

(1) Nominee's contact information and current employment or position;

(2) Nominee's resume or curriculum vitae, including prior membership on ACCSH and other relevant organizations and associations;

(3) Categories of membership (employer, employee, public, State safety and health agency) that the nominee is qualified to represent;

(4) A summary of the background, experience, and qualifications that addresses the nominee's suitability for the nominated membership category;

(5) Articles or other documents the nominee has authored that indicate the nominee's knowledge, experience, and expertise in occupational safety and health, particularly as it pertains to the construction industry; and

(6) A statement that the nominee is aware of the nomination, is willing to regularly attend and participate in ACCSH meetings, and has no conflicts of interest that would preclude membership on ACCSH.

**Member selection.** The Secretary will select ACCSH members on the basis of their experience, knowledge, and competence in the field of occupational safety and health, particularly in the construction industry. Information, received through this nomination process, and other relevant sources of information, will assist the Secretary in appointing members to ACCSH. In selecting ACCSH members, the Secretary will consider individuals nominated in response to this **Federal Register** notice, as well as other qualified individuals. OSHA will publish the list of new ACCSH members in the **Federal Register**.

#### Public Participation

**Instructions for submitting nominations.** All nominations, supporting documents, attachments, and other materials must identify the Agency name and the docket number for this notice (Docket No. OSHA-2011-0124). You may submit materials: (1) Electronically, (2) by FAX, or (3) by hard copy. You may supplement electronic submissions by attaching electronic files. Alternatively, if you wish to supplement electronic submissions with hard copy documents, you must submit them to the OSHA Docket Office and clearly identify your electronic submission by Agency name and docket number (Docket No. OSHA-2011-0124) so that the Docket Office can attach the materials to the electronic submission.

Because of security-related procedures, materials submitted by mail may experience significant delays. For information about security procedures

concerning the delivery of materials by hand, express delivery, and messenger or courier service, please contact the OSHA Docket Office.

OSHA will post all submissions, including personal information provided, in the docket without change; therefore, OSHA cautions interested parties about submitting personal information such as Social Security numbers and birthdates. Guidance on submitting nominations and supporting materials is available on-line at <http://www.regulations.gov> and from the OSHA Docket Office.

**Access to the docket.** All submissions in response to this **Federal Register** notice are available in the <http://www.regulations.gov> index; however, some documents (e.g., copyrighted material) are not publicly available to read or download from that Web page. All submissions, including materials not available on-line, are available for inspection and copying at the OSHA Docket Office. For information about accessing materials in Docket No. OSHA-2011-0124, including materials not available on-line, contact the OSHA Docket Office.

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

#### Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, directed 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), Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704), the Federal Advisory Committee Act (5 U.S.C. App. 2), 29 CFR part 1912, 41 CFR part 102-3, and Secretary of Labor's Order No. 4-2010 (75 FR 55335).

Signed at Washington, DC, this November 17, 2011.

**David Michaels,**

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

[FR Doc. 2011-30194 Filed 11-22-11; 8:45 am]

**BILLING CODE 4510-26-P**

## OFFICE OF MANAGEMENT AND BUDGET

### Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** Office of Federal Financial Management, Office of Management and Budget.

**ACTION:** Notice; request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) invites the general public and Federal agencies to comment on the renewal of the Standard Form 425, Federal Financial Report and the SF-425A, Federal Financial Report Attachment (collectively known as "the FFR"). The FFR is used in reporting financial information under grants and cooperative agreements. The public was invited to comment on the renewal of the FFR in a notice published in the **Federal Register** on July 28, 2011 (76 FR 45299). Some of the public comments received in response to July notice resulted in changes to the content of the FFR and FFR instructions. The proposed revised FFR and FFR instructions are at [http://www.whitehouse.gov/omb/grants\\_standard\\_report\\_forms/](http://www.whitehouse.gov/omb/grants_standard_report_forms/).

**DATES:** Comments must be received by December 23, 2011. Due to potential delays in OMB's receipt and processing of mail sent through the US Postal Service, we encourage respondents to submit comments electronically to ensure timely receipt. We cannot guarantee that comments mailed will be received before the comment closing date.

