

Testimony of
Anastasia K. Brown
Director, Refugee Programs
Migration and Refugee Services/U.S. Conference of Catholic Bishops

Before

The Committee on Homeland Security
Subcommittee on Border, Maritime, and Global Counterterrorism
U.S. House of Representatives

On

Human Trafficking: Recent Trends

March 19, 2009

I am Anastasia Brown, Director of Refugee Programs of Migration and Refugee Services of the U.S. Conference of Catholic Bishops (USCCB/MRS). I am pleased to be here today before the subcommittee to testify on trafficking in human persons.

I would like to thank you, Madam Chairwoman Sanchez, for inviting us to testify today. I also want to thank Ranking Member Souder and other members of this committee and other committees for your leadership over the years on this important and vital humanitarian issue.

Through a contract with the Department of Health and Human Services' Office of Refugee Resettlement (ORR), USCCB/MRS provides services to survivors of trafficking in the U.S. and its territories. USCCB/MRS administers the program through partnerships with local social service organizations across the country by subcontracting with them to provide comprehensive case management services to survivors. USCCB/MRS offers coordination of case referrals and services, training, per-capita funding, and is responsible for monitoring subcontractors, as well as partners with experts in the field to provide specialized assistance to trafficking victims. In operation since April of 2006, we have served 1,272 survivors of trafficking and their family members with derivative status, including 691 female adult and 29 child trafficking victims. USCCB/MRS is the only non-governmental organization to contract with the Department of Health and Human Services (HHS) to provide these services.

Our purpose in testifying today is to provide the perspective of the United States Conference of Catholic Bishops (USCCB) on the U.S. government response to human trafficking and to make recommendations regarding the implementation of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, which was signed into law by President Bush on December 23, 2008 and is scheduled to be implemented fully on March 23, 2009.

In my testimony, I will focus mainly on child trafficking victims, who are particularly vulnerable to exploitation. I also will address advances in the treatment of trafficking victims that have been made as a result of the Trafficking Victims Protection Act of 2000 and its 2003 and 2005 reauthorizations; assess the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008; and outline a number of changes in law and practice that the Bishops recommend be made in order to more fully protect such victims.

At this point, Madam Chairwoman, I would like to summarize the recommendations that are contained in my testimony:

First, with regard to the just-enacted TVPRA, we recommend that, working with other committees of jurisdiction, you use your oversight functions and responsibilities to ensure that -

- **as required by Section 235(a)(4) of the new law, DHS transfers custody of potential child trafficking victims to the Department of Health and Human Services (HHS) within 48 hours of apprehending them.**

- **DHS establishes protocols to determine, as required by the new law, whether an unaccompanied alien child from a contiguous country who is apprehended at the border is a child trafficking victim or otherwise would be at risk of being victimized should the child be returned to that country. DHS should consider the use of appropriate child welfare experts to make this determination.**
- **consistent with Section 212 of the recently enacted TVPRA, the Department of Homeland Security (DHS) immediately refers potential child trafficking victims for interim benefit assistance rather than waiting until a final determination is made about their status.**
- **DHS provides specialized training for federal enforcement personnel on identifying and referring for service trafficking victims, as required by Section 235(e) of the new law.**
- **consistent with section 212 of the new law, DHS not be permitted to interfere with the process by which the Department of Health and Human Services (HHS) makes determinations about the eligibility of trafficking victims for services under the TVPA.**
- **the subcommittee should ensure that DHS provide assistance to HHS in their new responsibilities relating to unaccompanied alien children's access to Special Immigrant Juvenile Status (SIJS).**

We also recommend broader actions regarding the treatment of trafficking victims:

- **Services to trafficking victims should be made available from the point they are rescued to the point they are self-sufficient and in good health. The TVPRA of 2008 addresses some of these concerns in Section 212, but we suggest that services be made available for much longer than the current four months allowed after certification.**
- **Federal agencies should better coordinate efforts, especially in the certification, protection, and care of victims.**
- **The federal government should provide more education and guidance to federal, state and local law enforcement agencies on their authority to recommend that trafficking victims be referred for services. The TVPRA of 2008 addresses some of these concerns in Section 212.**
- **More funding should be made available to victims of human trafficking.**

The Scourge of Human Trafficking

At least 700,000 persons are trafficked annually within or across international boundaries. They mostly come from less-developed countries and regions, such as India, the former Soviet Union, Central and South America, and throughout Africa. Their destinations span the globe; they often end up in Germany, Italy, the Netherlands, Israel, Australia, Japan, Canada, and the United States.

