### 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 Airport | 9/5661 | NDB RWY 8, AMDT 1A ...
08/05/99 | GA | DUBLIN | W.H. “Bud” Barrow Airport | 9/5674 | VOR/DME RNAV RWY 5, AMDT 3A ...
08/05/99 | KY | LONDON | London-Corbin Arpt-Magee Fld. | 9/5681 | NDB RWY 2, AMDT 2 ...
08/05/99 | NM | ALBUQUERQUE | Double Eagle II | 9/5682 | ILS RWY 22, AMDT 2 ...
08/05/99 | SC | LAURENS | Laurens County Airport | 9/5661 | NDB RWY 8, AMDT 1A ...
08/09/99 | IL | PONTIAC | Pontiac Municipal Airport | 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 ...
08/09/99 | 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 Airport | 9/5932 | NDB OR GPS RWY 35, AMDT 28B ...
08/13/99 | MO | ST JOSEPH | Rosecrans Memorial Airport | 9/5933 | NDB RWY 17, AMDT 8 ...
08/13/99 | MO | ST JOSEPH | Rosecrans Memorial Airport | 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 AMT 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 ...

**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 clarifies the 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 imports of Schedule 3 chemicals to non-States Parties for the CW reason for control unless the importer is not able to obtain an End-Use Certificate prior to the import. 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 parts 742 is revised to read as follows:


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


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. (l)(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

Burkinà 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.
United States
Ukraine
Turkmenistan
Turkey
Tunisia
Trinidad and Tobago
Togo
Tanzania
Tajikistan
Switzerland
Sweden
Suriname
Sudan
Suriname
Swariland
Sweden
Switzerland
Tajikistan
Tanzania
Togo
Trinidad and Tobago
Tunisia
Turkey
Turkmenistan
United Kingdom
Ukraine
United States
Uruguay

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

Taiwan

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, 609 Chiaochang 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

DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Part 746

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

AGENCY: Bureau of Export Administration.

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 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 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