

the lock-up facility, internet users are not allowed to digest data 30 minutes before the official release time. Internet users are also disadvantaged relative to lock-up participants to the extent that internet postings may lag slightly behind lock-up transmissions. Developments in high-speed algorithmic trading technology have also raised concerns about the possible impact of unequal access to sensitive economic data. As discussed above, DOL's Inspector General has issued multiple reports with findings that the current press lock-up "creates an unfair competitive advantage for certain news organizations and their clients."

It was never the intent of DOL in establishing the lock-up facility to provide a financial windfall to paying clients of credentialed media organizations, or to allow credentialed media organizations to profit off of the privilege of early access to government data. DOL does not wish to facilitate those practices. Although DOL understands that certain high-frequency trading firms may retain some advantage in faster ingestion and downloading of government data even after the lock-up process is discontinued, DOL itself will no longer have any role in facilitating such an advantage.

It is no longer necessary to use the credentialed news media to help the Department disseminate DOL's statistical data widely because the internet permits the public and interested users to obtain releases for themselves. Discontinuing the lock-up will not disadvantage the lock-up participants; it will merely remove the advantage they currently enjoy. In the time since the OIG recommendations were issued, BLS and ETA have devoted significant resources to introducing improved technologies to ensure data are posted and accessible on their websites immediately following the official release time. When the COVID-19 pandemic required the closure of the media lock-up in March of 2020, these improved technologies allowed BLS and ETA to disseminate the data immediately and widely to the public without incident and without providing early access to lock-up participants. Specifically, the March Employment Situation report, released on April 3, 2020 without a lock-up, demonstrates that the BLS website can serve all interested users in the seconds after release time with little or no degradation in response time and a negligible error rate. The same holds true for the Unemployment Insurance Weekly Claims Reports issued since March 20, 2020. Stories in the press covering the March data were available

to the public only slightly later—and, in at least one case, actually earlier—than they were a month earlier when a lock-up was held. Given this success over the past two months, DOL now believes it can continue to disseminate the data to the public, including the media, in a timely manner. DOL will therefore discontinue the use of the lock-up facility to allow all parties, including the media, commercial entities, and the public, equitable and timely access to our most important statistical data.

IV. Result

By permanently discontinuing the lock-up facility as of June 3, 2020, DOL intends to protect the integrity of its data and enable dissemination of news releases in an equitable, secure, and cost-effective manner so that all information is available to the public and the media at the official release time.

The Commerce Department's Bureau of Economic Analysis and U.S. Census Bureau are also committed to the secure, timely, and equitable release of all data. As such, for the reasons stated in this notice, both Bureaus will also discontinue embargoed media lock-ups at the Department of Labor's facility and will continue to release their data securely through their websites.

Signed at Washington, DC, this 19th day of May 2020.

William W. Beach,

Commissioner of Labor Statistics.

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

[Docket No. MSHA-2018-0015]

Escapeways and Refuges in Underground Metal and Nonmetal Mines

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice of cancellation; Program Policy Letter.

SUMMARY: The Mine Safety and Health Administration (MSHA) cancels a Program Policy Letter (PPL) that was issued on July 29, 2019 to provide guidance on escapeways and refuges used by underground metal and nonmetal miners in emergency situations.

DATES: Cancellation as of May 27, 2020.

ADDRESSES:

Federal Register Publications: Access rulemaking documents electronically at

<http://www.msha.gov/regsinfo.htm> or <http://www.regulations.gov> [Docket Number: MSHA-2018-0015].

Email Notification: To subscribe to receive email notification when MSHA publishes rulemaking documents in the **Federal Register**, go to <https://www.msha.gov/subscriptions>.

FOR FURTHER INFORMATION CONTACT:

Roslyn B. Fontaine, Acting Director, Office of Standards, Regulations, and Variances, MSHA, at fontaine.roslyn@dol.gov (email), 202-693-9440 (voice), or 202-693-9441 (fax). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

Cancellation of Program Policy Letter

On July 29, 2019, MSHA published in the **Federal Register** a PPL to clarify requirements in 30 CFR 57.11050, Escapeways and Refuges, together with a request for public comment (84 FR 36623). The PPL was intended to assist MNM mine operators with guidance on the placement of escapeways and refuges that underground miners need to use in emergency situations. On October 10, 2019, MSHA also held a public stakeholder meeting to ensure that the public would have additional opportunities to provide feedback. After reviewing all the comments received during both the public comment period and the stakeholder meeting, MSHA has now determined that the clarification in this PPL is not needed. Therefore, MSHA cancels the PPL.

(Authority: 30 U.S.C. 811)

David G. Zatezalo,

Assistant Secretary of Labor for Mine Safety and Health Administration.

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2009-0035]

The Ethylene Oxide (EtO) Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

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

ACTION: Request for public comments.

SUMMARY: OSHA solicits public comments concerning the proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements