

DEPARTMENT OF LABOR**Benefits Review Board****20 CFR Parts 801 and 802****Change of Address**

AGENCY: Benefits Review Board, Labor.

ACTION: Technical amendment.

SUMMARY: This document amends two sections of the Benefits Review Board's regulation in order to notify the public that the Board will be soon be moving to a new address, and that correspondence and legal pleadings are to be mailed to and filed at this new address.

EFFECTIVE DATE: March 7, 1997.

FOR FURTHER INFORMATION CONTACT:

Lisa Lahrman, Associate General Counsel, telephone (202) 565-7500.

SUPPLEMENTARY INFORMATION: By March 10, 1997, the Benefits Review Board will have moved to new offices in the Frances Perkins Department of Labor Building in Washington, D.C. The new address is: Benefits Review Board, U.S. Department of Labor, 200 Constitution Avenue, N.W., Rooms N-5101 and S-5220, Washington, DC 20210, Telephone (202) 565-7500.

This document amends the two relevant sections in the Code of Federal Regulations in order to present the new address.

Publication in Final

The Department has determined that these amendments need not be published as a proposed rule, as generally required by the Administrative Procedure Act (APA) (5 U.S.C. 553) since this rulemaking merely reflects agency organization, procedure, or practice. It is thus exempt from notice and comment by virtue of section 553(b)(A) of the APA (5 U.S.C. 553(b)(A)).

Effective Date

This document will become effective upon publication pursuant to 5 U.S.C. 553(d). The undersigned have

determined that good cause exists for waiving the customary requirement for delay in the effective date of a final rule for 30 days following its publication. This determination is based upon the fact that the rule is technical and non-substantive, and merely reflects agency organization, practice and procedure.

Executive Order 12866

This rule is not classified as a "rule" under Executive Order 12866 on federal regulations, because it is a regulation relating to agency organization, management or personnel. See section 3(d)(3).

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this rule under section 553(b) of the APA, the requirements of the Regulatory Flexibility Act (5 U.S.C. 601) pertaining to regulatory flexibility analysis do not apply to this rule. See 5 U.S.C. 601(2).

Paperwork Reduction Act

This final rule is not subject to section 3504(h) of the Paperwork Reduction Act (44 U.S.C. 3501) since it does not contain any new collection of information requirements.

Small Business Regulatory Enforcement Fairness Act

This rule is not classified as a "rule" under the Small Business Reduction Regulatory Fairness Act of 1996 (5 U.S.C. 801 *et seq.*) (SBREFA) because it is a regulation relating to agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. See section 804 (3)(C) of SBREFA.

List of Subjects in 20 CFR Parts 801 and 802

Coal mine workers, Longshore and harbor workers, Worker's compensation.

Accordingly, parts 801 and 802 of Title 20 of the *Code of Federal Regulations* are amended as follows:

PART 801—ESTABLISHMENT AND OPERATION OF THE BOARD

1. The authority citation for Part 801 is revised to read as follows:

Authority: 5 U.S.C. 301; 30 U.S.C. 901 *et seq.*; 33 U.S.C. 901 *et seq.*; Reorganization Plan No. 6 of 1950, 15 FR 3174; Secretary of Labor's Order 38-72, 38 FR 90, January 3, 1973.

2. Section 801.303 is revised to read as follows:

§ 801.303 Location of Board's proceedings.

The Board shall hold its proceedings at 200 Constitution Avenue, NW., Room N-5101, Washington, DC 20210, unless for good cause the Board orders that proceedings in a particular matter be held in another location.

PART 802—RULES OF PRACTICE AND PROCEDURE

3. The authority citation for Part 802 is revised to read as follows:

Authority: 5 U.S.C. 301; 30 U.S.C. 901 *et seq.*; 33 U.S.C. 901 *et seq.*; Reorganization Plan No. 6 of 1950, 15 FR 3174; Secretary of Labor's Order 38-72, 38 FR 90, January 3, 1973.

4. Section 802.204 is amended by revising the first sentence to read as follows:

§ 802.204 Place for filing notice of appeal

Any notice of appeal shall be sent by mail to the U.S. Department of Labor, Benefits Review Board, P.O. Box 37601, Washington, DC 20013-7601, or otherwise presented to the Clerk of the Board at 200 Constitution Avenue, NW., Room S-5220, Washington, DC 20210.
* * *

Signed at Washington, D.C. this 26th day of February, 1997.

Cynthia A. Metzler,

Acting Secretary of Labor.

Betty Jean Hall,

Chairman of the Board and Chief Administrative Appeals Judge.

[FR Doc. 96-5261 Filed 3-6-96; 8:45 am]

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