
Wednesday
October 29, 1997

**REGULATORY
AGENDA**

Part XII

Department of Labor

Semiannual Regulatory Agenda

DEPARTMENT OF LABOR (DOL)

DEPARTMENT OF LABOR

Office of the Secretary

20 CFR Chs. I, IV, V, VI, VII, and IX

29 CFR Subtitle A and Chs. II, IV, V, XVII, and XXV

30 CFR Ch. I

41 CFR Ch. 60

48 CFR Ch. 29

Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, Labor.

ACTION: Semiannual regulatory agenda.

SUMMARY: This document sets forth the Department's semiannual agenda of regulations that have been selected for review or development during the coming year. The agenda complies with the requirements of both Executive Order 12866 and the Regulatory Flexibility Act. The agenda lists all regulations that are expected to be under review or development between October 1997 and October 1998, as well as those completed during the past 6 months.

FOR FURTHER INFORMATION CONTACT: Roland Droitsch, Deputy Assistant Secretary for Policy, Office of the Assistant Secretary for Policy, U.S. Department of Labor, 200 Constitution Avenue NW., Room S-2312, Washington, DC 20210, (202) 219-6197.

Note: Information pertaining to a specific regulation can be obtained from the agency contact listed for that particular regulation.

SUPPLEMENTARY INFORMATION: Executive Order 12866 and the Regulatory Flexibility Act require the semiannual publication in the **Federal Register** of an agenda of regulations. As permitted by law, the Department of Labor is combining the publication of its agendas under the Regulatory Flexibility Act and Executive Order 12866.

Executive Order 12866 became effective September 30, 1993, and in substance, requires the Department of Labor to publish an agenda listing all the regulations it expects to have under active consideration for promulgation, proposal, or review during the coming 1-year period. The focus of all departmental regulatory activity will be on the development of effective rules that advance the Department's goals and

that are understandable and usable to the employers and employees in all affected workplaces.

For this edition of the Department of Labor's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II.

The Regulatory Flexibility Act became effective on January 1, 1981, and applies only to regulations for which a notice of proposed rulemaking was issued on or after that date. It requires the Department of Labor to publish an agenda listing all the regulations it expects to propose or promulgate that are likely to have a "significant economic impact on a substantial number of small entities" (5 U.S.C. 602).

The Regulatory Flexibility Act (under section 610) also requires agencies to periodically review rules "which have or will have a significant economic impact upon a substantial number of small entities" and to annually publish a list of the rules that will be reviewed during the succeeding 12 months. The purpose of the review is to determine whether the rule should be continued without change, amended, or rescinded. In the November 29, 1996, Unified Agenda, the Department listed four rules that were to be reviewed in the succeeding 12 months.

The Employment Standards Administration (ESA) reviewed Government Contractors: Nondiscrimination and Affirmative Action Obligations, 41 CFR 60-1 and 41 CFR 60-2 (RIN 1215-AA01), that were last reviewed in 1968 and 1970, respectively. ESA determined that there is a continued need for 41 CFR 60-1 and that it does not overlap, duplicate, or conflict with other Federal rules. A notice of proposed rulemaking was published on May 21, 1996, and a final rule on August 19, 1997. ESA has also determined there is a continued need for 41 CFR 60-2. ESA is simplifying the regulation to lessen the impact on small entities and plans to publish a notice of proposed rulemaking in February 1998.

The Occupational Safety and Health Administration (OSHA) had two items on last year's review list—the Ethylene

Oxide standard, 29 CFR 1910.1047 (RIN 1218-AB60) and the Lockout/Tagout standard, 29 CFR 1910.147 (RIN 1218-AB59). After a thorough review of the Agency's experience in enforcing both of these standards, the available literature, and the comments received in connection with their reviews, OSHA has determined that there is continued need for these rules; that the rules do not appear to overlap, duplicate, or conflict with other Federal rules or with other State and local rules; and that no technological, economic, or other factors have arisen since the rules were published that would necessitate amendment or rescission of the rules at this time. OSHA has also concluded that no change that is consistent with the objectives of the Occupational Safety and Health Act can be made to these rules that will further minimize any significant impact on a substantial number of small entities. With regard to the Lockout/Tagout standard, OSHA will be responding to comments received during its review by preparing materials to assist employers in complying with the rule.

