

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6467). The mailing address is U.S. Department of State, SA-5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522-0505.

Dated: September 1, 2010.

**Ann Stock,**

*Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2010-22362 Filed 9-7-10; 8:45 am]

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## DEPARTMENT OF STATE

[Public Notice: 7155]

### **Culturally Significant Objects Imported for Exhibition Determinations: “Van Gogh, Gauguin, Cézanne, and Beyond: Post-Impressionist Masterpieces From the Musée d’Orsay”**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236-3 of August 28, 2000, I hereby determine that the objects to be included in the exhibition “Van Gogh, Gauguin, Cézanne, and Beyond: Post-Impressionist Masterpieces from the Musée d’Orsay,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at the Fine Arts Museums of San Francisco, San Francisco, CA, from on or about September 25, 2010, until on or about January 18, 2011, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6467). The mailing address is U.S. Department of State, SA-5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522-0505.

Dated: September 1, 2010.

**Ann Stock,**

*Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

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## DEPARTMENT OF STATE

[Public Notice 7157]

### **Culturally Significant Objects Imported for Exhibition Determinations: “Miró: The Dutch Interiors”**

**ACTION:** Notice, correction.

**SUMMARY:** On August 11, 2010, notice was published on page 48736 of the **Federal Register** (volume 75, number 154) of determination made by the Department of State pertaining to the exhibit “Miró: The Dutch Interiors.” The reference notice is corrected to accommodate an additional object to be included in the exhibition. Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236-3 of August 28, 2000, I hereby determine that the additional object to be included in the exhibition “Miró: The Dutch Interiors,” imported from abroad for temporary exhibition within the United States, is of cultural significance. The additional object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the additional exhibit object at The Metropolitan Museum of Art, New York, NY, from on or about October 4, 2010, until on or about January 17, 2011, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the additional exhibit object, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6467). The mailing address is U.S. Department of State, SA-5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522-0505.

Dated: September 1, 2010.

**Ann Stock,**

*Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2010-22358 Filed 9-7-10; 8:45 am]

**BILLING CODE 4710-05-P**

## DEPARTMENT OF STATE

[Public Notice 7151]

### **Notice of Debarment Pursuant to Section 127.7(c) of the International Traffic in Arms Regulations**

*Title:* 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 pursuant to § 127.7(c) of the International Traffic in Arms Regulations (“ITAR”) (22 CFR parts 120 to 130) on persons convicted of violating or attempting to violate Section 38 of the Arms Export Control Act, as amended (“AECA”), (22 U.S.C. 2778).

**DATES:** *Effective Date:* Date of conviction as specified for each person.

**FOR FURTHER INFORMATION CONTACT:** Lisa Studtmann, Director, Office of Defense Trade Controls Compliance, Bureau of Political-Military Affairs, Department of State (202) 663-2980.

**SUPPLEMENTARY INFORMATION:** Section 38(g)(4) of the AECA, 22 U.S.C. 2778(g)(4), prohibits the Department of State from issuing licenses or other approvals for the export of defense articles or defense services where the applicant, or any party to the export, has been convicted of violating certain statutes, including the AECA. The statute permits limited exceptions to be made on a case-by-case basis. In implementing this provision, Section 127.7 of the ITAR provides for “statutory debarment” of any person who has been convicted of violating or conspiring to violate the AECA. Persons subject to statutory debarment are prohibited from participating directly or indirectly in the export of defense articles, including technical data, or in the furnishing of defense services for which a license or other approval is required.

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.

The period for debarment will be determined by the Assistant Secretary for Political-Military Affairs based on the underlying nature of the violations, but will generally be for three years from the date of conviction. At the end of the debarment period, export privileges may be reinstated only at the request of the debarred person followed by 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) of the AECA. Unless export privileges are reinstated, however, the person remains debarred.

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. Any decision to grant reinstatement can be made only after the statutory requirements of Section 38(g)(4) of the AECA have been satisfied.

Exceptions, also known as transaction exceptions, may be made to this debarment determination on a case-by-case basis at the discretion of the Assistant Secretary of State for Political-Military Affairs, after consulting with the appropriate U.S. agencies. 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.

Pursuant to Section 38(g)(4) of the AECA and Section 127.7(c) of the ITAR, the following persons are statutorily debarred as of the date of their AECA conviction (Name, Date of Conviction, District, Case No., Date of Birth):

- (1) Arick Andre Dube, April 1, 2010, U.S. District Court, Southern District of Alabama, Case # 1:09-CR-00187-001, June 10, 1981.
- (2) Juan Lopez-Hernandez, April 6, 2010, U.S. District Court, Southern

