

(3) Make any performance involving the exportation or reexportation of any goods, technology or services (including technical data, software, or information) that are subject to license application requirements of another Federal agency contingent upon the prior authorization of that agency. (For example, items classified EAR 99 under the Export Administration Regulations, 15 CFR parts 730 through 774, may in certain instances require a license from the Department of Commerce, Bureau of Industry and Security. See, e.g., 15 CFR 736.2(b)(5), 744.2 through 744.4, 744.7, and 744.10; see also 22 CFR 123.9.)

(c) *No debits or credits to Iranian accounts on the books of U.S. depository institutions.* Payment for any brokerage fee earned pursuant to this section may not involve debits or credits to Iranian accounts, as defined in § 560.320.

(d) *Recordkeeping and reporting requirements.* Attention is drawn to the recordkeeping, retention, and reporting requirements of §§ 501.601 and 501.602.

Dated: November 17, 2009.

**Adam J. Szubin,**

*Director, Office of Foreign Assets Control.*

[FR Doc. E9-27979 Filed 11-20-09; 8:45 am]

BILLING CODE 4811-45-P

## 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 Department of the Treasury's Office of Foreign Assets Control ("OFAC") is amending the Global Terrorism Sanctions Regulations to define the term "financial, material, or technological support," as used in these regulations. Providing "financial, material, or technological support," for either acts of terrorism that threaten the United States, or any person whose property or interests in property are blocked under these regulations, constitutes one of the criteria for designation as a person whose property and interests in property are blocked.

**DATES:** *Effective Date:* November 23, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Assistant Director for Policy, tel.: 202/622-4855, or Chief Counsel (Foreign Assets Control), tel.: 202/622-2410 (not toll free numbers).

#### SUPPLEMENTARY INFORMATION:

##### Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site (<http://www.treas.gov/ofac>). Certain general information pertaining to OFAC's sanctions programs also is available via facsimile through a 24-hour fax-on-demand service, tel.: 202/622-0077.

##### Background

OFAC administers the Global Terrorism Sanctions Regulations, 31 CFR part 594 ("GTSR"), which implement Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism" (66 FR 49079, Sept. 25, 2001) ("E.O. 13224"). Section 594.201(a) of the GTSR implements section 1 of E.O. 13224 and blocks the property and interests in property that are in or come within the United States, or that are in or come within the possession or control of U.S. persons, including their overseas branches, of (1) foreign persons listed in the Annex to E.O. 13224, as may be amended; (2) foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Homeland Security, and the Attorney General, to have committed, or to pose a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States; and (3) persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Homeland Security, and the Attorney General, to be owned or controlled by, or to act for or on behalf of, any person whose property and interests in property are blocked pursuant to this section.

In particular, paragraph (a)(4)(i) of section 594.201 of the GTSR implements section 1(d)(i) of E.O. 13224 by blocking the U.S. property and interests in property of persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Homeland Security, and the Attorney General:

To assist in, sponsor, or provide *financial, material, or technological support* for, or financial or other services to or in support of:

(A) Acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States, or

(B) Any person whose property or interests in property are blocked pursuant to paragraph (a) of this section. \* \* \*

GTSR, section 594.201(a)(4)(i) (emphasis added).

Acting under authority delegated by the Secretary of the Treasury, OFAC today is amending the GTSR to add a new definition of the term "financial, material, or technological support," as used in section 594.201(a)(4)(i) of the GTSR. New section 594.317, in subpart C of the GTSR, defines the term "financial, material, or technological support" to mean any property, tangible or intangible, and includes a list of specific examples.

The definition of the term "financial, material, or technological support" in new section 594.317 may include concepts that overlap with existing provisions in the GTSR, such as interpretive section 594.406 on the "provision of services." However, in light of the threat posed by acts of terrorism to the national security, foreign policy, and economy of the United States, OFAC has determined that the benefit of greater specificity in the new definition outweighs any concerns with regard to redundancy.

Please note that, in promulgating this regulation, OFAC does not imply any limitation on the scope of paragraphs (a)(1), (a)(2), (a)(3), or (a)(4)(ii) of section 594.201. Furthermore, the designation criteria in these paragraphs as well as in paragraph (a)(4)(i) of section 594.201 will be applied in a manner consistent with pertinent Federal law, including, where applicable, the First Amendment to the United States Constitution.

##### Public Participation

Because the amendments of the GTSR involve a foreign affairs function, Executive Order 12866 and the provisions of 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.

