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If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street, NE., Room 2E-508, Washington, DC 20530.

**Jerri Murray,**

*Department Clearance Officer, PRA, U.S. Department of Justice.*

[FR Doc. 2011-25485 Filed 10-3-11; 8:45 am]

**BILLING CODE 4410-AT-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

Notice is hereby given that on September 28, 2011, a proposed Consent Decree (the "Consent Decree") in *United States of America v. Trident Seafoods Corporation*, Civil Action No. 11-1616, was lodged with the United States District Court for the Western District of Washington. The case is a civil action under Section 309 of the Clean Water Act, 33 U.S.C. 1319 ("CWA"), for violations of CWA Section 301(a), 33 U.S.C. 1311(a), and violations of the permit conditions and limitations of the National Pollutant Discharge Elimination System ("NPDES") permits issued to Trident by the EPA under Section 402(a) of the CWA, 33 U.S.C. 1342(a). To resolve Trident's liability, the Consent Decree requires, and Trident has agreed to pay a civil penalty of \$2.5 million and to perform specified injunctive measures to reduce its discharge of seafood processing wastes and to address sea floor waste piles created by its discharges.

For thirty (30) days after the date of this publication, the Department of Justice will receive comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In either case, the comments should refer to *United States of America v. Trident Seafoods Corporation*, DJ. Ref. 90-5-1-1-2002/2.

During the comment period, the Consent Decree may be examined on the following Department of Justice website: [http://www.justice.gov/enrd/Consent\\_Decrees.html](http://www.justice.gov/enrd/Consent_Decrees.html). A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of

Justice, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$12.00 (25 cents per page reproduction cost) payable to the United States Treasury or, if by e-mail or fax, please forward a check in that amount to the Consent Decree Library at the stated address.

**Robert E. Maher, Jr.,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2011-25450 Filed 10-3-11; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF LABOR

### Notice of Initial Determination Revising the List of Products Requiring Federal Contractor Certification as to Forced/ Indentured Child Labor Pursuant to Executive Order 13126

**AGENCY:** Bureau of International Labor Affairs (ILAB), Department of Labor.

**ACTION:** Request for comments.

**SUMMARY:** This initial determination proposes to revise the list required by Executive Order No. 13126 ("Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor") in accordance with the Department of Labor's "Procedural Guidelines for the Maintenance of the List of Products Requiring Federal Contractor Certification as to Forced or Indentured Child Labor." Under the procurement regulations implementing this Executive Order, federal contractors who supply products on the list published by the Department of Labor must certify that they have made a good faith effort to determine whether forced or indentured child labor was used to produce the items listed. This notice proposes to add 3 new items to the list that the Department of Labor preliminarily believes might have been mined, produced or manufactured by forced or indentured child labor. The Department of Labor invites public comment on this initial determination. The Department will consider all public comments prior to publishing a final determination updating the list of products, made in consultation and cooperation with the Department of State and the Department of Homeland Security.

**DATES:** Information should be submitted to the Office of Child Labor, Forced

Labor and Human Trafficking (OCFT) via one of the methods described below by 5 p.m., December 3, 2011.

*To Submit Information, or For Further Information, Contact:* Information submitted to the Department should be submitted directly to OCFT, Bureau of International Labor Affairs, U.S. Department of Labor at (202) 693-4843 (this is not a toll free number). Comments, identified as "Docket No. DOL-2011-0006," may be submitted by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. The portal includes instructions for submitting comments. Parties submitting responses electronically are encouraged not to submit paper copies.
- *Facsimile (fax):* OCFT at 202-693-4830.
- *Mail, Express Delivery, Hand Delivery, and Messenger Service (2 copies):* Rachel Rigby/Charita Castro at U.S. Department of Labor, OCFT, Bureau of International Labor Affairs, 200 Constitution Avenue, NW., Room S-5317, Washington, DC 20210.
- *E-mail:* [EO13126@dol.gov](mailto:EO13126@dol.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Information Sought

The Department is requesting public comment on the revisions to the List proposed below, as well as any other issue related to the fair and effective implementation of Executive Order (EO) 13126. This notice is a general solicitation of comments from the public. All submitted comments will be made a part of the public record and will be available for inspection on <http://www.regulations.gov>.

