

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 102

RIN 3142-AA12

Representation Case Procedures

AGENCY: National Labor Relations Board.

ACTION: Final rule; delay of effective date.

SUMMARY: On December 18, 2019, the National Labor Relations Board (Board) published a final rule amending its representation case procedures. The Board hereby amends that rule to change the effective date from April 16, 2020, to May 31, 2020. The purpose of this amendment is to facilitate the resolution of the legal challenges with respect to the rule.

DATES: The effective date of the final rule published at 84 FR 69524, December 18, 2019, is delayed from April 16, 2020, to May 31, 2020.

FOR FURTHER INFORMATION CONTACT: Roxanne L. Rothschild, Executive Secretary, National Labor Relations Board, 1015 Half St. SE, Washington, DC 20570-0001, (202) 273-1940 (this is not a toll-free number), 1-866-315-6572 (TTY/TDD).

SUPPLEMENTARY INFORMATION: On December 18, 2019, the National Labor Relations Board published a final rule modifying various aspects of its representation case procedures to permit parties additional time to comply with various pre-election requirements instituted in 2015, to clarify and reinstate some procedures that better ensure the opportunity for litigation and resolution of unit scope and voter eligibility issues prior to an election, and to make several other changes the Board deems to be appropriate policy choices that better balance the interest in the expeditious processing of questions of representation with the efficient, fair, and accurate resolution of questions of representation.

On March 18, 2020, the U.S. District Court for the District of Columbia requested that the Board consider postponing the effective date of the rule in connection with a pending proceeding concerning the rule. The Board has determined that postponing

the effective date of the rule would facilitate the resolution of the legal challenges that have been filed with respect to the rule. Accordingly, the Board has decided to change the effective date of the rule from April 16, 2020, to May 31, 2020.

Dated: March 23, 2020.

Roxanne L. Rothschild,
Executive Secretary.

[FR Doc. 2020-06365 Filed 3-27-20; 8:45 am]

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DEPARTMENT OF LABOR

Office of Labor-Management Standards

29 CFR Part 403

RIN 1245-AA09

Labor Organization Annual Financial Reports for Trusts in Which a Labor Organization Is Interested, Form T-1; Correction

AGENCY: Office of Labor-Management Standards, Department of Labor.

ACTION: Final rule; correction.

SUMMARY: The Department of Labor, Office of Labor-Management Standards is correcting a final rule that appeared in the **Federal Register** of March 6, 2020. That document revised the forms required by labor organizations under the Labor-Management Reporting and Disclosure Act (“LMRDA” or “Act”). Under the rule, specified labor organizations file annual reports (Form T-1 Trust Annual Report) concerning trusts in which they are interested. The Form T-1 Instructions published with the final rule, however, provided inaccurate examples concerning the applicability dates of the final rule. This document corrects those omissions.

DATES: Effective April 6, 2020.

FOR FURTHER INFORMATION CONTACT: Andrew Davis, Chief of the Division of Interpretations and Standards, Office of Labor-Management Standards, U.S. Department of Labor, 200 Constitution Avenue NW, Room N-5609, Washington, DC 20210, (202) 693-0123 (this is not a toll-free number), (800) 877-8339 (TTY/TDD), OLMS-Public@dol.gov.

SUPPLEMENTARY INFORMATION:

Background

The final rule that is the subject of this correction appeared in the **Federal Register** of March 6, 2020 (85 FR 13414); the final rule revised the forms required by labor organizations under the Labor-Management Reporting and Disclosure Act (“LMRDA” or “Act”), 29 U.S.C. 431(b). Under the rule, specified labor organizations file annual reports (Form T-1 Trust Annual Report) concerning trusts in which they are interested. The final rule also sets forth the Department’s review of and response to comments on the proposed rule. Under this rule, the Department required a labor organization with total annual receipts of \$250,000 or more (and, which therefore is obligated to file a Form LM-2 Labor Organization Annual Report) to also file a Form T-1, under certain circumstances, for each trust of the type defined by section 3(l) of the LMRDA, 29 U.S.C. 402(l) (defining “trust in which a labor organization is interested”). The rule provided appropriate instructions and revised relevant sections relating to such reports. The Form T-1 Instructions, however, provided inaccurate examples of the rule’s applicability dates. See Form T-1 Instructions, Part II (When to File) at 85 FR 13451. The second through fourth examples indicated, incorrectly, that the first Form T-1 reports, in the examples, were due later than the operative language indicated they would in Part II of the Form T-1 Instructions. This correction remedies this error by inserting the appropriate dates to the examples, thereby ensuring consistency with the operative language in the instructions.

