

controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on June 5, 2008. No adverse comments were received, and thus this notice confirms that effective date.

Issued in College Park, Georgia, on April 18, 2008.

Lynda G. Otting,

*Acting Manager, System Support Group,
Eastern Service Center, Air Traffic
Organization.*

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 774

[Docket No. 080307395-8515-01]

RIN 0694-AE32

Technical Corrections to the Export Administration Regulations Based Upon a Systematic Review of the CCL; Correction

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Correcting amendment.

SUMMARY: The Bureau of Industry and Security published a final rule in the **Federal Register** on April 18, 2008 (73 FR 21035), that amended the Export Administration Regulations (EAR) to make various technical corrections and clarifications to the EAR as a result of a systematic review of the CCL. The amendments in that final rule included a revision to the “Unit” paragraph in the List of Items Controlled section of Export Control Classification Number (ECCN) 9A004. However, because of an inadvertent formatting error in a rule published on March 18, 1999 (64 FR 13338), the “Related Controls” paragraph in that CCL entry appeared to be a part of the “Unit” paragraph. This resulted in the inadvertent removal of the “Related Controls” paragraph in the List of Items Controlled section of that ECCN entry when the “Unit” paragraph was revised with the publication of the April 18, 2008, rule. Today’s rule corrects that inadvertent removal by adding the “Related Controls” paragraph back into that ECCN entry.

DATES: *Effective Date:* This rule is effective: May 8, 2008.

ADDRESSES: You may submit comments, identified by RIN 0694-AE32, by any of the following methods:

E-mail: publiccomments@bis.doc.gov. Include “RIN 0694-AE32” in the subject line of the message.

Fax: (202) 482-3355. Please alert the Regulatory Policy Division, by calling (202) 482-2440, if you are faxing comments.

Mail or Hand Delivery/Courier: Timothy Mooney, U.S. Department of Commerce, Bureau of Industry and Security, Regulatory Policy Division, 14th Street & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230, *Attn:* RIN 0694-AE32.

Send comments regarding the collection of information associated with this rule, including suggestions for reducing the burden, to David Rostker, Office of Management and Budget (OMB), by e-mail to David.Rostker@omb.eop.gov, or by fax to (202) 395-7285; and to the U.S. Department of Commerce, Bureau of Industry and Security, Regulatory Policy Division, 14th Street & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230. Comments on this collection of information should be submitted separately from comments on the final rule (i.e. RIN 0694-AE32)—all comments on the latter should be submitted by one of the three methods outlined above.

FOR FURTHER INFORMATION CONTACT: Timothy Mooney, Office of Exporter Services, Bureau of Industry and Security, U.S. Department of Commerce; by telephone: (202) 482-2440; or by fax: 202-482-3355.

SUPPLEMENTARY INFORMATION:

Background

On April 18, 2008, the final rule, Technical Corrections to the Export Administration Regulations based upon a Systematic Review of the CCL was published in the **Federal Register** (73 FR 21035). The amendments in that final rule included a revision to the “Unit” paragraph in the List of Items Controlled section of Export Control Classification Number (ECCN) 9A004. The changes made in the April 18 rule made *no* changes to the “Related Controls” paragraph of that ECCN entry. However, because of an inadvertent formatting error that occurred in a final rule published on March 18, 1999 (64 FR 13338), the “Related Controls” paragraph appeared to be a part of the “Unit” paragraph, which resulted in the inadvertent removal of the “Related Controls” paragraph in the List of Items

Controlled section when the “Unit” paragraph was revised with the publication of the April 18, 2008, rule. The formatting issue involved the “Related Controls” paragraph not appearing on its own line in the Code of Federal Regulations (CFR) and the “Related Controls” heading not being italicized. This rule corrects those inadvertent formatting errors from the 1999 rule that were compounded with the publication of the April 18 rule, by adding the “Related Controls” paragraph back into ECCN 9A004.

Although the Export Administration Act expired on August 20, 2001, the President, through Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as extended by the Notice of August 15, 2007, 72 FR 46137 (August 16, 2007), has continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act.

Rulemaking Requirements

1. This final rule has been determined to be not significant for purposes of E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid Office of Management and Budget Control Number. This rule contains a collection of information subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). This collection has been approved by the Office of Management and Budget under control number 0694-0088, “Multi-Purpose Application,” which carries a burden hour estimate of 58 minutes for a manual or electronic submission.

3. This rule does not contain policies with Federalism implications as that term is defined under E.O. 13132.

4. The Department finds that there is good cause under 5 U.S.C. 553(b)(B) to waive the provisions of the Administrative Procedure Act requiring prior notice and the opportunity for public comment because they are unnecessary. The changes made by this rule are not substantive changes, but rather are updates to cross-references, conformance of units of measure to item descriptions, and removal of outdated references. This rule does not alter any right, obligation or prohibition that applies to any person under the Export Administration Regulations (EAR). Because these revisions are not substantive changes, it is unnecessary to provide notice and opportunity for

public comment. In addition, the 30-day delay in effectiveness required by 5 U.S.C. 553(d) is not applicable because this rule is not a substantive rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under the Administrative Procedure Act or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable.

List of Subjects in 15 CFR Part 774

Exports, Reporting and recordkeeping requirements.

