



Friday
April 25, 1997

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

April 1997 and April 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.

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).

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

As permitted by law, the Department of Labor is combining the publication of its agendas under the Regulatory Flexibility Act and Executive Order 12866.

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.

Cynthia A. Metzler,
Acting Secretary of Labor.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1814	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
1815	Coordinated Enforcement of Farm Labor Protective Statutes	1290-AA11
1816	Supplemental Standards of Ethical Conduct for Employees of the Department of Labor	1290-AA15

Employment Standards Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1817	Child Labor Regulations, Orders, and Statements of Interpretation (ESA/W-H)	1215-AA09
1818	Defining and Delimiting the Term "Any Employee Employed in a Bona Fide Executive, Administrative, or Professional Capacity" (ESA/W-H)	1215-AA14
1819	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)	1215-AA94
1820	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
1821	Records To Be Kept by Employers Under the Fair Labor Standards Act	1215-AB03
1822	Assessment and Collection of User Fees	1215-AB06
1823	Federal Employees' Compensation Act; Claims for Compensation for Work-Related Injury/Death	1215-AB07

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Employment Standards Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1824	Minimum Wages in American Samoa	1215-AB08
1825	Employment of Student-Learners, Apprentices, Learners, Messengers, and Student Workers Under Section 14 of the Fair Labor Standards Act	1215-AB10
1826	Exemptions Applicable to Agriculture, Processing of Agricultural Commodities, and Related Subjects Under the Fair Labor Standards Act	1215-AB11
1827	Miscellaneous Exemptions Under the Fair Labor Standards Act	1215-AB12
1828	Implementation of the 1996 Amendments to the Fair Labor Standards Act	1215-AB13

Employment Standards Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1829	Government Contractors: Nondiscrimination and Affirmative Action Obligations (ESA/OFCCP) (Section 610 Review)	1215-AA01
1830	Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors for Special Disabled Veterans and Veterans of the Vietnam Era	1215-AA62
1831	Application of the Fair Labor Standards Act to Domestic Service	1215-AA82
1832	Procedures for Handling Discrimination Complaints Under Federal "Whistleblower" Protection Statutes	1215-AA83
1833	Standards for Waivers Under Section 503 of the Rehabilitation Act	1215-AA84
1834	Executive Order 12933 of October 20, 1994, "Nondisplacement of Qualified Workers Under Certain Conditions" ...	1215-AA95
1835	Benefits Under the Federal Coal Mine Safety and Health Act of 1977, as Amended Affecting the Black Lung Benefits Act	1215-AA99
1836	Labor Condition Applications and Requirements for Employers Using Nonimmigrants on H-1B Visas in Specialty Occupations and as Fashion Models	1215-AB09

Employment Standards Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1837	Enforcement of Contractual Obligations for Temporary Alien Agricultural Workers Admitted Under Section 216 of the Immigration and Nationality Act	1215-AA43
1838	Reporting by Labor Relations Consultants and Other Persons	1215-AB14

Employment Standards Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1839	Labor Standards for Federal Service Contracts	1215-AA78
1840	Migrant and Seasonal Agricultural Worker Protection (29 CFR Part 500)	1215-AA93
1841	Technical Amendments of Rules Relating to Labor-Management Standards and Standards of Conduct for Federal Sector Labor Organizations	1215-AB16

Employment and Training Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1842	Airline Deregulation: Employee Benefit Program	1205-AA07
1843	Job Training Partnership Act: Indian and Native American Programs	1205-AA96
1844	Job Training Partnership Act: Migrant and Seasonal Farmworker Programs	1205-AA99

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Employment and Training Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1845	Disaster Unemployment Assistance Program, Amendment to Regulations	1205-AB02
1846	Trade Adjustment Assistance for Workers—Implementation of 1988 Amendments	1205-AB05
1847	Trade Adjustment Assistance for Workers—Transitional Adjustment Assistance NAFTA-TAA	1205-AB07
1848	Labor Certification Process for the Permanent Employment of Aliens; Researchers Employed by Colleges and Universities	1205-AB11

