

for possible future revisions of the EO List.

The commenter also requested that Indian garments be removed from the EO List because a survey by the Government of India's National Sample Survey Organization found a significant reduction in child labor in India in recent years. While this survey appears to show an overall reduction in child labor in India, it does not address whether there has been a corresponding reduction in forced or indentured child labor, which is the subject of the EO List. Likewise, the survey does not address whether the generalized reduction has had an impact on child labor in the garment industry, or whether the reduction is primarily in other sectors.

This commenter argued that any use of forced child labor in garments produced for the Indian market, rather than for export, should not be considered for purposes of the EO List. The commenter pointed to third-party certification programs as evidence that forced child labor does not exist in export-oriented garment factories, and claimed that the sources used to place garments on the EO List are "not applicable" to the export side of the industry. EO 13126 requires that goods are placed on the EO List if there is a reasonable basis to believe that forced child labor might have been used in the industry and country in question. Whether such labor is occurring in production of goods destined for export or domestic markets is not taken into consideration. Governments and other stakeholders have a responsibility to address forced child labor wherever it occurs.

The commenter asserted that Indian garments were placed on the EO List because yarn produced in the garment supply chain may have been made with forced or indentured child labor. This comment appears to misunderstand the sources in the bibliography. Every source for Indian garments discusses the use of forced or indentured child labor in the production of garments, and inclusion of Indian garments on the EO List was not based on activity in the supply chain.

The commenter argued that the instances of forced child labor identified in the sources are not representative of the garment industry in India as a whole. In conducting research on forced child labor in the production of goods, DOL, DOS and DHS consider whether the available information suggests that the forced or indentured child labor documented is more than an isolated incident. In the case of Indian garments, the sources document the practice of

forced child labor occurring in various locations. Corroborated sources point to a proliferation of home-based work and small, un-registered production units that perform outsourced work such as printing and dyeing, where child labor is prevalent. Many of these children are migrants working to repay advances given to their parents, an indicator of forced labor. Many of these children work long hours under poor conditions, are subject to verbal and physical abuse, and their freedom of movement is severely restricted—another indicator of forced labor. These sources are corroborated by other credible sources, giving the three agencies a reasonable basis to believe that the use of forced child labor in the garment industry is more than isolated.

The commenter expressed the view that some of the sources are unreliable. In placing garments from India on the EO List, DOL, DOS and DHS relied upon sources whose methodologies, prior publications, degree of familiarity and experience with international labor standards, and/or reputation for accuracy and objectivity were found to be relevant and probative. Individual sources are corroborated by other evidence in the bibliography and should not be viewed in isolation. Taken as a whole, the bibliography which includes studies conducted by Verite, Inc., the Fair Labor Association, and the University of Manchester Chronic Poverty Research Centre, is sufficient to provide the three agencies a reasonable basis to believe that forced child labor might be used in the production of Indian garments.

Finally, the commenter noted that it did not have access to two of the sources cited for Indian garments, namely interviews with certain key informants. DOL will provide copies of those interviews to the commenter following the publication of this final notice. All of DOL's sources are publicly available from DOL upon request and/or from the original author.

Signed at Washington, DC, this 15th day of July, 2013.

**Carol Pier,**

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

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**BILLING CODE 4510-28-P**

## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Proposed Collection, Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance 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. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed revision of the Annual Refiling Survey (ARS). A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office listed in the Addresses section of this notice on or before September 23, 2013.

**ADDRESSES:** Send comments to Carol Rowan, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 4080, 2 Massachusetts Avenue NE., Washington, DC 20212. Written comments also may be transmitted by fax to 202-691-5111 (this is not a toll free number).

**FOR FURTHER INFORMATION CONTACT:** Carol Rowan, BLS Clearance Officer, 202-691-7628 (this is not a toll free number). (See Addresses section.)

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The Quarterly Census of Employment and Wages (QCEW) program is a Federal/State cooperative effort which compiles monthly employment data, quarterly wages data, and business identification information from employers subject to State Unemployment Insurance (UI) laws. These data are collected from State Quarterly Contribution Reports (QCRs) submitted to State Workforce Agencies (SWAs). The States send micro-level employment and wages data, supplemented with the names,

addresses, and business identification information of these employers, to the BLS. The State micro-level data files are used to create the BLS sampling frame, known as the longitudinal QCEW data.

To ensure the continued accuracy of these data, the information supplied by employers must be periodically verified and updated. For this purpose, the Annual Refiling Survey (ARS) is used in conjunction with the UI tax reporting system in each State. The information collected on the ARS is used to review the existing industry code assigned to each establishment as well as the physical location of the business establishment. As a result, changes in the industrial and geographical compositions of our economy are captured in a timely manner and reflected in the BLS statistical programs.

