

Executive Order 13132

This action will not have substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as described in Executive Order 13132 (64 FR 43255 (Aug. 10, 1999)).

List of Subjects in 20 CFR Part 725

Administrative practice and procedure, Black lung benefits, Claims, Health care, Lung diseases, Miners, Mines, Workers' compensation.

■ For the reasons set forth in the preamble, 20 CFR Part 725 is amended as set forth below:

PART 725—CLAIMS FOR BENEFITS UNDER PART C OF TITLE IV OF THE FEDERAL MINE SAFETY AND HEALTH ACT, AS AMENDED

■ 1. The authority citation for part 725 continues to read as follows:

Authority: 5 U.S.C. 301, Reorganization Plan No. 6 of 1950, 15 FR 3174, 30 U.S.C. 901 *et seq.*, 921, 932, 936; 33 U.S.C. 901 *et seq.*, 42 U.S.C. 405, Secretary's Order 7-87, 52 FR 48466, Employment Standards Order No. 90-02.

■ 2. Amend § 725.477(b) by revising the first sentence to read as follows:

§ 725.477 Form and contents of decision and order.

* * * * *

(b) A decision and order shall contain a statement of the basis of the order, findings of fact, conclusions of law, and an award, rejection or other appropriate paragraph containing the action of the administrative law judge, his or her signature and the date of issuance
* * *.

Signed at Washington, DC, this 25th day of January, 2007.

Victoria A. Lipnic,

Assistant Secretary for Employment Standards Administration.

Shelby Hallmark,

Director, Office of Workers' Compensation Programs.

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PEACE CORPS

22 CFR Part 304

RIN 0420-AA20

Claims Against Government Under Federal Tort Claims Act

AGENCY: Peace Corps.

ACTION: Final rule and comment request.

SUMMARY: The Peace Corps is revising its regulations concerning claims filed under the Federal Tort Claims Act. These changes update Peace Corps' address, as well as authority cited in the regulation. Revisions also identify a new policy under which the Chief Financial Officer, rather than the Director of the Peace Corps, will have authority to approve claims for amounts under \$5000.

DATES: This final rule is effective on March 16, 2007 without further action, unless adverse comment is received by Peace Corps by March 1, 2007. If adverse comment is received, Peace Corps will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: You may submit comments by e-mail to *sglasow@peacecorps.gov*. Include Rin 0420-AA20 in the subject line of the message. You may also submit comments by mail to Suzanne Glasow, Office of the General Counsel, Peace Corps, Suite 8200, 1111 20th Street, NW., Washington, DC 20526. Contact Suzanne Glasow for copies of comments.

FOR FURTHER INFORMATION CONTACT: Suzanne Glasow, Associate General Counsel, 202-692-2150, *sglasow@peacecorps.gov*.

SUPPLEMENTARY INFORMATION: The revisions to the rules include updates to cited authority and Peace Corps' address. In addition, claims for less than \$5000 will no longer require approval from the head of the agency. The Chief Financial Officer will be the designee of the head of the agency for such claims. The head of the agency will continue to have approval authority for all claims of \$5000 or more.

Section-by-Section Analysis

Section 304.1 Scope; Definitions

Subpart (c) is amended to reflect the fact that 31 FR 16616 is no longer a thorough representation of the contents of 28 CFR part 14. The language of this section will be revised by deleting 31 FR 16616, and referring only to 28 CFR part 14.

Section 304.2 Administrative Claim; When Presented; Appropriate Peace Corps Office

Subpart (a) is amended to include Peace Corps' current address, 1111 20th Street, NW., Washington, DC 20526.

Section 304.7 Authority To Adjust, Determine, Comprise, and Settle Claims

This section is revised to state that the Chief Financial Officer has the authority

to adjust, determine, compromise, and settle claims for less than \$5,000 under section 2672 of title 28, United States Code. The Director of the Peace Corps retains authority for all claims of \$5,000 or more.

Section 304.9 Referral to the Department of Justice

This section is revised to delete the reference to 28 CFR 14.7, which is an obsolete citation.

Executive Order 12866

This regulation has been determined to be nonsignificant within the meaning of Executive Order 12866.

Regulatory Flexibility Act of 1980 (5 U.S.C. 605(b))

This regulatory action will not have a significant adverse impact on a substantial number of small entities.

Unfunded Mandates Act of 1995 (Sec. 202, Pub. L. 104-4)

This regulatory action does not contain a Federal mandate that will result in the expenditure by State, local, and tribal governments, in aggregate, or by the private sector of \$100 million or more in any one year.

Paperwork Reduction Act of 1995 (44 U.S.C., Chapter 35)

This regulatory action will not impose any additional reporting or recordkeeping requirements under the Paperwork Reduction act.

Federalism (Executive Order 13132)

This regulatory action does not have Federalism implications, as set forth in Executive Order 13132. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

List of Subjects in Part 304

Claims.

■ Accordingly, under the authority of 22 U.S.C. 2503(b) and 28 U.S.C. 2672, Peace Corps amends the Code of Federal Regulations, Title 22, Chapter III, as follows:

PART 304—CLAIMS AGAINST GOVERNMENT UNDER FEDERAL TORT CLAIMS ACT

■ 1. The authority citation is revised to read as follows:

Authority: 28 U.S.C. 2672; 22 U.S.C. 2503(b); E.O. 12137, as amended.

■ 2. Section 304.1(c) is revised to read as follows:

§ 304.1 Scope; definitions.

* * * * *

(c) This subpart is issued subject to and consistent with applicable regulations on administrative claims under the Federal Tort Claims Act issued by the Attorney General (28 CFR part 14).

