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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
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WASHINGTON, DC 20510-6300

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October 6, 2022

Delivered via Email

The Honorable Marty J. Walsh
Secretary
U.S. Department of Labor
200 Constitution Avenue
Washington, D.C. 20210

Dear Marty:

On September 26, 2022, the Department of Labor's (DOL) Employment and Training Administration (ETA) published a final rule to rescind the recognition of Industry-Recognized Apprenticeship Programs (IRAPs).¹ It makes no sense for the federal government to impede industry training workers with skills that are actually relevant to industry. Additionally, the complete abandonment of IRAPs in favor of only Registered Apprenticeships is detrimental to workers seeking training. I am disappointed DOL has taken away choices and limited high-quality training opportunities for American workers.

Registered apprenticeships have a long history of success in the construction industry and I'm glad to support them. However, that apprenticeship model alone does not meet the needs of today's dynamic and evolving economy. According to the American Action Forum, registered apprenticeships heavily focus on construction, public administration, manufacturing, transportation and warehousing, and utilities. However, the 10 most rapidly growing occupations are in the health care sector.² IRAPs made dramatic inroads into diverse industries that are the future of the American workforce, only to be abruptly halted based on DOL's faulty reasoning.

IRAPs are nimble, able to adapt to changing work practices, and match skills needed for modern industries. DOL recognition of IRAPs could also provide these programs access to benefits from the Workforce Investment Opportunity Act (WIOA).³ By eliminating IRAPs, DOL is creating an unnecessary obstacle for workers to have access to these additional high-quality training opportunities. While the final rule states those participating in the IRAP program can transition to a registered apprenticeship or seek recognition from state programs, this creates a bureaucratic obstacle that is patently unfair and unnecessary to the current IRAP providers and the workers participating in these programs.

¹ [Federal Register :: Apprenticeship Programs, Labor Standards for Registration](#)

² <https://www.americanactionforum.org/insight/industry-recognized-apprenticeship-programs-and-the-biden-administration/>

³ <https://www.apprenticeship.gov/help/are-wioa-services-covered-under-iraps>

Moreover, the Biden Administration's criticisms of the IRAP program includes a false narrative that safety and health protections, progressive wages, and equal employment opportunity are not inherent in an IRAP. None of these concerns are legitimate.

The Occupational Safety and Health Administration still exists and is able to inspect workplaces with alleged safety hazards. The Wage and Hour Division still exists to enforce the wage and hour laws to prevent substandard pay. And, many, if not all, companies offering IRAPs are federal contractors covered by the Office of Federal Contract Compliance focused on equal opportunity in the workforce. By removing the federal government's partnership with IRAPs, DOL's action only serves to undermine worker protections through the elimination of ETA's participation in these programs.

DOL's final rule further tries to justify the elimination of IRAPs by suggesting the program is redundant. Given that a majority of registered apprenticeships are within the construction industry and IRAPs are not, the issue of redundancy is a red herring. If your focus is on eliminating redundancy in your agency, I'd direct your attention to the Government Accountability Office (GAO) report identifying duplication in 41 of 47 federal job training programs they reviewed.⁴ Or perhaps you could respond to my numerous letters about whether your employers are even bothering to show up for work.

Please provide responses by October 13, 2022, to the following questions regarding the elimination of IRAPs. When responding, please include a response to each question below as I have asked them, rather than in a narrative format.

1. Will you reconsider your ill-advised decision to terminate a successful option for America's workers or will you plow full steam ahead in denying workers the freedom to choose advancement opportunities that help them pursue the American dream of a good job, a fair wage, and personal responsibility?
2. How do you countenance the interest and demand for alternative patterns of apprenticeship programs with your Administration's unrelenting hostility to new ideas of job training and workforce development?
3. If IRAPs don't compete in the same fields as traditional registered apprenticeships, why can't both models be allowed to thrive and succeed in helping American workers advance themselves?
4. What guidance will you provide current IRAPs accessing additional federal funds or programs now that the program has been rescinded?
5. Which of the duplicative training programs identified by GAO do you support consolidating or eliminating?
6. Has the Biden Administration proposed closing or consolidating any other federal training program?

Thank you for your attention to the matter.

Respectfully,



Richard Burr

⁴ <https://www.gao.gov/assets/gao-11-509t.pdf>