poses a much greater risk to safety than the noncompliant shoulder belt webbing were not adequately refuted.

In her affidavit submitted with the appeal, Dr. McCarthy asserted the following: (1) The shoulder belt webbing should properly be viewed as meeting the requirements of FMVSS No. 302; (2) any noncompliance that might be deemed to exist has no impact on motor vehicle safety; and (3) possible remedial measures would create substantially greater risk of injury to children than that presented by the webbing.

No comments were received on the appeal.

The agency has carefully reviewed all the data and arguments comprising the record of this case and has decided that the facts warrant granting the appeal. First, the margin of noncompliance is small, falling outside the standard's maximum by less than an inch per minute. (The agency wishes to emphasize that the failure to meet a performance requirement by a minimal amount does not in itself support an inconsequentiality determination; each petition must be considered in the context of all relevant facts.)

Second, the portions of the child restraint that do not comply with the standard, the shoulder straps, are a small part of the child restraint itself, and a minimal part of the fabric present in a vehicle's interior. Although it is possible that fuel-fed fires from vehicle crashes could consume a vehicle's interior, the flammability of the shoulder straps would be irrelevant to the severity of such a fire and to the potential injuries incurred by a child.

The primary purpose of NHTSA's flammability requirements is to prevent fires from "originating in the interior of the vehicle from sources such as matches or cigarettes." See paragraph S2 of 49 CFR 571.302. While it is theoretically possible that ashes from smoking materials could land upon the shoulder straps, the angle at which the straps normally rest makes this very unlikely.

NHTSA's reevaluation of the consequentiality of this noncompliance should not be interpreted as a diminution of the agency's concern for child safety. Rather, it represents NHTSA's reassessment of the gravity of the noncompliance based upon the likely consequences. Ultimately, the issue is whether this particular noncompliance is likely to increase the risk to safety compared to child restraints with shoulder straps that meet the four inches per minute requirement. Although empirical results are not determinative, the absence of any reports of fires originating in the over three million restraints in which this noncompliance exists supports the agency's decision that the noncompliance does not have a consequential effect on safety.

For the above reasons, the agency has determined that Fisher-Price has met its burden of persuasion that the noncompliance at issue here is inconsequential to motor vehicle safety, and its appeal of the agency's original denial is granted. Accordingly, Fisher-Price is hereby exempted from the notification and remedy provisions of 49 U.S.C. 30119 and 30120.

Authority: 49 U.S.C. 30118(d), 30120(h); delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: August 8, 1995.

Barry Felrice

Associate Administrator for Safety Performance Standards. [FR Doc. 95–19899 Filed 8–10–95; 8:45 am] BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

List of Specially Designated Terrorists Who Threaten to Disrupt the Middle East Peace Process; Additional Name

AGENCY: Office of Foreign Assets Control, Treasury. ACTION: Notice of blocking.

SUMMARY: The Treasury Department is adding the name of an individual to the list of blocked persons who have been found to have committed, or to pose a risk of committing, acts of violence that have the purpose of disrupting the Middle East peace process or have assisted in, sponsored, or provided financial, material or technological support for, or service in support of, such acts of violence, or are owned or controlled by, or to act for or on behalf of other blocked persons.

EFFECTIVE DATE: August 11, 1995 or upon prior actual notice.

FOR FURTHER INFORMATION: J. Robert McBrien, Chief, International Programs, Tel.: (202) 622–2420; Office of Foreign Assets Control, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, DC 20220.

SUPPLEMENTARY INFORMATION:

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Background

On January 24, 1995, President Clinton signed Executive Order 12947, "Prohibiting Transactions with Terrorists Who Threaten to Disrupt the Middle East Peace Process" (60 FR 5079, Jan. 25, 1995-the "Order" or "E.O. 12947"). The Order blocks all property subject to U.S. jurisdiction in which there is any interest of 12 Middle East terrorist organizations included in an Annex to the Order. In addition, the Order blocks the property and interests in property of persons designated by the Secretary of State, in coordination with the Secretary of Treasury and the Attorney General, who are found 1) to have committed or to pose a significant risk of disrupting the Middle East peace process, or 2) to assist in, sponsor or provide financial, material, or technological support for, or services in support of, such acts of violence. The order further blocks all property and interests in property subject to U.S. jurisdiction in which there is any interest of persons determined by the Secretary of the Treasury, in coordination with the Secretary of State and the Attorney General, to be owned or controlled by, or to act for or on behalf of any other person designated pursuant to the Order (collectively Specially Designated Terrorists' or "SDTs"). An initial list of SDTs was published on January 25, 1995 (60 FR 5084).

The order also prohibits any transaction or dealing by a United States person or within the United States in property or interests in property of SDTs, including the making or receiving of any contribution of funds, goods, or services to or for the benefit of such persons.

Designations of persons blocked pursuant to the Order are effective upon the date of determination by the Secretary of State or his delegate, or the Director of the Office of Foreign Assets Control acting under authority delegated by the Secretary of the Treasury. Public