



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Refugee Resettlement | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/programs/orr

Ms. Denise Iseri Matsubara, Executive Director
State of Hawaii Department of Labor and Industrial Relations
830 Punchbowl Street
Honolulu, HI. 96813

November 24, 2019

Dear Ms. Iseri Matsubara,

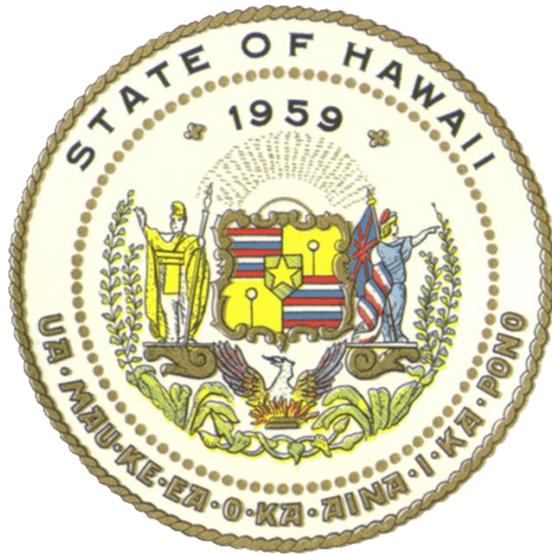
We are pleased to inform you that the FY 2020 State Plan for the Hawaii Refugee Resettlement Program is approved. Based on our review, your Plan is in compliance with the Office of Refugee Resettlement (ORR) regulations per 45 CFR Part 400. Please note that budget estimates will be reviewed and approved based on actual expenditure patterns, the refugee ceiling put forth in the Presidential Determination, finalization of the DOS/PRM capacity plan for FY 2020, and availability of ORR FY 2020 funding.

We appreciate the work of your office to successfully resettle refugees in Hawaii and we look forward to continuing our partnership with the Hawaii Refugee Resettlement Program.

If you have any questions pertaining to this approval letter, please contact your Regional Representative Diane Landino, at Diane.Landino@acf.hhs.gov or Carl Rubenstein, Director, the Division of Refugee Assistance, at Carl.Rubenstein@acf.hhs.gov.

Sincerely,

Kenneth Tota
Deputy Director,
Office of Refugee Resettlement



2020 HAWAII STATE PLAN
FOR
REFUGEE ASSISTANCE AND SERVICES

Prepared by

Department of Labor and Industrial Relations

Office of Community Services

for

United States Department of Health and Human Services

Administration for Children and Families

Office of Refugee Resettlement (ORR)

August 2019

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Appendix A. Governor’s Designation Letter

1 INTRODUCTION

1.1 Purpose and Limits

This Hawaii State Refugee Assistance Plan (Plan) is submitted to the U. S. Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement (ORR) as a prerequisite for the State to receive Refugee Assistance funds under Section 414 of the Immigration and Nationality Act (INA). Services provided under this Plan will be within the limits of federal funds that are made available to the State of Hawaii.

1.2 Legislative Authority

This Plan has been developed in accordance with Title IV of the INA, as amended by the Refugee Act of 1980, Public Law 96-212, and its regulations, 45 Code of Federal Regulations (CFR) Part 400. This Plan describes the Refugee Resettlement Program administration and services made available to eligible refugees as well as all assurances that ORR requires from the State.

1.3 Program Goals

The State of Hawaii fully supports the ORR goals to promote economic self-sufficiency within the shortest practicable time after a refugee's entrance into the State. The State's Refugee Resettlement Program offers planned and coordinated support services, including cash and medical assistance, as transitional aid toward self-sufficiency. For Federal Fiscal Year (FFY) 2019, Hawaii received \$75,000 for the Refugee Social Services Program and \$8,300 for the Refugee Cash Assistance Program. The Refugee Resettlement Program's goal is to help refugees and their families secure gainful employment and attain a level of economic self-sufficiency that meets their basic needs. For FY 2020, Hawaii is one of the states affected by the reduction of floor base funding to \$50,000. OCS will do its best to provide services with this level of funding that supports a minimal structure.

2 ADMINISTRATION

2.1 Designation of Authority

Pursuant to Hawaii Revised Statutes, Chapter 371K, which established the Hawaii State Office of Community Services (OCS), and a designation letter from the Governor confirming this authority, (see Appendix A), OCS is the designated State agency responsible for the development of the state plan and for the administration of the grant for this program in accordance with 45 CFR Section 400.5.