In conducting research for this initial determination, the Department considered a wide variety of materials based on its own research or originating from other U.S. Government agencies, foreign governments, international organizations, non-governmental organizations (NGOs), U.S. Government-funded technical assistance and field research projects, academic research, independent research, media and other sources. The Department of State and U.S. embassies and consulates abroad also provide important information by gathering data from contacts, conducting site visits and reviewing local media sources. For this initial determination, the Department also sought additional information from the public through a call for information published in the **Federal Register** on April 25, 2011.

In developing the revised List, the Department's review focused on information concerning the use of forced or indentured child labor that

was available from the above sources. A lack of information does not, by itself, establish that forced or indentured child labor is *not* being used in a particular country or for a particular product. The Department's ability to gather relevant information is constrained by available resources and information about working conditions in some countries is difficult or impossible to obtain, for a variety of reasons. For example, some governments are unable or unwilling to cooperate with international efforts or with the efforts of NGOs to uncover and address labor exploitation such as forced or indentured child labor. Institutions or organizations that might uncover such information, such as independent news media, trade unions and NGOs may not exist or may not be able to operate freely.

As outlined in the Procedural Guidelines, several factors were weighed in determining whether or not a product should be placed on the revised list: The nature of the information describing the use of forced or indentured child labor; the source of the information; the date of the information; the extent of corroboration of the information by other sources; whether the information involved more than an isolated incident; and whether recent and credible efforts are being made to address forced or indentured child labor in a particular country or industry.

This notice constitutes the initial determination updating the EO 13126 list issued May 31, 2011.

Based on recent, credible and appropriately corroborated information from various sources, the Departments of Labor, State, and Homeland Security have preliminarily concluded that there is a reasonable basis to believe that the following products, identified by their countries of origin, might have been mined, produced, or manufactured by forced or indentured child labor:

Product	Country
Bricks .....	Afghanistan.
Cassiterite .....	Democratic Republic of the Congo.
Coltan .....	Democratic Republic of the Congo.

The Department invites public comment on whether these products (and/or other products, regardless of whether they are mentioned in this Notice) should be included or removed from the revised List of products requiring federal contractor certification as to the use of forced or indentured child labor. To the extent possible, comments provided should address the

criteria for inclusion of a product on the List contained in the Procedural Guidelines discussed above. The Department is also interested in public comments relating to whether products initially determined to be on the List are designated with appropriate specificity and whether alternative designations would better serve the purposes of EO 13126.

The documents and sources providing the preliminary basis for adding these goods and countries to the List are available on the Internet at <http://www.dol.gov/ILAB/regs/eo13126/main.htm>.

Following receipt and consideration of comments on the additions to the List set out above, the Department of Labor, in consultation and cooperation with the Departments of State and Homeland Security, will issue a final determination in the **Federal Register**. The Department of Labor intends to continue to revise the List periodically to add and/or delete products as warranted by the receipt of new and credible information.

## II. Background

On June 12, 1999 President Clinton signed EO 13126, which was published in the **Federal Register** on June 16, 1999 (64 FR 32383). EO 13126 declared that it was "the policy of the United States Government \* \* \* that the executive agencies shall take appropriate actions to enforce the laws prohibiting the manufacture or importation of goods, wares, articles, and merchandise mined, produced or manufactured wholly or in part by forced or indentured child labor." Pursuant to EO 13126, and following public notice and comment, the Department of Labor published in the January 18, 2001 **Federal Register** a list of products (the "List"), along with their respective countries of origin, that the Department, in consultation and cooperation with the Departments of State and Treasury (whose relevant responsibilities are now within the Department of Homeland Security), had a reasonable basis to believe might have been mined, produced or manufactured with forced or indentured child labor (66 FR 5353). The Department also published the "Procedural Guidelines for Maintenance of the List of Products Requiring Federal Contractor Certification as to Forced or Indentured Child Labor" (Procedural Guidelines) on January 18, 2001, which provide procedures for the maintenance, review and, as appropriate, revision of the List (66 FR 5351).