Employment and Training Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1849	Services to Migrant and Seasonal Farmworkers, Job Service Complaint System, Monitoring, and Enforcement	1205-AA37
1850	Labor Certification Process for the Permanent Employment of Aliens in the United States	1205-AA66
1851	Amendments to the Labor Certification Process for Temporary Agricultural Employment in the United States (H-2A)	1205-AB09
1852	Federal-State Unemployment Compensation Program; Unemployment Insurance Performance System	1205-AB10
1853	Establishment of Fees for Immigration Programs Administered by the Employment and Training Administration	1205-AB14

Pension and Welfare Benefits Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1854	Relating Relating to Notice Requirements for Continuation of Health Care Coverage	1210-AA60

Pension and Welfare Benefits Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1855	Revision of the Form 5500 Series and Implementing and Related Regulations Under the Employee Retirement Income Security Act of 1974 (ERISA)	1210-AA52
1856	Civil Monetary Penalty Adjustment Regulation	1210-AA56
1857	Enforcement Policy on AICPA SOP 92-6	1210-AA57
1858	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
1859	Amendment of Regulations Relating to Definitions of "Plan Assets" - Participant Contributions (SIMPLE PLAN)	1210-AA59

Pension and Welfare Benefits Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1860	Qualified Domestic Relations Orders	1210-AA19
1861	Definition of Collective Bargaining Agreement (ERISA Section 3(40))	1210-AA48
1862	Regulations Implementing the Health Care Access, Portability and Renewability Provisions of the Health Insurance Portability and Accountability Act of 1996	1210-AA54
1863	Amendment of Summary Plan Description and Related ERISA Regulations to Implement Statutory Changes in the Health Insurance Portability and Accountability Act of 1996	1210-AA55

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Pension and Welfare Benefits Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1864	Adequate Consideration	1210-AA15
1865	Civil Penalties Under ERISA Section 502(l)	1210-AA37
1866	Reporting and Disclosure Under the Employee Retirement Income Security Act of 1974	1210-AA44

Mine Safety and Health Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1867	Safety Standards for the Use of Roof Bolting Machines	1219-AA94
1868	Training and Retraining of Miners (Section 610 Review)	1219-AB02

Mine Safety and Health Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1869	Diesel Particulate	1219-AA74
1870	Belt Entry Use as Intake Aircourses to Ventilate Working Sections	1219-AA76
1871	Advisory Committee on the Elimination of Pneumoconiosis Among Coal Miners	1219-AA81
1872	Metal/Nonmetal Impoundments	1219-AA83
1873	Safety Standard Revisions for Underground Anthracite Mines	1219-AA96
1874	Improving and Eliminating Regulations	1219-AA98
1875	Safety Standards for Roof Bolts in Metal and Nonmetal Mines and Underground Coal Mines	1219-AB00
1876	Electrical Standards for Metal and Nonmetal Mines	1219-AB01
1877	Criteria and Procedures for Proposed Assessment of Civil Penalties	1219-AB03

Mine Safety and Health Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1878	Hazard Communication	1219-AA47
1879	Air Quality, Chemical Substances, and Respiratory Protection Standards	1219-AA48
1880	Noise Standard	1219-AA53
1881	Longwall Equipment (Including High-Voltage)	1219-AA75
1882	Mine Shift Atmospheric Condition; Respirable Dust Sample	1219-AA82

Mine Safety and Health Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1883	Confined Spaces	1219-AA54
1884	Carbon Monoxide Monitor Approval	1219-AA72
1885	Decertification of Certified and Qualified Persons	1219-AA79
1886	Independent Laboratory Testing	1219-AA87
1887	Safety Standards for Methane in Metal and Nonmetal Mines	1219-AA90
1888	Requirements for Approval of Flame-Resistant Conveyor Belts	1219-AA92
1889	Surface Haulage	1219-AA93

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

Sequence Number	Title	Regulation Identifier Number
1890	Nondiscrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance From the Department of Labor	1291-AA21

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

Sequence Number	Title	Regulation Identifier Number
1891	Department of Labor Acquisition Regulation	1291-AA20

