

**ACTION:** Request for public comments.

**SUMMARY:** This notice is a request for public comments to assist the Secretary of Labor, the United States Trade Representative, and the Secretary of State in preparing reports regarding labor rights in the five member countries of the Central American Economic Integrations System (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and describing the extent to which they have in effect laws governing exploitative child labor. The Trade Act of 2002 requires reports on these issues and others when the President intends to use trade promotion authority procedures in connection with legislation approving and implementing a trade agreement. On October 1, 2002, in accordance with section 2104(a)(1) of the Trade Act of 2002, the United States Trade Representative (USTR) notified the Congress of the President's intent to enter into trade negotiations with these five countries of Central America. The interagency Trade Policy Staff Committee (TPSC) invited the public to provide written comments and/or oral testimony at a public hearing conducted on November 19, 2002 to assist USTR in formulating positions and proposals with respect to all aspects of the negotiations (67 FR 63187) (Oct. 10, 2002). The first round of the U.S.—Central America FTA negotiations took place January 27–31 in Costa Rica, a the second round took place February 24–28 in Cincinnati, Ohio, and a third round took place March 31–April 4 in El Salvador. A fourth round is scheduled for May 12th in Guatemala, and negotiations are expected to be completed by the end of 2003. Any agreement resulting from these negotiations will be subject to trade promotion authority procedures. The President assigned the functions of preparing reports regarding labor rights and the existence of laws governing exploitative child labor to the Secretary of Labor, in consultation with the Secretary of State and the United States Trade Representative. The Secretary of Labor further assigned these functions to the Secretary of State and the United States Trade Representative.

**DATES:** Public comments should be received no later than 5 p.m. June 5, 2003.

**ADDRESSES:** Persons submitting comments are strongly advised to make such submissions by electronic mail to the following address: [FRFTACAF@dol.gov](mailto:FRFTACAF@dol.gov). Submissions by facsimile may be sent to: Betsy White at the Office of International Economic

Affairs, Bureau of International Labor Affairs (202) 693–4851.

**FOR FURTHER INFORMATION CONTACT:** For procedural questions regarding the submissions, please contact Betsy White, Office of International Economic Affairs, Bureau of International Labor Affairs, at (202) 693–4919, facsimile (202) 693–4851. These are not toll-free numbers. Substantive questions concerning the labor rights report and/or the report on Central America's laws governing exploitative child labor should be addressed to Jorge Perez-Lopez, Office of International Economic Affairs, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, telephone (202) 693–4883.

**SUPPLEMENTARY INFORMATION:****I. Background**

The Trade Act of 2002 (Pub. L. 107–210) (the Trade Act) sets forth special procedures (Trade Promotion Authority) for approval and implementation of Agreements subject to meeting conditions and requirements in the Act. Division B of the Trade Act, entitled the Bipartisan Trade Promotion Authority Act of 2002. The Trade Act includes negotiating objectives and a listing of priorities for the President to promote in order to “address and maintain United States competitiveness in the global economy” in pursuing future trade agreements. 19 U.S.C. 3802(a)–(c). The President delegated several of the functions in section 3802(c) to the Secretary of Labor. (E.O. 13277). These include the functions set forth in section 2102(c)(8), which requires that the President “in connection with any trade negotiations entered into under this Act, submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a meaningful labor rights report of the country, or countries, with respect to which the President is negotiating” and the function in section 2102(c)(9), which requires that the President “with respect to any trade agreement which the President seeks to implement under trade authorities procedures, submit to the Congress a report describing the extent to which the country or countries that are parties to the agreement have in effect laws governing exploitative child labor.” The notification letters to the Congress regarding the President's intent to enter into trade negotiations with Central America can be found on the USTR Web site at <http://www.ustr.gov/releases/2002/2002-10-01-centralamerica-house.PDF> and <http://www.ustr.gov/>

[releases/2002/2002-10-01-centralamerica-senate.PDF](http://www.ustr.gov/releases/2002/2002-10-01-centralamerica-senate.PDF).

**II. Information Sought**

Interested parties are invited to submit written information as specified below to be taken into account in drafting the required reports. Materials submitted should be confined to the specific topics of the reports. In particular, agencies are seeking written submissions on the following topics:

1. Labor laws, including laws governing exploitative child labor, of the five Central American countries that are participating in the negotiations and each country's implementation and enforcement of its labor laws and regulations;
  2. The situation in these five countries of Central America with respect to core labor standards;
  3. Steps taken by the five countries to comply with International Labor Organization Convention 182 on the worst forms of child labor; and
  4. The nature and extent, if any, of exploitative child labor in each of these five countries of Central America.
- Section 2113(6) of the Trade Act defines “core labor standards” as:
- (A) The right of association;
  - (B) The right to organize and bargain collectively;
  - (C) A prohibition on the use of any form of forced or compulsory labor;
  - (D) A minimum age for the employment of children; and
  - (E) Acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

**III. Requirements for Submissions**

This document is a request for facts or opinions submitted in response to a general solicitation of comments from the public. To ensure prompt and full consideration of submissions, we strongly recommend that interested persons submit comments by electronic mail to the following e-mail address: [FRFTACAF@dol.gov](mailto:FRFTACAF@dol.gov). Persons making submissions by e-mail should use the following subject line: “Central America: Labor Rights and Child Labor Reports.” Documents should be submitted in WordPerfect, MSWord, or text (.TXT) format. Supporting documentation submitted as spreadsheets is acceptable in Quattro Pro or Excel format. Persons who make submissions by e-mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similarly, to the extent possible, any attachments to the submission should be included in the