



Formerly known as Friends of Farmworkers

August 2, 2024

Samantha Deshommes
Chief, Regulatory Coordinator Division Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

Submitted via www.regulations.gov

**Re: Comment in response to DHS/USCIS Agency Information Collection Activities;
Revision of a Currently Approved Collection: Application for Employment
Authorization; OMB Control Number 1615-0040 Docket ID: USCIS-2005-0035**

Justice at Work Pennsylvania (“Justice at Work PA” or “JaW”) respectfully submits the following comment on the Agency Information Collection Activities; Revision of a Currently Approved Collection: Application for Employment Authorization, published on July 12, 2024. We appreciate the opportunity to provide comments.

JaW, formerly Friends of Farmworkers, has served and advocated for low-wage workers across Pennsylvania for nearly 50 years. We provide free immigration and employment legal representation to low-wage workers, as well as community education and advocacy for just immigration and employment policies at a local, state, and national level. JaW regularly represents labor trafficking survivors in applications for T Nonimmigrant Status. To date, JaW has successfully represented over 100 trafficking survivors in obtaining T nonimmigrant status. During the course of immigration representation, we often assist clients in applying for employment authorization documents and/or renewals through submitting I-765 forms. Employment authorization procedures affect most of our clients, regardless of whether we represent them in their immigration applications or solely in their employment matters. It is in light of this experience and expertise that we submit the following comment.

We write in support of changes made to the I-765, particularly the added instructions on Page 14, Number 10. 8 CFR 214.11(e) allows for bona fide determinations in T nonimmigrant status applications, and 22 USC §7105(b)(1)(E)(II)(aa) demonstrates congress’ intention that federal benefits can be granted if an application for a visa is bona fide.

The importance of these determinations is majorly important for our clients who have survived trafficking, as the ability to work and receive certain public benefits is an essential part of their financial, physical, and mental recovery from their trafficking experiences.

Justice at Work | justiceatworklegalaidd.org

990 Spring Garden St., Ste. 300 | Philadelphia, PA 19123 | (215) 733-0878
1010 Western Ave., Ste. 300 | Pittsburgh, PA 15233 | (412) 636-2473



We further appreciate the clarity surrounding applicants who have already filed for an Employment Authorization Document with Form I-914. We believe this instruction will reduce unnecessary extra steps and barriers for our clients.

We believe that USCIS' previous practice of only rarely issuing bona fide determinations in T nonimmigrant status applications has resulted in long periods of limbo for trafficking survivors, which leaves them vulnerable to re-trafficking and frustrates the purpose of the Trafficking Victims Protection Act (TVPA). We support this change and hope that increased numbers of bona fide determinations will result in quicker access to work authorizations, in turn empowering trafficking survivors to recover.

On behalf of Justice at Work Pennsylvania,

Sadie Basila
Legal Intern

Lerae Kroon
Senior Lead Advocacy Attorney