

benefits or ineligible to receive title XVI payments.

**Statute/Regulation/Ruling Citation:** Sections 202(x)(1)(A) and 1611(e)(4) of the Social Security Act (42 U.S.C. 402(x)(1)(A) and 1382(e)(4)); 20 CFR 416.202(f) and 416.1339.

**Circuit:** Second (Connecticut, New York, Vermont). *Fowlkes v. Adamec*, 432 F.3d 90 (2nd Cir. 2005).

**Applicability of Ruling:** This ruling applies to all determinations or decisions at all levels of the administrative review process that an individual is a fugitive felon within the meaning of sections 202(x)(1)(A) and 1611(e)(4) of the Act. This ruling applies to all title II and title XVI applicants, title II beneficiaries, and title XVI recipients who live in Connecticut, New York, or Vermont.

**Description of Case:** In 1997, Felipe Fowlkes applied for and was found eligible to receive supplemental security income (SSI) disability payments under title XVI of the Act. In September 1999, he was indicted in Virginia on two felony charges. On March 16, 2000, the Agency notified Mr. Fowlkes, who at that time resided in New York, that his eligibility for SSI payments would be suspended retroactively to September 1999 because of two outstanding felony warrants from Virginia. Mr. Fowlkes requested administrative review and, after a hearing, an ALJ issued a decision finding that because he had not satisfied the outstanding felony arrest warrants, Mr. Fowlkes was fleeing to avoid prosecution as described in section 1611(e)(4) of the Act, 42 U.S.C. 1382(e)(4). Accordingly, the ALJ found that suspension of Mr. Fowlkes' SSI payments was proper because he was a fugitive felon under the Act.

Mr. Fowlkes sought judicial review, not under the Act, but based on a claim that the Agency violated his civil rights. The district court dismissed Mr. Fowlkes' civil rights claim, without reaching the issue of whether or not Mr. Fowlkes was a fugitive felon under the Act. On appeal, the Second Circuit converted the action into one seeking review, under section 1631(c)(3) of the Act, of the Agency's fleeing felon determination and remanded the case to the district court for further proceedings consistent with its opinion.

**Holding:** The Second Circuit held that the Agency could not conclude that an individual is fleeing to avoid prosecution, custody, or confinement from the mere fact that an outstanding felony arrest warrant or similar order exists. Specifically, the court stated that "fleeing" is understood to mean the conscious evasion of arrest or prosecution. The court determined that for "flight" to result in a suspension of benefits, it must be undertaken with the specific intent to avoid prosecution. Accordingly, the court concluded that for the Agency to suspend benefits on the basis that an individual was "fleeing," the Agency must have some evidence that the individual knows that his apprehension is sought. The court found the implementing regulation consistent with this construction of the Act. In addition, the court interpreted the implementing regulation to permit the Agency to suspend benefits only as of the date of a warrant or order issued by

a court or other appropriate tribunal on the basis of a finding that an individual has fled or was fleeing from justice.

**Statement as to How Fowlkes Differs from the Agency's Policy:** We interpret section 1611(e)(4) of the Act to mean that a person is "fleeing to avoid prosecution, custody, or confinement" when a person has an outstanding warrant for his or her arrest, even if that person is unaware of that warrant.

The Second Circuit Court of Appeals rejected this interpretation. The Second Circuit held the term "fleeing" to mean "the conscious evasion of arrest or prosecution." The court determined that for "flight" to result in a suspension of benefits, it must be undertaken with the specific intent to avoid prosecution. Thus, for the Agency to take adverse action against an individual described in the Act as "fleeing to avoid prosecution, custody, or confinement," the Agency must have some evidence that the individual knew his apprehension was sought.

**Explanation of How SSA Will Apply the Fowlkes Decision Within the Circuit:** This ruling applies to all determinations or decisions at all levels of the administrative review process that an individual is a fugitive felon within the meaning of sections 202(x)(1)(A) and 1611(e)(4) of the Act. This ruling applies to all title II and title XVI applicants, title II beneficiaries and title XVI recipients who live in Connecticut, New York, or Vermont.

We will not use the existence of an outstanding felony arrest warrant or similar order as the sole basis for finding that an individual is fleeing to avoid prosecution, custody, or confinement and is, therefore, a fugitive felon subject to withholding of title II benefits or ineligibility to receive title XVI payments. Before we determine that a title II or title XVI applicant, title II beneficiary, or title XVI recipient is a fugitive felon, we must have evidence that the individual knows that there is an outstanding felony arrest warrant, and the outstanding arrest warrant must have been issued on the basis that the individual has fled or is fleeing from justice.

