

FDC date	State	City	Airport	FDC No.	SIAP
08/03/99	WA.	ELLENSBURG	BOWERS FIELD	9/5610	VOR OR GPS-A, AMDT 2A ...
08/04/99	KY.	LONDON	LONDON-CORBIN ARPT-MAGEE FLD.	9/5644	VOR RWY 5, AMDT 12B ...
08/04/99	KY.	LONDON	LONDON-CORBIN ARPT-MAGEE FLD.	9/5645	GPS RWY 23, ORIG ...
08/04/99	KY.	LONDON	LONDON-CORBIN ARPT-MAGEE FLD.	9/5646	GPS RWY 5, ORIG ...
08/05/99	GA.	DUBLIN	W.H. "BUD" BARROW	9/5681	NDB RWY 2, AMDT 2 ...
08/05/99	GA.	DUBLIN	W.H. "BUD" BARROW	9/5682	ILS RWY 2, ORIG ...
08/05/99	KY.	LONDON	LONDON-CORBIN ARPT-MAGEE FLD.	9/5674	VOR/DME RNAV RWY 5, AMDT 3A ...
08/05/99	NM.	ALBUQUERQUE	DOUBLE EAGLE II	9/5680	ILS RWY 22, AMDT 2 ...
08/05/99	SC.	LAURENS	LAURENS COUNTY	9/5661	NDB RWY 8, AMDT 1A ...
08/09/99	IL.	PONTIAC	PONTIAC MUNICIPAL	9/5813	VOR RWY 24, AMDT 1 ...
08/09/99	VA.	RICHMOND	RICHMOND INTL	9/5815	VOR OR GPS RWY 25 AMDT 15 ...
08/09/99	WV.	BLUEFIELD	MERCER COUNTY	9/5810	ILS RWY 23 AMDT 14C ...
08/11/99	OH.	RAVENNA	PORTAGE COUNTY	9/5864	VOR/DME RNAV OR GPS RWY 27, AMDT 2 ...
08/12/99	KS.	PITTSBURG	ATKINSON MUNI	9/5902	NDB OR GPS RWY 16, AMDT 3A ...
08/13/99	MO.	ST. JOSEPH	ROSECRANS MEMORIAL	9/5932	NDB OR GPS RWY 35, AMDT 28B ...
08/13/99	MO.	ST JOSEPH	ROSECRANS MEMORIAL	9/5933	NDB RWY 17, AMDT 8 ...
08/13/99	MO.	ST JOSEPH	ROSECRANS MEMORIAL	9/5934	VOR/DME RNAV OR GPS RWY 17, AMDT 4 ...
08/13/99	OK.	OKMULGEE	OKMULGEE MUNI	9/5930	NDB RWY 17, AMDT 3 ...
08/13/99	OK.	OKMULGEE	OKMULGEE MUNI	9/5931	ILS RWY 17, ORIG ...
08/13/99	VA.	LYNCHBURG	LYNCHBURG REGIONAL/PRESTON GLENN FIELD.	9/5937	VOR OR GPS RWY 3 AMDT 11B ...
08/16/99	FL.	FORT MYERS	PAGE FIELD	9/5994	GPS RWY 23, ORIG ...
08/17/99	WY.	EVANSTON	EVANSTON-UINTA COUNTY BURNS FIELD.	9/6003	VOR/DME OR GPS-A ORIG ...
08/17/99	WY.	EVANSTON	EVANSTON-UINTA COUNTY BURNS FIELD.	9/6004	VOR/DME OR GPS RWY 23, AMDT 2 ...

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 BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Parts 742 and 745

[Docket No. 990416098-9237-02]

RIN 0694-AB67

Chemical Weapons Conventions; Revisions to the Export Administration Regulations; States Parties; Licensing Policy Clarification

AGENCY: Bureau of Export Administration, Commerce

ACTION: Interim rule.

SUMMARY: On May 18, 1999, the Bureau of Export Administration published an interim rule (64 FR 27138) implementing the export control and reporting provisions of the Chemical Weapons Convention. This rule adds Estonia, Holy See, Micronesia, Nigeria and Sudan to the list of States Parties to the Convention, and makes clarifications in the licensing policy for exports and reexports of Schedule 2 and

Schedule 3 chemicals. Finally, this rule also adds the addresses of the authorized agencies in Taiwan responsible for issuing End-Use Certificates, and removes the previously listed office.

DATES: This rule is effective September 13, 1999.

FOR FURTHER INFORMATION CONTACT: Nancy Crowe or Sharron Cook, Regulatory Policy Division, Bureau of Export Administration, at (202) 482-2440.

SUPPLEMENTARY INFORMATION: On May 18, 1999, the Bureau of Export Administration published an interim rule (64 FR 27138) implementing the export control and certain reporting provisions of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction (Convention or CWC). This rule amends Supplement No. 2 to Part 745 of the Export Administration Regulations (EAR) to add Estonia, Holy See, Micronesia, Nigeria and Sudan to the list of States Parties to the Convention. This rule also clarifies that for CWC States Parties status only, Hong Kong is treated like the People's Republic of China. This does not change

the export licensing policy for Hong Kong.

