

written approval from the Directorate of Defense Trade Controls, participate, directly or indirectly, in any export in which such ineligible person may benefit therefrom, 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 provided.

Dated: August 27, 2007.

**Michael W. Coulter,**

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

[FR Doc. E7-17905 Filed 9-10-07; 8:45 am]

**BILLING CODE 4710-25-P**

## DEPARTMENT OF STATE

[Public Notice 5906]

### Notice of Meeting of the Cultural Property Advisory Committee

In accordance with the provisions of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601 *et seq.*) (the Act) there will be a meeting of the Cultural Property Advisory Committee on Thursday, October 4, 2007, from approximately 9 a.m. to 5 p.m., and on Friday, October 5, from approximately 9 a.m. to 1 p.m., at the Department of State, Annex 44, Room 840, 301 4th St., SW., Washington, DC. At this meeting the Committee will conduct its ongoing review function with respect to the Memorandum of Understanding Between the Government of the United States of America and the Government of the Kingdom of Cambodia Concerning the Imposition of Import Restrictions on Khmer Archaeological Material; and, with respect to the Memorandum of Understanding with the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures of Honduras. This meeting is for the Committee to satisfy its ongoing review responsibility of the effectiveness of agreements pursuant to the Act and will focus its attention on Article II of the MOUs. This is not a meeting to consider extension of the

MOUs. Such a meeting will be scheduled in the future at which time a public session will be held.

The Committee's responsibilities are carried out in accordance with provisions of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601 *et seq.*). The U.S.-Cambodia MOU, the U.S.-Honduras MOU, the designated lists of restricted categories, the text of the Act, and related information may be found at <http://exchanges.state.gov/culprop>.

The meeting on October 4-5 will be closed pursuant to 5 U.S.C. 552b(c)(9)(B) and 19 U.S.C. 2605(h).

Dated: August 31, 2007.

**C. Miller Crouch,**

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

[FR Doc. E7-17871 Filed 9-10-07; 8:45 am]

**BILLING CODE 4710-05-P**

## DEPARTMENT OF STATE

[Public Notice 5930]

### Advisory Panel to the United States Section of the North Pacific Anadromous Fish Commission; Notice of Public Meeting

The Advisory Panel to the United States Section of the North Pacific Anadromous Fish Commission will meet on September 27, 2007, via conference call. This session will involve discussion of the Fifteenth Annual Meeting of the North Pacific Anadromous Fish Commission, to be held on October 8-12, 2007 in Valdivostok, Russia. The discussion will begin at 3:30 p.m. EST and is open to the public.

Requests for the conference call-in phone number or for further information on the meeting should be directed to Ms. Nicole M. Ricci, Office of Marine Conservation (OES/OMC), Room 2758, U.S. Department of State, Washington, DC 20520-7818. Ms. Ricci can be reached by telephone at (202) 647-1073 or by Fax (202) 736-7350.

Dated: August 28, 2007.

**David A. Balton,**

*Deputy Assistant Secretary for Oceans and Fisheries, Department of State.*

[FR Doc. E7-17879 Filed 9-10-07; 8:45 am]

**BILLING CODE 4710-05-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings; Agreements Filed the Week Ending July 6, 2007

The following Agreements were filed with the Department of Transportation under the sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1383 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* OST-2007-28672.

*Date Filed:* July 3, 2007.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC12 North Atlantic, Canada, USA-Europe, Expedited Composite Resolutions, Intended effective date: July 1, 2007.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. E7-17847 Filed 9-10-07; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending July 6, 2007

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-2007-28657.

*Date Filed:* July 2, 2007.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* July 23, 2007.

*Description:* Application of McCall Aviation, Inc., requesting authority to operate scheduled passenger service as a commuter air carrier.

*Docket Number:* OST-2007-28675.

*Date Filed:* July 3, 2007.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* July 24, 2007.

*Description:* Application of Thomas Cook Airlines UK Limited, ("Thomas Cook UK") requesting a foreign air carrier permit so that Thomas Cook UK will be able to exercise new rights made available to European air carriers pursuant to the Air Transport Agreement between the United States and the European Community and the Member States of the European Union (US-EC Agreement). Thomas Cook UK also requests an amendment to its existing exemption to the extent necessary to enable it to provide the services covered by this application while the Department evaluates Thomas Cook UK's application for a foreign air carrier permit.

*Docket Number:* OST-2007-27060.  
*Date Filed:* July 5, 2007.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* July 25, 2007.