**ADDRESSES:** Comments may be sent through [regulations.gov](http://regulations.gov), a Federal E-Government Web site that allows the public to find, review, and submit comments on documents that agencies have published in the **Federal Register** and that are open for comment. Simply type "FFR renewal-2" (in quotes) in the Comment or Submission search box, click Go, and follow the instructions for submitting comments. Comments received by the date specified above will be included as part of the official record.

Marguerite Pridgen, Office of Federal Financial Management, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503; telephone (202) 395-7844; fax (202) 395-3952; email [mpridgen@omb.eop.gov](mailto:mpridgen@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Marguerite Pridgen at the addresses noted above.

**Debra J. Bond,**  
*Deputy Contoller.*

**SUPPLEMENTARY INFORMATION:** In the Paperwork Reduction Act notice published on July 28, 2011 [76 FR 45299], OMB requested comments on the Standard Form (SF) 425, Federal Financial Report and Standard Form (SF) 425A, Federal Financial Report Attachment (collectively known as “the FFR”). We received comments from an individual and five organizations. In response to those comments, we made changes to the FFR and FFR instructions. The proposed revised forms are posted at [http://www.whitehouse.gov/omb/grants\\_standard\\_report\\_forms/](http://www.whitehouse.gov/omb/grants_standard_report_forms/).

Following is a summary of the comments we received and our responses.

## I. Comments and Responses

### A. Agency Implementation

*Comment:* Several commenters were in favor of the FFR and considered it to be an improvement over the forms it replaced (*i.e.*, SF-269, SF-269A, SF-272, and SF-272A). However, many commenters expressed concern that agencies were customizing the form and/or form instructions. One commenter stated that Federal agencies don't require them to use the FFR. A state association commented that some programs still require recipients to report using the legacy standard forms SF-269 and SF-272.

*Response:* No change has been made. We agree that the FFR should be kept uniform by all agencies as much as possible to allow for consistency in preparation by the grantee community. Agencies are permitted to shade out areas that they do not use, but may not add additional data elements without clearance from OMB. The SF-269, SF-269A, SF-272, and SF-272A forms were not renewed by OMB. Agencies may not require recipients to use expired forms. Recipients are not required to respond to Federal information collections that do not have a current and valid OMB approval number. Agencies must ensure they receive OMB approval when required prior to collecting information from recipients.

*Comment:* A commenter representing a state association commented that the main issue concerning data collection seems to be the lack of standardization across and within Federal agencies regardless of whether the process occurs via forms or other data models. The

commenter also stated that if the implementation of the Digital Accountability and Transparency Act of 2011 (“DATA Act”) would include reporting of all grant expenditures, it could lead to the elimination of the FFR or other financial reports.

*Response:* No change has been made. We agree that standardization across and within Federal agencies, whether the process occurs via forms or other data models, improves the information collection process for agencies and recipients. As of the date of this notice, the DATA Act has not been enacted.

*Comment:* Several commenters raised issues with how agency personnel and systems access and process the FFR. A commenter representing a state association stated that some agency personnel that deal with grant closeout do not always have access to the online reports that have been filed with their system. The recipients then fax or mail the FFR to the granting agency. Another commenter provided details on problems experienced with online submissions of these forms through the US Department of Health and Human Service's Payment Management System.

*Response:* Because these issues deal with agency implementation, no change has been made to the form in response to these comments. We have shared the comments with the managers of the Payment Management System who are working to address issues raised by the commenters.

### B. Form Content, Instructions, and Format

*Comment:* Several commenters stated that the FFR was an improvement over the previous SF-269. One commenter representing a state association stated that the FFR is a more cumbersome report to prepare than the SF-269 due to the more complicated instructions and the fact that both Federal draws and actual Federal expenditures are on the same report.

*Response:* The general feedback we have received is that the FFR is an improvement over the legacy forms it replaces. In response to several other public comments, we have made changes to the form and form instructions to foster consistency.

*Comment:* A commenter stated that the instruction for program income on line 10e is incorrect. Specifically, the last sentence in instructions refers to 10o rather than 10m.

*Response:* We agree and have made a change to the instruction. The last sentence in the instruction for 10e should read “10m” not “10o”.

