

the meeting to Dr. Sara Klucking at KluckingSR@state.gov.

Sara Klucking,

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DEPARTMENT OF STATE

[Public Notice: 11808]

**Bureau of Political-Military Affairs;
Statutory Debarment Under the Arms
Export Control Act and the
International Traffic in Arms
Regulations**

ACTION: Notice.

SUMMARY: Notice is hereby given that the Department of State has imposed statutory debarment under the International Traffic in Arms Regulations (ITAR) on persons convicted of violating, or conspiracy to violate, the Arms Export Control Act (AECA).

DATES: Debarment imposed as of August 10, 2022.

FOR FURTHER INFORMATION CONTACT: Jae E. Shin, Director, Office of Defense Trade Controls Compliance, Bureau of Political-Military Affairs, Department of State. (202) 632-2107.

SUPPLEMENTARY INFORMATION: Section 38(g)(4) of the AECA, 22 U.S.C. 2778(g)(4), restricts the Department of State from issuing licenses for the export of defense articles or defense services where the applicant, or any party to the export, has been convicted of violating the AECA or certain other statutes, enumerated in section 38 of the AECA, subject to a narrowly defined statutory exception. The Department refers to this restriction as a limitation on “export privileges” and implements a presumption of denial through section 127.11 of the ITAR.

In addition, section 127.7(b) of the ITAR provides for “statutory debarment” of any person who has been convicted of violating or conspiring to violate the AECA. Under this policy, persons subject to statutory debarment are prohibited from participating directly or indirectly in any activities that are regulated by the ITAR.

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

It is the policy of the Department of State that statutory debarment as described in section 127.7(b) of the ITAR lasts for a three-year period following the date of conviction. Reinstatement from the policy of statutory debarment is not automatic, and in all cases the debarred person must submit a request to the Department of State and be approved for reinstatement from statutory debarment before engaging in any activities subject to the ITAR.

Department of State policy permits debarred persons to apply to the Director, Office of Defense Trade Controls Compliance, for reinstatement beginning one year after the date of the debarment. In response to a request for reinstatement from statutory debarment, the Department may determine either to rescind only the statutory debarment pursuant to section 127.7(b), or to both rescind the statutory debarment pursuant to section 127.7(b) of the ITAR and reinstate export privileges as described in section 127.11 of the ITAR. See 84 FR 7,411 (March 4, 2019) for discussion of the Department’s policy regarding actions to both rescind the statutory debarment and reinstate export privileges. The reinstatement of export privileges can be made only after the statutory requirements of section 38(g)(4) of the AECA have been satisfied.

Certain exceptions, known as transaction exceptions, may be made to this debarment determination on a case-by-case basis. 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 U.S. foreign policy or national security interests; whether an exception would further law enforcement concerns that are consistent with the foreign policy or national security interests of the United States; or whether other compelling circumstances exist that are consistent with the foreign policy or national security interests of the United States, and that do not conflict with law enforcement concerns. Even if exceptions are granted, the debarment continues until subsequent reinstatement from statutory debarment.

Pursuant to section 38(g)(4) of the AECA and section 127.7(b) and (c)(1) of the ITAR, the following persons, having been convicted in a U.S. District Court, are denied export privileges and are statutorily debarred as of the date of this notice (Name; Date of Judgment; Judicial District; Case No.; Month/Year of Birth):

(1) Awer, Akeem Shonari; February 14, 2020; Southern District of Florida; 1:19-cr-20564; December 1990.

(2) Cabalceta, Oben; September 18, 2019; District of New Jersey; 1:19-cr-00296; May 1965.

(3) Camaj, Rrok Martin; February 28, 2020; Eastern District of Michigan; 2:19-cr-20403; July 1985.

(4) Guerra, Claudia; March 4, 2019; Southern District of Texas; 1:18-cr-00622; January 1992.

(5) Sin, Aydan; a.k.a. Hon Chak Gordon Sin; a.k.a. Andy Sin; a.k.a. Bullion Sin; October 05, 2021; Western District of New York; 1:17-cr-00090; January 1972.

(6) Sobrado, Roger; September 5, 2019; District of New Jersey; 1:18-cr-00615; May 1970.

(7) Wang, Shaohua; a.k.a. Eric Wang; February 3, 2020; Southern District of the California; 3:19-cr-01895; September 1982.

(8) Wang, Ye Sang; a.k.a. Ivy Wang; December 21, 2021; Southern District of California; 3:19-cr-01895; September 1984.

(9) Xie, Tuqiang; a.k.a. Tony Xie; March 30, 2022; Northern District of Illinois; 1:19-cr-00664; March 1962.

(10) Zhang, Jian; December 30, 2020; District of Arizona; 2:18-cr-01236; January 1976.

At the end of the three-year period following the date of this notice, the above-named persons remain debarred unless a request for reinstatement from statutory debarment is approved by the Department of State.

