

Act on September 10, 2013 (78 FR 55296).

**Patricia A. Brink,**

*Director of Civil Enforcement, Antitrust Division.*

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## DEPARTMENT OF LABOR

### Child Labor, Forced Labor, and Forced or Indentured Child Labor in the Production of Goods in Foreign Countries and Efforts by Certain Countries To Eliminate the Worst Forms of Child Labor

**AGENCY:** The Bureau of International Labor Affairs, United States Department of Labor.

**ACTION:** Notice: Request for information and invitation to comment.

**SUMMARY:** This notice is a request for information and/or comment on reports issued by the Bureau of International Labor Affairs (ILAB) September 30, 2013, regarding child labor and forced labor in foreign countries. Relevant information will be used by the Department of Labor (DOL) in preparation of its ongoing reporting under Congressional mandates and Presidential directive. In addition, ILAB will use relevant information to conduct assessments of each country's individual advancement toward eliminating the worst forms of child labor during the current reporting period compared to previous years.

**DATES:** Submitters of information are requested to provide their submission to the Office of Child Labor, Forced Labor and Human Trafficking (OCFT) at the email or physical address below by 5 p.m. January 15, 2014.

*To Submit Information:* Information submitted to DOL 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-2013-0003" 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 (1 copy):* Tina McCarter and Randall Hicks at U.S. Department of Labor, OCFT, Bureau of

International Labor Affairs, 200 Constitution Avenue NW., Room S-5317, Washington, DC 20210.

*Email:* Email submissions should be addressed to both Tina McCarter ([McCarter.Tina@dol.gov](mailto:McCarter.Tina@dol.gov)) and Randall Hicks ([Hicks.Randall.G@dol.gov](mailto:Hicks.Randall.G@dol.gov)).

**FOR FURTHER INFORMATION CONTACT:** Tina McCarter and Randall Hicks (see contact information above).

#### SUPPLEMENTARY INFORMATION:

I. Section 105(b)(1) of the Trafficking Victims Protection Reauthorization Act of 2005 ("TVPRA of 2005"), Public Law 109-164 (2006), directed the Secretary of Labor, acting through ILAB, to "develop and make available to the public a list of goods from countries that the Bureau of International Labor Affairs has reason to believe are produced by forced labor or child labor in violation of international standards" (TVPRA List).

Pursuant to this mandate, in December 2007 DOL published in the **Federal Register** a set of procedural guidelines that ILAB follows in developing the TVPRA List (72 FR 73374). The guidelines set forth the criteria by which information is evaluated; established procedures for public submission of information to be considered by ILAB; and identified the process ILAB follows in maintaining and updating the List after its initial publication.

ILAB published its first TVPRA List on September 30, 2009, and has issued updates in 2010, 2011, 2012, and 2013. This List is updated periodically as additional countries and territories are researched and new information for countries and territories already reviewed is evaluated. For a copy of the 2013 TVPRA List, Frequently Asked Questions, and other materials relating to the TVPRA List, see ILAB's TVPRA Web page at <http://www.dol.gov/ILAB/programs/ocft/tvpra.htm>.

II. Executive Order No. 13126 (E.O. 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 E.O. 13126, and following public notice and comment, the Department of Labor published in the January 18, 2001, **Federal Register**, a final list of products ("E.O. List"), identified by country of origin, that the Department, in consultation and cooperation with the Departments of State (DOS) and Treasury [relevant

responsibilities now within the Department of Homeland Security (DHS)], had a reasonable basis to believe might have been mined, produced or manufactured with forced or indentured child labor (66 FR 5353). In addition to the List, the Department also published on January 18, 2001, "Procedural Guidelines for Maintenance of the List of Products Requiring Federal Contractor Certification as to Forced or Indentured Child Labor," which provide for maintaining, reviewing, and, as appropriate, revising the EO List (66 FR 5351).

Pursuant to Sections D through G of the Procedural Guidelines, the EO List may be updated through consideration of submissions by individuals or through OCFT's own initiative.

DOL has officially revised the EO List four times, most recently on July 23, 2013, each time after public notice and comment as well as consultation with DOS and DHS.

The current EO List, Procedural Guidelines, and related information can be accessed on the Internet at <http://www.dol.gov/ILAB/regs/eo13126/main.htm>.

III. The Trade and Development Act of 2000 (TDA), Public Law 106-200 (2002), established a new eligibility criterion for receipt of trade benefits under the Generalized System of Preferences (GSP), Caribbean Basin Trade and Partnership Act (CBTPA), and Africa Growth and Opportunity Act (AGOA). The TDA amends the GSP reporting requirements of Section 504 of the Trade Act of 1974, 19 U.S.C. 2464, to require that the President's annual report on the status of internationally recognized worker rights include "findings by the Secretary of Labor with respect to the beneficiary country's implementation of its international commitments to eliminate the worst forms of child labor." Title II of the TDA and the TDA Conference Report, Joint Explanatory Statement of the Committee of Conference, 106th Cong. 2d. Sess. (2000), indicate that the same criterion applies for the receipt of benefits under CBTPA and AGOA, respectively.

