

limitations on outside earned income and employment: from \$10,000 to \$11,000.

(6) 12 U.S.C. 1833a(b)(1), Financial Institutions Reform, Recovery, and Enforcement Act of 1989, violation: from \$1,000,000 to \$1,100,000.

(7) 12 U.S.C. 1833a(b)(2), Financial Institutions Reform, Recovery, and Enforcement Act of 1989, continuing violations (per day): minimum from \$1,000,000 to \$1,100,000; maximum from \$5,000,000 to \$5,500,000.

(8) 22 U.S.C. 2399b(a)(3)(A), Foreign Assistance Act of 1961, fraudulent claim for assistance: from \$2,000 to \$2,200.

(9) 31 U.S.C. 3729(a), False Claims Act, violations: minimum from \$5,000 to \$5,500; maximum from \$10,000 to \$11,000.

(10) 31 U.S.C. 3802(a)(1), Program Fraud Civil Remedies Act, violation involving false claim: from \$5,000 to \$5,500.

(11) 31 U.S.C. 3802(a)(2), Program Fraud Civil Remedies Act, violation involving false statement: from \$5,000 to \$5,500.

(12) 40 U.S.C. 489(b)(1), Federal Property and Administrative Services Act of 1949, violation involving surplus government property: from \$2,000 to \$2,200.

(13) 41 U.S.C. 55(a)(1)(B), Anti-Kickback Act of 1986, violation involving kickbacks: from \$10,000 to \$11,000.

(b) *Civil Rights Division.* (1) 18 U.S.C. 248(c)(2)(B), Freedom of Access to Clinic Entrances Act of 1994: nonviolent physical obstruction (first order) from \$10,000 to \$11,000; (subsequent order) unchanged at \$15,000.

(2) 18 U.S.C. 248(c)(2)(B), Freedom of Access to Clinic Entrances Act of 1994: other violations (first order) unchanged at \$15,000; (subsequent order) from \$25,000 to \$27,500.

(3) 42 U.S.C. 3614(d)(1)(C), Fair Housing Act of 1968, as amended in 1988: pattern or practice violation (first order) from \$50,000 to \$55,000; (subsequent order) from \$100,000 to \$110,000.

(c) *Criminal Division.* 18 U.S.C. 216(b), Ethics Reform Act of 1989, violation: from \$50,000 to \$55,000.

(d) *Drug Enforcement Administration.* 21 U.S.C. 961(1), Controlled Substances Import Export Act, transshipment and in-transit shipment of controlled substances: from \$25,000 to \$27,500.

Dated: August 12, 1999.

Janet Reno,

Attorney General.

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BILLING CODE 4410-19-P

DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Parts 734, 736, 742, 743, 748, 750 and 774

[Docket No. 990811216-9216-01]

RIN 0694-AB81

Editorial Clarifications and Revisions to the Export Administration Regulations

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Final rule.

SUMMARY: This rule amends the Export Administration Regulations (EAR) by making certain editorial revisions and clarifications to simplify portions of the EAR and correct typographical errors.

DATES: This rule is effective August 30, 1999.

FOR FURTHER INFORMATION CONTACT: Frank J. Ruggiero, Office of Exporter Services, Bureau of Export Administration, Telephone: (202) 482-2440.

SUPPLEMENTARY INFORMATION: This rule makes the following corrections and clarifications:

1. In paragraph 734.5(a) (Activities of U.S. and foreign persons subject to the EAR), the term "nuclear explosive devices" is added.

2. In paragraph 736.2 (b)(3)(ii)(A)(1) (General Prohibition Three), a citation is given to clarify when written assurance from an ultimate consignee is needed to export the direct product of technology or software.

3. Paragraph (c)(6)(ii)(D) of Supplement No. 2 to Part 742 (Anti-Terrorism Controls; Iran, Syria and Sudan Contract Sanctity Dates and Related Topics), is corrected by replacing the phrase "9A994" with "9A991.d" to conform with the Commerce Control List numbering changes made to implement the Wassenaar Arrangement.

4. The heading of paragraph (c)(37) of Supplement No. 2 to Part 742 (Anti-Terrorism Controls; Iran, Syria and Sudan Contract Sanctity Dates and Related Topics), is corrected by replacing the phrase "ECCN 2B992" with "ECCN 2B996" to conform with the Commerce Control List numbering changes made to implement the Wassenaar Arrangement.

5. In paragraph 743.1(c)(1)(v) (Wassenaar Arrangement), a grammatical correction is made.

6. In the first sentence of paragraph (g)(1) of Supplement No. 2 to Part 748 (Unique License Application

Requirements), the citation "\$ 744.4" is deleted.

