

DPC

NRC FORM 464 Part I (6-1998) 	U.S. NUCLEAR REGULATORY COMMISSION	FOIA/PA <b>2000-0268</b>	RESPONSE NUMBER <b>1</b>
	<b>RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST</b>	RESPONSE TYPE <input type="checkbox"/> FINAL <input checked="" type="checkbox"/> PARTIAL	

REQUESTER <b>Joyce Battle</b>	DATE <b>SEP 11 2000</b>
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**PART I. -- INFORMATION RELEASED**

No additional agency records subject to the request have been located.

Requested records are available through another public distribution program. See Comments section.

APPENDICES    Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.

APPENDICES **A**    Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.

Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.

APPENDICES **A\***    Agency records subject to the request are enclosed.

Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.

We are continuing to process your request.

See Comments.

**PART I.A -- FEES**

AMOUNT * \$ _____	<input type="checkbox"/> You will be billed by NRC for the amount listed.	<input type="checkbox"/> None. Minimum fee threshold not met.
<input type="checkbox"/> * See comments for details	<input type="checkbox"/> You will receive a refund for the amount listed.	<input type="checkbox"/> Fees waived.

**PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE**

No agency records subject to the request have been located.

Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.

This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

**PART I.C COMMENTS (Use attached Comments continuation page if required)**

**\*Documents A/1 through A/10 are articles from various news organizations and are copyrighted. They are, therefore, not enclosed. You may wish to contact the organizations to obtain copies of the records.**

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed 

**APPENDIX A**  
**RECORDS BEING RELEASED IN THEIR ENTIRETY**  
**(If copyrighted identify with \*)**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	1/17/96	*Nuclear Test Threatens U.S. Economic Support for India (2pp)
2.	5/27/98	*Excerpt from The Hill, "Indian nuclear tests will hurt India" (1 p)
3.	5/28/98	*Excerpt from Nucleonics Week (1 p)
4.	7/30/98	*Excerpt fm Nucleonics Week (2 pp)
5.	2/18/99	*Excerpt fm Journal of Commerce "Loophole lets nuke materials into India" (5 pp)
6.	3/2/99	*Excerpt fm Journal of Commerce "Senate hearing expected on setting export controls" (1 p)
7.	3/18/99	*Excerpt fm Journal of Commerce "State Department backs NRC nuclear export rules" (2 pp)
8.	6/8/98	**"Lugar Wants to Slow Down Sanctions Process" (1 p)
9.	6/9/98	*Excerpt fm the Washington Post "India and Pakistan: After the Explosions (3 pp)
10.	5/31/98	*Excerpt from CQ Weekly "As the Dust Settles in India, U.S. Rethinks Nuclear Policy" (4 pp)
11.	6/4/98	U.K. Cook: Offer India Help on Nuclear Reactors (1 p)
12.	6/8/98	Facsimile message confirmation to Simpa Oal fm Ronald D. Hauber (1 p)
13.	6/8/98	Facsimile transmission to Simpa Oal from Ronald D. Hauber (5 pp)
14.	6/17/98	Excerpt fm Federal Register/Vol. 63., No. 226, p 33122 (1p)
15.	6/23/98	Congressional Highlights, Office of Congressional Affairs (2 pp)
16.	7/6/98	Congressional Highlights, Office of Congressional Affairs (3 pp)
17.	11/9/98	E-Mail message fm Clarence Breskovic to CRS (Carlton R.

Stoiber), JDL (Janice Dunn Lee), kjh (Karen J. Henderson), and rdh (Ronald D. Hauber) re "White House Statement on Easing of Sanctions on India" (2 pp)

18. 11/19/98 Excerpt fm Federal Register/Vol. 63, No. 223, Part II Department of Commerce, Bureau of Export Administration, 15 CFR Parts 742 and 744 India and Pakistan Sanctions and Other Measures; Interim Rule (11 pp)
19. 11/27/89 Excerpt fm Federal Register/Vol. 63, No. 228, p 65552 (1 p)
20. 3/17/00 Excerpt fm Federal Register/Vol. 65, No. 53, Department of Commerce, Bureau of Export Administration 15 CFR Part 744 (5 pp)
21. Undtd NRC Export Licensing Process--OVERVIEW. (1 page)



**U.K. Cook: Offer India Help On Nuclear Reactors**

DJ 98/06/04 17:44

GENEVA (AP)--British Foreign Secretary Robin Cook dangled a carrot in front of India Thursday to try to prevent an escalation of its nuclear arms race with Pakistan.

Speaking after an emergency meeting of the five official nuclear powers to discuss a response to the crisis, Cook said India could be offered help to improve the 'deteriorating' nuclear reactors used to supply the country's tottering electricity supply system.

But it would have to give assurances that the help wouldn't be diverted to boost India's nuclear weapons program, Cook said.

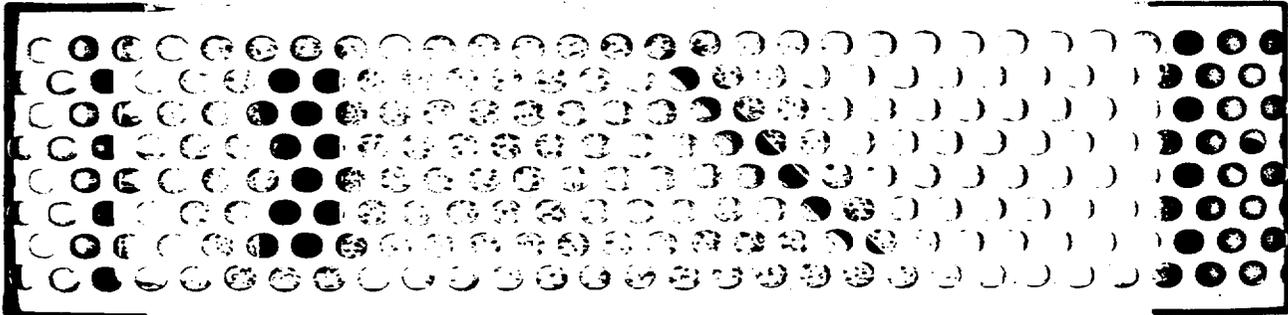
He stressed there was 'no question of rewarding those countries for carrying out nuclear tests.'

The poor state of India's electricity system has caused riots in recent weeks. Citizens in the capital New Delhi, frustrated over frequent power outages, have taken to the streets and attacked offices of government-run electricity offices.

In response to questions from reporters about the lack of reference in a joint statement agreed at the meeting to sanctions or other measures encouraging India and Pakistan to refrain from nuclear proliferation, Cook said he raised the issue of help for the country's electricity system.

'There is a very real problem there for India, and it is a problem we could be willing to assist,' said Cook.

'But we do need to be confident there are safeguards on those civil nuclear reactors which could make sure that in helping those (reactors), we were not unintentionally helping the nuclear weapons program.'



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# MESSAGE CONFIRMATION

*AC*

06/08/98

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DATE/TIME	TIME	DISTANT STATION ID	PAGES	RESULT	ERROR PAGES	S. CODE
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### FACSIMILE COVER SHEET

OFFICE OF INTERNATIONAL PROGRAMS  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

INTERNATIONAL PROGRAMS FAX: 301/415-2395

Date:  
June 8, 1998

Page 1 of 5

To: Simpa Oal  
National Security News  
Service

Fax No.: 202-466-4344

From:  
Ronald D. Hauber  
Director, Nonproliferation, Exports  
and Multilateral Relations

Telephone:  
301/415-2344

Text of Message:

*A/12*

I did a quick search of the archives and prepared the attached report on reactor and fuel export cases for India. All the entries

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Text of Message:

I did a quick search of the archives and prepared the attached report on reactor and fuel export cases for India. All the entries concern the equipment and fuel for units 1 and 2 of the Tarapur nuclear power station. Those two reactors were supplied by General Electric Co. and went into operation in 1969.

The "XCOM" export licenses denote reactor equipment component exports -- the "quantity" column is usually expressed in terms of dollar value of the export -- entries in the "action" column may indicate that the export was not approved by virtue of the license application being "withdrawn", "RWA" (returned without action) or "denied."

The "XR" license indicates a broad authorization for an entire

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power reactor, or in this case, perhaps two units.

The "XSNM" licenses are for "special nuclear material"-- in these cases, low-enriched uranium fuel ("LEU") for the Tarapur reactors -  
- and the quantities are usually expressed in thousands of kilograms.

Other notes: If there is no date in the "Expire" column, the license was most likely never approved but simply languished as a unapproved application. Also, please note the parenthetical notations -- "Approved by the President" -- those cases were finally approved via "Presidential over-ride" provisions of the interagency approval procedures. (I assume the incomplete notations on XCOM 0240 and 0250 may also signify some special, possibly Presidential, approval mechanism.)

In general, as I indicated, the license files themselves are archived and the old electronic files tend to be incomplete or cryptic. If you are looking for an overview of the issues and processes in play following the 1974 Indian nuclear test which led the U.S. to suspend its nuclear cooperation with India, I highly recommend the periodicals of that period, GAO and Congressional hearing reports, and scholarly literature on the subject. Such materials should be readily accessible in the Library of Congress.

*Ron Haber*

## Tarapur

05-Jun-98

License	Applicant	Commodity	Quantity	End-use	Completed	Action	Expire
XCOM0020	General Electric	Misc. Components		Tarapur 1&2	03/17/84	Withdrawn	
XCOM0084	General Electric	LPRM's	96000	Tarapur 1&2	04/30/79		5/01/80
XCOM0130	General Electric	Detectors	95000	Tarapur 1&2	04/30/79		5/01/80
XCOM0171	Caran Precision Eng.	Fuel Rod Springs	42200	Tarapur 1&2	05/02/79		5/01/80
XCOM0202	Byron Jackson	Pump Parts	1500	Tarapur	06/20/79		7/01/80
XCOM0203	Byron Jackson	Pump Seal Cartridge	50000	Tarapur	06/20/79		7/01/80
XCOM0204	Byron Jackson	Pump Parts	175000	Tarapur	06/20/79		3/01/80
XCOM0240	General Electric	Misc. Components (Apprvd b	180000	Tarapur 1&2	06/19/80		
XCOM0250	General Electric	Incore Detectors(Apprvd by	112000	Tarapur 1&2	06/19/80		
XCOM0325	Norca Machinery	Shear Valves		Tarapur		Withdrawn	
XCOM0376	Transnuclear	Misc. Components	20000	Tarapur(Approved by Pres.)	06/19/80		
XCOM0377	Byron Jackson	Pump Parts		Tarapur	05/28/82	Withdrawn	
XCOM0381	Carpenter Technology	Zircaloy-4 Tubes	738720	Tarapur(Approved by Pres.)	06/19/80		
XCOM0395	Pacific Pumps	Pump Parts	284172.5	Tarapur(Approved by Pres.)	06/19/80		
XCOM0407	Reuter-Stokes	LPRM Assemblies		Tarapur	09/04/85	Withdrawn	

License	Applicant	Commodity	Quantity	End-use	Completed	Action	Expire
XCOM0409	Rockwell International	Globe Stop Valves		Tarapur	09/04/85	Withdrawn	
XCOM0455	Byron Jackson	Pump Seal Cartridge		Tarapur	07/17/89	Withdrawn	
XCOM0460	General Electric	Misc. Components		Tarapur	06/08/89	Withdrawn	
XCOM0475	Pacific Pumps	Coolant Pumps		Tarapur	06/13/89	Withdrawn	
XCOM0817	Byron Jackson	Pump Parts		Tarapur	07/17/89	Withdrawn	
XCOM1075	Conax Buffalo Corp.	Components	8.6	Tarapur Nuclear Generating Station	11/30/92	RWA	
XR054	General Electric	BWR's, 160 MWE	36500000	Tarapur 1&2	07/07/64		7/31/70
XSNM0285	Govt. of India	LEU,2.40%	13215	Tarapur 1&2 (1st Cores)	04/05/72		0/31/72
XSNM0371	NFS Erwin	LEU,2.65%	14250	Tarapur 1&2	02/02/73		1/01/75
XSNM0432	Govt. of India	LEU,2.66%	21505	Tarapur 1&2	08/14/73		9/01/74
XSNM0572	Edlow	LEU,2.71%	26140.05	Tarapur 1&2	05/16/74		6/01/75
XSNM0726	Edlow	LEU,2.71%	12250.95	Tarapur 1&2	09/23/75		4/01/76
XSNM0805	Edlow	LEU,2.71%	9165.6	Tarapur 1&2	07/02/76		7/01/77
XSNM0845	Edlow	LEU,2.71%	12261	Tarapur 1&2	06/28/77		8/01/78
XSNM1060	Edlow,EB Approval	LEU,2.15%	7638	Tarapur 1&2	04/27/78		
XSNM1222	Edlow	LEU,2.71%	16803	Tarapur 1&2	03/23/79		4/01/80
XSNM1379	Edlow,EB Approval	LEU,2.71%	19858.8	Tarapur 1&2	06/19/80		
XSNM1569	Edlow,EB Approval	LEU,2.71%	19858.8	Tarapur 1&2	06/19/80		

License	Applicant	Commodity	Quantity	End-use	Completed	Action	Expire
XSNM1740	Edlow	LEU,2.71%		Tarapur 1&2	12/16/86	Denied	
XSNM1872	Edlow	LEU,2.71%		Tarapur 1&2	12/16/86	Denied	

# 10

**DEPARTMENT OF STATE****[Public Notice No. 2838]****Overseas Security Advisory Council (OSAC) Meeting Notice; Closed Meeting**

The Department of State announces a meeting of the U.S. State Department—Overseas Security Advisory Council on July 15 and 16, at the New York Palace Hotel in New York, New York. Pursuant to Section 10(d) of the Federal Advisory Committee Act and 5 U.S.C. 552b(c) (1) and (4), it has been determined the meeting will be closed to the public. Matters relative to classified national security information as well as privileged commercial information will be discussed. The agenda calls for the discussion of classified and corporate proprietary/security information as well as private sector physical and procedural security policies and protective programs at sensitive U.S. Government and private sector locations overseas.

For more information contact Nick Proctor, Overseas Security Advisory Council, Department of State, Washington, D.C. 20522-1003, phone: 202-663-0869.

Dated: June 3, 1998.

Peter E. Bergin,

Director of the Diplomatic Security Service.

[FR Doc. 98-16032 Filed 6-16-98; 8:45 am]

BILLING CODE 4710-24-M

**DEPARTMENT OF STATE****[Public Notice No. 2828]****Shipping Coordinating Committee Subcommittee on Safety of Life at Sea Working Group on Safety of Navigation; Notice of Meeting**

The Working Group on Safety of Navigation of the Subcommittee on Safety of Life at Sea (SOLAS) will conduct an open meeting at 9:30 am on Wednesday, July 1, 1998, in room 6103, U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC.

The purpose of the meeting is to prepare for the 44th session of the Subcommittee on Safety of Navigation (NAV) of the International Maritime Organization (IMO) which is scheduled for July 20-24, 1998, at the IMO Headquarters in London.

Items of principal interest on the agenda are:

- Routing of ships, ship reporting, and related matters.
- Amendments to the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS).

- Revision of SOLAS Chapter V.
  - Development of measures complementary to the Code for Safe Carriage of Irradiated Nuclear Fuel (INF).
  - Navigational aids and related matters.
  - International Telecommunication Union (ITU) matters including Radiocommunication ITU-R Study Group 8
  - Operational aspects of wing in ground (WIG) craft: possible amendments to COLREGS
  - Revision of the High Speed Craft (HSC) Code
- Members of the public may attend these meetings up to the seating capacity of the room. Interested persons may seek information by writing: Mr. Edward J. LaRue, Jr., U.S. Coast Guard (G-MOV-3), Room 1407, 2100 Second Street SW, Washington, DC 20593-0001 or by calling: (202) 267-0416.

Dated: May 22, 1998.

Stephen M. Miller,

Executive Secretary, Shipping Coordinating Committee.

[FR Doc. 98-16064 Filed 6-16-98; 8:45 am]

BILLING CODE 4710-07-M

**DEPARTMENT OF STATE****[Public Notice 2835]****Bureau of Political-Military Affairs; Revocation of Munitions Exports Licenses and Other Approvals for Pakistan**

AGENCY: Department of State.

ACTION: Notice.

**SUMMARY:** Notice is hereby given that all licenses and other approvals to export or otherwise transfer defense articles and defense services from the United States to Pakistan, or transfer U.S. origin defense articles and defense services from a foreign destination to Pakistan, or temporarily import defense articles from Pakistan pursuant to Section 38 of the Arms Export Control Act are revoked immediately.

**EFFECTIVE:** May 30, 1998.

**FOR FURTHER INFORMATION CONTACT:** Rose Biancaniello, Deputy Director, Department of State, Office of Defense Trade Controls, Department of State, 703-812-2568.

**SUPPLEMENTARY INFORMATION:** On May 30, 1998, the President determined pursuant to Section 102 of the Arms Export Control Act (22 U.S.C. 2779aa-1) ("the Glenn Amendment") that Pakistan a non-nuclear weapons state, detonated nuclear explosive devices on May 28, 1998, and directed

the relevant United States Government agencies and instrumentalities to take the necessary actions to impose the sanctions described in Section 102(b)(2) of that Act. That provision of law provides for the termination to Pakistan of sales of defense articles, defense services, or design and construction services under the Arms Export Control Act, and termination of licenses for the export of any item on the United States Munitions List ((USML)). Consistent with such law and in furtherance of the foreign policy interests of the United States, the Department of State, through publication of this notice, is revoking all licenses and other approvals for the permanent and temporary export and temporary import of defense articles and defense services to or from Pakistan and will deny all applications and other requests for approval to export or otherwise transfer or retransfer defense articles and defense services to Pakistan. This revocation order includes all types of licenses/authorizations; manufacturing, technical assistance and distribution agreements; the use of any exemption in the International Traffic in Arms Regulations (ITAR); any authorization to retransfer from a foreign destination. This order also extends to the activities and authorizations concerning brokering covered by Part 129 of the ITAR.

Therefore, in accordance with Section 123.21 of the ITAR, licenses must be returned immediately to the Department of State, Office of Defense Trade Controls.

Dated: June 10, 1998.

Eric D. Newsom,

Acting Assistant Secretary, Bureau of Political-Military Affairs.

[FR Doc. 98-16026 Filed 6-16-98; 8:45 am]

BILLING CODE 4710-25-M

**UNITED STATES INFORMATION AGENCY****Culturally Significant Objects Imported for Exhibition; Determinations**

Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985, 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978 (43 FR 13359, March 29, 1978) and Delegation Order No. 85-5 of July 27, 1985 (50 FR 27393, July 2, 1985), I hereby determine that the object to be included in the exhibit "A Living Memorial to the Holocaust"—Museum of Jewish Heritage in New York (Se.

A/114

Dated: June 5, 1998.

**Herbert L. Mitchell,**  
Acting Associate, Administrator for Disaster Assistance.

[FR Doc. 98-16058 Filed 6-16-98; 8:45 am]

BILLING CODE 8025-01-P

### SMALL BUSINESS ADMINISTRATION

[Declaration of Economic Injury Disaster #9882]

#### State of Washington

Clallam County and the contiguous Counties of Jefferson and San Juan in the State of Washington constitute an economic injury disaster area due to the effects of the warm water phenomenon known as El Nino beginning on May 1, 1997. Eligible small businesses and small agricultural cooperatives without credit available elsewhere may file applications for economic injury assistance for this disaster until the close of business on March 5, 1999 at the address listed below or other locally announced locations:

Small Business Administration, Disaster Area 4 Office, P.O. Box 13795, Sacramento, CA 95853-4795.

The interest rate for eligible small businesses and small agricultural cooperatives is 4 percent.

(Catalog of Federal Domestic Assistance Program No. 59002)

Dated: June 5, 1998.

**Aida Alvarez,**

Administrator.

[FR Doc. 98-16060 Filed 6-16-98; 8:45 am]

BILLING CODE 8025-01-P

### SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3086]

#### Arkansas; (and Contiguous Counties in Texas and Parishes in Louisiana)

Miller County and the contiguous Counties of Hempstead, Lafayette, and Little River in Arkansas; Bowie and Cass Counties in Texas; and Bossier and Caddo Parishes in Louisiana constitute a disaster area as a result of damages caused by heavy rains and flash flooding that occurred on May 27 and 28, 1998. Applications for loans for physical damages caused by this disaster may be filed until the close of business on August 6, 1998 and for economic injury until the close of business on March 5, 1999 at the address listed below or other locally announced locations:

Small Business Administration, Disaster Area 3 Office, 4400 Amon Carter Blvd., Suite 202, Ft. Worth, TX 76155.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere .....	7.000
Homeowners Without Credit Available Elsewhere .....	3.500
Businesses With Credit Available Elsewhere .....	8.000
Businesses and Non-Profit Organizations Without Credit Available Elsewhere .....	4.000
Others (Including Non-Profit Organizations) With Credit Available Elsewhere .....	7.125
For Economic Injury:	
Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere ...	4.000

The numbers assigned to this disaster for physical damages are 308606 for Arkansas; 308706 for Texas; and 308806 for Louisiana. For economic injury the numbers are 988300 for Arkansas; 988400 for Texas; and 988500 for Louisiana.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: June 5, 1998.

**Aida Alvarez,**

Administrator.

