

Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the NYSE. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSE-2007-115 and should be submitted on or before January 9, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>10</sup>

**Florence E. Harmon,**  
Deputy Secretary.

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## DEPARTMENT OF STATE

[Public Notice 6032]

### Termination of Statutory Debarment and Reinstatement of Eligibility To Apply for Export/Retransfer Authorizations Pursuant to Section 38(g)(4) of the Arms Export Control Act, for Rotair Industries, Inc. (Rotair)

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Department of State has terminated the statutory debarment against Rotair pursuant to section 38(g)(4) of the Arms Export Control Act (AECA) (22 U.S.C. 2778(g)(4)).

**DATES:** *Effective Date:* December 7, 2007.

**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 (22 U.S.C. 2778) prohibits the issuance of export licenses to a person, if that person or any party to the export has been convicted of violating section 38 of the AECA and certain other U.S. criminal statutes enumerated at section 38(g)(1)(A) of the AECA. A person convicted of violating the AECA is also subject to statutory debarment under section 127.7 of the ITAR.

In July 2004, Rotair was convicted of violating the AECA and the ITAR (U.S. District Court, District of Connecticut, 3:04CR 149-JBA). Based on this conviction, Rotair was statutorily debarred pursuant to 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** (70 FR 57349, September 30, 2005).

In accordance with section 38(g)(4) of the AECA, statutory debarment may be terminated 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, after consultation with other agencies, has determined that Rotair has taken appropriate steps to address the causes of the violations and to mitigate any law enforcement concerns. Therefore, the debarment against Rotair is rescinded, effective December 7, 2007. The effect of this action is that Rotair may participate without prejudice in the export of defense articles and defense services subject to Section 38 of the AECA and the ITAR.

Dated: December 7, 2007.

**Frank J. Ruggiero,**

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

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## DEPARTMENT OF STATE

[Public Notice 6034]

### Additional Designation of Entities Pursuant to Executive Order 13382

**AGENCY:** Department of State.

**ACTION:** Designation of Iran's Islamic Revolutionary Guard Corps (IRGC) and Ministry of Defense and Armed Forces

Logistics (MODAFL) Pursuant to Executive Order 13382.

**SUMMARY:** Pursuant to the authority in section 1(ii) of Executive Order 13382, "Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters", the Assistant Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, has determined that two Iranian entities, the Islamic Revolutionary Guard Corp (IRGC) and Ministry of Defense and Armed Forces Logistics (MODAFL), have engaged, or attempted to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction or their means of delivery.

**DATES:** The designation by the Acting Under Secretary of State for Arms Control and International Security of the entities identified in this notice pursuant to Executive Order 13382 is effective on October 25, 2007.

**FOR FURTHER INFORMATION CONTACT:** Director, Office of Counterproliferation Initiatives, Bureau of International Security and Nonproliferation, Department of State, Washington, DC 20520, tel.: 202-647-5193

### Background

On June 28, 2005, the President, invoking the authority, inter alia, of International Emergency Economic Powers Act (50 U.S.C. 1705-1706) ("IEEPA"), issued Executive Order 13382 (70 FR 38567, July 1, 2005) (the "Order"), effective at 12:01 a.m. eastern daylight time on June 29, 2005. In the Order the President took additional steps with respect to the national emergency described and declared in Executive Order 12938 of November 14, 1994, regarding the proliferation of weapons of mass destruction and the means of delivering them.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in the United States, or that hereafter come within the United States or that are or hereafter come within the possession or control of United States persons, of: (1) The persons listed in the Annex to the Order; (2) any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Attorney General, and other relevant agencies, to have engaged, or attempted to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction or their means of delivery

<sup>10</sup> 17 CFR 200.30-3(a)(12).