Membership Balance Plan
for the National Advisory Committee for
Labor Provisions of U.S. Free Trade Agreements

1. Name

National Advisory Committee for Labor Provisions of U.S. Free Trade Agreements (FTAs)

2. Authority

The Committee is established pursuant to Article 17 of the North American Agreement on Labor Cooperation (NAALC), signed by the Governments of Canada, Mexico, and the United States in September 1993; Article 17.4 of the United States – Singapore Free Trade Agreement, signed on May 6, 2003; Article 18.4 of the United States – Chile Free Trade Agreement, signed on June 6, 2003; Article 18.4 of the United States – Australia Free Trade Agreement, signed on May 18, 2004; Article 16.4 of the United States – Morocco Free Trade Agreement, signed on June 15, 2004; Article 16.4 of the Central America – Dominican Republic – United States Free Trade Agreement (CAFTA-DR), signed on August 5, 2004; Article 15.4 of the United States – Bahrain Free Trade Agreement, signed on September 14, 2004; Article 16.4 of the United States – Oman Free Trade Agreement, signed on January 19, 2006; Article 17.5 of the United States – Peru Trade Promotion Agreement, signed on April 12, 2006; and the Federal Advisory Committee Act, 5 U.S.C. App. 2 §§1-15.

3. Mission/Function

The Committee shall provide advice to the Secretary of Labor through the Bureau of International Labor Affairs (ILAB) concerning the implementation of the NAALC and the labor provisions of the U.S. – Singapore, U.S. – Chile, U.S. – Australia, U.S. – Morocco, CAFTA-DR, U.S. – Bahrain, U.S. – Oman, and U.S. – Peru free trade agreements. The Committee also may provide advice on the implementation of labor provisions of other free trade agreements to which the United States may be a party or become a party.

4. Points of View

a) Members should have experience and/or interest in international labor rights and their relationship to the Labor Chapter of Free Trade Agreements.

b) The Committee shall consist of 12 members, including a chairperson, appointed by the Secretary of Labor. Four members will be selected from the labor community, four from the business community, and four from the public.

c) All members shall be representative members.

d) Members shall serve a term of two years.

5. Other Balance Factors:

Membership on the Committee will be fairly balanced. Members will come from a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the Committee.

The composition of the Committee will depend upon several factors, including i) the Committee's mission; ii) the geographic, ethnic, social, economic, or scientific impact of the Committee's recommendations; iii) the types of specific perspectives required, for example, those of consumers, technical experts, the public at large, academia, business, or other sectors; iv) the need to obtain divergent points of view on the issues before the Committee; and v) the relevance of State, local, or tribal governments to the development of the Committee's recommendations.

To the extent permitted by FACA and other laws, Committee membership should also be consistent with achieving the greatest impact, scope, and credibility among diverse stakeholders. The diversity in such membership includes, but is not limited to, race, gender, disability, sexual orientation, and gender identity.

6. Candidate Identification Process

Proposed candidates will come from ILAB staff who have previously worked on the implementation of FTA Labor Chapters, as well as staff who have worked with

previous NAC membership. ILAB will also consult with staff who engage regularly with the private sector and unions. ILAB will also conduct a review of all public submissions received to-date in response to the Federal Register Notice issued December 21, 2006, which outlined the submission review process for the public to submit communications under the FTA Labor Chapters or the NAALC. Suggestions may also come from identified experts on labor/trade issues who have done previous work under the NAALC and/or the FTA processes.

In addition, ILAB will employ a multi-faceted approach to inform the general public, as well as the Department's workforce, regarding vacancies on the Committee and the period and requirements for submitting nominations. The following steps are among those that ILAB will take to solicit a broad and diverse range of qualified candidates. *ILAB will submit a public notice announcing the number of vacancies, the requirements for submitting nominations to ILAB, as well as the period for submitting nominations.*

To promote widespread notification of these vacancies, ILAB will also work with other agencies in the Department of Labor, other government agencies, and with diverse stakeholders throughout the country, including professional organizations, academia, and individuals, such as past members of the Committee. The Agency's outreach will include notification to those who have historically had limited awareness of and participation in the Committee and its activities but whose interests may be implicated or affected by the work and/or recommendations of the Committee.

ILAB will review all proposed candidates through the Department's internal vetting process to assure compliance with all legal and ethical requirements.

ILAB will report on its efforts to the Committee and the Secretary or her designee.

7. Subcommittee Balance – N/A

8. Other

9. Date Prepared: January 18, 2011