



Frequently Asked Questions on T Visas: Immigration Status for Victims of Human Trafficking

June 2025

If you are in the United States without legal immigration status and have been the victim of labor or sex trafficking, you and some of your family may be eligible for a T Visa (also called T Nonimmigrant Status) – and, eventually, lawful permanent resident status (a “green card”).

Who is eligible for a T Visa?

To be eligible for a T visa, you must show that you: (1) are or have been the victim of human trafficking; (2) are physically present in the United States or a port of entry because of trafficking; (3) reported the trafficking to law enforcement and complied with reasonable requests to assist in an investigation or prosecution; and (4) would face extreme hardship involving unusual and severe harm if you were removed from the United States.

What is human trafficking?

Human trafficking is a misunderstood crime. Many victims don’t know that they have been trafficked. A short explanation of human trafficking is a situation where ***someone makes a person feel like they have to do some kind of work or else something bad will happen to them or someone else.*** Human trafficking can be either labor trafficking or sex trafficking.

What is labor trafficking?

Labor trafficking can include work of any kind, such as in a restaurant, factory, construction, agriculture, or a person’s home. Labor trafficking can take many forms. Sometimes, someone is tricked into what appears to be good working conditions and then forced to stay by threats. Other times, a person is forced to repay a debt by working.

What is sex trafficking? Sex trafficking involves a “commercial sex act.” A sex act can include having sex, performing oral sex, pornography, or stripping. The sex act must have been exchanged for something of value, which could include money, shelter, food, drugs

or alcohol, a work permit, or continued employment. It can sometimes first seem like a romantic relationship but then turn into sex trafficking.

What are the benefits of a T Visa?

If your T Visa is approved, you can live legally in the United States in T status for four years; this period may be extended in some limited circumstances. You will receive authorization to work. After three years, you can apply for lawful permanent residence (a “green card”). If the law enforcement investigation or prosecution into the human trafficking crime has closed, you may be able to apply for residence sooner.

What about my family?

Your spouse and children (unmarried and under 21) are eligible to receive a T Visa as well. If you are under age 21, your parents and any unmarried siblings under age 18 may also be eligible for a T Visa. If there is a danger that the person who trafficked you may try to retaliate against certain other family members, they may also be able to receive a T Visa.

Do I have to have law enforcement sign anything for my application?

In some crime-based immigration remedies, law enforcement must sign a form attesting to the victim's cooperation in the investigation before they can apply for immigration status. This signature is referred to as a Supplement B Certification. However, for T Visa cases, the Supplement B Certification is **optional**. You can give other evidence, including your statement, to show that you reported the crime to law enforcement.

What if my case is in immigration court?

Your removal (deportation) case may be able to be put on hold while your T status application is pending. However, this may be up to the judge. If your application is approved, your immigration court case can be terminated.

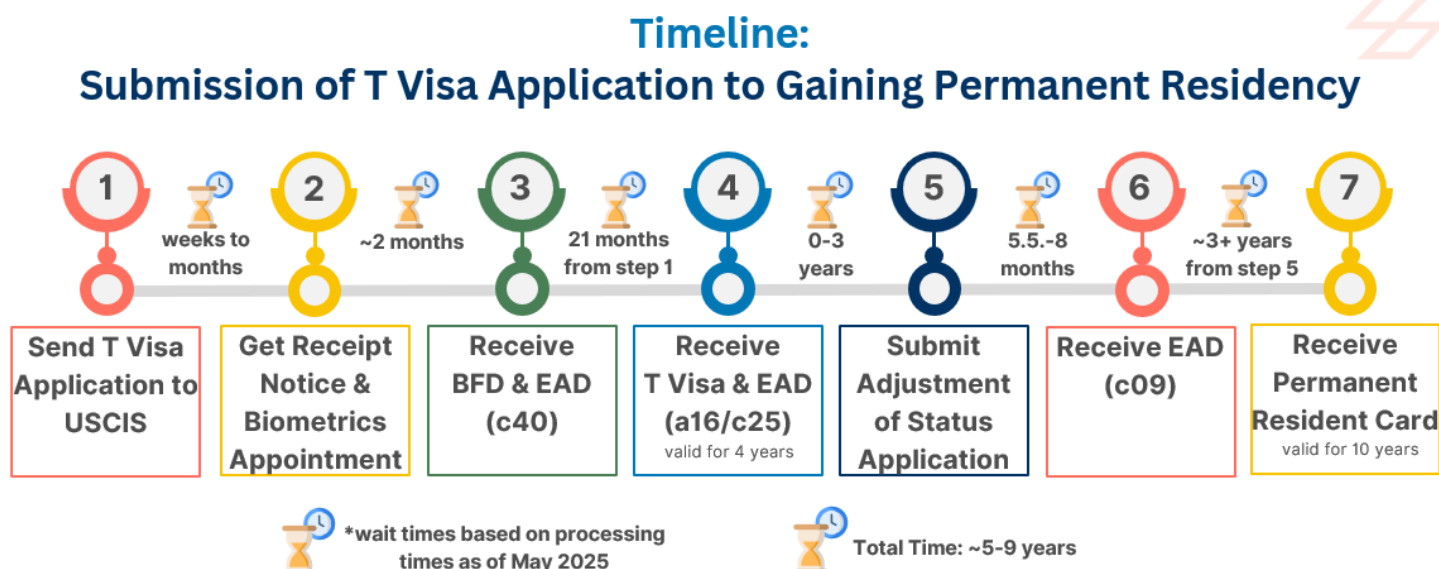
Can I work while my application is pending?

Because it takes about two years (sometimes more) for a T Visa application to be determined, immigration may give you something called a “bona fide determination” or “BFD.” Bona fide determinations are typically issued several months after the T Visa application is submitted to U.S. Citizenship and Immigration Services (USCIS) and allow you to apply for a work permit (employment authorization document, or EAD) while your T Visa application is in process.

How long will this process take?

The picture below shows each step of the application process and approximately how long it will take for each step to be completed. Please note that “processing times” can

change often, so you should check with an immigration practitioner to determine if this timeline is correct.



Remember that immigration law is complicated and applies differently to people in different situations. When you have an immigration law question, check with an immigration lawyer or Department of Justice (DOJ) accredited representative.

Visit www.cliniclegal.org/affiliates/directory to find one near you.