

identify such records as are necessary to enable the persons described in Section IV(b)(1) to determine whether the conditions of this exemption have been met, to the extent such records are available to the Applicants or NTC, the independent fiduciary, as of the date of publication of this final exemption in the **Federal Register**, and (ii) maintain, or cause to be maintained (including to be maintained on behalf of the Applicants by any agent, advisor or other service provider to the Applicants), such records for a period of six (6) years from the date of publication of this final exemption in the **Federal Register**, except that:

(1) A separate prohibited transaction shall not be considered to have occurred if the records identified in Section IV(a) are lost or destroyed before the end of the six-year period due to circumstances beyond the control of Applicants; and

(2) No disqualified person with respect to a Non-ERISA Plan Client, other than the Applicants, is subject to excise taxes imposed by Code section 4975 if such records are not maintained or made available for examination as required by section IV(b)(1).

(b)(1) Except as provided in section IV(b)(2), the records referred to in section IV(a) are unconditionally available upon reasonable advance request at their customary location for examination during normal business hours by:

(A) any duly authorized employee or representative of the Department, the Internal Revenue Service, or the Securities and Exchange Commission;

(B) any fiduciary of any Non-ERISA Plan Client that engaged in a Covered Transaction, or any duly authorized employee or representative of such fiduciary; or

(C) any owner or beneficiary of a Non-ERISA Plan Client that engaged in a Covered Transaction or a representative of such owner or beneficiary.

(2) None of the persons described in sections IV(b)(1)(B) and (C) shall be authorized to examine the Applicants' trade secrets or privileged or confidential commercial and financial information.

(3) If the Applicants refuse to disclose records referred to in section IV(a) to any persons described in sections IV(b)(1)(B), and (C) on the basis that such information is exempt from disclosure, the Applicants shall provide a written notice advising such persons of the reasons for the refusal and that the Department may request such information within 30 days after their request.

*Effective Date:* This exemption is in effect from December 14, 2010, until September 16, 2013.

Signed at Washington, DC, this 24th day of July 2023.

**George Christopher Cosby,**

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

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**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Agency Information Collection Activities; Comment Request; O\*NET Data Collection Program

**ACTION:** Notice.

**SUMMARY:** The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a revision to a previously approved information collection request (ICR) titled "O\*NET Data Collection Program." This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

**DATES:** Consideration will be given to all written comments received by September 29, 2023.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Lauren Fairley by telephone at (202) 693-3731 (this is not a toll-free number), TTY 1-877-889-5627 (this is not a toll-free number), or by email at [fairley.lauren@dol.gov](mailto:fairley.lauren@dol.gov) or by accessing <http://www.onetcenter.org/ombclearance.html>.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration—Division of National Programs Tools and Technical Assistance, 200 Constitution Avenue NW, C4526, Washington, DC 20210; by email: [fairley.lauren@dol.gov](mailto:fairley.lauren@dol.gov); or by fax (202) 693-3015.

**FOR FURTHER INFORMATION CONTACT:** Lauren Fairley by telephone at (202) 693-3731 (this is not a toll-free number) or by email at [fairley.lauren@dol.gov](mailto:fairley.lauren@dol.gov).

*Authority:* 44 U.S.C. 3506(c)(2)(A).

**SUPPLEMENTARY INFORMATION:** DOL, as part of continuing efforts to reduce

paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure 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 can be properly assessed. The O\*NET Data Collection Program ICR 1205-0421 received OMB Clearance on November 22, 2021.

This revision to the previously-approved ICR proposes to collect updated occupational characteristics and requirements information on an ongoing basis. Under this proposal, both selected sample sizes of business establishments and use of the Occupation Expert Methodology have been increased to offset declining response rates and the potentially lasting impacts of COVID-19 on business eligibility (see Section 15).

Selected respondents will be offered varying incentive amounts to assess the impact for reducing the potential for nonresponse bias, increasing response rates, and minimizing follow-up data collection efforts; and contacted Occupation Expert source organizations will be presented with the opportunity of a recognition program for their participation (Section 9).

Informational materials have been condensed to reduce redundancy and burden (Appendix F).

