



# CERTIFICATION FOR VICTIMS OF TRAFFICKING FACT SHEET



Certification allows victims of trafficking who are non-U.S. citizens to be eligible for a special visa and certain benefits and services under any Federal or state program or activity to the same extent as a refugee. Certification provides victims of trafficking with the necessary documentation to be eligible to receive benefits and services they may need to rebuild their lives while remaining in the United States. Victims of trafficking who are U.S. citizens do not need to be certified to receive benefits. As U.S. citizens, they may already be eligible for many benefits.

To receive certification, victims of trafficking must:

- Be a victim of a severe form of trafficking as defined by the Trafficking Victims Protection Act of 2000 (TVPA)<sup>1</sup>
- Be willing to assist with the investigation and prosecution of trafficking cases; and
- Have completed a bona fide application for a T visa; or
- Have received continued presence status from U.S. Customs and Immigration Services in order to contribute to the prosecution of human traffickers.

Once they have met the certification requirements listed above, victims of trafficking will receive an official letter of certification from the U.S. Department of Health and Human Services, Office of Refugee Resettlement (ORR).

Adult victims of trafficking who are certified by the U.S. Department of Health and Human Services (HHS) are eligible to receive certain benefits and services.

Children victims of trafficking (under the age of 18) **do not** need to be certified in order to receive services and benefits. ORR will issue a letter stating that a child is a victim of a severe form of trafficking and is therefore eligible for benefits.

## **The 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 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 following conditions:

- They are a person of good moral character.
- They have complied with any reasonable request for assistance in the investigation during the three-year period.
- They will suffer extreme hardship if they are removed from this country.

The T visa signifies a shift in the immigration law policy, which previously treated victims of trafficking as illegal aliens subject to deportation.

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<sup>1</sup> The Trafficking Victims Protection Act of 2000 defines "Severe forms of Trafficking in Persons" as Sex Trafficking: the recruitment, harboring, transportation, provision or obtaining of a person for the purpose of a commercial sex act, in which a commercial sex act induced by force, fraud or coercion, or in which the person is forced to perform such an act is under the age of 18 years; or Labor Trafficking: 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 Certification Process**

The certification process typically takes only a few days after HHS is notified that a person has made a bona fide T visa application or has been granted continued presence status (both of these actions are done by the U.S. Department of Homeland Security).

If the status of a person who has received HHS certification changes so that they are no longer eligible, HHS may be required to decertify that individual.

### **How Can a Victim's Certification be Verified?**

The trafficking victims verification toll-free number, 1-866-401-5510, is available for Federal benefit representatives to call for more information about certification.

Before victims can receive benefits, benefit representatives must call the toll-free trafficking victim verification line to verify the validity of ORR-issued letters and also to inform ORR of the benefits for which a victim has applied.

If you think you have come in contact with a victim of human trafficking, call the **National Human Trafficking Resource Center at 1.888.3737.888**. This hotline will help you determine if you have encountered victims of human trafficking, will identify local resources available in your community to help victims, and will help you coordinate with local social service organizations to help protect and serve victims so they can begin the process of restoring their lives. For more information on human trafficking visit **[www.acf.hhs.gov/trafficking](http://www.acf.hhs.gov/trafficking)**.