

MAR 20 2012

U.S. Department of Labor

Wage and Hour Division
Washington, DC 20210



March 12, 2012

The Honorable Adrian Smith
U. S. House of Representatives
Washington, D.C. 20515

Dear Congressman Smith:

Thank you for your letter to Secretary of Labor Hilda L. Solis addressing the Department of Labor's Notice of Proposed Rulemaking (NPRM) on child labor in agricultural employment published in the Federal Register on September 2, 2011. I appreciate hearing from you on this important issue.

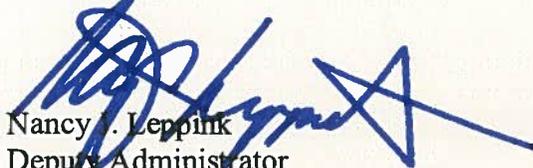
Your letter expressed concern that the NPRM's proposed modifications to the existing child labor in agriculture regulations, which apply to the employment of youth in agriculture under the age of 16, would be overly burdensome to agricultural producers and would discourage youth from participating in agriculture at an early age. The Department received over 10,000 comments on the NPRM during the 90-day comment period, many of which expressed these same concerns, and I can assure you that the Department will carefully consider those comments as it drafts a final rule.

You also expressed concerns that the NPRM would adversely impact the agricultural child labor parental exemption. The Department received many requests from the public and members of Congress to allow an opportunity for more input on this aspect of the rule. Accordingly, on February 1, 2012, the Department's Wage and Hour Division announced that it would re-propose the portion of its regulation on child labor in agriculture interpreting the parental exemption.

The Department recognizes the unique attributes of farm families and rural communities. The re-proposal process will seek comments and input as to how the Department can comply with statutory requirements to protect children, while respecting rural traditions. The re-proposed portion of the rule is expected to be published for public comment by early summer.

Again, thank you for your letter. If we may be of further assistance to you or your staff, please contact Nikki McKinney in the Office of Congressional and Intergovernmental Affairs at (202) 693-4600.

Sincerely,


Nancy J. Leppink
Deputy Administrator