7. Supplement No. 4 to Part 748 (Authorities Administering Import Certificate/Delivery Verification (IC/DV) and End-Use Certificate Systems in Foreign Countries), the office title, address, phone and fax number of Australia and Belgium are revised.

8. Paragraph 750.7(i) (Records) is redesignated as 750.7(j), and new language is added to paragraph 750.7(i) which clarifies that existing license conditions are terminated when License Exceptions become available or if a product can be exported or reexported without a license.

9. In Category 0 to part 774 (Nuclear Materials, Facilities, and Equipment (And Miscellaneous Items)), the first Reason for Control for ECCN 0A984 is corrected to include shotguns with a barrel length equal to 18 inches.

10. In Supplement No. 2 to part 774 (General Technology and Software Notes), the phrase "License Exception OTS" in the third paragraph of Note No. 1 is corrected to read "License Exception TSU."

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

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 collections of information subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). These collection has been approved by the Office of Management and Budget under control numbers 0694-0088, 0694-0023, and 0694-0106. There are neither additions nor subtractions to these collections due to this rule.

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

List of Subjects

15 CFR Part 734

Administrative practice and procedure, Exports, Foreign trade, Inventions and patents, Research, Science and technology.

15 CFR Part 736

Exports, Foreign trade.

15 CFR Part 742

Exports, Foreign trade, Terrorism.

15 CFR Parts 743, 748, and 750

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

15 CFR Part 774

Exports, Foreign trade, Reporting and recordkeeping requirements.

Accordingly, parts 734, 736, 742, 743, 748, 750 and 774 of the Export Administration Regulations (15 CFR Parts 730–774) are amended as follows:

PART 734—[AMENDED]

1. The authority citation for 15 CFR Part 734 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 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. 13020, 61 FR 54079, 3 CFR, 1996 Comp. p.

219; 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 734.5 is amended by revising the phrase “proliferation of chemical or biological weapons or of missile technology as described in § 744.6 of the EAR and” in paragraph (a) to read “proliferation of nuclear explosive devices, chemical or biological weapons, missile technology as described in § 744.6 of the EAR, and”.

PART 736—[AMENDED]

3. The authority citation for 15 CFR Parts 736 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; E.O. 12924, 59 FR 43437, 3 CFR, 1994 Comp., p. 917; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; Notice of August 10, 1999, 64 FR 44101 (August 13, 1999).

4. Section 736.2 is amended by revising paragraph (b)(3)(ii)(A)(I), to read as follows:

§ 736.2 General prohibitions and determination of applicability.

* * * * *

(b) * * *

(3) * * *

(ii) * * *

(A) * * *

(I) They are the direct product of technology or software that requires a written assurance as a supporting document for a license, as defined in paragraph (o)(3)(i) of Supplement No. 2 to part 748 of the EAR, or as a precondition for the use of License Exception TSR at § 740.6 of the EAR, and

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PART 742—[AMENDED]

5. The authority citation for 15 CFR Part 742 is revised to read as follows:

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

6. Supplement No. 2 to part 742 is amended by revising paragraph (c)(6)(ii)(D), to read as follows:

Supplement No. 2 to Part 742—Anti-Terrorism Controls; Iran, Syria, and

Sudan Contract Sanctity Dates and Related Policies

* * * * *

(c) * * *

(6) * * *

(ii) * * *

(D) Contract sanctity dates for helicopter or aircraft parts and components controlled by 9A991.d: August 28, 1991.

* * * * *

7. Supplement No. 2 to part 742 (Anti-Terrorism Controls; Iran, Syria, and Sudan Contract Sanctity Dates and Related Policies), is amended by revising the phrase “*Manual dimensional inspection machines described in ECCN 2B992*” in the heading of paragraph (c)(37) to read “*Manual dimensional inspection machines described in ECCN 2B996*”.

PART 743—[AMENDED]

8. The authority citation for 15 CFR part 743 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; E.O. 12924, 59 FR 43437, 3 CFR, 1994 Comp., p. 917; Notice of August 10, 1999, 64 FR 44101 (August 13, 1999).

9. Section 743.1 is amended by revising paragraph (c)(1)(v), to read as follows:

§ 743.1 Wassenaar Arrangement.

* * * * *

(c) * * *

(1) * * *

(v) *Category 5:* 5A001.b.8, 5B001 (items specially designed for 5A001.b.8), 5D001.a and .b, and 5E001.a;

* * * * *

PART 748—[AMENDED]

10. The authority citation for 15 CFR Part 748 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; E.O. 12924, 59 FR 43437, 3 CFR, 1994 Comp., p. 917; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; Notice of August 10, 1999, 64 FR 44101 (August 13, 1999).

