OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE

CAFTA–DR Dispute Settlement
Proceeding Regarding Guatemala’s
Failure To Effectively Enforce Its Labor
Laws

AGENCY: Office of the United States
Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United
States Trade Representative (“USTR”) is
providing notice that effective September
19, 2014, at the request of the United
States, the arbitral panel reviewing the U.S. challenge to
Guatemala’s breach of its obligations under Article
16.2.1(a) of the Dominican Republic—Central America—United
States Free Trade Agreement (“CAFTA–
DR”) has begun its review.

DATES: Although USTR will accept any
comments received during the course of the
dispute settlement proceedings, comments should be submitted
on or before February 20, 2015, to be assured
of timely consideration by USTR.

ADDRESSES: Public comments should be
submitted electronically to www.regulations.gov,
docket number USTR–2014–0023. If you are unable to
provide submissions by fax, please contact
Sandy McKinzy at (202) 395–9483 to
arrange for an alternative method of
transmission.

If (as explained below) the comment
contains confidential information, then
the comment should be submitted by
fax only to Sandy McKinzy at (202) 395–3640.

FOR FURTHER INFORMATION CONTACT:
Kathleen Claussen, Assistant General
Counsel, Office of the United States
Trade Representative, 600 17th St. NW.,

SUPPLEMENTARY INFORMATION: USTR is
providing notice that a dispute
settlement arbitral panel (“panel”) has
been established pursuant to Chapter
Twenty of the CAFTA–DR and has now
begun its work. The case documents and
timetable for the proceedings are
available to the public at the following
Web site: http://www.ustr.gov/trade-
topics/labor/bilateral-and-regional-
trade-agreements/guatemala-
submission-under-cafta-dr.

Issue Raised by the United States

On August 9, 2011, the United States
requested a panel to review Guatemala’s
failure to effectively enforce its labor
laws related to the right of association,
the right to organize and bargain
collectively, and acceptable conditions
of work, through a sustained or
recurring course of action or inaction, in
a manner affecting trade between the
CAFTA–DR Parties, contrary to Article
16.2.1(a) of the CAFTA–DR. The United
States and Guatemala requested the
panel to suspend its work to allow the
Parties to negotiate and implement an
Enforcement Plan. Despite engagement
through the Enforcement Plan, the
concerns regarding effective
enforcement of Guatemala’s labor laws
remain. As a result, the United States
requested the panel to resume its work,
effective September 19, 2014. The
United States filed its opening
submission on November 3, 2014.

Public Comment: Requirements for
Submissions

Interested persons are invited to
submit written comments concerning
the issues raised in this dispute. Persons
may submit public comments
electronically to www.regulations.gov
docket number USTR–2014–0023. If you
are unable to provide submissions at
www.regulations.gov, please contact
Sandy McKinzy at (202) 395–9483 to
arrange for an alternative method of
transmission.

To submit comments via
www.regulations.gov, enter docket
number USTR–2014–0023 on the home
page and click “search.” The site will
provide a search-results page listing all
documents associated with this docket.
Find a reference to this notice by
selecting “Notice” under “Document
Type” on the left side of the search-
results page, and click on the link
entitled “Comment Now!” (For further
information on using the
www.regulations.gov Web site, please
consult the resources provided on the
Web site by clicking on “How to use
Regulations.gov” under “Help” on
the bottom of the page.)

The www.regulations.gov Web site
allows users to provide comments by
filling in a “Type Comments” field, or
by attaching a document using an
“Upload File” field. It is expected that
most comments will be provided in an
attached document. If a document is
attached, it is sufficient to type “See
attached” in the “Type Comments”
field.

A person requesting that information
contained in a comment he/she
submitted be treated as confidential
business information must certify that
such information is business
confidential and would not customarily
be released to the public by the
submitter.

Confidential business information
must be clearly designated as such and
the submission must be marked
“BUSINESS CONFIDENTIAL” at the top
and bottom of the cover page and each
succeeding page. Any comment
containing business confidential
information must be submitted by fax to
Sandy McKinzy at (202) 395–3640. A
non-confidential summary of the
confidential information must be
submitted to www.regulations.gov. The
non-confidential summary will be
placed in the docket and will be open
to public inspection.

USTR may determine that information
or advice contained in a comment
submitted, other than business
confidential information, is confidential
in accordance with Section 135(g)(2) of
the Trade Act of 1974 (19 U.S.C.
2155(g)(2)). If the submitter believes that
information or advice may qualify as
such, the submitter—

(1) Must clearly so designate the
information or advice;

(2) Must clearly mark the material as
“SUBMITTED IN CONFIDENCE” at the
top and bottom of the cover page and
each succeeding page; and

(3) Must provide a non-confidential
summary of the information or advice.

Any comment containing confidential
information must be submitted by fax. A
non-confidential summary of the
confidential information must be
submitted to www.regulations.gov. The
non-confidential summary will be
placed in the docket and will be open
to public inspection. USTR will
maintain a docket on this dispute
settlement proceeding, docket number
USTR–2014–0023, accessible to the
public at www.regulations.gov.

The public file will include non-
confidential comments received by
USTR from the public regarding the
dispute. The following documents will
be made available to the public at
www.ustr.gov: The U.S. submissions and
any non-confidential summaries or
submissions received from other
participants in the dispute. Comments
open to public inspection may be
viewed at www.regulations.gov.

Juan A. Millán,
Assistant United States Trade Representative
for Monitoring and Enforcement.

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