The Mine Safety and Health Administration (MSHA) has not completed the 610 review of its regulations in 30 CFR part 48 addressing training and retraining of miners and, therefore, is extending this review through fiscal year 1998. Although MSHA has not received any public comments during the past year, the Agency is developing recommended changes based on comments received from earlier requests, Agency experience, and the Agency's own research.

The next 12-month review list for the Department of Labor is provided below and public comment is invited on the listing. A brief description of each rule, the legal basis for the rule, and the agency contact are provided with each agenda item. Agencies will report on the results of each review in the October 1998 regulatory agenda.

Employment Standards Administration

Government Contractors: Nondiscrimination and Affirmative Action Obligations; 41 CFR 60-2 (RIN 1215-AA01)

Occupational Safety and Health Administration

Grain Handling Facilities; 29 CFR 1910.272 (RIN 1218-AB73)

DOL

Cotton Dust; 29 CFR 1910.1043 (RIN 1218-AB74)
Mine Safety and Health Administration
 Training and Retraining of Miners; 30 CFR 48 (RIN 1219-AB02)

All interested members of the public are invited and encouraged to let departmental officials know how our regulatory efforts can be improved and, of course, to participate in and comment

on the review or development of the regulations listed on the agenda.
Alexis M. Herman,
Secretary of Labor.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2003	Production or Disclosure of Information or Materials	1290-AA17
2004	Equal Access to Justice Act	1290-AA18

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2005	Supplemental Standards of Ethical Conduct for Employees of the Department of Labor	1290-AA15
2006	Protection of Individual Privacy and Access to Records Under the Privacy Act of 1974	1290-AA16

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2007	Coordinated Enforcement of Farm Labor Protective Statutes	1290-AA11

Employment Standards Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2008	Government Contractors: Nondiscrimination and Affirmative Action Obligations (ESA/OFCCP) (Section 610 Review) (Reg Plan Seq. No. 67)	1215-AA01
2009	Child Labor Regulations, Orders, and Statements of Interpretation (ESA/W-H) (Reg Plan Seq. No. 68)	1215-AA09
2010	Defining and Delimiting the Term "Any Employee Employed in a Bona Fide Executive, Administrative, or Professional Capacity" (ESA/W-H) (Reg Plan Seq. No. 69)	1215-AA14
2011	Procedures for Predetermination of Wage Rates (29 CFR Part 1) and Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (29 CFR Part 5) (Reg Plan Seq. No. 70)	1215-AA94
2012	Regulations to Implement the Federal Acquisition Streamlining Act of 1994, 29 CFR Parts 4 and 5, 41 CFR Parts 50-201 and 50-206	1215-AA96
2013	Records To Be Kept by Employers Under the Fair Labor Standards Act	1215-AB03
2014	Assessment and Collection of User Fees	1215-AB06
2015	Federal Employees' Compensation Act; Claims for Compensation for Work-Related Injury/Death	1215-AB07
2016	Exemptions Applicable to Agriculture, Processing of Agricultural Commodities, and Related Subjects Under the Fair Labor Standards Act	1215-AB11
2017	Implementation of the 1996 Amendments to the Fair Labor Standards Act	1215-AB13

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Employment Standards Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2018	Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors for Special Disabled Veterans and Veterans of the Vietnam Era	1215-AA62
2019	Application of the Fair Labor Standards Act to Domestic Service	1215-AA82
2020	Procedures for Handling Discrimination Complaints Under Federal "Whistleblower" Protection Statutes	1215-AA83

