



EIB World Trade Headlines

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June 1, 2016 - Volume 8, Issue 10

Vietnam ITAR Embargo to be Lifted

New Items and Announcements

Industry Notice: *Change in Policy on Exports of Munitions to Vietnam (05.23.16)*

Pursuant to a decision made by the Secretary of State and effective immediately, the Department of State's policy prohibiting the sale or transfer of lethal weapons to Vietnam, including restrictions on exports to and imports from Vietnam for arms and related materiel, has been terminated. Consequently, in accordance with the Arms Export Control Act, the Directorate of Defense Trade Controls (DDTC) will review on case-by-case basis applications for licenses to export or temporarily import defense articles and defense services to or from Vietnam under the International Traffic in Arms Regulations (ITAR). DDTC will soon publish a rule in the Federal Register to implement a conforming change to ITAR §126.1.

NEWSLETTER NOTES

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Airbus Delivers its 1st Aircraft Produced in the USA

JetBlue receives A321 from Airbus team in Mobile, Alabama

The first ever delivery of an aircraft from the Airbus U.S. Manufacturing Facility took place today, April 25 th , in Mobile, Alabama. The entire team of employees from the American assembly line gathered to present their very first completed product, an Airbus A321, to JetBlue. On hand for the occasion were executives from Airbus, JetBlue senior management, including President and CEO Robin Hayes, and a broad collection of dignitaries from the Gulf Coast region.

“I am immensely proud to be here to participate in this first delivery from Mobile,” said John Leahy, Airbus Chief Operating Officer – Customers. “Going from breaking ground on this facility three years ago to handing over the first Alabama-produced A321 today is an amazing accomplishment. It’s a testament to how well executed this project was and how strong the teamwork has been here in Mobile and throughout Airbus. The Airbus U.S. Manufacturing Facility has brought together all the best aspects of our other assembly lines around the world, and it shows how Airbus people work hand in hand with our partners to deliver great aircraft to our customers.”

Airbus announced its commitment to build a single-aisle assembly line in Mobile, Alabama in 2012, and less than one year later, broke ground on the \$600 million (U.S.) facility. The ceremonial inauguration of the plant came in September 2015. The aircraft delivered today, a JetBlue A321, successfully had its first flight on March 21 st , 2016.

In addition to the JetBlue A321 delivered today, there are currently nine other A320 Family aircraft in production at the facility. Airbus anticipates delivering four aircraft per month from the Mobile plant by the end of 2017. The initial deliveries will all be A320 Family aircraft with the Current Engine Option (CEO), but will begin transitioning to New Engine Option (NEO) derivatives in late 2017.

In addition to hundreds of new Airbus jobs the project has brought to the local community, the Mobile area has seen many Airbus suppliers open new facilities in the region, providing even more employment and a parallel boost to the local economy. Airbus is proud to boast that 87 percent of its new employees are from the Gulf Coast region, with nearly one third being U.S. military veterans.

Demonstrating the adage “The Sun Never Sets on Airbus” – Airbus aircraft are now produced around the clock, 24 hours a day, at facilities in: Mobile, Alabama; Hamburg, Germany; Toulouse, France; and Tianjin, China.

The Key Players in Global Naval Radar Systems Market 2016-2020

The report, now available on [ASDReports](#), recognizes the following companies as the key players in the Global Naval Radar Systems Market: Finmeccanica SpA, Lockheed Martin Corp., Northrop Grumman Corp., Raytheon Co., and Thales Group.

Other Prominent Vendors in the market are: Airbus Defense and Space, BAE Systems, General Dynamics, Israel Aerospace Industries, and Saab Group.

Commenting on the report, an analyst said: “With the introduction of stealth technology in aircraft, corner reflectors rendered them undetected by conventional radar systems. However, the introduction of passive radar technology has overpowered the stealth technology. Unlike conventional radar systems, passive radars do not emit waves, and therefore, cannot be jammed. They can be placed at remote locations to track flying objects at low altitudes and are imperative for military operations.”

According to the report, in recent years, technology has allowed unmanned aerial vehicles (UAV) to overcome critical drawbacks (such as navigational issues and automated operation) and be a vital part of military mainstream applications. Increased R&D in this field has brought improvement in their frameworks like the smaller size and reduced cost and has resulted in UAVs to be extremely efficient and exceedingly competent. Military operations always look for such increased reliability and proven effectiveness in any such new technology.

Further, the report states that the radars that are being used in marine applications are prone to jamming and thus pose serious threats.

The study was conducted using an objective combination of primary and secondary information including inputs from key participants in the industry. The report contains a comprehensive market and vendor landscape in addition to a SWOT analysis of the key vendors.

Thales to deliver Unmanned Air Service capability with its Fulmar solution to the MMEA

- *The Malaysian Maritime Enforcement Agency selects ThalesaEUR(tm)s Fulmar UAS to equip six New Generation Patrol Crafts.*

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- *The Fulmar system offers rapid deployment and retrieval, with minimal interference to the shipaEUR(tm)s operations whilst in motion.*
- *The system offers high performance surveillance features such as Automatic Detection and Tracking and Automatic Identification*

Thales reinforces its commitment to supporting Malaysian maritime security by securing a contract to deliver the Fulmar UAS system to the Malaysian Maritime Enforcement Agency.



Fulmar, a small, high performance, fixed wing UAS, is to be installed on six New Generation Patrol Crafts (NGPC), being constructed by Destini Shipbuilding and Engineering Sdn. Bhd. The maritime design of Fulmar allows the aircraft to take-off and land, whilst the ship is in motion, a key requirement of the MMEA. This capability offers an unrivalled competitive advantage to other systems in the market.

Fulmar will extend the operational capabilities of the Malaysian maritime surveillance fleet, proving a broad range of operational capabilities including counter-piracy, anti-smuggling operations, fisheries policing and border surveillance. Automatic detection and tracking systems and Automatic Identification Systems (AIS) deliver unrivalled high performance surveillance on a flexible platform.