[FR Doc. 98-16061 Filed 6-16-98; 8:45 am]

BILLING CODE 8025-01-P

### SOCIAL SECURITY ADMINISTRATION

#### Information Collection Activities: Proposed Collection Requests

This notice lists information collection packages that will require submission to the Office of Management and Budget (OMB), in compliance with PL. 104-13 effective October 1, 1995. The Paperwork Reduction Act of 1995. The information collection(s) listed below require(s) extension(s) of the current OMB approval(s) or are proposed new collection(s):

1. Notice Regarding Substitution of Party Upon Death of Claimant—Reconsideration of Disability Cessation—0960-0351. The Social Security Administration uses the form SSA-770 to obtain information from substitute parties regarding their intention to pursue the appeals process for an individual who has died. The respondents are such parties.

Number of Respondents: 1,200.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 200 hours.

2. Report of Student Beneficiary About to Attain Age 19—0960-0274.

The Social Security Administration uses the information collected on form SSA-1390 to determine whether a student beneficiary is entitled to benefits for the month of attainment of age 19 and subsequent months. The respondents are students about to attain age 19.

Number of Respondents: 50,000.

Frequency of Response: 1.

Average Burden Per Response: 3 minutes.

Estimated Annual Burden: 2,500 hours.

3. Supplement Security Income (SSI) Redetermination by Mail—0960-NEW. SSA will conduct a test of prototype form SSA-8204(TEST). This test will study the feasibility of using a questionnaire mailed to recipients as opposed to the current in person or telephone interview process. The information collected will be used to determine whether SSI recipients have met and continue to meet all requirements for continuing SSI program eligibility. The respondents for this study are randomly selected SSI recipients in the Atlanta and Kansas City regions.

Number of Respondents: 300.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 150 hours.

Written comments and recommendations regarding the information collection(s) should be sent within 60 days from the date of this publication, directly to the SSA Reports Clearance Officer at the following address: Social Security Administration, DCFAM, Attn: Frederick W. Brickenkamp, 6401 Security Blvd., 1-A-21 Operations Bldg., Baltimore, MD 21235.

In addition to your comments on the accuracy of the agency's burden estimate, we are soliciting comments on the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. To receive a copy of any of the forms or clearance packages, call the SSA Reports Clearance Officer on (410) 965-4125 or write to him at the address listed above.

Dated: June 9, 1998.

**Frederick W. Brickenkamp,**  
Reports Clearance Officer, Social Security Administration.

[FR Doc. 98-15942 Filed 6-16-98; 8:45 am]

BILLING CODE 4190-29-P

# 11

CONGRESSIONAL HIGHLIGHTS  
OFFICE OF CONGRESSIONAL AFFAIRS

Tuesday, June 23, 1998

**SENATE:**

The Senate appointed conferees to H.R. 4060, the Energy and Water Development Appropriations bill.

PAGE: S6861

The Senate passed a Sense of the Senate amendment to S. 2057, the Department of Defense Authorization on nuclear tests in South Asia.

PAGE: S6864

**HOUSE:**

Representative Morella (R-MD) offered an amendment to H.R. 4104, Treasury appropriations bill on child care services provided by an Executive agency.

PAGE: H5065

Contact: Betsy Keeling, 415-1776

A/15-

Experts agree that the ruling, which overturned a judgement termed by the AMA as a "milestone," has important national implications. This jury award was just the second jury award against a tobacco company in all of our history in this country.

Now, you can go back to the 1960s, when I became a young lawyer in Pittsburgh, PA. The first antitobacco cigarette cancer case in the history of the world was brought to the Federal district court by none other than Jimmy McArdle, one of the greatest plaintiffs' attorneys who ever lived, the lead partner in the law firm McArdle, Harrington, Feeney, and McLaughlin.

That was a big battle. This case was publicized all over the country. It was the first loss of literally hundreds of cases.

The ruling in the Florida case was just the second awarded against tobacco companies, and its reversal once again demonstrates how hard it is to successfully sue the tobacco industry.

This ruling affirms the vitality of the common law doctrine of assumption of risk which bars recovery if the plaintiff knew the risk of his action. Because of the assumption of risk doctrine, the tobacco companies win almost all their cases.

A national settlement bill, such as Hatch-Feinstein, would assure an orderly and rational payout of funds by earmarking annual payments. It would avoid the so-called "race to the courthouse" that has so many of us concerned.

These two Washington Post articles point out the need for a "global" approach in the words of the Attorneys General.

I would happily yield the remainder of my time to my friend from California.

Mrs. FEINSTEIN. I thank the chairman. And I thank him very much for all his work in this area.

I think, just to summarize—and I recognize there is a lot of territorial imperative resounding around this issue. And I hope that can be put into perspective and that we can look to find something around which we can rally.

True, this is a compromise proposal. I hope it will not be dismissed out of hand. It has a liability cap, yes. It has strong look-back provisions. It provides \$428 billion over 25 years. It does divide the money 50-50 to federal and state. The money that goes to the State can be used for 14 specific programs. The money that goes to the federal fund is used for tobacco-related research and public health programs. It does have the FDA provisions. It does have strong advertising provisions.

is a kind of purist attitude that "Unless a bill is this or that, I won't vote for it." Well, there are a lot of strong feelings on behalf of all of us. I could say—and tobacco reform have run dominantly in the negative, those people opposed to

reform. And yet I think there isn't a Member in this body who does not understand that tobacco reform is something that is important, just forged from one statistic—and that is 3,000 young people a day beginning to smoke, and 1,000 of them dying from tobacco-related illnesses.

We know we have to do something. We do know when you raise the price, teenagers stop or are deterred from buying. If you combine that with a strong no-advertising provision and a strong look-back provision to keep the companies honest, I think you have a bill that is about as good as one can get.

So I'm very pleased and proud to join with the chairman of the Judiciary Committee, once again, to offer to work with whomever in this body so that we might be able to introduce a bill that will be looked upon with favor by a majority.

I thank Chairman HATCH and I yield the floor.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FAIRCLOTH). Without objection, it is so ordered.

#### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1999

The PRESIDING OFFICER. The order of June 18, 1998, in regard to H.R. 4060 has been executed.

The bill is passed, and the conferees have been appointed.

(Pursuant to the order of June 18, 1998, the Senate passed H.R. 4060, making appropriations for energy and water development for the fiscal year ending September 30, 1999, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2138, Senate companion measure, as passed by the Senate. Also, pursuant to the order of June 18, 1998, Senate insisted on its amendment, requested a conference with the House thereon, and the following conferees were appointed on the part of the Senate: Senators DOMENICI, COCHRAN, GORTON, MCCONNELL, BENNETT, BURNS, CRAIG, STEVENS, REID, BYRD, HOLLINGS, MURRAY, KOHL, DORGAN, and INOUE. The passage of S. 2138 was vitiated and the measure was indefinitely postponed.)

Mr. THURMOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The

The legislative clerk proceeded to call the roll.

Mr. BURNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NATIONAL DEFENSE AUTHORIZATION ACT OF 1999

The Senate continued with the consideration of the bill.

Mr. BURNS. Mr. President, parliamentary inquiry: What business are we in?

The PRESIDING OFFICER. The Senate is on division I of amendment No. 2137.

Mr. BURNS. Mr. President, I ask unanimous consent that be laid aside.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, I ask the Senator to withhold that, if he would, for another few minutes, to see if we can work out a unanimous-consent agreement, pursuant to which he would be able to proceed. Otherwise, I think we would have to object on this side, and perhaps on your side, without that unanimous-consent agreement. We are trying, however, very hard to work out a unanimous-consent agreement to permit the Senator to proceed.

So I ask the Senator to withhold just for a few more minutes to see if we can do that. In the absence of that, I would have to object.

Mr. BURNS. I appreciate the suggestion of the manager of the bill. I will do that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I ask consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PARTISAN FIGHTING OVER FOREIGN RELATIONS POLICY

Mr. BAUCUS. Mr. President, we are here to debate one of the most significant components of our foreign relations policy, and that is the Department of Defense authorization bill.

There is often a great temptation to exploit foreign policy debates for partisan political purposes. We all are tempted. But I believe that when we do—that is, on a foreign policy debate—it is a mistake. Such partisan fighting over critical issues of worldwide importance is both dangerous and counterproductive.

see engaging in congressional debates over China policy at this time, particularly amendments which are perceived as mischievous, is not a good idea. Although China does not manage its affairs as we would like, it makes little sense to base our relationship entirely on that concern. We should base our re-

clear view of United States interests, a

leader for the commitment he has made today to bring up H.R. 2358 in July for a vote and that the China issue will be addressed, and that whether it is Senator ABRAHAM or Senator WELLSTONE, or others, who have issues regarding bills regarding China, they will have an opportunity to debate them and to offer them. I compliment and commend the majority leader for that public commitment today. I will continue to press for votes on these provisions. I will look for legislative vehicles, if necessary.

These concerns that I have expressed are not, as they have been portrayed, partisan politics. This afternoon, I attended a press conference in which there were more Democrats than Republicans expressing their concern about the human rights policy of this administration toward China. This is not partisan politics. This has nothing to do with Republicans trying to make points. I probably have as much difference on some of them on my side of the aisle as I do on some of them on the other side of the aisle. So people can stand and say that we should not use foreign policy as an instrument of partisan politics. Well, this is not. This is a bipartisan concern about human rights abuses in China that have not improved under the policy of this administration.

There is much more that we need to do, on a bipartisan basis, to press the cause of basic human rights and democracy in China. It is my sincere hope that President Clinton will take every opportunity to elevate these issues during his trip, which he embarks on tomorrow.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The motion to recommit is withdrawn.

The motion to recommit was withdrawn.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

AMENDMENT NO. 2407, AS MODIFIED

Mr. BROWNBACK. Mr. President, I believe my amendment No. 2407 is now the pending business. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BROWNBACK. Mr. President, I send a modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 2407), as modified, is as follows:

In lieu of the matter proposed to be inserted by the amendment, insert the following:

SEC. \_\_\_\_ SENSE OF SENATE ON NUCLEAR TESTS IN SOUTH ASIA

(a) FINDINGS.—The Senate finds that—

(1) on May 11 and 13, 1998, the Government of India conducted a series of underground nuclear tests;

(2) on May 28 and 30, 1998, the Government of Pakistan conducted a series of underground nuclear tests;

(3) Although not recognized or accepted as such by the United Nations Security Council, India and Pakistan have declared themselves nuclear weapon states;

(4) India and Pakistan have conducted extensive nuclear weapons research over several decades, resulting in the development of nuclear capabilities and the potential for the attainment of nuclear arsenals and the dangerous proliferation of nuclear weaponry;

(5) India and Pakistan have refused to enter into internationally recognized nuclear non-proliferation agreements, including the Comprehensive Test Ban Treaty, the Treaty on the Non-Proliferation of Nuclear Weapons, and full-scope safeguards agreements with the International Atomic Energy Agency;

(6) India and Pakistan, which have been at war with each other 3 times in the past 50 years, have urgent bilateral conflicts, most notably over the disputed territory of Kashmir;

(7) the testing of nuclear weapons by India and Pakistan has created grave and serious tensions on the Indian subcontinent; and

(8) the United States response to India and Pakistan's nuclear tests has included the imposition of wide-ranging sanctions as called for under the Arms Export Control Act and the Nuclear Proliferation Prevention Act of 1994.

(b) SENSE OF SENATE.—The Senate—

(1) strongly condemns the decisions by the governments of India and Pakistan to conduct nuclear tests in May 1998;

(2) supports the President's decision to carry out the provisions of the Nuclear Proliferation Prevention Act of 1994 with respect to India and Pakistan and invoke all sanctions in that Act;

(3) calls upon members of the international community to impose similar sanctions against India and Pakistan to those imposed by the United States;

(4) calls for the governments of India and Pakistan to commit not to conduct any additional nuclear tests;

(5) urges the governments of India and Pakistan to take immediate steps, bilaterally and under the auspices of the United Nations, to reduce tensions between them;

(6) urges India and Pakistan to engage in high-level dialogue aimed at reducing the likelihood of armed conflict, enacting confidence and security building measures, and resolving areas of dispute;

(7) commends all nations to take steps which will reduce tensions in South Asia, including appropriate measures to prevent the transfer of technology that could further exacerbate the arms race in South Asia, and thus avoid further deterioration of security there;

(8) calls upon the President to seek a diplomatic solution between the governments of India and Pakistan to promote peace and stability in South Asia and resolve the current impasse;

(9) encourages United States leadership in assisting the governments of India and Pakistan to resolve their 50-year conflict over the disputed territory in Kashmir;

(10) urges India and Pakistan to take immediate, binding, and verifiable steps to roll back their nuclear programs and come into compliance with internationally accepted norms regarding the proliferation of weapons of mass destruction; and

(11) urges the United States to reevaluate its bilateral relationship with India and Pakistan, in light of the new regional security realities in South Asia, with the goal of preventing further nuclear and ballistic missile proliferation, diffusing long-standing regional rivalries between India and Pakistan, and securing commitments from them which, if carried out, could result in a calibrated lifting of United States sanctions imposed under the Arms Export Control Act and the Nuclear Proliferation Prevention Act of 1994.

Mr. BROWNBACK. Mr. President, we have a short period of time to be able to discuss this, because at 5 o'clock we go to the Coverdell amendment. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. WARNER. Mr. President, if the Senator will yield. I think there is some discussion going on now that would enable 10 or 12 minutes on this very important amendment. I would like to take 2 minutes to join with my colleagues who are opposed to it. I would like to speak to it a little bit.

Mr. LOTT. Mr. President, first of all, have the yeas and nays been ordered on this issue?

The PRESIDING OFFICER. No, they have not.

Mr. LOTT. On the Brownback amendment, the yeas and nays have not been ordered?

The PRESIDING OFFICER. That is correct.

Mr. LOTT. I understand there is a possibility we can go ahead and complete action on the Brownback issue after a statement by the Senator from Kansas and Senator WARNER, and perhaps Senator LEVIN would have something to say. If we can get that completed in a reasonable period of time, we can complete that and then go over to the Coverdell education issue.

Do we have any agreement on the time?

Mr. LEVIN. I don't know the length. I want to make inquiry on the yeas and nays issue. Is it not correct that the yeas and nays were ordered on the Feinstein first-degree amendment?

The PRESIDING OFFICER. That is correct.

Mr. LEVIN. So the question is, if there is a need for the yeas and nays, we would leave it. If there is no need for a rollcall vote on that, we would need to vitiate, as I understand it, the yeas and nays on the first-degree Feinstein amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. LOTT. Mr. President, I urge the leadership of the committee to pursue this issue and, hopefully, get to a conclusion, and then we would go to the Coverdell education conference report immediately after that.

Mr. LEVIN. Mr. President, is there a need for the yeas and nays on the first-degree Feinstein amendment? I ask whether the leader would have any objection, if there is no need for it, to vitiating the yeas and nays on the underlying Feinstein first-degree amendment.

Mrs. FEINSTEIN. Mr. President, in response to the comment of the Senator from Michigan, there is no need for the yeas and nays.

Mr. LOTT. Mr. President, let me inquire again about the time so we can get a time agreement. Do we have some indication of how much time is needed? The Senator from Kansas needs how much?

Mr. BROWNBACK. I think we can do all of this in 15 minutes, with all parties being able to speak. That would be

H.R. 3900: Mr. LUTHER.  
 H.R. 3932: Mrs. CAPPS.  
 H.R. 3937: Mr. LIPINSKI and Mr. BARRETT of Wisconsin.  
 H.R. 3956: Mr. FRANK of Massachusetts and Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 4007: Mr. ENGLISH of Pennsylvania, Mr. NADLER, Mr. SERRANO, Mrs. LOWEY, Mr. BERMAN, Mr. McNULTY, Mr. RODRIGUEZ, and Mr. BARRETT of Wisconsin.  
 H.R. 4019: Mr. COOK and Mr. BERMAN.  
 H.R. 4031: Mr. CLAY.  
 H.R. 4032: Mr. JONES and Mr. BALLENGER.  
 H.R. 4034: Mr. TOWNS, Mr. NORTON, Mr. LATOURETTE, and Mr. ENGLISH of Pennsylvania.  
 H.R. 4046: Ms. DEGETTE.  
 H.R. 4049: Mr. CANNON.  
 H.R. 4071: Mr. TAUZIN, Mr. BONIOR, and Mr. WATTS of Oklahoma.  
 H.R. 4074: Mr. CALVERT.  
 H.R. 4077: Mr. YOUNG of Alaska.  
 H.R. 4096: Mr. ADERHOLT, Mrs. EMERSON, Mr. LATHAM, and Mrs. MYRNICK.  
 H.J. Res. 66: Mr. EDWARDS.  
 H. Con. Res. 228: Mrs. THURMAN.  
 H. Con. Res. 229: Mr. BARTLETT of Maryland.  
 H. Con. Res. 246: Mr. KUCINICH.  
 H. Res. 26: Mr. TOWNS.  
 H. Res. 37: Mr. FAWELL.  
 H. Res. 467: Mr. BALDACCI.

**DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS**

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3605: Mr. BRADY of Texas.

**AMENDMENTS**

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 4101

OFFERED BY: MR. HALL OF OHIO

AMENDMENT NO. 16: Page 13, line 14, insert "(reduced by \$8,000,000)" after the dollar figure.  
 Page 14, line 24, insert "(reduced by \$8,000,000)" after the dollar figure.  
 Page 15, line 18, insert "(reduced by \$9,000,000)" after the dollar figure.  
 Page 17, line 4, insert "(reduced by \$9,000,000)" after the dollar figure.  
 Page 48, line 8, insert "(increased by \$10,000,000)" after the dollar figure.

H.R. 4101

OFFERED BY: MR. SANDERS

AMENDMENT NO. 17: Insert before the short title the following new section:

SEC. \_\_\_\_ The amounts otherwise provided by this Act are revised by reducing the amount made available for "FOOD AND DRUG ADMINISTRATION—SALARIES AND EXPENSES", and increasing the amount made available for "FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS", by \$10,000,000.

H.R. 4103

OFFERED BY: MR. FRANK OF MASSACHUSETTS

AMENDMENT NO. 3: At the end of the bill (preceding the short title), insert the following:

**TITLE X**

**ADDITIONAL GENERAL PROVISIONS**

SEC. 1001. The total amount obligated from new budget authority provided in this Act may not exceed \$247,708,522,000.

H.R. 4103

OFFERED BY: MRS. MALONEY OF NEW YORK

AMENDMENT NO. 4: At the end of title VIII (page \_\_\_\_, after line \_\_\_\_), insert the following new section:

SEC. \_\_\_\_ The amount otherwise provided by this Act for the Defense Logistics Agency shall be reduced by \$10,000,000 on April 1, 1999, unless, before that date, the Secretary of Defense establishes specific goals for achieving cost savings and other benefits from the implementation and use of best commercial inventory practices, as identified by the Secretary, and submits a report to the congressional defense committees identifying these goals and explaining how and when each goal will be achieved.

H.R. 4103

OFFERED BY: MR. SANDERS

AMENDMENT NO. 5: At the end of title VIII (page \_\_\_\_, after line \_\_\_\_), insert the following new section:

SEC. \_\_\_\_ None of the funds appropriated or otherwise made available by this Act may be used to enter into or renew a contract with any company owned, or partially owned, by the People's Republic of China or the People's Liberation Army of the People's Republic of China.

H.R. 4103

OFFERED BY: MR. SANDERS

AMENDMENT NO. 6: At the end of the bill (preceding the short title), insert the following:

**TITLE X**

**ADDITIONAL GENERAL PROVISIONS**

SEC. 1001. None of the funds appropriated or otherwise made available by this Act may be used to enter into or renew a contract with Sunbase Asia, Incorporated, or with Southwest Products Company, Incorporated, a subsidiary of Sunbase Asia, Incorporated.

H.R. 4104

OFFERED BY: MR. BLAGOJEVICH

AMENDMENT NO. 4: Page 11, line 7, insert "(increased by \$2,000,000)" before "; of which".

Page 46, line 23, insert "(reduced by \$2,000,000)" after "\$1,554,772,000".

H.R. 4104

OFFERED BY: MRS. MALONEY OF NEW YORK

AMENDMENT NO. 5: Strike section 511 (and redesignate the succeeding sections accordingly).

H.R. 4104

OFFERED BY: MRS. MORELLA

AMENDMENT NO. 6: At the appropriate place in the bill, insert the following:

SEC. \_\_\_\_ (a) An Executive agency which provides or proposes to provide child care services for Federal employees may use appropriated funds (otherwise available to such agency for salaries) to provide child care, in a Federal or leased facility, or through contract, for civilian employees of such agency.

(b) Amounts so provided with respect to any such facility or contractor shall be applied to improve the affordability of child care for lower income Federal employees using or seeking to use the child care services offered by such facility or contractor.

(c) The Office of Personnel Management shall, within 180 days after the date of enactment of this Act, issue regulations necessary to carry out this section.

(d) For purposes of this section, the term "Executive agency" has the meaning given such term by section 105 of title 5, United

States Code, but does not include the General Accounting Office.

H.R. 4104

OFFERED BY: MR. SANDERS

AMENDMENT NO. 7: Page 58, line 1, after the dollar amount, insert the following: "(reduced by \$6,000,000) (increased by \$6,000,000)".

H.R. 4104

OFFERED BY: MR. SANDERS

AMENDMENT NO. 8: Page 58, line 1, after the dollar amount, insert the following: ", of which \$6,000,000 shall be for the National Personnel Record Center".