*Comment:* A commenter stated that Line 10l is confusing by stating “total

Federal program income” suggesting it would be clearer to remove the word Federal. As an example, the commenter stated that her grant program is on a reimbursement basis of 75 percent Federal financial participation. So in many instances where program income was earned, the grantee would only report 75 percent of the total amount that the project earned in program income, because that was the Federal portion. In other instances the grantee will report the total amount, so it is not consistent because many interpret the instructions differently.

*Response:* We agree and have made a change to the instruction. Line 10l is intended to collect the total Federal share of program income earned. Line 10l has been changed to “Total Federal Share of Program Income Earned.” The instruction for line 10l has been changed to “Enter the amount of the Federal share of program income earned.”

*Comment:* Several commenters expressed support for certain features of the FFR form while some commenters expressed support for certain features of the legacy SF-269. For instance, one commenter stated that there was value to having the cumulative totals on the form (SF-269) while another commenter stated that it is better that the cumulative totals not be on the report (FFR). Another commenter stated that “previously reported” and “this period” columns that were on the SF-269 made it simpler to reconcile and monitor the changes over each quarter while another commenter expressed support for the FFR not having these columns. One commenter stated that the FFR doesn't allow for as much oversight on what is occurring financially on each report, such as if any refunds, credits, and type of match, unless the grantee uses the Remarks box. Another commenter expressed support for the indirect expense field being expanded to accommodate split rates.

*Response:* No change has been made. The feedback we have received since the FFR has been implemented is that it is easier for grantees to complete and for agency staff to review than the SF-269. For example, the intent of a single column on the FFR was to keep the form as simplified as possible and to reduce the reporting burden on grantees. Federal agencies and recipients are still able to use the data in the form to compute the changes in amounts from the previous report. While we could have added back those columns and other data elements, we are concerned that the burden of collecting and reporting the data may outweigh the utility of the data.

*Comment:* A commenter from a Federal agency expressed support for the FFR and recommended that OMB clarify its position regarding computation of interest earned on advances of grant funds and add corresponding data elements and instructions to the FFR.

*Response:* We agree in part with the comment. We have not added any additional data elements to the form in an effort to minimize reporting burden. We will reexamine the need for requiring recipients to report interest when we review other requests for changes to the form.

Recent findings in Federal audits of recipient cash management policies and procedures identified issues concerning the methods that recipients used to compute the amount of interest earned on Federal Cash on Hand. Auditors found that some recipients subtracted the aggregated amount of disbursements they had made under all of their Federal awards from the aggregated amount of payments they had received from the Government under those awards to compute the amount of Cash on Hand from all payments, which then became the basis for computing the amount of interest to be remitted. Recipients included in the computation awards paid by the reimbursement method, as well as awards paid by the advance method for which disbursements at the time of the computation exceeded the amount of the advances they had requested and received from the Government. For reimbursement method awards, the recipients had used their own funds to cover cash needs, pending receipt of future payments of Federal funds. The calculated balances of Federal Cash on Hand for those awards were negative, which offset positive balances for other Federal awards and reduced the computed amount of Federal Cash on Hand for all Federal awards in the aggregate. It therefore also reduced the computed amount of interest to be remitted to the Government. In light of these matters, and the commenter's recommendations, we have added and instruction to line 10c "Cash on Hand" to read as follows:

"Use of Aggregated Amounts of Disbursements and Advances. A recipient must compute the amount of Federal Cash on Hand due to undisbursed advance payments using the same basis that it uses in requesting the advances. Therefore, in doing the computation, a recipient may only aggregate the amounts of its advance payments received and disbursements of Federal funds under multiple awards only if it is authorized to aggregate its requests for advance payments in the

same manner. The following examples should help to illustrate what is permissible:

- If a recipient is authorized to consolidate its requests for advance payment for a group of awards—i.e., it requests a single amount to cover its anticipated cash needs for the awards in the aggregate, then it may similarly compute the Cash on Hand by subtracting the aggregated amount of disbursements from the aggregated amount of the advances received for those awards.

- If the same recipient is required to request payment individually for other Federal awards, it must compute the Cash on Hand for each of those awards on an award by award basis and correspondingly report these awards on separate FFRs.