DOL

Employment Standards Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2021	Standards for Waivers Under Section 503 of the Rehabilitation Act	1215-AA84
2022	Benefits Under the Federal Coal Mine Safety and Health Act of 1977, as Amended Affecting the Black Lung Benefits Act	1215-AA99
2023	Labor Condition Applications and Requirements for Employers Using Nonimmigrants on H-1B Visas in Specialty Occupations and as Fashion Models	1215-AB09
2024	Employment of Student-Learners, Apprentices, Learners, Messengers, and Student Workers Under Section 14 of the Fair Labor Standards Act	1215-AB10
2025	Civil Money Penalties Adjustment of the Longshore Act	1215-AB17
2026	Use and Disclosure of Federal Employees' Compensation Act Claims File Material	1215-AB18

Employment Standards Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2027	Enforcement of Contractual Obligations for Temporary Alien Agricultural Workers Admitted Under Section 216 of the Immigration and Nationality Act	1215-AA43
2028	Reporting by Labor Relations Consultants and Other Persons	1215-AB14

Employment Standards Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2029	Executive Order 12933 of October 20, 1994, "Nondisplacement of Qualified Workers Under Certain Conditions" ...	1215-AA95
2030	Minimum Wages in American Samoa	1215-AB08
2031	Miscellaneous Exemptions Under the Fair Labor Standards Act	1215-AB12

Employment and Training Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2032	Job Training Partnership Act: Indian and Native American Programs	1205-AA96
2033	Job Training Partnership Act: Migrant and Seasonal Farmworker Programs	1205-AA99
2034	Disaster Unemployment Assistance Program, Amendment to Regulations	1205-AB02

Employment and Training Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2035	Trade Adjustment Assistance for Workers—Implementation of 1988 Amendments	1205-AB05
2036	Trade Adjustment Assistance for Workers—Transitional Adjustment Assistance NAFTA-TAA	1205-AB07
2037	Labor Certification Process for the Permanent Employment of Aliens; Researchers Employed by Colleges and Universities	1205-AB11
2038	Welfare to Work Grants (Reg Plan Seq. No. 71)	1205-AB15

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

DOL

Employment and Training Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2039	Services to Migrant and Seasonal Farmworkers, Job Service Complaint System, Monitoring, and Enforcement	1205-AA37
2040	Labor Certification Process for the Permanent Employment of Aliens in the United States	1205-AA66
2041	Amendments to the Labor Certification Process for Temporary Agricultural Employment in the United States (H-2A)	1205-AB09
2042	Federal-State Unemployment Compensation Program; Unemployment Insurance Performance System	1205-AB10
2043	Establishment of Fees for Immigration Programs Administered by the Employment and Training Administration	1205-AB14

Employment and Training Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2044	Airline Deregulation: Employee Benefit Program	1205-AA07

Pension and Welfare Benefits Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2045	Rulemaking Relating to Notice Requirements for Continuation of Health Care Coverage	1210-AA60
2046	Request for Information Concerning Employee Benefit Plan Claims Procedures	1210-AA61

Pension and Welfare Benefits Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2047	Revision of the Form 5500 Series and Implementing and Related Regulations Under the Employee Retirement Income Security Act of 1974 (ERISA) (Reg Plan Seq. No. 72)	1210-AA52
2048	Limitation of Liability for Insurers and Others Under Part 4 of Title I of ERISA and Section 4975 of the Internal Revenue Code	1210-AA58
2049	Reporting Requirements for MEWAs Providing Medical Care Benefits	1210-AA64
2050	Individual Benefits Reporting Requirements for Defined Contribution Plans	1210-AA65
2051	Requirement to Furnish Plan Documents Upon Request by the Secretary of Labor	1210-AA67
2052	Civil Penalty for Failure to Furnish Certain Plan Documents	1210-AA68

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Pension and Welfare Benefits Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2053	Definition of Collective Bargaining Agreement (ERISA Section 3(40))	1210-AA48
2054	Regulations Implementing the Health Care Access, Portability and Renewability Provisions of the Health Insurance Portability and Accountability Act of 1996 (Reg Plan Seq. No. 73)	1210-AA54
2055	Amendment of Summary Plan Description and Related ERISA Regulations to Implement Statutory Changes in the Health Insurance Portability and Accountability Act of 1996 (Reg Plan Seq. No. 74)	1210-AA55
2056	Enforcement Policy on AICPA SOP 92-6	1210-AA57
2057	Amendment of Regulations Relating to Definition of "Plan Assets" —Participant Contributions (SIMPLE PLAN)	1210-AA59
2058	Interim Rules Relating to Mental Health Benefits Parity (Reg Plan Seq. No. 75)	1210-AA62
2059	Interim Rules Relating to Health Care Standards for Mothers and Newborns (Reg Plan Seq. No. 76)	1210-AA63
2060	Elimination of Filing Requirements for Summary Plan Descriptions	1210-AA66

