

January 31, 2023

April Tabor  
Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue NW  
Suite CC-5610 (Annex C)  
Washington, DC 20580

**Re: Notice of Proposed Rulemaking, Federal Trade Commission; Non-Compete Clause Rule; 88 Fed. Reg. 3482 (RIN: 3084-AB74) (January 19, 2023)**

Dear Ms. Tabor:

The 100 undersigned organizations request that the Federal Trade Commission (“FTC”) extend the comment period to the above-referenced notice of proposed rulemaking (“NPRM”) for an additional 60 days. The regulated community should be given sufficient time to assess the potential consequences of the rulemaking and develop insightful comments for the Commission to consider.

This rulemaking, as the FTC itself acknowledges, will impact a significant portion of the economy. Given the breadth of the rule, a sufficient comment period is needed to ensure the regulated community can fully assess its effects.

Moreover, there are significant legal questions that must be addressed by commenters. Among the issues raised by the FTC action is whether the Commission has the legal authority to issue such a rulemaking, the rule’s potential preemption of the numerous state laws and regulations on this issue, and how such preemption will alter the regulated community’s legal obligations.

Considering the potential impact of this proposal, the undersigned organizations urge the FTC to extend the comment period an additional 60 days. Doing so would ensure the regulated community can fully and confidently provide comprehensive comments to the Commission. Thank you for your consideration of this matter.

Sincerely,

ACA International  
Advanced Medical Technology Association  
The Alternative Investment Management Association  
American Bakers Association  
American Council of Engineering Companies  
American Financial Services Association  
American Hospital Association  
American Hotel and Lodging Association

American Investment Council  
American Staffing Association  
American Trucking Associations  
The Asset Management Group of the Securities Industry and Financial Markets Association  
Associated Builders and Contractors  
Associated Builders and Contractors Michigan  
Associated General Contractors of America  
Associated Industries of Vermont  
Association of Dental Support Organizations  
Association of National Advertisers  
Association of Washington Business  
Business & Industry Association of New Hampshire  
Business Roundtable  
Computer & Communications Industry Association  
Connecticut Business & Industry Association  
Consumer Brands Association  
Consumer Technology Association  
Council of Insurance Agents & Brokers  
Dayton Area Chamber of Commerce  
Delaware Manufacturing Association  
Delaware Retail Council  
Delaware State Chamber of Commerce  
Direct Selling Association  
Electronic Transactions Association  
Federation of American Hospitals  
FIA Principal Traders Group  
Florida Chamber of Commerce  
FMI - The Food Industry Association  
Greater North Dakota Chamber  
HR Policy Association  
Illinois Manufacturers' Association  
Independent Community Bankers of America  
Independent Electrical Contractors  
Independent Insurance Agents & Brokers of America  
Independent Lubricant Manufacturers Association  
International Franchise Association  
ITI - The Information Technology Industry Council  
Kansas Chamber and Kansas Manufacturing Council  
Lake State Railway Company  
Littler Mendelson Workplace Policy Institute  
Louisiana Association of Business and Industry  
Managed Funds Association  
MEMA, The Vehicle Suppliers Association  
Metals Service Center Institute  
Mississippi Manufacturers Association  
Mortgage Bankers Association

National Association of Benefits and Insurance Professionals  
National Association of Chemical Distributors  
National Association of Convenience Stores  
National Association of Insurance and Financial Advisors  
National Association of Manufacturers  
National Association of Mutual Insurance Companies  
National Association of Wholesaler-Distributors  
National Automobile Dealers Association  
National Council of Chain Restaurants  
National Federation of Independent Business  
National Lumber & Building Material Dealers Association  
National Mining Association  
National Newspaper Association  
National Pest Management Association  
National Propane Gas Association  
National Restaurant Association  
National Retail Federation  
National Roofing Contractors Association  
National Tooling and Machining Association  
National Waste & Recycling Association  
NATSO, Representing America's Travel Plazas and Truckstops  
Nebraska Chamber of Commerce & Industry  
NetChoice  
New Mexico Business Coalition  
North Carolina Chamber  
Oregon Business & Industry  
Pennsylvania Chamber of Business and Industry  
Pennsylvania Food Merchants Association  
Precision Machined Products Association  
Precision Metalforming Association  
Reinsurance Association of America  
Restaurant Law Center  
Retail Industry Leaders Association  
Rhode Island Manufacturers Association  
Securities Industry and Financial Markets Association  
Security Industry Association  
SIGMA: America's Leading Fuel Marketers  
Software & Information Industry Association  
South Carolina Chamber of Commerce  
Tennessee Chamber and Manufacturers Association  
U.S. Chamber of Commerce  
U.S. Tire Manufacturers Association  
West Virginia Manufacturers Association  
Wholesale & Specialty Insurance Association  
Window Covering Manufacturers Association  
Wisconsin Manufacturers & Commerce