In addition, the Andean Trade Preference Act, as amended and expanded by the Andean Trade Promotion and Drug Eradication Act, Public Law 107-210, Title XXXI (2002), includes as a criterion for receiving benefits "[w]hether the country has implemented its commitments to eliminate the worst forms of child labor as defined in section 507(6) of the Trade Act of 1974." DOL fulfills these reporting mandates through annual publication of the U.S. Department of Labor's Findings on the Worst Forms of

Child Labor with respect to countries eligible for the aforementioned programs. The 2012 report and additional background information are available on the Internet at <http://www.dol.gov/ILAB/programs/ocft/tda.htm>.

Information Requested and Invitation to Comment: Interested parties are invited to comment and provide information regarding DOL's 2012 TDA Report; the 2013 TVPRA List; and the current E.O. 13126 List, all of which may be found on the Internet at <http://www.dol.gov/ilab/programs/ocft/research.htm> or obtained from OCFT. DOL requests comments or information to update the findings and suggestions for government action for countries reviewed in the TDA Report, as well as to assess each country's individual advancement toward eliminating the worst forms of child labor during the current reporting period compared to previous years. For more information on the types of issues covered in the TDA Report, please see Appendix II of the report. In addition, DOL especially appreciates information on the nature and extent of child labor, forced labor, and forced or indentured child labor in the production of goods in foreign countries as well as information on government, industry, or third-party actions to address these issues for countries reviewed for the E.O. and TVPRA lists. Materials submitted should be confined to the specific topics of these reports. DOL will generally consider sources with dates up to five years old (i.e., data not older than January 1, 2008). DOL appreciates the extent to which submissions clearly indicate the time period to which they apply. In the interest of transparency, classified information will not be accepted. Where applicable, information submitted should indicate its source or sources, and copies of the source material should be provided. If primary sources are utilized, such as research studies, interviews, direct observations, or other sources of quantitative or qualitative data, details on the research or data-gathering methodology should be provided. Please see the 2012 TDA Report, 2013 TVPRA List, and E.O. List for a complete explanation of relevant terms, definitions, and reporting guidelines employed by DOL.

This notice is a general solicitation of comments from the public.

Signed at Washington, DC, this 21st day of November 2013.

**Carol Pier,**

*Acting Deputy Undersecretary for International Affairs.*

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**BILLING CODE 4510-28-P**

## DEPARTMENT OF LABOR

### Wage and Hour Division

[OMB Control No.: 1235-0015]

#### Proposed Revision and Extension of the Approval of Information Collection Requirements

**AGENCY:** Wage and Hour Division, Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95). 44 U.S.C. 3506(c)(2)(A). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Wage and Hour Division is soliciting comments concerning its proposal to revise and extend Office of Management and Budget (OMB) approval of the Information Collection: Report of Construction Contractor's Wage Rates. A copy of the proposed information collection request can be obtained by contacting the office listed below in the **FOR FURTHER INFORMATION CONTACT** section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before February 3, 2014.

**ADDRESSES:** You may submit comments identified by Control Number 1235-0015, by either one of the following methods:

*Email: WHDPRAComments@dol.gov; Mail, Hand Delivery, Courier:* Regulatory Analysis Branch, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW., Washington, DC 20210.

*Instructions:* Please submit one copy of your comments by only one method. All submissions received must include

the agency name and Control Number identified above for this information collection. Because we continue to experience delays in receiving mail in the Washington, DC area, commenters are strongly encouraged to transmit their comments electronically via email or to submit them by mail early. Comments, including any personal information provided, become a matter of public record. They will also be summarized and/or included in the request for OMB approval of the information collection request.

#### FOR FURTHER INFORMATION CONTACT:

Mary Ziegler, Director, Division of Regulations, Legislation, and Interpretations, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693-0406 (this is not a toll-free number). Copies of this notice must be obtained in alternative formats (Large Print, Braille, Audio Tape or Disc), upon request, by calling (202) 693-0023 (not a toll-free number). TTY/TDD callers may dial toll-free (877) 889-5627 to obtain information or request materials in alternative formats.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Davis-Bacon Act (40 U.S.C. 3141, *et seq.*) provides, in part, that every contract in excess of \$2,000 to which the United States or the District of Columbia is a party for construction, alteration, and/or repair, which requires or involves the employment of mechanics and/or laborers, shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics that were determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village or other civil subdivision of the State where the work is to be performed. The Administrator of the Wage and Hour Division, through a delegation of authority, is responsible for issuing these wage determinations (WDs). Section 1.3 of Regulations 29 CFR Part 1, Procedures for Predetermination of Wage Rates, provides, in part, that for the purpose of making WDs, the Administrator will conduct a continuing program for obtaining and compiling wage rate information. Form WD-10 is used to determine locally prevailing wages under the Davis-Bacon and Related Acts. The wage data collection is a primary source of information and is essential to the determination of prevailing wages. This information