

553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United States (Sec. 5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Accordingly, it is issued in final form.

#### List of Subjects

15 CFR Parts 742 and 774

Exports, Foreign trade.

15 CFR Part 745

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

Accordingly, parts 742, 745 and 774 of the Export Administration Regulations (15 CFR Parts 730–799) are amended to read 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.*, 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; Notice of August 13, 1998, 63 FR 44121, 3 CFR, 1999 comp., p.294.

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

**Authority:** 50 U.S.C. 1701 *et seq.*; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; Notice of August 13, 1998, 63 FR 44121, 3 CFR, 1999 comp., p. 294.

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

**Authority:** 50 U.S.C. app. 2401 *et seq.*, 1701 *et seq.*, app 5; 10 U.S.C. 7420, 7430(e); 18 U.S.C. 2510 *et seq.*; 22 U.S.C. 287c; 22 U.S.C. 3201 *et seq.*, 6004; Sec. 201, Pub. L. 104–58, 109 Stat. 557 (30 U.S.C. 185(s), 185(u)); 42 U.S.C. 2139a, 6212; 43 U.S.C. 1354; 46 U.S.C. app. 466c; E.O. 12924, 3 CFR, 1994 Comp., p. 917; E.O. 13026, 3 CFR, 1996 Comp., p. 228; Notice of August 13, 1998, 63 FR 44121, 3 CFR, 1999 comp., p. 294.

#### PART 742 [AMENDED]

4. Section 742.2 is amended by revising the phrase “See also § 742.16 of this part” to read “See also § 742.18 of this part”.

#### PART 745 [AMENDED]

5. Section 745.1 is amended:

a. By revising the phrase “address, for courier deliveries” in paragraph (b)(3) to read “address, for mail and courier deliveries”; and

b. By revising the title to Supplement No. 3 to part 745 to read as follows:

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

\* \* \* \* \*

#### PART 774 [AMENDED]

6. In Supplement No. 1 to part 774 (the Commerce Control List), Category 1, the heading to ECCN 1E001 is revised to read as follows:

**1E001 “Technology” According to the General Technology Note for the “Development” or “Production” of Items Controlled by 1A001.b, 1A001.c, 1A002, 1A003, 1A102, 1B or 1C (Except 1C355, 1C980 to 1C984, 1C988, 1C990, 1C991, 1C992, and 1C995).**

\* \* \* \* \*

Dated: May 19, 1999.

**Eileen M. Albanese,**

*Director, Office of Exporter Services.*

[FR Doc. 99–13350 Filed 5–27–99; 8:45 am]

BILLING CODE 3510–33–P

#### DEPARTMENT OF COMMERCE

##### Bureau of Export Administration

##### 15 CFR Part 744

[Docket No. 970428099–9105–09]

RIN 0694–AB60

##### Entity List: Addition of Entities located in the People’s Republic of China; and Correction to Spelling of One Indian Entity Name.

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

**ACTION:** Final rule.

**SUMMARY:** The Export Administration Regulations (EAR) provide that the Bureau of Export Administration (BXA) may inform exporters, individually or through amendment to the EAR, that a license is required for exports or reexports to certain entities. The EAR contains a list of such entities. This rule adds six entities located in the People’s Republic of China to the Entity List. A license will be required for the export or reexport of all items subject to the EAR having a classification other than EAR99 to five of these entities. A license will be required for the export or reexport of all items subject to the EAR to the Northwest Institute of Nuclear Technology, in the Science Research, Xi’an, Shaanxi. License applications to export or reexport these items will be reviewed on a case-by-case basis to determine whether the export or reexport would make a material

contribution to the proliferation of missiles. This rule also makes a correction to one Indian entity name which was inadvertently misspelled.

**EFFECTIVE DATE:** This rule is effective May 28, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Eileen M. Albanese, Office of Exporter Services, Bureau of Export Administration, Telephone: (202) 482–0436.

