



Victims of Human Trafficking

Employment Eligibility, Government Benefits, and Federal Financial Aid

A foreign national who experienced [human trafficking](#) may be granted a temporary immigration authorization. This means they are eligible to apply for government assistance, mental and physical health services, financial aid to help pay for higher education, work permits, and housing. Employers, higher education institutions, and public benefits officers often are unaware of these benefits. This fact sheet explains types of immigration authorizations and eligibility for employment, government benefits, and Federal Financial Aid.

TYPES OF IMMIGRATION AUTHORIZATIONS

	T-1 Nonimmigrant Status (T Visa)	U-1 Nonimmigrant Status (U Visa)	Continued Presence (CP)
Who?	For victims of trafficking	For victims of various crimes, including trafficking	For victims of trafficking
What?	Up to four years of temporary nonimmigrant status with a path to lawful permanent residence (green card) and citizenship	Up to four years of temporary nonimmigrant status with a path to lawful permanent residence and citizenship	Two-year authorization, renewable until case is resolved in increments of up to two years No path to lawful permanent residence May apply for a T or U visa with Continued Presence
Benefits	Federal and state benefits and services to the same extent as refugees State benefits vary by state	Federal benefits and services State benefits vary by state	Federal and state benefits and services to the same extent as refugees State benefits vary by state
Documents	HHS Certification Letter or Eligibility Letter and Employment Authorization Document or Social Security number (SSN)	Employment Authorization Document or SSN	HHS Certification Letter or Eligibility Letter and Employment Authorization Document or SSN

*T and U derivative status is available for certain family members. Throughout this fact sheet, we will refer to individuals with a T-1 and U-1 status only, not derivatives.

Simply having T or U status or Continued Presence from the U.S. Department of Homeland Security (DHS) does not make one eligible for benefits. Access to the benefits listed below become available only once an individual receives a Certification Letter, an Eligibility Letter, or an Interim Assistance Letter from the U.S. Department of Health and Human Services (HHS).

EMPLOYMENT ELIGIBILITY

When an individual receives a work permit through a T visa, a U visa, or Continued Presence, they are eligible to work. An Individual may prove employment eligibility with the Employment Authorization Document (EAD) or other documentation allowable in the [I-9 employment eligibility process](#), such as a state identification documentation. If an individual uses an SSN that states, "Valid for Employment Only with DHS Authorization," they will need to show their EAD. Employers should not use the [I-9 form](#) as a screening tool and should request it only at the time of hire, up to and including the first day of work.

Individuals with T or U visas generally become eligible for a green card after three years. Filing for a green card extends T or U nonimmigrant status, so the expiration of the work permit while the green card application is pending does not necessarily mean these individuals are ineligible to work. Individuals may apply for an EAD while waiting for legal permanent residency.

The anti-discrimination provision of the [8 U.S.C. § 1324B Immigration and Nationality Act, as amended](#),

- 1 citizenship status discrimination in hiring, firing, or recruitment or referral for a fee
- 2 national origin discrimination in hiring, firing, or recruitment or referral for a fee
- 3 unfair documentary practices during the employment eligibility verification, including Form I-9 and E-Verify processes
- 4 retaliation or intimidation



GOVERNMENT BENEFITS

T visa or Continued Presence recipients with HHS Certification Letters, Eligibility Letters, or Interim Assistance Letters are eligible to apply for benefits and services to the same extent as refugees. U nonimmigrants are eligible for the federal benefits that a foreign national might receive. Victims of human trafficking are eligible for legal aid from Legal Services Corporation, regardless of status. U nonimmigrants are only eligible for legal services on matters related to the crime victimization.

To check if an individual has Continued Presence or a T visa, call the [Department of Homeland Security's \(DHS\) Systematic Alien Verification for Entitlements \(SAVE\) Program](#). Not all individuals (e.g., individuals with Continued Presence) will appear in SAVE. To confirm the individual's eligibility for benefits and services, contact the HHS Office on Trafficking in Persons Shepherd Case Management System at <https://shepherd.otip.acf.hhs.gov>.

Benefits for T visa or Continued Presence recipients include:



Medical Services

[Medicaid](#)

[Refugee Medical Assistance](#)

[Office of Refugee Resettlement \(ORR\)](#)

[Medical Screenings](#)

[Children's Health Insurance Program \(CHIP\)](#)



Housing

[Public Housing Program](#)

[Housing Choice Voucher Program](#)

[Emergency Shelter and Transitional Housing vary by state](#)



Employment

[Job Corps](#)

[Refugee Support Services](#)



Mental Health Services

[Substance Abuse and Mental Health Services Administration \(SAMHSA\) Programs](#)



Legal

[Legal Services Corporation \(LSC\)](#)



Nutrition Assistance

[Supplemental Nutrition Assistance Program](#)

[Special Supplemental Nutrition Program for Women, Infants and Children \(WIC\)](#)



Multiple Needs Assistance

[Voluntary Agencies Matching Grant Program](#)

[Unaccompanied Refugee Minors Foster Care Program](#)



Monetary Assistance

[Refugee Cash Assistance](#)
[Supplemental Security Income \(SSI\)](#)

[Temporary Assistance for Needy Families \(TANF\)](#)

**Some of the above benefits are also available for U visa holders; however, they are administered at a state level and vary by state.*

Navigating State-Specific Benefits:

For more information, contact the below resources.



State Benefits

[State benefits vary by state](#)



State Refugee Coordinators

[State coordinator contact information](#)

FEDERAL FINANCIAL AID

[Federal Financial Aid \(FAFSA\)](#) provides grants, loans, and work study to help pay for education. Title IX of the Education Amendments Act prohibits discrimination in educational programs. T visa holders and individuals with Continued Presence are eligible for Federal Financial Aid after receiving their Certification Letters as well as those who received Eligibility Letters due to trafficking when they were minors. If unsure if a student is eligible for Federal Financial Aid with a valid HHS Certification, Eligibility, or Interim Assistance Letter:

Access the Shepherd Case Management System to verify the student's Certification, Eligibility, or Interim Assistance Letter. If you are unable to verify the letter through Shepherd, call HHS at 866-401-5510 to verify.

U visa holders are not eligible for Federal Financial Aid; however, [depending on state law](#), they may be eligible for in-state tuition or other state and private assistance.

The National Human Trafficking Training and Technical Assistance Center (NHTTAC) supports the Office on Trafficking in Persons, Administration for Children and Families, U.S. Department of Health and Human Services in developing and delivering training and technical assistance.

NHTTAC
844-648-8822
info@nhttac.org
www.nhttac.acf.hhs.gov