

## 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 Therefore, in accordance with section 38(g)(4) of the AECA, the debarment against Peter Appelbaum is rescinded, effective January 24, 2008.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.*

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**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