



January 31, 2012

The Honorable Hilda L. Solis
Secretary
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

RE: Denial of Request to Extend the Comment Period for OFCCP's Proposed Rule Regarding Individuals with Disabilities; Disregard of Comments to OFCCP's Proposed Rule Regarding Veterans (RIN 1250-AA02)

Dear Secretary Solis:

The Associated General Contractors of America (AGC) would like to express concern and deep disappointment regarding the disregard of the comments submitted in response to the Office of

simplify the requirements for compliance. Several construction companies also submitted comments requesting the same due to the unique seasonal and often transitory nature of the construction industry. Yet, before the issuance of a final rule, OFCCP published another NPRM regarding individuals with disabilities, which is almost identical to the proposed requirements in the NPRM regarding Veterans. According to the most recent regulatory agenda, a final rule regarding the Veterans' NPRM is not expected until July 2012.

Furthermore, the NPRM regarding individuals with disabilities states throughout that OFCCP concludes that "no additional contractor burden exists" for compliance with most of the proposed requirements because OFCCP has "counted these hours in its NPRM revising regulations implementing the Vietnam Era Veterans' Readjustment Assistance Act." This conclusion is premature and demonstrates a lack of regard for the purposes of the public comment period. OFCCP appears to be relying on its own preliminary findings without consideration of the comments submitted on the impact that the proposed Veterans rule would have on the contractor community and without deference for the full regulatory process. AGC would like to believe that the OFCCP cares about contractor burdens and the regulatory process more than this.

Again, OFCCP published the NPRM regarding individuals with disabilities on December 9, 2011.



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