■ Accordingly, part 774 of the Export Administration Regulations (15 CFR parts 730–774) is corrected by making the following correcting amendment:

PART 774—[CORRECTED]

■ 1. The authority citation for 15 CFR part 774 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c, 22 U.S.C. 3201 *et seq.*; 22 U.S.C. 6004; 30 U.S.C. 185(s), 185(u); 42 U.S.C. 2139a; 42 U.S.C. 6212; 43 U.S.C. 1354; 46 U.S.C. app. 466c; 50 U.S.C. app. 5; 22 U.S.C. 7201 *et seq.*; 22 U.S.C. 7210; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 15, 2007, 72 FR 46137 (August 16, 2007).

■ 2. In Supplement No. 1 to part 774 (the Commerce Control List), Category 9—Propulsion Systems, Space Vehicles and Related Equipment, Export Control Classification Number (ECCN) 9A004 is amended by adding the “Related Controls” paragraph in the List of Items Controlled section, to read as follows:

Supplement No. 1 to Part 774—The Commerce Control List

* * * * *

9A004 Space launch vehicles and “spacecraft”.

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List of Items Controlled

Unit: * * *

Related Controls:

- (1.) See also 9A104.
- (2.) Space launch vehicles are under the jurisdiction of the Department of State.
- (3.) Effective March 15, 1999, all satellites, including commercial communications satellites, are subject to the ITAR. Effective March 15, 1999, all license applications for the export of commercial communications satellites will be processed by the State Department, Directorate of Defense Trade Controls. Retransfer of jurisdiction for commercial communications satellites and related items shall not affect the validity of any export license issued by the Department of Commerce prior to March 15, 1999, or of any export license application filed under the

Export Administration Regulations on or before March 14, 1999, and subsequently issued by the Department of Commerce. Commercial communications satellites licensed by the Department of Commerce, including those already exported, remain subject to the EAR and all terms and conditions of issued export licenses until their stated expiration date. All licenses issued by the Department of Commerce for commercial communications satellites, including licenses issued after March 15, 1999, remain subject to SI controls throughout the validity of the license. Effective March 15, 1999, Department of State jurisdiction shall apply to any instance where a replacement license would normally be required from the Department of Commerce. Transferring registration or operational control to any foreign person of any item controlled by this entry must be authorized on a license issued by the Department of State, Directorate of Defense Trade Controls. This requirement applies whether the item is physically located in the United States or abroad.

(4.) All other “spacecraft” not controlled under 9A004 and their payloads, and specifically designed or modified components, parts, accessories, attachments, and associated equipment, including ground support equipment, are subject to the export licensing authority of the Department of State unless otherwise transferred to the Department of Commerce via a commodity jurisdiction determination by the Department of State.

(5.) Exporters requesting a license from the Department of Commerce for “spacecraft” and their associated parts and components, other than the international space station, must provide a statement from the Department of State, Directorate of Defense Trade Controls, verifying that the item intended for export is under the licensing jurisdiction of the Department of Commerce. All specially designed or modified components, parts, accessories, attachments, and associated equipment for “spacecraft” that have been determined by the Department of State through the commodity jurisdiction process to be under the licensing jurisdiction of the Department of Commerce and that are not controlled by any other ECCN on the Commerce Control List will be assigned a classification under this ECCN 9A004.

(6.) Technical data required for the detailed design, development, manufacturing, or production of the international space station (to include specifically designed parts and components) remains under the jurisdiction of the Department of State. This control by the ITAR of detailed design, development, manufacturing or production technology for NASA’s international space station does not include that level of technical data necessary and reasonable for assurance that a U.S.-built item intended to operate on NASA’s international space station has been designed, manufactured, and tested in conformance with specified requirements (e.g., operational performance, reliability, lifetime, product quality, or delivery expectations). All technical data and all defense services, including all technical assistance, for launch of the international

space station, including launch vehicle compatibility, integration, or processing data, are controlled and subject to the jurisdiction of the Department of State, in accordance with 22 CFR parts 120 through 130.

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Eileen Albanese,

Director, Office of Exporter Services.

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SOCIAL SECURITY ADMINISTRATION

20 CFR Part 403

[Docket No. SSA–2007–0077]

RIN 0960–AG76

Testimony by Employees and the Production of Records and Information in Legal Proceedings; Change of Address for Requests

AGENCY: Social Security Administration.

ACTION: Final rule.

SUMMARY: Our regulations describe when a Social Security Administration (SSA) employee will testify or provide records or other information in a legal proceeding to which we are not a party. The regulations also describe how you request testimony of an SSA employee. This final rule updates the address you should use to request testimony of an SSA employee.

DATES: This final rule is effective May 8, 2008.

FOR FURTHER INFORMATION CONTACT: Martin Sussman, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235–6401. Call (410) 965–1767 for further information about these rules. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit our Internet Web site, Social Security Online, at <http://www.socialsecurity.gov>.

SUPPLEMENTARY INFORMATION:

Electronic Version

The electronic file of this document is available on the date of publication in the **Federal Register** at <http://www.gpoaccess.gov/fr/index.html>.

Why are we revising our rules on requesting testimony of an SSA employee?

Our regulations at 20 CFR Part 403 describe when an SSA employee will testify or provide records or other information in a legal proceeding to which we are not a party. The regulations also describe how you