Services are inapplicable. For purposes of such appeals:

* * * * *

16. Revise § 1000.430 to read as follows:

§ 1000.430 Who handles appeals regarding reassessment for imminent jeopardy?

Appeals regarding reassessment of Title I-eligible PFSAs are handled by the IBIA under the procedures in 25 CFR 900.171 through 900.176. Appeals regarding reassessment of PFSAs that are not Title I-eligible are handled by the CBCA under the procedures in 48 CFR part 6101.

17. Revise § 1000.431 to read as follows:

§ 1000.431 Does the Equal Access to Justice Act (EAJA) apply to appeals under this subpart?

Yes. EAJA claims against the DOI will be heard under 48 CFR 6101.30, 6101.31 (CBCA) and 43 CFR 4.602, 4.604 through 4.628 (DOI) and under the Equal Access to Justice Act, 5 U.S.C. 504 and 28 U.S.C. 2412.


Larry Echo Hawk,
Assistant Secretary, Indian Affairs, Department of the Interior.


Yvette Roubideaux,
Director, Indian Health Service, Department of Health and Human Services.

This final rule is effective on October 4, 2010 without further notice, unless EPA receives adverse comment by August 3, 2010. If EPA receives adverse comment, we will publish a timely withdrawal in the Federal Register informing the public that the rule will not take effect.

**List of Subjects in 39 CFR Part 111**

Administrative practice and procedure, Incorporation by reference.

In view of the considerations discussed above, the Postal Service hereby amends 39 CFR Part 111 as follows:

**PART 111—GENERAL INFORMATION ON POSTAL SERVICE**

1. The authority citation for 39 CFR Part 111 continues to read as follows:

**Environmental Protection Agency**

40 CFR Part 7

[NPRM 2009–AA37]

Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is taking direct final action on Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency. This document sets out EPA rules for implementing the Age Discrimination Act of 1975, as amended. The Act prohibits discrimination on the basis of age in programs or activities receiving Federal assistance.

DATES: This rule is effective on October 4, 2010 without further notice, unless EPA receives adverse comment by August 3, 2010. If EPA receives adverse comment, we will publish a timely withdrawal in the Federal Register informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OA–2004–0002, by one of the following methods:

- E-mail: docket.oei@epa.gov.

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