This rule also amends § 742.18(b) of the EAR to clarify the licensing policy for exports and reexports of Schedule 2 and Schedule 3 chemicals to non-States Parties. Specifically, § 742.18(b) is amended by removing the presumption of approval language with regard to exports and reexports of Schedule 2 and Schedule 3 chemicals to CWC States Parties as well as non-States Parties. This language is being removed because no license is required for exports and reexports of Schedule 2 and Schedule 3 chemicals to States Parties for the Chemical Weapons ("CW") reason for control. Further, no license is required for exports of Schedule 2 chemicals to non-States Parties prior to April 29, 2000, for the CW reason for control unless the exporter is not able to obtain an End-Use Certificate prior to the export. Finally, no license is required for exports of Schedule 3 chemicals to non-States Parties for the CW reason for control unless the exporter is not able to obtain an End-Use Certificate prior to the export. Applications for exports of Schedule 2 and Schedule 3 chemicals to non-States Parties when no End-Use Certificate is obtained will generally be

denied. Note that the revisions to § 742.18(b) do not change current licensing policy.

Finally, this rule also amends Supplement No. 3 to Part 745 to add the addresses of the authorized agencies in Taiwan responsible for issuing End-Use Certificates and remove the Taiwan office previously listed. Three offices in Taiwan have the responsibility for issuing End-Use Certificates. Two of the three offices (Export Processing Zone Administration and the Science-Based Industrial Park Administration) are in special economic zones and are responsible for the activity in their respective zones only.

Although the Export Administration Act (EAA) expired on August 20, 1994, the President invoked the International Emergency Economic Powers Act and continued in effect the EAR, and, to the extent permitted by law, the provisions of the EAA in Executive Order 12924 of August 19, 1994, extended by Presidential notice of August 13, 1998 (63 FR 55121, August 17, 1998).

Rulemaking Requirements

1. This interim 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, nor shall any person be subject to a penalty for failure to comply with a collection of information, subject to the Paperwork Reduction Act (PRA), unless that collection of information displays a currently valid OMB Control Number. This rule involves collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). These collections have been approved by the Office of Management and Budget under control numbers 0694-0088 and 0694-0117.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 12612.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United States (Sec. 5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Because a notice of proposed Rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the

analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

List of Subjects

15 CFR Parts 742

Exports, Foreign trade.

15 CFR Part 745

Administrative practice and procedure, Exports, Foreign trade, Reporting and recordkeeping requirements.

Accordingly, parts 742 and 745 of the Export Administration Regulations (15 CFR Parts 730-799) are amended as follows:

1. The authority citation for 15 CFR part 742 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 18 U.S.C. 2510 *et seq.*; 22 U.S.C. 3201 *et seq.*; 42 U.S.C. 2139a; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12924, 59 FR 43437, 3 CFR, 1994 Comp., p. 917; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; Notice of November 12, 1998, 63 FR 63589, 3 CFR, 1998 Comp., p. 305; Notice of August 10, 1999, 64 FR 44101 (August 13, 1999).

2. The authority citation for 15 CFR part 745 is revised to read as follows:

Authority: 50 U.S.C. 1701 *et seq.*; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; Notice of November 12, 1998, 63 FR 63589, 3 CFR, 1998 Comp., p. 305; Notice of August 10, 1999, 64 FR 44101 (August 13, 1999).

PART 742—AMENDED

3. Section 742.18 is amended by removing paragraph (b)(2)(i), redesignating paragraphs (b)(2)(ii) and (iii) as (b)(2)(i) and (ii), and revising newly redesignated paragraph (b)(2)(i)(A) to read as follows:

§ 742.18 Chemical Weapons Convention (CWC or Convention).

* * * * *

(b) * * *

(1) * * *

(2) *Schedule 2 and Schedule 3 chemicals.* (i)(A) *ECCN 1C350.* Applications to export Schedule 2 chemicals prior to April 29, 2000, and Schedule 3 chemicals controlled under ECCN 1C350 to CWC non-States parties will generally be denied.

* * * * *

PART 745—AMENDED

4. Section 745.2 is amended by revising the third and fourth sentences in paragraph (a)(1), to read as follows:

§ 745.2 End—Use Certificate reporting requirements under the Chemical Weapons Convention.

* * * * *

(a)(1) * * * Supplement No. 3 to this part includes foreign authorized agencies responsible for issuing End-Use Certificates pursuant to this section. Additional foreign authorized agencies responsible for issuing End-Use Certificates will be included in Supplement No. 3 to this part when known. * * *

* * * * *

5. Supplement No. 2 to part 745 is revised to read as follows:

Supplement No. 2 to Part 745—States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction

List of States Parties as of September 13, 1999

Albania
Algeria
Argentina
Armenia
Australia
Austria
Bahrain
Bangladesh
Belarus
Belgium
Benin
Bolivia
Bosnia-Herzegovina
Botswana
Brazil
Brunei Darussalam
Bulgaria
Burkina Faso
Burundi
Cameroon
Canada
Chile
China*
Cook Islands
Costa Rica
Cote d'Ivoire (Ivory Coast)
Croatia
Cuba
Cyprus
Czech Republic
Denmark
Ecuador
El Salvador
Equatorial Guinea
Estonia
Ethiopia
Fiji
Finland
France
Gambia
Georgia
Germany
Ghana
Greece
Guinea
Guyana

* For CWC purposes only, China includes Hong Kong.

