

*II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

1. Purpose

The purpose of the proposed rule change is to amend Exchange Rule 930 to add paragraph (k), which allows the lessee of membership to pay fees owed to the Exchange by the lessor that are past due and to set off such amounts from amounts due the lessor by the lessee.<sup>12</sup> This provision, which the Phlx represents is in accordance with proposed Exchange Rule 51,<sup>13</sup> allows a lessee to pay, on behalf of the lessor, any fees, including the capital funding fee,<sup>14</sup> owed to the Exchange by the lessor. Proposed Rule 930(k) helps to protect innocent lessees from being unexpectedly dispossessed from their membership and trading rights in the event of nonpayment by their lessors. Pursuant to proposed Rule 930(k), the lessee should be able to continue trading under his/her current lease provisions, for a period of up to three months. Therefore, the lessee's trading privileges should not be interrupted if the lessor does not pay its fees, including the capital funding fee referred to in footnotes 12, 13 and 14. In addition, the provisions of proposed Rule 930(k) should give the lessee sufficient time to execute a new lease agreement, if necessary.<sup>15</sup> The Exchange believes that provisions (contained in its Certificate of Incorporation and by-laws) give the Exchange the authority to

<sup>12</sup> The principal fee that the Phlx currently charges to lessors and other owners of memberships in the "capital funding fee." See Securities Exchange Act Release No. 42993 (June 29, 2000), 65 FR 42415 (July 10, 2000) (approving adoption of capital funding fee, SR-Phlx-99-51). See footnote 14 below for a further discussion of the capital funding fee.

<sup>13</sup> On December 6, 1999, the Exchange submitted a proposed rule change relating to the adoption of new Rule 51, *Enforcement*, which relates to the ability of the Exchange's Board to take certain specified measures if any owner of a membership fails to pay (or have paid on its behalf) any capital funding fee when due. The proposal is ending (SR-Phlx-99-52).

<sup>14</sup> On January 5, 2000, the Commission approved as a three-month pilot program, a capital funding fee applicable to owners of memberships. See Securities Exchange Act Release No. 42318 (January 5, 2000), 65 FR 2216 (January 13, 2000) (SR-Phlx-99-49). On April 24, 2000, the Commission approved the extension of the three-month pilot program until July 6, 2000. See Securities Exchange Act Release No. 42714 (April 24, 2000), 65 FR 25782 (May 3, 2000) (SR-Phlx-00-29). Permanent approval of the capital funding fee was received on June 29, 2000. See Securities Exchange Act Release No. 42993 (June 29, 2000), 65 FR 42415 (July 10, 2000) (SR-Phlx-99-51).

<sup>15</sup> Under proposed Rule 51, *supra* note 13, the Exchange may issue temporary trading rights to members whose leases are suspended due to nonpayment of the capital funding fee by the lessor.

modify lease agreements in the manner described above.<sup>16</sup>

The Phlx further represents that the purpose of the minor technical amendments to Rule 930 is to make the language in the paragraphs of the existing rule more consistent with each other. References to the Certificate of Incorporation are being added throughout Rule 930. For example, paragraph (a) of Rule 930 would state that a lease agreement shall not be effective unless the transfer of membership was approved under the Exchange's Certificate of Incorporation, by-laws or rules. The Exchange represents that, as a matter of Delaware corporation law, a certificate of incorporation is preeminent and accordingly, by-laws and any rules adopted thereto cannot conflict with the certificate of incorporation.<sup>17</sup> Further, the Exchange is amending Rule 930 to consistently refer to the lease as a "lease agreement."

2. Statutory Basis

For these reasons, the Exchange believes that the proposed rule change is consistent with Section 6 of the Act,<sup>18</sup> in general, and with Section 6(b)(5),<sup>19</sup> in particular, in that it is designed to promote just and equitable principles of trade and protects investors and the public interest by enabling lessees to continue trading, even with their respective lessors fail to pay fees owed the Exchange when due.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others*

Written comments were neither solicited nor received on the proposed rule change.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and

<sup>16</sup> See Certificate of Incorporation Article Third, proposed Article Nineteenth and Article Twentieth, By-Law Art. XII, § 12-9, and proposed Rule 51.

<sup>17</sup> See 8 *Del. C.* § 102 and 109(b)

<sup>18</sup> 15 U.S.C. 78f(b).