Exclusion of Negative Balances of Cash on Hand. In computing the total amount of Cash on Hand for its Federal awards in the aggregate, a recipient must exclude any negative balance of Federal Cash on Hand for an individual award or for a group of awards paid through a consolidated payment request. This includes each award paid by the reimbursement method and any award using the advance method that has disbursements in excess of advances received to date. The computation must include only positive balances of cash on hand."

On the form itself, we added the word "combined" to the instruction line 10 "Transactions" which now reads "(Use lines a-c for single or combined multiple grant reporting)" and added the word "separately" to the instruction for Federal Cash which now reads "Federal Cash (To report multiple grants separately, also use FFR Attachment)."

*Comment:* A commenter expressed concern with the limited amount of space available on the FFR for inputting data such as dates and indirect cost information.

*Response:* We have not made changes to the form. The Excel version of the FFR on the OMB Web site is the recommended version to use since it allows the reporter to adjust the cell and column sizes as appropriate. As all agencies move to electronic entry and submission, this problem should cease to be an issue.

#### C. Timing of Submission

*Comment:* A commenter stated that quarterly reporting on the FFR is better for reconciling the grant close-out because it is cumulative for all the grant years included with each letter of credit. However, there is an issue with timing because of transactions that occur before the grant closing, but that are not

reported until the financial department's reporting quarter end date. The cash transactions portion of the SF-425 is still quarterly, but is populated more quickly for reference during the process of reconciling a grant for close-out.

*Response:* No change has been made. This particular issue was raised in the commenter's discussion of how the US Department of Health and Human Services' Payment Management System processes the reports and was referred to the system manager for review.

*Comment:* A commenter stated that FFR due date (the 30th following the end of the quarter) is the same day or 15 days prior to several Federal reports' due date, which is 45 days. The commenter stated that this is problematic because it forces the grantee to report draws or prior quarter disbursements rather than current, and the commenter has not been able to consistently determine if the report can be amended during the quarter.

*Response:* No change has been made. The report may not be amended during the quarter. The grantee has 30 days past the quarter end date to report expenditures. If information reported is not current, the grantee is able to report remaining expenditures on the following quarter.

#### D. Reporting Burden

*Comment:* Several commenters expressed concern that FFR does not lessen their reporting burden.

*Response:* No change has been made. The FFR is the combination of the SF-272 and SF-269 forms streamlined into one form. The consensus has been that recipients prefer to fill out one form instead of two. We recognize that a recipient may be required to report additional financial data through other collection instruments, and we are seeking ways to reduce overall reporting burden in the future by scrutinizing agency requests to collect this additional financial data.

## II. Next Steps

Once the revised FFR is approved by OMB, agencies shall adopt it for use on their grants and cooperative agreements, and where appropriate, on other assistance agreements. Agencies that use customized (non-standard) forms to collect financial data from their recipients should discuss the need to continue use of the customized forms with OMB's Office of Federal Financial Management prior to seeking clearance or renewal from OMB's Office of Information and Regulatory Affairs.

OMB Control No.: 0348-0061.  
Title: Federal Financial Report.

Form No.: SF-425, SF-425A.

Type of Review: Renewal of a currently approved collection.

Respondents: States, Local Governments, Universities, Non-Profit Organizations.

Number of Responses: 1,200,000.

Estimated Time per Response: 60 minutes.

Needs and Uses: The SF-425 is used to collect financial information for recipients of grants and cooperative agreements and related transactions under nonconstruction grant programs.

[FR Doc. 2011-30283 Filed 11-22-11; 8:45 am]

BILLING CODE 3110-01-P

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice.

**SUMMARY:** NARA is giving public notice that the agency proposes to request extension of a currently approved information collection used to permit the public and other Federal agencies to use its official seal(s) and/or logo(s). The public is invited to comment on the proposed information collection pursuant to the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be received on or before January 23, 2012 to be assured of consideration.

