

**DEPARTMENT OF STATE**

[Public Notice 6089]

**Termination of Statutory Debarment Pursuant to Section 38(g)(4) of the Arms Export Control Act for Peter Appelbaum****ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Department of State has terminated the statutory debarment against Peter Appelbaum pursuant to section 38(g)(4) of the Arms Export Control Act (AECA) (22 U.S.C. 2778).

**DATES:** *Effective Date:* January 24, 2008.

**FOR FURTHER INFORMATION CONTACT:** David C. Trimble, Director, Office of Defense Trade Controls Compliance, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202) 663-2807.

**SUPPLEMENTARY INFORMATION:** Section 38(g)(4) of the AECA and section 127.11 of the International Traffic in Arms Regulations (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 the AECA and certain other U.S. criminal statutes enumerated at section 38(g)(1)(A) of the AECA and section 120.27 of the ITAR. A person convicted of violating the AECA is also subject to statutory debarment under section 127.7 of the ITAR.

In October 1999, Peter Appelbaum was convicted of violating the AECA (U.S. District Court, Southern District of Florida, 1:99CR00530-001). Based on this conviction, Peter Appelbaum was statutorily debarred pursuant to section 38(g)(4) of the AECA and section 127.7 of the ITAR and, thus, prohibited from participating directly or indirectly in exports of defense articles and defense services. Notice of debarment was published in the **Federal Register** (68 FR 52436, September 3, 2003).

Section 38(g)(4) of the AECA permits termination of debarment after consultation with the other appropriate U.S. agencies 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. The Department of State has determined that Peter Appelbaum has taken appropriate steps 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 Therefore, in accordance with section 38(g)(4) of the AECA, the debarment against Peter Appelbaum is rescinded, effective January 24, 2008.

Dated: January 24, 2008.

**Stephen D. Mull,**

*Acting Assistant Secretary of State for Political-Military Affairs, Department of State.*

[FR Doc. E8-1948 Filed 2-1-08; 8:45 am]

BILLING CODE 4710-25-P

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Approval of Noise Compatibility Program; Hartsfield-Jackson Atlanta International Airport, Atlanta, GA**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the Noise Compatibility Program submitted by the City of Atlanta under the provisions of 49 U.S.C. (the Aviation Safety and Noise Abatement Act, hereinafter referred to as "the Act") and 14 CFR part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On April 10, 2007, the FAA determined that the noise exposure maps submitted by the City of Atlanta under Part 150 were in compliance with applicable requirements. On January 24, 2008, the FAA approved the Hartsfield-Jackson Atlanta International Airport Noise Compatibility Program. All of the recommendations of the program were approved. No program elements relating to new or revised flight procedures for noise abatement were proposed by the airport operator.

**DATES:** *Effective Dates:* The effective date of the FAA's approval of the Hartsfield-Jackson Atlanta International Airport Noise Compatibility Program is January 24, 2008.

**FOR FURTHER INFORMATION CONTACT:** Scott L. Seritt, Federal Aviation Administration, Atlanta Airports District Office, 1701 Columbia Avenue Campus Building, Suite 2-260, College Park, Georgia 30337, phone number: 404-305-7150. Documents reflecting this FAA action may be reviewed at this same location.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA has given its overall approval to the Noise Compatibility Program for Hartsfield-Jackson Atlanta International Airport, effective January 24, 2008.

Under section 47504 of the Act, an airport operator who has previously submitted a Noise Exposure Map may

submit to the FAA a Noise Compatibility Program which sets forth the measures taken or proposed by the airport operator for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses with the area covered by the Noise Exposure Maps. The Act requires such programs to be developed in consultation with interested and affected parties, including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with 14 CFR part 150 is a local program, not a Federal Program. The FAA does not substitute its judgment for that of the airport operator with respect to which measure should be recommended for action. The FAA's approval or disapproval of part 150 program recommendations is measured according to the standards expressed in part 150 and the Act, and is limited to the following determinations:

a. The Noise Compatibility Program was developed in accordance with the provisions and procedures of 14 CFR part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types of classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an airport Noise Compatibility Program are delineated in 14 CFR part 150, § 150.5 Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a

commitment by the FAA to financially assist the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where Federal funding is sought, requests for project grants must be submitted to the FAA Airports District Office in College Park, Georgia.

The City of Atlanta submitted to the FAA on March 29, 2007, the Noise Exposure Maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from February 6, 2003, through September 5, 2007. The Hartsfield-Jackson Atlanta International Airport Noise Exposure Maps were determined by FAA to be in compliance with applicable requirements on April 10, 2007. Notice of this determination was published in the **Federal Register** on April 10, 2007.

