

DEPARTMENT OF STATE**[Public Notice 4768]****Bureau of Political-Military Affairs;
Rescission of Statutory Debarment
and Reinstatement of Eligibility To
Apply for Export/Retransfer
Authorizations Pursuant to Section
38(g)(4) of the Arms Export Control
Act; Armaments Corporation of South
Africa Ltd. (Armcor) and the Denel
Group (Pty) Ltd. (Denel)****AGENCY:** Department of State.**ACTION:** Notice.

SUMMARY: Notice is hereby given that the Department of State has fully rescinded the statutory debarment against the Armaments Corporation of South Africa Ltd. (Armcor) and the Denel Group (Pty) Ltd. (Denel) and its divisions; and any divisions, subsidiaries, associated companies, affiliated persons, and successor entities pursuant to section 38(g)(4) of the Arms Export Control Act (AECA) (22 U.S.C. 2778) and § 127.11 of the International Traffic in Arms Regulations (ITAR) (22 CFR parts 120–130).

EFFECTIVE DATE: July 14, 2004.**FOR FURTHER INFORMATION CONTACT:**

Robert W. Maggi, Managing Director, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202) 663–2700.

SUPPLEMENTARY INFORMATION: Section 38(g)(4) of the AECA and § 127.7 of the ITAR prohibit the issuance of export licenses or other approvals to a person, or any party to the export, who has been convicted of violating certain U.S. criminal statutes enumerated at section 38(g)(1)(A) of the AECA and § 120.27 of the ITAR. The term “person” means a natural person as well as a corporation, business association, partnership, society, trust, or any other entity, organization, or group, including governmental entities. The term “party to the export” means the president, the chief executive officer, and any other senior officers of the license applicant; and any consignee or end-user of any item to be exported.

Effective June 8, 1994, the Department of State implemented a policy of denial pursuant to sections 38 and 42 of the AECA and §§126.7(a)(1) and (a)(2) of the ITAR for Armcor, Denel and its divisions (including Kentron (Pty) Ltd.), and any divisions, subsidiaries, associated companies, affiliated persons, and successor entities based upon an indictment returned in the U.S. District Court for the Eastern District of Pennsylvania charging Armcor and Kentron with violating and conspiring

to violate the AECA (see 59 FR 33811, June 30, 1994).

Subsequently, after the companies accepted plea agreements in connection with the criminal charges, the Department of State imposed statutory debarment against Armcor and Denel and its divisions effective February 27, 1997 (see 62 FR 13932, March 24, 1997).

A **Federal Register** notice was published on March 4, 1998 (63 FR 10671), that rescinded the policy of denial and temporarily suspended the statutory debarment against Armcor and Denel in accordance with section 38(g)(4) of the AECA. The temporary suspension of the statutory debarment was consistent with the Agreement Between the Government of the United States of America and the Government of the Republic of South Africa Concerning Cooperation on Defense Trade Controls (the Agreement). The Agreement provided that the companies would establish internal compliance programs and further required that the companies would make available an amount of money equivalent to suspended civil fines to the South African Government to support the effective implementation of its national export control regime.

Section 38(g)(4) of the AECA permits rescission of debarment after consultation with the Secretary of the Treasury and after a thorough review of the circumstances surrounding the conviction and a finding that appropriate steps have been taken to mitigate any law enforcement concerns. After thoroughly reviewing the steps Armcor and Denel have taken with respect to the establishment of internal compliance programs and supporting the effective implementation of a national export regime, the Department of State has determined that Armcor and Denel have taken the appropriate initiatives to address the causes of the violations and to mitigate any law enforcement concerns.

Therefore, in accordance with section 38(g)(4) of the AECA and section 127 of the ITAR, effective July 14, 2004, the debarment against Armcor and Denel is fully rescinded. The effect of this notice is that Armcor, Denel and its divisions, and any divisions, subsidiaries, associated companies, affiliated persons, and successor entities may participate, without prejudice, in the export or transfer of defense articles, related technical data, and defense services subject to section 38 of the AECA and the ITAR.

Dated: July 14, 2004.

Lincoln P. Bloomfield, Jr.,

Assistant Secretary, Bureau of Political-Military Affairs, Department of State.

[FR Doc. 04–16588 Filed 7–20–04; 8:45 am]

BILLING CODE 4710–25–P**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE****Andean Trade Preference Act (ATPA),
as Amended: Notice Regarding the
2003 Annual Review****AGENCY:** Office of the United States Trade Representative.**ACTION:** Notice.

SUMMARY: The Office of the United States Trade Representative (USTR) received petitions in September 2003 to review certain practices in certain beneficiary developing countries to determine whether such countries are in compliance with the ATPA eligibility criteria. This notice specifies the results of the preliminary review of those petitions.

FOR FURTHER INFORMATION CONTACT:

Bennett M. Harman, Deputy Assistant U.S. Trade Representative for Latin America, at (202) 395–9446.

SUPPLEMENTARY INFORMATION: The ATPA (19 U.S.C. 3201 *et seq.*), as renewed and amended by the Andean Trade Promotion and Drug Eradication Act of 2002 (ATPDEA) in the Trade Act of 2002 (Pub. L. 107–210), provides trade benefits for eligible Andean countries. Pursuant to section 3103(d) of the ATPDEA, USTR promulgated regulations (15 CFR part 1616) (68 FR 43922) regarding the review of eligibility of countries for the benefits of the ATPA, as amended.

