

March 29, 2022

Jessica Looman
Acting Administrator
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Re: Request for Extension of Comment Period: Notice of Proposed Rulemaking;
Updating the Davis-Bacon and Related Acts Regulations

Dear Acting Administrator Looman:

The undersigned organizations join in this letter to respectfully request a 60-day extension to the written comment period for the notice of proposed rulemaking (NPRM) on updating the regulations that implement the Davis-Bacon and Related Acts that was published in the *Federal Register* on March 18, 2022.¹

Given that Davis-Bacon wage rates generally apply to HUD/FHA-financed multifamily housing and how important these projects are in supporting the new construction and substantial rehabilitation of workforce and affordable rental housing, it is imperative that the housing industry and interested stakeholders have ample time to analyze and provide meaningful feedback to the WHD.

Specifically, the undersigned organizations who both represent stakeholders in multifamily and affordable housing request an extension of the written comment period from 60 days to 120 days for the following reasons:

- The size and scope of the NPRM, particularly the complex changes to the wage survey requirements, and the fact that it's the first review of the Davis-Bacon wage rates in nearly 40 years warrants a longer comment period. It is critical that the industry has the time needed to review, gather, and draft thoughtful comments to assist the WHD in finalizing revisions that successfully modernize and increase the clarity of these regulations.
- The undersigned organizations represent many stakeholders who participate in federal multifamily housing programs that are subject to Davis-Bacon wage requirements. A significant amount of time is needed to meet, discuss, and collect feedback in order to make a meaningful and coordinated response to the NPRM.

For these reasons, we believe extending the comment deadline by an additional 60 days is necessary and appropriate. The NPRM will have a large impact on housing and is extremely important to our members. We thank you in advance for your consideration. If you have any questions, please contact Stephanie Milner at smilner@mba.org or 202-557-2747.

¹ 87 Fed. Reg. 15698.

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Sincerely,

Mortgage Bankers Association
National Multifamily Housing Council
Council for Affordable and Rural Housing
National Leased Housing Association
National Apartment Association
National Association of Housing Cooperatives
Manufactured Housing Institute
Multifamily Lenders Council

cc: David Borsos, NMHC