(A) Procurement Sanction.—The United States Government shall not procure, or enter into any contract for the Procurement of, any goods or services from the sanctioned persons; and

(B) Import Sanction.—The importation into the United States of products produced by the sanctioned persons shall be prohibited.

These sanctions apply not only to the companies described above, but also to their divisions, subunits, and any successor—entities. Questions as to whether a particular transaction is affected by the sanctions should be referred to the contract listed above. The sanctions shall commence on May 18, 1995. They will remain in place for at least one year and until further notice.

These measures shall be implemented by the responsible agencies as provided in Executive Order 12851 of June 11, 1993.

Dated: May 19, 1995.

Eric D. Newsom,

Acting Assistant Secretary of State for Political-Military Affairs.

[FR Doc. 95–13836 Filed 6–6–95; 8:45 am]

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Office of Defense Trade Controls

[Public Notice 2216]

Statutory Debarment Under the International Traffic in Arms Regulations

AGENCY: Office of Defense Trade Controls, 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: June 7, 1995.

FOR FURTHER INFORMATION CONTACT: Philip S. Rhoads, Chief, Compliance 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 licenses or other approvals for the export of defense articles and defense services 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. 2778(g)(4).

The ITAR, section 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 for which a license or approval is required. 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 reinstatement of export privileges one year after the date of the debarment, in accordance with the AECA, 22 U.S.C. 2778(g)(4)(A), and the ITAR, section 127.7. A reinstatement request is made to the Director of the Office of Defense Trade Controls. Any decision to reinstate export privileges can be made only after the statutory requirements under section 38(g)(4) of the AECA have been satisfied through a process administered by the Office of Defense Trade Controls. If reinstatement 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 twelve 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, section 127.7(c), the names of these persons, their offense, date(s) of conviction and court(s) of conviction 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 exercise 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. Paul LaVista, 2520 Olive Springs Rd., Marietta, GA 30060, 22 U.S.C. § 2778 (violating the AECA), September 25, 1992, *United States* v. *Paul LaVista*, U.S. District Court, Western District of Washington, Criminal Docket No. CR92–346C.

2. Satish Shah, 46 Glynn Court, Parlin, NJ 08859, 18 U.S.C. § 371 (conspiracy to violate 22 U.S.C. § 2778), May 10, 1993, *United States* v. *Tzvi Rosenfeld, et al.*, U.S. District Court, Middle District of Tennessee, Criminal Docket No. 3:91–00163–04.

3. Menachim Rosenfeld, c/o Lionel Lufton, 174 East Bay Street, Suite 302, Charleston, SC 29402, 18 U.S.C. § 371 (conspiracy to violate 22 U.S.C. § 2778), August 23, 1993, *United States* v. *Tzvi Rosenfeld, et al.*, U.S. District Court, Middle District of Tennessee, Criminal Docket No. 3:91–00163–01.

4. Mohd A.M. Anwahi, 295 West Wyoming Ave., Stoneham, MA 02180, 22 U.S.C. § 2778 (violating the AECA), September 28, 1993, *United States* v. *Mohd A.M. Anwahi,* U.S. District Court, District of Colorado, Criminal Docket No. 93–CR–132.

5. Willem Louw, 26 Andre Ave., President Ridge, Randburg, South Africa, 22 U.S.C. § 2778 (violating the AECA), October 18, 1993, *United States* v. *Tzvi Rosenfeld, et al.,* U.S. District Court, Middle District of Tennessee, Criminal Docket No. 3:91–00163–02.

6. Ronald Hendron, 1029 Olive Way, Palm Springs, CA 92262, 18 U.S.C. § 371 (conspiring to violate 22 U.S.C. § 2778) and 22 U.S.C. § 2778 (violating the AECA), April 18, 1994, *United States* v. *Ronald Hendron,* U.S. District Court, Eastern District of New York, Criminal Docket No. CR–92–424(S–2).

7. Aziz Muthana, 4856 N. Ridgeway, 3rd Floor, Chicago, IL 60625, 22 U.S.C. § 2778 (violating the AECA), April 20, 1994, *United States* v. *Aziz Muthana,* U.S. District Court, Northern District of Illinois, Criminal Docket No. 93–CR–580.

8. Louis Clarence Thomasset, 24 Rue de la Croix, Echampen, France 77440, 22 U.S.C. § 2778 (violating the AECA), May 16, 1994, *United States* v. *Louis Clarence Thomasset,* U.S. District Court, Southern District of Texas, Criminal Docket No. H–94–15.

9. Manfred Felber, 1150 John Street, 13–15, Vienna, Austria, 22 U.S.C. § 2778 (violating the AECA), June 6, 1994, *United States* v. *Manfred Felber,* U.S. District Court, District of Oregon, Criminal Docket No. CR–94–60044.

10. Joseph D'Addezio, 133 Greenmeadow Dr., Deer Park, NY 11729, 18 U.S.C. § 371 (conspiracy to violate 22 U.S.C. 2778), July 20, 1994, *United States* v. *Joseph D'Addezio,* U.S. District Court, Southern District of New York, Criminal Docket No. 90–CR–810.

