

not apply to internal committees, boards, task forces, or working groups, or to purely interagency committees, boards, task forces, or working groups.

#### 4. Background.

The Secretary or the Secretary's designee has the authority and responsibility to appoint members of Committees that provide information, expertise, and recommendations to Department agencies. The formation of Committees and the selection of their membership are governed in detail by the Department of Labor Manual Series. Secretary's Order 04–2018 established new, additional procedures for the selection and appointment of Committee members. These procedures included specific requirements regarding the content of vacancy notices, screening procedures, the composition and number of employees involved in recommending selections, and various procedures governing recommendations and appointments by agency heads, the Deputy Secretary, and the Secretary. While the Department has a strong interest in obtaining disinterested expert advice from its Committees, after two years, the Department has determined these new procedures on balance are unnecessary and inefficient.

The Department's Committees vary widely in the issues on which they advise the Department and the qualifications required of their members. The processes by which Committee members are selected should reflect the differing needs and priorities associated with each Committee and be proportionate to them. Accordingly, this Order rescinds Secretary's Order 04–2018. Appointments previously made under Secretary's Order 04–2018 are unaffected by this Order.

#### 5. Responsibilities.

A. The Deputy Secretary is responsible for issuing written guidance, as necessary, to implement this Order.

B. The Committee Management Officer (CMO), as required by § 8(b) of the Federal Advisory Committee Act, is responsible for coordinating all Federal Advisory Committee activities with DOL agencies. The CMO is an employee of the Office of the Executive Secretariat.

C. The Assistant Secretary for Administration and Management, in consultation with the Deputy Secretary, Solicitor of Labor, and the Committee Management Officer, is responsible for maintaining internal Department guidance related to the selection and appointment of members to Committees.

D. The Solicitor of Labor is responsible for providing legal advice to

the Department on all matters arising in the implementation and administration of this Order.

6. *Privacy.* This Order is subject to the applicable laws, regulations, and procedures concerning the privacy of applicants to Committees.

7. *Controlling Law; Administrative Matters.* The requirements of this Order are intended to be general in nature, and accordingly shall be construed and implemented to be consistent with more specific requirements of any statute, Executive Order, or other law governing the composition of a particular Committee. If a conflict arises, the specific statute, Executive Order, or other law shall govern.

8. *Redelegation of Authority.* Except as otherwise provided by law, all authorities delegated in this Order may be redelegated to serve the purposes of this Order.

9. *Effective Date.* This order is effective immediately.

Signed in Washington, DC, this 8th day of September, 2020.

Eugene Scalia,  
Secretary of Labor.

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## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Technical Advisory Committee; Request for Nominations

**AGENCY:** Bureau of Labor Statistics (BLS), Department of Labor.

**ACTION:** Request for nominations for membership on the BLS Technical Advisory Committee.

**SUMMARY:** The BLS is soliciting new members for the Technical Advisory Committee (TAC) to address five member terms expiring on April 12, 2021, and any vacancy that may occur on the TAC between the date of publication of this notice and April 12, 2021. The TAC provides advice to the Bureau of Labor Statistics on technical aspects of data collection and the formulation of economic measures and makes recommendations on areas of research. On some technical issues there are differing views, and receiving feedback at public meetings provides BLS with the opportunity to consider all viewpoints. The Committee consists of 16 members chosen from a cross-section of economists, statisticians, and behavioral scientists who represent a balance of expertise. The economists have research experience with technical issues related to BLS data and are

familiar with employment and unemployment statistics, price index numbers, compensation measures, productivity measures, occupational and health statistics, or other topics relevant to BLS data series. The statisticians are familiar with sample design, data analysis, computationally intensive statistical methods, non-sampling errors, or other areas which are relevant to BLS work. The behavioral scientists are familiar with questionnaire design, usability, or other areas of survey development. BLS invites persons interested in serving on the TAC to submit their names for consideration for committee membership. Economists and statisticians with an expertise in data science will receive special consideration. Typically, TAC members are appointed to three-year terms, and serve as Special Government Employees.

**DATES:** Nominations for the TAC membership should be postmarked or transmitted by October 19, 2020.

**ADDRESSES:** Nominations for the TAC membership should be emailed to [BLSTAC@bls.gov](mailto:BLSTAC@bls.gov). Email nominations are preferred, but may also be mailed to Lucy Eldridge, U.S. Bureau of Labor Statistics, 2 Massachusetts Avenue NE, Room 2150, Washington, DC 20212.

**FOR FURTHER INFORMATION CONTACT:** Lucy Eldridge, Associate Commissioner, U.S. Bureau of Labor Statistics, 2 Massachusetts Avenue NE, Office of Productivity and Technology, Room 2150, Washington, DC 20212. Telephone: 202–691–5600. This is not a toll free number. Email: [BLSTAC@bls.gov](mailto:BLSTAC@bls.gov).