The OCS Executive Director, as designated by the Governor, holds the title of Hawaii State Refugee Coordinator (HSRC) and has the authority and responsibility to ensure coordination of all private and public resources for refugee resettlement in the State of Hawaii.

2.2 Organization

OCS is administratively attached to the State of Hawaii Department of Labor and Industrial Relations, pursuant to Hawaii Revised Statutes §371K-2(a).

OCS administers the grant for the refugee resettlement program. Its goal is to provide State-level leadership and coordination of refugee programs and services to achieve successful refugee resettlement and self-sufficiency.

State agencies that work with OCS to implement the Plan:

- Department of Health (DOH),
- Department of Human Services (DHS), and
- private non-profit agencies and community based organizations.

2.2.1 Office of Community Services (OCS)

OCS is responsible for the following:

- Developing and maintaining the State Plan as required by Federal law;
- Developing and maintaining resource materials and data on the Refugee Program;
- Preparing and submitting the trimester reports of program accomplishments required by ORR;
- Providing technical assistance to counties, refugee community-based organization (CBOs) and the public on program policy issues and Federal guidelines;
- Preparing and submitting quarterly fiscal reports required by ORR;
- Attending quarterly meeting with agencies providing refugee services and;
- Responding to all requests from governmental agencies, legislature, media and public for refugee data.

2.2.2 Department of Health (DOH)

DOH provides the following services through its public health clinics:

- Assisting with initial medical, tuberculosis (TB), Human Immunodeficiency Virus (HIV), Hansen's Disease (HD), dental, and other screening services for refugee arrivals; and
- Referring refugees in need of treatment to appropriate treatment providers.

2.2.3 Department of Human Services (DHS)

The Refugee Cash Assistance Program is administered through a Memorandum of Agreement (MOA) with DHS in accordance with 45 CFR §400. DHS is responsible for:

- Determining initial and on-going eligibility of each applicant;
- Determining cash assistance payment levels;
- Disbursing Refugee Cash Assistance (RCA) consistent with the provisions of Hawaii's Temporary Assistance for Needy Families (TANF) guidelines;
- Determining the eligibility of each applicant for Refugee Medical Assistance (RMA) under the Medicaid program;
- Providing medical assistance under the Medicaid program; and
- Providing quarterly reports to OCS on the number of refugees receiving Cash and Medical Assistance (CMA).

2.2.4 Private, Non-Profit Agencies

OCS contracts for refugee social services through competitively procured agreements with a private non-profit agency. For FY 2020, the State awarded the refugee social services contract to Child and Family Services (CFS), a non-profit agency in Hawaii.

The agency's functions are to:

- Provide employability services and English language training, pursuant to 45 CFR §400.154; and
- Provide other services as described in OCS contract and 45 CFR §400.155 &156.

The private Volunteer Agency (VOLAG) is Pacific Gateway Center (PGC) of the United States Committee for Refugees and Immigrants (USCRI). PGC is responsible for providing core resettlement and coordinate health care services to newly arrived refugees as specified in the cooperative agreements with the U.S. Department of State.

A number of philanthropic, community-based organizations also play an active role in refugee resettlement. These agencies provide services for refugees that cannot be funded with public resources. OCS coordinates its activities with these organizations.

2.3 Assurances

OCS assures that it will:

1. Comply with the provisions of Title IV of the Immigration and Nationality Act and official issuances of the Director of the Office of Refugee Resettlement, in compliance with 45 CFR (§400.5(i)(1));
2. Meet the requirements of 45 CFR Part 400, as required by 45 CFR (§400.5(i)(2));
3. Comply with all other applicable federal statutes and regulations in effect during the time that OCS is receiving grant funding (§400.5(i)(3)); and,
4. Amend the plan as needed to comply with standards, goals, and priorities established by the Director of the Office of Refugee Resettlement (§400.5 (i)(4)).

