

concurring with the Expert, or an appropriate substitute Expert, on an ongoing basis at least annually in the ongoing reports referred to in condition (9) above. Applicants will take immediate corrective measures if this representation is not concurred in by the Expert or appropriate substitute Expert.

11. The prospectus of each Fund, or if applicable, the prospectus of each class of shares of a Fund, will include a statement to the effect that any person entitled to receive compensation for selling or servicing shares may receive different levels of compensation with respect to one particular class of shares over another in the Fund.

12. Goldman Sachs or such affiliate(s) of Goldman Sachs as may be serving as distributor(s) of the Funds will adopt compliance standards as to when shares may appropriately be sold to particular investors. Applicants will require all persons selling shares of the Funds to conform to such standards.

13. The conditions pursuant to which the exemptive order is granted and the duties and responsibilities of the Directors with respect to the Multi-Class Plan will be set forth in guidelines which will be furnished to the Directors.

14. Each Fund will disclose in its prospectus the respective expenses, performance data, distribution arrangements, services, fees, sales loads, deferred sales loads and exchange privileges applicable to each class of shares offered through the prospectus. In the event that the shares of each class are offered through separate prospectuses, the prospectuses will each contain cross disclosure describing the foregoing information with respect to each of the other four classes of shares. The shareholder reports of each Fund will disclose the respective expenses and performance data applicable to each class of shares of that Fund. Any advertising material or sales literature which describes the expenses and/or performance data applicable to any class of shares will disclose such information for all classes. Any publication in any newspaper or similar listing of the net asset values or public offering prices of any class of shares will include a separate presentation of such information for all classes of shares.

15. The initial determination of the proxy expenses that will be allocated to a particular class of a Fund and any subsequent changes thereto will be reviewed and approved by a vote of the applicable Investment Company's Directors, including a majority of the Directors who are not interested persons of such Investment Company. Any person authorized to direct the

allocation and disposition of monies paid or payable by a Fund to meet proxy expenses shall provide to the Directors, and the Directors shall review, at least quarterly, a written report of the amounts so expended and the purposes for which such expenditures were made.

16. CDSC Shares will convert into Class A shares on the basis of the relative net asset values of the two classes, without the imposition of any sales load, fee or other charge.

17. Applicants acknowledge that the grant of the exemptive order requested by this application will not imply SEC approval, authorization or acquiescence in any particular level of payments that a Fund may make pursuant to any Distribution Plan, Administration Plan or Service Plan in reliance on the exemptive order.

18. If a Fund implements any amendment to a rule 12b-1 plan (or, if presented to shareholders, adopts or implements any amendment of a non-rule 12b-1 shareholder services plan) that would increase materially the amount that may be borne by the Class A shares under the plan, existing CDSC shares will stop converting into Class A unless the CDSC shareholders, voting separately as a class, approve the proposal. The Directors shall take such action as is necessary to ensure that existing CDSC shares are exchanged or converted into a new class of shares ("New Class A"), identical in all material respects to Class A as it existed prior to implementation of the proposal, no later than the date such CDSC shares previously were scheduled to convert into Class A. If deemed advisable by the Directors to implement the foregoing, such action may include the exchange of all existing CDSC shares for a new class ("New CDSC Class"), identical to existing CDSC shares in all material respects except that New CDSC Class will convert into New Class A. New Class A or New CDSC Class may be formed without further exemptive relief. Exchanges or conversions described in this condition shall be effected in a manner that the Directors reasonably believe will not be subject to federal taxation. In accordance with condition 3, any additional cost associated with the creation, exchange, or conversion of New Class A or New CDSC Class shall be borne solely by the Fund's adviser and distributor. CDSC Class shares sold after the implementation of the proposal may convert into Class A shares subject to the higher maximum payment, provided that the material features of the Class A plan and the relationship of such plan to the CDSC shares are

disclosed in an effective registration statement.

19. Applicants will comply with the provisions of proposed Rule 6c-10 under the Act, as such rule is currently proposed and as it may be repropoed, adopted or amended.

For the SEC, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,  
Deputy Secretary.

[FR Doc. 93-2359 Filed 2-1-93; 8:45 am]

BILLING CODE 8010-01-M

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## DEPARTMENT OF STATE

### Bureau of Politico Military Affairs

[Public Notice 1758]

#### Statutory Debarment Under the International Traffic in Arms Regulations

AGENCY: Bureau of Politico Military Affairs, Department of State.

ACTION: Notice.

**SUMMARY:** Notice is hereby given of which persons have been statutorily debarred pursuant to § 127.6(c) of the International Traffic in Arms Regulations (ITAR) (22 CFR parts 120-130).

**EFFECTIVE DATE:** December 9, 1992.

**FOR FURTHER INFORMATION CONTACT:** Clyde G. Bryant Jr., Chief, Compliance Analysis Division, Office of Defense Trade Controls, Department of State (703-875-6650).

**SUPPLEMENTARY INFORMATION:** Section 88 (g)(4)(A) of the Arms Export Control Act (AECA) prohibits the issuance of export licenses to a person, or any party to the export, who has been convicted of violating certain U.S. criminal statutes, including the AECA. 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 other senior officers of the license applicant; the freight forwarders or designated exporting agent of the license applicant; and any consignee or end user of any item to be exported. The statute permits certain limited exceptions to this prohibition to be made on a case-by-case basis.

