

Business Administration; Washington, DC. 20416; (202) 653-6460.

SUPPLEMENTARY INFORMATION: This change is mandated by the General Records Schedule 1, which changes items 30A and 30B because the Office of Personnel Management has determined that agencies may decide how long, between four to seven years, a retention period they will maintain for their grievance and adverse action files. SBA is publishing this notice in accordance with the Privacy Act stipulation that all agencies publish their Systems in the *Federal Register* when there is a revision, change or addition.

For the reason set forth above, SBA is amending its System of Records 060, Grievances and Appeals, by changing the "Retention and Disposal" section to read as follows:

SBA 060

* * * * *

Retention and disposal:

Records are retained for seven years.

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Erskine B. Bowles,
Administrator.

[FR Doc. 93-26902 Filed 11-1-93; 8:45 am]

BILLING CODE 8025-01-MF

DEPARTMENT OF STATE

[Public Notice 1895]

**Office of Defense Trade Controls;
Statutory Debarment Under the
International Traffic in Arms
Regulations**

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given of which persons have been statutorily debarred pursuant to § 127.7(c) of the International Traffic in Arms Regulations (ITAR) (22 CFR parts 120-130).

EFFECTIVE DATE: November 2, 1993.

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

SUPPLEMENTARY INFORMATION: Section 38(g)(4)(A) of the Arms Export Control Act (AECA), 22 U.S.C. 2778, prohibits export licenses to be issued 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," as defined in 22 CFR 120.14 of the International Traffic

in Arms Regulations (ITAR), 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 ITAR, specifically § 126.7(e), defines the term "party to the export" to include the president, the chief executive officer, and other senior officers and officials 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. 22 U.S.C. 2278(g)(4).

The ITAR, § 127.7, authorizes the Assistant Secretary of State for Political-Military Affairs to prohibit certain persons convicted of violating, or conspiring 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 127.7(c). The period for debarment will normally be three years from the date of conviction. 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 the AECA, 22 U.S.C. 2778(g)(4).

Statutory debarment is based solely upon a conviction in a criminal proceeding, conducted by a United States court. Thus, the administrative debarment procedures, as outlined in the ITAR, 22 CFR part 128, are not applicable in such cases.

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, or of conspiring to violate, the AECA during the period of statutory debarment. 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. 22 CFR § 127.7(d).

The Department of State policy permits debarred persons to apply for an exception one year after the date of the debarment, in accordance with the AECA, 22 U.S.C. 2778(g)(4)(A), and the ITAR, § 127.7. This request is made to the Director of the Office of Defense Trade Controls. Any decision to grant an exception can be made only after the statutory requirements under section 38(g)(4) of the AECA have been satisfied. If the exception is granted, the debarment will be suspended.

Pursuant to the AECA, 22 U.S.C. 2778(g)(4)(A), and the ITAR, 22 CFR 127.7, the Assistant Secretary for Political-Military Affairs has statutorily debarred four persons who have been convicted of conspiring to violate or violating the AECA.

These persons have been debarred for a three-year period following the date of their conviction, and have been so notified by a letter from the Office of Defense Trade Controls. Pursuant to ITAR, § 127.7(c), the names of these persons, their offense, date of conviction(s) and court of conviction(s) are hereby 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 encompassed within the meaning of the military and foreign affairs exclusion of the Administrative Procedure Act. Because the exercising of this foreign affairs function is discretionary, it is excluded from review under the Administrative Procedure Act.

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

1. Tsotomu Ida, 333 8th Maloka-Cho Totsuka-Ku, Kokohama, Japan, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778), December 17, 1992, *United States v. Japan Aviation Electronics Industry, Ltd., et al.*, U.S. District Court, District of Columbia, Criminal Docket No. 91-516-10.
2. Toshiyuki Murakoshi, 1-1-26-501 Takaido-Nishi-Suginami-Ku, Toyoko, Japan, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778), December 17, 1992, *United States v. Japan Aviation Elections Industry, Ltd., et al.*, U.S. District Court, District of Columbia, Criminal Docket No. 91-516-09.
3. Hironobu Takahashi, 72-1 Suwacho, Hachiohi City, Toyoko, Japan, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778), December 17, 1992,

United States v. Japan Aviation Electronics Industry, Ltd., et al., U.S. District Court, District of Columbia, Criminal Docket No. 91-516-08.

4. Ronald J. Hoffman, 10195 Baywood Court, Los Angeles, CA 90077, 22 U.S.C. 2778 (violating the AECA), April 20, 1992, *United States v. Ronald J. Hoffman*, U.S. District Court, Central District of California, Criminal Docket No. 90-870(B)-AWT.