OCS assures that assistance and services funded under the plan will be provided to refugees without regard to race, religion, nationality, sex, or political opinion, in compliance with 45 CFR (§400.5(g)). OCS meets quarterly with PGC and other community stakeholders in discussing resources available for the refugee population in Hawaii. In addition, OCS will consult with local affiliates of voluntary agency, local community service agencies, other agencies that serve refugees, or state and local governments to coordinate the appropriate placement of refugees. (45 CFR §400.5(h));

OCS will use the same mediation and conciliation procedures as used for Temporary Assistance for Needy Families (TANF) in a publicly-administered RCA program, in compliance with 45 CFR §400.83(a)(2);

OCS will use the hearings standards and procedures as set forth in 45 CFR § 400.83(b); and

OCS will assure that refugee programs and populations are included in the State pandemic influenza emergency plan and other emergency operational plans.

3 ASSISTANCE AND SERVICES

Fundamental to the achievement of the program goals, is the effective coordination of Cash and Medical Assistance (CMA) programs and Refugee Social Services.

3.1 Cash and Medical Assistance (CMA) Programs

OCS coordinates Cash and Medical Assistance (CMA) with support services to promote employment and encourage refugee economic self-sufficiency, in compliance with 45 CFR §400.5(b).

DHS implements the CMA program under a cooperative MOA with OCS. The requirements for provision of services are stipulated in the MOA. Receipt of these services shall be based on the individual's determination as a refugee or other eligible status (as provided in 45 CFR §400.43 and 45 CFR 401) and upon the applicant meeting specified program eligibility criteria. DHS refers refugees to Child and Family Services, a Hawaii private nonprofit agency, for the Refugee Social Services Program. Child and Family Services provides case management, employment training, language training and other services needed in order for the refugee to achieve self-sufficiency.

Refugees are eligible for Refugee Cash Assistance (RCA) for up to eight (8) months from the date of arrival in the U.S., date of final grant of asylum for asylees, or date of certification for trafficking victims.

DHS does not provide Medical Assistance under the CMA Program. It provides medical assistance to eligible refugee applicants through MedQuest and the Children's Health Insurance Program (CHIP), in accordance with 45 CFR §400.94(a).

3.1.1 Refugee Cash Assistance

Federal Requirement

Cash assistance is provided to eligible refugees, during the first eight months of residency in the United States and limited to maximum disbursement of \$450. Eligible refugees may also receive Supplemental Nutrition Assistance Program (SNAP) program benefits. Eligibility is determined for refugees according to the same tests and standards as those that apply to non-refugees.

In administering the RCA program, DHS operates the RCA consistent with the provisions of its TANF program in regard to:

- The determination of initial and on-going eligibility treatment of income and resources, budgeting methods, and need standards, in compliance with 45 CFR §400.66(a)(1);
- The determination of benefit amounts is based on the size of the refugee family unit that is being assisted, and certain income is disregarded, in compliance with 45 CFR § 400.66(a)(2);

- The TANF program provides for block grant payments to refugees that are intended to cover basic needs such as shelter, utilities, and similar needs. Therefore, a “separate proration” is not calculated (45 CFR §400.66(a)(3));
- Any other State TANF rules relating to financial eligibility and payments, in compliance with 45 CFR § 400.66(a)(4);
- The State will use the refugee’s date of application as the date that refugee cash assistance begins in order to provide payments quickly to newly arrived refugees, in compliance with 45 CFR §400.66(e);
- The State will promptly notify the local resettlement agency that provided for the initial resettlement of a refugee, whenever the refugee applies for refugee cash assistance under a publicly-administered RCA program, in compliance with 45 CFR §400.68(a);
- DHS will contact the resettlement agencies concerning the refugee’s RCA applications for assistance and inquire whether the applicant has voluntarily quit employment or has refused to accept an offer of employment within 30 consecutive days immediately prior to the date of application, as required by 45 CFR §400.68(b);
- Pursuant to 45 CFR § 400.76, refugee is exempt from ORR requirements for registration for employment services, participation in employability service programs, and acceptance of appropriate offers of employment if that refugee meets the exemption criteria codified in HAR 17-661-18;
- The State meets the requirements regarding Limited English Proficient (LEP) Guidance and Language Materials. Translation of written policies, notices, and determinations in refugee status will be provided to recipients, as required by 45 CFR §400.55.

