

**§ 620.3 Occupations that regularly conduct drug testing for purposes of determining which applicants may be drug tested when applying for State unemployment compensation.**

In electing to test applicants for unemployment compensation under this part, States may enact legislation to require drug testing for applicants for whom the only suitable work is in one or more of the following occupations that regularly conduct drug testing, for purposes of § 620.4:

(a) An occupation that requires the employee to carry a firearm;

(b) An occupation identified in 14 CFR 120.105 by the Federal Aviation Administration, in which the employee must be tested;

(c) An occupation identified in 49 CFR 382.103 by the Federal Motor Carrier Safety Administration, in which the employee must be tested;

(d) An occupation identified in 49 CFR 219.3 by the Federal Railroad Administration, in which the employee must be tested;

(e) An occupation identified in 49 CFR 655.3 by the Federal Transit Administration, in which the employee must be tested;

(f) An occupation identified in 49 CFR 199.2 by the Pipeline and Hazardous Materials Safety Administration, in which the employee must be tested;

(g) An occupation identified in 46 CFR 16.201 by the United States Coast Guard, in which the employee must be tested;

(h) An occupation specifically identified in Federal law as requiring an employee to be tested for controlled substances;

(i) An occupation specifically identified in the State law of that State as requiring an employee to be tested for controlled substances; and

(j) An occupation where the State has a factual basis for finding that employers hiring employees in that occupation conduct pre- or post-hire drug testing as a standard eligibility requirement for obtaining or maintaining employment in the occupation.

**§ 620.4 Testing of unemployment compensation applicants for the unlawful use of a controlled substance.**

(a) States may require drug testing for unemployment compensation applicants, as defined in § 620.2, for the unlawful use of one or more controlled substances, as defined in § 620.2, as a condition of eligibility for unemployment compensation, if the individual is one for whom suitable work, as defined in State law, as defined in § 620.2, is only available in an

occupation that regularly conducts drug testing as identified under § 620.3.

(b) A State conducting drug testing as a condition of unemployment compensation eligibility, as provided in paragraph (a) of this section, may only elect to require drug testing of applicants for whom the only suitable work is available in one or more of the occupations listed under § 620.3. States are not required to apply drug testing to any applicants for whom the only suitable work is available in any or all of the occupations listed.

(c) No State is required to drug test UC applicants under this part 620.

**§ 620.5 Conformity and substantial compliance.**

(a) *In general.* A State law implementing the drug testing of applicants for unemployment compensation must conform with—and the law's administration must substantially comply with—the requirements of this part 620 for purposes of certification under 42 U.S.C. 502(a), governing State eligibility to receive Federal grants for the administration of its UC program.

(b) *Resolving issues of conformity and substantial compliance.* For the purposes of resolving issues of conformity and substantial compliance with the requirements of this part 620, the provisions of 20 CFR 601.5 apply.

**John P. Pallasch,**

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[FR Doc. 2019-21227 Filed 10-3-19; 8:45 am]

**BILLING CODE 4510-FW-P**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

**[TD 9866]**

**RIN 1545-BO54; 1545-BO62**

**Guidance Related to Section 951A (Global Intangible Low-Taxed Income) and Certain Guidance Related to Foreign Tax Credits**

**Correction**

In rule document C1-2019-12437, appearing on page 44223 in the issue of Friday, August 23, 2019 make the following corrections in § 1.951-1:

**§ 1.951-1 [Corrected]**

1. In the center column, in instruction 2, on the second line, “(b)(2)(vi)(B)(1)” should read “(b)(2)(vi)(B)(1)”.

2. In the same column, in the same instruction, the table heading “TABLE 1

TO PARAGRAPH (b)(2)(vi)(B)(1)” should read “TABLE 1 TO PARAGRAPH (b)(2)(vi)(B)(1)”.

[FR Doc. C2-2019-12437 Filed 10-3-19; 8:45 am]

**BILLING CODE 1300-01-D**

**OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION**

**29 CFR Part 2200**

**Rules of Procedure; Corrections**

**AGENCY:** Occupational Safety and Health Review Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** This document makes technical amendments to the final rule published by the Occupational Safety and Health Review Commission in the **Federal Register** on April 10, 2019 and corrected on August 30, 2019. That rule revised the procedural rules governing practice before the Occupational Safety and Health Review Commission.

**DATES:** Effective on October 4, 2019.

**FOR FURTHER INFORMATION CONTACT:** Ron Bailey, Attorney-Advisor, Office of the General Counsel, by telephone at (202) 606-5410, by email at [rbailey@oshrc.gov](mailto:rbailey@oshrc.gov), or by mail at: 1120 20th Street NW, Ninth Floor, Washington, DC 20036-3457.

**SUPPLEMENTARY INFORMATION:** OSHRC published revisions to its rules of procedure in the **Federal Register** on April 10, 2019 (84 FR 14554) and published corrections on August 30, 2019 (84 FR 45654). This document makes further technical amendments to the final rule.

**List of Subjects in 29 CFR Part 2200**

Administrative practice and procedure, Hearing and appeal procedures.

Accordingly, 29 CFR part 2200 is amended by making the following correcting amendments:

**PART 2200—RULES OF PROCEDURE**

■ 1. The authority citation for part 2200 continues to read as follows:

**Authority:** 29 U.S.C. 661(g), unless otherwise noted.

Section 2200.96 is also issued under 28 U.S.C. 2112(a).

■ 2. Amend § 2200.7 by revising paragraph (k)(1)(ii) to read as follows:

**§ 2200.7 Service, notice, and posting.**

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(k) \* \* \*

(1) \* \* \*