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

DOL

Pension and Welfare Benefits Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2061	Adequate Consideration	1210-AA15
2062	Civil Penalties Under ERISA Section 502(l)	1210-AA37
2063	Reporting and Disclosure Under the Employee Retirement Income Security Act of 1974	1210-AA44

Pension and Welfare Benefits Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2064	Qualified Domestic Relations Orders	1210-AA19
2065	Civil Monetary Penalty Adjustment Regulation	1210-AA56

Mine Safety and Health Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2066	Coal Mine Dust (Reg Plan Seq. No. 77)	1219-AA81
2067	Safety Standards for the Use of Roof Bolting Machines	1219-AA94
2068	Training and Retraining of Miners (Section 610 Review)	1219-AB02

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Mine Safety and Health Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2069	Diesel Particulate (Reg Plan Seq. No. 78)	1219-AA74
2070	Belt Entry Use as Intake Aircourses to Ventilate Working Sections	1219-AA76
2071	Metal/Nonmetal Impoundments	1219-AA83
2072	Surface Haulage	1219-AA93
2073	Safety Standard Revisions for Underground Anthracite Mines	1219-AA96
2074	Electrical Standards for Metal and Nonmetal Mines (Reg Plan Seq. No. 79)	1219-AB01
2075	Criteria and Procedures for Proposed Assessment of Civil Penalties	1219-AB03
2076	Observation of Operator Noise Monitoring	1219-AB05
2077	Self-Contained Self-Rescue Devices in Underground Metal and Nonmetal Mines	1219-AB06

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Mine Safety and Health Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2078	Hazard Communication	1219-AA47
2079	Air Quality, Chemical Substances, and Respiratory Protection Standards	1219-AA48
2080	Noise Standard (Reg Plan Seq. No. 80)	1219-AA53
2081	Longwall Equipment (Including High-Voltage)	1219-AA75
2082	Mine Shift Atmospheric Condition; Respirable Dust Sample	1219-AA82
2083	Improving and Eliminating Regulations	1219-AA98
2084	Safety Standards for Roof Bolts in Metal and Nonmetal Mines and Underground Coal Mines	1219-AB00
2085	National Mine Health and Safety Academy	1219-AB04

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

DOL

Mine Safety and Health Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2086	Confined Spaces	1219-AA54
2087	Carbon Monoxide Monitor Approval	1219-AA72
2088	Decertification of Certified and Qualified Persons	1219-AA79
2089	Independent Laboratory Testing	1219-AA87
2090	Safety Standards for Methane in Metal and Nonmetal Mines	1219-AA90
2091	Requirements for Approval of Flame-Resistant Conveyor Belts	1219-AA92

Office of the Assistant Secretary for Administration and Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2092	Administrative Requirements for Grantees To Reflect Single Audit Act Amendments	1291-AA25

Office of the Assistant Secretary for Administration and Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2093	Department of Labor Acquisition Regulation	1291-AA20
2094	Nondiscrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance From the Department of Labor	1291-AA21

Occupational Safety and Health Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2095	Standards Advisory Committee on Metalworking Fluids (Reg Plan Seq. No. 81)	1218-AB58
2096	Control of Hazardous Energy Sources (Lockout/Tagout) (Section 610 Review)	1218-AB59
2097	Occupational Exposure to Ethylene Oxide (Section 610 Review)	1218-AB60
2098	Fire Brigades	1218-AB64
2099	Grain Handling Facilities (Section 610 Review)	1218-AB73
2100	Cotton Dust (Section 610 Review)	1218-AB74

