Appendix

1123-1NEW Public comment summaries and DOJ responses (2026)

In response to the Federal Register Notice published on June 16, 2026 DOJ received one set of collective comments from the following organizations:

Alliance for Immigrant Survivors
Freedom Network USA
ASISTA Immigration Assistance
Coalition to Abolish Slavery and Trafficking (CAST)
Justice At Last
Legal Aid Society of Metropolitan Family Services
Loyola Law School, Sunita Jain Anti-Trafficking Initiative
South Asian SOAR
Tahirih Justice Center
Wisconsin Coalition Against Sexual Assault

In response to the Federal Register Notice published on August 17, 2026, DOJ received one set collective comments from the following organizations:

Freedom Network USA
ASISTA Immigration Assistance
Beyond Survival
CAST
Connecticut Institute for Refugees and Immigrants
Her Justice
Immigrant Legal Resource Center (ILRC)
Legal Aid Society of Metropolitan Family Services
Loyola Law School, Sunita Jain Anti-Trafficking Initiative
Survivor Justice Center
Tahirih Justice Center
The Human Trafficking Legal Center
University of Maryland SAFE Center for Human Trafficking Survivors
ValorUS
Wisconsin Coalition Against Sexual Assault
Worker Justice Center of New York
Young Center for Immigrant Children's Rights

The second set of collective comments raised many of the same concerns as the first set of collective comments. Thus, most of the discussion below will address the common concerns raised in both sets of collective comments. However, the last section will address comments that were raised for the first time in the second set of collective comments.

I. Comments regarding privacy concerns

The commenters are concerned that there is insufficient information outlining how DOJ will safeguard personally identifiable information. Additionally, the commenters want DOJ to fully and transparently inform submitters as to how the information is obtained, why it's needed, and how it will be used. To this end, the commenters outlined three suggestions to improve agency transparency, accountability, and compliance with the Privacy Act and E-Government Act of 2002.

A. First Recommendation

The commenters suggested amending the proposed Privacy Act statement to ensure submitters can make an informed decision on whether or not to use the form as part of the Certification Letter Request progress. The commenters noted that the Privacy Act statement only populated after submission.

B. DOJ response

DOJ agrees with the commenter that the Privacy Act statement should be provided before the form is submitted. DOJ amended the webform application and the notice is now on the form itself.

DOJ also amended the Privacy Act statement to include a citation to JUSTICE/DOJ-003, "Correspondence Management Systems (CMS) for the Department of Justice," which provides information regarding the collection, maintenance, and use of correspondence and inquiries received by the Department.

C. Second Recommendation

The commenters suggested that DOJ conduct a Privacy Impact Assessment (PIA) and provide more information regarding how it will ensure that the information is appropriately safeguarded.

D. DOJ response

DOJ is currently conducting a PIA, which will provide extensive information regarding how the system's personally identifiable information is collected, maintained, shared, managed, and protected from unauthorized access and misuse. Once completed, the PIA will be publicly available.

E. Third Recommendation

The commenters suggested that DOJ employ identity verification tools to prevent bad actors from submitting or receiving information.

F. DOJ response

The proposed form currently requires submitters to upload the petitioner's I-797 (T-Visa) as proof that the applicant is eligible for a DOJ certification letter and of identity. The PIA will further address how the system's personally identifiable information is protected from unauthorized access and misuse.

II. Comments specific to the proposed form

The commentators submitted several comments that are specific to certain sections of the proposed form. These comments and DOJ's responses are discussed below.

A. Comment that the proposed form lacks clear instructions

The commentators state that the proposed form does not contain full instructions on how to properly submit the form, which questions are mandatory, or how follow up will occur. The commentators suggest the form should have a separate instruction page provided before filing that explains the purpose of the form, outlines the filing process and expected responses for both *pro se* filers and representatives, includes a privacy statement, and indicates what types of information will be requested, what information is required or optional (for both *pro se* filers and representatives), and who will have access to the information. The commentators also state that the form lacks specificity as to which information is mandatory or whether certain fields can be filled in with unknown or left blank. The commentators contend that it is unnecessary for applicants to provide certain personally identifying information, such as their personal physical and email address, if the application is submitted by a legal representative.