11. Supplement No. 2 to part 748 (Unique License Application Requirements), is amended by revising the phrase “§ 742.3 or § 744.4 of the EAR,” in paragraph (g)(1) introductory text to read “§ 742.3 of the EAR,”.

12. Supplement No. 4 to part 748 is amended by revising the entry for “Australia” and “Belgium” to read as follows:

Supplement No. 4 to Part 748—Authorities Administering Import Certificate/Delivery Verification (IC/DV) and End Use Certificate Systems in Foreign Countries

Country	IC/DV authorities	System administered
Australia	Director, Strategic Trade Policy and Operations, Industry & Procurement Infrastructure Division, Department of Defence, Campbell Park 4-1-53, Canberra ACT 2600 Phone: +61 (0)2 6266 3717, Fax: +61 (0)2 6266 2997.	IC/DV.
Belgium	Ministere Des Affaires Economiques, Administration Des Relations Economiques Rue General Leman, 60 1040 Bruxelles Phone: 02/206.58.16, Fax: 02/230.83.22.	IC/DV.

PART 750—[AMENDED]

13. The authority citation for 15 CFR Part 750 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; E.O. 12924, 59 FR 43437, 3 CFR, 1994 Comp., p. 917; E.O. 12981, 60 FR 62980, 3 CFR, 1997 Comp., p. 60; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; Notice of August 10, 1999, 64 FR 44101 (August 13, 1999).

14. Section 750.7 is amended by:
a. redesignating paragraph (i) as paragraph (j), and
b. adding a new paragraph (i) to read as follows:

§ 750.7 Issuance of licenses.

(i) *Terminating license conditions.* Exporters or reexporters who have shipped under licenses with conditions that would not apply to an export under a License Exception or if no license was required, and foreign consignees who have agreed to such conditions, are no longer bound by these conditions when the licensed items become eligible for a

License Exception or can be exported or reexported without a license. Items that become eligible for a License Exception are subject to the terms and conditions of the applicable License Exception and to the restrictions in § 740.2 of the EAR. Items that become eligible for export without a license remain subject to the EAR and any export, reexport, or disposition of such items may only be made in accordance with the requirements of the EAR. Termination of license conditions does not relieve an exporter or reexporter of its responsibility for violations that occurred prior to the availability of a License Exception or prior to the removal of license requirements.

PART 774—[AMENDED]

15. The authority citation for 15 CFR Part 774 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 10 U.S.C. 7420, 7430(e); 18 U.S.C. 2510 *et seq.*; 22 U.S.C. 287c, 3201

et seq., 6004; 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; 50 U.S.C. app. 5; E.O. 12924, 59 FR 43437, 3 CFR, 1994 Comp., p. 917; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; Notice of August 10, 1999, 64 FR 44101 (August 13, 1999).

16. In Supplement No. 1 to part 774, Category 0—Nuclear Materials, Facilities, and Equipment [And Miscellaneous Items] is amended by revising ECCN 0A984 to read as follows: Supplement No. 1 to—

PART 774—THE COMMERCE CONTROL LIST

* * * * *

0A984 Shotguns, barrel length 18 inches (45.72 cm) inches or over; buckshot shotgun shells; except equipment used exclusively to treat or tranquilize animals, and except arms designed solely for signal, flare, or saluting use; and parts, n.e.s.

License Requirements

Reason for Control: CC, UN.

Control(s)	Country Chart
CC applies to shotguns with a barrel length greater than or equal to 18 in. (45.72 cm), but less than 24 in. (60.96 cm) or buckshot shotgun shells controlled by this entry, regardless of end-user.	CC Column 1.
CC applies to shotguns with a barrel length greater than or equal to 24 in. (60.96 cm), regardless of end-user	CC Column 2.
CC applies to shotguns with a barrel length greater than or equal to 24 in. (60.96 cm) if for sale or resale to police or law enforcement.	CC Column 3.
UN applies to entire entry	Rwanda; Federal Republic of Yugoslavia (Serbia and Montenegro).

License Exceptions

LVS: N/A
GBS: N/A
CIV: N/A

List of Items Controlled

Unit: \$ value.

Related Controls: This entry does not control shotguns with a barrel length of less than 18 inches (45.72 cm). (See 22 CFR part 121.) These items are subject to the export licensing authority of the Department of State, Office of Defense Trade Controls.

Related Definitions: N/A.

Items: The list of items controlled is contained in the ECCN heading.

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17. Supplement No. 2 to part 774 is amended by revising the phrase "License Exception OTS" in paragraph 1. General Technology Note to read "License Exception TSU".

Dated: August 19, 1999.

R. Roger Majak,

Assistant Secretary for Export Administration.

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