**SUPPLEMENTARY INFORMATION:** The Bureau often faces highly technical issues while developing and maintaining the accuracy and relevancy of its data on employment and unemployment, prices, productivity, and compensation and working conditions. These issues range from how to develop new measures to how to make sure that existing measures account for the ever-changing economy. BLS presents issues and then draws on the specialized expertise of Committee members representing specialized fields within the academic disciplines of economics, statistics and survey design. Committee members are also invited to bring to the attention of BLS issues that have been identified in the academic literature or in their own research.

The TAC was established to provide advice to the Commissioner of Labor Statistics on technical topics selected by the BLS. Responsibilities include, but

are not limited to providing comments on papers and presentations developed by BLS research and program staff, conducting research on issues identified by BLS on which an objective technical opinion or recommendation from outside of BLS would be valuable, recommending BLS conduct internal research projects to address technical problems with BLS statistics that have been identified in the academic literature, participating in discussions of areas where the types or coverage of economic statistics could be expanded or improved and areas where statistics are no longer relevant, and establishing working relationships with professional associations with an interest in BLS statistics, such as the American Statistical Association and the American Economic Association.

**Nominations:** BLS is looking for committed TAC members who have a strong interest in, and familiarity with, BLS data. The Agency is looking for nominees who use and have a comprehensive understanding of economic statistics. BLS is committed to bringing greater diversity of thought, perspective, and experience to its advisory committees. Nominees from all races, gender, age, and disabilities are encouraged to apply. Interested persons may nominate themselves or may submit the name of another person who they believe to be interested in and qualified to serve on the TAC. Nominations may also be submitted by organizations. Nominations should include the name, address, and telephone number of the candidate. Each nomination should include a summary of the candidate's training or experience relating to BLS data specifically, or economic statistics more generally and a curriculum vitae. In selecting TAC members, BLS will consider individuals nominated in response to this notice, as well as other qualified individuals. Candidates should not submit information they do not want publicly disclosed. BLS will conduct a basic background check of candidates before their appointment to the TAC. The background check will involve accessing publicly available, internet-based sources. BLS will contact nominees for information on their status as registered lobbyists. Anyone currently subject to federal registration requirements as a lobbyist is not eligible for appointment to the TAC. Nominees should be aware of the time commitment for attending meetings and actively participating in the work of the TAC. Historically, this has meant a commitment of at least two days per year.

**Authority:** This notice was prepared in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

Signed at Washington, DC, this 14th day of September 2020.

**Mark Staniorski,**  
Chief, Division of Management Systems,  
Bureau of Labor Statistics.

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification of Application of Existing Mandatory Safety Standards

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This notice is a summary of 4 petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below.

**DATES:** All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before October 19, 2020.

**ADDRESSES:** You may submit your comments, identified by "docket number" on the subject line, by any of the following methods:

1. *Electronic Mail:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202-693-9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452, Attention: Roslyn B. Fontaine, Deputy Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments.

**FOR FURTHER INFORMATION CONTACT:** Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9557 (voice), [Noe.Song-Ae.A@dol.gov](mailto:Noe.Song-Ae.A@dol.gov) (email), or 202-693-9441 (facsimile). [These are not toll-free numbers.]

**SUPPLEMENTARY INFORMATION:** Section 101(c) of the Federal Mine Safety and

Health Act of 1977 and Title 30 of the Code of Federal Regulations Part 44 govern the application, processing, and disposition of petitions for modification.

### I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements for filing petitions for modification.

### II. Petitions for Modification

*Docket Number:* M-2020-018-C.

*Petitioner:* Peabody Southeast Mining, LLC, 654 Camp Creek Portal Rd., Oakman, AL 35579.

*Mine:* Shoal Creek Mine, MSHA I.D. No. 01-02901, located in Jefferson County, AL.

*Regulation Affected:* 30 CFR 75.500(d) (Permissible electric equipment).

*Modification Request:* The petitioner requests a modification of the existing standard, 30 CFR 75.500(d), as it relates to the use of an alternative method of respirable dust protection at the Shoal Creek Mine. The petitioner is applying to use a battery powered respirable protection unit called *CleanSpace EX Powered Respirator* in or in by the last open crosscut.

The petitioner states that:

(a) Peabody currently uses the 3M Airstream helmet to provide miners with respirable protection against coal mine dust, a protection with long-term health benefits.

(b) 3M has discontinued the Airstream helmet but it will offer the *VersaFlo™ TR-800 Intrinsically Safe Powered Air Purifying Respirator (PAPR)*, which is lighter and has certain additional features.

(c) The 3M Airstream helmet has been used in mines for over 40 years, in that time technology has advanced and 3M has recently faced component disruptions for the Airstream product. This caused 3M to discontinue the Airstream on June 1, 2020 globally.

(d) The last time to order an Airstream system and components was February