

accounts “as determined in regulations of the Secretary [of Labor]” will not be treated as fiduciaries of the plan. Moreover, no other plan fiduciary will be liable for any loss, or by reason of any breach, resulting from the participants’ or beneficiaries exercise of control over their individual account assets.

The Pension Protection Act (PPA), Public Law 109–280, amended ERISA section 404(c) by adding subparagraph (c)(5)(A). The new subparagraph says that a participant in an individual account plan who fails to make investment elections regarding his or her account assets will nevertheless be treated as having exercised control over those assets so long as the plan provides appropriate notice (as specified) and invests the assets “in accordance with regulations prescribed by the Secretary [of Labor].” Section 404(c)(5)(A) further requires the Department of Labor (Department) to issue corresponding final regulations within six months after enactment of the PPA. The PPA was signed into law on August 17, 2006.

The Department of Labor issued a final regulation under ERISA section 404(c)(5)(A) offering guidance on the types of investment vehicles that plans may choose as their “qualified default investment alternative” (QDIA). The regulation also outlines two information collections. First, it implements the statutory requirement that plans provide annual notices to participants and beneficiaries whose account assets could be invested in a QDIA. Second, the regulation requires plans to pass certain pertinent materials they receive relating to a QDIA to those participants and beneficiaries with assets invested in the QDIA as well to provide certain information on request. The ICRs are approved under OMB Control Number 1210–0132, which is scheduled to expire on December 31, 2013.

## II. Focus of Comments

The Department is particularly interested in comments that:

- Evaluate whether the collections of information are 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 collections 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., by permitting electronic submissions of responses. Comments submitted in response to this notice will be summarized and/or included in the ICRs for OMB approval of the extension of the information collection; they will also become a matter of public record.

Dated: May 9, 2013.

**Joseph S. Piacentini,**

*Director, Office of Policy and Research,  
Employee Benefits Security Administration.*

[FR Doc. 2013–12191 Filed 5–21–13; 8:45 am]

**BILLING CODE 4510–29–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Comment Request for Information Collection: ETA–5130 Benefit Appeals Report; Extension Without Change

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 [44 U.S.C. 3506(c)(2)(A); 3506(b)(1)(2)(3)]. This program helps to ensure that 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 on respondents can be properly assessed.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

**DATES:** Written comments must be submitted to the office listed in the addressee’s section below on or before July 22, 2013.

**ADDRESSES:** Send comments to Stephanie Garcia, Office of Unemployment Insurance, Employment and Training Administration, U.S. Department of Labor, Room S–4524, 200 Constitution Avenue NW., Washington, DC 20210, telephone number (202) 693–3207 (*this is not a toll-free number*) or by email: [Garcia.Stephanie@dol.gov](mailto:Garcia.Stephanie@dol.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Background

The ETA–5130, Benefit Appeals Report, contains information on the number of unemployment insurance appeals and the resultant decisions classified by program, appeals level, cases filed and disposed of (workflow), and decisions by level, appellant, and issue. The data on this report are used by the Department of Labor to monitor the benefit appeals process in the State Workforce Agencies (SWAs) and to develop any needed plans for remedial action. The data are also needed for workload forecasts and to determine administrative funding. If this information were not available, developing problems might not be discovered early enough to allow for timely solutions and avoidance of time consuming and costly corrective action.

## II. Review Focus

Currently, the Employment and Training Administration is soliciting comments concerning the proposed extension collection of the ETA–5130 Benefit Appeals Report, which expires January 31, 2014. Comments are requested to:

\* 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;

\* 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 automated collection techniques or other forms of information technology.

## III. Current Actions

*Type of Review:* Extension without changes.

*Title:* Benefit Appeals Report.

*OMB Number:* 1205–0172.

*Affected Public:* State Workforce Agencies.

*Cite/Reference/Form/etc:* Social Security Act, Section 303(a)(6).

*Total Respondents:* 53.

*Frequency:* Monthly.

*Total Responses:* 53 respondents × 12 responses per year = 636 responses for the regular program, 53 respondents × 12 responses per year = 636 responses for the Emergency Unemployment Compensation 2008 program, 53 respondents × 12 responses per year = 636 responses for the Federal-State

extended benefit program for an estimated total of 1,908 responses.

*Average Estimated Response Time:* 1 hour.

*Total Annual Estimated Burden Hours:* 1,908 hours (636 hours for the ETA 5130 Regular report + 636 hours for the ETA 5130 Federal-State Extended Benefits report + 636 hours for the ETA 5130 Emergency Unemployment Compensation Report).

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintaining):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the ICR; they will also become a matter of public record.