The ARS also asks employers to identify new locations in the State. If these employers meet QCEW program reporting criteria, then a Multiple Worksite Report (MWR) is sent to the employer requesting employment and wages for each worksite each quarter. Thus, the ARS is also used to identify new potential MWR-eligible employers.

**II. Current Action**

Office of Management and Budget clearance is being sought for a revision of the ARS. While the primary purpose of the ARS is to verify or to correct the North American Industry Classification System (NAICS) code assigned to establishments, there are other important purposes of the ARS. The ARS seeks accurate mailing and physical location addresses of establishments as well as geographical codes such as county and township (independent city, parish, or island in some States). The BLS and the Census Bureau signed a Memorandum of Understanding in 2012 to share selected business data on multi-location companies. Both the BLS and the Census Bureau compile and maintain censuses of business establishments in the United States that contain economic and administrative data for nearly all businesses in the United States. A key

aspect of data quality is that businesses include accurate NAICS and geographic categorizations. Both agencies have reviewed each other's business lists and have identified information that can improve the quality and comparability of these data. Specifically, information from the ARS will be used to verify NAICS codes independently and to provide these to the Census Bureau to improve data quality and reduce costs and respondent burden through increased data sharing.

Once every three years, the SWAs survey employers that are covered by the State's UI laws to ensure that State records correctly reflect the business activities and locations of those employers. The QCEW program sends an ARS form to approximately one-third of businesses each year, surveying the entire universe of covered businesses over a three-year cycle. The selection criterion for surveying establishments is based on the nine-digit Federal Employer Identification Number of the respondent.

The ARS remains largely a mail survey, although steps have been taken to reduce the amount of paperwork involved in responding to the survey. For example, BLS staff review selected, large multi-worksite national employers rather than surveying these employers with traditional ARS forms. This central review reduces postage costs incurred in sending ARS forms. It also reduces respondent burden, as the selected employers do not have to submit ARS forms.

Single-worksite employers have been identified as potential users of the BLS Touchtone Response System (TRS). Employers can use the TRS if they meet certain conditions and there are no changes to specific data elements based upon the employer's review. The TRS reduces respondent burden because it is quick, free, and convenient. It also allows respondents to help BLS reduce survey costs because they do not return the form in the business reply envelope provided. All States are using the TRS in conducting the ARS.

Building on the success of the TRS, the BLS added online reporting options for the ARS. Respondents have the option to provide their information via a secure Web site. Respondents are still able to mail their returns if they so desire or they can use the TRS if eligible and if they have no changes to report.

Finally, BLS continues to use a private contractor to handle various administrative aspects of the survey to reduce the costs associated with the ARS. This initiative is called the Contracted Annual Refiling Survey (CARS). Under CARS, BLS effectively utilizes the commercial advantages related to printing, stuffing, and mailing large volumes of survey forms.

**III. Desired Focus of Comments**

The Bureau of Labor Statistics is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

*Type of Review:* Revision of a currently approved collection.

*Agency:* Bureau of Labor Statistics.

*Title:* Annual Refiling Survey (ARS).

*OMB Number:* 1220-0032.

*Affected Public:* Business or other for-profit institutions, not-for-profit institutions, and farms.

*Frequency:* Annually.

Form number	Total respondents	Frequency	Total responses	Average time per response	Total burden (hours)
BLS 3023-(NVS) .....	1,407,614	Once .....	1,407,614	5 minutes .....	117,301
BLS 3023-(NVM) .....	39,483	Once .....	39,483	15 minutes .....	9,871
BLS 3023-(NCA) .....	158,818	Once .....	158,818	10 minutes .....	26,470
Totals: .....	1,605,915	.....	1,605,915	.....	153,642

*Total Burden Cost (Capital/Startup):* \$0.

*Total Burden Cost (Operating/Maintenance):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of

Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed at Washington, DC, this 17th day of July, 2013.

**Kimberley Hill,**

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

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**BILLING CODE 4510-24-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2013-0006]

#### Advisory Committee on Construction Safety and Health (ACCSH)

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Announcement of a meeting of ACCSH.

**SUMMARY:** ACCSH will meet August 22-23, 2013, in Washington, DC.

**DATES:**

*ACCSH meeting:* ACCSH will meet from 10:00 a.m. to 1:00 p.m., E.T., Thursday, August 22, 2013, and Friday, August 23, 2013.

*Written comments, requests to speak, speaker presentations, and requests for special accommodation:* You must submit (postmark, send, transmit) comments, requests to address the ACCSH meeting, speaker presentations (written or electronic), and requests for special accommodations for the ACCSH meeting by August 15, 2013.