- District of Alabama, Case # 1:09-CR-00187-002, March 16, 1968.
- (3) Charles Michael Cartwright, April 18, 2010, U.S. District Court, District of Arizona, Case # CR-08-01197-002, October 13, 1988.
- (4) Kasey Ray Davis, April 18, 2010, U.S. District Court, District of Arizona, Case # CR-08-01197-010, December 9, 1989.
- (5) Adam Wyatt Fuentes, April 18, 2010, U.S. District Court, District of Arizona, Case # CR-08-01197-003, November 23, 1983.
- (6) Andrew Allen Wild, April 18, 2010, U.S. District Court, District of Arizona, Case # CR-08-01197-013, June 28, 1986.
- (7) Ian Alexander Witte, April 18, 2010, U.S. District Court, District of Arizona, Case # CR-08-01197-011, November 1, 1990.
- (8) Rocky Mountain Instrument Company, August 20, 2010, U.S. District Court, District of Colorado, Case # 1:10-CR-00139.
- (9) Amir Hossein Ardebili (aka Amir Ahkami, Alex Dave, Arash Koren), December 14, 2009, U.S. District Court, District of Delaware, Case #s 1:07-CR-155-01 and 1:08-CR-73-01, July 3, 1974.
- (10) Baktash Fattahi, July 20, 2010, U.S. District Court, Southern District of Florida, Case # 1:09-20298-CR-SEITZ(s)-3, June 26, 1972.
- (11) Desmond Dinesh Frank, August 28, 2008, U.S. District Court, District of Massachusetts, Case # 1:07-CR-10382, December 28, 1977.
- (12) Yen Ching Peng (aka Alex Peng, Yen-Yo Peng), U.S. District Court, Southern District of New York, Case # 1:07-cr-01214-01, March 15, 1976.
- (13) Atmospheric Glow Technologies, Inc., February 18, 2010, U.S. District Court, Eastern District of Tennessee, Case # 3:08-CR-69-002.
- (14) Roberto Aaron Velasco-Tamez, March 3, 2009, U.S. District Court, Southern District of Texas, Case # 7:08-CR-00892-001, March 29, 1988.
- (15) Raul Calvillo-Colunga, February 15, 2010, U.S. District Court, Southern District of Texas, Case # 7:08-CR-01415-002, February 18, 1990.
- (16) Erick Gerardo Martinez-Martinez, February 16, 2010, U.S. District Court, Southern District of Texas, Case # 7:09-CR-00713-001, November 20, 1988.
- (17) Aaron De Leon, February 16, 2010, U.S. District Court, Southern

- District of Texas, Case # 7:09-CR-01089-001, November 21, 1988.
- (18) Rodolfo Palacios, Jr., February 10, 2010, U.S. District Court, Southern District of Texas, Case # 7:09-CR-01249-001, July 25, 1991.
- (19) Armando Bazan, May 1, 2010, U.S. District Court, Southern District of Texas, Case # 7:09-CR-01316-001, October 4, 1963.
- (20) Cesar Canales, May 1, 2010, U.S. District Court, Southern District of Texas, Case # 7:09-CR-01316-002, December 14, 1958.
- (21) Francisco Reyes-Martinez, March 30, 2010, U.S. District Court, Southern District of Texas, Case # 1:09-CR-01434-001, February 5, 1971.
- (22) Pablo Leyva-Angiano, July 19, 2010, U.S. District Court, Southern District of Texas, Case # 7:10-CR-00179-001, March 7, 1983.
- (23) Ramon Andrade, Jr., July 14, 2010, U.S. District Court, Southern District of Texas, Case # 7:10-CR-00346-001, July 24, 1970.
- (24) Caro-Dominguez, Jaime Omar, June 23, 2010, U.S. District Court, Western District of Texas, Case # 4:10-cr-004-01, August 30, 1998.

As noted above, at the end of the three-year period following the date of conviction, the above named persons/entities remain debarred unless export privileges are reinstated.

Debarred persons are generally ineligible to participate in activity regulated under the ITAR (*see e.g.*, sections 120.1(c) and (d), and 127.11(a)). Also, under Section 127.1(c) of the ITAR, any person who has knowledge that another person is subject to debarment or is otherwise ineligible may not, without disclosure to and written approval from the Directorate of Defense Trade Controls, participate, directly or indirectly, in any export in which such ineligible person may benefit there from 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 in any export from or temporary import into the United States of defense articles, related 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.

Dated: August 31, 2010.

**Thomas M. Countryman,**

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

[FR Doc. 2010-22357 Filed 9-7-10; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Availability of a Supplemental Draft Environmental Impact Statement for the DesertXpress High-Speed Passenger Rail Project

**AGENCY:** Federal Railroad  
Administration (FRA), United States  
Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** FRA is issuing this notice to advise the public that a Supplemental Draft EIS has been prepared for the DesertXpress High-Speed Passenger Train Project (Project). FRA is the lead agency for the environmental review process and has prepared the Supplemental Draft EIS consistent with the provisions of Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), the Counsel of Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500 *et seq.*) and FRA's Procedures for Considering Environmental Impacts (64 FR 28545; May 26, 1999).