Thales remains committed to supporting the Malaysian authorities as it renews and updates its naval fleet. Starting in 2016, Thales employees in Malaysia will provide local training and support for the Fulmar, ensuring effective knowledge transfer for operational and maintenance needs throughout the system's life cycle.

Thales has over 40 years of experience in airborne surveillance systems and is the European leader in Tactical Unmanned Aircraft, making us the ideal partner for current and future surveillance UAV programmes.

"As the MMEA seeks to upgrade its surveillance capabilities, the Fulmar provides a competitive solution which complements its state-of-the-art vessels. We are pleased to partner with Thales in further developing the expertise in coastal surveillance in Malaysia." Tan Sri Dato' Seri Rodzali Bin Daud, Chairman of Destini Berhad

U.S. Sees China Boosting Military Presence After Island-Building Spree

"Substantial infrastructure, including communications and surveillance systems, is expected to be built on these features."

China is expected to add substantial military infrastructure, including surveillance systems, to artificial islands in the South China Sea this year, giving it long-term "civil-military bases" in the contested waters, the Pentagon said on Friday.

In its annual report to Congress on China's military activities in 2015, the U.S. Defense Department estimated that China's reclamation work had added more than 3,200 acres (1,300 hectares) of land on seven features it occupied in the Spratly Islands in the space of two years.

It said China had completed its major reclamation efforts in October, switching focus to infrastructure development, including three 9,800 foot-long (3,000 meter) airstrips that can accommodate advanced fighter jets.

"Additional substantial infrastructure, including communications and surveillance systems, is expected to be built on these features in the coming year," the report said.

"China will be able to use its reclaimed features as persistent civil-military bases to enhance its presence in the South China Sea significantly."

The report comes at a time of heightened tension over maritime territories claimed by China and disputed by several Asian nations. Washington has accused Beijing of militarizing the South China Sea while Beijing, in turn, has criticized increased U.S. naval patrols and exercises in Asia.

The Pentagon report said China was focusing on developing capabilities to counter outside intervention in any conflict, but appeared to want to avoid direct confrontation with the United States in Asia, given the potential economic damage.

At the same time, "China demonstrated a willingness to tolerate higher levels of tension in the pursuit of its interests, especially in pursuit of its territorial claims," the report said.

MILITARY CHIEFS TALK

The Pentagon disclosed on Friday that the U.S. military's top officer, Marine General Joseph Dunford, had proposed an effort to "bolster risk reduction mechanisms" to his counterpart, the Chinese Chief of the Joint Staff Department, General Fang Fenghui.

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Dunford's spokesman, Captain Greg Hicks, said in a statement that both sides agreed the talks, which took place by video conference on Thursday, were a valuable way to "manage both cooperative and contentious issues, and avoid miscalculation."

The Pentagon's report cautioned that China was committed to sustaining growth in defense spending even as its economic growth cools and to pursuing objectives increasingly distant from China's shores.

Abraham Denmark, deputy assistant secretary of defense for East Asia, told a briefing that China's 2015 defense spending was higher than it publicly disclosed and had reached \$180 billion, compared with an official Chinese of \$144 billion.

The report pointed to China's November announcement that it was establishing a military facility in Djibouti. It said China was also expected to establish naval logistics hubs in countries with which it shares interests, including Pakistan.

The U.S report renewed accusations against China's government and military for cyber attacks against U.S. government computer systems, a charge Beijing denies. It said attacks in 2015 appeared focused on intelligence collection.

"Targeted information could inform Chinese military planners' work to build a picture of U.S. defense networks, logistics, and related military capabilities that could be exploited during a crisis," the report said.

It also cautioned that the actions and skills needed for the intrusions carried out to date "are similar to those necessary to conduct cyberattacks."

(Reporting by Phil Stewart and David Brunnstrom; editing by Stuart Grudgings)

U.S. fight against Chinese espionage ensnares innocent Americans

American Xiaoxing Xi, chair of Temple University physics department, was wrongly accused of sending American technology to China and worries about his career

The U.S. Justice Department bungled the economic espionage case against Xiaoxing Xi. It investigated him for contact with Chinese scientists that was required by his U.S. funded research grants. Now cleared, Xi, a naturalized citizen of the U.S., fears the false accusations may have lingering

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percussions on his promising career. Xi appears in his first television interview in a Bill Whitaker story about Chinese-American citizens wrongly accused of economic espionage-related crimes for China. Whitaker's report will be broadcast on 60 Minutes Sunday, May 15 at 7 p.m. ET/PT.

Last May, Xi was arrested at his home in a raid by armed FBI agents wearing bullet-proof vests. At first he thought it was a mistake. Soon he learned otherwise. "I was saying to myself, they're going to put me in jail, and all of these things that I've been working for years was coming to an end," he tells Whitaker.

The government accused Xi of providing Chinese scientists with a piece of proprietary American technology used for superconductor research. It turned out Xi was collaborating with the Chinese scientists on a completely different device that he was developing himself. It wasn't proprietary and it had no economic value. Still, it took four months and \$200,000 in legal fees before his lawyer, Peter Zeidenberg, could make the government recognize its mistake. Xi is back at Temple, but he will no longer chair the physics department. The Justice Department has not apologized. "I didn't do anything wrong but my family and myself had to go through this. I think we deserve some kind of apology," he says. "And, you know, it's not over, right? The scars from this traumatic experience is so deep that it's going to be with us for the rest of our life."

Zeidenberg, a former federal prosecutor, blames government alarm about a legitimate problem. Chinese economic espionage costs the U.S. economy hundreds of billions of dollars. "I think prosecutors are feeling pressure to bring these cases. I think investigators are excited about bringing cases that may be high profile," he says.

Zeidenberg also represents Sherry Chen, a naturalized American citizen and former National Weather Service hydrologist who was suspected of passing government data on U.S. infrastructure to China. As in Xi's case, prosecutors eventually dropped the charges against Chen. But she was fired from her job. In her first television interview, Chen tells Whitaker, "I'm a dedicated worker. I didn't do anything wrong. And I love my job."