In a **Federal Register** notice dated August 14, 2003, USTR initiated the 2003 ATPA Annual Review and announced a deadline of September 15, 2003 for the filing of petitions (68 FR 48657). Several of these petitions requested the review of certain practices in certain beneficiary developing countries regarding compliance with the eligibility criteria set forth in sections 203(c) and (d) and section 204(b)(6)(B) of the ATPA, as amended (19 U.S.C. 3203 (c) and (d); 19 U.S.C. 3203(b)(6)(B)).

In a **Federal Register** notice dated November 13, 2003, USTR published a list of the responsive petitions filed pursuant to the announcement of the annual review. The Trade Policy Staff Committee (TPSC) has conducted a preliminary review of these petitions. 15 CFR 1616.2(b) provides for

announcement of the results of the preliminary review on or about December 1. 15 CFR 2016.2(b) also provides for modification of the schedule if specified by **Federal Register** notice. In a **Federal Register** notice dated December 30, 2003, USTR modified the schedule for this review, specifying that the results would be announced on or about March 31, 2004. In a **Federal Register** notice dated April 5, 2004, USTR modified the schedule for this review, specifying that the results would be announced on or about May 15, 2004.

Following is the status of the responsive petitions filed pursuant to the announcement of the annual review. The TPSC has determined that certain of the petitions do not require action and terminates their review. These include: Nortel Networks—Colombia, PhRMA—Peru, Big 3 Marine—Peru, Duke Energy—Ecuador, and PhRMA—Ecuador.

The TPSC has decided to modify the date of the announcement of the results of preliminary review for the following petitions: Engelhard—Peru, Princeton Dover—Peru, LeTourneau—Peru, Duke Energy—Peru, AFL-CIO—Ecuador, Human Rights Watch—Ecuador, and US/LEAP—Ecuador. USTR will announce the results of the preliminary review of these petitions at the same time it publishes the list of responsive petitions filed pursuant to the 2004 Annual ATPA Review.

Bennett M. Harman,

Deputy Assistant U.S. Trade Representative for Latin America.

[FR Doc. 04-16479 Filed 7-20-04; 8:45 am]

BILLING CODE 3190-W3-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Proposed Advisory Circular; Guidance Material for 14 CFR 33.75, Safety Analysis

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of availability of proposed advisory circular and request for comments.

SUMMARY: This notice announces the availability and request for comments of draft Advisory Circular (AC), No 33.75-1, Guidance Material for 14 CFR 33.75, Safety Analysis.

DATES: Comments must be received on or before October 30, 2004.

ADDRESSES: Send all comments on the proposed AC to the Federal Aviation

Administration, Attn: Ann Azevedo, Engine and Propeller Standards Staff, ANE-110, Engine and Propeller Directorate, Aircraft Certification Service, 12 New England Executive Park, Burlington, MD 01803-5299.

FOR FURTHER INFORMATION CONTACT: Ann Azevedo, Engine and Propeller Standards Staff, ANE-110, at the above address, telephone (781) 238-7117, fax (781) 238-7199. If you have access to the Internet, you may also obtain further information by writing to the following address: Ann.Azevedo@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

You may obtain a copy of the draft AC by contacting the person named under **FOR FURTHER INFORMATION CONTACT**, or if using the Internet, you may obtain a copy at the following address: <http://www.airweb.faa.gov/rgl>. Interested persons are invited to comment on the proposed AC and to submit written data, views, or arguments. Commenters must identify the subject of the AC, and submit comments to the address specified above. The Engine and Propeller Directorate, Aircraft Certification Service, will consider all responses received on or before the closing date for comments before it issues the final AC.

We will also file in the docket all substantive comments received, and a report summarizing them. The docket is available for public inspection both before and after the comment date. If you wish to review the docket in person, you may go the address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. If you wish to contact the above individual directly, you can use the above telephone number or e-mail address provided.

Background

This draft advisory circular (AC) would provide guidance and acceptable methods, but not the only methods that may be used to demonstrate compliance with the safety analysis requirements of Title 14 of the Code of Federal Regulation (14 CFR) § 33.75.

This advisory circular would be published under the authority granted to the Administrator by 49 U.S.C. 106(g), 40113, 44701-44702, 44704, and would provide guidance for the requirements in 14 CFR part 33.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 04-16522 Filed 7-20-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application 04-07-C-00-BGM To Impose/Use the Revenue From a Passenger Facility Charge (PFC) at Greater Binghamton Airport, Binghamton, NY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose/use the revenue from a PFC at Greater Binghamton Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before August 20, 2004.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, NY 11530.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Carl R. Beardsley, Jr., Deputy Commissioner of Aviation, of the Broome County Department of Aviation at the following address: Broome County Department of Aviation, Greater Binghamton Airport, 2534 Airport Road, Box 16, Johnson City, NY 13790.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Broome County Department of Aviation under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Levine, Airport Engineer, New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, NY 11530, (516) 227-3807. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose/use the revenue from a PFC at Greater Binghamton Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).