

January 4, 2023

The Honorable Martin Walsh  
Secretary of Labor  
U.S. Department of Labor  
200 Constitution Ave. NW  
Room C-2318  
Washington, DC 20210

Re: Request for Extension to File Comments on the Proposed Changes to the Supply and Service Program Scheduling Letter – OMB Number 1250-0003

Dear Secretary Walsh,

On behalf of the HR Policy Association, I am writing to request the Office of Federal Contract Compliance Programs (OFCCP) extend for 60 days the public comment period for the agency's proposed changes to its supply and service program scheduling letter that was published in the Federal Register on November 21, 2022. We are particularly concerned about the practical utility of the proposed changes at the initial stage of OFCCP's audits and the potential waste of agency and contractor resources.

HR Policy Association (Association) is a public policy advocacy organization representing the most senior human resources officers in more than 400 of the largest companies doing business in the United States. Collectively, our member companies employ more than 10 million employees in the United States. Over two-thirds of the Association's member companies are federal contractors and are subject to the proposed scheduling letter. The Association's member companies are committed fostering diverse and inclusive workplaces, and fully complying with OFCCP's requirements for federal contractors.

The Association is requesting this extension for two reasons. First, the proposal was published on November 21, 2022, just as the nation entered the holiday season with the attendant vacations that accompany it. This has made it difficult for individuals in the Association's member companies who have significant expertise related to the proposed scheduling letter to evaluate the proposed changes and provide the Association with feedback that will be useful to the OFCCP. The Association strongly believes that OFCCP will receive the most comprehensive and thoughtful comments if additional time is provided for responses.

Second, the OFCCP is proposing several major changes to service and supply scheduling letter that would create new and significant administrative burdens for covered employers. For example, without justification for such authority, the proposed scheduling letter would require contractors to submit compensation data for any worker provided by a staffing agency despite the fact that federal contractors do not set the pay for these individuals. Consequently, the Association respectfully requests more time to work with our members to determine how the proposed information collection could be implemented within the context and spirit of the Paperwork Reduction Act.

Finally, a number of entities have asked for an extension in the public comment period, including Shirley Wilcher, former Deputy Assistant Secretary for OFCCP during the Clinton Administration, whose request is [here](#). Accordingly, for these reasons, we request an additional 60 days to provide public comment to the proposed changes to the supply and service program scheduling letter.

Sincerely,

A handwritten signature in black ink that reads "Timothy J. Bartl". The signature is written in a cursive style with a large, stylized initial 'T'.

Timothy J. Bartl  
President and Chief Executive Officer  
HR Policy Association

Cc: The Honorable Seema Nanda  
Jenny Yang