It is estimated by the U.S. State Department that as many as 17,500 human beings each year are trafficked into the United States to work in the sex trade or as slave labor. Women and children have been forced to work in prostitution and child pornography rings, while men, women, and children have been forced into different types of manual labor, without pay or protection.

Victims of human trafficking are commonly linked by poverty and lack of opportunity. They are also connected by their desperation and urge to escape the double trap of privation and their perception of migration as an accessible escape route. Often they seek to escape life in a dreary village or oppressive slum, with the hope of finding opportunity and a brighter future in a more developed land.

It is in these environments that human traffickers flourish, promising unsuspecting victims an opportunity to travel to a foreign land, at no immediate expense, for employment and housing. At the end of the journey, they find coercion, abuse, entrapment, and exploitation in a brothel, a massage parlor, an illicit factory, or an agricultural outpost. By the time they are rescued, if ever, they are shattered by physical, mental, and psychological abuse in the roles of prostitutes, domestic servants, or manual laborers. Many become ill with disease or become infected with HIV. Some lose their lives.

The Church Response to Human Trafficking

As I mentioned earlier in my testimony, Madam Chairwoman, the Catholic Church has placed the elimination of trafficking as an important priority in the areas of public advocacy, public education, and services to trafficking victims. We are working to raise awareness within the Catholic community about the problem, including training to help diocesan staff identify and assist victims of trafficking. We have sponsored roundtables and conferences on the subject and held public meetings on several occasions to educate the Catholic faithful and others on human trafficking. It is important to note, Madam Chairwoman, that all of our training and education is directed toward one end: the best interest of the victims. Our education and training are intended to help people to identify victims when they see them, and to empower them to act on what they see.

Part of this effort is driven by the Catholic Coalition Against Human Trafficking, which consists of about twenty Catholic organizations which convene quarterly and work together on advocacy and public outreach. The coalition was instrumental in providing important input on certain provisions of the Trafficking Victims Protection Act of 2000 and its successors, the Trafficking Victims Protection Reauthorization Act of 2005 and the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.

The Church and its service organizations, particularly Catholic Charities, also provide support services to both adult and child victims of trafficking, including health and mental health services, employment assistance, English-language training, counseling, housing and other material assistance needs. Through our networks, we also provide case management services, social service assistance, and legal assistance where appropriate. Since April of 2006, we have served 1,272 survivors of trafficking and their family members with derivative status, including 691 female adult and 29 child trafficking victims. In our experience, Madam Chairwoman, victims of trafficking need access to a continuum of services over a period of time which allows them to attain self-sufficiency and restored mental and physical health.

Trafficking victims also need, first and foremost, safety and security. Many are terrified of the traffickers who brought them to the United States and show signs of post traumatic stress disorder, among other mental health problems. Providing them with a secure, safe, and nurturing environment is crucial to ensuring their return to society as contributing members.

Madam Chairwoman, let me add that faith-based organizations are uniquely positioned to identify and provide assistance to victims of human trafficking. First, faith-based organizations act from a theological and philosophical perspective. For example, the themes of Catholic social teaching—the protection of human dignity and human rights; the option for the poor; the call to family and community; the rights of workers; solidarity and care for creation—all address evils inherent in human trafficking. These principles of justice are not unique to Catholicism but are manifest in most religions. Commitment to these principles gives the issue of human trafficking a sense of urgency to many faiths and religious communities.