The State does NOT consider the following:

- Any resources remaining in the applicant's country of origin in determining income eligibility, in compliance with 45 CFR §400.66(b);
- A sponsor's income or resources to be accessible to a refugee solely because the person is serving as a sponsor, in compliance with 45 CFR §400.66(c);
- Any cash grant received by the applicant under the Department of State or Department of Justice Reception and Placement programs, in compliance with 45 CFR § 400.66(d);

RCA Program Administration

- RCA eligibility and benefits distribution is done by TANF office staff at DHS, in compliance with (SL # 12-13, SL # 13-03)

- All the Eligibility Workers' (EW) administrative costs are allocated base on the result of an approved Hawaii Random Moment Study (HIRMS). The survey responses are used to allocate and fund the EW positions. The survey asks what the EW is doing and whether the task is program related. A task is considered program related if the worker is processing a certain program case, working with a client, or attending a training that is program related. All program related tasks are then allocated based on what program they were working on at the time of the survey. Thus, DHS does not have administrative costs charges even though it has cash assistance benefits/payment to RCA.
- State does not charge CMA an indirect cost rate since administration cost is based on actual time spent on the program.
- See Table below for TANF and RCA payment standards for case sizes 1-5.

FINANCIAL ASSISTANCE PROGRAM - MONTHLY ASSISTANCE ALLOWANCE (Effective April 01, 2014)													
HH SIZE	SON	TANF/ GA Ref	TANF -20%	GA	ABD	HH SIZE	SON	TANF	TANF -20%	HH SIZE	SON	TANF	TANF -20%
1	939	450	360	348	348	6	2568	1232	986	11	4197	2014	1611
2	1265	607	485	469	469	7	2894	1389	1111	12	4523	2171	1736
3	1590	763	610			8	3220	1545	1236	13	4849	2327	1862
4	1916	919	735			9	3545	1701	1361	14	5175	2484	1987
5	2242	1076	860			10	3871	1858	1486	15	5500	2640	2112
										15+	+326		

3.1.2 Refugee Medical Assistance

DHS provides medical assistance to eligible refugee applicants through MedQuest and the Children's Health Insurance Program (CHIP), in accordance with 45 CFR §400.94(a). In accordance with HAR 17-1723.2-10, ineligibility for Medicaid and CHIP is determined before eligibility for RMA. RMA eligibility standards are in accordance with 45 CFR 400.101(a)(2) and 400.101(b)(2), including using 200 percent of poverty option.

The regulations of DHS for medical screening and services to refugees are codified as Hawaii Administrative Rules §§17-1723.2.

Whether a refugee has been denied or terminated from RCA is not used as criterion for determining if an applicant is ineligible for RMA (§400.100(c)).

Refugee applicants, after a designated period of time, are considered non-refugees for CMA purposes, but such time-expired refugees have access to programs as non-refugee residents of the State.

Pursuant to 45 CFR §400.51(b), refugee applicants and recipients of CMA who are 65 years of age or older or who have been or will be disabled or blind for at least 12 months may be referred to the

Social Security Administration to apply for Social Security Income (SSI) benefits. Those who receive SSI benefits and services are not eligible for refugee benefits and services.

Any funds that the refugee is receiving pursuant to Reception and Placement (R&P), Match Grants (MG) or RCA assistance are not counted as income or assets on the date of the refugee's application for CMA (45 CFR §400.102(c)).

In the CMA program, the Benefit, Employment and Support Services Division (BESSD) of DHS monitors the service as it deems necessary as part of its designated quality control responsibility.

3.1.3 Refugee Medical Screening Program

The State does not receive reimbursements for the screening under RMA.

However, once the State made aware by resettlement agencies or other sources of the presence of a person who may be eligible for refugee services, the State ascertains whether the person is an eligible refugee by examining the person's I-94, I-151, or I-155 documentation and making such additional inquiries as may be appropriate. DHS conducts this identification and qualification process pursuant to regulations codified as Hawaii Administrative Rules §§17-661-6 through-20.

The State then provides initial medical screening (including vision and dental screening) to newly arrived eligible refugees through the existing system of public health clinics and the State's Department of Health (DOH) programs. The screening and services are equivalent to those available to the eligible general public. The United States Public Health Service (PHS) or DHS may determine that eligible recipients may need additional services, leading to one or more of the following:

- Public Health Nursing and/or Bilingual Health Services for general orientation to community health services;
- Disease Investigation if active communicable disease history is indicated;
- Observation, prevention measures, and/or treatment for Tuberculosis (TB), Sexually Transmitted Diseases (STDs)/Human immunodeficiency virus (HIV), and Hansen's Disease (HD), if screening and/or services indicate such a need;
- Other DOH program referral will be given as appropriate.

