

phrase "paragraph (d)(4)(v)" to read "paragraph (d)(5)(v)";

iii. In newly designated paragraph (d)(5)(v)(A) introductory text, revise the phrase "paragraph (d)(4)(v)(B)" to read "paragraph (d)(5)(v)(B)";

iv. In newly designated paragraph (d)(5)(v)(A), add a "note" at the end of paragraph (d)(5)(v)(A)(8); and

c. By revising newly designated paragraph (d)(5)(v)(B).

The additions and revision read as follows:

**§ 740.7 Computers (CTP).**

\* \* \* \* \*

(d) \* \* \*

(4) *Supporting documentation.*

Exports of computers as described by paragraph (d)(2) of this section, regardless of value, to the People's Republic of China must be supported by a PRC End-User Certificate. (See § 748.10(c)(3) of the EAR for information on obtaining the PRC End-User Certificate.) Exporters are required to obtain a PRC End-User Certificate before exporting computers regardless of value to the People's Republic of China. Exporters are also required to provide the PRC End-User Certificate Number to BXA as part of their post-shipment report (see paragraph (d)(5) of this section). When providing the PRC End-User Certificate Number to BXA, you must identify the transaction in the post shipment report to which that PRC End-User Certificate Number applies. The original PRC End-User Certificate shall be retained in the exporter's files in accordance with the recordkeeping provisions of § 762.2 of the EAR.

(5) \* \* \*

(v) \* \* \*

(A) \* \* \*

*Note to paragraph (d)(5)(v)(A):* For exports authorized under License Exception CTP to the Peoples Republic of China (PRC), you must submit the PRC End-User Certificate Number identifying the transaction for which the End-User Certificate Number applies.

(B) *Mailing address.* A copy of the post-shipment report[s] required under paragraph (d)(5)(v)(A) of this section shall be delivered to one of the following addresses. Note that BXA will not accept reports sent C.O.D.

(1) For deliveries by U.S. postal service: Bureau of Export Administration, U.S. Department of Commerce, P.O. Box 273, Attn: HPC Team, Washington, DC 20044.

(2) For courier deliveries: U.S. Department of Commerce, Office of the Assistant Secretary for Export Enforcement, Room 3721, 14th Street and Constitution Ave., NW., Washington, DC 20230.

\* \* \* \* \*

**PART 742—[AMENDED]**

5. Section 742.12 is amended:

- a. By revising paragraph (b)(3)(i)(C); and
- b. By revising paragraph (b)(3)(iv)(B) to read as follows:

**§ 742.12 High performance computers.**

\* \* \* \* \*

(b) \* \* \*

(3) \* \* \*

(i) \* \* \*

(C) A license may be required to export or reexport computers with a CTP greater than 2,000 MTOPS to countries in Computer Tier 3 pursuant to the NDAA (see § 740.7(d)(5) of the EAR).

\* \* \* \* \*

(iv) \* \* \*

(B) *Mailing address.* A copy of the post-shipment report[s] required under paragraph (b)(3)(vi)(A) of this section shall be delivered to one of the following addresses. Note that BXA will not accept reports sent C.O.D.

(1) For deliveries by U.S. postal service: Bureau of Export Administration, U.S. Department of Commerce, P.O. Box 273, Attn: HPC Team, Washington, DC 20044.

(2) For courier deliveries: U.S. Department of Commerce, Office of the Assistant Secretary for Export Enforcement, Room 3721, 14th Street and Constitution Ave., NW., Washington, DC 20230.

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**PART 748—[AMENDED]**

**§ 748.9 [Amended]**

6. Section 748.9 is amended by removing paragraph (b)(2)(i)(1) and redesignating paragraphs (b)(2)(i)(2) and (b)(2)(i)(3), as paragraphs (b)(2)(i)(A) and (b)(2)(i)(B), respectively.

7. Section 748.10 is amended by removing ";" and" at the end of paragraph (b)(2) and adding a period in its place, by redesignating paragraph (b)(3) as paragraph (b)(4), by adding a new paragraph (b)(3), and by revising the introductory text of newly designated paragraph (b)(4) to read as follows:

**§ 748.10 Import and End-User Certificates.**

\* \* \* \* \*

(b) \* \* \*

(3) Your transaction involves an export of a computer with a Composite Theoretical Performance (CTP) greater than 2,000 Million Operations Per Second (MTOPS) under either a license application or under License Exception CTP to the People's Republic of China, you must obtain a PRC End-User Certificate, regardless of dollar value.

(4) Your license application involves the export of commodities and software classified in a single entry on the CCL, the total value of which exceeds \$5,000. Note that this \$5,000 threshold, does not apply to exports of computers with a CTP exceeding 2,000 MTOPS to the People's Republic of China.

\* \* \* \* \*

Dated: January 8, 1999.