Second, most faith-based organizations have national and international networks that enhance their capacity to give voice and volume to the cry for justice. They have access to a cross-section of agencies, both domestic and international, which offer expertise and geography that expand the possibilities for outreach and service, an asset not to be underestimated. For example, the Catholic Church is present overseas, in the form of Catholic Relief Services and the universal Church, as well as domestically, in the form of Catholic Charities, local dioceses, and parishes. We also have access to other networks, such as religious congregations around the world.

Finally, faith-based organizations have resources, in the form of human resources, in-kind donations, and other assets, which provide an important infrastructure which can assist in the fight against human trafficking. While we see the effort as a partnership with the

U.S. government and other governments around the world, we would be performing this work regardless, particularly because of the moral gravity of the issue and the ongoing suffering of its victims.

U.S. Government Response to the Plague of Human Trafficking

Madam Chairwoman, in 2000 the U.S. Congress passed landmark legislation entitled the Trafficking Victims Protection Act of 2000 (TVPA), which provided the U.S. government the framework to respond to the plague of human trafficking in the United States. In 2003 and 2005, Congress reauthorized funding for original legislation and made major improvements to it, giving law enforcement authorities more tools to apprehend traffickers and giving trafficking victims, especially children, easier access to immigration benefits and services.

Specifically, the TVPA revamped U.S. law by making human trafficking a crime against an individual, allowing the U.S. government to focus on victims of trafficking. The government now provides funding to assist victims and issues a T visa, created under the law, to provide protection and permanency to victims. Reauthorization of the TVPA allowed minors to access the T visa without being forced to testify in open court against their persecutors and allowed for siblings of victims to come with their parents to the United States. We believe the T visa and its protection is a major feature of U.S. law which permits victims to remain in the United States and not be sent back to traffickers in their home country.

Since the enactment of the TVPA in 2000, the Departments of State, Justice, and Health and Human Services have made great strides in implementing the law. Because of their joint and individual efforts, general awareness about the reality of human trafficking has increased, more victims have been identified and referred for services, and more traffickers have been brought to justice. The passage of the TVPRA of 2008 further extended protections afforded to victims here in the U.S. and strengthened the safety net for children who are at risk of being trafficked. It also mandates increases in prevention efforts, both at home and overseas.

Despite the advancements made in the past several years and those we expect to see once the new law is effective, improvements will still need to be made in providing a continuum of services to victims and in identifying and referring victims for care. Your committee's leadership, Madam Chairwoman, and that of Congress will help improve these efforts even further in the years ahead.

The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008

Madam Chairwoman, I would like to take this opportunity to comment on the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, which was signed into law by then President Bush on December 23rd, 2008. While my comments do

not represent the totality of our interests in this law, we would like to highlight several provisions intended to help fill the gaps in the continuum of care for victims and for which we have specific implementation recommendations.

Provision of benefits to likely child trafficking victims before final victim status is determined Prior to passage of the TVPRA of 2008, DHHS was required to consult with DHS and DOJ and receive a positive determination that the child was viewed by one of the other agencies as a victim of human trafficking in order for that child to receive benefits. This is a process that can take months, even years, during the time when recently discovered child trafficking victims most need support, services, and protection. In some cases which were not thought likely to culminate in successful prosecution of the traffickers, this determination was never made, despite the fact that the child was trafficked. In those cases, a child trafficking victim was never provided any of these critical services.

Section 212 of the TVPRA authorizes the provision of interim assistance to child trafficking victims and reaffirms the intent of Congress that HHS not wait for authorization from other federal agencies prior to providing services or determining eligibility for services for children. The TVPRA requires that funding for services now be made available once a child victim is identified but before final eligibility determination by HHS. This is a critical time in the care of a trafficking victim, who is usually traumatized, physically and mentally abused, and insecure. Access to interim benefits will allow these vulnerable survivors to receive the care they need immediately after they have left the trafficking situation, instead of having no choice but to return to their traffickers in order to meet their basic needs.