Need for Correction

As published, the final rule contained errors within the Form T-1 Instructions, at 85 FR 13451 (col. 2), which illustrates the prospective effect of the final rule.

Appendix [Corrected]

In FR Doc. 2020-03958, in the **Federal Register** of Friday, March 6, 2020, correct page 13451 to read as follows:

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trust; a statement of trust receipts and disbursements aggregated by general sources and applications, which must include the names of the parties with which the trust engaged in \$10,000 or more of commerce and the total of the transactions with each party.

Form T-1 must be filed with the Office of Labor-Management Standards (OLMS) of the U.S. Department of Labor (Department). The labor organization must file a separate Form T-1 for each trust that meets the above requirements.

The LMRDA, CSRA, and FSA cover labor organizations that represent employees who work in private industry, employees of the U.S. Postal Service, and most Federal government employees. Questions about whether a labor organization is required to file should be referred to the nearest OLMS field office listed at the end of these instructions.

II. WHEN TO FILE

The Form T-1 requirements apply to a labor organization whose fiscal year *and* the fiscal year of its section 3(l) trust begin on or after July 1, 2020. Form T-1 must be filed within 90 days of the end of the labor organization's fiscal year. The Form T-1 shall cover the trust's most recently completed fiscal year ending on or before 90 days before the union's fiscal year. The penalties for delinquency are described in Section V (Officer Responsibilities and Penalties) of these instructions. Examples of filing dates for the Form T-1 follow:

Where the trust and labor organization have the same fiscal years

- The trust and labor organization have fiscal years ending on December 31. The Form T-1 for the fiscal year ending December 31, 2021 must be filed not later than March 31, 2023.

- The trust and the labor organization each has a fiscal year that ends on June 30. The labor organization's first Form T-1 will be for the trust's fiscal year ending June 30, 2021 and must be filed not later than September 28, 2022.

Where the trust and labor organization have different fiscal years

- The trust's fiscal year ends on June 30. The labor organization's fiscal year ends on September 30. Its first Form T-1 for this trust will be for the trust's fiscal year ending June 30, 2021 and must be filed not later than December 29, 2021.
- The trust's fiscal year ends on June 30. The labor organization's fiscal year ends on December 31. Its first Form T-1 for this trust will be for the trust's fiscal year ending June 30, 2021 and must be filed not later than March 31, 2022.

If a trust for which a labor organization was required to file a Form T-1 goes out of existence, a terminal financial report must be filed within 30 days after the date it ceased to exist. Similarly, if a trust for which a labor organization was required to file a Form T-1 continues to exist, but the labor organization's interest in that trust ceases, a terminal financial report must be filed within 30 days after the date that the labor organization's interest in the trust ceased. See Section IX (Trusts That Have Ceased to Exist) of these instructions for information on filing a terminal financial report.

III. HOW TO FILE

Form T-1 must be submitted electronically to the Department via the OLMS Electronic Forms System (EFS) available on the OLMS website at: <http://www.dol.gov/olms>. Form T-1 filers will be able to file reports in paper format

Signed in Washington, DC.

Arthur F. Rosenfeld,

Director, Office of Labor-Management Standards.

[FR Doc. 2020-06079 Filed 3-27-20; 8:45 am]

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 1

[Docket No.: PTO-P-2020-0018]

Waiver of Original Handwritten Signature Requirement Due to the COVID-19 Outbreak

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Waiver of regulations.

SUMMARY: The United States Patent and Trademark Office (USPTO or Office) considers the effects of the COVID-19 outbreak to be an extraordinary situation. Therefore, pursuant to the Office's authority, the USPTO is waiving its only regulatory requirements for an original handwritten signature personally signed in permanent dark ink or its equivalent for certain correspondence with the Office of Enrollment and Discipline and certain payments by credit card. In both instances, the Office will accept copies of handwritten signatures. The USPTO has no other requirements for original handwritten, ink signatures.

