

section 120.1(c) and (d), 126.7, and 127.11(a)). The Department of State will not consider applications for licenses or requests for approvals that involve any persons who has been convicted of violating or of conspiring to violate the AECA during the period of statutory debarment. Persons who have been statutorily debarred may appeal to the Under Secretary for Arms Control and International Security for reconsideration of the ineligibility determination. A request for reconsideration must be submitted in writing within 30 days after a person has been informed of the adverse decision, in accordance with 22 CFR section 127.7(d) and 128.13(a).

Pursuant to section 38 of the AECA and section 127.7 of the ITAR, the following persons have been statutorily debarred by the Assistant Secretary of State for Political-Military Affairs for a period of three years following the date of their AECA conviction:

(1) Mart Haller Incorporated, September 10, 2003, U.S. District Court, District of Connecticut (New Haven), Case #:3:03Cr170(EBB).

(2) Alan Haller, September 10, 2003, U.S. District Court, District of Connecticut (New Haven), Case #:3:03Cr169(EBB).

(3) Tariq Ahmed a/k/a "Tariq Amin", "Tariq Ahmad Amin", September 30, 2003, U.S. District Court, District of Connecticut (New Haven), Case #:3:02CR247(DJS).

(4) Yasmin Ahmed a/k/a "Yasmin Tariq", "Fatimah Mohammad", September 4, 2003, U.S. District Court, District of Connecticut (New Haven), Case #:3:02CR247(DJS).

(5) Jami Siraj Choudhury, November 10, 2003, U.S. District Court, Eastern District of Wisconsin, Case #:02-Cr-261.

As noted above, at the end of the three-year period, the above named persons/entities will remain debarred unless licensing privileges are reinstated.

This notice is provided for purposes of making the public aware that the persons listed above are prohibited from participating directly or indirectly in 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 Court, District of Connecticut (New Haven) and the U.S. District Court, Eastern District of Wisconsin citing the court case number where provided.

Exceptions may be made to this denial policy on a case-by-case basis at

the discretion of the Directorate of Defense Trade Controls. 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 interest, whether an exception would further law enforcement concerns that are not inconsistent with the foreign policy or national security interests of the United States; or whether other compelling circumstances exist that are not inconsistent with the foreign policy or national security interests of the United States, and that do not conflict with law enforcement concerns.

This notice involves a foreign affairs function of the United States encompassed within the meaning of the military and foreign affairs exclusion of the Administrative Procedure Act. Because the exercise of this foreign affairs function is discretionary, it is excluded from review under the Administrative Procedure Act.

Dated: March 20, 2004.

**Lincoln P. Bloomfield, Jr.,**

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

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**BILLING CODE 4710-25-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Aviation Rulemaking Advisory Committee; Renewal

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of renewal.

**SUMMARY:** Pursuant to section 14(a)(2)(A) of the Federal Advisory Committee Act, and in accordance with section 102-3.65, title 41 of the Code of Federal Regulations, notice is hereby given that the Aviation Rulemaking Advisory Committee has been renewed for a 2-year period beginning April 7, 2004. The primary purpose of the Committee is to provide the aviation public with a means to have its interests in aviation safety rulemaking considered in developing regulatory actions, thus enabling the agency to produce better documents. It has also been determined that renewal of the Committee would be in the public interest with regard to the performance of duties imposed on the FAA by law. The Committee will operate in accordance with the rules of the Federal Advisory Committee Act and the

Department of Transportation, FAA Committee Management Order (1110.30C).

You may receive further information about this Advisory Committee from Ms. Gerri Robinson, Office of Rulemaking, 800 Independence Avenue, SW., Washington, DC 20591, telephone: 202-267-9678.

Issued in Washington, DC, on March 26, 2004.

**Anthony F. Fazio,**

*Executive Director, Aviation Rulemaking Advisory Committee.*

[FR Doc. 04-7488 Filed 4-1-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Delegation of Authority

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of delegation of authority.

**SUMMARY:** The FAA is giving notice of a specific delegation of authority from the FAA Administrator to the Associate Chief Counsel/Director, Office of Dispute Resolution for Acquisition (hereinafter the "ODRA Director"), to supplement and expand the authority previously delegated on July 29, 1998 and supersede the delegation issued to the Associate Chief Counsel/Director of the ODRA on March 27, 2000, in order to permit the ODRA Director to issue final FAA Agency orders on behalf of the Administrator in certain bid protests and contract disputes filed with the FAA Office of Dispute Resolution for Acquisition. The delegation was set forth in a memorandum signed by the Administrator dated March 10, 2004. The FAA is publishing the text of the delegation, so that it is available to interested parties.

**FOR FURTHER INFORMATION CONTACT:** Marie A. Collins, Staff Attorney and Dispute Resolution Officer for the Office of Dispute Resolution for Acquisition (AGC-70), Federal Aviation Administration, 800 Independence Street, SW., Room 323, Washington, DC 20591; telephone (202) 267-3290; facsimile (202) 267-3720.