H.R. 4112

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 1: In Title III—General Provisions—after the last section insert the following new section:

SEC. 310. The Architect of the Capitol—

(1) shall develop and implement a cost-effective energy conservation strategy for all facilities currently administered by Congress to achieve a net reduction of 20 percent in energy consumption on the congressional campus compared to fiscal year 1991 consumption levels on a Btu-per-gross-square-foot basis not later than 7 years after the adoption of this resolution;

(2) shall submit to Congress no later than 10 months after the adoption of this resolution a comprehensive energy conservation and management plan which includes life cycle costs methods to determine the cost-effectiveness of proposed energy efficiency projects;

(3) shall submit to the Committee on Appropriations in the Senate and the House of Representatives a request for the amount of appropriations necessary to carry out this resolution;

(4) shall present to Congress annually a report on congressional energy management and conservation programs which details energy expenditures for each facility, energy management and conservation projects, and future priorities to ensure compliance with the requirements of this resolution;

(5) shall perform energy surveys of all congressional buildings and update such surveys as needed;

(6) shall use such surveys to determine the cost and payback period of energy and water conservation measures likely to achieve the required energy consumption levels;

(7) shall install energy and water conservation measures that will achieve the requirements through previously determined life cycle cost methods and procedures;

(8) may contract with nongovernmental entities and employ private sector capital to finance energy conservation projects and achieve energy consumption targets;

(9) may develop innovative contracting methods that will attract private sector funding for the installation of energy-efficient and renewable energy technology to meet the requirements of this resolution;

(10) may participate in the Department of Energy's Financing Renewable Energy and Efficiency (FREE Savings) contracts program;

(11) shall produce information packages and "how-to" guides for each Member and employing authority of the Congress that detail simple, cost-effective methods to save energy and taxpayer dollars.

CONGRESSIONAL HIGHLIGHTS  
OFFICE OF CONGRESSIONAL AFFAIRS

Monday, July 6, 1998

The House is in recess until Tuesday, July 14.

**SENATE:**

Senator Glenn (D-OH) spoke regarding, "Nuclear Weapons and Sanctions."

PAGE: S7348-51

Senator Levin (D-MI) introduced S. 2261, increasing the amount of leave time available to federal employees in connection with being an organ donor, and S. 2262, Federal Employees Health Benefits Children's Equity Act.

Introduction & Statements

PAGE: S7357-8

The text of S. S. 2057, National Defense Authorization Act, was printed. Of interest were sections regarding a pilot project for participation of certain military personnel in FEHBP, licensing of certain mixed oxide fuel fabrication and irradiation facilities, extension of voluntary separation incentive payments at DOE, and deadline for selection of technology for tritium production.

PAGE: S7389-90, 7445-47

Contact: Laura Gerke, 415-1776

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Ron

*this is worth reading*  
*Trump*

A/16

doing an outstanding job. I think FEMA has been doing an outstanding job, and we provided \$1.3 billion to the agency, \$500 million over the request. We also have provided a modest amount for predisaster mitigation, which I hope, as the bill moves forward through conference, we can actually increase because of the approach to preventing disasters.

In my own State, Allegheny County has gotten a \$700,000 grant, and we have worked with the Corps of Engineers and the Governor. We are well on our way to protecting communities that normally are hit.

Now, in this legislation also there is \$9 million for FEMA to have resources to do the training necessary to prevent us from terrorist attacks due to weapons of mass destruction. Senator BOND and I are working to increase that funding. I know it started out even more spartan than this. But, Madam President, we really have to worry that the predators in the world—be they nations or terrorists—are really going to once again try to spread weapons of mass destruction on the United States of America. I know that the military is standing sentry, our intelligence agencies will give us the warning, but we need to look out for our civilian population. I think we need to have the type of training at the local level that we can be able to move in this bill.

Let me also thank the chairman for including money for national service, which does provide the opportunity for so many people to volunteer in our own communities, at the rate of \$425 million, last year's request.

And let me close by saying there are two independent agencies—the Neighborhood Reinvestment Corporation, which we funded at \$60 million, that I think specific amounts of money are absolutely out there in poor communities and near-poor communities doing a good job. Also, our Consumer Product Safety Commission has gotten out of the rhetoric business under its able administrator Ms. Brown and really is giving much needed advice on consumer product safety. Most recently, she has been helping with the whole issue of a particular type of blanket which could cause the death of preschoolers.

This is our bill. It goes from funding Arlington Cemetery and the Consumer Product Safety Agency, to protecting us against national disasters, to honoring our commitment to veterans, to protecting the environment, and promoting science. This is one of the most interesting and exciting bills and subcommittees in the U.S. Senate. I believe the chairman and I have done an outstanding job in trying to get real value for the taxpayer and for the Nation in this bill. I hope that this bill moves forward and that our arguments have been so compelling that there won't be any amendments and we can pass this bill by tomorrow afternoon.

Madam President, I yield the floor.  
Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Madam President, I thank my distinguished ranking member for her very cogent and persuasive arguments. She makes an excellent case for the bill.

I note when she says this is an interesting bill that there is an old curse that one should live in interesting times. But we are very fortunate to be able to work on a bill that has so many important programs and is of such great interest among our colleagues.

I want to begin the debate. Before I turn the floor over to our colleague from Ohio, who I understand has other business, I urge all of our colleagues to please come forward if they have amendments, if they have colloquies. It would really help us if we could get as many of those in today as possible in order for us to complete work on this measure by tomorrow afternoon, which would be my hope.

I know we have two amendments that are going to be argued with some enthusiasm and with great feeling on both sides. I hope we can complete those. In order for us to do that, I ask that all Senators who have amendments that might be cleared or colloquies which they wish to enter with us, they provide them by no later than the Tuesday lunches tomorrow so we may have an opportunity to look at them. If we get near the end it would be my desire to finish up, once we have dealt with the controversial amendments, and I would hate to have to turn down an amendment that might otherwise be agreed to because it is not presented in a timely fashion. In order for us to move forward with this bill so we can expedite the work of the Senate, I ask colleagues bring to us this afternoon, if possible, and tomorrow morning in any event, any amendments or colloquies or other matters it wishes to consider so we can complete work on them in as quick a fashion as possible.

I yield the floor.

Ms. MIKULSKI. Madam President, I wish to echo the request of Senator BOND. I say to all my Democratic colleagues, if you have an amendment, please let us know by noon tomorrow, preferably even by 10 o'clock tomorrow morning so we could have discussions with you and perhaps find other ways to resolve their, I am sure, very legitimate concerns.

Also, we ask our colleagues to cooperate with us in a time agreement. There are many bills waiting to come to the floor. We have very few days left in July. We are ready to move our bill.

I yield the floor.

Mr. GLENN. Madam President, I want to compliment Senator BOND and Senator MIKULSKI for the hard work they have done on this bill. I know personally of their efforts in this regard. I certainly support the tack they have taken and look forward to taking part in the debate as it continues over the next couple of days with regard to this matter.

I wish to speak today on a different matter. I ask unanimous consent we proceed as in morning business for the duration of my speech, which will not be beyond about 15 minutes, and then revert back to VA and HUD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GLENN. I thank the Chair.

#### NUCLEAR WEAPONS AND SANCTIONS

Mr. GLENN. Madam President, if we go back in history, we see that the development of weapons of war have become more and more hideous as time goes on.

One of the biggest steps forward in that direction—or steps downward, depending on how you look at it—was the development of nuclear weaponry near the end of World War II. I was involved in World War II and in the Korean war. I have been through combat. I know what it is like. When I came to the Senate, I could not imagine anything more horrible than the use of nuclear weaponry in future wars, if they ever came up. The horrors of conventional war are bad enough without imposing nuclear weaponry into that scenario.

My desire to do something in this area motivated much of my work here in the Senate, and I have taken a leading position on this issue through the years. Some of it has been very controversial. There have been various approaches to this issue. I want to discuss just a few of those today.

We have been hearing much talk in this body lately about the use and the value of sanctions, which is one of the tools we have applied to prevent the spread of nuclear weapons to more and more countries around the world. This tool has been applied in many other foreign policy contexts as well, and I am the first to agree with those who say that we may have gone too far in the application of some of these instruments of foreign policy—some of them. There have been successes and there have been failures. It has been a rather spotty record all the way through.

When you consider this whole issue, it seems to revolve mainly around two questions: First, in our international relationships, where do we use carrots and where do we use sticks, to put it in those terms. Where do we use enticements to people, to try and entice them into a certain behavior we would like to see, and where do we use sticks? Where do we threaten the punishments that they may consider ahead of time that might cause them not to go into certain areas of behavior we would like to see them avoid?

Second, what role should sanctions play as an expression of disapproval or punishment in cases where it is manifest that behavior will not be significantly altered as a result of the imposition of sanctions?

Now, the debate in Congress and in most of the think tanks around town and across the country has been most

curious because they seem to want it both ways. They want sanctions in some areas and not in others, but not necessarily with regard to nonproliferation.

If we consider some other areas, for example, probably the most salient example of the failure of sanctions from every perspective is the drug war. Now, all of us are against drug use. We want to cut out drug use, whether by cutting the flow from abroad or at our borders or within our communities or whatever. We have those sanctions on, but no one in Congress is standing up to proclaim that sanctions against persons or countries which are contributing to the illegal use of drugs ought to be eliminated. We want to keep those sanctions on. Why? In part, because the drug war is politically popular. The war against drugs is politically popular, and its effect on commercial activity by American business is mixed. We have some businesses in this country actually flourishing because of the drug war—manufacturing of equipment used in surveillance, construction of jails, so on. So those people are not about to go to the National Association of Manufacturers or the Chamber of Commerce to complain about unilateral U.S. sanctions. But the complaints about sanctions are now legion when sanctions are applied in other contexts, like the one I am addressing today—nonproliferation. This is not to say that the critics of congressionally mandated sanctions have no case. I agree with some of the points that they make. But there are extremists who take the position that sanctions are never effective and are therefore always inappropriate. There are also extremists who insist on taking a punitive approach to every vexing foreign policy problem. These folks never saw a sanction they didn't like, and any approach to an issue that doesn't take the hardest line is denounced as some sort of appeasement. I might add that quite often there are political points as much as public policy points trying to be made by some of the tacks that these people seem to take.

Well, as the author of numerous pieces of legislation on nuclear proliferation that have included both carrots and the sticks of sanctions as tools for achieving certain nonproliferation objectives, I have tried to forge a balanced approach to the proliferation problem. Most recently, my 1994 legislation, which has been referred to as the Glenn amendment, was used by President Clinton to impose a variety of economic sanctions against both India and Pakistan because of their recent nuclear tests. Those sanctions were tough. We didn't pull any punches with those sanctions. Those sanctions mandated that military sales and any aid programs had to stop. It said we would block credits and loan guarantees by U.S. Government agencies. We would oppose any loans or cooperation with those countries under sanction from the World Bank, or IMF,

the so-called IFITs, International Financial Institution Transactions. We would also block credit from private banks, and we would prohibit the export of dual-use technology to those countries which might be used for military purposes.

Now, that is tough legislation. We didn't give a waiver authority at all. We had rather spotty experiences with Presidents in the past and we said we were going to make this tough; the President could delay the imposition of those sanctions for 30 session days if he wanted, but the President didn't have the authority to waive those sanctions, as is the case with some other legislation. That was done very intentionally. These sanctions now require congressional legislation in order to remove them.

Let's look at the history behind the 1994 legislation—I think it is important to know—in order to understand why this legislation took the form that it did. It is tied up with the history of the cold war and U.S. nonproliferation policy. We could go back to the days of Hiroshima and Nagasaki. Most people realized since those days that we needed to prevent a nuclear holocaust by somehow, some way reducing nuclear weapons. Now, that has remained through the years a long-term objective. And through many of those years it was very disappointing to see the spread of nuclear weapons go on, or nations trying to gain nuclear weapons capabilities.

While nuclear reductions and ultimately nuclear disarmament remained our long-term objective, it would become even more difficult if more and more nations developed a nuclear weapons capability. And with that long-time objective in mind, we passed legislation over a period of more than 20 years trying to stop the spread of nuclear weapons, while at the same time holding out the hope for eventual weapons control.

In 1978, the Nuclear Non-Proliferation Act, which I coauthored, was enacted. It provided for carrots on nuclear cooperation for countries that adhered to certain nonproliferation principles, and it provided the stick of sanctions—cutoffs of nuclear cooperation for countries engaged in dangerous nuclear activities related to bomb making, including nuclear detonations. The Presidential waiver was provided within that legislation. A year earlier than that—in 1977—I authored an amendment to the Foreign Assistance Act that provided for cutoffs of economic and military assistance to countries that received or exploded a nuclear device, or were engaged in—and this is important—either the import or export of dangerous nuclear technologies involving plutonium production and separation—either import or export, either way, whether the country was supplying the stuff or receiving it.

I provided a Presidential waiver in this case also. This legislation, along

with the so-called Symington amendment on nuclear enrichment technology transfers, resulted in a cutoff of economic and military assistance for Pakistan in 1979. While the Glenn amendment could have been waived, the Presidential waiver attached to the Symington amendment was impossible to exercise; only congressional action could remove the Symington sanction. Then we came to Afghanistan. After the Afghanistan war erupted—which coincided almost very similar in time to the installation of a new administration—the Reagan administration decided they could not provide military assistance to the mujahedin in Afghanistan without lifting the ban on assistance to Pakistan. The reason was that the material had to flow to Afghanistan through Pakistan. We could hardly get them to transport material through the Pakistani border area and across their territory to Afghanistan if we had sanctions on against Pakistan. So there was a waiver.

The Administration went to Congress and asked for a repeal of the Symington amendment, but Congress wasn't willing to do that. We were unwilling to give the Pakistanis total relief from pressure to halt their evident nuclear weapons development program, so a compromise was struck. Congress agreed to a legislated 6-year waiver of the Symington sanctions, but at the same time passed an amendment that I offered to remove the ability of the President to waive a cutoff of economic and military assistance to any non-weapon state like Pakistan that explodes a nuclear device.

In effect, the line in the sand on sanctions had been pulled back. My purpose in removing the waiver was simple. I didn't know how long in fact the Afghanistan war would proceed. I believed that just as long as it went on, the Pakistanis would count on the Reagan administration not to put nonproliferation policy ahead of cold-war policy. My amendment did provide for a possible 30-session-day delay of sanctions by the President following a detonation, but no waiver without congressional action.

Now, turn over the calendar a little bit. In 1985, when it was clear that the Pakistanis were still going for the bomb—something we had known for a long time—which they consistently denied at all levels of their government, Congress moved the line in the sand a bit closer by passing the Pressler amendment, which also carried no Presidential waiver. It mandated a cutoff to Pakistan, unless the President certified that Pakistan did not possess a nuclear explosive device. Note the wording: The President could not certify they did not possess a nuclear explosive device. It was under this amendment that Pakistan was cut off from economic and military assistance in 1990, after the Afghanistan war ended—and I should add about 3 years after the Pakistanis actually had made the bomb that we knew they were working on all that time.

But other international developments were going on all through this same period. In terms of world events at this point, we were witnessing the demise of the cold war and the beginning of the collapse of the Soviet Union. This brought new hope for reality, truly, and finally at least gaining control of nuclear weaponry, after going through years upon years upon years of what we call MAD—mutually assured destruction—on both sides if anybody set off a nuclear weapon. Those were long years where we thought that nuclear nonproliferation was dead and wasn't something with which we really were going to succeed. But finally, with the collapse of the Soviet Union, this brought new hope for really gaining control of nuclear weaponry. In a comparatively short period of time there was real optimism that control over these weapons could be gained. I was one of those who changed my views on this completely during that time period, because I had been very pessimistic through the years. Even though I am the author of much legislation, as I just recounted, on this, I didn't feel that we were really gaining much in the world, and we were starting to move in place. And other nations were really trying to get nuclear weaponry. So we weren't really accomplishing much.

But all at once I began to feel very optimistic at this time, because at the end of the cold war and the agreement with the Soviet Union we saw missiles being taken out of silos; weapons being taken down; fissile material being taken out; the cores of nuclear weapons being taken out and used for other purposes, for stockpile, or whatever. But they were no longer in the weapons aimed at each other halfway around the world. Real progress was being made. I began to feel pretty good about this.

With U.S. leadership, we then worked to obtain progress on arms control and nonproliferation. Over a period of time we had 185 nations sign up under the nonproliferation treaty. Progress was being made on the Comprehensive Test Ban Treaty, also, which currently has 149 signatories. If anyone had come to me and told me a few years ago that we would have that many signatories, that we would have 185 sign up under NPT and 149 for CTBT, I would have told them they were crazy to even contemplate such a thing. But that is what has happened. So things are moving in the right direction.

Indeed, so much progress was being made on the test ban treaty and so much progress had been made on computer simulation of nuclear weapon tests that it was unclear whether any further nuclear explosions would have to take place anywhere.

Back in the old days it was quite apparent that if a nation was going nuclear they didn't say they were a nuclear nation unless they had gone out and really tested a weapon. They couldn't just say their engineering was

good, that they will rely on engineering and claim they were a nuclear state and that they knew the thing would go off. That wasn't the way it went. You had to take it out and test it. And if you didn't, you couldn't rely on nuclear weapons. What has happened with the supercomputer and supercomputer simulation is that the need for testing is no longer clear. The way it is now is we think probably you could have a nuclear weapons capability without doing any testing.

So the hope was at that point—the hope we had in 1994—that much tougher sanctions would put the final nail in the coffin for nuclear tests. There wouldn't be any nuclear testing if we could just make this a tough law. So although the circumstances in 1994 were much different than those of 1981, the Glenn amendment of 1981 was updated with tough sanctions. It became the Glenn amendment of 1994. I thought it was working. And it was working until just a few months ago. Unfortunately, the hope on which the amendment was based went down the drain when India's extreme Hindu Nationalist Party overrode what most of the world thought should have been more responsible behavior and set off a nuclear weapon. And Pakistan responded in kind with their demonstration also to make sure they were not left out of things, too.

So we are now faced with a situation which will test the mettle of our diplomacy in south Asia like few times in history, I guess we could probably say like never before. The sanctions that are being imposed because of the Indian and Pakistani tests will fall on both of them, and may help us—I hope it does—move the Indians and Pakistanis toward more responsible behavior in the aftermath of the tests.

We must admit that the sanctions did fail in their primary purpose, which was to prevent a test in the first place. But I look at this as a setback, not the end of our efforts. One could only speculate if this failure was due to the sanctions' unilateral nature or whether the Indians would have tested under any circumstance. This is not to say that unilateral sanctions are never to be imposed as nonproliferation threats. Quite the contrary. For example, the threat of such sanctions was helpful in the special cases of Taiwan and South Korea, when both of those countries were taking steps toward proliferative activity some years ago. We could also indicate that there were other nations that we thought were moving perhaps in that direction, too, and who ultimately gave up their programs—like Argentina and Brazil, and South Africa.

But anyway, to go back to Taiwan and South Korea, both of those countries were heavily dependent on the United States. So unilateral sanctions worked, and they worked well. I think our sanctions also worked for a while in maybe holding back some of Pakistan's advance in their nuclear weap-

ons program, because we made it more difficult for other nations to cooperate with Pakistan as they were trying to achieve their nuclear weapons capability.

But in general I believe it has been increasingly clear that with the dramatic expansion of the world community—sources of information, sources of equipment, sources of trade around the world—I believe that sanctions become really effective only if they have multilateral support.

Let me repeat that because that is the basis of some of these things that I want to elaborate on just a little bit further. Sanctions become really effective only if they have multilateral support, whether through our allies or through the United Nations. Unilateral sanctions are not as effective as we would like to see them. That is the understatement of the day. And there are situations where the imposition or continuation of mandated unilateral sanctions may make a problem even worse.

So I have come to believe that except in very special circumstances, such as those we faced in 1981, sanctions legislation that give the President no role in their implementation or continuation should be avoided, and laws which have been constructed in such fashion should be amended. That is the reason I am here on the floor today.

In my 1994 legislation, the President has no role in the process of implementation or the continuation of sanctions. And the Congress, because of the tradition of no limit on Senate debate, can be hamstrung by a determined minority of Senators who wish to retain sanctions because of considerations that may have nothing to do with the original transgression. So we don't want to permit that to happen, either.

So, accordingly, on June 26, just before the recess, I introduced the Sanctions Implementation Procedures Act of 1998, which is labeled Senate bill 2258, which, if passed, will be applicable to all country sanctions laws that do not contain a Presidential waiver which the President may exercise on the grounds of protecting the national interest. I want to, in order to give the President more leeway, get multilateral support, which is what I would like to see happen either with our major allies or through the United Nations. This bill would give the President the option of delaying any imposition of congressionally mandated sanctions for a period not to exceed the combination of 45 calendar days, followed by 15 session days of Congress. The President, if he chooses to delay the sanctions, must provide a report to Congress no later than the end of the 45-day period in which he discusses the objectives of the sanctions, the extent of multilateral support for the sanctions, and the estimated costs and benefits, both tangible and intangible.

If in this report the President recommends that we don't go ahead with the sanctions—he recommends non-implementation of the sanctions—then

expedited procedures are triggered for 15 session days in both the Senate and the House of Representatives—both Houses of Congress—for the purpose of approving or disapproving the President's recommendation—in other words, expedited procedures which provide for no filibuster. We take it up in preference to other legislation. We give it priority. So it could not be delayed.

Equally important, if the sanctions go into effect—let's say that the Congress says, "OK. Yes. Mr. President, we think this should go into effect," or if the President just chooses to put it into effect and says, "Yes, we do have multilateral support, and, yes, we do have enough support to make the sanctions really bite to make them meaningful"—if the sanctions go into effect, they remain so for two years and then this procedure is repeated on the sanctions' second anniversary, and each anniversary thereafter. In other words, there would be a time certain after every sanction in which the administration would have to consider the effectiveness of it, a report to the Congress, and Congress then would either take appropriate action as they saw fit at that time or we let the sanctions continue on for another year.

