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ii. a temporary reexport of defense articles for the sole purpose of receiving maintenance, repair, or overhaul;

(viii) the reexport must take place wholly within or between the physical territory of Australia, Canada, or the United Kingdom;

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Entry into Force

Open General License No. 2 is valid for three years, effective August 1, 2023 through July 31, 2026. The Department may later consider reissuing Open General License No. 2 prior to July 31, 2026 and extend the period of validity, or otherwise amend the license.

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requirements as well as the requirements contained elsewhere in the ITAR. Open General License No. 2 may not be utilized unless and until these limitations, provisos, and requirements have been satisfied.

Please direct any questions regarding Open General License No. 2 to the Office of Defense Trade Controls Policy at telephone (202) 663-1282, or email DDTCCustomerService@state.gov. Jessica Lewis Assistant Secretary Bureau of Political-Military Affairs.

Dated: March 23, 2023.

Jessica Lewis,

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

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DEPARTMENT OF STATE

[Public Notice: 12068]

Bureau of Political-Military Affairs; Administrative Debarment Under the International Traffic in Arms Regulations Involving VTA Telecom Corporation

ACTION: Notice.

SUMMARY: Notice is hereby given that the Department of State has imposed administrative debarment under the International Traffic in Arms Regulations (ITAR) on VTA Telecom Corporation.

DATES: Debarment imposed as of April 20, 2023.

FOR FURTHER INFORMATION CONTACT: Jae E. Shin, Director, Office of Defense Trade Controls Compliance, Bureau of Political-Military Affairs, Department of State (202) 632-2107.

SUPPLEMENTARY INFORMATION: Section 127.7(c)(2) of the ITAR authorizes the Assistant Secretary of State for Political-Military Affairs to debar any person who has been found pursuant to part 128 of the ITAR to have committed a violation of the Arms Export Control Act (AECA) when such violation is of such character as to provide a reasonable basis for the Directorate of Defense Trade Controls to believe that the violator cannot be relied upon to comply with the AECA or ITAR in the future. Such debarment prohibits the subject “. . . from participating directly or indirectly in any activities that are subject to [the ITAR].”

Debarred persons are generally ineligible to participate in activity regulated under the ITAR (see, e.g., §§ 120.15(b), 120.16, 120.18, 127.1(c), and 127.11(a)). The Department of State will not consider applications for

licenses or requests for approvals that involve any debarred person.

VTA Telecom Corporation (VTA) violated the ITAR when it without authorization exported or attempted to export ITAR-controlled defense articles including hobby rocket motors, video trackers, including related technical data, and a gas turbine engine controlled under U.S. Munitions List Categories IV(d)(7), IV(h), IV(h)(11), XII(a), and XIX(c) to Vietnam, a proscribed country identified in ITAR 126.1 at the time of the ITAR violations. In addition, VTA violated the ITAR by knowingly providing false statements on the required end-use statements for the purpose of causing the export of defense articles to Vietnam.

On April 20, 2023, VTA entered into a Consent Agreement with the Department of State that settled its ITAR violations and that, pursuant to order of the Assistant Secretary for Political-Military Affairs, administratively debarred the company until April 20, 2026. Reinstatement after April 20, 2026, is not automatic, and it is contingent on VTA's full compliance with the terms of the April 20, 2023, Consent Agreement. At the end of the debarment period, VTA may apply for reinstatement.

This notice is provided to make the public aware that VTA is prohibited from participating directly or indirectly in defense trade, including any activities subject to the ITAR. 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 may 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 that are consistent with foreign policy or national security interests of the United States; or whether other compelling circumstances exist that are consistent with the foreign policy or national security interests of the United States, and 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 highly discretionary,

it is excluded from review under the Administrative Procedure Act.

Jessica A. Lewis,

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

[FR Doc. 2023-11686 Filed 5-31-23; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

Notice of Funding Opportunity for Letters of Interest for the RRIF Express Pilot Program Under the Railroad Rehabilitation & Improvement Financing Program

AGENCY: Office of the Secretary of Transportation, Department of Transportation (the "DOT").

ACTION: Notice of funding opportunity.

SUMMARY: This Notice of Funding Opportunity ("NOFO") for the RRIF Express Pilot Program ("RRIF Express") expands the ability of eligible borrowers to access funds by removing the caps on Cost Assistance for advisor fees and Credit Risk Premium ("CRP") Assistance, provides greater flexibility by allowing unaudited financial statements in lieu of audited financial statements in certain circumstances, and makes other clarifications. The NOFO also implements a sunset date of December 1, 2023. Following the sunset date, this NOFO will expire, and all benefits made available in this Notice will become available to any eligible RRIF borrower, consistent with existing law. All projects that were previously eligible for RRIF Express financing remain eligible under this NOFO. The original NOFO with modifications is in the **SUPPLEMENTARY INFORMATION** section.