This is a change we welcome and for which we have long advocated. It will make a huge difference in the lives of many victimized children. However, we have concerns about a lack of clarity in the letter of the law and want to make sure its spirit is not compromised when it comes to implementation. With respect to determining if a child is eligible for interim assistance, the law states that upon receiving “credible information”...“DHHS shall have exclusive authority” to make interim eligibility determinations for receipt of benefits. It is important to clarify what constitutes “credible information” and ensure that law enforcement is not the only entity qualified to provide such information, and that trained NGOs provide this “credible information”.

We think it would make sense to use the same standard for making interim eligibility determinations for children as that which is utilized to enroll pre-certified adults or pre-eligible minors in the per capita program. We are able to enroll adult and minor clients in our program without a letter of certification or eligibility as long as the client has been screened by the case manager for human trafficking as defined by the TVPA. If the preliminary screening indicates that the pre-certified/pre-eligible client is a possible victim of trafficking, the case manager signs and faxes a form documenting the screening indicators applicable to the client. This form is reviewed by our program staff, who, in some cases, request confirmation that the client meets the federal definition of human trafficking from an attorney or law enforcement. In all cases, the victims are referred to

an attorney for this second screening, but not all clients must wait until this interview has been conducted to receive our services. As HHS/ACF is the agency with a mandate to protect children, it is important to make sure that DHHS maintains its “exclusive authority” and does not cede this authority to DHS or DOJ.

The law also does not specify which entity within DHHS will be making this determination. It is of the utmost importance that the responsibility for this function be given to an agency with child welfare experience which is able to respond to newly identified victims 24 hours a day, seven days a week. We recommend that this function be carried out by the Child Welfare division of HHS/ACF or by State Departments of Human Services, which are responsible for investigating allegations of child abuse and neglect (referred to as Child Protective Services (CPS) in many states). This should be done in coordination with non-governmental organizations that have experience in the provision of services to unaccompanied alien children. Additionally, HHS should develop standardized criteria and screening tools for making these determinations in consultation with non-governmental organizations with experience in child welfare and human trafficking.

The law does not explicitly state what “Interim Assistance for Children” means. We believe that, for unaccompanied refugee minors, interim assistance should include placement in the Unaccompanied Refugee Minor (URM) foster care program administered by the Office of Refugee Resettlement (ORR), and access to public benefits and legal services. In instances in which placement into URM care can not immediately be made, an emergency placement into a short-term state foster care arrangement should be arranged in the interim. For accompanied minors, this should include all the benefits that are available to certified child victims, including foster home placement through the state if it is determined that the caregiver was involved in the trafficking of the child. Accompanied children should also be granted access to public benefits and legal services. To ensure compliance at the state level, it would be helpful for HHS to issue an “interim letter” listing all of the benefits for which these children are eligible.

Additional funding will be necessary in order to provide services during this interim period. Under the new law, the number of unaccompanied trafficked children needing residential care will rise considerably. Along with funding to provide care for these children, these programs will also require training and capacity development, as many of them will not have much previous experience serving trafficked children.

Under the TVPRA of 2008, children do not have to cooperate with law enforcement in the investigation and prosecution of their traffickers if they have suffered physical or psychological trauma. While this was codified into law in the TVPA of 2003, in practice children have had to cooperate with law enforcement and be determined to be a victim before receiving these vital services. Since many traumatized children are unwilling or unable to discuss their experience and have considerable fear of their traffickers, this change will make it more likely that child victims will receive support and help bring their traffickers to justice over the long term.

Screening of unaccompanied children at U.S. borders

We are aware of, and applaud, the Department of Homeland Security's efforts to train its law enforcement officers, including first responder Border Patrol officers, in the identification and screening of potential victims of trafficking. We are also hopeful of positive change in the protection and screening efforts of child victims of trafficking due to the passage of the TVPRA of 2008. The TVPRA mandates the development of policies and procedures to ensure that unaccompanied children are safely repatriated to their country of nationality. The TVPRA also enhances the screening of unaccompanied children from contiguous countries by mandating that, before return, a determination on a case-by-case basis be made that each child a) is not a victim of a severe form of trafficking or at risk of being trafficked upon return, b) does not have a fear of return, and c) is able to make an independent decision to withdraw his or her application for admission to the United States.