For sanctions already in effect at the time of enactment of this bill, this procedure is triggered at the next anniversary of the sanction if it has been in place for 2 years or more, or at the second anniversary for sanctions less than 2 years old.

So this proposed legislation is retrospective and prospective both. We are trying to set down rules here that would apply and make sense on how we will operate in the future with existing sanctions that are in there now and ones that might be applied in the future under current and future laws of our land.

Madam President, this bill does not give the President carte blanche to waive congressionally mandated sanctions, as some bills do, and does not allow a minority of the Senate to prevent sanctions from being lifted as is the case with some of our laws.

We have worked on this very hard, and I believe this bill provides a balance of responsibilities between the President and the Congress. We do not cut the President out of the equation. We do not cut the Congress out of the equation. We recognize our constitutional responsibilities at both ends of Pennsylvania Avenue. This would apply in the imposition and removal of sanctions, and I urge the support of my colleagues for this bill.

I know that a task force has been formed to look at some of the sanctions legislation, and I will be presenting this to that task force also for its consideration. There are several bills that will address this particular problem, but I think this bill really establishes a balance, and I hope I can rely on my colleagues for support when this subject comes to a vote.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

AMENDMENT NO. 3056

(Purpose: To increase funding for the Federal Emergency Management Agency antiterrorism activities)

Mr. BOND. Madam President, I send an amendment to the desk on behalf of myself and Senator MIKULSKI and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for himself and Ms. MIKULSKI, proposes an amendment numbered 3056.

Mr. BOND. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 73, line 11, strike "\$231,000,000" and insert "\$239,000,000, including \$11,000,000 for assisting state and local governments in preparing for and responding to terrorist incidents".

On page 42, line 14, strike "\$1,000,826,000" and insert "\$992,826,000".

Mr. BOND. Madam President, I ask it be considered en bloc as it amends the bill in two places.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Madam President, this amendment responds to the critical requirement of enhancing antiterrorist activities at the Federal Emergency Management Agency. In our budget hearings with the Federal Emergency Management Agency, Senator MIKULSKI and I raised the question of whether this country is ready to respond and take all appropriate actions to deal with the threat of terrorist activities in our country. The administration has submitted a budget amendment on June 8 to increase spending in several agencies for antiterrorism activities, including \$11 million more than the original budget request for FEMA's emergency planning and assistance. With this amendment we will meet the request.

The bill as reported by the committee adds \$3 million above the initial request for such activities, and this amendment now pending before the Senate would add another \$8 million, for a total of \$11 million in this key

area. These funds are to be used for such critical activities as planning at the Federal, State, and local level for the unique aspect of terrorist-related incidents.

I note this is part of a larger proposal for \$249 million to strengthen our ability to defend against and respond to terrorist incidents involving the use of biological or chemical weapons. I wholeheartedly support this effort. I think it is vitally important and I think this is a vital first step.

In a recent self-assessment by the States, they rated themselves as being unprepared in this critical area. The funds we are adding today should go a long way in helping State and local governments prepare for these instances that we hope they never have to face. But, as in all emergency management agencies' activities, we have to be prepared for things that could happen that we hope never happen.

With this amendment, FEMA funding would total almost \$18 million. The FEMA program, as I said, complements a broader initiative involving the Department of Defense, Department of Justice, and the Department of Health and Human Services. That effort includes building a civilian stockpile of antidotes to respond to any large-scale attack, improving the public health surveillance system, and providing special equipment to first responders.

We have already included in this bill assistance for first responders in dealing with a problem that is particularly acute in my State of Missouri, and that is the explosion of methamphetamine clandestine labs in our State. We have recognized in this bill the need to prepare first responders—emergency personnel, firefighters, police—when they go into a methamphetamine lab. These are very dangerous facilities that can blow up with any kind of heat or light, or even the discharge of a gun. So we recognize that the people who do the vitally important work responding to emergencies, whether they are firefighters or police or sheriff's units, the first responders as they are often called, need to be prepared. In this amendment, we are going to provide additional assistance to the people who will come on the scenes first.

These are very frightening issues. The terrorism issue—we have already experienced domestic acts of terrorism in Oklahoma City and at the World Trade Center, so we know they can occur. We need to be prepared. We need to make our country as safe as possible. It is all too easy to ship weapons of mass destruction, be they explosives or chemical or biological weapons, even in a suitcase. This risk is not acceptable, and I strongly support the amendment as an important first step towards dealing with these problems.

Our country has to be prepared to protect its citizens from the dangers of a hostile world. Unfortunately, the constant threat we face from rogue states makes it vital that Congress provide the funding for FEMA to use

EC-5785. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145 Series Airplanes" (Docket 98-NM-181-AD) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5786. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Francisco Bay, San Francisco, CA—COTP San Francisco Bay; 98-011" (RIN2115-AA97) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5787. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Francisco Bay, San Francisco, CA—COTP San Francisco Bay; 98-010" (RIN2115-AA97) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5788. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Qualifications for Tankermen and for Persons in Charge of Transfers of Dangerous Liquids and Liquefied Gases" (Docket 79-116) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5789. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Burlington Independence Day Fireworks, Burlington Bay, Vermont" (Docket 01-98-058) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5790. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: City of Yonkers Fireworks, New York, Hudson River" (Docket 01-98-044) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5791. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Kotzebue, AK" (Docket 98-AAL-5) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5792. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Cellular One Offshore Cup; San Juan Bay and North of Old San Juan, Puerto Rico" (Docket 07-98-037) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5793. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Independence Day Celebration Cumberland River Miles 190-191, Nashville, TN" (Docket 08-98-025) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5794. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Anchorage Area; Groton, CT" (Docket 01-97-014) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5795. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Deerfield Beach Super Boat Race, Deerfield Beach, Florida" (Docket 07-98-024)

received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5796. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630" (Docket 971208297-8054-02) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5797. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule regarding the commercial cod harvest in the Northeast (Docket 980318066-8066-01) received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5798. A communication from the Director of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the report on the Subsonic Noise Reduction Technology Program for fiscal year 1997 received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5799. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Minimum Distance Separations To Mexican Broadcast Stations" received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5800. A communication from the Acting Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Amended Enforcement Policy Statement Concerning Clear and Conspicuous Disclosure in Foreign Language Advertising and Sales Materials" received on June 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-5801. A communication from the Chairman of the Farm Credit Insurance Corporation, transmitting, pursuant to law, the Corporation's report for calendar year 1997; to the Committee on Agriculture, Nutrition, and Forestry.

#### REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of June 26, 1998, the following reports of committees were submitted on July 2, 1998:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1752: A bill to authorize the Secretary of Agriculture to convey certain administrative sites and use the proceeds for the acquisition of office sites and the acquisition, construction, or improvement of offices and support buildings for the Coconino National Forest, Kaibab National Forest, Prescott National Forest, and Tonto National Forest in the State of Arizona (Rept. No. 105-233).

S. 1807: A bill to transfer administrative jurisdiction over certain parcels of public domain land in Lake County, Oregon, to facilitate management of the land, and for other purposes (Rept. No. 105-234).

By Mr. GREGG, from the Committee on Appropriations, without amendment:

S. 2260: An original bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, and for other purposes (Rept. No. 105-235).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 434: A bill to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico. (Rept. No. 105-236).

By Mr. MURKOWSKI, From the Committee on Energy and Natural Resources, without amendment:

H.R. 2165: A bill to extend the deadline under the Federal Power Act applicable to the construction of FERC Project Number 3862 in the State of Iowa, and for other purposes (Rept. No. 105-237).

H.R. 2217: A bill to extend the deadline under the Federal Power Act applicable to the construction of FERC Project Number 9248 in the State of Colorado, and for other purposes (Rept. No. 105-238).

H.R. 2841: A bill to extend the time required for the construction of a hydroelectric project (Rept. No. 105-239).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1510: A bill to direct the Secretary of the Interior and the Secretary of Agriculture to convey certain lands to the county of Rio Arriba, New Mexico (Rept. No. 105-240).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. LEVIN:

S. 2261. A bill to amend chapter 63 of title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes; to the Committee on Governmental Affairs.

S. 2262. A bill to amend chapter 89 of title 5, United States Code, relating to the Federal Employees Health Benefits Program, to enable the Federal Government to enroll an employee and the family of the employee in the program when a State court orders the employee to provide health insurance coverage for a child of an employee but the employee fails to provide the coverage, and for other purposes; to the Committee on Governmental Affairs.

By Mr. GORTON (for himself, Mr. LIEBERMAN, Mr. FAIRCLOTH, Mr. HARKIN, and Mrs. BOXER):

S. 2263. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the National Institutes of Health with respect to research on autism; to the Committee on Labor and Human Resources.

By Mr. HATCH:

S. 2264. A bill to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, "Patriotic and National Observances, Ceremonies, and Organizations"; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN:

S. 2261. A bill to amend chapter 63 of title 5, United States Code, to increase the amount of leave time available to a

#14

**From:** Clarence Breskovic  
**To:** Crs, Jdl, kjh, rdh  
**Date:** Mon, Nov 9, 1998 3:21 PM  
**Subject:** White House Statement on Easing of Sanctions on India

White House Statement on Easing of Sanctions on India  
OTC 11/09/1998 14:20

WASHINGTON, Nov. 9 /U.S. Newswire/ -- The following was released today by the White House:  
President Clinton has decided to ease sanctions against India and Pakistan in response to positive steps both countries have taken to address our nonproliferation concerns following their nuclear tests in May.

The president took this step after Congress passed the Brownback amendment last month as part of the Omnibus Appropriations Act. This measure, which the administration supported, provides limited authority for the president to waive some of the sanctions imposed on India and Pakistan in May under the Glenn amendment.

For the last five months, Deputy Secretary of State Talbott has led U.S. efforts to persuade India and Pakistan to take steps to lessen the danger of a nuclear arms race in South Asia and to repair the damage to the global nonproliferation regime caused by their nuclear tests. In response, the Indian and Pakistani Prime Ministers have both declared a moratorium on further nuclear testing and publicly committed at the United Nations General Assembly to move toward adherence to the Comprehensive Test Ban Treaty by September 1999. Both have committed to strengthening controls on the export of nuclear and missile technology. The two are now participating in Fissile Material Cutoff Treaty negotiations in Geneva. Finally, the Indo-Pakistani dialogue, including discussion of Kashmir, has resumed.

In response to these steps and to encourage greater progress in the future, the president, after consultations with the Congress, has decided to make use of the Brownback waiver authority in a limited, targeted way. With respect to our bilateral economic ties, he will restore the Export-Import Bank, Overseas Private Investment Corporation (OPIC), and Trade and Development Agency (TDA) programs in India and Pakistan, and lift restrictions on the activities of U.S. banks in India and Pakistan. We will also resume our military-to-military relationships with both countries by restoring military education and training programs (IMET).

These steps are intended to demonstrate to the leaders and publics of both India and Pakistan that we are serious about our dialogue and that we seek to create a more positive environment that will encourage India and Pakistan to take further steps to lessen the danger of a nuclear arms race in South Asia and to repair the damage to the global nonproliferation regime caused by their nuclear tests. We look forward to actions by India and Pakistan as soon as possible to fulfill their assurances concerning adherence to the CTBT and strengthening export controls. We also want to work closely with them in pursuit of a multilateral moratorium on the production of fissile material for nuclear weapons, pending entry into force of the FMCT and their adoption of restraints on the development and deployment of nuclear capable missiles and aircraft.

We and many other countries are very concerned about Pakistan's financial crisis. The International Monetary Fund is working actively with Pakistan to develop a program to forestall default on its international debt.

To address this issue, the United States and its partners in July agreed to relax our multilateral sanctions to allow the IMF to negotiate a support program to strengthen the Pakistani economy. The IMF is still negotiating this program with Pakistan. In light of continuing weakness in the Pakistani economy, the president has decided that the United States will work closely with our allies to permit lending from the multilateral development banks as necessary to support an agreement between Pakistan and the IMF. Implementation is contingent on Pakistan reaching agreement on a credible reform program, including the problems facing the independent power producers. Like our decision in July to support resumption of IMF negotiations with Pakistan, this decision is in response only to Pakistan's financial emergency.

A/17

Further progress on the benchmarks agreed by the P-5 and G-8 is necessary and achievable. We look forward to the possibility of a presidential visit to India and Pakistan next year after more progress has been achieved. We want to see that visit take place in the kind of positive environment that should mark our bilateral relationships with these two important countries.

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KJH-141

# Federal Register

Thursday  
November 19, 1998

Part II

## Department of Commerce

Bureau of Export Administration

15 CFR Parts 742 and 744  
India and Pakistan Sanctions and Other  
Measures; Interim Rule

11/18

## DEPARTMENT OF COMMERCE

## Bureau of Export Administration

15 CFR Parts 742 and 744

[Docket No. 98-1019261-8261-01]

RIN 0694-AB73

## India and Pakistan Sanctions and Other Measures

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Interim rule.

**SUMMARY:** In accordance with section 102(b)(2)(G) of the Arms Export Control Act, President Clinton reported to the Congress on May 13th with regard to India and May 30th with regard to Pakistan his determinations that those non-nuclear weapon states had each detonated a nuclear explosive device. The President directed that the relevant agencies and instrumentalities of the United States take the necessary actions to impose the sanctions described in section 102(b)(2) of that Act.

The Bureau of Export Administration (BXA) is taking a number of sanctions measures consistent with the President's directive. Consistent with the provisions of section 102(b)(2)(G) of the Arms Export Control Act, BXA is revising the Export Administration Regulations (EAR) to codify sanctions against India and Pakistan by setting forth a licensing policy of denial for exports and reexports of items controlled for nuclear nonproliferation and missile technology reasons to India and Pakistan, with limited exceptions. This licensing policy was adopted in practice in existing regulations in June 1998. This rule also contains certain discretionary measures that are being taken. BXA is adding to the Entities List set forth in the EAR certain Indian and Pakistani government, parastatal, and private entities determined to be involved in nuclear or missile activities. In addition, Indian and Pakistani military entities are added to the Entity List in order to supplement the sanctions. BXA is adopting a licensing policy of a presumption of denial with respect to items specifically listed on the Commerce Control List to listed Indian and Pakistani military entities, with limited exceptions.

This rule will increase the number of license applications submitted for India and Pakistan.

**DATES:** This rule is effective November 19, 1998. Comments on this rule must be received on or before January 19, 1999.

**ADDRESSES:** Written comments on this rule should be sent to Sharron Cook,

Regulatory Policy Division, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044. Express mail address: Sharron Cook, Regulatory Policy Division, Bureau of Export Administration, Department of Commerce, 14th and Pennsylvania Avenue, NW, Room 2705, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Eileen M. Albanese, Director, Office of Exporter Services, Bureau of Export Administration, Telephone: (202) 482-0436.

**SUPPLEMENTARY INFORMATION:****Background**

In accordance with section 102(b) of the Arms Export Control Act, President Clinton reported to the Congress on May 13th with regard to India and May 30th with regard to Pakistan his determinations that those non-nuclear weapon states had each detonated a nuclear explosive device. The President directed in the determination reported to the Congress that the relevant agencies and instrumentalities of the United States take the necessary actions to impose the sanctions described in section 102(b)(2) of that Act.

Consistent with the President's directive, the Bureau of Export Administration (BXA) is imposing certain sanctions, as well as certain supplementary measures to enhance the sanctions. Consistent with the provisions of section 102(b)(2)(G) of the Arms Export Control Act, BXA is amending the Export Administration Regulations (EAR) by adding new § 742.16, India and Pakistan sanctions. This section codifies a license review policy of denial for the export and reexport of items controlled for nuclear proliferation (NP) reasons to all end-users in India and Pakistan, except for computers (see § 742.12(b)(3)(iii), High Performance Computers, for license review policy for computers). This licensing policy was adopted in practice in existing regulations in June 1998. This section also includes a new license policy of denial for the export and reexport of items controlled for missile technology (MT) reasons to all end-users in India and Pakistan, except that items listed in § 740.2(a)(5) of the EAR remain eligible for applicable License Exceptions when intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft and licenses for items intended for the preservation of safety of civil aircraft will be reviewed on a case-by-case basis. Items controlled on the Commerce Control List for nuclear and

missile technology reasons have been made subject to this sanction policy because of their significance for nuclear explosive purposes and for delivery of nuclear devices.

To supplement the sanctions of § 742.16, this rule adds certain Indian and Pakistani government, parastatal, and private entities determined to be involved in nuclear or missile activities to the Entity List in Supplement No. 4 to part 744. License requirements for these entities are set forth in the newly added § 744.11. Exports and reexports of all items subject to the EAR to listed government, parastatal, and private entities require a license. A license is also required if you know that the ultimate consignee or end-user is a listed government, parastatal, or private Indian or Pakistani entity, and the item is subject to the EAR. The only exception to this license requirement is for items listed in § 740.2(a)(5) of the EAR, which remain eligible for applicable License Exceptions when intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft. With respect to subordinates of listed entities in India and Pakistan, only those specifically listed in Supplement No. 4 to part 744, Entity List, are subject to the restrictions and policies set forth in § 742.16, except that General Prohibition 5 (see 736.2(b)(5)) continues to apply to all exports and reexports to Indian and Pakistani entities, including unlisted subordinates of listed entities. All applications to export or reexport items subject to the EAR will be reviewed with a presumption of denial to these entities, except items for the preservation of safety of civil aircraft will be reviewed on a case-by-case basis. Except for items controlled for NP or MT reasons, exports or reexports to listed parastatals and private entities with whom you have a preexisting business arrangement will be considered on a case-by-case basis, with a presumption of approval in cases where neither the arrangement nor the specific transaction involves nuclear or missile activities and the exports or reexports are pursuant to that arrangement. The term "business arrangement" covers the full range of business agreements, including general contracts, general terms agreements (e.g., agreements whereby the seller delivers products under purchase orders to be issued by the buyer), general business agreements, offset agreements, letter agreements that are stand-alone contracts, and letter agreements that are amendments to existing contracts or other agreements. The terms of the

preexisting business arrangement policy may also apply to the longstanding continued supply of a particular item or items from the exporter to the entity even when there is no current agreement between the firms. BXA, in conjunction with other agencies, will determine eligibility under the preexisting business arrangement policy. In order to be eligible under the policy, you must provide documentation to establish such an arrangement. The documentation should be provided at the time you submit a license application to export or reexport items to any listed parastatal or private entity.

To further supplement the sanctions of § 742.16, this rule adds certain Indian and Pakistani military entities to the Entity List in Supplement No. 4 to part 744. License requirements for these entities are set forth in the newly added § 744.12. Exports and reexports of all items subject to the EAR having a classification other than EAR99 to listed military entities require a license. A license is also required if you know that the ultimate consignee or end-user is a listed military Indian or Pakistani entity, and the item is subject to the EAR having a classification other than EAR99. No License Exception overcomes this license requirement, except a License Exception for items listed in § 740.2(a)(5) of the EAR when intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft. Applications to export or reexport items controlled for NP or MT reasons to listed military entities will be denied, except items intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft, which will be reviewed on a case-by-case basis; and computers, which will be reviewed with a presumption of denial.

The addition of entities to the Entity List does not relieve exporters or reexporters of their obligations under General Prohibition 5 in § 736.2(b)(5) of the EAR, "You may not, without a license, knowingly export or reexport any item subject to the EAR to an end-user or end-use that is prohibited by part 744 of the EAR." BXA strongly urges the use of Supplement No. 3 to part 732 of the EAR, "BXA's 'Know Your Customer' Guidance and Red Flags" when exporting or reexporting to India and Pakistan.

Although the Export Administration Act (EAA) expired on August 20, 1994, the President invoked the International Emergency Economic Powers Act and continued in effect, to the extent permitted by law, the provisions of the

EAA and the EAR in Executive Order 12924 of August 19, 1994, continued by Presidential notices of August 15, 1995, August 14, 1996, August 15, 1997, and August 13, 1998.

#### Saving Clause

Shipments of items removed from License Exception or NLR authorizations as a result of this regulatory action that were on dock for loading, on lighter, laden aboard an exporting carrier, or en route aboard a carrier to a port of export, on November 19, 1998, pursuant to actual orders for export to that destination in India or Pakistan, may proceed to that destination under the previous License Exception or NLR authorization provisions so long as they have been exported from the United States before December 17, 1998. Any such items not actually exported before midnight December 17, 1998, require a license in accordance with this regulation.

#### Rulemaking Requirements

1. This final rule has been determined to be significant for the purposes of Executive Order 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 number 0694-0088, "Multi-Purpose Application," which carries a burden hour estimate of 40 minutes to prepare and submit electronically and 45 minutes to submit manually on form BXA-748P. This rule contains one new information collection requirement approved under control number 0694-0111, "India and Pakistan Sanctions," which carries a burden hour estimate of 10 minutes per submission for miscellaneous activities, such as attaching supporting documentation that substantiates a preexisting business relationship. An additional 2 minutes per submission is needed for recordkeeping.
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 interim rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 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 not applicable.

However, because of the importance of the issues raised by these regulations, this rule is being issued in interim form and comments will be considered in the development of final regulations.

Accordingly, the Department encourages interested persons who wish to comment to do at the earliest possible time to permit the fullest consideration of views.

The period for submission of comments will close January 19, 1999. The Department will consider all comments received before the close of the comment period in developing final regulations. Comments received after the end of the comment period will be considered if possible, but their consideration cannot be assured. The Department will not accept public comments accompanied by a request that a part or all of the material be treated confidentially because of its business proprietary nature or for any other reason. The Department will return such comments and materials to the persons submitting the comments and will not consider them in the development of final regulations. All public comments on these regulations will be a matter of public record and will be available for public inspection and copying. In the interest of accuracy and completeness, the Department requires comments in written form. Comments should be provided with 5 copies.

