United States on or before the expiration date of this notice.

**EMPLOYMENT AUTHORIZATION:**  
You are authorized to work in the United States for the validity period of your T Nonimmigrant Classification. Your Employment Authorization Document will be mailed to you separately.


**ADJUSTMENT OF STATUS:**  
Federal law provides that you may be eligible to adjust your status to that of a lawful permanent resident. A T-1 Nonimmigrant may submit an application for adjustment of status after he/she has been physically present in the United States for a continuous period of at least 3 years after the date he/she was admitted as a T-1 Nonimmigrant or after he/she has been physically present in the United States for a continuous period during the investigation or prosecution of the act of trafficking, provided that the Attorney General has determined the investigation or prosecution is complete.

**DERIVATIVE NONIMMIGRANT CLASSIFICATION:**  
You may request derivative T Nonimmigrant Classification for qualifying family members. To request derivative status, you must submit a Form I-753 with Supplement A in accordance with the instructions printed on the form. If you included qualifying family members on your original application, a notice of decision on the derivative application(s) will be mailed to you separately.

**DEPARTING FROM THE UNITED STATES:**  
If you plan to depart the United States you must obtain permission to return to the United States before you leave this country by obtaining advance parole. If you do not obtain advance parole in advance of your departure, you may be unable to re-enter the United States, or you may be placed in removal.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

Visa/Service Center:  
U. S. CITIZENSHIP & IMMIGRATION SVC.  
75 Lower Wacker Street  
Suite 4100, St. Louis, MO 63102  
Customer Service: 1-800-894-2609



Detach This Half for Personal Records  
Receipt# [REDACTED]  
I-94# [REDACTED]  
NAME [REDACTED]  
CLASS T1  
VALID FROM 07/13/2017 UNTIL 07/12/2021  
APPLICANT  
[REDACTED]

4760066933  
Receipt Number [REDACTED]  
US Citizenship and Immigration Services  
194 Departure Record  
Applicant: [REDACTED]

14. Family Name [REDACTED]	
15. First (Given) Name [REDACTED]	16. Date of Birth [REDACTED]
17. Country of Citizenship BRAZIL	







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# Benefits



**Public  
Benefits**

**Office of  
Refugee  
Resettlement  
Benefits**

## Public Benefits

- Medicaid
  - SNAP (Food Stamps)
  - TANF (Cash Assistance)
- 
- Available from local public benefits office
  - Must meet income and participation requirements
  - Exempt from "Public Charge" rule



## Office of Refugee Resettlement Benefits

- Additional cash assistance for 240 days from date of eligibility or until become income ineligible
- May be available through public benefits office or local resettlement office
- Separate assistance program for singles/couples and families
- Must meet participation and income guidelines



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# Services



**Case  
Management**

**Education**

**Employment  
Services**

# Case Management

- Assistance in accessing public benefits
- Connections to community resources
- Referral for Refugee Health Screening and Green Card vaccinations





## Education

- English Language Training
- Cultural and Work Orientations
- Short term vocational training



# Employment Services

- Application, interview and placement assistance
- Interpretation services
- Career guidance





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**Question Time?**

**Thank Your Audience!**

**Goodbye Now!**



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