The Procedural Guidelines provide that the List may be updated through consideration of submissions by

individuals and on the Department's own initiative. When proposing to update the List, the Department of Labor must publish in the **Federal Register** a notice of initial determination, which includes any proposed alteration to the List. The Department will consider all public comments prior to the publication of a final determination of an updated list, which is made in consultation and cooperation with the Departments of State and Homeland Security.

On January 18, 2001, pursuant to Section 3 of the EO 13126, the Federal Acquisition Regulatory Council published a final rule to implement specific provisions of EO 13126 that requires, among other things, that federal contractors who supply products that appear on the List certify to the contracting officer that the contractor, or, in the case of an incorporated contractor, a responsible official of the contractor, has made a good faith effort to determine whether forced or indentured child labor was used to mine, produce or manufacture any product furnished under the contract and that, on the basis of those efforts, the contractor is unaware of any such use of child labor. See 48 CFR Subpart 22.15.

On September 11, 2009, the Department of Labor published an initial determination in the **Federal Register** proposing to update the List to include 29 products from 21 countries. The Notice requested public comments for a period of 90 days. Public comments were received and reviewed by all relevant agencies and a final determination was issued on July 20, 2010 that included all products proposed in the initial determination except for carpets from India. Carpets from India were excluded from the final determination based on public comments that provided sufficient information on a reduction of forced child labor in this sector to warrant further consideration before placing carpets on the List. 75 FR 42164.

On December 16, 2010, The Department of Labor published an initial determination in the **Federal Register** proposing to update the List to add one product to the List and remove one product from the List. The Notice requested public comments for a period of 60 days. Public comments were received and reviewed by all relevant agencies, and a final determination was issued on May 31, 2011 that included all revisions proposed in the initial determination. 76 FR 31365.

The current List and the Procedural Guidelines can be accessed on the Internet at <http://www.dol.gov/ILAB/>

[regs/eo13126/main.htm](http://regs/eo13126/main.htm) or can be obtained from: OCFT, Bureau of International Labor Affairs, Room S-5317, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; *telephone*: (202) 693-4843; *fax* (202) 693-4830.

### III. Definitions

Under Section 6(c) of EO 13126: "Forced or indentured child labor" means all work or service—

(1) exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; or

(2) performed by any person under the age of 18 pursuant to a contract the enforcement of which can be accomplished by process or penalties.

Signed at Washington, DC, this 19th day of September, 2011.

**Carol Pier,**

*Associate Deputy Undersecretary, Bureau of International Labor Affairs.*

[FR Doc. 2011-24622 Filed 10-3-11; 8:45 am]

**BILLING CODE 4510-28-P**

## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Data Users Advisory Committee; Notice of Meeting and Agenda

The Bureau of Labor Statistics Data Users Advisory Committee will meet on Tuesday, October 25, 2011. The meeting will be held in the Postal Square Building, 2 Massachusetts Avenue, NE., Washington, DC.

The Committee provides advice to the Bureau of Labor Statistics from the point of view of data users from various sectors of the U.S. economy, including the labor, business, research, academic, and government communities, on technical matters related to the collection, analysis, dissemination, and use of the Bureau's statistics, on its published reports, and on the broader aspects of its overall mission and function.

The meeting will be held in Meeting Rooms 1, 2, and 3 of the Postal Square Building Conference Center. The schedule and agenda for the meeting are as follows:

- 8:30 a.m. Registration.
- 8:45 a.m. Introductions and Welcome.
- 9 a.m. Commissioner's Introduction.
- 9:45 a.m. Follow-up from Past Recommendations.
- 10:45 a.m. Discuss initiative, Current Employment Statistics data by size class.