**SUPPLEMENTARY INFORMATION:** Under the Department of Transportation and Related Agencies Appropriations Act of 1996, Pub. L. No. 104-50, 109 Stat. 436 (1995) ("Appropriations Act"), Congress directed the FAA to develop an acquisition system that addresses the mission and unique needs of the Agency and at a minimum, provides for more

timely and cost-effective acquisition of equipment and materials. In the Appropriations Act, Congress expressly directed the FAA to create the new acquisition system without reference to existing procurement statutes and regulations. The result was the development of the FAA's Acquisition Management System (AMS) and the establishment of the Office of Dispute Resolution for Acquisition (ODRA). Subsequently, Congress enacted the Vision 100—Century of Aviation Reauthorization Act, Pub. L. No. 108–176, 117 Stat. 2490 (2003), which specifies the ODRA as the exclusive forum for the resolution and adjudication of bid protests and contract disputes arising from AMS acquisitions and contracts. Under these statutes, the ODRA is mandated to resolve bid protests and contract disputes in a timely and efficient manner, using consensual alternative dispute resolution techniques to the maximum extent practicable. A final procedural rule that took effect on June 28, 1999 for ODRA bid protests and contract disputes was published in the **Federal Register** on June 18, 1999 (64 FR 34926). Technical corrections to the rule were published in the **Federal Register** on August 31, 1999 (64 FR 47361). The full text of the March 10, 2004 delegation from the Administrator to the ODRA Director provides the ODRA Director with additional authority to act on behalf of the Administrator with respect to ODRA bid protests and contract disputes as follows:

In order to render more efficient the FAA acquisition dispute resolution process, pursuant to 49 U.S.C. § 106(f)(2), 49 U.S.C. 40101, *et seq.*, and 46101, *et seq.*, and 14 CFR part 17, I hereby delegate to the Associate Chief Counsel/Director, Office of Dispute Resolution for Acquisition (“ODRA”) authority to execute and issue on behalf of the Administrator, orders and final decisions for the FAA in all matters within the ODRA’s jurisdiction, provided that such matters involve either: (1) A bid protest concerning an acquisition having a value or potential value of not more than five million dollars (\$5,000,000.00); or (2) a contract dispute involving a total amount to be adjudicated, exclusive of interest, legal fees or costs, of not more than five million dollars (\$5,000,000.00). The Associate Chief Counsel/ODRA Director further is authorized to execute and issue orders and final decisions on behalf of the Administrator for any applications made pursuant to the Equal Access to Justice Act for matters within the ODRA’s jurisdiction.

The foregoing authority may not be re-delegated.

This delegation supplements and expands the authority previously delegated on July 29, 1998 and supersedes the delegation issued to the Associate Chief Counsel/Director of the ODRA on March 27, 2000. This delegation does not preclude the Associate Chief Counsel/Director of the ODRA from requesting, in any matter before the ODRA, that the order setting forth the final decision of the FAA be executed by the Administrator.

Issued in Washington, DC, on March 10, 2004.

**Andrew B. Steinberg,**

*Chief Counsel.*

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**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Delegation of Authority

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice delegation of authority.

**SUMMARY:** The FAA is giving notice of a specific delegation of authority from the FAA Administrator to the Associate Chief Counsel/Director, Office of Dispute Resolution for Acquisition (hereinafter the “ODRA Director”), in all contests involving Agency actions associated with the FAA’s adaptation of Office of Management and Budget (“OMB”) Circular A–76. The delegation was set forth in a memorandum signed by the Administrator dated March 10, 2004. The FAA is publishing the text of the delegation, so that it is available to interested parties.

**FOR FURTHER INFORMATION CONTACT:**

Marie A. Collins, Staff Attorney and Dispute Resolution Officer for the Office of Dispute Resolution for Acquisition (AGC–70), Federal Aviation Administration, 800 Independence Street, SW., Room 323, Washington, DC 20591; telephone (202) 267–3290; facsimile (202) 267–3720.

**SUPPLEMENTARY INFORMATION:** Under the Department of Transportation and Related Agencies Appropriations Act of 1996, Pub. L. No. 104–50, 109 Stat. 436 (1995) (“Appropriations Act”), Congress directed the FAA to develop an acquisition system that addresses the mission and unique needs of the Agency and at a minimum, provides for more timely and cost-effective acquisition of equipment and materials. In the Appropriations Act, Congress expressly directed the FAA to create the new

acquisition system without reference to existing procurement statutes and regulations. The result was the development of the FAA’s Acquisition Management System (AMS) and the establishment of the Office of Dispute Resolution for Acquisition (ODRA). Under the AMS, the FAA follows the policies of the OMB Circular A–76, (Revised) Performance of Commercial Activities to the extent that such policies are consistent with FAA’s statutory mandate. In accordance with OMB Circular A–76, the subject delegation implements the FAA’s policy that directly interested parties may contest certain actions taken in connection with FAA competition, pursuant to contest procedures administered by the ODRA. Rules governing contests are published in the ODRA Web site at <http://www.faa.gov/agc/odra/index.htm>.

The full text of the March 10, 2004 delegation from the Administrator to the ODRA Director provides as follows:

Under 49 U.S.C. 106(f)(2), 49 U.S.C. 46101, *et seq.*, Pub. L. No. 104–50, Pub. L. No. 108–176, and Pub. L. No. 108–199, I delegate to the Associate Chief Counsel/Director, Office of Dispute Resolution for Acquisition (“ODRA”) authority in all contests involving Agency actions associated with the FAA’s adaptation of Office of Management and Budget (“OMB”) Circular A–76, as follows:

- a. To administer individual contests and to appoint ODRA Dispute Resolution Officers and Special Masters to administer all or portions of such contests;
- b. To conduct contest proceedings and to prepare findings and recommendations for the Administrator or the Administrator’s delegee, who will issue final decisions in such contests.
- c. To deny motions for dismissal or summary relief which have been submitted to the ODRA by parties to contests;
- d. To grant or deny motions for partial dismissal or partial summary relief submitted to the ODRA by parties to contests, or to order such partial dismissals on its own initiative;
- e. To dismiss contests, based on voluntary withdrawals by the parties which have instituted such proceedings;
- f. To dismiss contests, where the parties to such proceedings have achieved a settlement;
- g. To issue procedural rules and interlocutory orders aimed at proper and efficient case management, including, without limitation, scheduling orders, subpoenas, sanctions orders for failure of discovery, and the like;