The commentators state that the full form is not available for review and certain fields only become clear based on a specific answer, such as answering "Yes" or "No" to the question "Are you represented by Counsel / Attorney." The commentators also state that there appears to be a typo as the proposed form refers to 1-797, not USCIS Form I-797 Notice of Action.

The commentators also state that the additionally necessary information in guidance comments is not reflected in the form instructions. For example, one guiding comment states "Users must upload the petitioner's T-Visa (1-797) to continue. Up to 4 additional supporting documents can be uploaded at this time" but the form instructions include an asterisk which

indicates this is required information and the message “Would you like to upload a supporting document?”

B. DOJ Response

DOJ agrees with the comment that clarifying instructions will assist the applicant in navigating the form. DOJ will provide further initial instructions available to the applicant before he or she begins the form. DOJ will also provide a way for the applicant to download the entire blank form so that the applicant can see all of the instructions before filling out the form. DOJ will also seek to clarify which specific information requested is mandatory. DOJ will also make more clear that it is necessary to upload an applicant’s T-Visa and that it is possible, but not required, to upload up to three additional documents. DOJ will also correct the typo.

Finally, DOJ will evaluate whether there are instances in which an applicant’s personal information is not needed, such as inserting an option for an applicant to provide their legal representative’s physical address in lieu of their own personal physical address.

C. Comment that the proposed form lacks follow up guidance

The commentators state that the proposed form fails to explain how the certification process will proceed once the form is submitted. More specifically, the commentators state that the proposed form does not make clear whether certification letters will be sent through the portal, via email, via post, or some other fashion. The commentators state the proposed form does not make clear how DOJ will communicate with applicants if DOJ has follow up questions. The commentators further state the proposed form does not provide a mechanism for applicants to ask questions or to submit contact information changes for the applicant, the applicant’s legal representative, or the law enforcement agent named in the original submission. The commentators also submit that there is not a confirmation message provided in the proposed form for any option other than the first one amongst the four initial options.

D. DOJ Response

DOJ will make clear that certification letters will be sent back via email to the email address provided for applicant’s representative or the applicants themselves if the applicant does not have a representative. DOJ will state in the proposed form the mechanism by which it will communicate with applicants via email, or their representatives, if DOJ requires additional information in order to process their application. DOJ disagrees that the form lacks a way for an applicant to provide additional information, including any updates or changes to contact information, as well as follow up questions from the applicant. That information may be submitted through the portal by clicking on “I have supplemental information for an already existing and submitted request.” DOJ will provide a confirmation response for all of the initial four options.

E. Comment on Option 1, Question 1

Regarding Option 1, Question 1 of the proposed form, the commentators recommend this question be updated to "Are you represented by Counsel / Attorney / Accredited Representative?" The commentators also recommend this update also be applied to Question 1a. Finally, the commentators add that the fields below Question 1a should be updated to "Counsel / Attorney / Accredited Representative Name" and "Law Firm / Agency Name" to reflect the inclusion of accredited representatives and the broader categories of agencies they represent.

F. DOJ Response

DOJ accepts this comment and will update the proposed form.

G. Comment on Option 1, Question 4: Agency Types

Regarding Option 1, Question 4, the commentators state that the current fields provide space for only one investigating agency official's name and contact information. The commentators recommend that this field be updated to allow for the applicant to add contact information for additional officials with whom the applicant interacts. The commentators also state that applicants may not necessarily have both the phone number and email address of the investigating agency official or officials. The commentators recommend that the instructions should make clear what information is necessary for DOJ and what applicants should do if they do not the information for a given field.

H. DOJ Response

The proposed form will allow for the applicant to add more than one investigating agency. The proposed form will have instructions that the applicant must provide at least either a phone number or an email address for the investigating agency official.