Once the screenings are completed, medical services that require specific treatments will be followed up with the appropriate state or community agency. Other treatment may be sought through MedQuest, the State's Medicaid program, and/or any local public health clinic or health care provider in the community.

While the medical screening currently provided to refugees by DOH is adequate, it has not been formally approved by the Director of ORR pursuant to 45 CFR §400.107.

3.2 Refugee Social Services

OCS provides social services to refugees. OCS procures the Refugee Social Services program through a competitive process and enters into a contract with the selected provider, a Hawaii private nonprofit agency.

The contract between the State and the selected provider ensures that the social services provided to the refugee population is in compliance with 45 CFR §400.154 and §400.155.

3.2.1 Refugee Employment and Support Services Program

OCS procures the Refugee Social Services program through a competitive process and enters into a contract with the selected provider. Presently, the contract for Refugee Social Services program is with Child and Family Services (CFS), a Hawaii private nonprofit agency. This contract has been in effect since October 1, 2018 and expires on September 30, 2019. For FY 2020, CFS' proposal has been selected. The contract for FY 2020 is currently being drafted and reviewed.

Eligibility for Refugee Social Services-Employment Program is limited to refugees who have been in the United States 60 months or less (45 CFR §400.154). In compliance with 45 CFR §400.147, priority for participation in Employment Services is as follows:

- 1) all newly arriving refugees during their first year in the United States who apply for services;
- 2) refugees receiving cash assistance;
- 3) unemployed refugees who are not receiving cash assistance; and
- 4) employed refugees in need of services to retain employment or attain economic independence.

Refugees are eligible for employment and support services for up to five (5) years.

Other eligible populations to receive services are persons who have been granted asylum, Cuban and Haitian entrants, certain Amerasians from Vietnam who are admitted to the United States as immigrants, and victims of severe forms of human trafficking who have received certification, eligibility or interim assistance letters from the ORR, and Iraqi and Afghan Special Immigrants (45 CFR §400.43).

Services provided to refugees include:

- Client Intake Services;
- Support Services;
- Employment Services;

- English as a Second Language Training;
- Coordination of On-the-Job Training;
- Coordination of Vocational Training; and
- Other Employment-related Services (child care, counseling referrals, transportation, etc.).

The selected nonprofit agency endeavors to ensure that refugees receive the maximum benefit and maximum results from services provided during the time-limited service eligibility period. In accordance with 45 CFS § 400.156, the services are provided:

- In a manner that is linguistically and culturally compatible to all refugees,
- Include the use of bilingual women on service agency staffs to ensure adequate access to services by refugee women; and
- Include English language instruction provided in a concurrent, rather than sequential, time period with employment-related services.

Job Development and Placement services include the following activities:

- Developing job opportunities based on the skill and language capabilities of the refugees and the labor market demands;
- Placement of refugees in appropriate job openings; and
- Assisting refugees in job search and in maintaining employment.

Employability services are not available to refugees who have been in the United States for more than 60 months, however these refugees are eligible for citizenship and naturalization preparation services and referral and interpreter services, in accordance with 45 CFR (§400.154). RSS funds will not be used to cover the citizenship and naturalization application fees.

The Hawaii State Refugee Coordinator (HSRC) is responsible for developing the Contract with the selected nonprofit agency. The HSRC monitors the contractual agreements according to ORR regulations. The program monitoring includes review of the general performance of the service provider and the services provided to the individual refugees, including review of their employability plans, family self-sufficiency plans, and other parts of their case records. OCS provides technical assistance to advise the selected nonprofit agency and other partnership agencies regarding federal regulations as needed.

3.3 Cuban/Haitian Entrant Program

According to Hawaii DHS's Hawaii Administrative Rule (HAR) 17-1723.2-10(2)D, Cuban or Haitian Entrants are eligible to receive, with proper documents from USCIS, medical assistance from the RMA program.

3.4 Unaccompanied Refugee Children

OCS does not operate an Unaccompanied Refugee Minor Program.