We recommend that non-governmental organizations, particularly those with trafficking and child welfare expertise, assist in the development and implementation of the screening mechanisms for unaccompanied alien children from contiguous countries. We believe that non-governmental organizations can augment the capacity of the immigration enforcement agencies responsible for this new function. We are concerned that, due to the inherent law enforcement functions of Homeland Security immigration enforcement officers, as a country we may miss the identification of child victims of trafficking at our borders- despite the best efforts of law enforcement training. We believe that non-governmental agency staff members, in particular staff with child welfare expertise, are in a better position to build trust with an unaccompanied alien child who may be at risk of being trafficked, or who may be coached to avoid discussing their situation with anyone, let alone U.S. federal law enforcement officers. In addition, non-governmental staff could assist with separating the law enforcement function from a child vulnerability screening function, which we do not believe is a law enforcement function. It is our hope that, working together as U.S. federal agencies and non-governmental organizations, we can identify more children who are at risk of human trafficking, exploitation and abuse.

Training for federal personnel

Section 235(e) of the TVPRA requires DHS, DOS and DHHS to provide specialized training for all federal personnel and for all state and local personnel if they request training, on working with victims of trafficking and UACs, including identification of victims of trafficking. While we applaud the inclusion of this requirement in the law, we have found that many federal, state and local officials, including Border Patrol agents, are unaware of the certification process and the services available to trafficking victims. Many are not trained in recognizing a trafficking victim. Since state and local authorities as well as U.S. Custom and Border Protection often encounter trafficking rings and victims without recognizing them as such, more education should be provided to federal authorities and by the federal government to state and local governments for this purpose. This training should be provided by individuals and agencies with expertise in child welfare and human trafficking. At the very least, these training programs should be developed in consultation with these entities. Additionally, we believe that training of

government personnel should be far reaching, to include government contractors, public hospital staff, health care providers, school personnel, state child welfare staff, and others that may come into contact with trafficking victims.

In October 2006, members of the Bishops' Committee on Migration directed a fact-finding trip to the Southwest border region of the United States and Northern Mexico to examine the situation and treatment of unaccompanied alien children and victims of human trafficking. During this trip, the Bishops met with a number of Border Patrol, Inspections, and Immigration and Custom Enforcement officers to learn about their role in law enforcement and responsibilities dealing with children and victims of trafficking. We understand that, being Homeland Security enforcement agencies, CBP and ICE are focused on law enforcement. However, during this trip the Bishops saw that there is a high risk that child trafficking victims or other vulnerable child migrants might be returned to Mexico without effective screening since Mexican children are routinely returned in an expedited process under these agreements. As a result of this fact finding trip, the Bishop's Committee on Migration recommended in their report that "federal and state law enforcement agencies, including border patrol and customs enforcement, should develop training programs in consultation with non-governmental agencies and trafficking service providers that address human trafficking topics and interviewing techniques for victims of trauma and crime." ("The Lost Dream" Report from USCCB/MRS October 2006).

Enhancement of efforts to protect vulnerable children. Madam Chairwoman, we strongly supported the inclusion of Section 235 of the law, which takes steps to strengthen the protection regime for children who are often prey for human traffickers. We applaud the administration's commitment to upgrade the care and custody of these children, including the provision of safe and secure placements for children and the conduct of home studies once a child is placed with an individual or family in a least restrictive setting. This provision ensures that home studies are conducted prior to the placement of a child, especially when a potential sponsor has no familial relationship with the child. Such sponsors could have connections to smugglers or traffickers or a history of criminal convictions, domestic violence, or drug abuse. Home studies are also now mandated for victims of severe forms of trafficking, children with disabilities, and child victims of physical or sexual abuse under circumstances that indicate a child's health or welfare has been significantly harmed.