#### SUPPLEMENTARY INFORMATION:

##### Background

General Prohibition Five (§ 736.2(b)(5) of the EAR) prohibits exports and reexports to certain end-users or end-uses (described in part 744 of the EAR) without a license. In the form of Supplement No. 4 to part 744, BXA maintains an “Entity List” to provide notice informing the public of certain entities subject to such licensing requirements. 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 (60 FR 42767), August 14, 1996 (61 FR 42527), August 13, 1997 (62 FR 43629) and August 13, 1998 (63 FR 44121).

##### Rulemaking Requirements

1. This final rule has been determined to be not significant for the purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to nor be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. This rule involves a collection of information requirements subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). This collection has been approved by the Office of Management and Budget under control number 0694–0088.

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

4. The provisions of the Administrative Procedure Act requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are

inapplicable because this regulation involves a military or foreign affairs function of the United States (see 5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

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, Office of Exporter Services, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

#### List of Subjects in 15 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:

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

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

**Authority:** 50 U.S.C. app. 2401 *et seq.*, 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; Notice of August 15, 1995 (60 FR 42767, August 17, 1995); Notice of August 14, 1996 (61 FR 42527); Notice of August 13, 1997 (62 FR 43629, August 15, 1997); Notice of August 13, 1998 (63 FR 44121, August 17, 1998).

#### PART 744—[AMENDED]

2. Supplement No. 4 to part 744 is amended by:

(a) Revising the Indian entity name “Misrha Dhatu Nigam, Ltd. (MIDHANI), Hyderabad” to read “Mishra Dhatu Nigam, Ltd. (MIDHANI), Hyderabad; and

(b) Adding, in alphabetical order, the following entities:

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

Country	Entity	License requirement	License review policy	Federal Register citation
CHINA, PEOPLE'S REPUBLIC OF.	Beijing Aerospace Automatic Control Institute, 51 Yong Ding Road Beijing.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR May 28, 1999.
	Beijing Institute of Structure and Environmental Engineering, a.k.a., Beijing Institute of Strength and Environmental Engineering, No. 36 Wanyuan Road Beijing.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR May 28, 1999.
	China Aerodynamics Research and Development Center (CARDIC) Sichuan Province.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR May 28, 1999.
	*	*	*	*
	Northwest Institute of Nuclear Technology, in the Science Research, Xi'an, Shaanxi.	For all items subject to the EAR.	See § 744.2 of this part.	64 FR May 28, 1999.
	Shanghai Academy of Spaceflight Technology, Shanghai, Spaceflight Tower 222 Cao Xi Road Shanghai, 20023.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR May 28, 1999.
*	Shanghai Institute of Space Power-Sources, Shanghai, 388 Cang Wu Rd Shanghai.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR May 28, 1999.
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Dated: May 20, 1999.

**R. Roger Majak,**

*Assistant Secretary for Export Administration.*

[FR Doc. 99–13351 Filed 5–27–99; 8:45 am]

BILLING CODE 3510–33–P

#### COMMODITY FUTURES TRADING COMMISSION

##### 17 CFR Part 30

#### Representations and Disclosures Required by Certain IBs, CPOs and CTAs

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final rules.

**SUMMARY:** The Commodity Futures Trading Commission (“Commission”) is adopting amendments to Commission Rules 30.5 and 30.6. The amendments will revise the procedure by which

foreign persons may obtain an exemption from registration under Rule 30.5 and will require foreign and domestic commodity pool operators and commodity trading advisors to provide U.S. retail customers with certain disclosures, regardless of whether they are trading on U.S. or foreign markets.

**EFFECTIVE DATE:** June 28, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Laurie Plessala Duperier, Special Counsel, or Andrew Chapin, Staff Attorney, Division of Trading and Markets, Commodity Futures Trading Commission, 1155 21st Street, N.W., Washington, D.C. 20581. Telephone: (202) 418–5430.