Pursuant to section 120.1(c) of the ITAR, debarred persons are generally ineligible to participate in activities regulated under the ITAR. Also, under section 127.1(d) of the ITAR, any person who has knowledge that another person is ineligible pursuant to section 120.1(c)(2) of the ITAR may not, without disclosure to and written approval from the Directorate of Defense Trade Controls, participate, directly or indirectly, in any ITAR-controlled transaction where such ineligible person may obtain benefit therefrom or have a direct or indirect interest therein.

This notice is provided for purposes of making the public aware that the persons listed above are prohibited from participating directly or indirectly in activities regulated by the ITAR, including any brokering activities and any export from or temporary import into the United States of defense articles, technical data, or defense services in all situations covered by the ITAR. Specific case information may be obtained from the Office of the Clerk for the U.S. District Courts mentioned

above and by citing the court case number where provided.

Kevin E. Bryant,

Acting Director, Office of Directives Management, Department of State.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2013-0122; FMCSA-2013-0123; FMCSA-2013-0125; FMCSA-2014-0102; FMCSA-2014-0107; FMCSA-2015-0327; FMCSA-2015-0328; FMCSA-2015-0329; FMCSA-2017-0057; FMCSA-2017-0059; FMCSA-2017-0060; FMCSA-2018-0139; FMCSA-2019-0109; FMCSA-2019-0111; FMCSA-2020-0024; FMCSA-2020-0025]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of renewal of exemptions; request for comments.

SUMMARY: FMCSA announces its decision to renew exemptions for 40 individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these hard of hearing and deaf individuals to continue to operate CMVs in interstate commerce.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates provided below. Comments must be received on or before September 9, 2022.

ADDRESSES: You may submit comments identified by the Federal Docket Management System Docket No. FMCSA-2013-0122, Docket No. FMCSA-2013-0123, Docket No. FMCSA-2013-0125, Docket No. FMCSA-2014-0102, Docket No. FMCSA-2014-0107, Docket No. FMCSA-2015-0327, Docket No. FMCSA-2015-0328, Docket No. FMCSA-2015-0329, Docket No. FMCSA-2017-0057, Docket No. FMCSA-2017-0059, Docket No. FMCSA-2017-0060, Docket No. FMCSA-2018-0139, Docket No. FMCSA-2019-0109, Docket No. FMCSA-2019-0111, Docket No. FMCSA-2020-0024, or Docket No. FMCSA-2020-0025 using any of the following methods:

- **Federal eRulemaking Portal:** Go to www.regulations.gov/, insert the docket number, FMCSA-2013-0122, FMCSA-2013-0123, FMCSA-2013-0125, FMCSA-2014-0102, FMCSA-2014-0107, FMCSA-2015-0327, FMCSA-2015-0328, FMCSA-2015-0329, FMCSA-2017-0057, FMCSA-2017-0059, FMCSA-2017-0060, FMCSA-2018-0139, FMCSA-2019-0109, FMCSA-2019-0111, FMCSA-2020-0024, or FMCSA-2020-0025 in the keyword box, and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, and click on the "Comment" button. Follow the online instructions for submitting comments.

- **Mail:** Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- **Hand Delivery:** West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal Holidays.

- **Fax:** (202) 493-2251.

To avoid duplication, please use only one of these four methods. See the "Public Participation" portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, fmcsamedical@dot.gov, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA-2013-0122, Docket No. FMCSA-2013-0123, Docket No. FMCSA-2013-0125, Docket No. FMCSA-2014-0102, Docket No. FMCSA-2014-0107, Docket No. FMCSA-2015-0327, Docket No. FMCSA-2015-0328, Docket No. FMCSA-2015-0329, Docket No. FMCSA-2017-0057, Docket No. FMCSA-2017-0059, Docket No. FMCSA-2017-0060, Docket No. FMCSA-2018-0139, Docket No. FMCSA-2019-0109, Docket No. FMCSA-2019-0111, Docket No.

FMCSA-2020-0024, or Docket No. FMCSA-2020-0025), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to www.regulations.gov/, insert the docket number, FMCSA-2013-0122, FMCSA-2013-0123, FMCSA-2013-0125, FMCSA-2014-0102, FMCSA-2014-0107, FMCSA-2015-0327, FMCSA-2015-0328, FMCSA-2015-0329, FMCSA-2017-0057, FMCSA-2017-0059, FMCSA-2017-0060, FMCSA-2018-0139, FMCSA-2019-0109, FMCSA-2019-0111, FMCSA-2020-0024, or FMCSA-2020-0025 in the keyword box, and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, click the "Comment" button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

FMCSA will consider all comments and material received during the comment period.

B. Viewing Comments

To view comments go to www.regulations.gov. Insert the docket number, FMCSA-2013-0122, FMCSA-2013-0123, FMCSA-2013-0125, FMCSA-2014-0102, FMCSA-2014-0107, FMCSA-2015-0327, FMCSA-2015-0328, FMCSA-2015-0329, FMCSA-2017-0057, FMCSA-2017-0059, FMCSA-2017-0060, FMCSA-2018-0139, FMCSA-2019-0109, FMCSA-2019-0111, FMCSA-2020-0024, or FMCSA-2020-0025 in the keyword box, and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, and click "Browse Comments." If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12-140