

**COUNCIL OF DEFENSE AND SPACE INDUSTRY ASSOCIATIONS**  
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**CODSIA Case – 2022-001**

July 20, 2022

Sent via the Federal eRulemaking Portal: [https:// www.regulations.gov](https://www.regulations.gov)

Amy DeBisschop, Director  
Division of Regulations, Legislation, and Interpretation  
Wage and Hour Division  
U.S. Department of Labor  
Room S– 3502  
200 Constitution Avenue NW  
Washington, DC 20210

Subject: Request 60-Day Extension for Public Comments on Nondisplacement of Qualified Workers Under Service Contracts - RIN 1235-AA42

Dear Ms. DeBisschop:

On behalf of the members of the Council of Defense and Space Industry Associations (CODSIA)<sup>1</sup>, I write to request that the Department of Labor provide an additional 60 days for public comment for the proposed rulemaking entitled “Nondisplacement of Qualified Workers Under Service Contracts,” RIN 1235-AA42 published in the Federal Register at 87 FR 42552 on Friday, July 15, 2022. The current date by which comments are due is August 15, 2022.

CODSIA views this rule as a major change in how companies will do business with the Federal government and, in order to achieve the President’s goals in EO 14055, requires diligent review. The 30-day comment period provided for this proposed rule is insufficient for our member associations, and their member companies small and large, to review the proposed rule, analyze its impact, gather feedback, and submit written

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<sup>1</sup> CODSIA was formed in 1964 by industry associations with common interests in federal procurement policy issues at the suggestion of the Department of Defense. CODSIA consists of eight associations – Aerospace Industries Association (AIA), American Council of Engineering Companies (ACEC), Associated General Contractors (AGC), Computing Technology Industry Association (CompTIA), Information Technology Industry Council (ITI), National Defense Industrial Association (NDIA), Professional Services Council (PSC), and U.S. Chamber of Commerce. CODSIA’s member associations represent thousands of small and large government contractors nationwide. The Council acts as an institutional focal point for coordination of its members’ positions regarding policies, regulations, directives, and procedures that affect them.

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comments. The rule appears to make significant changes. The challenge in preparing comments on this proposed rule is compounded by the proposed rule's broad impact on the marketplace.

In addition, this comment period is occurring during the last quarter of the federal fiscal year. The end of the federal fiscal year is often characterized by a surge in spending to avoid losing "use it or lose it" budgets. Studies of federal spending have shown that roughly a third of all federal contract dollars are awarded in the last quarter of the fiscal year, including one out of every nine dollars in the last week alone.<sup>2</sup> Thus, this busy contracting period makes it especially challenging to gather feedback from the affected federal contractors and agency personnel.

For these reasons, we respectfully request the Department of Labor provide an additional 60 days for public comments on "Nondisplacement of Qualified Workers Under Service Contracts" 87 FR 47552, RIN 1235-AA42 extending the comment due date until 15 October 2022.

If you have any questions or need any additional information, please contact me either by email: [codsia@codsia.org](mailto:codsia@codsia.org) or by phone: +1.703.927.1116.

On Behalf of CODSIA,

David A. Drabkin  
Administrator  
Council of Defense and Space Industry Associations  
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cc by email:  
Lesley Fields  
John Tenaglia  
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<sup>2</sup> Office of Management and Budget. *The Budget of the United States Government: Budget for America's Future*. February 2020.