The Justice Department would not be interviewed on camera but gave 60 Minutes this statement: "We investigate and prosecute individuals based on known or suspected criminal activities or threats to national security, not based on race, ethnicity or national origin."

NEW JERSEY MAN CHARGED WITH CONSPIRACY TO PROVIDE FALSE STATEMENTS RELATED TO EXPORT OF PROHIBITED GOODS TO IRAN

SCRANTON - The United States Attorney's Office for the Middle District of Pennsylvania announced today that a plea agreement and a felony Criminal Information charging a New Jersey man with conspiring to provide false statements related to illegally exporting goods to Iran have been filed in U.S. District Court in Scranton, Pennsylvania.

According to United States Attorney Peter Smith, Asim Fareed, age 51, of North Brunswick, New Jersey, has agreed to enter a guilty plea to conspiracy to provide false statements in connection to the illegal export of goods to Iran. According to the Information, Fareed operated an export business in Somerset, New Jersey and agreed to ship items purchased by customers in Iran and to provide false documentation to the U.S. Department of Commerce for export purposes. Communications concerning the shipments passed between New Jersey and a site in Lackawanna County, Pennsylvania. No actual shipments were, in fact, delivered to Iran.

The Information charges that in 2013 and 2014 Fareed conspired with others to export items from the United States, through third party countries to customers in Iran. According to the Information, Fareed prepared invoices which listed false information as to the identity and geographic location of the purchasers of the goods. The items were then to be shipped from the United States to the United Arab Emirates, and thereafter transshipped to Iran. The plea agreement is subject to the approval of the court.

"The Office of Export Enforcement vigorously pursues violators of our nation's export control laws, which are in place to further and protect our national security and foreign policy. As in this instance, we work closely with our colleagues at HSI and other law enforcement agencies in prosecuting this case," said Jonathan Carson, Special Agent in Charge, U.S. Department of Commerce, Bureau of Industry and Security, Office of Export Enforcement, New York Field Office.

"This case demonstrates how far individuals will go to circumvent U.S. export laws to export goods to countries like the Islamic Republic of Iran," said Angel M. Melendez, special agent in charge of HSI in New York. "The Iran Trade Embargo prohibits Americans from supplying goods, technology and services to Iran directly or indirectly. HSI is committed to aggressively pursuing those who conduct illegal business with Iran."

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The case was investigated by the Department of Commerce, Office of Export Enforcement and U.S. Immigration and Custom Enforcement's (ICE), Homeland Security Investigations (HSI). Assistant U.S. Attorney Todd K. Hinkley is prosecuting the case.

Informations are only allegations. All persons charged are presumed to be innocent unless and until found guilty in court.

A sentence following a finding of guilty is imposed by the Judge after consideration of the applicable federal sentencing statutes and the Federal Sentencing Guidelines.

Under the Federal Sentencing Guidelines, the Judge is also required to consider and weigh a number of factors, including the nature, circumstances and seriousness of the offense; the history and characteristics of the defendant; and the need to punish the defendant, protect the public and provide for the defendant's educational, vocational and medical needs. For these reasons, the statutory maximum penalty for the offense is not an accurate indicator of the potential sentence for a specific defendant.

Cuba: Exports and Reexports of Foreign-Made Items

Both the Department of Commerce's Bureau of Industry and Security (BIS) and the Department of the Treasury's Office of Foreign Assets Control (OFAC) administer Cuba sanctions pursuant to the Export Administration Regulations (EAR) (15 C.F.R. Parts 730-774) and the Cuban Assets Control Regulations (CACR) (31 C.F.R. Part 515), respectively. Most export or reexport transactions require general or specific authorizations from both BIS and OFAC. OFAC has issued a general license authorizing all transactions ordinarily incident to the exportation of items from the United States, or the reexportation of 100 percent U.S.-origin items from a third country, to any person in Cuba, provided that the exportation is licensed or otherwise authorized by BIS. See 31 C.F.R. § 515.533. Accordingly, for those BIS-licensed exports or reexports, further OFAC authorization generally is not needed. However, in some cases, a specific license from OFAC may be required in connection with BIS-authorized exports or reexports. For example, although BIS may authorize the export to Cuba of foreign-made items from the United States, persons may require a specific license from OFAC for the initial importation into the United States of items specifically intended for export to Cuba. Additionally, even if BIS has authorized the reexport of items that are not 100 percent U.S.-origin to Cuba, persons subject to U.S. jurisdiction would also require a specific license from OFAC to reexport the

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items, and OFAC's consideration of applications for such licenses may be subject to statutory restrictions. See 31 C.F.R. § 515.559.

For additional information regarding BIS's Cuba sanctions, please visit <http://www.bis.doc.gov/cuba>. You may also call BIS's Foreign Policy Division (202-482-4252).

For additional information regarding OFAC's Cuba sanctions, please visit <http://www.treasury.gov/cuba>.

You may also call OFAC's toll free hotline (800-540-6322), its local hotline (202-622-2490), or the Licensing Division (202-622-2480), or send a message to OFAC's email hotline account (ofac_feedback@treasury.gov).

Removal of Short Supply License Requirements on Exports of Crude Oil 5/12/16 81 FR 29483

Federal Register/Vol. 81, No. 92/Thursday, May 12, 2016/Rules and Regulations 29483

(v) Implement conservation practices consistent with an approved forest management plan when the EQIP plan of operations includes forest-related practices that address resource concerns on NIPF,

■ 6. Amend § 1466.25 by revising paragraphs (b) through (d), redesignating paragraph (e) as paragraph (f), and adding a new paragraph (e) to read as follows:

§ 1466.25 Contract modifications and transfers of land.

(b) Within the time specified in the contract, the participant must provide NRCS with written notice regarding any voluntary or involuntary loss of control of any acreage under the EQIP contract, which includes changes in a participant's ownership structure or corporate form. Failure to provide timely notice will result in termination of the entire contract.