Oral comments must be followed by written memoranda, which will also be a matter of public record and will be available for public review and copying. Communications from agencies of the United States Government or foreign governments will not be available for public inspection.

The public record concerning these regulations will be maintained in the Bureau of Export Administration Freedom of Information Records Inspection Facility, Room 4525, Department of Commerce, 14th Street and Pennsylvania Avenue, NW, Washington, DC 20230. Records in this

facility, including written public comments and memoranda summarizing the substance of oral communications, may be inspected and copied in accordance with regulations published in part 4 of Title 15 of the Code of Federal Regulations.

Information about the inspection and copying of records at the facility may be obtained from Margaret Cornejo, Bureau of Export Administration Freedom of Information Officer, at the above address or by calling (202) 482-5653.

The reporting burden for this collection is estimated to be approximately 57 minutes, including the time for gathering and maintaining the data needed for completing and reviewing the collection of information. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments regarding these burden estimates or any other aspect of the collection of information, including suggestions for reducing the burdens, should be forwarded to Sharron Cook, Regulatory Policy Division, Office of Exporter Services, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044, and David Rostker, Office of Management and Budget, OMB/OIRA, 725 17th Street, NW, NEOB Rm. 10202, Washington, DC 20503.

**List of Subjects**

**15 CFR Part 742**

Exports, Foreign trade.

**15 CFR Part 744**

Exports, Foreign trade, Reporting and recordkeeping requirements.

Accordingly, parts 742 and 744 of the Export Administration Regulations (15 CFR parts 730-774) are amended, as follows:

1. The authority citation for 15 CFR part 742 continues 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, 3 CFR, 1993 Comp., p. 608; E.O. 12924, 59 FR 43437, 3 CFR, 1994 Comp., p. 917; E.O. 12938, 3 CFR, 1994 Comp., p.

950; E.O. 13020, 3 CFR, 1996 Comp., p. 219; E.O. 13026, 3 CFR, 1996 Comp., p. 228; 3 CFR, 1997 Comp., p. 306; and Notice of August 13, 1998 (63 FR 44121, August 17, 1998).

2. The authority citation for 15 CFR part 744 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *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, 3 CFR, 1994 Comp., p. 950; E.O. 13026, 3 CFR, 1996 Comp., p. 228; 3 CFR, 1997 Comp., p. 306; and Notice of August 13, 1998 (63 FR 44121, August 17, 1998).

**PART 742—[AMENDED]**

3. Part 742 is amended by:

- a. Revising § 742.12, paragraph (b)(3)(iii); and
- b. Adding a new section 742.16, to read as follows:

**§ 742.12 High Performance Computers.**

- (b) *Licensing policy.* \* \* \*
- (3) *Computer Tier 3.* \* \* \*
- (iii) *Licensing policy for other end-users and end-uses.* License applications for exports and reexports to other end-users and end-users located in Computer Tier 3 countries will generally be approved, except there is a presumption of denial for all applications for exports and reexports of computers having a CTP greater than 2,000 MTOPS destined to Indian and Pakistani entities determined to be involved in nuclear, missile, or military activities included in Supplement No. 4 to part 744 (Entity List). All license applications for exports and reexports to India and Pakistan not meeting these criteria for presumption of denial will be considered on a case-by-case basis under other licensing policies set forth in the EAR applicable to such computers.

**§ 742.16 India and Pakistan Sanctions.**

In accordance with section 102(b) of the Arms Export Control Act, President Clinton reported to the Congress on May 13th with regard to India and May 30th with regard to Pakistan his determinations that those non-nuclear weapon states had each detonated a nuclear explosive device. The President directed that the relevant agencies and instrumentalities of the United States take the necessary actions to impose the sanctions described in section 102 (b)(2) of that Act. Consistent with the provisions of section 102(b)(2)(G) of the Arms Export Control Act, the following

sanctions measures are imposed against India and Pakistan.

(a) *License requirement.* A license is required for all exports and reexports of items controlled for nuclear nonproliferation (NP) reasons to all end-users in India and Pakistan. In addition, a license is required for all exports and reexports of items controlled for missile technology (MT) reasons to all end-users in India and Pakistan, except items listed in § 740.2(a)(5) of the EAR, which remain eligible for applicable License Exceptions when intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft.

(b) *Licensing policy.*

(1) *Nuclear Nonproliferation.* There is a policy of denial for all applications to export and reexport items controlled for nuclear proliferation (NP) reasons to all end-users in India and Pakistan, except high performance computers (see § 742.12(b)(3)(iii) of this part for licensing policy regarding high performance computers).

(2) *Missile Technology.* There is a policy of denial for all applications to export and reexport items controlled for missile technology (MT) reasons to all end-users in India and Pakistan, except items intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft, which will be reviewed on a case-by-case basis.

**PART 744—[AMENDED]**

4. Part 744 is amended by revising the last sentence of § 744.1(c), and adding two new sections 744.11 and 744.12, to read as follows:

**§ 744.1 General provisions.**

(c) \* \* \* No License Exceptions are available for exports or reexports to listed entities of specified items, except License Exceptions for items destined to listed Indian or Pakistani entities intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft (see § 744.11(b) and § 744.12(b) of this part).

**§ 744.11 Restrictions on certain government, parastatal, and private entities in Pakistan and India.**

To supplement sanctions measures against India and Pakistan, set forth in § 742.16 of the EAR, a prohibition is imposed on exports and reexports to certain government, parastatal, and private entities in India and Pakistan determined to be involved in nuclear or missile activities. With respect to subordinates of listed entities in India and Pakistan, only those specifically

listed in Supplement No. 4 to part 744, Entity List, are subject to the restrictions and policies set forth in this section. The addition of entities to Supplement No. 4 to part 744, Entity List, does not relieve you of your obligations under General Prohibition 5 in § 736.2(b)(5) of the EAR: "you may not, without a license, knowingly export or reexport any item subject to the EAR to an end-user or end-use that is prohibited by part 744 of the EAR." You are urged to use the guidance in Supplement No. 3 to part 732 of the EAR, "BXA's 'Know Your Customer' Guidance and Red Flags" when exporting or reexporting to India and Pakistan.

(a) *General restriction.* Certain government, parastatal, and private entities in India and Pakistan determined to be involved in nuclear or missile activities are included in Supplement No. 4 to this part 744 (Entity List). (See also § 744.1(c) of the EAR.) These entities are ineligible to receive exports or reexports of items subject to the EAR without a license. Exports and reexports of all items subject to the EAR to listed government, parastatal, and private entities require a license. A license is also required if you know that the ultimate consignee or end-user is a listed government, parastatal, or private Indian or Pakistani entity, and the item is subject to the EAR.

(b) *Exceptions. No License Exceptions* are available to the entities described in paragraph (a) of this section, except those applicable to items listed in § 740.2(a)(5) of the EAR, which remain available to such entities when intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft.

(c) *License review standards.* (1) *Government entities.* Applications to export or reexport items controlled for NP or MT reasons to listed government entities will be denied, except items intended for the preservation of safety of civil aircraft, which will be reviewed on

a case-by-case basis; and computers, which will be reviewed with a presumption of denial. All other items subject to the EAR to these listed entities will be reviewed with a presumption of denial.

(2) *Parastatal and Private entities.*

Applications to export or reexport items controlled for NP or MT reasons to certain parastatal and private entities will be denied, except items intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft, which will be reviewed on a case-by-case basis; and computers, which will be reviewed with a presumption of denial. All other items subject to the EAR to these listed entities will be reviewed with a presumption of denial. Except for items controlled for NP or MT reasons, exports or reexports to listed parastatals and private entities with whom you have a preexisting business arrangement will be considered on a case-by-case basis, with a presumption of approval in cases where neither the arrangement nor the specific transaction involves nuclear or missile activities and the exports or reexports are pursuant to that arrangement. The term "business arrangement" covers the full range of business agreements, including general contracts, general terms agreements (e.g., agreements whereby the seller delivers products under purchase orders to be issued by the buyer), general business agreements, offset agreements, letter agreements that are stand-alone contracts, and letter agreements that are amendments to existing contracts or other agreements. The terms of the preexisting business arrangement policy may also apply to the longstanding continued supply of a particular item or items from the exporter to the entity even when there is no current agreement between the firms. BXA, in conjunction with other agencies, will determine eligibility under the preexisting business arrangement policy. In order to be eligible under the

policy, you must provide documentation to establish such an arrangement. The documentation should be provided at the time you submit a license application to export or reexport items to any listed parastatal or private entity.

§ 744.12 Restrictions on certain military entities in Pakistan and India.

(a) *General restriction.* Certain military entities in India and Pakistan are included in Supplement No. 4 to this part 744 (Entity List). (See also § 744.1(c) of the EAR.) These entities are ineligible to receive exports or reexports of all items subject to the EAR having a classification other than EAR99 without a license. Exports and reexports of all items subject to the EAR having a classification other than EAR99 to listed military entities require a license. A license is also required if you know that the ultimate consignee or end-user is a listed military Indian or Pakistani entity, and the item is subject to the EAR having a classification other than EAR99.

(b) *Exceptions. No License Exceptions* are available to the entities described in paragraph (a) of this section, except those applicable to items listed in § 740.2(a)(5) of the EAR, which remain available to such entities when intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft.

(c) *License review policy.* Applications to export or reexport items controlled for NP or MT reasons to listed military entities will be denied, except items intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft, which will be reviewed on a case-by-case basis; and computers, which will be reviewed with a presumption of denial. All other license applications will be reviewed with a presumption of denial.

5. Supplement No. 4 to part 744 is revised to read as follows:

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST

Country	Entity	License requirement	License review policy	Federal Register citation
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This Supplement lists certain entities subject to license requirements for specified items under this part 744 of the EAR. License requirements for these entities includes exports and reexports, unless otherwise stated. This list of entities is revised and updated on a periodic basis in this Supplement by adding new or amended notifications and deleting notifications no longer in effect.

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
CHINA, PEOPLE'S REPUBLIC OF.	Chinese Academy of Engineering Physics (aka Ninth Academy, including the Southwest Institutes of Applied Electronics, Chemical Materials, Electronic Engineering, Explosives and Chemical Engineering, Environmental Testing, Fluid Physics, General Designing and Assembly, Machining Technology, Materials, Nuclear Physics and Chemistry, Structural Mechanics; Research and Applications of Special Materials Factory, Southwest Computing Center (all of preceding located in or near Mianyang, Sichuan Province); Institute of Applied Physics and Computational Mathematics, Beijing; and High Power Laser Laboratory, Shanghai).	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97.
INDIA	Advanced Fuel Fabrication Facility, Department of Atomic Energy (DAE), Tarapur.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Aerial Delivery Research and Development Establishment (ADRDE), Defence Research and Development Organization (DRDO), Agra.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Aeronautical Development Agency, Ministry of Defense, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Aeronautical Development Establishment (ADE), Defence Research and Development Organization (DRDO), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Aerospace Division, Hindustan Aeronautics Limited (HAL), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Ambajhari Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Ambarnath Machine Tool Prototype Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Ambarnath Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Ammonium Perchlorate Experimental Plant, Indian Space Research Organization (ISRO), Department of Space, Alwaye.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Armament Research and Development Establishment (ARDE), Defence Research and Development Organization (DRDO), Pune.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Anuvankadu Cordite Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Aspara Research Reactor, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Atomic Energy Commission (AEC) located in Mumbai (formerly Bombay) and subordinate entities specifically listed in this Supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Atomic Energy Regulatory Board (AERB), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	The Atomic Minerals Division (AMD), Department of Atomic Energy (DAE), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	AURO Engineering, Pondicherry .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Avadi Combine Engine Plant, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Avadi Heavy Vehicle Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Avadi Ordnance Clothing Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Baroda Ammonia Plant, (collocated with the Baroda Heavy Water Production Facility), Gujarat Fertilizers, Baroda.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Baroda Heavy Water Production Facility, Heavy Water Board, Department of Atomic Energy (DAE), Baroda.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Beryllium Machining Facility, Indian Space Research Organization (ISRO), and Department of Atomic Energy (DAE), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Bhabha Atomic Research Center (BARC), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	62 FR 35334, 6/30/97. [Insert: Federal Register Cite and date of publication].
	Bharat Dynamics Limited, Bhanur and Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Bharat Earth Movers Limited (BEML), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Bharat Electronics Limited (BEL), Bangalore, Ghaziabad, and Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	62 FR 26922, 5/16/97, 62 FR 51369, 10/1/97. [Insert: Federal Register Cite and date of publication].
	Bharat Heavy Electrical Limited (BHEL), Trichy (Tiruchirappalli), Hyderabad, Hardwar, New Delhi, and Ranipet.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Bhatin Uranium Mine and Mill, Uranium Corporation of India, Ltd. (UCIL), Bhatin.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Bhusawal Ordnance Factory, Avadi Combine Engine Plant, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Board of Radiation and Isotope Technology (BRIT), Department of Atomic Energy (DAE), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Boron Enrichment Plant, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Central Manufacturing Technology Institute, a.k.a. Central Machine Tool Institute, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Central Workshops, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	The Centre for Advanced Technology (CAT), Department of Atomic Energy (DAE), Indore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Centre for Aeronautical Systems Studies and Analysis (CASSA), Defence Research and Development Organization (DRDO), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Centre for the Compositional Characterization of Materials, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Centre for Development of Advanced Computing, Department of Electronics, Pune.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Ceramic Fuels Fabrication Plant, Nuclear Fuel Complex (NFC), Department of Atomic Energy (DAE), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Chanda Ammunition Loading Plant, Avadi Combine Engine Plant, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Chanda Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Chandigarh Ordnance Cable Factory, Avadi Combine Engine Plant, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Chandigarh Ordnance Parachute Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Cirus Reactor, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Combat Vehicle Research and Development Establishment (CVRDE), Defence Research and Development Organization (DRDO), Chennai (formerly Madras).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Construction Services and Estate Management Group, Directorate of Purchase and Stores (DPS), Department of Atomic Energy (DAE), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Cossipore Gun and Shell Factory, Avadi Combine Engine Plant, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Bio-Engineering and Electro-Medical Laboratory (DEBEL), Defence Research and Development Organization (DRDO), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Electronics Applications Laboratory (DEAL), Defence Research and Development Organization (DRDO), Dehra Dun.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Electronics Research Laboratory (DERL or DLRL), Defence Research and Development Organization (DRDO), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Food Research Laboratory (DFRL), Defence Research and Development Organization (DRDO), Mysore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Institute of Fire Research (DIFR), Defence Research and Development Organization (DRDO), Delhi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Institute of Physiology and Allied Sciences (DIPAS), Defence Research and Development Organization (DRDO), Delhi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Defence Institute of Psychological Research (DIPR), Defence Research and Development Organization (DRDO), New Delhi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Institute of Workstudy (DIWS), Defence Research and Development Organization (DRDO), Mussoorie.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Laboratory (DL), Defence Research and Development Organization (DRDO), Jodhpur.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Materials and Store Research and Development Establishment (DMSRDE), Defence Research and Development Organization (DRDO), Kanpur.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Metallurgical Research Laboratory (DMRL), Defence Research and Development Organization (DRDO), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Research and Development Establishment (DRDE), Defence Research and Development Organization (DRDO), Gwalior.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Research and Development Laboratory (DRDL), Defence Research and Development Organization (DRDO), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Research and Development Organization (DRDO) located in New Delhi and subordinate entities specifically listed in this Supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Research and Development Unit (DRDU), Defence Research and Development Organization (DRDO), Calcutta.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Research Laboratory (DRL), Defence Research and Development Organization (DRDO), Tezpur.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Science Centre (DSC), Defence Research and Development Organization (DRDO), New Delhi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Terrain Research Laboratory (DTRL), Defence Research and Development Organization (DRDO), New Delhi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Dehra Dun Opto-Electronics Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Dehra Dun Ordnance Factory, Dehra Dun Opto-Electronics Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Dehu Road Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Department of Defense Production and Supplies and subordinate entities specifically listed in this Supplement.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Department of Space located in Bangalore and subordinate entities specifically listed in this Supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Department of Atomic Energy (DAE) located in Mumbai (formerly Bombay) and subordinate entities specifically listed in this Supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Dhruva Reactor, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Directorate of Purchase and Stores (DPS), Department of Atomic Energy (DAE), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Dum Dum Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Electronics and Radar Development Establishment (ERDE or LRDE), Defence Research and Development Organization (DRDO), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Electronics Corporation of India, Ltd. (ECIL), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Engine Division, Hindustan Aeronautics Limited (HAL), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Explosive Research and Development Laboratory (ERDL), Defence Research and Development Organization (DRDO), Pune.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Fast Breeder Test Reactor (FBTR), Indira Gandhi Centre for Atomic Research (IGCAR), Department of Atomic Energy (DAE), Kalpakkam.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Fast Reactor Fuel Reprocessing Plant (FRFRP), Indira Gandhi Centre for Atomic Research (IGCAR), Department of Atomic Energy (DAE), Kalpakkam.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Ferrodie Private Limited (FPL), Thane.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Gas Turbine Research Establishment (GTRE), Defence Research and Development Organization (DRDO), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	General Services Organization, Directorate of Purchase and Stores (DPS), Department of Atomic Energy (DAE), Kalpakkam.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Godrej & Boyce Mfg., Co., Ltd., Precision Equipment Division (PED) and Tool Room Division, Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Hazira Ammonia Plant, (collocated at the Hazira Heavy Water Production Facility) Krishak Bharati Cooperative, Ltd., Hazira.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Hazira Heavy Water Production Facility, Heavy Water Board, Department of Atomic Energy (DAE), Hazira.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Hazratpur Ordnance Equipment Factory, Dum Dum Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Heavy Water Board, Department of Atomic Energy (DAE), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Heavy Water Upgrade Plant, Kakrapar Atomic Power Station (KAPS), Nuclear Power Corporation of India, Ltd. (NPCIL), Kakrapar.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Indian Institute of Science (IIS), Departments of Aerospace Engineering and Space Technology Cell, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Indian Institute of Technology (IIT), Departments of Aerospace Engineering and Space Technology Cell, Chennai (formerly Madras).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Indian Institute of Technology (IIT), Departments of: Physics, Aerospace Engineering, and Space Technology Cell, Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	India Minerals Separation Plants, Indian Rare Earths, Ltd., (IREL), Chhatrapur, Orissa, and Chavara.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	62 FR 35335, 6/30/97. [Insert: Federal Register Cite and date of publication].
	Indian Rare Earths, Ltd., (IREL), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	62 FR 35335, 6/30/97. [Insert: Federal Register Cite and date of publication].
	Indian Space Research Organization (ISRO) Department of Space, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Indira Gandhi Center for Atomic Research (IGCAR), Kalpakkam.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	62 FR 35334, 6/30/97. [Insert: Federal Register Cite and date of publication].
	Institute of Armament Technology (IAT), Defense Research and Development Organization (DRDO), Pune.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Institute of Mathematical Sciences, Department of Atomic Energy (DAE), Chennai (formerly Madras).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Institute of Physics, Department of Atomic Energy (DAE), Bhubaneswar.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Institute for Systems Studies and Analyses (ISSA), Defense Research and Development Organization (DRDO), Delhi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Instruments Research and Development Establishment (IRDE), Defense Research and Development Organization (DRDO), Dehra Dun.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Interim Test Range (ITR), a.k.a. Meteorological Rocket Station, Indian Space Research Organization (ISRO), Department of Space, Balasore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Interuniversity Consortium of DAE Facilities, Department of Atomic Energy (DAE), Calcutta, Indore, and Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Ishapore Metal and Steel Factory, Dum Dum Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Ishapore Rifle Factory, Dum Dum Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	ISRO Inertial Systems Unit (IISU), Indian Space Research Organization (ISRO), Department of Space, Thiruvananthapuram.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Itarsi Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Jabalpur Gray Iron Foundry, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Jabalpur Gun Carriage Factory, Itarsi Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Jaduguda Uranium Mine and Mill, Uranium Corporation of India, Ltd. (UCIL), Jaduguda.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Kaiga Atomic Power Project (KAPP), The Nuclear Power Corporation of India, Ltd. (NPCIL), Kaiga.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Kakrapar Atomic Power Station (KAPS), The Nuclear Power Corporation of India, Ltd. (NPCIL), Kakrapar.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Kalpakkam Reprocessing Plant (KARP), a.k.a. Kalpakkam Fuel Reprocessing Plant, Indira Gandhi Centre for Atomic Research (IGCAR), Department of Atomic Energy (DAE), Kalpakkam.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Kakrapar Atomic Power Station (KAPS), Nuclear Power Corporation of India, Ltd. (NPCIL), Kakrapar.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Kamini Research Reactor, Indira Gandhi Centre for Atomic Research (IGCAR), Department of Atomic Energy (DAE), Kalpakkam.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Kanpur Field Gun Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Kanpur Ordnance Equipment Factory, Kanpur Field Gun Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Kanpur Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Kanpur Ordnance Parachute Factory, Kanpur Field Gun Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Kanpur Small Arms Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Katri Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Khamaira Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Kirkee Ammunition Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Kirkee High Explosives Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Kirloskar Brothers, Ltd. (KB), Pune .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Kota Heavy Water Production Facility, Heavy Water Board, Department of Atomic Energy (DAE), Kota.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Kundankulam Atomic Power Project, The Nuclear Power Corporation of India, Ltd. (NPCIL), Kundankulam.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Larsen & Toubro, Ltd. (L&T), Hazira Works, Hazira.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Liquid Propulsion Systems Centre, Indian Space Research Organization (ISRO), Department of Space, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Liquid Propulsion Systems Centre, Indian Space Research Organization (ISRO), Department of Space, Thiruvananthapuram or Valiamala.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Liquid Propulsion Test Facility, Indian Space Research Organization (ISRO), Department of Space, Mahendragiri.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Machine Tool Aids & Reconditioning (MTAR), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Madras Atomic Power Station (MAPS), The Nuclear Power Corporation of India, Ltd. (NPCIL), Kalpakkam.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Manuguru Heavy Water Production Facility, Heavy Water Board, Department of Atomic Energy (DAE), Manuguru.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Medak Grey Iron Foundry, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Medak Ordnance Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Mehta Research Institute of Maths and Math Physics, Department of Atomic Energy (DAE), Allahabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Meteorological Rocket Station, a.k.a. Interim Test Range (ITR), Indian Space Research Organization (ISRO), Department of Space, Balasore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	The Mineral Sand Separation Complex, a.k.a. Orissa Sands Complex (OSCOM), India Rare Earths, Ltd. (IREL), Department of Atomic Energy (DAE), Chhatrapur in the Gunjan District of Orissa.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Minerals Recovery Plant, India Rare Earths, Ltd. (IREL), Chavara.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Misra Dhatu Nigam, Ltd. (MIDHANI), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	The Missile Research and Development Complex, Defence Research and Development Laboratory (DRDL), Defence Research and Development Organization (DRDO), Imarat, Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Muradnagar Ordnance Factory, Kirkee High Explosives Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Nangal Heavy Water Production Facility, Heavy Water Board, Department of Atomic Energy (DAE), Nangal.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Narora Atomic Power Station (NAPS), The Nuclear Power Corporation of India, Ltd. (NPCIL), Bullandshahr in Uttar Pradesh.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Narwapahar Uranium Mine and Mill, Uranium Corporation of India, Ltd. (UCIL), Department of Atomic Energy (DAE), Narwapahar.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	National Aerospace Laboratory, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	National Test Range, Defence Research and Development Organization (DRDO), Baliabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	National Transonic Aerodynamic Facility, National Aerospace Laboratory, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Naval Chemical and Metallurgical Laboratory (NCML), Defence Research and Development Organization (DRDO), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Naval Physical and Oceanographic Laboratory (NPOL), Defence Research and Development Organization (DRDO), Cochin.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Naval Science and Technological Laboratory (NSTL), Defence Research and Development Organization (DRDO), Vishakhapatnam.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	New Zirconium Sponge Plant, Nuclear Fuel Complex (NFC), Department of Atomic Energy (DAE), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	The Nuclear Power Corporation of India, Ltd. (NPCIL), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Nuclear Fuel Complex (NFC), Department of Atomic Energy (DAE), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Nuclear Science Centre (NSC), New Delhi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Ordnance Factories Staff College, Nagpur (Ambajhari).	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Ordnance Factories Training Institutes, Ishapore, Kanpur, Jabalpur (Kharmiar), Ambamath, Ambajhari.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Ordnance Factory Board and subordinate entities specifically listed in this Supplement.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Orissa Sands Complex (OSCOM), a.k.a. The Mineral Sand Separation Complex India Rare Earths, Ltd. (IREL), Department of Atomic Energy (DAE), Chhatrapur in the Gunjan District of Orissa.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Physical Research Laboratory (PRL), Department of Space, Ahmadabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Plutonium Reprocessing Plant, a.k.a. Trombay Reprocessing Plant, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Precision Controls, Chennai (formerly Madras).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	PREFRE Reprocessing Plant, Department of Atomic Energy (DAE), Tarapur.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Proof and Experimental Establishment, Defence Research and Development Organization (DRDO), Chandipore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Prototype Fast Breeder Reactor (PFBR), Indra Gandhi Centre for Atomic Research (IGCAR), Department of Atomic Energy (DAE), Kalpakkam.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Purnima Facility, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Rajasthan Atomic Power Station (RAPS), and Rajasthan Atomic Power Project, The Nuclear Power Corporation of India, Ltd. (NPCIL), Department of Atomic Energy (DAE), Rawatbhata.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Pama Krishna Engineering Works (REW), Chennai (formerly Madras).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Rare Earth Development Laboratory, a.k.a. Thorium Plant, India Rare Earths, Ltd. (IREL), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Rare Materials Plant, India Rare Earths, Ltd. (IREL), Department of Atomic Energy (DAE), Mysore.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Research and Development Establishment (Engineers) (R&DE (ENGRS)), Defence Research and Development Organization (DRDO), Pune.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Saha Institute of Nuclear Physics, Department of Atomic Energy (DAE), Calcutta.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Scientific Analysis Group (SAG), Defence Research and Development Organization (DRDO), New Delhi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Shahjahanpur Ordnance Clothing Factory, Kirkee High Explosives Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Solid Propellant Space Booster Plant (SPROB), Sriharikota Space Centre (SHAR), Indian Space Research Organization (ISRO), Department of Space.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Solid State Physics Laboratory (SSPL), Defence Research and Development Organization (DRDO), New Delhi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Space Applications Centre (SAC), Indian Space Research Organization (ISRO), Department of Space, Ahmedabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Space Physics Laboratory (SPL), Department of Space, Thiruvananthapuram.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Special Materials Plant, Nuclear Fuel Complex (NFC), Department of Atomic Energy (DAE), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Sriharikota Space Centre (SHAR), Indian Space Research Organization (ISRO), Department of Space, Andhra Pradesh.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Talcher Ammonia Plant, (collocated at Talcher Heavy Water Production Facility) Fertilizer Corporation of India, Ltd., Talcher.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Talcher Heavy Water Production Facility, Heavy Water Board, Department of Atomic Energy (DAE), Talcher.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Tarapur Atomic Power Station (TAPS), and Tarapur Atomic Power Project, The Nuclear Power Corporation of India, Ltd. (NPCIL), Department of Atomic Energy (DAE), Tarapur.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Tata Institute of Fundamental Research, Department of Atomic Energy (DAE), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Terminal Ballistics Research Laboratory (TBRL), Defence Research and Development Organization (DRDO), Chandigarh.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Thal-Vaishet Ammonia Plant, (collocated at Thal-Vaishet Heavy Water Production Facility), Rashtriya Chemicals & Fertilizers, Thal-Vaishet in Maharashtra.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Thal-Vaishet Heavy Water Production Facility, Heavy Water Board, Department of Atomic Energy (DAE), Thal-Vaishet in Maharashtra.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Thorium Plant, India Rare Earths, Ltd. (IREL), Department of Atomic Energy (DAE), Chhatrapur.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Thumba Equatorial Rocket Launching Station, Indian Space Research Organization (ISRO), Department of Space.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Tiruchirappalli Heavy Alloy Penetrator Project, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Tiruchirappalli Ordnance Factory, Kirkee High Explosives Factory, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Tidagarh Ammunition Plant, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Trombay Reprocessing Plant, a.k.a. Plutonium Reprocessing Plant, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Tuticorin Ammonia Plant, (collocated at Tuticorin Heavy Water Production Facility), Southern Petrochemical Industries Corporation, Tuticorin.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Tuticorin Heavy Water Production Facility, Heavy Water Board, Department of Atomic Energy (DAE), Tuticorin.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Conversion Plant, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Corporation of India, Ltd. (UCIL), Department of Atomic Energy (DAE), Jaduguda.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Enrichment Plant, Bhabha Atomic Research Centre (BARC), Department of Atomic Energy (DAE), Trombay, suburban city of Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Fuel Assembly Plant, Nuclear Fuel Complex (NFC), Department of Atomic Energy (DAE), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Mine and Mill, Uranium Corporation of India, Ltd. (UCIL), Narwapahar, Jaduguda, and Bhatin.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Mine, Uranium Corporation of India, Ltd. (UCIL), Turamdih.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Recovery Plant, Fertilizers and Chemicals Travancore (FACT), Uranium Corporation of India, Ltd. (UCIL), Department of Atomic Energy (DAE), Cochin.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Recovery Plant, Uranium Corporation of India, Ltd. (UCIL), Department of Atomic Energy (DAE), Mosabini (a.k.a. Masabeni).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Recovery Plant, Uranium Corporation of India, Ltd. (UCIL), Department of Atomic Energy (DAE), Rakha.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Uranium Recovery Plant, Uranium Corporation of India, Ltd. (UCIL), Department of Atomic Energy (DAE), Surda (a.k.a. Surdat).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
ISRAEL	Varangaon Ordnance Factory, Tiruchchirappalli Heavy Alloy Penetrator Project, Ordnance Factory Board, Department of Defense Production and Supplies, Ministry of Defense.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	The Variable Energy Cyclotron Centre (VECC), Department of Atomic Energy (DAE), Calcutta.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Vehicles Research and Development Establishment Defence Research and Development Organization (DRDO), Ahmednagar.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Vikram Sarabhai Space Centre (VSSC), Indian Space Research Organization (ISRO), Department of Space, Thiruvananthapuram.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Walchandnagar Industries, Ltd. (WIL), Nadu Desarai and Mahad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Zirconium Fabrication Plant, Nuclear Fuel Complex (NFC), Department of Atomic Energy (DAE), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Zirconium Oxide Plant, India Rare Earths Ltd. (IREL), Department of Atomic Energy (DAE), Manavalakuruchi.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Ben Gurion University, Israel	For computers between 2,000 and 7,000 Mtops.	Case-by-case basis	62 FR 4910, 2/3/97.
	Nuclear Research Center at Negev Dimona, Israel.	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97.
	PAKISTAN	Abdul Qader Khan Research Laboratories, a.k.a. Khan Research Laboratories (KRL), a.k.a. Engineering Research Laboratories (ERL), Kahuta.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.
Aerospace Institute, Space and Upper Atmospheric Research Commission (SUPARCO), Islamabad.		For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
Ai Technique Corporation of Pakistan, Ltd.		For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
Allied Trading Co		For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
ANZ Importers and Exporters, Islamabad		For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
Armed Forces Institute of Pathology—Rawalpindi Laboratory.		For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
Atomic Energy Minerals Centre, Pakistan Atomic Energy Commission (PAEC), Lahore.		For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
Baghalchur Uranium Mine, Pakistan Atomic Energy Commission (PAEC), Baghalchur.		For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
Center for Advanced Molecular Biology, Lahore.		For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
Center for Nuclear Studies, Pakistan Atomic Energy Commission (PAEC), and Pakistan Institute of Nuclear Science and Technology (PINSTECH), Islamabad.		For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
Chaklala Defense Science and Technology Organization (DESTO).	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].	
Chasma Fuel Fabrication Plant, Chasma Nuclear Power Plant (CHASNUPP), Pakistan Atomic Energy Commission (PAEC), Kundian.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].	