USCCB is one of the two voluntary agencies which contract with DHHS to make assessments of potential sponsors of UACs, make placement recommendations, and provide follow up services to those children who most need support and monitoring over the long term so as not to fall victim to traffickers or other predatory individuals. This ongoing support to families who may find reunification difficult makes it much less likely that children will leave their sponsors and fall prey to traffickers. The law now states that these services must be provided throughout the duration of the child's immigration court proceedings if a placement situation merits longer term follow-up. In order to provide this safety net for these children as the law suggested, the extended

follow up services should be conducted at regular intervals and should consist of in-home visits throughout the pendency of the child's removal proceedings. This will ensure that children who may fall victim to traffickers do not slip through the cracks after they are released from the custody of DHHS.

We are pleased that the determination of a special consent decree to permit children to become eligible for a T visa has been transferred from DHS to DHHS, where it is more appropriately lodged. This ensures that child welfare experts, rather than enforcement personnel, determine whether a child is subject to severe abuse and neglect, rather than enforcement personnel. We ask the subcommittee to ensure that this responsibility is transferred to DHHS expeditiously.

We are extremely pleased that certain children with a special immigrant juvenile visa are now eligible for services in the unaccompanied refugee minor program. These children currently fall through a gap in the care continuum, since they are not accepted into state foster care but become ineligible for federal foster care once they are granted a special immigrant juvenile visa. Haitian and Cuban children will remain eligible for this program, regardless of whether they obtain special immigrant juvenile status.

In addition to recommending the TVPRA of 2008 be implemented in these ways, we support the following policies:

- 1. Services to adult and accompanied trafficking victims should be made available to victims from the point they are rescued to the point they are self-sufficient and in good health.**

While the Congress has appropriated funds for services to trafficking victims through the Office of Refugee Resettlement of the Department of Health and Human Services (ORR/HHS) and the Department of Justice through 2011, there exist gaps in funding and services for victims which should be addressed. While the TVPRA of 2008 made many improvements to the structure and availability of services, more can still be done to better support trafficking survivors while they get back on their feet and start rebuilding their lives.

As we mentioned earlier, the TVPRA of 2008 provides interim assistance to trafficking victims prior to certification. Consideration also should be given for the care of victims post-certification, at least until they have achieved self-sufficiency and good health. Currently, support programs provide for initial health screening, health-care, employment referral, and other services, but do not follow the victim beyond the initial stages of assistance. While trafficking victims are currently eligible for four months of basic services after victim certification, we believe that the length of the service period should be two to three times longer so that victims can utilize necessary services until they are back on their feet after suffering the effects of such a horrendous crime.

We recommend that the subcommittee examine the continuum of care given to trafficking victims and work to fill the gaps which undermine the potential success of victims in leading self-sufficient lives.

2. Federal agencies should better coordinate efforts, especially in the certification, protection, and care of victims.

The creation of a State Department Office to Monitor and Combat Trafficking in Persons in the TVPA has helped focus the efforts of the U.S. government in the last several years. The initiatives undertaken by the office include an interagency task force to coordinate efforts and initiatives to combat trafficking and the sponsorship of conferences to educate the public and others about the issue. The office also issues an annual Trafficking in Persons report, which identifies sending countries and holds them accountable for not addressing the issue in their countries. The office also speaks for the U.S. government on trafficking issues, raising awareness domestically and abroad.

Despite significant progress in this area since 2000, coordination between federal agencies, such as the Department of Homeland Security, the Department of Justice and the Department of Health and Human Services, could be improved. For example, information on victims and prosecutions should be more readily shared between the agencies, and questions about implementation of the law should be jointly considered and addressed. Increased collaboration between these agencies and the non-governmental agencies that serve trafficking victims is also needed.

3. The federal government should provide more education and guidance to federal, state and local law enforcement agencies on their authority to recommend that trafficking victims be referred for services and on the identification of trafficking victims.