(c) Unless NRCS approves a transfer of contract rights under this paragraph (c), a participant losing control of any acreage will constitute a violation of the EQIP contract and NRCS will terminate the contract and require a participant to refund all or a portion of any financial assistance provided. NRCS may approve a transfer of the contract if:

- (1) NRCS receives written notice that identifies the new producer who will take control of the acreage, as required in paragraph (d) of this section;
- (2) The new producer meets program eligibility requirements within a reasonable time frame, as specified in the EQIP contract;

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- (3) The new producer agrees to assume the rights and responsibilities for the acreage under the contract; and
 - (4) NRCS determines that the purposes of the program will continue to be met despite the original participant's losing control of all or a portion of the land under contract.
- (d) Until NRCS approves the transfer of contract rights, the new producer is not a participant in the program and may not receive payment for conservation activities commenced prior to approval of the contract transfer.
- (e) NRCS may not approve a contract transfer and may terminate the contract in its entirety if NRCS determines that the loss of control is voluntary, the new producer is not eligible or willing to assume responsibilities under the contract, or the purposes of the program cannot be met.

Signed this 26th day of April, 2016, in Washington, DC.

Jason A. Weller,

Vice President, Commodity Credit Corporation, and Chief, Natural Resources Conservation Service.

[FR Doc. 2016-10161 Filed 5-11-16; 8:45 am]

BILLING CODE 3410-16-P

DEPARTMENT OF COMMERCE Bureau of Industry and Security

15 CFR Parts 730, 740, 742, 744, 746, 754, 762, 772, and 774 [Docket No. 160302175- 6175- 01] RIN 0694-AG83

Removal of Short Supply License Requirements on Exports of Crude Oil

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) publishes this final rule to amend the Export Administration Regulations (EAR) to remove the short supply license requirements that, prior to the entry into force of the "Consolidated Appropriations Act, 2016" on December 18, 2015, applied to exports of crude oil from the United States. Specifically, this rule removes the Commerce Control List (CCL) entry and the corresponding short supply provisions in the EAR that required a license from BIS to export crude oil from the United States. This rule also amends certain other EAR provisions to reflect the removal of these short supply license requirements. The changes made by this rule are intended to bring the provisions of the EAR into full compliance with the act, which mandates that, apart from certain exemptions specified therein, "no official of the Federal Government shall impose or enforce any restriction on the export of crude oil." Consistent with the exceptions in the act, exports of crude oil continue to require authorization from BIS to embargoed or sanctioned countries or persons and to persons subject to a denial of export privileges. **DATES:** This rule is effective May 12, 2016.

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ADDRESSES: Send comments regarding this collection of information, including suggestions for reducing the burden, to Jasmeet Sehra, Office of Management and Budget (OMB), by email to Jasmeet_K_Sehra@omb.eop.gov, or by fax to (202) 395-7285; and to the Regulatory Policy Division, Bureau of Industry and Security, Department of Commerce, 14th Street & Pennsylvania Avenue NW., Room 2705, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT:

Eileen Albanese, Director, Office of National Security and Technology Transfer Controls, Bureau of Industry and Security, Telephone: (202) 482-0092, Email: eileen.albanese@bis.doc.gov.

SUPPLEMENTARY INFORMATION: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to comply with the requirements of Division O, Title 1, Section 101 of Public Law 114-113 (the Consolidated Appropriations Act, 2016) concerning exports of crude oil from the United States. These provisions repeal Section 103 of the Energy Policy and Conservation Act (formerly, 42 U.S.C. 6212), which required that the President promulgate a rule prohibiting the export of crude oil, and mandate, instead, that “notwithstanding any other provision of law, except as provided in subsections (c) and (d) . . . no official of the Federal Government shall impose or enforce any restriction on the export of crude oil.” Consistent with this requirement, this final rule amends part 754 of the EAR by removing and reserving § 754.2, which described the short supply license requirements and licensing policies that applied to exports of crude oil from the United States to all destinations. This rule also amends the Commerce Control List (CCL) in Supplement No. 1 to part 774 of the EAR by removing Export Control Classification Number (ECCN) 1C981, which controlled crude petroleum, including reconstituted crude petroleum, tar sands and crude shale oil listed in Supplement No. 1 to part 754 of the EAR (Crude Petroleum and Petroleum Products). In addition, this rule moves the definition of “crude oil,” which previously appeared in § 754.2(a) of the EAR, to § 772.1 (Definitions of terms as used in the Export Administration Regulations (EAR)), because it continues to have relevance with respect to the end-user/end-use requirements in part 744 of the EAR and the embargoes and other special controls in part 746 of the EAR. The scope of this definition remains unchanged.

The effect of the changes described above is to remove the short supply license requirements previously applicable to crude oil, as controlled under ECCN 1C981, thereby making crude oil an EAR99 item (i.e., subject to the EAR, as described in § 734.3(a), but no longer listed on the CCL). As such, crude oil exports will now be treated similarly to exports of petroleum products listed in Supplement No. 1 to part 754 that have not been produced or derived from the Naval Petroleum Reserves (NPR) or become available for export as a result of an exchange of any NPR produced or derived

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commodities (such petroleum products are not controlled under ECCN 1C980, 1C982, 1C983, or 1C984 on the CCL, but are designated as EAR99 items, instead). As an EAR99 item, crude oil remains subject to the EAR, as described in § 734.3(a) of the EAR, and exports of crude oil continue to require authorization from BIS to embargoed or sanctioned countries or persons and to persons subject to a denial of export privileges, as described in parts 744, 746, and 764 of the EAR. The continuance of these EAR controls is consistent with the exemptions stated in Division O, Title 1, Section 101, subsections (c) and (d) of Public Law 114-113. This final rule also amends certain other provisions in the EAR to reflect the removal of the short supply license requirements on crude oil. Specifically, this rule makes additional amendments to part 754 by removing and reserving paragraph (b)(1)(i) in § 754.1 and by removing and reserving Supplement No. 3 to part 754 (Statutory Provisions Dealing with Exports of Crude Oil). This rule also removes references to § 754.2 from Supplement No. 1 to part 730 and § 762.2(b)(39). In addition, this rule amends § 740.15 (License Exception AVS) by removing the parenthetical reference to § 754.2 from § 740.15(b)(3) and by removing the Note to paragraph (c)(3), which also referenced § 754.2. This rule also removes references to ECCN 1C981 from § 742.1(b)(1) and § 746.7(a)(1) of the EAR. In § 744.7 (Restrictions on Certain Exports to and for the use of Certain Foreign Vessels or Aircraft), paragraphs (b)(3)(i) and (ii) are revised to remove the exclusions that previously applied to crude oil and blends of crude oil with other petroleum products, because such items were subject to the short supply controls described in § 754.2 of the EAR. Finally, this rule removes authority citations for statutory provisions dealing with restrictions on the exports of crude oil, which no longer provide BIS with enforcement authority, based on Division O, Title 1, Section 101, subsection (b) of Public Law 114-113, which prohibits officials of the Federal Government from imposing or enforcing any restriction on the export of crude oil “notwithstanding any other provision of law.” Specifically, this rule removes the authority citations to 30 U.S.C. 185(s), 30 U.S.C. 185(u), and 43 U.S.C. 1354 from parts 730, 754, and 774 of the EAR.