DATES: Letters of Interest from prospective RRIF borrowers for RRIF Express will be accepted on rolling basis until available funding is expended or this notice is superseded by another notice.

Prospective RRIF borrowers that have previously submitted a Letter of Interest, but that also seek acceptance into the RRIF Express Pilot Program should resubmit a Letter of Interest following the instructions below. *Prospective RRIF borrowers who previously submitted Letters of Interest under a preceding RRIF Express Notice of Funding Opportunity (published on December 13, 2019, March 16, 2020, June 19, 2020, or November 27, 2020), and whose Letters of Interest have not been returned as ineligible, do not have to re-*

apply, and may amend their Letter of Interest to take advantage of the provisions of this NOFO. Prospective RRIF borrowers whose Letter of Interest for RRIF Express was returned by the Bureau with advice on issues to address in resubmitting a Letter of Interest may also take advantage of the provisions of this NOFO while also following the advice provided.

Irrespective of the above, the Bureau continues to accept Letters of Interest on a rolling basis from any prospective RRIF borrower interested in receiving RRIF credit assistance *only* (i.e., without participation in RRIF Express).

ADDRESSES: Applicants to RRIF Express must use the latest version of the Letter of Interest form available on the Build America Bureau website: <https://www.transportation.gov/content/build-america-bureau> (including applicants who have previously submitted Letters of Interest and who are now seeking participation in RRIF Express). Letters of Interest must be submitted to the Build America Bureau via email at: RRIFexpress@dot.gov using the following subject line: "Letter of Interest for RRIF Express Program." Submitters should receive a confirmation email, but are advised to request a return receipt to confirm transmission. *Only Letters of Interest received via email at the above email address with the subject line listed above shall be deemed properly filed.*

FOR FURTHER INFORMATION CONTACT: For further information regarding this notice please contact William Resch via email at william.resch@dot.gov or via telephone at 202-366-2300. A TDD is available at 202-366-3993.

SUPPLEMENTARY INFORMATION: RRIF Express is administered by the DOT's National Surface Transportation and Innovative Finance Bureau (the "Build America Bureau" or "Bureau"). The overall RRIF program finances development of railroad infrastructure and is authorized to have up to \$35 billion in outstanding principal amounts from direct loans and loan guarantees at any one time.

The 2018 Consolidated Appropriations Act ¹ appropriated \$25 million in budget authority to the DOT to cover the cost to the Federal Government (the "Government") of RRIF credit assistance—CRP assistance. Additionally, the 2016 Consolidated Appropriations Act ² and the 2018

¹ Public Law 115-141, div. L, tit. I, H.R. 1625 at 646 (as enrolled Mar. 23, 2018).

² Public Law 114-113, div. L, tit. I, § 152, 129 Stat. 2242, 2856.

Consolidated Appropriations Act ³ provided \$1.96 million and \$350,000, respectively (of which approximately \$1 million remains available), to the DOT to fund certain expenses incurred by prospective RRIF borrowers in preparation of their applications for RRIF credit assistance (this approximately \$1 million assistance, collectively, "Cost Assistance"). Using existing authorities and these new budget authorities, the DOT has established RRIF Express.

Subject to the availability of funds, applicants accepted into the RRIF Express Pilot Program may benefit from two types of financial assistance: (a) Cost Assistance to pay for any portion of the Bureau's advisor expenses borne by applicants; and (b) for those applicants that ultimately receive RRIF credit assistance, CRP Assistance to pay the CRP normally paid by the borrower. These funds will be made available to benefit applicants accepted into RRIF Express on a first come, first served basis until each source of funding is expended or this notice is superseded by a new Notice of Funding Opportunity. Letters of Interest will be accepted in the order received and will be allocated Cost Assistance based on the date of acceptance into RRIF Express. CRP Assistance will be allocated in the order of financial close. For more information about potential financial assistance for RRIF Express applicants, see **SUPPLEMENTARY INFORMATION:** Section II. Funding of CRP and Cost Assistance.

This notice solicits Letters of Interest from prospective RRIF borrowers seeking assistance from RRIF Express, establishes eligibility criteria, and describes the process that prospective borrowers must follow when submitting Letters of Interest.

RRIF Express information, including any additional resources, terms, conditions and requirements when they become available, can be found on the Build America Bureau website at: <https://www.transportation.gov/buildamerica/rrif-express>. For further information about the overall RRIF program in general, including details about the types of credit assistance available, eligibility requirements and the creditworthiness review process, please refer to the *Build America Bureau Credit Programs Guide* ("Programs Guide"), available on the Build America Bureau website: <https://www.transportation.gov/buildamerica/financing/program-guide>.

³ Public Law 115-141, div. L, tit. I, H.R. 1625 at 646 (as enrolled Mar. 23, 2018).