DesertXpress Enterprises Inc., the Project proponent, proposes to construct and operate a fully grade-separated, dedicated double-track, passenger-only railroad along an approximately 200-mile corridor, from Victorville, CA, to Las Vegas, NV. After publication of the Draft EIS and in response to substantive comments submitted by interested agencies and the public, the Project proponent proposed several project modifications and additions. After reviewing the proposed project modifications and additions, FRA determined a Supplemental Draft EIS describing the potential environmental effects of the modifications and additions was necessary to fulfill its responsibility under NEPA.

**DATES:** Written comments on the Supplemental Draft EIS for the DesertXpress Project should be provided to FRA on or before October 18 2010. Public hearings are scheduled on October 13 and October 14, 2010, at the times and dates listed in the Addresses Section below in Las Vegas, NV and Barstow, CA.

**ADDRESSES:** Written comments on the Supplemental Draft EIS should be sent to Ms. Wendy Messenger, Environmental Protection Specialist, Office of Railroad Policy and Development, ATTN: DesertXpress EIS, Federal Railroad Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., MS-20, Washington, DC 20590 or via e-mail with the subject line DesertXpress EIS to [Wendy.Messenger@dot.gov](mailto:Wendy.Messenger@dot.gov). Comments may also be provided orally or in writing at the public hearings scheduled at the following locations:

- Las Vegas, NV, Wednesday, October 13, 2010, 5:30 to 8 p. m., Hampton Inn Tropicana, SW. Event Center B, 4975 Dean Martin Drive, Las Vegas, NV; and
- Barstow, CA, Thursday, October 14, 2010, 5:30 to 8 p.m., Lenwood Hampton Inn, Jackrabbit Room 1, 2710 Lenwood Road, Barstow, CA.

**FOR FURTHER INFORMATION CONTACT:** Ms. Wendy Messenger, Environmental Protection Specialist, Office of Railroad Policy and Development, Federal Railroad Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., MS-20, Washington, DC 20590 (telephone: 202-493-6396).

**SUPPLEMENTARY INFORMATION:** Following the March 18, 2009 publication of the Draft EIS on the Project, several project modifications and additions were proposed to address substantive comments received during public and agency review of the Draft EIS and to reduce or avoid significant environmental effects. After evaluating the proposed project modifications and additions, FRA determined, pursuant to 40 CFR 1502.9, that it was necessary to prepare a supplement to the Draft EIS analyzing the potential environmental impacts that might result from those modifications and additions. Therefore, in compliance with CEQ's regulations and FRA's Procedures for Considering Environmental Impacts, FRA, in cooperation with the Bureau of Land Management (BLM), Surface Transportation Board (STB), Federal Highway Administration (FHWA), and the National Park Service (NPS), and with the added participation of the California Department of Transportation (Caltrans) and the Nevada Department of Transportation (NDOT), prepared a Supplemental Draft EIS.

The Project would involve the construction and operation of an interstate high-speed passenger train system between Victorville, CA and Las Vegas, NV, along an approximately 200-mile corridor. The project proponent proposes to construct nearly the entire

fully grade-separated, dedicated double-track, passenger-only railroad either in the median of, or immediately alongside, Interstate-15 (I-15).

The proposed project modifications and additions do not in any way change the underlying purpose of, or need for, the project. The need for high-speed passenger rail service arises from several factors, including high and increasing travel demand with limited increases in capacity on I-15, constraints to the expansion of air travel, and frequent highway vehicle accidents on the I-15 corridor. The DesertXpress high-speed passenger train is intended to provide reliable and safe passenger rail transportation using proven high-speed rail technology that would be a convenient alternative to automobile travel on I-15 or air travel to and from Las Vegas, and that would add transportation capacity along the I-15 corridor.

Consistent with the requirements of NEPA, the Supplemental Draft EIS evaluates the environmental effects of the proposed modifications and additions, which include a new Victorville passenger station option at Dale Evans Parkway, a rail alignment through the Barstow area following the I-15 freeway corridor from Lenwood through Yermo, CA, a new rail alignment through the Clark Mountains near the Mojave National Preserve, new sites for maintenance and operation facilities in unincorporated Clark County, NV, relocation of portions of the rail alignment in metropolitan Las Vegas from the immediate I-15 corridor to the Industrial Road/Dean Martin Drive corridor, and several alignment modifications to reduce or avoid environmental impacts, improve operating characteristics, or avoid conflicts with other planned projects.

Copies of both the Supplemental Draft EIS and Draft EIS are available online at FRA's Web site: <http://www.fra.dot.gov>; they are also available for viewing at the following locations near the planned rail system:

- Victorville City Library, 15011 Circle Drive, Victorville, CA 92395;
- Barstow Library, 304 East Buena Vista, Barstow, CA 92311;
- Clark County Library, 1401 E. Flamingo Road, Las Vegas, NV 89119; and
- Las Vegas Library, 833 Las Vegas Blvd. N., Las Vegas, NV 80101.