

September 16, 1997, is amended as follows:

Paragraph 6005: Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ASW LA E5 Leeville, LA [Revised]

Point in Space Coordinates
(Lat 29°10'40" N., long. 90°11'30" W.)

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the point in space in Leeville, LA, excluding that airspace within the Grand Isle, LA Class E airspace area.

* * * * *

Issued in Fort Worth, TX, on June 2, 1998.

Albert L. Viselli,

*Acting Manager, Air Traffic Division,
Southwest Region.*

[FR Doc. 98-15461 Filed 6-9-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Part 705

[Docket No. 980508121-8121-01]

RIN 0694-AB58

Effect of Imported Articles on the National Security

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Final rule.

SUMMARY: The Department of Commerce is revising its regulation on the "Effect of Imported Articles on the National Security" (47 FR 14693, April 6, 1982; redesignated at 54 FR 601, January 6, 1989; and amended at 54 FR 19355, May 5, 1989 (15 C.F.R. Part 705)) to reflect amendments to Section 232 of the Trade Expansion Act of 1962. These amendments include requirements for additional action to be taken by the Secretary of Commerce upon commencing, conducting, and completing an investigation, and reporting the disposition of an investigation to the Congress. The amendments also specify action to be taken by the President in making a determination to take action to adjust the imports of the article which is the subject of the investigation.

EFFECTIVE DATE: This rule is effective July 10, 1998.

FOR FURTHER INFORMATION CONTACT:

Brian H. Nilsson, Section 232 Investigations Program Manager, Office of Strategic Industries and Economic Security, Room 3876, U.S. Department of Commerce, 14th Street and

Constitution Avenue, Washington, D.C. 20230; telephone: (202) 482-3795, FAX: (202) 482-5650, and E-Mail: bnilsson@bxa.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862) (the Act) authorizes investigations to determine the effects on the national security of imports of articles which are the subject of a request for an investigation. The implementing regulation, "Effect of Imported Articles on the National Security" (47 FR 14693, April 6, 1982; redesignated at 54 FR 601, January 6, 1989; and amended at 54 FR 19355, May 5, 1989 (15 C.F.R. Part 705)), prescribes procedures to be followed by the Department of Commerce (the Department) to commence and conduct such investigations. Because of amendments in 1988 to Section 232 of the Act, this regulation must be revised to set forth requirements for additional action to be taken by the Secretary of Commerce upon commencing, conducting, and completing an investigation, and reporting the disposition of the investigations to the Congress. The amendments also specify action to be taken by the President in making determinations to take action to adjust the imports of the article which is the subject of the investigation.

Changes to the regulation with reference to the applicable sections of the Act include the following:

1. Section 705.3 (Commencing an investigation) is revised to require the Secretary of Commerce to provide immediate notice to the Secretary of Defense of any investigation initiated under the regulation [Section 232(b)(1)(B) of the Act; 19 U.S.C. 1862(b)(1)(B)].

2. Section 705.7(d) (Conduct of an investigation) is revised to require consultation by the Secretary of Commerce with the Secretary of Defense regarding the methodology and policy questions raised in an investigation, and, upon the request of the Secretary of Commerce, to require the Secretary of Defense to provide an assessment of the defense requirements of the article being investigated [Section 232(b)(2) of the Act; 19 U.S.C. 1862(b)(2)].

3. Section 705.10 (Report of an investigation and recommendation) is revised to simplify the organization of the report of an investigation, to reduce the time from one year to 270 days for the Department to conduct an investigation and report to the President, and to provide for publication in the **Federal Register** of an

Executive Summary of the report and availability to the public of the full report [Section 232(b)(3); 19 U.S.C. 1862(b)(3)].

4. A new section 705.11 (Determination by the President and adjustment of imports) is added to include in the regulation the requirements imposed upon the President under Section 232(c) of the Act [19 U.S.C. 1862(c)]. Upon submission of the report of an investigation by the Secretary of Commerce in which the Department has found that an article is being imported into the U.S. in such quantities or under such circumstances as to threaten to impair the national security, the President must take certain action within a specified period of time as set forth in the Act.

5. A new section 705.12 (Disposition of an investigation and report to the Congress) is also added to require reports to the Congress pertaining to the disposition of each request, application, or motion for an investigation and the operation of the Act's provisions [Section 232(e); 19 U.S.C. 1862(e)].

6. Finally, in sections 705.5(a) (Request or application for an investigation), 705.7(b) (Conduct of an investigation), and 705.8(b)(6) (Public hearings), technical revisions are made to update the references to the Office of Industrial Resource Administration and the room number of the Bureau of Export Administration Freedom of Information Records Inspection Facility.

Rulemaking Requirements

The Department has made certain determinations with respect to the following rulemaking requirements:

1. *Classification under E.O. 12866:* The revision of this regulation (15 CFR Part 705) has been determined to be "not significant" for purposes of Executive Order 12866.

2. *Administrative Procedure Act and Regulatory Flexibility Act:* Because this rule pertains to agency procedures and the rulemaking procedures of the Administrative Procedure Act (5 U.S.C. 553(b)(A)) or any other are not applicable, this rule is not subject to the analytical requirements of Section 3(a) of the Regulatory Flexibility Act (5 U.S.C. 601-612).

