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[Rules and Regulations]  
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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[Docket No. 040713207-4207-01]  
RIN 0694-AD13

India: Removal of Indian Entity and Revision in License Review  
Policy for Certain Indian Entities; and a Clarification; Correction

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

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SUMMARY: On September 22, 2004, the Bureau of Industry and Security published a Federal Register document that, inter alia, removed an Indian entity from the Entity List and revised licensing policies for other Indian entities in the Export Administration Regulations. That notice was misprinted, containing typographical errors in the statement of licensing policy with respect to two Indian Department of Atomic Energy entities that are subject to International Atomic Energy Agency safeguards and in statements of Federal Register citations amending the Entity List. Additionally, the preamble in that notice should have stated that the licensing policy for the ``balance of plant'' portion of Indian nuclear facilities subject to International Atomic Energy Agency safeguards (Rajasthan 1 & 2 and Tarapur 1 & 2) is a presumption of approval for items not multilaterally controlled for nuclear

proliferation reasons. This document corrects those errors.

DATES: This rule is effective September 23, 2004.

FOR FURTHER INFORMATION CONTACT: Eileen M. Albanese, Office of Exporter Services, Bureau of Industry and Security, telephone: (202) 482-0436.

List of Subjects in 15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

Accordingly, for the reasons set forth in the preamble, 15 CFR part 744 is amended as follows:

PART 744--[AMENDED]

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

Authority: 50 U.S.C. app. 2401 et seq.; 50 U.S.C. 1701 et seq.; 22 U.S.C. 3201 et seq.; 42 U.S.C. 2139a; Sec. 901-911, Pub. L. 106-387; Sec. 221, Pub. L. 107-56; 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 October 29, 2003, 68 FR 62209, 3 CFR, 2003 Comp., p. 347; Notice of August 6, 2004, 69 FR 48763 (August 10, 2004).

Sec. 744.1 [Corrected]

2. In Supplement No. 4 to part 744, under the country of ``India'', the entities ``Indian Space Research Organization (ISRO) headquarters in Bangalore'' and ``Department of Atomic Energy entities'' are revised to read as follows:

Supplement No. 4 to Part 744--Entity List

Country/Entity	License requirement	License review policy	Federal Register citation
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## INDIA

The following Indian Space Research Organization (ISRO) subordinate entities:

--ISRO Telemetry, Tracking and Command Network (ISTRAC);.	For all items subject to the EAR having a classification other than (1) EAR99 or (2) a classification where the third through fifth digits of the ECCN are ``999'', e.g. XX999.	Case-by-case review for all items on the CCL.	63 FR 64322, 11/19/98; 65 FR 14444, 03/17/00; 66 FR 50090, 10/01/01; 69 FR 56694, 09/22/04.
--ISRO Inertial Systems Unit (IISU), Thiruvananthapuram;.			
--Liquid Propulsion Systems Center;.			
--Solid Propellant Space Booster Plant (SPROB);.			
--Space Applications Center (SAC), Ahmadabad;.			
--Sriharikota Space Center (SHAR);.			
--Vikram Sarabhai Space Center (VSSC), Thiruvananthapuram.			

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The following Dpeartment of Atomic Energy entities:

--Bhabha Atomic Research Center (BARC);.	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98; 65 FR 14444, 03/17/00; 66 FR 50090, 10/01/01; 69 FR 56694, 09/22/04.
--Indira Gandhi Atomic Research Center (IGCAR);.			
--Indian Rare Earths;.....			
--Nuclear reactors (including power plants) not under International Atomic Energy Agency (IAEA) safeguards, fuel reprocessing and enrichment facilities, heavy water production facilities and their collocated ammonia plants.			

The following Department of Atomic Energy entities:

--Nuclear reactors (including	For all items subject	Case-by-case for all	63 FR 64322, 11/19/98;
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power plants) subject to to the EAR.  
International Atomic Energy  
Agency (IAEA) safeguards:  
Tarapur (TAPS 1 & 2), Rajasthan  
(RAPS 1 & 2).

items listed on the 65 FR 14444, 03/17/00;  
CCL. Presumption of 66 FR 50090, 10/01/01;  
approval for EAR99 69 FR 56694, 09/22/04.  
items. Presumption of  
approval for all items  
not multilaterally  
controlled for Nuclear  
Proliferation (NPI)  
reasons for use in the  
``balance of plant''  
(non-reactor-related  
end uses) \1\  
activities at nuclear  
facilities subject to  
International Atomic  
Energy Agency  
safeguards (Rajasthan  
1 & 2 and Tarapur 1 &  
2).

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\1\ ``Balance of Plant'' refers to the part of a nuclear power plant used for power generation (e.g., turbines, controllers, or power distribution) to distinguish it from the nuclear reactor.

Eileen M. Albanese,  
Director, Office of Exporter Services.  
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