



January 20, 2023

**Electronic Submission via Regulations.gov**

Ms. Tina T. Williams  
Director, Division of Policy and Programs Development  
U.S. Department of Labor  
Office of Federal Contract Compliance Programs  
200 Constitution Avenue NW  
Room C-3325  
Washington, D.C. 20210

**Re: Comment on OFCCP's Proposed Approval of Information Collection Requirements  
OMB No. 1250-0003**

Dear Ms. Williams:

Our organization, The Michigan Industrial Liaison Group (MILG), is writing to oppose the OFCCP's proposed changes to the Scheduling Letter and Itemized Listing. Our members believe that the information and data that would be required to be submitted during an OFCCP compliance review would be expanded exponentially if these changes are adopted. Despite this significant expansion, the OFCCP estimates that the time to respond would increase by only 11 hours.

As an initial matter, the OFCCP has already grossly underestimated the amount of time to respond to the current Scheduling Letter & Itemized Listing. This mistake is compounded by the OFCCP's failure to adequately estimate the additional amount of time and the administrative burden that these revisions would place on contractors. To make matters worse, the OFCCP has not even proposed to provide contractors the courtesy of additional time to respond to the new Scheduling Letter & Itemized Listing; with the extraordinary increase in information sought, a 30-day response time is not feasible or rational.

The MILG believes that the proposed scheduling letter is written with the belief that most federal contractors are large with adequate support staffs to achieve the collection of all required in the proposed letter. Many of the MILG members are wearing multiple hats and would have to dedicate greater time and efforts than 11 hours to coordinate the collection of all the new requirements as well as to provide greater analysis to other sections. The MILG believes it would take likely a minimum of an additional 40 hours or more to respond the new proposed scheduling letter request. We also believe that OFCCP underestimates the burden on its own staff when reviewing the additional data required.

The OFCCP's proposed changes would be extremely burdensome for contractors and the OFCCP should consider the real and practical effects of the changes on contractors in formulating a more realistic burden estimate. Unless and until that is done, we request that the OFCCP withdraw the proposed changes.



Moreover, the MILG is concerned that OFCCP is trying to change the long-standing approach to determining the appropriate contact for sending a scheduling letter that is documented in the OFCCP's Federal Contractor Compliance Manual.

Finally, we are concerned that OFCCP is attempting to add requirements that would require a regulatory approach rather than a paperwork reduction act approach and would violate the administrative procedures act, for example, including the requirement to submit campus affirmative action plans, without any discussion how the data will be analyzed, to legitimizing Directive language in proposed Item 22 for which there is no regulatory authority.

We thank the OFCCP in advance for its consideration of our comments and suggestions. If the OFCCP should wish to discuss this request, please contact Anthony Kaylin, Chair of the MILG, at [akaylin@aseonline.org](mailto:akaylin@aseonline.org).

Respectfully submitted,

*Anthony Kaylin*

Anthony Kaylin  
Chair, Michigan Industry Liaison Group