Although the Export Administration Act expired on August 20, 2001, the President, through Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as amended by Executive Order 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013), and as extended by the Notice of August 7, 2015 (80 FR 48233 (Aug. 11, 2015)), has continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.). BIS continues to carry out the provisions of the Export Administration Act, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222 as amended by Executive Order 13637.

Rulemaking Requirements

1. Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory

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approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has been designated a “significant regulatory action,” although not economically significant, under section 3(f) of Executive Order 12866. Accordingly, the rule has been reviewed by the Office of Management and Budget.

2. Notwithstanding any other provision of law, no person is required to respond to, 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 of 1995 (44 U.S.C. 3501 et seq.) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This rule contains a collection of information subject to the requirements of the PRA. This collection has been approved by OMB under Control Number 0694–0088 (Multi-Purpose Application), which carries a burden hour estimate of 58 minutes to prepare and submit form BIS–748. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Jasmeet Seehra, Office of Management and Budget, and to the Regulatory Policy Division, Bureau of Industry and Security, Department of Commerce, as indicated in the **ADDRESSES** section of this rule.

3. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

4. The provisions of the Administrative Procedure Act (APA) (5 U.S.C. 553) requiring notice of proposed rulemaking and the opportunity for public participation are waived for good cause, because they are “unnecessary” and “contrary to the public interest.” (See 5 U.S.C. 553(b)(B)). This rule brings the Export Administration Regulations (EAR) into conformity with the Congressional mandate in Division O, Title 1, Section 101 of Public Law 114–113, which states that “notwithstanding any other provision of law, except as provided in subsections (c) and (d) . . . no official of the Federal Government shall impose or enforce any restrictions on the export of crude oil.” A delay of this rulemaking to allow for notice and public comment would be “unnecessary,” within the context of the APA, because continuance of the controls in § 754.2 of the EAR would be contrary to the explicit mandate in Public Law 114–113 against the imposition or enforcement of any restriction on the export of crude oil by an official of the Federal Government. Under such circumstances, the public interest would not be served by soliciting comments on the removal of these controls. A delay of this rulemaking to allow for notice and public comment also would be “contrary to the public interest,” within the context of the APA, because continuance of the controls in § 754.2 of the EAR would be contrary to the explicit mandate in Public Law 114–113 against the imposition or enforcement of any restriction on the export of crude oil by an official of the Federal

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Government. Under such circumstances, the public interest would not be served by soliciting comments on the removal of these controls. A delay of this rulemaking to allow for notice and public comment also would be “contrary to the public interest,” within the context of the APA, because continuance of the controls in § 754.2 of the EAR would result in unnecessary confusion due to the obvious contradiction between the short supply license requirements for crude oil, as described in § 754.2 of the EAR prior to the publication of this rule, and the Congressional mandate in Public Law 114–113, which prohibits such license requirements. Furthermore, the confusion resulting from any delay to allow for notice and comment would be contrary to the public interest, as stated in Public Law 114–113, which is “to promote the efficient exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including fossil fuels.” Specifically, the obvious contradiction between the requirements previously described in § 754.2 of the EAR and the mandate in Public Law 114–113 might discourage some persons from pursuing crude oil export opportunities, thereby resulting in significant economic losses due to lost sales. At best, the confusion caused by this contradiction likely would result in unnecessary delays, which also can involve significant economic costs.

The provision of the Administrative Procedure Act (APA) (5 U.S.C. 553) requiring a 30-day delay in effectiveness is also waived for good cause. (5 U.S.C. 553(d)(3)). The amendments to the EAR contained in this final rule are required to make the EAR conform to the Congressional mandate in Public Law 114–113, which states that “except as provided in subsections (c) and (d) . . . no official of the Federal Government shall impose or enforce any restrictions on the export of crude oil.” A delay of this rulemaking to allow for a 30-day delay in effectiveness would be “unnecessary,” within the context of the APA, because continuance of the controls in § 754.2 of the EAR would be contrary to the explicit mandate in Public Law 114–113 and, as such, would not serve the public interest. A delay of this rulemaking to allow for a 30-day delay in effectiveness, also would be “contrary to the public interest,” within the context of the APA, because such a delay would result in unnecessary confusion caused by the contradiction between the EAR’s short supply license requirements for crude oil and the Congressional mandate in Public Law 114–113, as described above. In addition, any delay to allow for notice and comment would be contrary to the public interest, as stated in Public Law 114–113 and reiterated above. 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 the Administrative Procedure Act 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.

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List of Subjects

15 CFR Part 730 Administrative practice and procedure, Advisory committees, Exports, Reporting and recordkeeping requirements, Strategic and critical materials.

15 CFR Part 740 Administrative practice and procedure, Exports, Reporting and recordkeeping requirements.

15 CFR Part 742 Administrative practice and procedure, Chemicals, Exports, Foreign trade, Reporting and recordkeeping requirements.

15 CFR Part 744 Exports, Foreign trade, Reporting and recordkeeping requirements.

15 CFR Part 746 Exports, Reporting and recordkeeping requirements.

15 CFR Part 754 Agricultural commodities, Exports, Forests and forest products, Horses, Petroleum, Reporting and recordkeeping requirements.