1 p.m. Discuss initiative, Competitiveness measures in the International Price Program.

2 p.m. Request for DUAC suggestions for improving Data Access/Query Tools and Output Formats on the BLS Web site.

3 p.m. Discuss initiative, Consolidating BLS Publications.

4 p.m. Request for DUAC suggestions for reaching targeted industries with low data collection response rates.

5 p.m. Wrap-up.

The meeting is open to the public. Any questions concerning the meeting should be directed to Kathy Mele, Data Users Advisory Committee, on 202-691-6102. Individuals who require special accommodations should contact Ms. Mele at least two days prior to the meeting date.

**Kimberley D. Hill,**

*Chief, Division of Management Systems, Bureau of Labor Statistics.*

[FR Doc. 2011-25402 Filed 10-3-11; 8:45 am]

**BILLING CODE 4510-24-P**

## MILLENNIUM CHALLENGE CORPORATION

[MCC FR 11-10]

#### Report on the Criteria and Methodology for Determining the Eligibility of Candidate Countries for Millennium Challenge Account Assistance in Fiscal Year 2011

**AGENCY:** Millennium Challenge Corporation.

**ACTION:** Notice.

**SUMMARY:** This report to Congress is provided in accordance with Section 608(b) of the Millennium Challenge Act of 2003, as amended, 22 U.S.C. 7707(b) (the "Act").

Dated: September 29, 2011.

**Melvin F. Williams, Jr.,**

*VP/General Counsel and Corporate Secretary, Millennium Challenge Corporation.*

#### Report on the Criteria and Methodology for Determining the Eligibility of Candidate Countries for Millennium Challenge Account Assistance in Fiscal Year 2012

##### Summary

This report to Congress is provided in accordance with section 608(b) of the Millennium Challenge Act of 2003, as amended, 22 U.S.C. 7707(b) (the "Act").

The Act authorizes the provision of Millennium Challenge Account ("MCA") assistance to countries that enter into a Millennium Challenge Compact with the United States to

support policies and programs that advance the prospects of such countries achieving lasting economic growth and poverty reduction. The Act requires the Millennium Challenge Corporation ("MCC") to take a number of steps in determining what countries will be selected as eligible for MCA compact assistance for fiscal year 2012 ("FY12") based on the countries' demonstrated commitment to just and democratic governance, economic freedom, and investing in their people, as well as MCC's opportunity to reduce poverty and generate economic growth in the country. These steps include the submission of reports to the congressional committees specified in the Act and publication of notices in the Federal Register that identify:

The countries that are "candidate countries" for MCA assistance for FY12 based on their per-capita income levels and their eligibility to receive assistance under U.S. law. This report also identifies countries that would be candidate countries but for specified legal prohibitions on assistance (section 608(a) of the Act; 22 U.S.C. § 7707(a));

The criteria and methodology that MCC's Board of Directors ("the Board") will use to measure and evaluate the policy performance of the candidate countries consistent with the requirements of section 607 of the Act (22 U.S.C. 7706) in order to determine "MCA eligible countries" from among the "candidate countries" (section 608(b) of the Act); and

The list of countries determined by the Board to be "MCA eligible countries" for FY12, with justification for eligibility determination and selection for compact negotiation, including which of the MCA eligible countries the Board will seek to enter into MCA compacts (section 608(d) of the Act).

This report sets out the criteria and methodology to be applied in determining eligibility for FY12 MCA assistance.

##### Criteria and Methodology for FY12

The Board will base its selection of eligible countries on several factors including the country's overall performance in three broad policy categories—Ruling Justly, Encouraging Economic Freedom, and Investing in People; MCC's opportunity to reduce poverty and generate economic growth in a country; and the availability of funds to MCC.

Section 607 of the Act requires that the Board's determination of eligibility be based "to the maximum extent possible, upon objective and quantifiable indicators of a country's