Although as many as 17,500 persons are trafficked into the United States each year, approximately 1,500 have been identified and certified since 2000. This is primarily because of the lack of awareness among law enforcement agencies, the general public, and community organizations, which should improve in the months and years ahead. While the reauthorization of the TVPA in 2003 included a provision which allows referrals by state and local law enforcement authorities of trafficking victims for certification, federal guidance on this provision has not been forthcoming. We are pleased that the TVPRA of 2008 requires law enforcement to refer child trafficking victims for care.

However, we have found that many federal, state and local officials, including Border Patrol agents, are unaware of the certification process and services available to trafficking victims. While we applaud increased efforts in recent years to train Border Patrol agents in victim identification, many agents are still following procedures which would not enable them to recognize a potential trafficking victim.

Since state and local authorities as well as U.S. Custom and Border Protection officials often encounter trafficking rings and victims without recognizing them as such, more education should be provided to federal authorities and by the federal government to state and local governments for this purpose.

4. More funding should be made available to victims of human trafficking.

As human trafficking becomes more public and more victims are identified, more funding is needed to provide services to trafficking victims. Due to competing interests and limited funds, ORR/HHS is compelled to set limitations on the length of services for foreign national victims, leaving them vulnerable to potential exploitation and undocumented status.

There are a number of reasons foreign national trafficking victims would benefit greatly from a service period lasting longer than the current four months. First of all, participation in the criminal investigation and trial often delays self-sufficiency. Due to the time required of the victim witness by law enforcement and the U.S. Attorney, as well as the anxiety, acute stress, and re-traumatization suffered by the victim as they have to continually re-tell their story and anticipate facing the trafficker, clients are often unable to maintain employment and, therefore, face eviction. Additionally, the lack of a familial and social support network makes it more difficult for the client to quickly secure housing, employment, and medical and mental health services.

The application process for immigration relief via the T visa is lengthy and complex. In many states, U.S. Attorneys prosecuting cases have advised immigration attorneys to delay the filing of the T visa until the culmination of the trial to prevent information in the T visa from becoming discoverable. At this point, the client is often no longer eligible for services, increasing the likelihood that the client may not ever apply for the T visa and will thus become undocumented, putting them at risk for trafficking.

Trafficking victims, traumatized by their experience, require comprehensive care, not just emergency assistance and help in finding a job. Because the TVPRA of 2005 expanded programs to assist U.S. citizen and permanent resident victims, ORR has needed to serve a higher number of victims in recent years, while the number identified continues to grow. Passage of the TVPRA of 2008 will again increase the number of victims served. At the same time, current funding levels are not adequate to serve the number of victims that request them, and those that are being served would benefit greatly from a longer service period. Additionally, we believe that ORR/HHS should direct more of their funds to services for victims instead of toward infrastructure needs.

Conclusion

Madam Chairwoman, the issue of trafficking in human persons is perhaps one of the most important human rights issue facing the world community today. The United

States, and Congress, has taken significant steps in the past several years to address this problem. The historic passage of trafficking legislation in 2000 established the framework for the U.S. response and places the United States as a moral leader in the effort to eradicate the scourge of trafficking from the face of the earth. The 2008 reauthorization of the law was another significant step in the right direction, as it broadened and strengthened the protections afforded to victims.

It is important, Madam Chairwoman, that the Department of Homeland Security cooperate with other federal agencies to ensure that trafficking victims receive the appropriate care and legal status. Too often we do not take steps to preserve the well-being of the victims in the federal government's care.

Specifically, as outlined, DHS should immediately refer child trafficking victims for interim benefits and not interfere with their receipt of benefits immediately after identification, a determination which is now completely the purview of the Department of Health and Human Services. DHS also should establish protocols to screen children from contiguous countries to ensure that they are not trafficking victims or at risk of being trafficked, preferably by allowing child welfare experts, including NGOs, to conduct the screenings. Finally, DHS and associated agencies must do a better job in training enforcement personnel on identifying and assisting potential and real victims of human trafficking.

Madam Chairwoman, I appreciate the opportunity to testify today on behalf of the U.S. Conference of Catholic Bishops (USCCB) and would be happy to answer any questions.