**ADDRESSES:** *ACCSH meeting:* ACCSH will meet in Room C-5515, 1A-B, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

*Submission of comments, requests to speak, and speaker presentations:* You may submit comments, requests to speak at the ACCSH meeting, and speaker presentations using one of the following methods:

*Electronically:* You may submit materials, including attachments, electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the on-line instructions for submissions.

*Facsimile (Fax):* If your submission, including attachments, does not exceed 10 pages, you may fax it to the OSHA Docket Office at (202) 693-1648.

*Regular mail, express mail, hand delivery, or messenger (courier) service:* You may submit your materials to the OSHA Docket Office, Docket No. OSHA-2013-0006, Room N-2625, U.S. Department of Labor, 200 Constitution

Avenue NW., Washington, DC 20210; telephone (202) 693-2350 (TTY (877) 889-5627). OSHA's Docket Office accepts deliveries (hand deliveries, express mail, and messenger service) during normal business hours, 8:15 a.m.-4:45 p.m., E.T., weekdays.

*Requests for special accommodations:* Please submit your request for special accommodations to attend the ACCSH meeting to Ms. Frances Owens, OSHA, Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-1999; email [owens.frances@dol.gov](mailto:owens.frances@dol.gov).

*Instructions:* Your submissions must include the agency name and docket number for this **Federal Register** notice (Docket No. OSHA-2013-0006). Due to security-related procedures, submissions by regular mail may experience significant delays. Please contact the OSHA Docket Office for information about security procedures for making submissions. For additional information on submitting comments, requests to speak, and speaker presentations, see the **SUPPLEMENTARY INFORMATION** section of this notice.

OSHA will post comments, requests to speak, and speaker presentations, including any personal information you provide, without change, at <http://www.regulations.gov>. Therefore, OSHA cautions you about submitting personal information such as Social Security numbers and birthdates.

**FOR FURTHER INFORMATION CONTACT:**

*For press inquiries:* Mr. Frank Meilinger, Director, OSHA Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-1999; email [meilinger.francis@dol.gov](mailto:meilinger.francis@dol.gov).

*For general information about ACCSH and ACCSH meetings:* Mr. Damon Bonneau, OSHA, Directorate of Construction, Room N-3468, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-2020; email [bonneau.damon@dol.gov](mailto:bonneau.damon@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**ACCSH Meeting**

ACCSH will meet August 22-23, 2013, in Washington, DC. Some ACCSH members will attend the meeting by teleconference. The meeting is open to the public.

ACCSH advises the Secretary of Labor and Assistant Secretary of Labor for Occupational Safety and Health (Assistant Secretary) in the formulation of standards affecting the construction industry, and on policy matters arising

in the administration of the safety and health provisions under the Contract Work Hours and Safety Standards Act (Construction Safety Act (CSA)) (40 U.S.C. 3701 *et seq.*) and the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 *et seq.*) (see also 29 CFR 1911.10 and 1912.3). In addition, the OSH Act and CSA require that OSHA consult with ACCSH before the Agency proposes any occupational safety and health standard affecting construction activities (29 CFR 1911.10; 40 U.S.C. 3704).

The tentative agenda for this meeting includes:

- Assistant Secretary's Agency update and remarks;
- Directorate of Construction update on rulemaking projects;
- National Institute for Occupational Safety and Health (NIOSH) update;
- Discussion of OSHA's Temporary Worker initiatives;
- Discussion of the 2-hour introduction to the OSHA 10-hour and 30-hour training courses;
- ACCSH's consideration of, and recommendations on, the following OSHA proposed rules affecting construction activities:
  - The following 12 items from the proposed Standards Improvement Project IV:
    - Replace the definitions of "employee" and "employer" in 29 CFR 1926.32 with the definitions of those terms found in 29 CFR 1910.2;
    - Correct and reformat table at 29 CFR 1926.55 (Threshold Limit Values) for clarity and consistency with its counterpart in the general industry standard at 29 CFR 1910.1000;
    - Standardize break-strength requirements for lanyards and lifelines throughout the construction and general industry standards of 29 CFR parts 1910 and 1926;
    - Clarify the excavation requirements at 29 CFR 1926.651(j)(1) and (2)—keeping loose rock and soil, and equipment and materials, away from the edge of excavations;
    - Update the 29 CFR 1926.50 requirement to post emergency medical contact information in locations without 911 emergency services;
    - Replace the 29 CFR 1926.64 requirements for process safety management of highly hazardous chemicals with a cross reference to the general industry regulations at 29 CFR 1910.119;
    - Replace the outdated 29 CFR subpart W (Rollover Protective Structures; Overhead Protection) requirements