15 CFR Part 762 Administrative practice and procedure, Business and industry, Confidential business information, Exports, Reporting and recordkeeping requirements.

15 CFR Part 772 Exports.

15 CFR Part 774 Exports, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, parts 730, 740, 742, 744, 746, 754, 762, 772, and 774 of the Export Administration Regulations (15 CFR parts 730–774) are amended as follows:

PART 730—[AMENDED]

■ 1. The authority citation for part 730 is revised to read as follows:

Authority: 50 U.S.C. 4601 et seq.; 50 U.S.C. 1701 et seq.; 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c; 22 U.S.C. 2151 note; 22 U.S.C. 3201 et seq.; 22 U.S.C. 6004; 42 U.S.C. 2139a; 15 U.S.C. 1824a; 50 U.S.C. 4305; 22 U.S.C. 7201 et seq.; 22 U.S.C. 7210; E.O. 11912, 41 FR 15825, 3 CFR, 1976 Comp., p. 114; E.O. 12002, 42 FR 35623, 3 CFR, 1977 Comp., p. 133; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12214, 45 FR 29783, 3 CFR, 1980 Comp., p. 256; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12854, 58 FR 36587, 3 CFR, 1993 Comp., p. 179; E.O. 12918, 59 FR 28205, 3 CFR, 1994 Comp., p. 899; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 12981, 60 FR 62981, 3 CFR, 1995 Comp., p. 419; E.O. 13020, 61 FR 54079, 3 CFR, 1996 Comp., p. 219; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; E.O. 13338, 69 FR 26751, 3 CFR, 2004 Comp., p. 168; E.O. 13637, 78 FR 16129, 3 CFR, 2014 Comp., p. 223; Notice of May 6, 2015, 80 FR 26815 (May 8, 2015); Notice of August 7, 2015, 80 FR 48233 (August 11, 2015); Notice of September 18, 2015, 80 FR 57281 (September 22, 2015); Notice of November 12, 2015, 80 FR 70667 (November 13, 2015); Notice of January 20, 2016, 81 FR 3937 (January 22, 2016).

Supplement No. 1 to Part 730— [Amended]

■ 2. Supplement No. 1 to part 730 is amended by revising the entries for Collection number “0694–0137” and Collection number “0607–0152” to read as follows:

*(*Continued On The Following Column)*

Supplement No. 1 to Part 730— Information Collection Requirements Under the Paperwork Reduction Act: OMB Control Numbers

PART 740—[AMENDED]

■ 3. The authority citation for part 740 continues to read as follows:

Authority: 50 U.S.C. 4601 et seq.; 50 U.S.C. 1701 et seq.; 22 U.S.C. 7201 et seq.; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 7, 2015, 80 FR 48233 (August 11, 2015).

■ 4. Section 740.15 is amended by revising paragraph (b)(3) introductory

text and by removing the note to paragraph (c)(3).

The revision reads as follows:

§ 740.15 Aircraft, vessels, and spacecraft (AVS).

(b) (3) Ship and plane stores. Usual and reasonable kinds and quantities of the following commodities may be exported for use or consumption on board an aircraft or vessel of any registry during the outgoing and immediate return flight or voyage.

PART 742—[AMENDED]

■ 5. The authority citation for part 742 continues to read as follows:

Authority: 50 U.S.C. 4601 et seq.; 50 U.S.C. 1701 et seq.; 22 U.S.C. 3201 et seq.; 42 U.S.C. 2139a; 22 U.S.C. 7201 et seq.; 22 U.S.C. 7210; Sec. 1503, Pub. L. 108–11, 117 Stat. 559; 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. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Presidential Determination 2003–23, 68 FR 26459, 3 CFR, 2004 Comp., p. 320; Notice of August 7, 2015, 80 FR 48233 (August 11, 2015); Notice of November 12, 2015, 80 FR 70667 (November 13, 2015).

§ 742.1 [Amended]

■ 6. In § 742.1, remove the phrase “1C981 (Crude petroleum, including reconstituted crude petroleum, tar sands, and crude shale oil);” where it appears in the second sentence of paragraph (b)(1).

PART 744—[AMENDED]

■ 7. The authority citation for part 744 continues to read as follows:

Authority: 50 U.S.C. 4601 et seq.; 50 U.S.C. 1701 et seq.; 22 U.S.C. 3201 et seq.; 42 U.S.C. 2139a; 22 U.S.C. 7201 et seq.; 22 U.S.C. 7210; 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. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of August 7, 2015, 80 FR 48233 (August 11, 2015); Notice of September 18, 2015, 80 FR 57281 (September 22, 2015);

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Notice of November 12, 2015, 80 FR 70667 (November 13, 2015); Notice of January 20, 2016, 81 FR 3937 (January 22, 2016).

■ 8. In § 744.7, revise paragraphs (b)(3)(i) and (ii) to read as follows: **§ 744.7 Restrictions on certain exports to and for the use of certain foreign vessels or aircraft.**

(b) (3) (i) Fuel, including crude oil, petroleum products other than crude oil that are of non-Naval Petroleum Reserves origin or derivation (see § 754.3 of the EAR), and blends of crude oil with such petroleum products;

(ii) Deck, engine, and steward department stores, provisions, and supplies for both port and voyage requirements, provided that any petroleum products other than crude oil which are listed in Supplement No. 1 to part 754 of the EAR are of non-Naval Petroleum Reserves origin or derivation (see § 754.3 of the EAR);

PART 746—[AMENDED]

■ 9. The authority citation for part 746 continues to read as follows:

Authority: 50 U.S.C. 4601 et seq.; 50 U.S.C. 1701 et seq.; 22 U.S.C. 287c; Sec 1503, Pub. L. 108–11, 117 Stat. 559; 22 U.S.C. 6004; 22 U.S.C. 7201 et seq.; 22 U.S.C. 7210; E.O. 12854, 58 FR 36587, 3 CFR, 1993 Comp., p. 614; E.O. 12918, 59 FR 28205, 3 CFR, 1994 Comp., p. 899; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13338, 69 FR 26751, 3 CFR, 2004 Comp., p. 168; Presidential Determination 2003–23, 68 FR 26459, 3 CFR, 2004 Comp., p. 320; Presidential Determination 2007–7, 72 FR 1899, 3 CFR, 2006 Comp., p. 325; Notice of May 6, 2015, 80 FR 26815 (May 8, 2015); Notice of August 7, 2015, 80 FR 48233 (August 11, 2015).