Appendix G in this ICR package differs from the 2021 Appendix G submission: the look and format of the questionnaires have been modernized to reflect current best practices for surveys, including standardization of similar background questions between the Establishment and Occupation Expert questionnaires; and updating the instructions and questions for level items to add additional clarity.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB Control No. 1205–0421.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- 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 submission of responses).

*Agency:* DOL-ETA.

*Type of Review:* Revision.

*Title of Collection:* O\*NET Data Collection Program.

*Form:* N/A.

*OMB Control Number:* 1205–0421.

*Affected Public:* Private sector (for-profit businesses and not-for-profit organizations); State, local and tribal governments, Federal government, Individuals or Households.

*Estimated Number of Respondents:* 42,415.

*Frequency:* Varies.

*Total Estimated Annual Responses:* 42,415

*Estimated Average Time per Response:* Varies.

*Estimated Total Annual Burden Hours:* 15,150,270 hours.

*Total Estimated Annual Other Cost Burden:* \$0.

**Brent Parton,**

*Acting Assistant Secretary for Employment and Training, Labor.*

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**BILLING CODE 4510–FN–P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA–2023–0003]

#### National Advisory Committee on Occupational Safety and Health (NACOSH); Request for Nominations

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

**ACTION:** Request for nominations.

**SUMMARY:** OSHA invites interested persons to submit nominations for membership on the National Advisory Committee on Occupational Safety and Health (NACOSH).

**DATES:** Nominations for NACOSH membership must be submitted (postmarked, sent, transmitted, or received) by August 30, 2023.

**ADDRESSES:**

*Electronically:* You may submit nominations, including attachments, electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the online instructions for making submissions.

OSHA will post submissions in response to this **Federal Register** notice, including personal information, in the public docket, which will be available online. Therefore, OSHA cautions interested parties about submitting personal information such as Social Security numbers and birthdates.

*Docket:* To read or download submissions or other material in the docket, go to <http://www.regulations.gov>. All documents in the public docket are listed in the index; however, some documents (e.g., copyrighted material) are not publicly available to read or download through [www.regulations.gov](http://www.regulations.gov). All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

**FOR FURTHER INFORMATION CONTACT:**

*For press inquiries:* Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of

Labor; telephone: (202) 693–1999; email: [meilinger.francis2@dol.gov](mailto:meilinger.francis2@dol.gov).

*General information and technical inquiries:* Ms. Lisa Long, Deputy Director, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone: (202) 693–2049; email: [long.lisa@dol.gov](mailto:long.lisa@dol.gov).

**SUPPLEMENTARY INFORMATION:** The Secretary of Labor (Labor Secretary) invites interested individuals to submit nominations for membership on NACOSH.

#### I. Background

The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651, 656) established NACOSH to advise, consult with, and make recommendations to the Labor Secretary and the Secretary of Health and Human Services (HHS Secretary) on matters relating to the administration of the OSH Act. NACOSH is a continuing advisory committee of indefinite duration.

NACOSH operates in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2), implementing regulations (41 CFR part 102–3), the OSH Act, and OSHA's regulations on NACOSH (29 CFR part 1912a).

The Committee meets at least two times a year (29 U.S.C. 656(a)(2)). Committee members serve without compensation, but OSHA provides travel and per diem expenses. NACOSH members serve staggered terms, unless the member becomes unable to serve, resigns, ceases to be qualified to serve, or is removed by the Labor Secretary. The term of two Health and Human Services-designated NACOSH members will expire on November 15, 2023.

#### II. NACOSH Membership

NACOSH is comprised of 12 members appointed by the Secretary of Labor, four of which are designated by the HHS Secretary. Accordingly, the Labor Secretary seeks committed members to serve a two-year term. If a vacancy occurs before a term expires, the Labor Secretary may appoint a new member who represents the same interest as the predecessor to serve the remainder of the unexpired term. The U.S. Department of Labor is committed to equal opportunity in the workplace and seeks a broad-based and diverse NACOSH membership.

Nominations of new members, or resubmissions of current or former members, will be accepted to fill vacancies in two categories of membership. Interested persons may nominate themselves or submit the name of another person whom they believe to be interested in and qualified