



Nancy J. Leppink
Acting Wage and Hour Administrator
U.S. Department of Labor
5/23/2012

cc:

Cass R. Sunstein, Administrator, Office of Information and Regulatory Affairs
Secretary Hilda Solis, U.S. Department of Labor
Gabriela Lemus, Director, Office of Public Engagement, U.S. Department of Labor

Dear Administrator Leppink:

The undersigned organizations dedicated to government transparency and accountability are writing to request that you re-post the documents online relating to now-withdrawn proposed rules concerning child labor in agriculture.¹

Documentation and supporting materials that accompany rulemakings should remain online for a reasonable period regardless of a proposed rule's status. Removing substantive policy materials immediately after crucial decisions is inconsistent with Obama administration policies on openness and transparency, and limits public knowledge and understanding of agency decisions.

Whether a proposed rule is withdrawn as a result of a change in administration policy, political considerations, or failure to reach an agreement on the rule's scope, explanatory materials provide context for the decision and may help future debate and understanding of the issue.

The documents at issue in this case were originally available on the Department of Labor's Wage and Hour website. The documents, which were removed from public view when the rule was withdrawn, included an analysis illustrating the differences between the current rules for child agricultural workers and the proposed changes, a fact-sheet explaining the proposed rule, and a document responding to apparent misconceptions about the proposal.

There is a clear public interest in ongoing access to documents related to proposed rules even when those proposals are later withdrawn. As the proposed rule still remains available to stakeholders through the Federal Register, so too should the supporting documentation.

¹ http://scienceblogs.com/thepumphandle/2012/05/child_agricultural_labor_rule.php



No major administration decision should be accompanied by related materials' disappearance from public view.

We urge you to put the documents back on your website to ensure that interested members of the public have adequate access to this important information and can more fully understand the contents and context of the withdrawn rule. If you would like to discuss these issues further, please contact John Wonderlich, Policy Director at the Sunlight Foundation, at (202) 742 - 1520, x234, or jwonderlich@sunlightfoundation.com.

Sincerely,

American Association of Law Libraries
American Booksellers Foundation for Free Expression
American Library Association
B.R. Hook & Missouri Journal
Center for Media and Democracy
Citizens for Responsibility and Ethics in Washington
Defending Dissent Foundation
Essential Information
Feminists for Free Expression
Government Accountability Project
Mine Safety and Health News
National Priorities Project
OMB Watch
OpentheGovernment.org
Project on Government Oversight
The Sunlight Foundation
Washington Coalition for Open Government