

McDonnell Douglas Corporation, Douglas Aircraft Company, and Robert Hitt (employee of McDonnell Douglas and Douglas Aircraft), with conspiring (18 U.S.C. 371) to violate and violating Section 11 of the Export Administration Act (50 U.S.C. 2401–2420); aiding and abetting (18 U.S.C. 2); making false statements (18 U.S.C. 1001); and violating the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) regarding details of a 1994 sale of American machining equipment, some of which was diverted to a Chinese military site. The indictment charges the defendants with making material false, fraudulent and misleading statements and material omissions on the applications, and end user certificates upon which the Department of Commerce granted 10 export licenses to McDonnell Douglas and Douglas Aircraft permitting the export of 13 pieces of machinery that bend and shape steel for aerospace products to the People's Republic of China (PRC), for use by a PRC owned company called China National Aero-Technology Import and Export Corporation (CATIC). The defendants, CATIC and TAL caused six of the 13 pieces of machinery to be diverted to an unauthorized end-user in Nanchang, PRC, known for military production. (*United States v. China National Aero-Technology Import and Export Corporation, et al.*) U.S. District Court for the District of Columbia, Criminal Docket No. 1:99–CR–00353).

Note: Commercial exports from the United States of certain equipment that could make a significant contribution to the technology and military potential of other countries is governed by the Export Administration Act of 1979, 50 U.S.C. App. sections 2401–2420 and the Export Administration Regulations, 15 C.F.R. Parts 768–799. Although the Export Administration Act expired August 20, 1994, the implementing regulations, the Export Administration Regulations, were continued in effect pursuant to Executive Order.

On October 19, 1999, the Department of State instituted a policy of denial of all requests for licenses and other written approvals (including all activities under manufacturing license and technical assistance agreements and brokering activities) concerning exports of defense articles and provision of defense services, by, for or to, or other transactions involving directly or indirectly, the above-named defendants and any of their affiliates, subsidiaries, or successor entities. Furthermore, the Department precluded the use in connection with those defendants of any exemptions from license or other approval included in the ITAR except as those exemptions directly pertain to

licenses or other written approvals granted prior to October 19, 1999.

This action has been taken pursuant to sections 38 and 42 of the Arms Export Control Act (AECA) (22 U.S.C. 2778 and 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 denial policy on a case-by-case basis at the discretion of the Office of Defense Trade Controls. However, such an exception will 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; and whether other compelling circumstances exist which are consistent with the foreign policy or national security interests of the United States, and which do not conflict with law enforcement concerns.

A person indicted for violating or conspiring to violate the Export Administration Act or International Emergency Economic Powers Act may submit a written request for reconsideration of the denial policy 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 Departments of Treasury, Justice, and other necessary agencies. After a decision on the request for reconsideration has been made by the Assistant Secretary for Political-Military Affairs, the requester will be notified whether the exception has been granted.

Dated: January 3, 2000.

Eric D. Newsom,

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

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 172; Future Air-Ground Communications in the VHF Aeronautical Data Band (118–137 MHz)

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., Appendix 2), notice

is hereby given for Special Committee 172 meeting to be held February 22–24, 2000, starting at 9:00 a.m. The meeting will be held at RTCA, 1140 Connecticut Avenue, NW., Suite 1020, Washington, DC 20036.

The agenda will be as follows:
February 22: (1) Plenary Convenes at 9:00 a.m. for 30 minutes; (2) Introductory Remarks; (3) Review and approval of the Agenda. (9:30 a.m.) (4) Working Group (WG)–2, VHF Data Radio Signal-in-Space Minimum Aviation System Performance Standards, final work and vote on VDL Mode 3 document. February 23: (5) WG–3 review of VHF digital radio Minimum Operational Performance Standards document progress and furtherance of work. February 24: Plenary Reconvenes at 9:00 a.m.: (6) Review Summary Minutes of Previous Plenary of SC–172; (7) Reports from WG–2 and WG–3 on Activities; (8) Report on ICAO Aeronautical Mobile Communications Panel Working Group Activities; (9) EUROCAE WG–47 Report and discuss schedule for further work with WG–3; (10) Review Issues List and Address Future Work; (11) Other Business; (12) Dates and Locations of Next Meeting; (p.m.) (13) WGs continues as necessary.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1140 Connecticut Avenue, NW., Suite 1020, Washington, DC 20036; (202) 833–9339 (phone); (202) 833–9434 (fax); or <http://www.rtca.org> (web site). Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on January 7, 2000.

Janice L. Peters,

Designated Official.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 194; ATM Data Link Implementation

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for Special Committee 194 meeting to be held February 7–11, 2000, starting at 9:00 a.m. each day. The

meeting will be held at RTCA, 1140 Connecticut Ave., NW, Suite 1020, Washington, DC 20036.

