

TRAFFICKING VICTIMS

0031.01.21

A noncitizen who is a victim of human trafficking. Human Trafficking is the use of force, fraud, or coercion to subject victims to engage in commercial sex or forced labor.

Certified Victims of Human Trafficking are eligible for public benefits to the same extent as refugees.

Eligibility	<ul style="list-style-type: none"> • RCA • MFIP • DWP • SNAP • MSA • GA • GRH
Most common Examples of Immigration Documentation	<ul style="list-style-type: none"> • Certification Letter from the United States Department of Health and Human Services • Interim Assistance Letter from the United States Department of Health and Human Services • Approved T-visa • Employment Authorization Document
Likely to be sponsored?	Sponsor deeming does not apply.
Category Code - Lawful Permanent Resident Card <ul style="list-style-type: none"> • Explains the code on the LPR card when a person "Adjusted from" this status. 	ST6, ST7, ST0, ST8, ST9
Category Code - Employment Authorization Document (EAD) <ul style="list-style-type: none"> • Explains a person's current status. 	A16, C25
Combined Manual Reference	See also: 0029.39 (The Matching Grant Program)

Immediate family members of certified victims of trafficking may be granted what is called a derivative status that allows them to receive the same protections and benefits in the United States as a refugee.

For additional information on documentation demonstrating that a person is a Certified Victim of Trafficking or has a derivative status, see [Documentation Guide for People Fleeing Persecution & Victims of Trafficking](#).

Do NOT run a SAVE for certified victims of human trafficking, see below for information on verifying this status.

Documentation for Victims of Human Trafficking

Human trafficking is a form of modern-day slavery where traffickers lure people with false promises of employment and a better life. Traffickers often target at-risk populations and vulnerable people who are disconnected from stable support networks.

There are two types of severe forms of trafficking:

- **Sex trafficking:** Where a person is manipulated to participate in a commercial sex act by force, fraud, or coercion. Children under age 18 who engage in commercial sex acts are victims of sex trafficking regardless of the other circumstances.
- **Labor trafficking:** Where a person is manipulated into providing labor or services by force, fraud, or coercion.

The federal government provides victims of human trafficking with a document as verification of this protected class. The federal Department of Health and Human Services Office of Trafficking in Persons (OTIP) certification letter, eligibility letter, or interim

assistance letter establishes eligibility for federal and state benefits to the same extent as refugees. These are the most common documents issued by the OTIP, for survivors of human trafficking.

1. Certification Letters:

Letters issued by the Office of Trafficking in Persons (OTIP) to an adult victim of trafficking who has been granted Continued Presence, T-Visa, or has a pending application for a T-Visa.

- Certification letters do not expire.
- Eligibility for benefits and services begins on the certification date listed in the letter.

2. Interim Assistance Letters

Letters issued by the Office of Trafficking in Persons (OTIP) to children who **may** be victims of trafficking while OTIP determines whether the child is a victim of human trafficking.

- An interim assistance letter establishes eligibility for federal and state programs and services.
- Letters expire after 90 days, and can be extended for an additional 30 days while this determination is in process.
- Eligibility for benefits and services begins on the interim assistance start date listed in the letter.
- If the Interim Assistance letter expires before determining the trafficking victim's eligibility, do NOT automatically close the case. Follow up with the person to see if they have another form of documentation that makes them eligible, and send a policy question with any questions about the alternative document(s).

3. Eligibility Letters

Letters issued by the Office of Trafficking in Persons (OTIP) to victims of trafficking who are under age 18. Children who are victims of trafficking do not need to be certified to receive federal and state benefits and services. Instead Health and Human Services issues an eligibility letter stating that a child is a victim of a severe form of trafficking and is eligible for benefits and services.

- Eligibility Letters do not expire.
- Eligibility for benefits and services begins on the eligibility date listed in the letter.

4. Derivative T-Visa

- Issued to certain immediate family members of trafficking victims.
- People with derivative T-visas do not receive and are not required to present a Certification Letter or Eligibility Letter to demonstrate eligibility for benefits and services.
- The date of eligibility:
 - For a family member already in the United States when the T-visa is granted, the date of eligibility for benefits for the derivative is the notice date on the Derivative T-visa Approval Notice.
 - For a family member who enters the United States on the basis of a Derivative T-Visa, the date of eligibility for benefits and services is the date of their United States arrival.

NOTE: Do NOT run a SAVE on these documents. Instead, follow the steps below.

Required Steps to Verify an Immigration Document for Victims of Human Trafficking

1. Accept any of the documents above as verification of immigration status. If a person presents a different immigration document, submit a policy question.

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0. Call the Trafficking Victim Verification line at 1-866-401-5510 to verify ongoing eligibility for benefits and services. The certification letter and the phone call confirmation meet the requirement to verify a person's identity and confirm immigration status for eligibility.

0. Make a photocopy of the letter in the case file and return the person's document to them.

0. Use the certification, eligibility, or interim assistance date in the Health and Human Services letter as the person's "entry date" and "status date" for purposes of benefit eligibility.

For Trafficking Victims without Social Security Numbers (SSN)

Assist trafficking victims who do not have or are unable to obtain Social Security numbers for work purposes to obtain non-work Social Security numbers.

- See *the draft Sample County Letter for Non-Work SSN letter under Worker Resources in SIR*.
- See [0012.03 Providing/Applying for an SSN](#).

If you encounter a trafficking victim who does not have a letter from HHS to prove their claim, but appears to meet the condition of victim of severe forms of trafficking, submit a policy question.

Resources for People who have Concerns or Wish to Report Human Trafficking

For adult victims:

Contact the National Human Trafficking Resource Center

1-888-373-7888

<https://humantraffickinghotline.org/>

This hotline is national, toll-free, confidential and available 24 hours a day in more than 200 languages.

For victims under age 18:

Contact a Child Protection Specialist at the Office for Trafficking in Persons (OTIP)

1-202-205-4582