

Department received no comments on the rulemaking. Accordingly, the Department is not proceeding with the proposed rule and is withdrawing it from the rulemaking process. The DFR became effective on February 25, 2021. Additionally, the Department notes that it plans to hold listening sessions during the coming weeks for users to provide feedback on the electronic filing and service system. Information about those sessions will be announced at <https://efile.dol.gov>.

**Milton A. Stewart,**  
*Acting Secretary of Labor.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

**20 CFR Parts 641, 655, 658, 667, and 683**

### Office of Workers' Compensation Programs

**20 CFR Part 726**

### Office of the Secretary of Labor

**29 CFR Parts 7, 8, 22, 24, 26, 29, 37, 38, and 96**

### Office of Labor-Management Standards

**29 CFR Parts 417 and 458**

### Wage and Hour Division

**29 CFR Parts 500, 525, 530, and 580**

### Occupational Safety and Health Administration

**29 CFR Parts 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, and 1988**

### Office of Federal Contract Compliance Programs

**41 CFR Part 60-30**

RIN 1290-AA28

### Rules of Practice and Procedure Concerning Filing and Service and Amended Rules Concerning Filing and Service

**AGENCY:** Employment and Training Administration, Office of Workers' Compensation Programs, Office of the Secretary, Office of Labor-Management

Standards, Wage and Hour Division, Occupational Safety and Health Administration, Office of Federal Contract Compliance Programs.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The Department of Labor is withdrawing the proposed rule that accompanied its direct final rule (DFR) that requires electronic filing (e-filing) and makes acceptance of electronic service (e-service) automatic for attorneys and non-attorney representatives representing parties in proceedings before the Administrative Review Board (Board), unless the Board authorizes non-electronic filing and service for good cause; establishes a new part containing rules of practice and procedure for the Board; and amends existing regulations concerning filing and service that apply where a governing statute or executive order does not establish contrary rules of filing and service.

**DATES:** As of March 17, 2021, the proposed rule published January 11, 2021 (86 FR 1834), is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Shepherd, Clerk of the Appellate Boards, at 202-693-6319 or [Shepherd.Thomas@dol.gov](mailto:Shepherd.Thomas@dol.gov).

**SUPPLEMENTARY INFORMATION:** In the concurrent direct final rule (DFR) published at 86 FR 1772, the Department stated that if a significant adverse comment was submitted by February 10, 2021, the Department would publish a timely withdrawal in the **Federal Register** informing the public that the DFR will not take effect. The Department issued an identical Notice of Proposed Rulemaking (NPRM) on the same day (86 FR 1834). The Department also issued a technical correction on February 9, 2021 (86 FR 8687). The Department received no comments on the rulemaking. Accordingly, the Department is not proceeding with the proposed rule and is withdrawing it from the rulemaking process. The DFR became effective on February 25, 2021. Additionally, the Department notes that it plans to hold listening sessions during the coming weeks for users to provide feedback on the electronic filing and service system. Information about those sessions will be announced at <https://efile.dol.gov>.

**Milton A. Stewart,**  
*Acting Secretary of Labor.*

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## DEPARTMENT OF LABOR

### Benefits Review Board

**20 CFR Part 802**

RIN 1290-AA35

### Rules of Practice and Procedure

**AGENCY:** Benefits Review Board, Department of Labor.

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** The Department of Labor is reopening for 15 days the comment period on the January 11, 2021, notice of proposed rulemaking that would have required electronic filing (e-filing) and acceptance of electronic service (e-service) for persons represented by attorneys or non-attorney representatives unless good cause is shown justifying a different form of filing.

**DATES:** The comment period for the proposed rule published at 86 FR 1857 on January 11, 2021, is reopened for 15 days and closes on April 1, 2021.

**ADDRESSES:** You may submit comments, identified by Regulatory Identification Number (RIN) 1290-AA35, only by the following method: Electronic Comments. Submit comments through the Federal eRulemaking Portal <http://www.regulations.gov>. To locate the rule, use docket number DOL-2020-0013 or key words such as "Administrative practice and procedure," "Black lung benefits," "Longshore and harbor workers," or "Workers' compensation." Follow the instructions for submitting comments. All comments must be received by 11:59 p.m. on the date indicated for consideration in this rulemaking.

*Instructions:* All comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided. Therefore, the Department recommends that commenters safeguard their personal information by not including social security numbers, personal addresses, telephone numbers, or email addresses in comments. It is the responsibility of the commenter to safeguard personal information.

If you need assistance to review the comments or the proposed rule, the Department will consider providing the comments and the direct final rule in other formats upon request. For assistance to review the comments or obtain the direct final rule in an alternate format, contact Mr. Thomas Shepherd, Clerk of the Appellate Boards, at (202) 693-6319.