3.5 HUMAN TRAFFICKING ELIGIBILITY AND SERVICES

3.5.1 Certifications and Eligibility Letters

Pursuant to the Trafficking Victims Protection Act 2000, adult victims of severe forms of trafficking who have been certified by HHS are eligible for benefits to the same extent as refugees. When preparing a certification, ORR reviews whether the individual has been subjected to a severe form of trafficking and whether she or he meets the two certification requirements, which are listed below. In the Act, the term "severe forms of trafficking in persons" means (§103(8)):

- sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- 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.

The U.S. Department of Health and Human Services (HHS), after consultation with the Attorney General, may certify a victim of a severe form of trafficking who (§107(b)(1)(E)):

- is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons; and
- has made a bona fide application for a visa under section 101(a)(15)(T) of the Immigration and Nationality Act that has not been denied; or
- is a person whose continued presence in the United States the Attorney General is ensuring in order to effectuate prosecution of traffickers in persons.

Certification grants adult foreign victims of human trafficking access to federal benefits and services to the same extent as refugees. Children under 18 years of age who have been subjected to a severe form of trafficking do not need to be certified in order to receive benefits. For the purposes of benefits eligibility, the Act defines a minor victim of a severe form of trafficking as a person who has been subjected to a severe form of trafficking (see the definition above from the Act §103(8)) and

who has not attained 18 years of age. ORR will issue letters, which will be similar to the adult certification letters, stating that a child is a victim of a severe form of trafficking (section 3.5.3). Benefit-granting agencies will not need to evaluate whether a child has been subjected to a severe form of trafficking.

Trafficking victims who are U.S. citizens or Lawful Permanent Residents (LPR) do not need Certification or Letters of Eligibility to be eligible for similar benefits and services.

3.5.2 Services for Human Trafficking Victims

Services for certified human trafficking victims are provided through the ESS funded by the ORR.

Services for pre-certified human trafficking victims are provided through the Comprehensive Services for Human Trafficking Victims Program (CSHTV), funded by the Department of Justice (DOJ), Office of Victims of Crime (OVC).

OCS partners with local non-profit agencies to provide direct services through CSHTV:

- Susannah Wesley Community Center for service coordination, case management and mental health services;
- Legal Aid Society of Hawaii for legal services as well as training and outreach;
- Pacific Survivor Center for medical and dental services, and training for medical professionals.

3.5.3 Certification Process

The following outlines the processes and eligibilities for pre- and certified human trafficking victims. Persons who are pre-certified as potentially being classified as human trafficking victims will be eligible for emergency and other services indicated below. Certified victims have documented trafficking status and are eligible for refugee services.

3.5.3.1 Seeking Certification

Once a human trafficking victim is identified, he or she will seek certification through either Continued Presence (CP) or a T-visa.

Continued Presence (CP). According to the U.S. Department of Homeland Security, CP is a temporary immigration status provided to individuals identified by law enforcement as victims of human trafficking. This status allows victims of human trafficking to remain in the United States temporarily during the ongoing investigation into the human trafficking-related crimes committed against them. Federal law enforcement officials, primarily from Immigration and Customs Enforcement (ICE) and the FBI as well as federal prosecutors from U.S. Attorney's Offices within the DOJ, are authorized to submit CP applications. An application for CP should be initiated

immediately upon identification of a victim of human trafficking. All CP applications are submitted to the ICE Law Enforcement Parole Branch (LEPB).

CP is granted for one (1) year and may be renewed in one (1) year increments.

T-Visa. Under the Trafficking Victims Protection Act of 2000, the T-visa was established to allow victims of severe forms of trafficking to become temporary residents of the U.S. The Act recognizes that returning victims to their country of origin is often not in the best interests of victims, and that victims may need the opportunity to rebuild their lives without facing the threat of deportation. A recipient of a T-visa, after three years, may be eligible for permanent residence status if he/she meets the certain conditions set by the U.S. Department of Homeland Security.

3.5.3.2 Pre-Certification Services

Services are available through OCS to trafficking victims even before certification by HHS. Persons who will potentially become certified as trafficking victims are eligible for emergency services during the certification period. In this period, a person who may become certified as a trafficking victim will be provided public benefits and services subject to availability of resources at the discretion of the resettlement agency.

3.5.3.3 Post-Certification Period

Individuals to whom the U.S. Department of Human and Health Services has issued a Certification Letter are eligible for the same services as refugees. Employment and support services are provided for the purpose of human trafficking victims achieving self-sufficiency.