I. Comment on Option 4

Regarding Option 4, the commentators recommend further instructions as to when it is appropriate to utilize this option. More specifically, the proposed form does not make clear whether this Option is available to applicants who have not received a Request for Evidence from U.S. Citizenship and Immigration Services.

J. DOJ Response

DOJ will make clear in the proposed form that this option is only available to applicants after they have received a Request for Evidence from U.S. Citizenship and Immigration Services.

III. Comment regarding the delay between publication of the notice and the proposed form

The commentators state that DOJ's provision of the proposed form upon request, which did not occur until the first week in July, cuts into the required 60-day public comment period and impacted stakeholders' opportunity to meaningfully review.

A. DOJ Response

Notice of the information collection was published on June 16, 2026. A copy of the proposed form was provided to all who requested it, including the commentators on July 3, 2026. DOJ will allow for a two-week extension to the new 30-day comment period to allow additional time for comment.

IV. Comments raised for the first time in the second set of collective comments

A. Comment that the instruction page should clarify that certain documentation alone is sufficient evidence to show an investigation is closed

The commentators state that the instruction page should clarify that certain documentation, such as a court judgment or police report stating the investigation is closed, is alone sufficient evidence to show an investigation is closed, and that the DOJ will not need to contact law enforcement where such documentation is submitted.

B. DOJ Response

DOJ does not accept this comment. To take an example document cited by the commentators, a judgment from a court showing that a trafficker was convicted provides some information that an investigation is complete but it may not provide all necessary information as many judgments will not show that the victim/applicant was involved in the investigation or court case. Thus, what is important is not that applicants provide certain categories of document but that the documents provided show that an investigation is complete and that the victim/applicant was involved in the investigation. To advise applicants that certain categories of documents are alone sufficient would create confusion.

C. Comment that explanatory instructions should encourage the applicant to also provide the name and contact information of a specific law enforcement officer, if known

The commentators state that the explanatory instructions should encourage the applicant to also provide the name and contact information of a specific law enforcement officer, if known. The commentators further state this will streamline the process for the DOJ to contact the law enforcement agency even where an individual officer is no longer with that agency. The commentators also advise that the instructions for the form should explain that the DOJ is required to reach out to every law enforcement agency to which a report was made and that the DOJ will reach out to each specific officer listed.

C. DOJ Response

DOJ largely concurs with this comment and will provide an advisement on the form that DOJ must reach out to each law enforcement agency to whom the trafficking is reported in order to determine if the investigation is complete.

D. Comment that only the general contact information of a law enforcement agency should be required in order for a request to be submitted

The commentators state that, as law enforcement agencies face staff turnover, the form should include fields for contact information for both the individual law enforcement officers involved in the case and the general contact information for the law enforcement agency or agencies to whom the matter was reported. The commentators report that, in some cases, a report was made to a law enforcement agency's general report line with no follow through while, in other cases, reports were made to specific officers or specific officers responded to the original report. The commentators recommend that, due to turnover in law enforcement staff, only the general contact information of a law enforcement agency should be required in order for a request to be submitted.

E. DOJ Response

DOJ does not accept this comment. DOJ's processing of requests for certification letters is aided by applicants providing as much and as specific contact information as possible and encouraging applicants to provide a general or main line agency phone number does little to assist DOJ as this information is often easily obtainable via an Internet search.

F. Comment that here should be an option for a survivor to request expedited processing if they have an urgent or emergency situation

The commentators recommend that there should be an option for a survivor to request expedited processing if they have an urgent or emergency situation and that the instructions should include guidance on circumstances in which expedited processing is appropriate, such as if an applicant or a family member has an urgent health concern.

G. DOJ Response

DOJ does not accept this comment. DOJ is not in a position to evaluate whether an applicant truly has an urgent or emergency situation and which of these urgent or emergency situations should take precedence over another. Moreover, this administrative burden is not imposed by law and taking on this added responsibility would burden current overstrained resources.