

SENT VIA ELECTRONIC MAIL

William P. Barr, Attorney General
United States Department of Justice

James McHenry, Director
Executive Office for Immigration Review
United States Department of Justice

Lauren Alder Reid, Assistant Director
Office of Policy
Executive Office for Immigration Review
United States Department of Justice

Chad Wolf, Acting Secretary
United States Department of Homeland
Security

Chad R. Mizelle, Senior Official Performing the
Duties of the General Counsel
United States Department of Homeland
Security

Kenneth Cuccinelli, Senior Official Performing
the Duties of the Director
Citizenship and Immigration Services
United States Department of Homeland Security

Maureen Dunn, Chief
Division of Humanitarian Affairs, Office of Policy
and Strategy
Citizenship and Immigration Services
United States Department of Homeland Security

Paul Ray, Administrator
Office of Information & Regulatory Affairs
Office of Management and Budget
Executive Office of the President

July 1, 2020

RE: Request to Provide a Minimum of 60 days for Public Comment in Response to the Department of Homeland Security (DHS) United States Citizenship and Immigration Services (USCIS) and Department of Justice (DOJ) Executive Office for Immigration Review (EOIR) (the Departments) Joint Notice of Proposed Rulemaking (NPRM): [Procedures for Asylum and Withholding of Removal; Credible Fear and Reasonable Fear Review; RIN 1615-AC42 / 1125-AA94 / EOIR Docket No. 18-0002/ A.G. Order No. 4714-2020](#)

Dear Attorney General Barr, Director McHenry, Assistant Director Reid, Acting Secretary Wolf, Senior Official Mizelle, Senior Official Cuccinelli, Division Chief Dunn, and Administrator Ray:

We, the undersigned faith-based organizations and leaders, write to urge the Departments to allow at least 60 days for public comment on the above referenced NPRM. We make this request due to the length and complexity of the 161-page rule, the critical interests it implicates, and the inherent challenges of meaningfully engaging in the public comment process during an unprecedented global pandemic.

A Minimum of 60 Days is Required for Meaningful Public Comment on the NPRM

The NPRM is Extremely Lengthy, Complex, with Novel Legal and Policy Issues

[Executive Order 12866](#) requires agencies to “...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*.” [Executive Order 13563](#) likewise directs agencies to “...afford the public a meaningful opportunity to comment through the Internet on any proposed regulation, with a comment period that should generally be *at least 60 days*.” Citing Executive Order 12866 itself, the Departments note in the NPRM that it is a “significant regulatory action...because it raises novel legal or policy issues.” There is no compelling reason to except the NPRM from the Executive Orders’ general rule of providing a minimum of 60 days for public comment.

Thank you in advance for your time and consideration of this request. Please contact Tschika McBean at tmcbean@usbnc.org with any questions or concerns, and we look forward to your prompt response.

Sincerely,

Bahá’ís of the United States

Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces

FaithTrust Institute

Jewish Women International

KARAMAH: Muslim Women Lawyers for Human Rights

National Advocacy Center of the Sisters of the Good Shepherd

Peaceful Families Project

Rev. Dr. Katherine Epperly,
Minister of Justice and Advocacy for Families and Children,
Disciples Home Missions, Christian Church (Disciples of Christ)

Rev Dr Leonisa Ardizzone,
UU Congregation of the Catskills, Kingston NY

Rev. Dr. Patricia Donahoo, Executive Director
Women’s Ministries, Disciples of Christ

Sojourners

St. Mary’s Episcopal Church, Harlem

The Interfaith Center of New York

The Maryknoll Office for Global Concerns

Union for Reform Judaism