3. *Paperwork Reduction Act:* This rule does not contain a collection of information for purposes of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520).

4. *Executive Order 12612:* This proposed rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under E.O. 12612.

List of Subjects in 15 CFR Part 705

Administrative practice and procedure, Business and industry, Classified information, Confidential business information, Imports, Investigations, National Security.

For the reasons set forth in the preamble, part 705 of Subchapter A, National Security Industrial Base Regulations is amended as follows:

PART 705—[AMENDED]

1. The authority citation for 15 CFR part 705 is revised to read as follows:

Authority: Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862) and Reorg. Plan No. 3 of 1979 (44 FR 69273, December 3, 1979).

2. Section 705.3 is amended by designating the existing text as paragraph (a) and by adding a new paragraph (b), as follows:

§ 705.3 Commencing an investigation.

(a) * * *

(b) The Secretary shall immediately provide notice to the Secretary of Defense of any investigation initiated under this part.

§ 705.5 [Amended]

3. In § 705.5(a), the reference to "Office of Industrial Resource Administration" is revised to read "Office of Strategic Industries and Economic Security."

4. Section 705.7 is amended by revising paragraph (d) to read as follows:

§ 705.7 Conduct of an investigation.

* * * * *

(d) The Department shall, as part of an investigation, seek information and advice from, and consult with, appropriate officers of the United States or their designees, as shall be determined. The Department shall also consult with the Secretary of Defense regarding the methodological and policy questions raised in the investigation. Upon the request of the Secretary, the Secretary of Defense shall provide the Secretary with an assessment of the defense requirements of the article in question. Communications received from agencies of the U.S. government or foreign governments will not be made available for public inspection.

* * * * *

§§ 705.7 and 705.8 [Amended]

5. In §§ 705.7(b) and 705.8(b)(6), the references to room number "H-4886" are revised to read "H-4525".

6. Section 705.10 is revised to read as follows:

§ 705.10 Report of an investigation and recommendation.

(a) When an investigation conducted pursuant to this part is completed, a report of the investigation shall be promptly prepared.

(b) The Secretary shall report to the President the findings of the investigation and a recommendation for action or inaction within 270 days after beginning an investigation under this part.

(c) An Executive Summary of the Secretary's report to the President of an investigation, excluding any classified or proprietary information, shall be published in the **Federal Register**. Copies of the full report, excluding any classified or proprietary information, will be available for public inspection and copying in the Bureau of Export Administration Freedom of Information Records Inspection Facility, Room H-4525, U.S. Department of Commerce, 14th Street, N.W., Washington, D.C. 20230; tel. (202) 482-5653.

7. A new section 705.11 is added to read as follows:

§ 705.11 Determination by the President and adjustment of imports.

(a) Upon the submission of a report to the President by the Secretary under § 705.10(b) of this part, in which the Department has found that an article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the President is required by Section 232(c) of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862(c)) to take the following action

(1) Within 90 days after receiving the report from the Secretary, the President shall determine:

(i) Whether the President concurs with the Department's finding; and

(ii) If the President concurs, the nature and duration of the action that must be taken to adjust the imports of the article and its derivatives so that the such imports will not threaten to impair the national security.

(2) If the President determines to take action under this section, such action must be taken no later than fifteen (15) days after making the determination.

(3) By no later than thirty (30) days after making the determinations under paragraph (a)(1) of this section, the President shall submit to the Congress a written statement of the reasons why the President has decided to take action, or refused to take action.

(b) If the action taken by the President under this section is the negotiation of an agreement to limit or restrict the importation into the United States of the

article in question, and either no such agreement is entered into within 180 days after making the determination to take action, or an executed agreement is not being carried out or is ineffective in eliminating the threat to the national security, the President shall either:

(1) Take such other action as deemed necessary to adjust the imports of the article so that such imports will not threaten to impair the national security. Notice of any such additional action taken shall be published in the **Federal Register**; or

(2) Not take any additional action. This determination and the reasons on which it is based, shall be published in the **Federal Register**.

8. A new section 705.12 is added to read as follows:

§ 705.12 Disposition of an investigation and report to the Congress.

(a) Upon the disposition of each request, application, or motion made under this part, a report of such disposition shall be submitted by the Secretary to the Congress and published in the **Federal Register**.

(b) As required by Section 232(e) of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862(c)), the President shall submit to the Congress an annual report on the operation of this part.

Dated: June 5, 1998.

Iain S. Baird,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 98-15411 Filed 6-9-98; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration****21 CFR Part 510****Animal Drugs, Feeds, and Related Products; Change of Sponsor Name**

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect a change of sponsor name from Boehringer Ingelheim Animal Health, Inc., to Boehringer Ingelheim Vetmedica, Inc.

EFFECTIVE DATE: June 10, 1998.

FOR FURTHER INFORMATION CONTACT: Thomas J. McKay, Center for Veterinary Medicine (HFV-102), Food and Drug