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February 22, 2024

The Honorable Julie A. Su  
Acting Secretary  
U.S. Department of Labor  
200 Constitution Ave., NW  
Washington, DC 20210

Dear Acting Secretary Su:

On January 17, 2024, the Department of Labor (the Department) published a Notice of Proposed Rulemaking (NPRM or proposed rule) entitled “National Apprenticeship System Enhancements.”<sup>1</sup> The NPRM runs over 600 pages and drastically expands the regulations on registered apprenticeships under the *National Apprenticeship Act of 1937* – a two-page law.<sup>2</sup> As a blatant effort to circumvent the legislative process and expand the role of the federal government, the NPRM would significantly impact employers who participate in the registered apprenticeship system and diminish the role of states in registering apprenticeship programs. I request that you extend the public comment period by at least an additional 60 days to allow for a substantive review of the NPRM and for impacted stakeholders to provide robust comments.

While the Department claims to be interested in public feedback on various aspects of the NPRM’s overhaul of the registered apprenticeship system, providing for a comment period of only 60 days for a proposed rule of this magnitude is wholly inadequate. The NPRM’s regulatory analysis illustrates just how out of touch the Department is with the time and capacity needed to digest and react to its regulatory onslaught, as it estimates that each participating employer would only need to spend two hours reading and reviewing the proposed rule.<sup>3</sup> Two hours is hardly sufficient for a single reading, much less conducting a substantive analysis of the impact of a proposed rule that includes 80 definitions and utilizes 48 different acronyms. Without an extension of the deadline, many smaller employers may simply be unable to participate effectively in the public comment period.

<sup>1</sup> 89 Fed. Reg. 3118 (proposed Jan. 17, 2024)

<sup>2</sup> Codified at 29 U.S.C. 50

<sup>3</sup> 89 Fed. Reg. 3118 section V.A.4 (Subject-By-Subject Analysis)

Multiple industry associations have already submitted comments to the Department requesting an extension of the public comment period.<sup>4</sup> Further, during the Small Business Administration's Office of Advocacy virtual roundtable with Department officials held on February 16, 2024, numerous participants expressed concern with the insufficient amount of time to review the NPRM and requested additional time to comment.<sup>5</sup> I urge you to heed these requests and provide at least an additional 60 days for impacted stakeholders to comment on the Department's proposed rule.

Sincerely,

A handwritten signature in blue ink that reads "Virginia Foxx".

Virginia Foxx  
Chairwoman  
U.S. House Committee on Education and the Workforce

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<sup>4</sup> <https://www.regulations.gov/document/ETA-2023-0004-0001/comment>

<sup>5</sup> <https://advocacy.sba.gov/2024/02/06/small-business-roundtable-february-16-2024/>