Dated: October 21, 1993.

William B. Robinson,

Director, Office of Defense Trade Controls,
Bureau of Political-Military Affairs,
Department of State.

[FR Doc. 93-26888 Filed 11-1-93; 8:45 am]

BILLING CODE 4710-25-M

DEPARTMENT OF TRANSPORTATION

Aviation Proceedings; Agreements Filed During the Week Ended October 22, 1993

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: 49201

Date filed: October 18, 1993

Parties: Members of the International

Air Transport Association

Subject: TC12 Reso/P 1533 dated

October 12, 1993, North Atlantic-Africa Expedited Resos r-1-070dd, r-2-073rr, r-3-074v, r-4-075e, r-5-076a

Proposed Effective Date: Expedited January 1, 1994

Docket Number: 49205

Date filed: October 18, 1993

Parties: Members of the International

Air Transport Association

Subject: COMP Telex 024f—Hungary Currency Changes

Proposed Effective Date: November 1, 1993

Docket Number: 49215

Date filed: October 22, 1993

Parties: Members of the International

Air Transport Association

Subject: TC2 Reso/P 1492 dated October 19, 1993, Middle East-Africa

Expedited r-1-070gg, r-2-085nn, r-3-024j

Proposed Effective Date: December 1, 1993

Docket Number: 49216

Date filed: October 22, 1993

Parties: Members of the International

Air Transport Association

Subject: TC12 Reso/P 1532 dated

October 12, 1993, North Atlantic-Middle East Expedited Reso r-1-024j

Proposed Effective Date: December 1, 1993

Docket Number: 49217

Date filed: October 22, 1993

Parties: Members of the International

Air Transport Association

Subject: TC23 Reso/P 0616 dated

October 19, 1993, Africa-TC3 Expedited Resos, r-1-055n, r-3-065n, r-5-048L, r-7-085x, r-2-045n, r-4-058L, r-6-068L, r-8-071pp, r-9-071t

Proposed Effective Date: December 1, 1993

Docket Number: 49218

Date filed: October 22, 1993

Parties: Members of the International

Air Transport Association

Subject: TC2 Reso/P 1481 dated

September 24, 1993, Within Middle East Resos r-1 to r-11

Proposed Effective Date: April 1, 1994

Docket Number: 49219

Date filed: October 22, 1993

Parties: Members of the International

Air Transport Association

Subject: TC12 Reso/P 1529 dated

September 24, 1993, US-Europe Resos r-1 to r-5

Proposed Effective Date: January 1, 1994

Docket Number: 49220

Date filed: October 22, 1993

Parties: Members of the International

Air Transport Association

Subject: TC12 Reso/P 1528 dated

September 24, 1993, South Atlantic-Africa Resos r-1 to r-13

Proposed Effective Date: April 1, 1994

Phyllis T. Kaylor,

Chief, Documentary Services Division.

[FR Doc. 93-26858 Filed 11-1-93; 8:45 am]

BILLING CODE 4910-02-P

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ended October 22, 1993

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: 49187

Date filed: October 13, 1993

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: November 10, 1993

Description: Application of Aerovias De Poniente, S.A. De C.V. pursuant to section 402 of the Act and subpart Q of the Regulations, applies for a foreign air carrier permit to engage in foreign scheduled air transportation for passengers, cargo and/or mail between the following city pairs: Hermosillo, Sonora-Tucson, Arizona; and Ciudad Juarez, Chihuahua-Albuquerque, New Mexico.

Docket Number: 49209

Date filed: October 20, 1993

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: November 17, 1993

Description: Application of Bay Air Cargo, S.A., pursuant to section 402 of the Act and subpart Q of the Regulations, applies for a foreign air carrier permit authorizing it to engage in charter foreign air transportation of property and mail between a point or points in the Federative Republic of Brazil and a point or points in the United States.

Docket Number: 49213

Date filed: October 21, 1993

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: November 18, 1993

Description: Application of Florida West Airlines pursuant to section 401 of the Act, requests that its application be granted and that Florida West Gateway, Inc.'s certificate and exemption authority and all rights and privileges associated therewith be transferred as promptly as possible to Florida West Airlines.

Phyllis T. Kaylor,

Chief, Documentary Services Division.

[FR Doc. 93-26857 Filed 11-1-93; 8:45 am]

BILLING CODE 4910-02-P

Federal Aviation Administration

[Summary Notice No. PE-93-47]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR chapter I), dispositions of certain petitions