Holy See
 Hungary
 Iceland
 India
 Indonesia
 Iran
 Ireland
 Italy
 Japan
 Jordan
 Kenya
 Korea (Republic of)
 Kuwait
 Laos (P.D.R.)
 Latvia
 Lesotho
 Lithuania
 Luxembourg
 Macedonia
 Malawi
 Maldives
 Mali
 Malta
 Mauritius
 Mauritania
 Mexico
 Micronesia
 Moldova (Republic of)
 Monaco
 Mongolia
 Morocco
 Namibia
 Nepal
 Netherlands
 New Zealand
 Niger
 Nigeria
 Norway
 Oman
 Pakistan
 Panama
 Papua New Guinea
 Paraguay
 Peru
 Philippines
 Poland
 Portugal
 Qatar
 Romania
 Russian Federation
 Saint Lucia
 Saudi Arabia
 Senegal
 Seychelles
 Singapore
 Slovak Republic
 Slovenia
 South Africa
 Spain
 Sri Lanka
 Sudan
 Suriname
 Swaziland
 Sweden
 Switzerland
 Tajikistan
 Tanzania
 Togo
 Trinidad and Tobago
 Tunisia
 Turkey
 Turkmenistan
 United Kingdom
 Ukraine
 United States
 Uruguay

Uzbekistan
 Venezuela
 Vietnam
 Zimbabwe

6. Supplement No. 3 to part 745 is amended by revising the title to the supplement, and the entry for Taiwan, to read as follows:

Supplement No. 3 to Part 745—Foreign Authorized Agencies Responsible for Issuing End-Use Certificates Pursuant to § 745.2

* * * * *

Taiwan¹
 Board of Foreign Trade, Ministry of Economic Affairs, 1 Hukou St., Taipei, Tel: (02) 2351-0271, Fax: (02) 2351-3603
 Export Processing Zone Administration, Ministry of Economic Affairs, 600 Chiachang Rd., Nantze, Kaohsiung, Tel: (07) 361-1212, Fax: (07) 361-4348
 Science-Based Industrial Park Administration, National Science Council, Executive Yuan, 2 Hsin-an Rd., Hsinchu, Tel: (03) 577-3311, Fax: (03) 577-6222

Dated: September 1, 1999.

R. Roger Majak,
Assistant Secretary for Export Administration.

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Part 746

[Docket No. 990827238-9238-01]

RIN 0694-AB94

Reexports to Libya of Foreign Registered Aircraft Subject to the Export Administration Regulations

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Export Administration (BXA) is amending the Export Administration Regulations (EAR) by reinstating provisions of License Exception AVS for temporary reexports to Libya of foreign registered aircraft subject to the EAR. This limited action is taken in response to suspended United Nations sanctions.

DATES: This rule is effective April 5, 1999.

FOR FURTHER INFORMATION CONTACT: James A. Lewis, Office of Strategic

¹ Two of the three offices (Export Processing Zone Administration and the Science-Based Industrial Park Administration) are in special economic zones and are responsible for the activity in their respective zones.

Trade and Foreign Policy Controls, Bureau of Export Administration, Telephone: (202) 482-4196.

SUPPLEMENTARY INFORMATION:

Background

On April 5, 1999, the United Nations Security Council (UNSC) suspended the sanctions against Libya set forth in UNSC resolutions 748 and 883. In light of this suspension, the United States has taken action that will allow, under License Exception AVS, the temporary reexport to Libya of foreign registered aircraft subject to the EAR. Foreign registered aircraft meeting all the temporary sojourn requirements of License Exception AVS may fly from foreign countries to Libya without obtaining prior written authorization from BXA. This action is limited in scope and in no way impacts other U.S. sanctions against Libya. Note that License Exception AVS remains unavailable for U.S. registered aircraft.

Although the Export Administration Act (EAA) expired on August 20, 1994, the President invoked the International Emergency Economic Powers Act and continued in effect the EAR, and to the extent permitted by law, the provisions of the EAA, as amended, in Executive Order 12924 of August 19, 1994, as extended by the President's notices of August 15, 1995 (60 FR 42767), August 14, 1996 (61 FR 42527) August 13, 1997 (62 FR 43629), August 13, 1998 (63 FR 44121), and August 10, 1999 (64 FR 44101).

Rule Making Requirements

1. This final rule has been determined to be non-significant for purposes of E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to nor 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 current valid OMB Control Number. This regulation does not involve any paperwork collections.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 12612.

4. The provisions of the Administrative Procedure Act requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military or foreign affairs function of the United States (see 5 U.S.C. 553(a)(1)). Further, no other law