The agenda will include: February 7: 9:00 a.m. to 12 Noon, (1) Working Group (WG)-2, Flight Operations & ATM Integration; (2) WG-3, Human Factors. 1:00-5:00 p.m., Plenary: (3) Welcome and Introductions; (4) Review meeting agenda; (5) Review/Approve previous meeting summary; (6) Distribute Ballot Comments for WG-3 Document; (7) Presentation of WG-3 document: Human Factors Minimum Operational Performance Standards for Control Pilot Data Link Communications Systems: Build 1 and Build 1A. February 8-9: Working Group meetings; (8) Data Link Ops Concept & Implementation Plan (WG-1); (9) Flight Operation & ATM Integration (WG-2); (10) Human Factors (WG-3), and (11) Service Provider Interface (WG-4). February 10: Plenary Session: (12) Working Group reports (Update on work programs and expected document completion dates); (13) Review, discussion, disposition of ballot comments on WG-3 Document; (14) Other Business; February 11: Plenary Session continues: (15) Review, discussion, and disposition of ballot comments on WG-3 Document; (16) Date and location of next meeting; (17) Closing.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1140 Connecticut Avenue, NW., Suite 1020, Washington, DC 20036; (202) 833-9339 (phone); (202) 833-9434 (fax); or <http://www.rtca.org> (web site). Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on January 7, 2000.

Janice L. Peters,

Designated Official.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Highway Motor Fuel Reporting Reassessment; Public Workshops

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice; Public workshops.

SUMMARY: The FHWA Office of Highway Policy Information is sponsoring two

one-day workshops to discuss the reporting of motor fuel information. The purpose of these workshops is to provide information on the reporting of motor fuel data from the States to the FHWA, the process by which the FHWA attributes Federal revenue to the States using the State-provided data, and to discuss and gather input on potential changes to the reporting procedures. The FHWA invites Federal and State Government agencies and interested public groups and individuals to attend.

DATES: The workshops will be conducted between 8:30 a.m. and 3:15 p.m. (local times). The locations and dates are listed below:

1. January 27, 2000, Marriott Philadelphia Downtown, 1201 Market St., Philadelphia, PA 19107, tel: 215-625-2900. The hotel is offering a government rate of \$113 per night for a single room, plus taxes. Please contact the hotel as soon as possible, but not later than January 21, 2000, to reserve your room and receive the government rate. Refer to the Federal Highway Motor Fuel Workshop when making your reservation.

2. February 24, 2000, Adams Mark Hotel, 1550 Court Place, Denver, CO 80202, tel: 303-893-3333. The hotel is offering a government rate of \$83 per night for a single room, plus taxes. Please contact the hotel as soon as possible, but not later than January 23, 2000, to reserve your room and receive the government rate. Refer to the Federal Highway Motor Fuel Workshop when making your reservation.

FOR FURTHER INFORMATION CONTACT:

Specifics on registration and hotel accommodation information are available by calling Ms. Evangeline Pappas of Harrington-Hughes and Associates, Inc; at (202) 347-3511. For workshop issues, contact Ms. Marsha Reynolds at (202) 366-5029, or Mr. Ralph C. Erickson at (202) 366-9235, Office of Highway Policy Information.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded by using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202)512-1661. Internet users may reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's web page at: <http://www.access.gpo.gov/nara>. The "Guide to Reporting Highway Statistics," is electronically available for review at the URL: <http://www.fhwa.dot.gov/ohim/ghwystat.htm>.

Background

The current motor-fuel reporting structure has served apportionment and information needs very well. (See chapter 2 of the "Guide to Reporting Highway Statistics," which is electronically available as provided above.) However, the more extensive use of motor fuel data for apportionments under Federal legislation suggests that updating and improving the current reporting structure is necessary. While improvements in the current structure have been made, a number of reporting issues remain.

The FHWA, in conjunction with the American Association of State Highway and Transportation Officials (AASHTO) and the Federation of Tax Administrators (FTA), has initiated a review of its motor-fuel reporting process. As part of this review, the FHWA has held two meetings of a committee composed of representatives from State departments of transportation and revenue, and others, to discuss and develop recommendations for motor fuel reporting improvements. The FHWA has begun to consolidate these recommendations, but is seeking further information from State data reporters and other experts in the subject matter.

Many States have expressed a strong interest in better understanding the attribution process, and in reporting motor fuel data to support each State's fair share of the attribution. About \$11 billion annually in funds are apportioned based on State-reported motor fuel as provided in the Transportation Equity Act for the 21st Century, Public Law 105-178, 112 Stat. 107 (1998). The workshops on highway motor fuel reporting will provide an opportunity for States to achieve a better understanding of this process and provide input on reporting improvements.

Authority: 23 U.S.C. 315; sections 1103 and 1104 of the Transportation Equity Act for the 21st Century, Pub. L. 105-178, 112 Stat. 107 (1998); and 49 CFR 1.48.

Issued on: January 10, 2000.

Walter L. Sutton, Jr.,

Associate Administrator for Policy.

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