Signed in Washington, DC, this 15th day of May, 2013.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

[FR Doc. 2013-12098 Filed 5-21-13; 8:45 am]

**BILLING CODE 4510-FW-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2013-0013]

### Federal Advisory Council on Occupational Safety and Health (FACOSH)

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

**ACTION:** Announcement of FACOSH meeting and member appointments.

**SUMMARY:** The Federal Advisory Council on Occupational Safety and Health (FACOSH) will meet on June 6, 2013, in Washington, DC. This **Federal Register** notice also announces the appointment of seven individuals to serve on FACOSH.

**DATES:** *FACOSH meeting:* FACOSH will meet from 1 to 4:30 p.m., Thursday, June 6, 2013.

*Submission of comments, requests to speak, speaker presentations, and requests for special accommodations:* You must submit (postmark, send, transmit) comments, requests to speak at the FACOSH meeting, speaker presentations, and requests for special accommodations to attend the meeting by May 23, 2013.

**ADDRESSES:** *FACOSH meeting:* FACOSH will meet in Rooms S-4215 A-C, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

*Submission of comments, requests to speak, and speaker presentations:* You may submit comments, requests to speak at the FACOSH meeting, and speaker presentations using one of the following methods:

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

*Facsimile:* If your submission, including attachments, does not exceed 10 pages, you may fax it to the OSHA Docket Office at (202) 693-1648; or

*Mail, express delivery, hand delivery, or messenger/courier service:* You may submit materials to the OSHA Docket Office, Docket No. OSHA-2013-0013, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-2350, (OSHA's TTY (877) 889-5627). Deliveries (hand, express mail, messenger/courier service) are accepted during the Department's and the OSHA Docket Office's normal business hours, 8:15 a.m.-4:45 p.m., e.t., weekdays.

*Requests for special accommodations to attend the FACOSH meeting:* You may submit requests for special accommodations by telephone, email, or hard copy to Ms. Frances Owens, OSHA Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-1999; email [owens.frances@dol.gov](mailto:owens.frances@dol.gov).

*Instructions:* All submissions must include the agency name and docket number for this **Federal Register** notice (Docket No. OSHA-2013-0013). Because of security-related procedures, submissions by regular mail may result in a significant delay in their receipt. Please contact the OSHA Docket Office for information about security procedures for making submissions by hand delivery, express delivery, and messenger/courier service. For additional information on submitting comments, requests to speak, and speaker presentations, see the **SUPPLEMENTARY INFORMATION** section below.

OSHA will post comments, requests to speak, and speaker presentations, including any personal information provided, without change at <http://www.regulations.gov>. Therefore, OSHA cautions interested parties about submitting certain personal information, such as Social Security numbers and birthdates.

#### FOR FURTHER INFORMATION CONTACT:

*For press inquiries:* Mr. Frank Meilinger, Director, OSHA Office of

Communications, U.S. Department of Labor, Room N-3647, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-1999; email [meilinger.francis@dol.gov](mailto:meilinger.francis@dol.gov).

*For general information:* Mr. Francis Yebesi, Director, OSHA, Office of Federal Agency Programs, U.S. Department of Labor, Room N-3622, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-2122; email [ofap@dol.gov](mailto:ofap@dol.gov).

#### SUPPLEMENTARY INFORMATION:

##### FACOSH Meeting

FACOSH will meet on June 6, 2013, in Washington, DC. Some FACOSH members may attend the meeting electronically. The meeting is open to the public.

The tentative agenda for the FACOSH meeting includes:

- Updates from FACOSH subcommittees; and
- OPM status report regarding changes to GS-0018 job series.

FACOSH is authorized by 5 U.S.C. 7902; section 19 of the Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 668); and Executive Order 11612, as amended, to advise the Secretary of Labor (Secretary) on all matters relating to the occupational safety and health (OSH) of Federal employees. This includes providing advice on how to reduce and keep to a minimum the number of injuries and illnesses in the Federal workforce and how to encourage each Federal Executive Branch Department and agency to establish and maintain effective OSH programs.

OSHA transcribes and prepares detailed minutes of FACOSH meetings. The Agency puts transcripts, minutes, and other materials presented at the meeting in the public record of the FACOSH meeting, which is posted at <http://www.regulations.gov>.

##### Public Participation, Submissions, and Access to Public Record

*FACOSH meetings:* FACOSH meetings are open to the public. Individuals attending meetings at the U.S. Department of Labor must enter the building at the Visitors' Entrance, 3rd and C Streets NW., and pass through building security. Attendees must have valid government-issued photo identification to enter the building. For additional information about building security measures, and requests for special accommodations for attending the FACOSH meeting, please contact Ms. Owens (see **ADDRESSES** section).

*Submission of requests to speak and speaker presentations.* You may submit a request to speak to FACOSH by one