Section 127.6 of the ITAR authorizes the Assistant Secretary of State for Politico-Military Affairs to prohibit certain persons convicted of violating or conspiracy to violate the AECA from

participating directly or indirectly in the export of defense articles or in the furnishing of defense services.

Such a prohibition is referred to as a statutory debarment, which may be imposed on the basis of judicial proceedings that resulted in a conviction for violating, or of conspiring to violate, the AECA. See 22 CFR 127.6(c). The period for debarment will normally be three years. The ITAR provides the Assistant Secretary with discretion to determine an alternative period of time for debarment. At the end of the debarment period, licensing privileges may be reinstated at the request of the debarred person following the necessary interagency consultations, 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, as required by section 38(g)(4).

Statutory debarment is based solely upon the outcome of a criminal proceeding, conducted by a court of the United States, that established guilt beyond a reasonable doubt in accordance with due process. Thus, those procedures of part 128 of the ITAR that apply to administrative debarment are not applicable in such cases.

During the period of debarment the Department of State will not consider applications for licenses or requests for approvals that involve any person or any party to the export who has been convicted of violating the AECA, or of conspiracy to violate the AECA. Persons who have been statutorily debarred may appeal to the Under Secretary for International Security Affairs for reconsideration of the ineligibility determination. A request for reconsideration must be submitted in writing within 30 days after a person has been informed of the adverse decision.

The Department of State policy permits debarred persons to apply for an exception from the debarment under section 38 (g)(4)(A) of the AECA, one year after the date of the debarment. Debarred persons may seek such an exception from the Director of the Office of Defense Trade Controls, in accordance with section 38(g)(4)(A) and under 22 CFR 127.6. If the exception is granted, the debarment will be suspended. Any decision to grant an exception can be made only after the statutory requirements under section 38(g)(4) have been satisfied.

Pursuant to section 38(g)(4)(A) of the AECA and § 127.6 of the ITAR, the Assistant Secretary for Politico-Military Affairs has debarred eight persons who have been convicted of violating the

AECA, or of conspiracy to violate the AECA.

These persons have been debarred for a three year period following their conviction, and have been so notified by a letter from the Office of Defense Trade Controls. Pursuant to § 127.6(c) of the ITAR, the names of these persons (and their offense, date of conviction(s) and court of conviction(s)) are being published in the Federal Register. Anyone who requires additional information to determine whether a person has been debarred should contact the Office of Defense Trade Controls.

This notice involves a foreign affairs function of the United States and is thus excluded from the procedures of 5 U.S.C. 553 and 554 and Executive Order 12291 (44 FR 13193). It implements statutory and regulatory requirements that entered into force on December 22, 1987 and April 4, 1988, respectively.

In accordance with these authorities the following persons are debarred for a period of three years following their conviction for violating, or conspiring to violate, the AECA (name/ offense/ date/ court):

1. Luis Fernando Arcila-Giraldo, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778), and 22 U.S.C. 2778, April 30, 1991, Middle District of Florida.

2. Fu Chin Chung, a/k/a Alfred Chung, 22 U.S.C. 2778, May 20, 1990, Northern District of Georgia.

3. Brian Joseph Fleming, a/k/a Brian Joseph McSulla, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778), July 3, 1990, Middle District of Alabama.

4. Francisco Ernesto Jerez, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778), January 29, 1992, Central District of California.

5. Charles Farrell Malone, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778), June 20, 1990, Middle District of Alabama.

6. Francisco Salvador Martin Panameno, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778), January 29, 1992, Central District of California.

7. Ricardo Benitez Perez, 22 U.S.C. 2778, January 21, 1992, Southern District of Texas, Corpus Cristi Division.

8. Alfredo Antonio Ramos-Tinoco, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778), and 22 U.S.C. 2778, April 4, 1991, Middle District of Florida.

Dated: January 14, 1993.

**William B. Robinson,**  
Director, Office of Defense Trade Controls,  
Bureau of Politico-Military Affairs,  
Department of State.

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BILLING CODE 4710-25-M

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. 48501]

### Application of Atlantic Southeast Airlines, Inc. for Certificate Authority

AGENCY: Department of Transportation.

ACTION: Notice of Order to Show Cause (Order 93-1-34).

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Atlantic Southeast Airlines, Inc., fit, willing, and able, and awarding it a certificate of public convenience and necessity to engage in interstate and overseas scheduled air transportation of persons, property, and mail.

**DATES:** Persons wishing to file objections should do so no later than February 8, 1993.

**ADDRESSES:** Objections and answers to objections should be filed in Docket 48501 and addressed to the Documentary Services Division (C-55, room 4107), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Ms. Carol A. Woods, Air Carrier Fitness Division (P-56, room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-2340.

Dated: January 27, 1993.

**Patrick V. Murphy, Jr.,**  
Acting Assistant Secretary for Policy and International Affairs.

[FR Doc. 93-2380 Filed 2-1-93; 8:45 am]

BILLING CODE 4910-62-M

### Coast Guard

[CGD 93-003]

### Coast Guard Academy Advisory Committee

**ACTION:** Open meeting.

**SUMMARY:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. app. I) notice is hereby given of a meeting of the Coast Guard Academy Advisory Committee to be held in Hamilton Hall at the U.S. Coast Guard Academy, New London, CT, on Monday and Tuesday, March 22 and 23, 1993. The open sessions on Monday will be held from 10 a.m. to 11 a.m. and 1:15 p.m. to 2:15 p.m. Open sessions on Tuesday will be held from