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Chasma Nuclear Power Plant (CHASNUPP), Pakistan Atomic Energy Commission (PAEC), Kundian.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Combat Development Directorate (CDD)	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Computer Center, Space and Upper Atmospheric Research Commission (SUPARCO), Karachi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Computer and Development Division, KANUPP Institute of Nuclear Power Engineering (KINPOE), Pakistan Atomic Energy Commission (PAEC).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Computer Training Center, Pakistan Atomic Energy Commission (PAEC) and Pakistan Institute of Nuclear Science and Technology (PINSTECH), Islamabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Control System Laboratories, Space and Upper Atmospheric Research Commission (SUPARCO).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Daud Khel Chemical Plant, Defense Science and Technology Organization (DESTO), Lahore.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Defence Science and Technology Organization (DESTO) located in Rawalpindi and subordinate entities specifically listed in this Supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Dera Ghazi Khan Uranium Mine, Pakistan Atomic Energy Commission (PAEC), Dera Ghazi Khan.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Directorate of Technical Development, Pakistan Atomic Energy Commission (PAEC).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Directorate of Technical Equipment, Pakistan Atomic Energy Commission (PAEC).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Directorate of Technical Procurement, Pakistan Atomic Energy Commission (PAEC).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Engineering and Technical Services, Islamabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Engineering Research Laboratories (ERL), a.k.a. Abdul Qader Khan Research Laboratories, a.k.a. Khan Research Laboratories (KRL), Kahuta.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Flight Test Range, Space and Upper Atmospheric Research Commission (SUPARCO), Sonmiani Beach.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Gadwal Ammunition Plant	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Gadwal Uranium Enrichment Plant	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Ghulam Ishaq Khan Institute of Technology, Topai.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Goira Ultracentrifuge Plant, Goira	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Goth Macchi Nitrogen Fertilizer Plant, Sadiqabad.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Hard Rock Division, Pakistan Atomic Energy Commission (PAEC), Peshawar.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Haripur Nitrogen Fertilizer Plant, Hazara	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Havelian Explosives and Ammunition Plant.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Hawkes Bay Depot, Pakistan Atomic Energy Commission (PAEC).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Heavy Water Production Plant, KANUPP, Pakistan Atomic Energy Commission (PAEC), Karachi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	High Technologies, Ltd., Islamabad	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Institute of Nuclear Power, Pakistan Atomic Energy-Commission (PAEC), Islamabad.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Instrumentation Laboratories, Space and Upper Atmospheric Research Commission (SUPARCO), Karachi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Issa Khel/Kubul Kel Uranium Mines and Mills, Pakistan Atomic Energy Commission (PAEC), Miniawali District.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Karachi CBW Research Institute, University of Karachi's Husein Ebrahim Jamal Research Institute of Chemistry (HEJRIC).	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Karachi CW & BW Warfare R&D Laboratory, Defense Science and Technology Organization (DESTO).	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Karachi Naval Base and Naval Hqs. and Dockyard.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Karachi Nuclear Power Plant (KANUPP), Pakistan Atomic Energy Commission (PAEC), Karachi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Karachi Superphos Fertilizer Plant, Al Noor.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	KANUPP Institute of Nuclear Power Engineering (KINPOE), Pakistan Atomic Energy Commission (PAEC), Karachi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Khan Research Laboratories (KRL) a.k.a. Abdul Qader Khan Research Laboratories, a.k.a. Engineering Research Laboratories (ERL), Kahuta.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	62 FR 35334, 6/30/97 [Insert: Federal Register Cite and date of publication].
	Khewra Soda Ash Plant	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Khushab Reactor, Pakistan Atomic Energy Commission (PAEC), Khushab, Punjab.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Lahore Weapons Plant, PEC	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication].
	Lastech Associates, Islamabad	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Machinery Master Enterprises, Islamabad	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Maple Engineering Pvt. Ltd. Consultants, Importers and Exporters.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication].
	Material Research Division, Space and Upper Atmospheric Research Commission (SUPARCO).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Mineral Sands Program, Pakistan Atomic Energy Commission (PAEC), Karachi. Mirpur Nitrogen Fertilizer Plant, Mathelo	For all items subject to the EAR. For all items subject to the EAR having a classification other than EAR99.	See § 744.11(c)(1) of this part. See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	Modern Engineering Services, Ltd., Islamabad. Multan Chemical Fertilizer Plant	For all items subject to the EAR. For all items subject to the EAR having a classification other than EAR99.	See § 744.11(c)(2) of this part. See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	Multan Heavy Water Production Facility, Pakistan Atomic Energy Commission (PAEC), Multan Division, Punjab. National Development Centre	For all items subject to the EAR. For all items subject to the EAR.	See § 744.11(c)(1) of this part. See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication]. 62 FR 35335, 6/30/97. [Insert: Federal Register Cite and date of publication].
	National Engineering Service of Pakistan, Chasma Nuclear Power Plant (CHASNUPP), Pakistan Atomic Energy Commission (PAEC), Kundian. National Institute of Biotechnology and Genetic Engineering, Faisalabad.	For all items subject to the EAR. For all items subject to the EAR having a classification other than EAR99.	See § 744.11(c)(1) of this part. See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	New Laboratories, Pakistan Institute for Nuclear Science and Technology (PINSTECH), Rawalpindi. Nuclear Track Detection Center, a.k.a. Solid State Nuclear Track Detection Laboratory, Pakistan Institute for Nuclear Science and Technology (PINSTECH).	For all items subject to the EAR. For all items subject to the EAR.	See § 744.11(c)(1) of this part. See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	Orient Importers and Exporters, Islamabad. Pakistan Atomic Energy Commission (PAEC) located in Islamabad and subordinate entities specifically listed in this Supplement. Pakistan Institute for Nuclear Science and Technology (PINSTECH), Islamabad. Pakistan Ordnance Factories	For all items subject to the EAR. For all items subject to the EAR. For all items subject to the EAR.	See § 744.11(c)(2) of this part. See § 744.11(c)(1) of this part. See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication]. 62 FR 35334, 6/30/97. [Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	PARR-1 Research Reactor, Pakistan Institute for Nuclear Science and Technology (PINSTECH). PARR-2 Research Reactor, Pakistan Institute for Nuclear Science and Technology (PINSTECH). People's Steel Mills, Karachi	For all items subject to the EAR. For all items subject to the EAR. For all items subject to the EAR.	See § 744.11(c)(1) of this part. See § 744.11(c)(1) of this part. See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	Pilot Reprocessing Plant, New Laboratories, Pakistan Institute for Nuclear Science and Technology (PINSTECH). Prime International	For all items subject to the EAR. For all items subject to the EAR.	See § 744.11(c)(1) of this part. See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	Quality Control and Assurance Unit, Space and Upper Atmospheric Research Commission (SUPARCO). Rocket Bodies Manufacturing Unit, Space and Upper Atmospheric Research Commission (SUPARCO). Saniwal Ammunition Plant	For all items subject to the EAR. For all items subject to the EAR. For all items subject to the EAR having a classification other than EAR99.	See § 744.11(c)(1) of this part. See § 744.11(c)(1) of this part. See § 744.12(c) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	Science and Engineering Services Directorate, Pakistan Atomic Energy Commission (PAEC).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Scientific and Technical Tech., Ltd., Islamabad. Sihala Ultracentrifuge Plant, Sihala .....	For all items subject to the EAR. For all items subject to the EAR.	See § 744.11(c)(2) of this part. See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	Solid Composite Propellant Unit, Space and Upper Atmospheric Research Commission (SUPARCO). Solid State Nuclear Track Detection Laboratory, a.k.a. Nuclear Track Detection Center, Pakistan Institute for Nuclear Science and Technology (PINSTECH). Space and Atmospheric Research Center, Space and Upper Atmospheric Research Commission (SUPARCO), Karachi.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Space and Upper Atmospheric Research Commission (SUPARCO) and subordinate entities specifically listed in this Supplement. Space Research Council and subordinate entities specifically listed in this Supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Static Test Unit, Space and Upper Atmospheric Research Commission (SUPARCO), Karachi. Technical Services, Islamabad .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	The Tempest Trading Company, Islamabad. Unique Technical Promoters .....	For all items subject to the EAR. For all items subject to the EAR.	See § 744.11(c)(2) of this part. See § 744.11(c)(2) of this part.	[Insert: Federal Register Cite and date of publication]. [Insert: Federal Register Cite and date of publication].
	Uranium Conversion Facility, Pakistan Atomic Energy Commission (PAEC), Islamabad. Wah Chemical Product Plant .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
	Wah Munitions Plant, a.k.a. Explosives Factory, Pakistan Ordnance Factories (POF).	For all items subject to the EAR having a classification other than EAR99. For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part. See § 744.11(c)(1) of this part.	[Insert: Federal Register Cite and date of publication].
RUSSIA .....	All-Russian Scientific Research Institute of Technical Physics, (aka VNIITF, Chelyabinsk-70, All-Russian Research Institute of Technical Physics, ARITP, Russian Federal Nuclear Center) located in either Snezhinsk or Kremlev. All-Union Scientific Research Institute of Experimental Physics, (aka VNIIEF, Arzamas-16, Russian Federal Nuclear Center, All Russian Research Institute of Experimental Physics, ARIEP, Khariton Institute) located in either Snezhinsk or Kremlev. Baifc State Technical University, 1/21, 1-ya Krasnoarmeiskaya Ul., 198005, St. Petersburg. Europalace 2000, Moscow .....	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97.
	Glavkosmos, 9 Krasno proletarskaya st., 103030 Moscow.	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97.
	Grafit (aka State Scientific Research Institute of Graphite or NIIGRAFIT), 2 Ulitsa Elektrodnyaya, 111524, Moscow.	For all items subject to the EAR (see § 744.10 of the EAR). For all items subject to the EAR (see § 744.10 of the EAR). For all items subject to the EAR (see § 744.10 of the EAR). For all items subject to the EAR (see § 744.10 of the EAR).	Presumption of denial. Presumption of denial. Presumption of denial. Presumption of denial.	63 FR 40363, 7/29/98. 63 FR 40363, 7/29/98. 63 FR 40363, 7/29/98. 63 FR 40363, 7/29/98.

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	INOR Scientific Center, Moscow, Russia	For all items subject to the EAR (see § 744.10 of the EAR).	Presumption of denial.	63 FR 40363, 7/29/98.
	Ministry for Atomic Power of Russia (any entities, institutes, or centers associated with) located in either Snezhinsk or Kremlev.	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97.
	MOSO Company, Moscow	For all items subject to the EAR (see § 744.10 of the EAR).	Presumption of denial.	63 FR 40363, 7/29/98.
	Polvus Scientific Production Association, 3 Ulitsa Vvedenskogo, 117342, Moscow.	For all items subject to the EAR (see § 744.10 of the EAR).	Presumption of denial.	63 FR 40363, 7/29/98.

Dated: November 13, 1998.

R. Roger Majak,  
Assistant Secretary for Export  
Administration.

[FR Doc. 98-30877 Filed 11-13-98; 4:10 pm]

BILLING CODE 3810-33-P

#16

(3) If any broken springs are discovered, replace them with airworthy springs using the procedure specified in paragraph (b) of this AD.