##### Paperwork Reduction Act

The collections of information related to the GTSR are contained in 31 CFR part 501 (the "Reporting, Procedures and Penalties Regulations"). Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), those collections of information have been approved by the Office of Management and Budget under control number 1505-0164. An agency may not conduct or sponsor, and a person is not required to respond to, a

collection of information unless the collection of information displays a valid control number.

#### List of Subjects 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 Department of the Treasury's 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. 110–96, 121 Stat. 1011; 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 C—General Definitions

■ 2. Add a new § 594.317 to subpart C to read as follows:

##### § 594.317 Financial, material, or technological support.

The term *financial, material, or technological support*, as used in § 594.201(a)(4)(i) of this part, means any property, tangible or intangible, including but not limited to currency, financial instruments, securities, or any other transmission of value; weapons or related materiel; chemical or biological agents; explosives; false documentation or identification; communications equipment; computers; electronic or other devices or equipment; technologies; lodging; safe houses; facilities; vehicles or other means of transportation; or goods. “Technologies” as used in this definition means specific information necessary for the development, production, or use of a product, including related technical data such as blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals, or other recorded instructions.

Dated: November 18, 2009.

**John E. Smith,**

*Acting Director, Office of Foreign Assets Control.*

[FR Doc. E9–28066 Filed 11–20–09; 8:45 am]

BILLING CODE 4810–AL–P

#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[EPA–R03–OAR–2009–0599; FRL–8982–5]

#### Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to Clean Air Interstate Rule Sulfur Dioxide Trading Program; Withdrawal of Direct Final Rule

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to an adverse comment, EPA is withdrawing the direct final rule to approve the timing change for the first phase of the sulfur dioxide (SO<sub>2</sub>) trading budget under the Commonwealth of Virginia's approved Clean Air Interstate Rule (CAIR) regulations. In the direct final rule published on October 22, 2009 (74 FR 54485), we stated that if we received adverse comment by November 23, 2009, the rule would be withdrawn and not take effect. EPA subsequently received an adverse comment. EPA will address the comment received in a subsequent final action based upon the proposed action also published on October 22, 2009 (74 FR 54534). EPA will not institute a second comment period on this action.

**DATES:** *Effective Date:* The direct final rule is withdrawn as of November 23, 2009.

**FOR FURTHER INFORMATION CONTACT:** Marilyn Powers, (215) 814–2308, or by e-mail at [powers.marilyn@epa.gov](mailto:powers.marilyn@epa.gov).

##### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Sulfur oxides.

Dated: November 5, 2009.

**William C. Early,**

*Acting Regional Administrator, Region III.*

■ Accordingly, the addition of an entry for 9 VAC 5 Chapter 140, Part IV, Section 5–140–3400 to the table in paragraph (c) is withdrawn as of November 23, 2009.

[FR Doc. E9–27826 Filed 11–20–09; 8:45 am]

BILLING CODE 6560–50–P

#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 63

[EPA–R01–OAR–2009–0031; A–1–FRL–8974–5]

#### Approval of the Clean Air Act, Section 112(l), Authority for Hazardous Air Pollutants: Perchloroethylene Air Emission Standards for Dry Cleaning Facilities: Commonwealth of Massachusetts Department of Environmental Protection

**AGENCY:** Environmental Protection Agency (“EPA”).

**ACTION:** Direct final rule.

**SUMMARY:** Pursuant to section 112(l) of the Clean Air Act (“CAA”) and federal regulations promulgated thereunder, the Massachusetts Department of Environmental Protection (“MassDEP”) submitted a request for approval to implement and enforce the amended 310 CMR 70.00 Environmental Results Program (“ERP”) Certification and the amended 310 CMR 7.26(10)–(16) Perchloroethylene (“Perc” or “PCE”) Air Emissions Standards for Dry Cleaning Facilities (together referred to as the “amended Dry Cleaner ERP”) as a partial substitution for the amended National Emissions Standards for Hazardous Air Pollutants for Perchloroethylene Dry Cleaning Facilities (“Dry Cleaning NESHAP”), as it applies to area sources. EPA has reviewed this request and has determined that the amended Dry Cleaner ERP satisfies the requirements necessary for partial substitution approval. Thus, EPA is hereby granting MassDEP the authority to implement and enforce its amended Dry Cleaner ERP in place of the Dry Cleaning NESHAP for area sources, but EPA is retaining its authority with respect to major source dry cleaners and dry cleaners installed in a residence between December 21, 2005 and July 13, 2006. This approval makes the amended Dry Cleaner ERP federally enforceable.

**DATES:** This direct final rule will be effective January 22, 2010, unless EPA receives adverse comments by December 23, 2009. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of January 22, 2010.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA–