



U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement
Anti-Trafficking in Persons Division

Request for Assistance for Child Victims of Human Trafficking

This form may be used to request eligibility for federally funded assistance for a child victim of human trafficking.

An individual may use this form to request eligibility for assistance for a non-U.S. Citizen, non-Lawful Permanent Resident (LPR) child (under the age of 18) in the United States if the requestor believes the child may have been subjected to a severe form of trafficking in persons, as defined by the Trafficking Victims Protection Act of 2000, as amended (TVPA). The TVPA directs the Secretary of HHS, upon receipt of credible information that a child who is seeking assistance may have been subjected to a severe form of trafficking in persons, to promptly determine if the child is eligible for interim assistance for a period of up to 90 days.

The purpose of this form is to notify ORR of a child seeking assistance who is a potential victim of a severe form of trafficking in persons and to provide information to assist ORR in making a prompt determination of the child's eligibility for interim assistance. Information provided in the form may also facilitate a determination by ORR of the child's eligibility for assistance as a victim of a severe form of trafficking in persons. In some cases it may be possible for ORR to determine promptly that a child has been subjected to a severe form of trafficking in persons without first making the child eligible for interim assistance.

ORR recognizes that requestors encounter child victims at various stages of escaping the trafficking situation and that information may be limited. Therefore, the form has two sections: Part 1 and Part 2. ORR recommends submitting the form in its entirety. However, if a requestor working with a potential child victim of trafficking anticipates that forthcoming information will demonstrate the child has been subjected to a severe form of trafficking, the requestor may wish to submit Part 2 separately.

A requestor may submit this form by e-mail to **ChildTrafficking@acf.hhs.gov** or by fax to **202-401-5487**. An individual may also request assistance for a potential child victim of trafficking by calling **202-205-4582** during regular business hours and speaking to an ORR Child Protection Specialist.

An ORR Child Protection Specialist will respond to the requestor upon receipt of this form and provide the requestor with an update on the status within 10 business days. If within 30 calendar days of receipt of the request ORR has not received credible information that a child may have been subjected to a severe form of trafficking in persons, ORR will issue a denial letter to the requestor. The requestor may appeal a denial of eligibility for assistance within 30 days of receipt of the decision. Instructions on the appeal process are included with the denial letter. Should additional information become available, the requestor can submit a new request for assistance ORR.

Use of this form, or the completion of any section of the form, is optional. ORR recommends submission of the form to facilitate ORR's review of information indicating that a child needing assistance may have been subjected to trafficking in persons and to assess potential child protection issues, particularly for unaccompanied children.

If you would like assistance in assessing the needs of a potential child victim of trafficking before submitting a request for assistance, an ORR Child Protection Specialist can provide technical assistance and refer you to a local service provider upon request. The National Human Trafficking Resource Center at 1-888-3737-888 is also available 24 hours a day, 7 days a week to help you with technical assistance and referrals.



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Requestor Information (Person Completing Form)

The *Requestor Information* informs HHS about the requestor's professional association. HHS may request further information regarding the requestor or organizational credentials.

Name of **Requestor**

Last First Middle/Other

Title

Address City State Zip Code

Phone Fax Other Phone

Email

Name of **Organization/Agency**

Address City State Zip Code

Child's Information

Child's Name

Last First Middle/Other

Country of Origin Specific Location of Origin (i.e. town, state)

Child's Date of Birth (MM/DD/YYYY) Child's Sex Male Female

If the child has an alien number, please provide:

Proof of Citizenship and Age

If the child has identifying documents (e.g., passport, birth certificate, immigration documents), attach copies. If the child does not have identifying documents, provide explanation.

Does the child have a parent or parents in the U.S.? Yes No

Attorney of record, for the child, if any, and attorney's contact information:

Information indicates that the child was subjected to:

- Sex Trafficking
- Labor Trafficking
- Both

Narrative Describing Indicators of Trafficking

The requestor should provide a narrative describing the elements of trafficking present in the case including: the actions (recruitment, harboring, transportation, provision, or obtaining), the means (force, fraud, or coercion), and the end (purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery) for a labor trafficking case, or, indicators of commercial sex if a sex trafficking case. If known, the requestor may discuss in greater detail the time frame, duration, and location of the trafficking; how, when, and where the child was first identified as a potential victim of human trafficking; how and when this child came to requestor's attention; whether the trafficking situation was reported to local or State Child Protective Services (CPS) and related follow-up action, if any; and whether the trafficking situation was reported to local, State, or Federal law enforcement and related follow-up action, if any.

When screening a potential child trafficking victim, a requestor should refer to the federal definition of a severe form of trafficking in persons, as laid out in the Trafficking Victims Protection Act (TVPA) of 2000, as amended.

1. Severe form of trafficking in persons means:
 - Sex trafficking in which...the person induced to perform a commercial sex 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." (22 U.S.C. § 7102 (8)).
2. Sex trafficking means "recruitment, harboring, transportation, provision or obtaining of a person for the purpose of a commercial sex act." (22 U.S.C. § 7102(9)).
3. Commercial sex act means "any sex act on account of which anything of value is given to or received by any person." (22 U.S.C. § 7102(3)).
4. Coercion means threats of serious harm to or physical restraint against any person; any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or the abuse or threatened abuse of the legal process. (22 U.S.C. § 7102(2)).
5. Involuntary Servitude "includes a condition of servitude induced by means of (A) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or (B) the abuse or threatened abuse of the legal process." (22 U.S.C. § 7102(5)).
6. Peonage means a status or condition of involuntary servitude based upon real or alleged indebtedness. (8 CRF 214.11).
7. Debt bondage means "the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined." (22 U.S.C. § 7102(4)).

The narrative may be typed below. If additional pages are required, please attach.

**Agency Verification and Consent to Information Sharing
for ORR Assistance to Child Trafficking Victims**

Important guidance regarding information sharing.

ORR will use information collected in the Request for Assistance to determine a child's eligibility for interim and long-term assistance (See 22 U.S.C. 7105(b)(1)(F)). Information gathered by ORR pursuant to a Request for Assistance enables ORR to provide technical support to providers serving children and, when appropriate, to facilitate placement of unaccompanied child trafficking victims into the Unaccompanied Refugee Minors (URM) Program. ORR will make information available to non-HHS entities only for the purposes described above and to comply with the TVPA.

If HHS provides interim assistance to a potential child trafficking victim, the TVPRA of 2008 requires HHS to notify the U.S. Departments of Justice (DOJ) and Homeland Security (DHS) within 24 hours and to consult with DOJ, DHS, and nongovernmental organizations with expertise on victims of trafficking prior to determining the child's eligibility as a victim of trafficking. (See 22 U.S.C. 7105(b)(1)(F).) HHS routinely notifies DOJ and DHS that children have been made eligible by HHS for assistance.

With the requestor's consent, ORR/ATIP will provide contact information for a requestor to DOJ and DHS. If DOJ or DHS initiates an investigation or requests to speak with the child regarding the crime of human trafficking, ORR encourages providers and law enforcement to coordinate with a child advocacy center or similar model to facilitate the interview. **A child is not required to cooperate with law enforcement as a condition for receiving a letter of eligibility.**

The information contained in this questionnaire may be disclosed for a legitimate law enforcement purpose, including in response to a discovery request or otherwise in the course of criminal or civil litigation. The requestor may want to assist the child in obtaining the services of an attorney

Requestor consents to ORR sharing information with ORR-approved users. Requestor verifies that all information provided is complete and accurate, to the best of his/her knowledge.

Requestor's Signature _____

Date _____