Occupational Safety and Health Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1892	Standards Advisory Committee on Metalworking Fluids	1218-AB58
1893	Control of Hazardous Energy Sources (Lockout/Tagout) (Section 610 Review)	1218-AB59
1894	Occupational Exposure to Ethylene Oxide (Section 610 Review)	1218-AB60
1895	Fire Brigades	1218-AB64

Occupational Safety and Health Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1896	Steel Erection (Part 1926) (Safety Protection for Ironworking)	1218-AA65
1897	Safety and Health Programs (for General Industry)	1218-AB41
1898	Occupational Exposure to Tuberculosis	1218-AB46
1899	Confined Spaces for Construction (Part 1926) (Construction: Preventing Suffocation/Explosions in Confined Spaces)	1218-AB47
1900	General Working Conditions in Shipyards (Part 1915, Subpart F) (Phase II) (Shipyards: General Working Conditions)	1218-AB50
1901	Fire Protection in Shipyard Employment (Part 1915, Subpart P) (Phase II) (Shipyards: Fire Safety)	1218-AB51
1902	Permissible Exposure Limits (PELS) for Air Contaminants	1218-AB54
1903	Revision of Certain Standards Promulgated Under Section 6(a) of the Williams-Steiger Occupational Safety and Health Act of 1970	1218-AB55
1904	Flammable and Combustible Liquids	1218-AB61
1905	Process Safety Management of Highly Hazardous Chemicals	1218-AB63
1906	Revocation of Certification Records for Tests, Inspection, and Training	1218-AB65
1907	Revision of Certain Standards Promulgated Under Section 6(a) of the Williams-Steiger Act (Phase II)	1218-AB66

Occupational Safety and Health Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1908	Respiratory Protection (Proper Use of Modern Respirators)	1218-AA05
1909	Safety and Health Regulations for Longshoring (Part 1918) and Marine Terminals (Part 1917) (Shipyards: Protecting Longshoring Workers)	1218-AA56
1910	Access and Egress in Shipyards (Part 1915, Subpart E) (Phase I) (Shipyards: Emergency Exits and Aisles)	1218-AA70
1911	Glycol Ethers: 2-Methoxyethanol, 2-Ethoxyethanol, and Their Acetates: Protecting Reproductive Health	1218-AA84
1912	Walking Working Surfaces and Personal Fall Protection Systems (Part 1910) (Slips, Trips, and Fall Prevention)	1218-AB04
1913	Recording and Reporting Occupational Injuries and Illnesses (Simplified Injury/Illness Recordkeeping Requirements)	1218-AB24
1914	Powered Industrial Truck Operator Training (Industrial Truck Safety Training)	1218-AB33

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

Sequence Number	Title	Regulation Identifier Number
1915	Abatement Verification (Hazard Correction)	1218-AB40
1916	Permit Required Confined Spaces (General Industry: Preventing Suffocation/ Explosions in Confined Spaces)	1218-AB52
1917	Eliminating and Improving Regulations	1218-AB53

Occupational Safety and Health Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1918	Scaffolds in Shipyards (Part 1915—Subpart N) (Phase I) (Shipyards: Safer Scaffolds)	1218-AA68
1919	Accreditation of Training Programs for Hazardous Waste Operations (Part 1910)	1218-AB27
1920	Prevention of Work-Related Musculoskeletal Disorders	1218-AB36
1921	Indoor Air Quality in the Workplace	1218-AB37
1922	Occupational Exposure to Hexavalent Chromium (Preventing Occupational Illness: Chromium)	1218-AB45
1923	Nationally Recognized Testing Labs Programs: Fees	1218-AB57
1924	Fall Protection in the Construction Industry	1218-AB62

Occupational Safety and Health Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1925	Methylene Chloride (Preventing Occupational Illnesses: Methylene Chloride)	1218-AA98
1926	Control of Hazardous Energy (Lockout)—Construction (Part 1926) (Preventing Construction Injuries/Fatalities: Lockout)	1218-AB30

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

Proposed Rule Stage

1814. • 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 caselaw 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	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 1290-AA16