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Occupational Safety and Health Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2101	Steel Erection (Part 1926) (Safety Protection for Ironworkers) (Reg Plan Seq. No. 82)	1218-AA65
2102	Prevention of Work-Related Musculoskeletal Disorders (Reg Plan Seq. No. 83)	1218-AB36
2103	Safety and Health Programs (for General Industry) (Reg Plan Seq. No. 84)	1218-AB41
2104	Occupational Exposure to Tuberculosis (Reg Plan Seq. No. 85)	1218-AB46
2105	Confined Spaces in Construction (Part 1926) (Construction: Preventing Suffocation/Explosions in Confined Spaces)	1218-AB47
2106	General Working Conditions in Shipyards (Part 1915, Subpart F) (Phase II) (Shipyards: General Working Conditions)	1218-AB50
2107	Fire Protection in Shipyard Employment (Part 1915, Subpart P) (Phase II) (Shipyards: Fire Safety)	1218-AB51
2108	Permissible Exposure Limits (PELs) for Air Contaminants (Reg Plan Seq. No. 86)	1218-AB54
2109	Plain English Revision of Existing Standards (Reg Plan Seq. No. 87)	1218-AB55
2110	Nationally Recognized Testing Labs Programs: Fees	1218-AB57
2111	Flammable and Combustible Liquids	1218-AB61
2112	Fall Protection in the Construction Industry	1218-AB62

DOL

Occupational Safety and Health Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2113	Process Safety Management of Highly Hazardous Chemicals	1218-AB63
2114	Revocation of Certification Records for Tests, Inspections, and Training	1218-AB65
2115	Plain English Revision of Existing Standards (Phase II)	1218-AB66
2116	Electric Power Transmission and Distribution; Electrical Protective Equipment	1218-AB67
2117	Safety Standards for Scaffolds Used in the Construction Industry —Part II	1218-AB68
2118	Safety and Health Programs for Construction	1218-AB69
2119	Control of Hazardous Energy (Lockout) in Construction (Part 1926) (Preventing Construction Injuries/Fatalities; Lockout)	1218-AB71

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Occupational Safety and Health Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2120	Respiratory Protection (Proper Use of Modern Respirators)	1218-AA05
2121	Longshoring and Marine Terminals (Parts 1917 and 1918)— Reopening of the Record	1218-AA56
2122	Access and Egress in Shipyards (Part 1915, Subpart E) (Phase I) (Shipyards: Emergency Exits and Aisles)	1218-AA70
2123	Recording and Reporting Occupational Injuries and Illnesses (Simplified Injury/Illness Recordkeeping Requirements) (Reg Plan Seq. No. 88)	1218-AB24
2124	Powered Industrial Truck Operator Training (Industrial Truck Safety Training)	1218-AB33
2125	Permit Required Confined Spaces (General Industry: Preventing Suffocation/Explosions in Confined Spaces)	1218-AB52
2126	Standards Improvement Project	1218-AB53

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Occupational Safety and Health Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2127	Scaffolds in Shipyards (Part 1915—Subpart N) (Phase I) (Shipyards: Safer Scaffolds)	1218-AA68
2128	Glycol Ethers: 2-Methoxyethanol, 2-Ethoxyethanol, and Their Acetates: Protecting Reproductive Health	1218-AA84
2129	Walking Working Surfaces and Personal Fall Protection Systems (Part 1910) (Slips, Trips, and Fall Prevention)	1218-AB04
2130	Accreditation of Training Programs for Hazardous Waste Operations (Part 1910)	1218-AB27
2131	Indoor Air Quality in the Workplace	1218-AB37
2132	Occupational Exposure to Hexavalent Chromium (Preventing Occupational Illness: Chromium)	1218-AB45
2133	Occupational Exposure to Crystalline Silica	1218-AB70

Occupational Safety and Health Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2134	Abatement Verification (Hazard Correction)	1218-AB40

DEPARTMENT OF LABOR (DOL)
Office of the Secretary (OS)

Proposed Rule Stage

2003. • PRODUCTION OR DISCLOSURE OF INFORMATION OR MATERIALS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 5 USC 552, amended; 5 USC Reorganization Plan No. 6 of 1950; EO 12600, 52 FR 23781 (June 25, 1987)

CFR Citation: 20 CFR 70

Legal Deadline: None

Abstract: The regulation will incorporate the provisions of the 1996 FOIA amendments. These include extending DOL processing time from 10 to 20 days for most FOIA requests and requiring that all reading room materials created since November 1, 1996, be made available by electronic means such as the Internet.