**R. Roger Majak,**

*Assistant Secretary for Export Administration.*

[FR Doc. 99-867 Filed 1-13-99; 8:45 am]

BILLING CODE 3510-33-P

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 165**

[CGD1-98-183]

RIN 2115-AA97

**Safety Zone; Explosive Loads and Detonations Bath Iron Works, Bath, ME**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone to close a portion of the Kennebec River to waterway traffic in a 400 foot radius around Bath Iron Works, Bath, Maine for explosive loads and explosives detonations, from 6 a.m. December 30, 1998 through 12 p.m. January 30, 1999. This safety zone is needed to protect persons, facilities, vessels and others in the maritime community from the safety hazards associated with the handling, detonation and transportation of explosives. Entry into this safety zone is prohibited unless authorized by the Captain of the Port.

**DATES:** This rule is effective from 6 a.m. Wednesday December 30, 1998 until 12 p.m. Saturday January 30, 1999.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant J.D. Gafkjen, Chief of Response and Planning, Captain of the Port, Portland at (207) 780-3251.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

As authorized by 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing a NPRM and for making this regulation effective in less than 30 days after **Federal Register** publication. Due to the complex planning and coordination involved, final details for the closure were not provided to the Coast Guard

until December 28, 1998, making it impossible to publish a NPRM or a final rule 30 days in advance. Publishing an NPRM and delaying its effective date would be contrary to public interest since this safety zone is needed to protect persons, facilities, vessels and others in the maritime community from the safety hazards associated with the handling and detonation of explosives.

### Background and Purpose

The Explosive Loads and Detonations will occur from 6 a.m. Wednesday December 30, 1998 until 12 p.m. Saturday January 30, 1999. The safety zone covers the waters of the Kennebec River, Bath, ME, in a 400 foot radius around Bath Iron Works, Bath, ME. This safety zone is required to protect the maritime community from the hazards associated with the loading, detonation and transportation of explosives. Entry into this zone will be prohibited unless authorized by the Captain of the Port.

### Regulatory Evaluation

This temporary final rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This safety zone involves only a portion of the Kennebec River. Due to the limited duration of the safety zone, the fact that the safety zone will not restrict the entire channel of the Kennebec River, allowing traffic to continue without obstruction, and that advance maritime advisories will be made, the Coast Guard expects the economic impact of this regulation to be so minimal that a Regulatory Evaluation is unnecessary.

### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2)

governmental jurisdictions with populations of less than 50,000.

For the reasons addressed under the Regulatory Evaluation above, the Coast Guard expects the impact of this regulation to be minimal and certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

### Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

### Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

### Environment

The Coast Guard has considered the environmental impact of this regulation and concluded that, under section 2.B.2.e. of Commandant Instruction M16475.1B, (as revised by 59 FR 38654, July 29, 1994), this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination and an Environmental Analysis Checklist is available in the docket for inspection or copying.

### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

### Regulation

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

1. The authority citation for Part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5; 49 CFR 1.46.

2. Add temporary § 165.T01-CGD1-183 to read as follows:

#### § 165.T01-CGD1-183 Explosive Load, Bath Iron Works, Bath, ME.

(a) *Location.* The safety zone covers the waters of the Kennebec River, Bath, ME, in a 400 foot radius around Bath Iron Works, Bath, ME.

(b) *Effective date.* The Explosive Loads and Detonations will occur from 6 a.m. Wednesday December 30, 1998 until 12 p.m. Saturday January 30, 1999.

The safety zone covers the waters of the Kennebec River, Bath, ME.

### (c) Regulations.

(1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of the vessel shall proceed as directed.

(3) In accordance with the general regulations in § 165.23 of this part, entry or movement within this zone is prohibited unless authorized by the Captain of the Port, Portland, ME.

**John E. Cameron,**

*Commander, U.S. Coast Guard, Captain of the Port Portland, Maine*

[FR Doc. 99-860 Filed 1-13-99; 8:45 am]

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## GENERAL SERVICES ADMINISTRATION

### 41 CFR Parts 300-2, 300-3 and 303-70

[FTR Amendment 76—1998 Edition]

RIN 3090-AG76

### Federal Travel Regulation, Payment of Expenses Connected With the Death of Certain Employees

**AGENCY:** Office of Governmentwide Policy, GSA.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Federal Travel Regulation (FTR), chapter 303, provisions pertaining to payment by the government of expenses connected with the death of certain employees and their immediate family members. This amendment implements the Administrator's authority under 5 U.S.C. 5721-5738 and 5741-5742 to require agencies to pay certain expenses in connection with the death of certain employees and/or their immediate family members.

**DATES:** This final rule is effective March 1, 1999, and applies to payment of expenses in connection with the death of certain employees and their immediate family members on or after March 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** Sandra Batton, telephone (202) 501-1538.

**SUPPLEMENTARY INFORMATION:** This final rule amends FTR parts 300-2 and 300-