



August 26, 2016

Alberto Ruisanchez
Deputy Special Counsel
Office of Special Counsel for Immigration-Related Unfair Employment Practices
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington DC 20530

By Electronic Submission www.regulations.gov

Re: Request for Extension of Comment Period on Proposed Rulemaking – Standards and Procedures for the Enforcement of the Immigration and Nationality Act, Docket No. CRT 130; RIN 1190-AA71 (81 Fed. Reg. 53965, August 15, 2016)

Dear Mr. Ruisanchez,

The Society for Human Resource Management (SHRM), the Council for Global Immigration (CFGI), and the College and University Professional Association for Human Resources (CUPA-HR) respectfully request that the Department of Justice extend the deadline for submission of written comments for Docket No. CRT 130, RIN 1190-AA71 to 90 days.

SHRM is the worlds' largest HR professional society, representing 285,000 members working in every industry and organization size. For nearly seven decades, the Society has been the leading provider of resources serving the needs of HR professionals and advancing the practice of human resource management. CFGI is an affiliate of SHRM comprised of over 200 corporations, universities and research institutions engaged in the global movement of talent. CFGI members are in in-house professionals responsible for ensuring compliance with immigration and related employment laws worldwide. The College and University Professional Association for Human Resources serves as the voice of human resources in higher education, representing more than 21,000 HR professional at over 1,900 colleges and universities across the country. Higher education employs 3.3 million nationwide, with colleges and universities in all 50 states.

SHRM, CFGI and CUPA-HR have a long history of outreach efforts on the anti-discrimination practices regarding immigration-related employment. Our associations have invested time and resources, through conference programming and educational materials, to inform our members of effective practices for ensuring that their hiring and onboarding processes are fair and do not discriminate against individuals under the Immigration Reform and Control Act (IRCA) or other provisions of federal law. We have

also encouraged members to take advantage of OSC's website information and outreach programs to ensure compliance.

The proposed regulations seek to make significant changes to the interpretation of the anti-discrimination and documentary practice provisions originally enacted with IRCA and amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Our organizations have been working with Congress on these provisions for more than thirty years and we have a deep understanding of how these provisions have been implemented in the workplace.

The proposed rule suggests changes to procedures for processing changes, interpretation of "intent," and timeframes for pursuing a complaint. We are concerned that the proposed regulations are not simply clarifying existing law but are in fact contrary to Congressional intent.

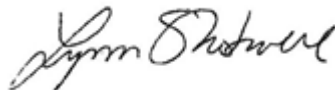
Twenty years have passed between the legislative changes and these proposed regulations, during which time stakeholders have relied on existing interpretations, making a 30-day comment period insufficient time to understand the history, gather input from our members and fully understand the challenges these changes may present to stakeholders. Indeed, Executive Order 12866 states that agencies "should afford the public a meaningful opportunity to comment on any proposed regulation, which in most cases should include a comment period of not less than 60 days." The significant changes and the complexity of this rulemaking warrant additional time.

For the foregoing reasons, we respectfully request that the comment period be extended to a reasonable 90 day comment period ending November 14, 2016.

Sincerely,



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