The Hartsfield-Jackson Atlanta International Airport study contains a proposed Noise Compatibility Program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from September 5, 2007 beyond the year 2012. It was requested that FAA evaluate and approve this material as a Noise Compatibility Program as described in section 47504 of the Act. The FAA began its review of the Program on September 7, 2007, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new or modified flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period shall be deemed to be an approval of such program.

The submitted program contained seven (7) proposed actions for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and 14 CFR part 150 have been satisfied. The overall program, therefore, was approved by the FAA effective January 24, 2008.

Outright approval was granted for all of the specific program elements. These determinations are set forth in detail in a Record of Approval signed by the FAA on January 24, 2008. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative office of the City of Atlanta. The Record of Approval also will be available on-line at: [http://www.faa.gov/airports\\_airtraffic/airports/environmental/airport\\_noise/part\\_150/states/](http://www.faa.gov/airports_airtraffic/airports/environmental/airport_noise/part_150/states/).

Issued in College Park, Georgia, on January 25, 2008.

**Scott L. Seritt,**

*Manager, Atlanta Airports District Office.*

[FR Doc. 08-464 Filed 2-1-08; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Research, Engineering and Development Advisory Committee

Pursuant to section 10(A)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 2), notice is hereby given of a meeting of the FAA Research, Engineering and Development (R, E & D) Advisory Committee.

**AGENCY:** Federal Aviation Administration.

**ACTION:** Notice of meeting.

*Name:* Research, Engineering & Development Advisory Committee.

*Time and Date:* March 5, 2008—9 a.m. to 4 p.m.

*Place:* Federal Aviation Administration, 800 Independence Avenue, SW., Round Room (10th Floor), Washington, DC 20591.

*Purpose:* The meeting agenda will include receiving from the Committee guidance for FAA's research and development investments in the areas of air traffic services, airports, aircraft safety, human factors and environment and energy. Attendance is open to the interested public but seating is limited. Persons wishing to attend the meeting or obtain information should contact Gloria Dunderman at (202) 267-8937 or [gloria.dunderman@faa.gov](mailto:gloria.dunderman@faa.gov). Attendees will have to present picture ID at the security desk and be escorted to the Round Room.

Members of the public may present a written statement to the Committee at any time.

Issued in Washington, DC, on January 28, 2008.

**Barry Scott,**

*Acting Director, Research & Technology Development.*

[FR Doc. 08-463 Filed 2-1-08; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Express Lanes Demonstration Program

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice; request for applications.

**SUMMARY:** Section 1604(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59; Aug. 10, 2005), authorizes the Secretary of Transportation (Secretary) to carry out 15 demonstration projects to permit States, public authorities, or public or private entities designated by States, the authority to collect a toll from a motor vehicle on an eligible toll facility. This notice invites States, public authorities, or other entities as designated by States to apply to participate in the Express Lanes Demonstration Program. It also presents guidelines for program applications and participation.

**DATES:** Applications must be received no later than May 31, 2009.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice, contact Mr. Wayne Berman, Office of Operations, (202) 366-4069, ([Wayne.Berman@dot.gov](mailto:Wayne.Berman@dot.gov)); for legal questions contact Mr. Michael Harkins, Attorney Advisor, Office of the Chief Counsel, (202) 366-4928, ([Michael.Harkins@dot.gov](mailto:Michael.Harkins@dot.gov)). The FHWA is located at 1200 New Jersey Avenue, SE., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this document may be downloaded from the **Federal Register's** home page at: <http://www.archives.gov> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

##### Background

There is a growing consensus among transportation policymakers and economists that existing financing mechanisms for highway and aviation infrastructure are unsustainable in the long-term and will be unable to keep pace with projected demands on the transportation network. In May 2006, the National Strategy to Reduce Congestion on America's Transportation Network was introduced by the U.S. Department of Transportation to set forth several initiatives to relieve congestion.<sup>1</sup> The Express Lanes

<sup>1</sup> Speaking before the National Retail Federation's annual conference on May 16, 2006, in Washington, DC, former U.S. Transportation Secretary Norman Mineta unveiled a new plan to reduce congestion plaguing America's roads, rails, and airports. The National Strategy to Reduce Congestion on America's Transportation Network includes a number of initiatives designed to reduce transportation congestion. The transcripts of these remarks is available at the following URL: <http://www.dot.gov/affairs/minetas051606.htm>.