<sup>19</sup> 15 U.S.C. 78f(b)(5).

publishes its reasons for so finding or (ii) as to which Phlx consents, the Commission will:

A. By order approve such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR-Phlx-2001-45 and should be submitted by May 23, 2001.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>20</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 01-10887 Filed 5-1-01; 8:45 am]

**BILLING CODE 8010-01-M**

**DEPARTMENT OF STATE**

**Office of Defense Trade Controls**

[Public Notice 3650]

**Notifications to the Congress of Proposed Commercial Export Licenses**

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Department of State has forwarded the attached Notifications of Proposed Export Licenses to the Congress on the dates shown on the attachments pursuant to section 36(c) and 36(d) and in compliance with section 36(e) of the

<sup>1</sup> 17 CFR 200.30-3(a)(12).

Arms Export Control Act (22 U.S.C. 2776).

**EFFECTIVE DATE:** As shown on each of the twenty-four letters.

**FOR FURTHER INFORMATION CONTACT:** Mr. William J. Lowell, Director, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202 663-2700).

**SUPPLEMENTARY INFORMATION:** Section 38(e) of the Arms Export Control Act mandates that notifications to the Congress pursuant to section 36(c) must be published in the **Federal Register** when they are transmitted to Congress or as soon thereafter as practicable.

Dated: April 16, 2001.

**William J. Lowell,**

*Director, Office of Defense Trade Controls, Department of State.*

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

April 4, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed Manufacturing License Agreement with the Republic of Korea.

The transaction described in the attached certification involves the manufacture of Multiple Launch Rocket System (MLRS) M26A2 rocket pods with extended range rockets and M77 submunitions for use by the Republic of Korea.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Michael E. Guest,

*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 132-00

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36 (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed Manufacturing License Agreement with Greece.

The transaction described in the attached certification involves the transfer of technical data and assistance in the manufacture of upgrades to the TOW weapon system for end use by the Hellenic Army.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though

unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Michael A. Guest,

*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. 002-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the export of four (4) MK15 MOD12 Phalanx Close-In-Weapon systems with 20mm guns for vessels, type Destroyer (DD) and type LST to the Government of Japan for use by the Japan Defense Agency.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Michael A. Guest,

*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 003-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the export of unclassified hardware to Germany for incorporation into the Eurofighter 2000 center fuselage.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Michael A. Guest,

*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 004-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves launch services for the Hispasat-1D communications satellite on an Atlas IAS launch vehicle from Cape Canaveral, Florida. The satellite will provide commercial communications services as well as communications services for the Spanish Ministry of Defense.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Michael A. Guest,

*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 005-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 26, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense services and technical data to support the manufacture of F100-PW-229/-229A Engine Parts in Norway for F-16 Aircraft.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Michael E. Guest,

*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 007-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

April 6, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license

for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export to Canada of know-how sufficient for the performance of depot level support for the AN/APG-65 radar for end use by the Government of Canada (Canadian CF-18 Aircraft) and Commonwealth of Australia (Australian F/A-18 Aircraft).

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 008-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

April 6, 2001.

Dear Mr. Speaker:

Pursuant to Section 36 (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed Manufacturing License Agreement with Japan.

The transaction described in the attached certification involves the transfer of technical data and assistance in the manufacture and overhaul of Propellant Actuated Devices (PAD) utilized in the Crew Escape Systems for the F-15, FS-X, and F-2 Aircraft for end use by the Japanese Defense Agency.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. 010-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

April 6, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) & (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for defense articles and defense services in the amount of \$50,000,000.

The transaction described in the attached certification involves the of technical data and assistance for the joint design, development, and manufacture of new and existing rounds of military ordnance in the

20mm to 40mm range of Medium Caliber Ammunition for end-use in the United States and Norway.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 013-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

April 6, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed Manufacturing License Agreement with Italy.

The transaction described in the attached certification involves the transfer of technical data and assistance in the manufacture of TOW Missile Gyroscopes. The Gyroscopes will be for end use in the United States and Italy.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. 014-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

April 6, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed Manufacturing License Agreement with France.

The transaction described in the attached certification involves the transfer of technical data and assistance in the manufacture of a vehicle-based biological agent detection lab. The vehicle-based biological agent detection labs will be for end use by the French Ministry of Defense.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information

submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. 015-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

April 6, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the manufacture of components and spare parts for the ALQ-88AK Electronic Countermeasure System in the Republic of Korea.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 016-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the export to Luxembourg of the ASTRA 3A commercial communications satellite and associated ground systems, training and customer operations support. The transaction also includes launch operations support in French Guiana.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 020-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c)&(d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed Technical Assistance Agreement with Canada, Australia and New Zealand.