**ADDRESSES:** Comments should be sent to: Paperwork Reduction Act Comments (ISP), Room 4400, National Archives and Records Administration, 8601 Adelphi Rd., College Park, MD 20740-6001; or faxed to (301) 713-7409; or electronically mailed to [tamee.fechhelm@nara.gov](mailto:tamee.fechhelm@nara.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the proposed information collections and supporting statements should be directed to Tamee Fechhelm at telephone number (301) 837-1694, or fax number (301) 713-7409.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13), NARA invites the general public and other Federal agencies to comment on proposed information collections. The comments and suggestions should address one or more of the following points: (a) Whether the proposed collection information is necessary for the proper performance of the functions of NARA;

(b) the accuracy of NARA's estimate of the burden of the proposed information collections; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of information technology; and (e) whether small businesses are affected by this collection. The comments that are submitted will be summarized and included in the NARA request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this notice, NARA is soliciting comments concerning the following information collection:

*Title:* Use of NARA Official Seals.

*OMB number:* 3095-0052.

*Agency form number:* N/A.

*Type of review:* Regular.

*Affected public:* Business or other for-profit, Not-for-profit institutions, Federal government.

*Estimated number of respondents:* 10.  
*Estimated time per response:* 20 minutes.

*Frequency of response:* On occasion.

*Estimated total annual burden hours:* 3 hours.

*Abstract:* The authority for this information collection is contained in 36 CFR 1200.8. NARA's three official seals are the National Archives and Records Administration seal; the National Archives seal; and the National Archives Trust Fund Board seal. The official seals are used to authenticate various copies of official records in our custody and for other official NARA business. Occasionally, when criteria are met, we will permit the public and other Federal agencies to use our official seals. A written request must be submitted to use the official seals, which we approve or deny using specific criteria.

Dated: November 14, 2011.

**Michael L. Wash,**

*Executive for Information Services/CIO.*

[FR Doc. 2011-30242 Filed 11-22-11; 8:45 am]

BILLING CODE 7515-01-P

## NATIONAL SCIENCE FOUNDATION

### Notice of Buy American Waiver Under the American Recovery and Reinvestment Act of 2009

**AGENCY:** National Science Foundation (NSF).

**ACTION:** Notice.

**SUMMARY:** NSF is hereby granting a limited program-specific exemption of

section 1605 of the American Recovery and Reinvestment Act of 2009 (Recovery Act), Public Law 111-5, 123 Stat. 115, 303 (2009), for incidental items that comprise, in total, an amount that is no more than 5 percent of the total cost of the iron, steel, and manufactured goods used in and incorporated into a project funded through the Academic Research Infrastructure Recovery and Reinvestment Program.

**DATES:** November 23, 2011.

**ADDRESSES:** National Science Foundation, 4201 Wilson Blvd., Arlington, Virginia 22230.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kathleen Clark Baukin, Division of Grants and Agreements, (703) 292-8210.

**SUPPLEMENTARY INFORMATION:** In accordance with section 1605(c) of the Recovery Act and section 176.80 of Title 2 of the Code of Federal Regulations, the National Science Foundation (NSF) hereby provides notice that on July 20, 2011, the NSF Chief Financial Officer, in accordance with a delegation order from the Director of the agency on 27 May 2010, granted a de minimis exemption of section 1605 of the Recovery Act (Buy American provision) with respect to incidental items that comprise, in total, an amount that is no more than 5 percent of the total cost of the iron, steel, and manufactured goods used in and incorporated into a project funded through the Academic Research Infrastructure—Recovery and Reinvestment Program. The basis for this exemption is section 1605(b)(1) of the Recovery Act, in that executing individual exemptions for many of the incidental items used in construction and renovation, such as nuts, bolts, wires, cables, switches, *etc.* is not in the public interest. The total cost of incidental items requiring use of this limited exemption is expected to be less than 5% of the total Recovery Act funds awarded under the Academic Research Infrastructure—Recovery and Reinvestment Program or less than \$10,000,000. Award terms and conditions still require awardees to Buy American to the extent practicable for items within the de minimis part of the projects.

### I. Background

The Recovery Act appropriated \$200 million to NSF for projects being funded by the Foundations Academic Research Infrastructure—Recovery and Reinvestment Program (ARI). This Program funds renovation of infrastructure for research at academic institutions and non-profit research organizations.