DATES: March 30, 2020.

FOR FURTHER INFORMATION CONTACT: For information concerning correspondence with the Office of Enrollment and Discipline: William Covey, Office of Enrollment and Discipline, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at (571) 272-4097 or by email at William.Covey@uspto.gov. For information concerning payments by credit cards: Matthew Lee, Office of Finance, United States Patent and Trademark Office, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; by telephone at (571) 272-6343 or by email at Matthew.Lee@uspto.gov.

SUPPLEMENTARY INFORMATION: The USPTO considers the effects of the COVID-19 outbreak to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146(a)(5) for affected persons doing business before the Office. Accordingly, the USPTO is *sua sponte* waiving the requirements of 37 CFR 1.4(e)(1) and (2) for an original handwritten signature

personally signed in permanent dark ink or its equivalent for correspondence requiring a person's signature and relating to (1) registration to practice before the USPTO in patent cases, enrollment and disciplinary investigations, or disciplinary proceedings; and (2) payments by credit cards where the payment is not being made via the Office's electronic filing systems. The Office notes that the requirements of 37 CFR 1.4(e)(1) and (2) are the only USPTO requirements for original handwritten, ink signatures, and the USPTO has no other requirements for original handwritten, ink signatures. The USPTO's requirements concerning signature methods are set forth in 37 CFR 1.4 and 37 CFR 2.193.

In light of the waiver of the requirements of 37 CFR 1.4(e)(1), the Office of Enrollment and Discipline will accept the signature methods described in 37 CFR 1.4(d). In light of the waiver of the requirements of 37 CFR 1.4(e)(2), the Office of Finance will accept the signature methods described in 37 CFR 1.4(d). Persons providing such submissions to the Office are reminded that, pursuant to 37 CFR 1.4(d)(4), such submissions constitute a certification under 37 CFR 11.18(b) and that violations of 37 CFR 11.18(b) may be subject to disciplinary action pursuant to 37 CFR 11.18(d). And, in circumstances where deemed appropriate, the Office of Enrollment and Discipline and the Office of Finance may request that signatures be ratified/confirmed pursuant to 37 CFR 1.4(h).

The USPTO already permits persons to provide true copies of handwritten signatures or electronic signatures that meet the requirements of 37 CFR 2.193(c) on each piece of Trademark correspondence that requires a signature. 37 CFR 2.193(a). Likewise, the USPTO already permits persons to provide a direct or indirect copy of an original handwritten signature (37 CFR 1.4(d)(1)(ii)) or S-signatures that meet the requirements of 37 CFR 1.4(d)(2) on each piece of Patent correspondence that requires a signature. 37 CFR 1.4(d)(1). This waiver is effective until further notice is provided by the Office. Such notice may take place by publication of a document in the **Federal Register** and the USPTO's website.

Andrei Iancu,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2020-06186 Filed 3-27-20; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R06-OAR-2018-0786; FRL-10006-43-Region 6]

Air Plan Approval; Oklahoma; Infrastructure for the 2015 Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is approving elements of a State Implementation Plan (SIP) submission from the State of Oklahoma for the 2015 Ozone (O₃) National Ambient Air Quality Standard (NAAQS). Oklahoma's October 25, 2018, submittal addressed how the existing SIP provides for implementation, maintenance, and enforcement of the 2015 O₃ NAAQS (infrastructure SIP or i-SIP). The i-SIP ensures that the Oklahoma SIP is adequate to meet the state's responsibilities under the CAA for this NAAQS.

DATES: This rule is effective on April 29, 2020.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R06-OAR-2018-0786. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through <https://www.regulations.gov> or in hard copy at the EPA Region 6 Office, 1201 Elm Street, Suite 500, Dallas, Texas 75270.

FOR FURTHER INFORMATION CONTACT: Robert M. Todd, EPA Region 6 Office, Infrastructure & Ozone Section, 1201 Elm Street, Suite 500, Dallas, TX 75270, 214-665-2156, todd.robert@epa.gov. To inspect the hard copy materials, please schedule an appointment with Mr. Todd or Mr. Bill Deese at 214-665-7253.

SUPPLEMENTARY INFORMATION: Throughout this document "we," "us," and "our" means the EPA.