* * * * *

■ 3. Section 304.2(b) is revised to read as follows:

§ 304.2 Administrative claim; when presented; appropriate Peace Corps office.

* * * * *

(b) A claimant shall mail or deliver his claim to the General Counsel, Peace Corps, 1111 20th Street, NW., Washington, DC 20526.

■ 4. Section 304.7 is revised to read as follows:

§ 304.7 Authority to adjust, determine, compromise, and settle claims.

The authority to consider, ascertain, adjust, determine, compromise and settle claims of less than \$5,000 under 28 U.S.C. 2672, and this subpart, rests with the Chief Financial Officer, as the designee of the head of the agency. For claims under 28 U.S.C. 2672 and this subpart, subject to § 304.8, the Director of the Peace Corps retains authority to consider, ascertain, adjust, determine, compromise and settle claims of \$5,000 or more.

■ 5. Section 304.9 is revised to read as follows:

§ 304.9 Referral to the Department of Justice.

When Department of Justice approval or consultation is required under § 304.8, the referral or request shall be transmitted to the Department of Justice by the General Counsel.

Dated: January 19, 2007.

Tyler S. Posey,
General Counsel.

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DEPARTMENT OF THE TREASURY**Office of Foreign Assets Control****31 CFR Part 594****Global Terrorism Sanctions Regulations**

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Final rule.

SUMMARY: The Treasury Department's Office of Foreign Assets Control ("OFAC") is amending the Global

Terrorism Sanctions Regulations to define the term "otherwise associated with" as used in 31 CFR 594.201 and to amend an explanatory note accompanying that section.

DATES: Effective January 26, 2007.

FOR FURTHER INFORMATION CONTACT:

Chief Counsel (Foreign Assets Control), Office of the General Counsel, Department of the Treasury, Washington, DC 20220, tel.: 202/622-2410 (not a toll free number).

SUPPLEMENTARY INFORMATION:**Background**

OFAC administers the Global Terrorism Sanctions Regulations, 31 CFR part 594 ("GTSR"), which implement and interpret Executive Order 13224 of September 23, 2001, in which the President declared a national emergency with respect to grave acts of terrorism and threats of terrorism committed by foreign terrorists and imposed economic sanctions with respect to certain designated individuals and entities. In section 7 of Executive Order 13224, the President authorized the Secretary of the Treasury, in consultation with other relevant Cabinet officials, to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out the purposes of the order. The Secretary of the Treasury has, in turn, authorized the Director of OFAC to take these actions. 31 CFR 594.802. Today, OFAC is amending the GTSR by adding a new section 594.316 which defines the term "otherwise associated with" as used in section 594.201(a)(4)(ii). OFAC also is amending Note 3 to section 594.201 to clarify the scope of section 501.807 of this chapter.

The new section 594.316 defines a person "otherwise associated with" persons whose property and interests in property are blocked pursuant to section 594.201(a)(1), (a)(2), (a)(3), or (a)(4)(i) to include one who: (1) Owns or controls such persons; or (2) attempts, or conspires with one or more persons, to provide financial, material, or technological support, or financial or other services, to such persons. OFAC recognizes that this definition may include concepts that overlap with existing provisions of section 594.201 (a)(1), (a)(2), (a)(3), or (a)(4)(i). However, in light of the serious danger posed to national security by international terrorism, OFAC has determined that the benefit of greater specificity in its definitions outweighs any concerns with redundancy. In promulgating this definition, OFAC does not mean to imply any limitation on the scope of section 594.201(a)(1), (a)(2), (a)(3), or

(a)(4)(i). Finally, as in all programs OFAC administers, these and other designation criteria in the GTSR will be applied in a manner consistent with pertinent Federal law, including, where applicable, the First Amendment to the United States Constitution.

Executive Order 12866, Administrative Procedure Act, Regulatory Flexibility Act, and Paperwork Reduction Act

Because the regulations at issue involve a foreign affairs function, the provisions of Executive Order 12866 and the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act (5 U.S.C. 601-612) does not apply.

The Paperwork Reduction Act does not apply because this rule does not impose information collection requirements that would require the approval of the Office of Management and Budget under 44 U.S.C. 3501 et seq.

List of Subjects in 31 CFR Part 594

Administrative practice and procedure, Banks, Banking, Penalties, Reporting and recordkeeping requirements, Terrorism.

■ For the reasons set forth in the preamble, the Office of Foreign Assets Control amends 31 CFR part 594 as follows:

PART 594—GLOBAL TERRORISM SANCTIONS REGULATIONS

■ 1. The authority citation for part 594 continues to read as follows:

Authority: 3 U.S.C. 301; 22 U.S.C. 287c; 31 U.S.C. 321(b); 50 U.S.C. 1601-1651, 1701-1706; Pub. L. 101-410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 109-177, 120 Stat. 192; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; E.O. 13268, 67 FR 44751; 3 CFR, 2002 Comp., p. 240; E.O. 13284, 64 FR 4075, 3 CFR, 2003 Comp., p. 161.

Subpart B—Prohibitions

■ 2. In § 594.201, revise Note 3 to paragraph (a) to read as follows:

§ 594.201 Prohibited transactions involving blocked property.

(a) * * *

Note 3 to paragraph (a). Section 501.807 of this chapter V sets forth the procedures to be followed by persons seeking administrative reconsideration of their designation pursuant to § 594.201(a) or who wish to assert that the circumstances resulting in designation no longer apply. Similarly, when a transaction results in the blocking of funds at a financial institution pursuant to this section and a party to the