§ 746.7 [Amended]

■ 10. In § 746.7, remove “1C981,” where it appears in paragraph (a)(1).

PART 754—[AMENDED]

■ 11. The authority citation for part 754 is revised to read as follows:

Authority: 50 U.S.C. 4601 et seq.; 50 U.S.C. 1701 et seq.; 10 U.S.C. 7420; 10 U.S.C. 7430(e); 15 U.S.C. 1824a; E.O. 11912, 41 FR 15825, 3 CFR, 1976 Comp., p. 114; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 7, 2015, 80 FR 48233 (August 11, 2015).

§ 754.1 [Amended]

■ 12. Section 754.1 is amended by removing and reserving paragraph (b)(1)(i).

§ 754.2 [Removed]

■ 13. Section 754.2 is removed and reserved. ■ 14. In

Supplement No. 1 to part 754, revise the first sentence in the introductory text to read as follows:

Supplement No. 1 to Part 754—Crude Petroleum and Petroleum Products

This Supplement provides relevant Schedule B numbers and commodity descriptions for crude oil (EAR99) and for petroleum products other than crude oil that are controlled by ECCN 1C980, 1C982, 1C983, or 1C984

(*Continued On The Following Column)

Supplement No. 3 to Part 754— [Removed and Reserved]

■ 15. Supplement No. 3 to part 754 is removed and reserved.

PART 762—[AMENDED]

■ 16. The authority citation for part 762 continues to read as follows:

Authority: 50 U.S.C. 4601 et seq.; 50 U.S.C. 1701 et seq.; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 7, 2015, 80 FR 48233 (August 11, 2015).

§ 762.2 [Amended]

■ 17. Section 762.2 is amended by removing and reserving paragraph (b)(39).

PART 772—[AMENDED]

■ 18. The authority citation for part 772 continues to read as follows:

Authority: 50 U.S.C. 4601 et seq.; 50 U.S.C. 1701 et seq.; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 7, 2015, 80 FR 48233 (August 11, 2015).

■ 19. Section 772.1 is amended by adding in alphabetical order a definition for crude oil to read as follows:

§ 772.1 Definitions of terms as used in the Export Administration Regulations (EAR).

Crude oil. A mixture of hydrocarbons that existed in liquid phase in underground reservoirs, remains liquid at atmospheric pressure (after passing through surface separating facilities), and has not been processed through a crude oil distillation tower. Crude oil includes reconstituted crude petroleum, lease condensate, and liquid hydrocarbons produced from tar sands, gilsonite, and oil shale. Drip gases are also included, but topped crude oil, residual oil, and other finished and unfinished oils are excluded. **** *

PART 774—[AMENDED]

■ 20. The authority citation for part 774 is revised to read as follows:

Authority: 50 U.S.C. 4601 et seq.; 50 U.S.C. 1701 et seq.; 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c, 22 U.S.C. 3201 et seq.; 22 U.S.C. 6004; 42 U.S.C. 2139a; 15 U.S.C. 1824a; 50 U.S.C. 4305; 22 U.S.C. 7201 et seq.; 22 U.S.C. 7210; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 7, 2015, 80 FR 48233 (August 11, 2015).

Supplement No. 1 to Part 774— [Amended]

■ 21. In Supplement No. 1 to Part 774 (the Commerce Control List), ECCN 1C981 is removed.

Dated: May 5, 2016.

Eric L. Hirschhorn,

Under Secretary for Industry and Security.

[FR Doc. 2016–11047 Filed 5–11–16; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308 [Docket No. DEA–435]

Schedules of Controlled Substances: Placement of Brivaracetam Into Schedule V

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Interim final rule, with request for comments.

(*Continued On The Following Page)

SUMMARY: The Drug Enforcement Administration is placing the substance brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (also referred to as BRV; UCB-34714; Briviact) (including its salts) into schedule V of the Controlled Substances Act. This scheduling action is pursuant to the Controlled Substances Act, as revised by the Improving Regulatory Transparency for New Medical Therapies Act which was signed into law on November 25, 2015.

DATES: The effective date of this rulemaking is May 12, 2016. Interested persons may file written comments on this rulemaking in accordance with 21 CFR 1308.43(g). Electronic comments must be submitted, and written comments must be postmarked, on or before June 13, 2016. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period.

Interested persons, defined at 21 CFR 1300.01 as those “adversely affected or aggrieved by any rule or proposed rule issuable pursuant to section 201 of the Act (21 U.S.C. 811),” may file a request for hearing or waiver of hearing pursuant to 21 CFR 1308.44. Requests for hearing and waivers of an opportunity for a hearing or to participate in a hearing must be received on or before June 13, 2016.

ADDRESSES: To ensure proper handling of comments, please reference “Docket No. DEA-435” on all correspondence, including any attachments.

- Electronic comments: The Drug Enforcement Administration encourages that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the Web page or attach a file for lengthier comments. Please go to <http://www.regulations.gov> and follow the online instructions at that site for submitting comments. Upon completion of your submission, you will receive a Comment Tracking Number for your comment. Please be aware that submitted comments are not instantaneously available for public view on Regulations.gov. If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

- Paper comments: Paper comments that duplicate the electronic submission are not necessary and are discouraged. Should you wish to mail a paper comment in lieu of an electronic comment, it should be sent via regular or express mail to: Drug Enforcement Administration, Attn: DEA Federal Register Representative/ODW, 8701 Morrisette Drive, Springfield, VA 22152.

