

the knowledge and experience of the Fund with managing a mine that is located on the Property. Further, the participant questioned whether it is prudent to spend 83% of the Fund's cash on the Purchase.

#### Trustees' Response

In response to the participant's comments, the Trustees note that the decision to purchase the Property was a financial decision made by the Trustees for the benefit of the participants and beneficiaries of the Fund. The Trustees state further that all of the Trustees are familiar with the matters regarding the Purchase. According to the Trustees, the decision to purchase the Property by the Fund is not a union matter or a decision that the union or its members were required or permitted to make.

With respect to the knowledge and experience of the Fund to manage the mine, the Trustees state that there is no requirement that the Fund manage the mine or conduct mining activities on the Property. The Trustees point out that the Property will be used for the purpose of truck driving, heavy equipment training, and equipment storage underneath the surface where the mine is located. The Trustees explain that they expect to oversee and employ proper personnel to handle issues of maintenance when necessary.

In response to the participant's comment regarding the high percentage of the Fund's assets involved in this Purchase, the Trustees represent that the decision to purchase the Property was made with due diligence as established and required by the regulations under the Act. The Trustees represent further that based on this due diligence, they have determined that purchasing the Property is in the Fund's best interest. The Trustees note that the Fund will be able to make any changes or additions to meet future training requirements of the Training Fund and its apprenticeship program without the consent or outside interference from other parties. In addition, the Fund will acquire an equity interest in the Property which will, in return, have a future value as a plan asset, and the Purchase is a transaction that is customary for similarly situated employee benefit plans.

After giving full consideration to the entire record, including the written comments, the Department has decided to grant the exemption, as described above. The complete application is made available for inspection in the Public Disclosure Room of the Employee Benefits Security Administration, Room N-1513, U.S.

Department of Labor, 200 Constitution Ave. NW., Washington, DC 20210.

For a complete statement of the facts and representations supporting the Department's decision to grant this exemption, refer to the proposed exemption published in the **Federal Register** on December 28, 2012 at 77 FR 76776.

**FOR FURTHER INFORMATION CONTACT:** Mr. Asrar Ahmed of the Department, telephone (202) 693-8557. (This is not a toll-free number.)

#### General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) This exemption is supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transactional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(3) The availability of this exemption is subject to the express condition that the material facts and representations contained in the application accurately describes all material terms of the transaction which is the subject of the exemption.

**Lyssa E. Hall,**

*Director of Exemption Determinations,  
Employee Benefits Security Administration,  
U.S. Department of Labor.*

[FR Doc. 2013-12236 Filed 5-22-13; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2013-0015]

#### National Advisory Committee on Occupational Safety and Health (NACOSH)

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Announcement of a meeting of NACOSH.

**SUMMARY:** NACOSH will meet June 11, 2013 in Washington, DC.

**DATES:** *NACOSH meeting:* NACOSH will meet from 1 p.m. to 5 p.m. e.t., Tuesday, June 11, 2013.

*Comments, requests to speak, speaker presentations, and requests for special accommodation:* You must submit (postmark, send, transmit) comments, requests to address NACOSH, speaker presentations (written or electronic), and requests for special accommodations for the NACOSH meeting by June 4, 2013.

**ADDRESSES:** *NACOSH meeting:* The NACOSH meeting will be in Room C-5320-6, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

*Submission of comments, requests to speak, and speaker presentations:* You may submit comments, requests to speak at the NACOSH meeting and speaker presentations, using one of the following methods:

*Electronically:* You may submit materials, including attachments, electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions on that Web page for making submissions;

*Facsimile:* If your submission, including attachments, does not exceed 10 pages, you may fax it to the OSHA Docket Office at (202) 693-1648; or

*Regular mail, express mail, hand delivery, or messenger/courier service:* You may submit your materials to the OSHA Docket Office, Docket No. OSHA-2013-0015, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-2350 (OSHA TTY (887) 889-5627). OSHA's Docket Office accepts deliveries (hand deliveries, express mail, and messenger service) during normal business hours, 8:15 a.m. to 4:45 p.m., e.t., weekdays.

*Requests for special accommodation:* Please submit requests for special accommodations to attend the NACOSH meeting to Ms. Frances Owens, OSHA,

Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-1999 (OSHA TTY (887) 889-5627); email [owens.frances@dol.gov](mailto:owens.frances@dol.gov).

*Instructions:* Your submissions must include the Agency name and docket number for this **Federal Register** notice (Docket No. OSHA-2013-0015). Due to security-related procedures, submission by regular mail may experience significant delays. Please contact the OSHA Docket Office for information about security procedures for making submissions. For additional information on submitting comments, requests to speak and speaker presentations see the **SUPPLEMENTARY INFORMATION** section of this notice.