(4) Lubricate the threads with NATO 156 oil, then reinstall the six bolts, torqued to 0.4–0.5 m.daN (35.3–44.2 in.-lbs.).

(5) Inspect for interference between the spring and the fairing (Point B, Figure 2), and replace any spring that exhibits such interference in accordance with the procedure specified in paragraph (b) of this AD.

(6) Measure the outward axial protrusion (Dimension e, Figure 1), for each spring. If the protrusion dimension obtained from the measurement required by paragraph (a)(6) of this AD is less than 1mm (0.039-inches), or greater than 2.7mm (0.106 inches), either

- (i) replace the spring with an airworthy spring before further flight or,
- (ii) inspect the out-of-tolerance spring(s) in accordance with paragraph (a)(2) before the first flight of each day until each spring is replaced with an airworthy spring. Any out-of-tolerance spring must be replaced with an airworthy spring within 25 hours time-in-service (TIS).

(b) Replace a broken or out-of-tolerance spring as follows:

- (1) Remove the spring attachment rivet.
- (2) Temporarily install an airworthy spring, P/N 360A33-1078-01, and verify that the axial protrusion (Dimension e, Figure 1) is within tolerance and that no interference (see Figure 2) exists.

(3) Permanently secure the new spring to the fairing with one ASN-A0678B402 rivet, coated with Mastinox 6856KD150-2, and installed with the rivet head on the outside of the fairing (see Figure 1).

(4) Mark an "X" after the fairing part number using indelible ink after completing all inspections and spring replacements, as required.

(c) Reinstall the fairing.

(d) If one or more springs are replaced, rebalance the tail rotor head.

(e) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Rotorcraft Standards Staff, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Standards Staff.

(f) Special flight permits will not be issued.

(g) This amendment becomes effective on December 14, 1998.

**Note 3:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 95-107-039(B)R1 and AD 95-112-049(B), both dated June 7, 1995, and AD 95-108-018(B), dated May 24, 1995.

Issued in Fort Worth, Texas, on November 19, 1998.

Eric Bries,  
Acting Manager, Rotorcraft Directorate,  
Aircraft Certification Service.

[FR Doc. 98-31589 Filed 11-25-98; 8:45 am]

BILLING CODE 4910-13-U

**DEPARTMENT OF COMMERCE**

**Bureau of Export Administration**

**15 CFR Parts 742 and 744**

[Docket No. 98-1019261-8261-01]

RIN 0694-AB73

**Correction to: India and Pakistan Sanctions and Other Measures**

**AGENCY:** Bureau of Export Administration, Commerce.

**ACTION:** Interim rule; correction.

**SUMMARY:** On November 19, 1998, (63 FR 64322) the Bureau of Export Administration published an interim rule revising the Export Administration Regulations (EAR) to codify sanctions against India and Pakistan by setting forth a licensing policy of denial for exports and reexports of items controlled for nuclear nonproliferation and missile technology reasons to India and Pakistan, with limited exceptions. This licensing policy was adopted in practice in existing regulations in June 1998. This rule also contained certain discretionary measures. BXA added to the Entities List set forth in the EAR certain Indian and Pakistani government, parastatal, and private entities determined to be involved in nuclear or missile activities. In addition, Indian and Pakistani military entities were added to the Entity List in order to supplement the sanctions. BXA adopted a licensing policy of a presumption of denial with respect to items specifically listed on the Commerce Control List to listed Indian and Pakistani military entities, with limited exceptions.

This document corrects an inadvertent error in codification related to the Entity List, specifically the entity Wah Munitions Plant.

**EFFECTIVE DATE:** This correction is effective November 27, 1998.

**FOR FURTHER INFORMATION CONTACT:** Sharon Cook, Regulatory Policy Division, Bureau of Export Administration, Telephone: (202) 482-2440.

**SUPPLEMENTARY INFORMATION:** In the interim rule of November 19, 1998 (63 FR 64322), FR Doc. 98-1019261-8261-01, make the following corrections to

Supplement No. 4 to part 744, Entity List:

**PART 744—[CORRECTED]**

**Supplement No. 4 [Corrected]**

1. On page 64341, in the third column of the Entity List table, in the row for Wah Munitions Plant, a.k.a. Explosives Factory, Pakistan Ordnance Factories (POF), correct the phrase, "For all items subject to the EAR having a classification other than EAR99." to read "For all items subject to the EAR."

Dated: November 23, 1998.

Eileen M. Albanese,  
Director, Office of Exporter Services.  
[FR Doc. 98-31666 Filed 11-25-98; 8:45 am]  
BILLING CODE 3510-33-P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Parts 510 and 522**

**New Animal Drugs; Change of Sponsor**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect the change of sponsor for one approved abbreviated new animal drug application (ANADA) from American Veterinary Products, Inc., to Veterinary Research Associates, Inc.

**EFFECTIVE DATE:** November 27, 1998.

**FOR FURTHER INFORMATION CONTACT:** Thomas J. McKay, Center for Veterinary Medicine (HFV-102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-0213.

**SUPPLEMENTARY INFORMATION:** American Veterinary Products, Inc., 749 South Lemay, suite A3-231, Fort Collins, CO 80524, has informed FDA that it has transferred the ownership of, and all rights and interests in, the approved ANADA 200-073 (ketamine hydrochloride) to Veterinary Research Associates, Inc., 20 Old Dock Rd., Yaphank, NY 11980. Accordingly, the agency is amending the regulations in 21 CFR 522.1222a. The agency is also amending the regulations in 21 CFR 510.600(c)(1) and (c)(2) by removing American Veterinary Products, Inc., because the firm is no longer the sponsor of any approved ANADA's, and by alphabetically adding a new listing for Veterinary Research Associates, Inc.

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[FR Doc. 00-6698 Filed 3-16-00; 8:45 am]  
BILLING CODE 4910-13-M

## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

#### 15 CFR Part 744

[Docket No. 981019261-0020-02]

RIN 0694-AB73

#### Export Administration Regulations Entity List: Removal of Entities, Revision in License Policy, and Reformat of List

**AGENCY:** Bureau of Export  
Administration, Commerce.

**ACTION:** Final rule.

**SUMMARY:** On November 18, 1998, the Bureau of Export Administration (BXA) published a rule in the *Federal Register* (63 FR 64322) that added certain Indian and Pakistani entities to the Entity List in the Export Administration Regulations (EAR). This rule removes 51 Indian entities and modifies one entity's listing. In addition, this rule will revise the license review policy for items classified as EAR99 (items that are subject to the EAR, but are not listed on the Commerce Control List) to Indian and Pakistani government, private and parastatal entities from a presumption of denial to a presumption of approval. Also, to correct two inadvertent errors in the publication of the Entity List, this rule: re-designates one existing Pakistani entry on the list as a government entity instead of a military facility; and re-designates one existing Indian entry on the list as a government entity instead of a private or parastatal entity, while also correcting the organization with which it was previously identified. Finally, after consultation between BXA and the Department of State, the subordinates of Indian and Pakistani organizations that are on the Entity List will be moved to appendix A and appendix B of the Entity List, respectively. BXA anticipates this change in policy will increase the number of license applications submitted to BXA.

**DATES:** This rule is effective March 17, 2000.

**FOR FURTHER INFORMATION CONTACT:**  
Eileen M. Albanese, Director, Office of  
Exporter Services, Bureau of Export  
Administration, Telephone: (202) 482-  
0436.

#### SUPPLEMENTARY INFORMATION:

##### Background

In accordance with section 102(b) of the Arms Export Control Act, President Clinton reported to the Congress on May 13, 1998, with regard to India and May 30, 1998, with regard to Pakistan his determinations that those non-nuclear weapon states had each detonated a nuclear explosive device. The President directed in the determination reported to the Congress that the relevant agencies and instrumentalities of the United States take the necessary actions to implement the sanctions described in section 102(b)(2) of that Act. Consistent with the President's directive, the Bureau of Export Administration (BXA) implemented certain sanctions, as well as certain supplementary measures to enhance the sanctions on November 19, 1998 (63 FR 64322).

Based on a consensus decision by the Administration to more tightly focus the sanctions on those Indian entities which make direct and material contributions to weapons of mass destruction and missile programs and items that can contribute to such programs, BXA is removing 51 Indian entities from the Entity list, found in Supplement No. 4 to part 744 of the Export Administration Regulations (EAR), and revising the listing of one Indian entity. In addition, the license application review policy for the export or reexport of items classified as EAR99 to Indian and Pakistani government, private, and parastatal entities will be revised from a presumption of denial to a presumption of approval. The U.S. policy of denial for dual-use items controlled for nuclear proliferation (NP) and missile technology (MT) reasons to all Indian and Pakistani entities remains unchanged, however. Recent Congressional action supports these regulatory revisions. Section 9001(d) of the FY 2000 Defense Appropriations Act (the Act) includes language stating that "it is the sense of Congress that the broad application of export controls to nearly 300 Indian and Pakistani entities is inconsistent with the specific national security interests of the United States and that the control list requires refinement." The Act also states that it is the sense of Congress that "export controls should be applied only to those Indian and Pakistani entities that make direct and material contributions to weapons of mass destruction and missile programs and only to those items that can contribute to such programs."

This rule re-designates the Pakistani entity, Gadwal Uranium Enrichment Plant, as a government entity under § 744.11(c)(1) of the EAR, instead of its

initial designation of a military entity under § 744.12(c). The license review policy for this entity will remain one of denial for items controlled for NP or MT reasons, except items intended for the preservation of safety of civil aircraft, which will be reviewed on a case-by-case basis; and computers, which will be reviewed with a presumption of denial. All other items subject to the EAR to this listed entity will be reviewed with a presumption of denial, with the exception of items classified as EAR99, which will be reviewed with a presumption of approval, under the new review policy set out by this rule.

This rule re-designates the Uranium Recovery Plant, located in Cochin, India, as a government entity under § 744.11(c)(1) of the EAR, instead of its initial designation of a private/parastatal entity under § 744.11(c)(2). In addition, it revises the organization with which it is identified, as the Department of Atomic Energy (DAE), instead of Fertilizers and Chemicals Travancore (FACT), Uranium Corporation of India, Ltd. (UCIL). The license review policy for this entity will remain one of denial for items controlled for NP or MT reasons, except items intended for the preservation of safety of civil aircraft, which will be reviewed on a case-by-case basis; and computers, which will be reviewed with a presumption of denial. All other items subject to the EAR to this listed entity will be reviewed with a presumption of denial, with the exception of items classified as EAR99, which will be reviewed with a presumption of approval, under the new review policy set out by this rule.

This rule does not change the items subject to sanctions for entities remaining on the list. The Administration will continue to review both the list of sanctioned entities and the scope of licensing requirements over items, and may make additional changes.

The removal of entities from the Entity List does not relieve exporters or reexporters of their obligations under General Prohibition 5 in § 736.2(b)(5) of the EAR which provides that, "you may not, without a license, knowingly export or reexport any item subject to the EAR to an end-user or end-use that is prohibited by part 744 of the EAR." BXA strongly urges the use of Supplement No. 3 to part 732 of the EAR, "BXA's 'Know Your Customer' Guidance and Red Flags" when exporting or reexporting to India and Pakistan.

##### Entities Removed From Entity List

Ambarnath Machine Tool Prototype  
Factory

Route: ~~XXXX~~  
Ron Hauber

H20

A/20

amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

**The Rule**

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The

effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

**Conclusion**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant

economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 95**

Airspace, Navigation (air).

Issued in Washington, D.C. on March 14, 2000.

L. Nicholas Lacey,

Director, Flight Standards Service.

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 9091 UTC.

**PART 95—[AMENDED]**

1. The authority citation for part 95 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44719, 44721.

2. Part 95 is amended to read as follows:

**REVISIONS TO IFR ALTITUDES AND CHANGEOVER POINTS**

[Amendment 421 effective date: April 20, 2000, Final]

From—Is amended to read in part	To	MEA
<b>&amp;95.6001 VICTOR ROUTES—U.S. &amp;95.6006 VOR FEDERAL AIRWAY 6</b>		
Niles, IL FIX ..... *2500—MOCA	Chett, MI FIX .....	*3500
Chett, MI FIX ..... *2200—MOCA	Gipper, MI VORTAC .....	*3000
<b>&amp;95.6010 VOR FEDERAL AIRWAY 10</b>		
Niles, IL FIX ..... *2500—MOCA	Chett, MI FIX .....	*3500
Chett, MI FIX ..... *2200—MOCA	Gipper, MI VORTAC .....	*3000
<b>&amp;95.6165 VOR FEDERAL AIRWAY 165</b>		
Mustang, NV VORTAC ..... *100000—MOCA	Pyram, NV FIX .....	*11000
<b>&amp;95.6175 VOR FEDERAL AIRWAY 175</b>		
Worthington, MN VOR/DME ..... *2800—MOCA	Redwood Falls, MN VORTAC .....	*3300
Park Rapids, MN VOR/DME .....	Bemidji, MN VORTAC .....	3400

Ambarnath Ordnance Factory  
 Aruvankadu Cordite Factory  
 Avadi Combine Engine Plant  
 Avadi Heavy Vehicle Factory  
 Avadi Ordnance Clothing Factory  
 \*Bharat Heavy Electrical Limited (BHEL),  
 Hardwar and Ranipet  
 Bhusawal Ordnance Factory  
 Chandigarh Ordnance Cable Factory  
 Chandigarh Ordnance Parachute Factory  
 Combat Vehicle Research and  
 Development Establishment (CVRDE)  
 Cossipore Gun and Shell Factory  
 Defence Bio-Engineering and Electro-  
 Medical Laboratory (DEBEL)  
 Defence Food Research Laboratory (DFRL)  
 Defence Institute of Fire Research (DIFR)  
 Defence Institute of Physiology and Allied  
 Sciences (DIPAS)  
 Defence Institute of Psychological Research  
 (DIPR)  
 Defence Institute of Workstudy (DIWS)  
 Defence Research and Development Unit  
 (DRDU)  
 Defence Research Laboratory (DRL)  
 Defence Terrain Research Laboratory  
 (DTRL)  
 Dehra Dun Opto-Electronics Factory  
 Dehra Dun Ordnance Factory  
 Dehu Road Ordnance Factory  
 Hazratpur Ordnance Equipment Factory  
 Institute of Mathematical Sciences  
 Institute of Physics  
 Institute for Systems Studies and Analyses  
 (ISSA)  
 Interuniversity Consortium of DAE  
 Facilities  
 Jabalpur Gray Iron Foundry  
 Jabalpur Gun Carriage Factory  
 Kanpur Field Gun Factory  
 Kanpur Ordnance Parachute Factory  
 Kanpur Small Arms Factory  
 Katni Ordnance Factory  
 Khamaira Ordnance Factory  
 Kirkee Ammunition Factory  
 Medak Grey Iron Foundry  
 Medak Ordnance Factory  
 Mehra Research Institute of Maths and  
 Math Physics  
 Naval Chemical and Metallurgical  
 Laboratory (NCML)  
 Ordnance Factories Staff College  
 Ordnance Factories Training Institutes  
 Proof and Experimental Establishment  
 Saha Institute of Nuclear Physics  
 Scientific Analysis Group (SAG)  
 Shahjahanpur Ordnance Clothing Factory  
 Tata Institute of Fundamental Research  
 Tiruchchirappalli Heavy Alloy Penetrator  
 Project  
 Titlagarh Ammunition Plant  
 Varangaon Ordnance Factory  
 The Variable Energy Cyclotron Centre  
 (VECC)

\*This is a revision, not a deletion. Only two cities of this entity are being removed.

Lastly, subordinate entities of listed Indian and Pakistani organizations have been moved to appendixes to Supplement No. 4 of part 744 (the Entity List). The subordinates will be listed in alphabetical order under a heading listing the organization with which they are identified.

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, 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, August 13, 1999).

#### Rulemaking Requirements

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

2. This rule contains and involves collections of information subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). These collections have been approved by the Office of Management and Budget under control number 0694-0088, "Multi-Purpose Application," which carries a burden hour estimate of 40 minutes to prepare and submit electronically and 45 minutes to submit manually on form BXA-748P; and 0694-0111, "India Pakistan Sanctions," which carries a burden hour estimate of 40 minutes to prepare and submit electronically and 45 minutes to submit manually on form BXA-748P. Notwithstanding any other provision of law, no person is required to respond 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 OMB Control Number.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 13132.

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 (see 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 final rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 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 not applicable.

Therefore, this regulation is issued in final form. Although there is no formal comment period, public comments on this regulation are welcome on a continuing basis. Comments should be submitted to Sharron Cook, Regulatory Policy Division, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

#### List of Subjects in 5 CFR Part 744

Exports, Foreign trade, Reporting and recordkeeping requirements.

Accordingly, part 744 of the Export Administration Regulations (15 CFR parts 730-774) is amended as follows:

#### PART 744—[AMENDED]

1. The authority citation for 15 CFR part 744 continues to read as follows:

**Authority:** 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *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. Section 744.11 is amended by revising the introductory text and paragraph (c) to read as follows:

#### § 744.11 Restrictions on Certain Government, parastatal, and private entities in Pakistan and India.

To supplement sanctions measures against India and Pakistan, set forth in § 742.16 of the EAR, a prohibition is imposed on exports and reexports to certain government, parastatal, and private entities in India and Pakistan determined to be involved in nuclear or missile activities. With respect to subordinates of listed entities in India and Pakistan, only those specifically listed in Supplement No. 4 to part 744, Entity List, are subject to the restrictions and policies set forth in this section. The addition or deletion of entities to or from Supplement No. 4 to part 744, Entity List, does not relieve you of your obligations under General Prohibition 5 in § 736.2(b)(5) of the EAR: "you may not, without a license, knowingly export or reexport any item subject to the EAR to an end-user or end-use that is prohibited by part 744 of the EAR." You are urged to use the guidance in Supplement No. 3 to part 732 of the EAR, "BXA's 'Know Your Customer' Guidance and Red Flags" when exporting or reexporting to India and Pakistan.

\* \* \* \* \*

(c) *License review standards.* (1) *Government entities.* Applications to export or reexport items controlled for NP or MT reasons to listed government entities will be denied, except items intended for the preservation of safety of civil aircraft, which will be reviewed on a case-by-case basis; and computers, which will be reviewed with a presumption of denial. Items classified as EAR99 will be reviewed with a presumption of approval. All other items subject to the EAR to these listed entities will be reviewed with a presumption of denial.

(2) *Parastatal and private entities.* Applications to export or reexport items controlled for NP or MT reasons to certain parastatal and private entities will be denied, except items intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft, which will be reviewed on a case-by-case basis; and computers, which will be reviewed with a presumption of denial. Items classified as EAR99 will be reviewed with a

presumption of approval. All other items subject to the EAR to these listed entities will be reviewed with a presumption of denial. Except for items controlled for NP or MT reasons, exports or reexports to listed parastatals and private entities with whom you have a preexisting business arrangement will be considered on a case-by-case basis, with a presumption of approval in cases where neither the arrangement nor the specific transaction involves nuclear or missile activities and the exports or reexports are pursuant to that arrangement. Because EAR99 items have a license review policy of presumption of approval, you may choose not to provide documentation of such arrangements for those items. The term "business arrangement" covers the full range of business agreements, including general contracts, general terms agreements (e.g., agreements whereby the seller delivers products under purchase orders to be issued by the buyer), general business agreements, offset agreements, letter agreements that

are stand-alone contracts, and letter agreements that are amendments to existing contracts or other agreements. The terms of the preexisting business arrangement policy may also apply to the longstanding continued supply of a particular item or items from the exporter to the entity even when there is no current agreement between the firms. BXA, in conjunction with other agencies, will determine eligibility under the preexisting business arrangement policy. In order to be eligible under the policy, you must provide documentation to establish such an arrangement. The documentation should be provided at the time you submit a license application to export or reexport items to any listed parastatal or private entity.

3. Supplement No. 4 to part 744 is amended by removing the entities for India and Pakistan and replacing them with the following list of entities for India and Pakistan, and adding Appendixes A and B to Supplement No. 4 to part 744 to read as follows:

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST

Country	Entity	License requirement	License review policy	Federal Register citation
INDIA	Aeronautical Development Agency, Ministry of Defense, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	Aerospace Division, Hindustan Aeronautics Limited (HAL), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	Atomic Energy Commission (AEC) located in Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	Atomic Energy Regulatory Board (AERB), Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	AURO Engineering, Pondicherry	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	Baroda Ammonia Plant, (collocated with the Baroda Heavy Water Production Facility), Gujarat Fertilizers, Baroda.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	Bharat Dynamics Limited, Bhanur and Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	Bharat Earth Movers Limited (BEML), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	Bharat Electronics Limited (BEL), Bangalore, Ghaziabad, and Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	62 FR 26922, 5/16/97; 62 FR 51369, 10/1/97; 63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	Bharat Heavy Electrical Limited (BHEL), Trichy (Tiruchirapalli), Hyderabad, and New Delhi.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]
	Central Manufacturing Technology Institute, a.k.a. Central Machine Tool Institute, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.]