- Hearing requests: All requests for hearing and waivers of participation must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for hearing and waivers

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of participation should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/LJ, 8701 Morrisette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/ODW, 8701 Morrisette Drive, Springfield, Virginia 22152.
Telephone: (202) 598-6812.

SUPPLEMENTARY INFORMATION:

Posting of Public Comments

Please note that all comments received are considered part of the public record. They will, unless reasonable cause is given, be made available by the Drug Enforcement Administration (DEA) for public inspection online at <http://www.regulations.gov>. Such information includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter. The Freedom of Information Act (FOIA) applies to all comments received. If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be made publicly available, you must include the phrase “PERSONAL IDENTIFYING INFORMATION” in the first paragraph of your comment. You must also place all of the personal identifying information you do not want made publicly available in the first paragraph of your comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment, but do not want it to be made publicly available, you must include the phrase “CONFIDENTIAL BUSINESS INFORMATION” in the first paragraph of your comment. You must also prominently identify the confidential business information to be redacted within the comment.

Comments containing personal identifying information and confidential business information identified as directed above will generally be made publicly available in redacted form. If a comment has so much confidential business information or personal identifying information that it cannot be effectively redacted, all or part of that comment may not be made publicly available. Comments posted to <http://www.regulations.gov> may include any personal identifying information (such as name, address, and phone number) included in the text of your electronic submission that is not identified as directed above as confidential.

An electronic copy of this document and supplemental information, including the complete Department of Health and Human Services and Drug Enforcement Administration eight-factor analyses, to this interim final rule are available at <http://www.regulations.gov> for easy reference.

Request for Hearing, Notice of Appearance at Hearing, or Waiver of Participation in Hearing
Pursuant to 21 U.S.C. 811(a), this action is a formal rulemaking “on the record after opportunity for a hearing.” Such proceedings are conducted pursuant to the provisions of the Administrative Procedure Act (APA), 5 U.S.C. 551-559. 21 CFR 1308.41- 1308.45; 21 CFR part 1316, subpart D. In accordance with 21 CFR 1308.44(a)-

60-Day Notice of Proposed Information Collection: Technology Security/Clearance Plans, Screening Records, and Non-Disclosure Agreements

ACTION:

Notice of request for public comment.

SUMMARY:

The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES:

The Department will accept comments from the public up to July 18, 2016.

ADDRESSES:

You may submit comments by any of the following methods:

- **Web:** Persons with access to the Internet may comment on this notice by going to www.Regulations.gov. You can search for the document by entering "Docket Number: DOS-2016-0027" in the Search field. Then click the "Comment Now" button and complete the comment form.

- **Email:** DDTCPublicComments@state.gov.

- **Regular Mail:** Send written comments to: PM/DDTC, SA-1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, U.S. Department of State, Washington, DC 20522-0112.

You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

FOR FURTHER INFORMATION CONTACT:

Direct requests for additional information regarding the collection listed in this notice to: Steve Derscheid—PM/DDTC, SA-1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, U.S. Department of State, Washington, DC 20522-0112, who may be reached via email at DerscheidSA@state.gov.

SUPPLEMENTARY INFORMATION:

- **Title of Information Collection:** Technology Security/Clearance Plans, Screening Records, and Non-Disclosure Agreements Pursuant to 22 CFR 126.18(c)(2).

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- OMB Control Number: 1405-0195.
- Type of Request: Extension of Currently Approved Collection.
- Originating Office: Bureau of Political-Military Affairs, Directorate of Defense Trade Controls (PM/DDTC).
- Form Number: No form.
- Respondents: Business and Nonprofit Organizations.
- Estimated Number of Respondents: 10,000.
- Estimated Number of Responses: 10,000.
- Average Time per Response: 10 hours.
- Total Estimated Burden Time: 100,000 hours.

- **Frequency:** On occasion. • **Obligation to Respond:** Mandatory. We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.

- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.

- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of Proposed Collection:

The export, temporary import, and brokering of defense articles, defense services, and related technical data are licensed by the Directorate of Defense Trade Controls (DDTC) in accordance with the International Traffic in Arms Regulations ("ITAR," 22 CFR parts 120-130) and section 38 of the Arms Export Control Act.

ITAR § 126.18 eliminates, subject to certain conditions, the requirement for an approval by DDTC of the transfer of unclassified defense articles, which includes technical data, to or within a foreign business entity, foreign

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governmental entity, or international organization that is an authorized end-user or consignee (including transfers to approved sub-licensees) for defense articles, including the transfer to dual nationals or third-country nationals who are bona fide regular employees directly employed by the foreign consignee or end-user.

To use ITAR § 126.18, effective procedures must be in place to prevent diversion to any destination, entity, or for purposes other than those authorized by the applicable export license or other authorization. Those conditions can be met by requiring a security clearance approved by the host nation government for its employees, or the end-user or consignee have in place a process to screen all its employees and to have executed a Non-Disclosure Agreement that provides assurances that the employee will not transfer any defense articles to persons or entities unless specifically authorized by the consignee or end-user. ITAR § 126.18(c)(2) also provides that the technology security/ clearance plans and screening records shall be made available to DDTC or its agents for law enforcement purposes upon request.

Methodology

When information kept on file pursuant to this recordkeeping requirement is required to be sent to the Directorate of Defense Trade Controls, it may be sent electronically or by mail according to guidance given by DDTC.

Dated: May 11, 2016. Lisa Aguirre, Managing Director, Directorate of Defense Trade Controls, Department of State. [FR Doc. 2016-11620 Filed 5-16-16; 8:45 am]

BILLING CODE 4710-25-P

**DEPARTMENT OF STATE [Public Notice: 9564]
60-Day Notice of Proposed Information Collection: U.S. Passport Renewal Application for Eligible Individuals**

ACTION:

Notice of request for public comment.

SUMMARY:

The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES:

The Department will accept comments from the public up to July 18, 2016.

ADDRESSES:

You may submit comments by any of the following methods:

- Web: Persons with access to the Internet may comment on this notice by going to www.Regulations.gov. You can search for the document by entering "Docket Number: DOS-2016-0025" in

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