OSHA will post comments, requests to speak, and speaker presentations, including any personal information you provide, without change, at <http://www.regulations.gov>. Therefore, OSHA cautions you about submitting personal information such as Social Security numbers and birthdates.

**FOR FURTHER INFORMATION CONTACT:**

*For press inquiries:* Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, Room N-3647, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-1999; email [meilinger.francis2@dol.gov](mailto:meilinger.francis2@dol.gov).

*For general information about NACOSH and NACOSH meetings:* Ms. Elizabeth Grossman, Director, OSHA Office of Evaluation and Audit Analysis, Directorate of Evaluation and Analysis, U.S. Department of Labor, Room N-3641, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-2225; email [grossman.elizabeth@dol.gov](mailto:grossman.elizabeth@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**NACOSH Meeting**

NACOSH will meet June 11, 2013, in Washington, DC. Some NACOSH members will participate in the meeting electronically. The NACOSH meeting is open to the public.

Section 7(a) of the Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651, 656) authorizes NACOSH to advise the Secretary of Labor and the Secretary of Health and Human Services on matters relating to the administration of the OSH Act. NACOSH is a continuing advisory body and operates in compliance with the OSH Act, the Federal Advisory Committee Act (5 U.S.C. App. 2), and regulations issued pursuant to those laws (29 CFR Part 1912a, 41 CFR Part 102-3).

The focus of this NACOSH meeting will be occupational safety and health issues that temporary workers face. The tentative agenda for the NACOSH meeting includes:

- Remarks from the Assistant Secretary of Labor for Occupational Safety and Health (OSHA);
- Remarks from the Director of the National Institute of Occupational Safety and Health (NIOSH);
- NACOSH discussion of and recommendations on occupational safety and health issues related to temporary workers; and
- Public comments.

OSHA transcribes NACOSH meetings and prepares detailed minutes of NACOSH meetings. OSHA places the meeting transcripts and minutes in the public docket for the meeting. The docket also includes speaker presentations, comments, and other materials submitted to NACOSH.

**Public Participation, Submissions, and Access to Public Record**

*NACOSH meeting:* All NACOSH meetings are open to the public. Individuals attending NACOSH meetings at the U.S. Department of Labor must enter the building at the Visitors' Entrance at 3rd and C Streets NW., and pass through building security. Attendees must have valid government-issued photo identification (e.g., driver's license) to enter the building. For additional information about building security measures for attending the NACOSH meeting, please contact Ms. Owens (see **ADDRESSES** section).

Individuals needing special accommodation to attend the NACOSH meeting also should contact Ms. Owens.

*Submission of comments:* You may submit comments using one of the methods listed in the **ADDRESSES** section. Your submission must include the Agency name and docket number for this NACOSH meeting (Docket No. OSHA-2013-0015). OSHA will provide copies of submissions to NACOSH members.

Because of security-related procedures, submissions by regular mail may experience significant delays. For information about security procedures for submitting materials by hand delivery, express mail, and messenger or courier service, please contact the OSHA Docket Office (see **ADDRESSES** section).

*Requests to speak and speaker presentations:* If you want to address NACOSH at the meeting you must submit your request to speak, as well as any written or electronic presentation, by June 4, 2013, using one of the

methods listed in the **ADDRESSES** section. Your request must state:

- The amount of time requested to speak;
- The interest you represent (e.g., business, organization, affiliation), if any; and
- A brief outline of the presentation.

PowerPoint presentations and other electronic materials must be compatible with PowerPoint 2010 and other Microsoft Office 2010 formats. The NACOSH Chair may grant requests to address NACOSH as time and circumstances permit.

*Public docket of the NACOSH meeting:* OSHA places comments, requests to speak and speaker presentations, including any personal information you provide, in the public record of this NACOSH meeting without change, and those documents may be available online at <http://www.regulations.gov>. Therefore, OSHA cautions you about submitting certain personal information such as Social Security numbers and birthdates.

OSHA also places in the public docket the meeting transcript, meeting minutes, documents presented at the NACOSH meeting, and other documents pertaining to the NACOSH meeting. These documents are available online at <http://www.regulations.gov>. *Access to the public record of NACOSH meetings:* To read or download documents in the public docket of this NACOSH meeting, go to Docket No. OSHA-2013-0015 at <http://www.regulations.gov>. The <http://www.regulations.gov> index lists all documents in the public record for this meeting; however, some documents (e.g., copyrighted materials) are not publicly available through that Web page. All documents in the public record, including materials not available through <http://www.regulations.gov>, are available for inspection and copying in the OSHA Docket Office (see **ADDRESSES** section). Please contact the OSHA Docket Office for assistance in making submissions to, or obtaining materials from, the public docket.