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Centre for Development of Advanced Computing, Department of Electronics, Pune.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Defence Research and Development Organization (DRDO) located in New Delhi and subordinate entities specifically listed in Appendix A to this supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Department of Atomic Energy (DAE) located in Mumbai (formerly Bombay) and the subordinate entities specifically listed in Appendix A to this supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Department of Defense Production and Supplies (DDPS) and the subordinate entities specifically listed in Appendix A to this supplement.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Department of Space (DOS) located in Bangalore and the subordinate entities specifically listed in Appendix A to this supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Electronics Corporation of India, Ltd. (ECIL), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Engine Division, Hindustan Aeronautics Limited (HAL), Bangalore.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Ferrodie Private Limited (FPL), Thane .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Godrej & Boyce Mfg., Co., Ltd., Precision Equipment Division (PED) and Tool Room Division, Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Hazira Ammonia Plant, (collocated at the Hazira Heavy Water Production Facility) Krishak Bharati Cooperative, Ltd., Hazira.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Indian Institute of Science (IIS), Departments of: Aerospace Engineering and Space Technology Cell, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Indian Institute of Technology (IIT), Departments of: Aerospace Engineering and Space Technology Cell, Chennai (formerly Madras).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Indian Institute of Technology (IIT), Departments of: Physics, Aerospace Engineering, and Space Technology Cell, Mumbai (formerly Bombay).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Indian Rare Earths, Ltd. (IREL), located in Mumbai (formerly Bombay) and subordinate entities specifically listed in Appendix A to this supplement.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	62 FR 35335, 6/30/97; 63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Kirloskar Brothers, Ltd. (KB), Pune .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Larsen & Toubro, Ltd. (L&T), Hazira Works, Hazira.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Machine Tool Aids & Reconditioning (MTAR), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Mishra Dhatu Nigam, Ltd. (MIDHANI), Hyderabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	National Aerospace Laboratory, Bangalore .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	National Trisonic Aerodynamic Facility, National Aerospace Laboratory, Bangalore.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	The Nuclear Power Corporation of India, Ltd. (NPCIL), located in Mumbai (formerly Bombay) and subordinate entities specifically listed in Appendix A to this supplement.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Nuclear Science Centre (NSC), New Delhi .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Precision Controls, Chennai (formerly Madras)	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Rama Krishna Engineering Works (REW), Chennai (formerly Madras).	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Talcher Ammonia Plant, (collocated at Talcher Heavy Water Production Facility) Fertilizer Corporation of India, Ltd., Talcher.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Thal-Vaishet Ammonia Plant, (collocated at Thal-Vaishet Heavy Water Production Facility), Rashtriya Chemicals & Fertilizers, Thal-Vaishet in Maharashtra.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Tuticorin Ammonia Plant, (collocated at Tuticorin Heavy Water Production Facility), Southern Petrochemical Industries Corporation, Tuticorin.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Uranium Corporation of India, Ltd. (UCIL), located in Jaduguda and subordinate entities specifically listed in Appendix A to this supplement.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Walchandnagar Industries, Ltd. (WIL), Nadu Desarai and Mahad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
PAKISTAN .....	Abdul Qader Khan Research Laboratories, a.k.a. Khan Research Laboratories (KRL), a.k.a. Engineering Research Laboratories (ERL), Kahuta.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Al Technique Corporation of Pakistan, Ltd. ....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Allied Trading Co. ....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	ANZ Importers and Exporters, Islamabad .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Armed Forces Institute of Pathology—Rawalpindi Laboratory.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Center for Advanced Molecular Biology, Lahore.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Combat Development Directorate (CDD) .....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Defence Science and Technology Organization (DESTO) located in Rawalpindi and subordinate entities specifically listed in Appendix B to this supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Engineering and Technical Services, Islamabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Engineering Research Laboratories (ERL), a.k.a. Abdul Qader Khan Research Laboratories, a.k.a. Khan Research Laboratories (KRL), Kahuta.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Gadwal Ammunition Plant .....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Gadwal Uranium Enrichment Plant .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Ghulam Ishaq Khan Institute of Technology, Topai.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Golra Ultracentrifuge Plant, Golra .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Goth Macchi Nitrogen Fertilizer Plant, Sadiqabad.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Haripur Nitrogen Fertilizer Plant, Hazara .....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Havelian Explosives and Ammunition Plant .....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	High Technologies, Ltd., Islamabad .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Karachi CBW Research Institute, University of Karachi's Husein Ebrahim Jamal Research Institute of Chemistry (HEJRIC).	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Karachi Naval Base and Naval Hqs. And Dockyard.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Karachi Superphos Fertilizer Plant, Al Noor ....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Khan Research Laboratories (KRL) a.k.a. Abdul Qader Khan Research Laboratories, a.k.a. Engineering Research Laboratories (ERL), Kahuta.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98; 62 FR 35334, 6/30/97 [INSERT FR CITE] 3/17/00.
	Khewra Soda Ash Plant, Soda Ash Businesses, Soda Ash Works, Khewra Distt. Jhelum, (owned by ICI Pakistan Limited).	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98; 64 FR 14606, 3/26/99
	Lahore Weapons Plant, PEC .....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Lastech Associates, Islamabad. ....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Machinery Master Enterprises, Islamabad .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Maple Engineering Pvt. Ltd. Consultants, Importers and Exporters.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Mirpur Nitrogen Fertilizer Plant, Mathelo .....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Modern Engineering Services, Ltd., Islamabad	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Multan Chemical Fertilizer Plant .....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	National Development Centre .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	62 FR 35335, 6/30/97; 63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	National Institute of Biotechnology and Genetic Engineering, Faisalabad.	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Orient Importers and Exporters, Islamabad .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Pakistan Atomic Energy Commission (PAEC) located in Islamabad and subordinate entities specifically listed in Appendix B to this supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Pakistan Institute for Nuclear Science and Technology (PINSTECH) located in Islamabad and subordinate entities specifically listed in Appendix B to this supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	62 FR 35334, 6/30/97; 63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Pakistan Ordnance Factories .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	People's Steel Mills, Karachi .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Prime International .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Saniwal Ammunition Plant .....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Scientific and Technical Technology, Ltd., Islamabad.	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Sihala Ultracentrifuge Plant, Sihala .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Space and Upper Atmospheric Research Commission (SUPARCO) and subordinate entities specifically listed in Appendix B to this supplement.	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Space Research Council .....	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Technical Services, Islamabad .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	The Tempest Trading Company, Islamabad .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Unique Technical Promoters .....	For all items subject to the EAR.	See § 744.11(c)(2) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
	Wah Chemical Product Plant .....	For all items subject to the EAR having a classification other than EAR99.	See § 744.12(c) of this part.	63 FR 64322, 11/19/98.
	Wah Munitions Plant, a.k.a. Explosives Factory, Pakistan Ordnance Factories (POF).	For all items subject to the EAR.	See § 744.11(c)(1) of this part.	63 FR 64322, 11/19/98 [INSERT FR CITE] 3/17/00.
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**Appendix A to Supplement No. 4 to Part 744 (Entity List)—Listed Subordinates of Listed Indian Organizations**

The subordinates listed in this appendix are considered listed entities to the Entity List. Subordinates have the same license requirements and review policy as the organizations they are identified under. The subordinates in this appendix are listed in alphabetical order under the organization that they are identified with, which are also listed in alphabetical order.

**Defence Research and Development Organization (DRDO):**

Aerial Delivery Research and Development Establishment (ADRDE), Agra  
Aeronautical Development Establishment (ADE), Bangalore  
Armament Research and Development Establishment (ARDE), Pune  
Centre for Aeronautical Systems Studies and Analysis (CASSA), Bangalore  
Defence Electronics Applications Laboratory (DEAL), Dehra Dun  
Defence Electronics Research Laboratory (DERL or DLRL), Hyderabad  
Defence Laboratory (DL), Jodhpur  
Defence Materials and Store Research and Development Establishment (DMSRDE), Kanpur  
Defence Metallurgical Research Laboratory (DMRL), Hyderabad  
Defence Research and Development Establishment (DRDE), Gwalior  
Defence Research and Development Laboratory (DRDL), Hyderabad  
Defence Science Centre (DSC), New Delhi  
Electronics and Radar Development Establishment (ERDE or LRDE), Bangalore  
Explosive Research and Development Laboratory (ERDL), Pune  
Gas Turbine Research Establishment (GTRE), Bangalore  
Institute of Armament Technology (IAT), Pune  
Instruments Research and Development Establishment (IRDE), Dehra Dun  
The Missile Research and Development Complex, Imarat, Hyderabad  
National Test Range, Baliaabad  
Naval Physical and Oceanographic Laboratory (NPOL), Cochin  
Naval Science and Technological Laboratory (NSTL), Vishakhapatnam  
Research and Development Establishment (Engineers) (R&DE (ENGRS)), Pune  
Solid State Physics Laboratory (SSPL), New Delhi  
Terminal Ballistics Research Laboratory (TBRL), Chandigarh  
Vehicles Research and Development Establishment, Ahmednagar

**Department of Atomic Energy (DAE):**  
Advanced Fuel Fabrication Facility, Tarapur  
Aspara Research Reactor, Trombay  
The Atomic Minerals Division (AMD), Hyderabad  
Baroda Heavy Water Production Facility, Baroda  
Beryllium Machining Facility, Mumbai  
Bhabha Atomic Research Center (BARC), Trombay/Mumbai

Board of Radiation and Isotope Technology (BRIT), Mumbai  
Boron Enrichment Plant, Trombay  
Central Workshops, Trombay  
Centre for Advanced Technology (CAT), Indore  
Centre for the Compositional Characterization of Materials, Hyderabad  
Ceramic Fuels Fabrication Plant, Hyderabad  
Cirus Reactor, Mumbai  
Construction Services and Estate Management Group, Mumbai  
Dhruva Reactor, Mumbai  
Directorate of Purchase and Stores (DPS), Mumbai  
Fast Breeder Test Reactor (FBTR), Kalpakkam  
Fast Reactor Fuel Reprocessing Plant (FRFRP), Kalpakkam  
General Services Organization, Kalpakkam  
Hazira Heavy Water Production Facility, Hazira  
Heavy Water Board, Mumbai  
Indira Gandhi Center for Atomic Research (IGCAR), Kalpakkam  
Kalpakkam Reprocessing Plant (KARP), (a.k.a. Kalpakkam Fuel Reprocessing Plant), Kalpakkam  
Kamini Research Reactor, Kalpakkam  
Kota Heavy Water Production Facility, Kota  
Manuguru Heavy Water Production Facility, Manuguru  
Nangal Heavy Water Production Facility, Nangal  
New Zirconium Sponge Plant, Hyderabad  
Nuclear Fuel Complex (NFC), Hyderabad  
Plutonium Reprocessing Plant, Trombay  
PREFRE Reprocessing Plant, Tarapur  
Prototype Fast Breeder Reactor (PFBR), Kalpakkam  
Purinima Facility, Trombay  
Special Materials Plant, Hyderabad  
Talcher Heavy Water Production Facility, Talcher  
Thal-Vaishet Heavy Water Production Facility, Thal-Vaishet in Maharashtra  
Trombay Reprocessing Plant, Trombay  
Tuticorin Heavy Water Production Facility, Tuticorin  
Uranium Conversion Plant, Trombay  
Uranium Enrichment Plant, Trombay  
Uranium Fuel Assembly Plant, Hyderabad  
Uranium Recovery Plant, Cochin  
Zirconium Fabrication Plant, Hyderabad

**Department of Defense Production and Supplies (DDPS):**

Ambajhari Ordnance Factory  
Chanda Ammunition Loading Plant  
Chanda Ordnance Factory  
Dum Dum Ordnance Factory  
Ishapore Metal and Steel Factory  
Ishapore Rifle Factory  
Itarsi Ordnance Factory  
Kanpur Ordnance Equipment Factory  
Kanpur Ordnance Factory  
Kirkee High Explosives Factory  
Muradnagar Ordnance Factory  
Ordnance Factory Board  
Tiruchchirappalli Ordnance Factory

**Department of Space (DOS):**

Ammonium Perchlorate Experimental Plant, Alwaye

Indian Space Research Organization (ISRO), Bangalore  
Interim Test Range (ITR), Balasore  
ISRO Inertial Systems Unit (IISU), Thiruvananthapura  
Liquid Propulsion Systems Centre, Bangalore  
Liquid Propulsion Systems Centre, Thiruvananthapuram or Valiamala  
Liquid Propulsion Test Facility, Mahendragiri  
Meteorological Rocket Station, Balasore  
Physical Research Laboratory (PRL), Ahmadabad  
Solid Propellant Space Booster Plant (SPROB)  
Space Applications Centre (SAC), Ahmadabad  
Space Physics Laboratory (SPL), Thiruvananthapuram  
Sriharikota Space Centre (SHAR), Andhra Pradesh  
Thumba Equatorial Rocket Launching Station  
Vikram Sarabhai Space Centre (VSSC), Thiruvananthapuram

**Indian Rare Earths, Ltd. (IREL):**

India Minerals Separation Plants, Chhatrapur, Orissa, and Chavara  
The Mineral Sand Separation Complex, Chhatrapur in the Gunjan District of Orissa  
Minerals Recovery Plant, Chavara  
Orissa Sands Complex (OSCOM), Chhatrapur in the Gunjan District of Orissa  
Rare Earth Development Laboratory, Trombay  
Rare Materials Plant, Mysore  
Thorium Plant, Chhatrapur  
Zirconium Oxide Plant, Manavalakuruchi

**The Nuclear Power Corporation of India, Ltd. (NPCIL):**

Heavy Water Upgrade Plant, Kakrapar  
Kaiga Atomic Power Project (KAPP), Kaiga  
Kakrapar Atomic Power Station (KAPS), Kakrapar  
Kundankulam Atomic Power Project, Kundankulam  
Madras Atomic Power Station (MAPS), Kalpakkam  
Narora Atomic Power Station (NAPS), Bullandshahr (Uttar Pradesh)  
Rajasthan Atomic Power Station (RAPS) and Rajasthan Atomic Power Project, Rawatbhata  
Tarapur Atomic Power Station (TAPS) and Tarapur Atomic Power Project, Tarapur

**Uranium Corporation of India, Ltd. (UCIL):**

Bhatin Uranium Mine and Mill, Bhatin  
Jaduguda Uranium Mine and Mill, Jaduguda  
Narwapahar Uranium Mine and Mill, Narwapahar  
Uranium Mine and Mill, Narwapahar, Jaduguda, and Bhatin  
Uranium Mine, Turamdih  
Uranium Recovery Plants, Mosabini (a.k.a. Masabeni), Rakha and Surda (a.k.a. Surdat)

**Appendix B to Supplement No. 4 to Part 744 (Entity List)—Listed Subordinates of Listed Pakistani Organizations**

The subordinates listed in this appendix are considered listed entities to the Entity

List. Subordinates have the same license requirements and review policy as the organizations they are identified under. The subordinates in this appendix are listed in alphabetical order under the organization that they are identified with, which are also listed in alphabetical order.

**Defence Science and Technology Organization (DESTO):**

Chaklala Defense Science and Technology Organization  
Daud Khel Chemical Plant, Lahore  
Karachi CBW & BW Warfare R&D Laboratory

**Pakistan Atomic Energy Commission (PAEC):**

Atomic Energy Minerals Centre, Lahore  
Baghalchur Uranium Mine, Baghalchur  
Center for Nuclear Studies, Islamabad (also PINSTECH)  
Chasma Fuel Fabrication Plant, Kundian  
Chasma Nuclear Power Plant (CHASNUPP), Kundian  
Computer and Development Division, KANUPP Institute of Nuclear Power Engineering (KINPOE)  
Computer Training Center (also PINSTECH), Islamabad  
Dera Ghazi Khan Uranium Mine, Dera Ghazi Khan  
Directorate of Technical Development  
Directorate of Technical Equipment  
Directorate of Technical Procurement  
Hard Rock Division, Peshawar  
Hawkes Bay Depot  
Heavy Water Production Plant, KANUPP, Karachi  
Institute of Nuclear Power, Islamabad  
Issa Khel/Kubul Kel Uranium Mines and Mills, Miniawali District  
Karachi Nuclear Power Plant (KANUPP), Karachi  
KANUPP Institute of Nuclear Power Engineering (KINPOE), Karachi  
Khushab Reactor, Khushab, Punjab  
Mineral Sands Program, Karachi  
Multan Heavy Water Production Facility, Multan Division, Punjab  
National Engineering Service of Pakistan, CHASMA Nuclear Power Plant (CHASNUPP), Kundian  
Science and Engineering Services Directorate  
Uranium Conversion Facility, Islamabad

**Pakistan Institute for Nuclear Science and Technology (PINSTECH):**

New Laboratories, Rawalpindi  
Nuclear Track Detection Center  
Parr-1 Research Reactor  
Parr-2 Research Reactor  
Pilot Reprocessing Plant, New Laboratories  
Solid State Nuclear Track Detection Center

**Space and Upper Atmospheric Research Commission (SUPARCO):**

Aerospace Institute, Islamabad  
Computer Center, Karachi  
Control System Laboratories  
Flight Test Range, Sonmiani Beach  
Instrumentation Laboratories, Karachi  
Material Research Division  
Quality Control and Assurance Unit  
Rocket Bodies Manufacturing Unit  
Solid Composite Propellant Unit

Space and Atmospheric Research Center, Karachi

Static Test Unit, Karachi

Dated: March 14, 2000.

**Iain S. Baird,**

*Deputy Assistant Secretary for Export Administration.*

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**BILLING CODE 3510-33-P**

**COMMODITY FUTURES TRADING COMMISSION**

**17 CFR Parts 15, 16 and 17**

**RIN 3038-ZA10**

**Changes in Reporting Levels for Large Trader Reports**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final Rulemaking.

**SUMMARY:** The Commodity Futures Trading Commission (Commission or CFTC) periodically reviews its large trader reporting rules to ensure that the Commission is receiving adequate information to carry out its market surveillance programs. Based upon the Commission's most recent review of these rules the Commission is amending, as proposed, Parts 15, 16, and 17 of its rules, 17 CFR Parts 15, 16 and 17. The final amendments to Part 15 raise the reporting levels at which futures commission merchants (FCMs), clearing members, foreign brokers,<sup>1</sup> and traders must file large trader reports in certain commodities to reduce the number of required reports. The Commission is also deleting, as proposed, the requirement that where an independent account controller trades for a number of commodity pools, the carrying firm must identify separately each such commodity pool. In addition, the amendments delete, as proposed, reporting Rule 17.01(c) under which a reporting firm was required to identify the number and name of other accounts that the trader controlled or owned that were not included in the special account.

The Commission is also reorganizing, as proposed, the identifying information large traders report on CFTC Form 40 "Statement of Reporting Trader" to obtain and present data more useful to the Commission's market surveillance activities. In addition, the Commission is deleting the requirement under Part 16, as proposed, that exchanges provide weekly option large trader data directly to the Commission. These final

<sup>1</sup> FCMs, clearing members and foreign brokers are referred to herein collectively as "firms."

amendments streamline the reporting process and substantially lessen the burden on persons reporting, as well as the processing workload of the Commission, without compromising the integrity of the Commission's large trader reporting system, its market surveillance activities or its oversight responsibilities.

**EFFECTIVE DATE:** May 16, 2000.

**FOR FURTHER INFORMATION CONTACT:**

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**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Commission has re-examined its rules regarding its large trader reporting system. The Commission's large-trader reporting system is an important Commission oversight tool. These rules require FCMs to report to the Commission position information of the largest futures and options traders and require the traders themselves to provide certain identifying information. Reporting levels are set in the designated futures and option markets under the authority of sections 4i and 4c of the Act to ensure that the Commission receives adequate information to carry out its market surveillance programs. These market surveillance programs are designed to detect and to deter market congestion and price manipulation and to enforce speculative position limits. They also provide information regarding the overall hedging and speculative use of, and foreign participation in, the futures markets and other matters of public interest. Generally, the firm carrying the reportable trader's position files large trader reports.<sup>2</sup>

<sup>2</sup> Specifically, Parts 17 and 18 of the regulations require reports from firms and traders, respectively, when a trader holds a "reportable position." A reportable position is any open contract position that at the close of the market on any business day equals or exceeds the quantity specified in Commission Rule 15.03 in either: (1) Any one future of any commodity on any one contract market, excluding futures contracts against which notices of delivery have been stopped by a trader or issued by the clearing organization of a contract market; or (2) Long or short put or call options that exercise into the same future of any commodity on any one contract market. 17 CFR 15.00 and Part 150. The firms which carry accounts for traders holding "reportable positions" are required to identify those accounts by filing a CFTC Form 102, discussed infra, and to report all reportable positions in the accounts to the Commission. The individual trader who holds or controls the reportable position, however, is required to report

## NRC EXPORT LICENSING PROCESS -- OVERVIEW

NRC must ascertain that the proposed export will be used for its intended peaceful purpose, that appropriate safeguards will be applied against diversion to a military use or nuclear explosive use, and that the other decisional criteria and procedural requirements of the Atomic Energy Act and NRC's regulations (10 CFR Part 110) are satisfied.

A precondition for approving exports of reactors and nuclear fuel is a "Section 123" Agreement for Cooperation between the U.S. and the recipient country which lays down the ground rules for nuclear cooperation and trade. A person wishing to export nuclear materials and facilities from the US under an Agreement for Cooperation applies to NRC for a specific license.

NRC sends copies of the application to the Executive Branch through the State Department, asking for information to help determine whether issuance of the license is consistent with U.S. national security interests. After interagency review, the State Department gives NRC a collective Executive Branch recommendation. NRC uses this recommendation, including associated information on the safeguards, physical protection, and other U.S. nonproliferation legal and policy considerations, in making its decision. (NRC may not approve an export over a negative recommendation of the Executive Branch; however, an NRC license denial is subject to a Presidential override with Congressional notification.)

Exports of certain reactor components, byproduct materials, radioactive waste, graphite, and heavy water do not require an Agreement for Cooperation and can be approved for export under less stringent criteria.

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