*Description:* Application of Zoom Airlines Limited ("Zoom"), requesting amendment no. 2 to its application for a foreign air carrier permit and an exemption to conduct: (i) Foreign scheduled and charter air transportation of persons, property and mail from any point(s) behind any Member State(s) of the European Community via any point(s) in any Member State(s) and intermediate points to any point(s) in the United States and beyond; (ii) foreign scheduled and charter air transportation of persons, property and mail between any point(s) in the United States and any point(s) in any member of the European Common Aviation Area; (iii) foreign scheduled and charter cargo air transportation between any point(s) in the United States and any other points(s); (iv) other charters pursuant Part 212; and (v) transportation authorized by any additional route or other right(s) made available to European Community carriers in the future.

*Docket Number:* OST-2007-28705.  
*Date Filed:* July 6, 2007.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* July 27, 2007.

*Description:* Application of Virgin Blue International Airlines Pty Ltd ("VBIA"), requesting a foreign air carrier permit and an exemption in order to engage in scheduled foreign air transportation of persons, property and mail between the United States and Australia to the full extent authorized by the Air Transport Agreement between the United States of the America and the Government of the

Commonwealth of Australia ("the US-Australia Agreement"). VBIA also requests authority to engage in charter trips in foreign air transportation and other charters.

**Renee V. Wright,**

*Program Manager, Docket Operations,  
Federal Register Liaison.*

[FR Doc. E7-17848 Filed 9-10-07; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Informational Notice Regarding Certain Substituted Specimens

**AGENCY:** Office of the Secretary, U.S. Department of Transportation.

**SUMMARY:** The Office of Drug and Alcohol Policy and Compliance (ODAPC) is taking action to rectify what may be a mischaracterization of some test results as being substituted specimens. In appropriate cases, ODAPC will reconsider the employee's original refusal result, when reported from September 1998 through May 2003, and based upon a "substitution" finding in a given numerical range.

**FOR FURTHER INFORMATION CONTACT:** Mark Snider, U.S. Department of Transportation, Office of the Secretary, Office of Drug and Alcohol Policy and Compliance, 1200 New Jersey Avenue, SE., Washington, DC 20590; or Telephone (202) 366-3784; or E-mail [mark.snider@dot.gov](mailto:mark.snider@dot.gov).

**SUPPLEMENTARY INFORMATION:** In September 1998, Department of Health and Human Services (HHS) issued guidance (Program Document 035; September 28, 1998), for laboratories to determine when to report a urine specimen to the Medical Review Officer (MRO) as substituted. Under this guidance, a substituted specimen must have had a creatinine level of 5 mg/dL or less *and* a specific gravity less than or equal to 1.001 or greater than or equal to 1.020.

On the same date—September 28, 1998—ODAPC issued a memorandum to MROs as a companion piece to HHS's PD 035. In its memorandum, ODAPC instructed MROs to consider laboratory reported substituted results as refusals to test. There were no provisions for MRO review of substituted laboratory results.

The Department of Transportation amended part 40 (65 FR 79462), effective January 18, 2001, to put into practice, among other things, procedures for MRO review of substituted specimens. The amendment

held that employees could show MROs that they had medical reasons for producing the result and present evidence that they could naturally produce specimens meeting the HHS criteria for substituted specimens. MROs could cancel a "substituted" result in these circumstances.

In May 2003, in response to scientific information that suggested that some people could naturally produce urine with creatinine in the 2 to 5 mg/dL range, the Department of Transportation issued an interim final rule (68 FR 31624; May 28, 2003) directing MROs not to treat these results as substituted, but as negative-dilute. Unlike part 40 procedures with other negative-dilute results however, MROs were instructed to direct the employer to have the employee return to the collection site for a directly observed collection with no prior notice. The result of the observed collection would be the result of the record for the entire testing event.

HHS revised its Mandatory Guidelines with an effective date of November 1, 2004 (69 FR 19659; April 13, 2004). Among the revisions contained in the HHS Guidelines was the requirement that laboratories modify substituted specimen criteria. Under the revised HHS Guidelines, there were, and are, no specimens with creatinine levels greater than or equal to 2 mg/dL being reported by laboratories as substituted.

Substituted results with creatinine in the 2 to 5 mg/dL range occurring between September 1998 and May 2003 were, according to the valid regulations in effect at that time, properly interpreted as refusals to test. However, in the interest of fairness the Department of Transportation is providing to individuals with such results the opportunity to have their drug test result reconsidered. If an employee's substituted drug test result is reconsidered, employers will be instructed not to report the substituted result to other DOT regulated employers requesting the employee's drug and alcohol testing history as required in 49 CFR part 40.25.

The Department of Transportation is issuing this notice to set forth the procedures for such reconsideration. According to the notice, we intend to grant reconsideration only to those employees who present credible medical documentation that demonstrates their ability to naturally produce urine specimens with creatinine concentrations equal to or greater than 2, but less than or equal to 5 mg/dL *and* a specific gravity less than or equal to 1.001 or greater than or equal to 1.020.