Electronic copies of this **Federal Register** notice are available at <http://www.regulations.gov>. This notice, as well as news releases and other relevant information, are also available on the OSHA Web page at <http://www.osha.gov>.

**Authority and Signature**

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice under the authority granted by Section 7 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656), the Federal

Advisory Committee Act (5 U.S.C. App. 2); 29 CFR Part 1912a; 41 CFR Part 102–3; and Secretary of Labor's Order No. 1–2012 (77 FR 3912 (1/25/2012)).

Signed at Washington, DC, on May 17, 2013.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2013–12277 Filed 5–22–13; 8:45 am]

**BILLING CODE 4510–26–P**

## OFFICE OF NATIONAL DRUG CONTROL POLICY

### Appointment of Members of Senior Executive Services Performance Review Board

**AGENCY:** Office of National Drug Control Policy [ONDCP].

**ACTION:** Notice of appointments.

**SUMMARY:** The following persons have been appointed to the ONDCP Senior Executive Service Performance Review Board: Mr. Jeffrey Teitz, Dr. Terry Zobeck, Ms. Martha Gagne, and Mr. Gerard Burns.

**FOR FURTHER INFORMATION CONTACT:** Please direct any questions to Daniel R. Petersen, Deputy General Counsel (202) 395–6745, Office of National Drug Control Policy, Executive Office of the President, Washington, DC 20503.

**Daniel R. Petersen,**

*Deputy General Counsel.*

[FR Doc. 2013–12248 Filed 5–22–13; 8:45 am]

**BILLING CODE 3180–02–P**

## NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES

### Notice of Proposed Information Collection Requests: State Library Administrative Agencies Survey, FY 2014

**AGENCY:** Institute of Museum and Library Services, The National Foundation for the Arts and the Humanities.

**ACTION:** Notice, request for comments, collection of information.

**SUMMARY:** The Institute of Museum and Library Service (“IMLS”) as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

This pre-clearance consultation program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The purpose of this Notice is to solicit comments concerning the continuance of the State Library Administrative Agencies Survey for FY 2014.

A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office listed in the **ADDRESSES** section below on or before July 22, 2013.

The IMLS is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submissions of responses.

**ADDRESSES:** For a copy of the documents contact: Deanne W. Swan, Senior Statistician, Office of Planning, Research, and Evaluation, Institute of Museum and Library Services, 1800 M Street NW., 9th Floor, Washington, DC 20036. Dr. Swan can be reached by Telephone: 202–653–4769, Fax: 202–653–4601, or by email at [dswan@imls.gov](mailto:dswan@imls.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Background

The Institute of Museum and Library Services (IMLS) is an independent Federal grant-making agency and is the primary source of federal support for the Nation's 123,000 libraries and 17,500 museums. IMLS provides a variety of grant programs to assist the Nation's museums and libraries in improving their operations and enhancing their services to the public. IMLS is responsible for identifying national

needs for and trends in museum, library, and information services; measuring and reporting on the impact and effectiveness of museum, library and information services throughout the United States, including programs conducted with funds made available by IMLS; identifying, and disseminating information on, the best practices of such programs; and developing plans to improve museum, library and information services of the United States and strengthen national, State, local, regional, and international communications and cooperative networks (20 U.S.C. Chapter 72, 20 U.S.C. 9108).

#### II. Current Actions

The State Library Administrative Agencies Survey has been conducted by the Institute of Museum and Library Services under the clearance number 3137–0072, which expires 10/31/2013. State library administrative agencies (“SLAAs”) are the official agencies of each state charged by state law with the extension and development of public library services throughout the state. (20 U.S.C. Chapter 72, 20 U.S.C. 9122.) The purpose of this survey is to provide state and federal policymakers with information about SLAAs, including their governance, allied operations, developmental services to libraries and library systems, support of electronic information networks and resources, number and types of outlets, and direct services to the public. Through the FY 2010 collection, the SLAA Survey was conducted annually; beginning with the FY 2012 collection, the survey will be conducted biennially. Before the beginning of the FY 2014 collection, IMLS will review and revise the questionnaire. Because the FY 2014 collection will not begin until late 2014, we are carrying over the documentation and estimated burden associated with the FY 2012 data.

*Agency:* Institute of Museum and Library Services.

*Title:* State Library Administrative Agencies Survey, FY 2014.

*OMB Number:* 3137–0072.

*Agency Number:* 3137.

*Affected Public:* Federal, State and local governments, State library administrative agencies, libraries, general public.

*Number of Respondents:* 51.

*Frequency:* Biennially.

*Burden hours per respondent:* 24.

*Total burden hours:* 1,248.

*Total Annual Costs:* \$34,307.

*Contact:* Kim A. Miller, Management Analyst, Office of Planning, Research, and Evaluation, Institute of Museum and Library Services, 1800 M Street