The transaction described in the attached certification involves the transfer of technical data and defense services to Australia for the establishment of a LAV-25 turret production and assembly facility in support of Canadian, Australian and New Zealand LAV-25 programs.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 021-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed Technical Assistance Agreement with Israel.

The transaction described in the attached certification involves the transfer of technical data and defense services to Israel for the manufacture, assembly and repair of the H-764G Inertial Navigation System for various fixed wing and rotary aircraft used by the Israeli Ministry of Defense.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 022-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the manufacture in Japan of Strapdown Inertial Systems for an additional ten years for the Japan Defense Agency's ASM and Cruising Target Drone Programs.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 024-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the manufacture in Japan of aircraft wheel and brake components for the Japanese Defense Force.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 025-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 21, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed Manufacturing License Agreement with the United Kingdom.

The transaction described in the attached certification involves the transfer of technical data and defense services to the United Kingdom for the design, development and manufacture of the Joint Services General Purpose Mask for the US Armed Forces.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though

unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 026-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 26, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the export of technical data and assistance for the manufacture in Japan of UH-60 electrical components for the Japan Defense Agency.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 027-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

March 26, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense services and technical data to support Enhanced Structural Repair of the F/A-18 Airframe, in Canada.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 029-01

The Honorable J. Dennis Hastert, Speaker of

the House of Representatives.  
March 26, 2001.  
Dear Mr. Speaker:

Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense services and technical data for the manufacture of the JFC-115 Fuel Control Units, in Japan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 030-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.  
March 26, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense services and technical data to support the manufacture of F100-PW-229/-229A Engine Parts in Belgium for F-16 Aircraft.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 031-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.  
April 6, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves the manufacture of LN-

39A Inertial Navigation Units for use on Italian and Brazilian AMX aircraft and Italian F-104 aircraft.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 035-01

April 2, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount \$50,000,000 or more.

The transaction contained in the attached certification involves ongoing activities associated with technical assistance agreements with Russia beyond those addressed in DTC 39-98, dated March 19, 1998, DTC 98-99, dated August 5, 1999, DTC 014-00, dated March 7, 2000, and DTC 034-01, dated March 1, 2001, providing for the marketing and sale of satellite launch services utilizing Proton rocket boosters and the performance of associated integration and launch services from Kazakhstan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Michael E. Guest,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 046-01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

[FR Doc. 01-10832 Filed 5-1-01; 8:45 am]

**BILLING CODE 4710-25-U**

## DEPARTMENT OF STATE

### [Delegation of Authority DA1-244]

#### Delegation of Duties, Functions and Responsibilities Vested in the Under Secretary of State for Management

By virtue of the authority vested in me as Under Secretary of State for Management, I hereby delegate, during

periods of my absence, the duties functions and responsibilities vested in me as Under Secretary of State for Management to the following officials of the Department of State in an order as may be specified from time to time: Assistant Secretary for Administration; Assistant Secretary for Consular Affairs; Assistant Secretary for Diplomatic Security; Director General of the Foreign Service and Human Resources.

This delegation shall not include the duties, functions and responsibilities vested in me by Public Notice 802 dated April 14, 1982, as amended (relating to the designated order of succession to the Secretary of State), nor duties, functions, and responsibilities required by law to be exercised by higher authority than the delegate.

This delegation supersedes the Delegation of Authority on this subject dated March 6, 1998. This memorandum shall be published in the **Federal Register**.

Dated: April 25, 2001.

**Grant S. Green, Jr.,**

*Under Secretary of State For Management, Department of State.*

[FR Doc. 01-11014 Filed 5-1-01; 8:45 am]

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## DEPARTMENT OF STATE

### [Delegation of Authority 245]

#### Organization, Functions, and Authority Delegations; Deputy Secretary of State

By virtue of the authority vested in me as Secretary of State, including the authority of section 4 of the State Department Basic Authorities Act, as amended (22 U.S.C. 2651a), I hereby delegate to the Deputy Secretary, to the extent authorized by law, all authorities and functions vested in the Secretary of State or the head of agency by any act, order, determination, delegation of authority, regulation, or executive order, now or hereafter issued. This delegation includes all authorities and functions that have been or may be delegated or redelegated to other Department officials but does not repeal delegations to such officials.

Notwithstanding this delegation of authority, the Secretary of State may exercise any function or authority delegated by this delegation. The Deputy Secretary may, to the extent consistent with law, (1) redelegate such functions and authorities and authorize their successive redelegation, and (2) promulgate such rules and regulations as may be necessary to carry out such functions.