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Miriam McD. Miller, Co-Counsel for Administrative Law, Department of Labor, Office of the Secretary, 200 Constitution Avenue NW., Room N2428, FP Building, Washington, DC 20210
Phone: 202 219-8188
Fax: 202 219-6896
Email: mmiller@dol.gov

RIN: 1290-AA17

2004. • EQUAL ACCESS TO JUSTICE ACT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 504; 28 USC 2412

CFR Citation: 29 CFR 16

Legal Deadline: None

Abstract: The regulation will incorporate the 1996 amendments to the Equal Access to Justice Act and revise the existing regulation to conform with the case law which has evolved since 1981.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Agency Contact: Robert A. Shapiro, Associate Solicitor for Legislation and Legal Counsel, Department of Labor, Office of the Secretary, 200 Constitution Avenue NW., Room N2428, FP Building, Washington, DC 20210

Phone: 202 219-8201

RIN: 1290-AA18

DEPARTMENT OF LABOR (DOL)
Office of the Secretary (OS)

Final Rule Stage

2005. SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE DEPARTMENT OF LABOR

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 5 USC 7301; 5 USC 7353; 5 USC app (Ethics in Government Act); EO 12674; 18 USC 208

CFR Citation: 5 CFR 5201; 29 CFR 0; 3 CFR 1989 Comp; 5 CFR 2634; 5 CFR 2635; 3 CFR 1990

Legal Deadline: None

Abstract: The Department of Labor is developing a rule for its employees that supplements the Standards of Ethical Conduct for Employees of the Executive Branch issued by the Office of Government Ethics (OGE). The rule would designate certain components of the Department as separate agencies for the purposes of provisions in the Executive Branch-wide standards regarding gifts from outside sources, the receipt of compensation for teaching, speaking, or writing, and fundraising in a personal capacity. The rule would also restrict the outside financial interests for employees of the Mine Safety and Health Administration and require approval of outside employment for employees of the

Office of Inspector General. It repeals existing regulations governing outside employment and financial interests. Issuance of this rule would require OGE concurrence.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/06/96	61 FR 57281
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Robert Shapiro, Associate Solicitor for Legislation and Legal Counsel, Department of Labor, Office of the Secretary, 200 Constitution Avenue NW., Room N2428, FP Building, Washington, DC 20210

Phone: 202 219-8201

Fax: 202 219-6896

RIN: 1290-AA15

2006. PROTECTION OF INDIVIDUAL PRIVACY AND ACCESS TO RECORDS UNDER THE PRIVACY ACT OF 1974

Priority: Other Significant

Legal Authority: 29 USC 552a

CFR Citation: 29 CFR 70a; 29 CFR 71

Legal Deadline: None

Abstract: This proposed regulation will revise the existing regulation under the Privacy Act of 1974. The existing regulation was promulgated 20 years ago and is in need of revision. The proposed regulation will conform Departmental requirements with the case law which has evolved over the past years. The regulation will govern the conduct of Departmental employees and members of the public, as it pertains to the treatment of records covered by the Privacy Act. The proposal will renumber part 70a as part 71, because the Office of the Federal Register no longer permits alphabetical entries for CFR parts.

Timetable:

Action	Date	FR Cite
NPRM	07/28/97	62 FR 40406
NPRM Comment Period End	09/26/97	
Final Action	02/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Miriam McD. Miller, Co-Counsel for Administrative Law, Division of Legislation and Legislative Counsel, Department of Labor, Office of the Secretary, 200 Constitution Avenue NW., Room N-2428, FP Building, Washington, DC 20210