11. Oskar Benevidez Vann, 919 Santa Maria, Laredo, TX 78040–2745, 18 U.S.C. § 371 (conspiring to violate 22 U.S.C. § 2778), September 23, 1994, *United States* v. *Oskar Benevidez Vann, et al.,* U.S. District Court, Western District of Louisiana, Criminal Docket No. CR–93–60012–01.

12. Rexon Technology Corp., 70 Old Turnpike Road, Wayne, NJ 07470, 22 U.S.C. § 2778 (violating the AECA), February 22, 1995, *United States* v. *Rexon Technology Corp., et al.,* U.S. District Court, District of New Jersey, Criminal Docket No. 93–610.

Dated: May 19, 1995.

William J. Lowell,

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

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[Public Notice 2207]

Office of Defense Trade Controls; Munitions Exports Involving Teledyne Wah Chang Albany, Extraco Ltd., Weco Industrial Products Export GmbH, Edward Johnson, Christian Demesmaeker, and International Commerce Promotion S.P.R.L.

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given that all existing license and other approvals, granted pursuant to section 38 of the Arms Export Control Act, that authorize the export or transfer by, for or to, TELEDYNE INDUSTRIES, INC., D/B/A TELEDYNE WAH CHANG ALBANY, EXTRACO LTD., WECO INDUSTRIAL PRODUCTS EXPORT GMBH, EDWARD JOHNSON, CHRISTIAN DEMESMAEKER, AND INTERNATIONAL COMMERCE PROMOTION S.P.R.L., and any of their subsidiaries or associated companies, of defense articles or defense services are suspended effective July 13, 1994. In addition, it shall be the policy of the Department of State to deny all export license applications and other requests for approval involving, directly or indirectly, the above cited entities. This action also precludes the use in connection with such entities of any exemptions from license or other approvals included in the International Traffic in Arms Regulations (ITAR) (22 CFR Parts 120–130).

EFFECTIVE DATE: December 12, 1994.

FOR FURTHER INFORMATION CONTACT: Mary F. Sweeney, Acting Chief, Compliance and Enforcement Branch, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (703–875–6650).

SUPPLEMENTARY INFORMATION: A four (4) count indictment was returned on July 13, 1994, in the U.S. District Court for the District of Columbia, charging TELEDYNE INDUSTRIES, INC., D/B/A TELEDYNE WAH CHANG ALBANY (TWCA), Oregon; EXTRACO LTD, Athens Greece; WECO INDUSTRIAL PRODUCTS EXPORT GMBH, Germany and Belgium; EDWARD JOHNSON (employee of TWCA); CHRISTIAN DEMESMAEKER (employee of Weco Industrial Products Export GmbH); and INTERNATIONAL COMMERCE PROMOTION S.P.R.L., Belgium; with conspiracy (18 U.S.C. 371) to violate and violation of section 38 of the Arms Export Control Act (AECA) (22 U.S.C. 2778) and its implementing regulations, the International Traffic in Arms Regulations (ITAR) (22 CFR Parts 120–130). The indictment charges that the defendants conspired to conceal a scheme to sell and export zirconium compacts to Greece, for reexport to Jordan, without having first obtained the U.S. Department of State requisite authorization. (*United States* v. *Teledyne Industries, Inc., d/b/a Teledyne Wah Chang Albany, et al.,* U.S. District Court for the District of Columbia, Criminal Docket No. 94–286).

Effective July 13, 1994, the Department of State suspended all licenses and other written approvals (including all activities under manufacturing license and technical assistance agreements) concerning exports of defense articles and provision of defense services by, for or to the defendants and any of their subsidiaries or associated companies. Furthermore, the Department precluded the use in connection with the defendants of any exemptions from license or other approval included in the ITAR.

This action has been taken pursuant to sections 38 and 42 of the Arms Export Control Act (AECA) (22 U.S.C. 2778 & 2791) and 22 CFR 126.7(a)(2) and 126.7(a)(3) of the ITAR. It will remain in force until rescinded.

Exceptions may be made to this policy on a case-by-case basis at the discretion of the Office of Defense Trade Controls. However, such an exception would be granted only after a full review of all circumstances, paying particular attention to the following factors: whether an exception is warranted by overriding foreign policy or national security interests; whether an exception would further law enforcement concerns; and whether other compelling circumstances exist which are consistent with foreign policy or national security interests of the United States, and which do not conflict with law enforcement concerns.

A person named in an indictment for an AECA-related violation may submit a written request for reconsideration of the suspension/denial decision to the office of Defense Trade Controls. Such request for reconsideration should be supported by evidence of remedial measures taken to prevent future violations of the AECA and/or the ITAR and other pertinent documented information showing that the person would not be a risk for future violations of the AECA and/or the ITAR. The Office of Defense Trade Controls will evaluate the submission in consultation with the Department of Treasury, Justice, and other necessary agencies. After a decision on the request for reconsideration has been rendered by the Assistant Secretary for Political-Military Affairs, the requester will be