**Cross References:** Program Operations Manual System, sections SI 00530.010 and GN 02613.010.

[FR Doc. 06-3259 Filed 4-5-06; 8:45 am]

**BILLING CODE 4191-02-M**

## DEPARTMENT OF STATE

### [Public Notice 5368]

#### **Bureau of Political—Military Affairs: Directorate of Defense Trade Controls; Notifications to the Congress of Proposed Commercial Export Licenses**

**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 indicated pursuant to sections 36(c) and 36(d) and in compliance with section 36(f) of the Arms Export Control Act (22 U.S.C. 2776).

**DATES:** *Effective Date:* As shown on each of the 30 letters.

**FOR FURTHER INFORMATION CONTACT:** Mr. Peter J. Berry, Director, Office of Defense Trade Controls Licensing, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202) 663-2806.

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

September 27, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 \$100,000,000 or more.

The transaction contained in the attached certification involves the export of technical data, defense services and hardware to related to the sale and inspection of U-125A aircraft to Japan.

The United States Government is prepared to license the export of this item 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,  
Matthew A. Reynolds,  
*Acting Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 038-05.

November 14, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 \$100,000,000 or more.

The transaction contained in the attached certification involves the export to the United Kingdom of technical data, defense services and hardware for the manufacture of the AN/VIC-3 Vehicle Intercommunications System.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DTC 032-05.

November 14, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 major defense equipment and defense articles in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves export of technical data, defense services and hardware to the Republic of Korea to support the aircraft refurbishment, and mission systems modernization for the Republic of Korea, Navy Maritime Patrol Aircraft Lot II Program.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DTC 044-05.

November 14, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for the export of defense articles or defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of technical data, defense services and hardware to Japan for the manufacture of F100 engines, associated spare parts and equipment for the F-15 aircraft operated by the Japanese Air Self Defense Force (JASDF).

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 049-05.

November 14, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 major defense equipment and defense articles in the amount of \$14,000,000 or more.

The transaction contained in the attached certification involves the export of technical data, hardware, and assistance for Sentinel radars and Sentry command and control software for the Mexican Navy.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 050-05.

November 15, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 \$100,000,000 or more.

The transaction contained in the attached certification involves the export of technical data, hardware, and assistance for six Model S-70B helicopters to the government of Singapore.

The United States Government is prepared to license the export of this item 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 051-05.

November 17, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 of (1) one AMC-14 A2100 Ku-band commercial communications satellite to 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 033-05.

November 17, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 for the manufacture of significant military equipment abroad.

The transaction contained in the attached certification involves the export to the United Kingdom of technical data, defense services, and hardware for the manufacture of the High Capacity Data Radio for end-use by the Ministry of Defense of Belgium.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 036-05.

November 18, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 for the manufacture of significant military equipment abroad.

The transaction contained in the attached certification involves the transfer of technical data, assistance and manufacturing know-how to Sweden and the United Kingdom for the manufacture of the Bushmaster IV 40mm Chain Gun.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 006-05.

November 18, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 the Republic of Korea of technical data, hardware, and assistance to support the manufacture, assembly and repair of fuselages and fuselage components for the AH-64D Apache helicopter.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 042-05.  
November 28, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 Taiwan of technical data, hardware and assistance in support of the An-Yu 4 Program Automated Air Defense System (AADS) for the Taiwan Ministry of National 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 040-05.  
November 28, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 \$100,000,000 or more.

The transaction contained in the attached certification adds France and Austria to the countries previously approved (i.e., Germany, Italy, Spain, and the United Kingdom) to receive exports consisting of

electronic power generating systems in support of the Eurofighter program.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 046-05.  
November 29, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 \$100,000,000 or more.

The transaction contained in the attached certification involves the export to Austria, Canada, France, Switzerland and the United Kingdom of technical data, hardware, and assistance for the integration of Link-16 Ground-to-air Data Link (GADL) into the FLORAKO Swiss Air Defense Ground Environment System.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 037-05.  
December 5, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 for the manufacture of significant military equipment abroad and the export of defense articles and defense services in the amount of \$100,000,000 or more.

The transaction described in the attached certification involves the export to the United Kingdom of technical data, defense services and hardware for the manufacture of the MPR-9600 and RF-5800H-MP HF tactical radio systems for resale to Albania, Bolivia, Brazil, Brunei, Bulgaria, Chile, Colombia, Ecuador, Egypt, Ghana, Guatemala, Hungary, Iraq, Jamaica, Kenya, Kyrgyzstan, Malawi, Malaysia, Morocco, Mozambique, Netherlands, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Romania, Saudi Arabia,

Singapore, Spain, Sri Lanka, Tajikistan, Tanzania, Trinidad and Tobago, Tunisia, United Arab Emirates, Uganda, and U.S.

The United States Government is prepared to license the export of this item 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 028-05.  
December 5, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 and launch of a commercial communications satellite, and related support equipment, from 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 056-05.  
December 8, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 for the manufacture of significant military equipment abroad and the export of defense articles and defense services in the amount of \$50,000,000.

The transaction described in the attached certification involves an extension of duration of the manufacture in Russia and the United States of RD-180 two-chamber rocket motors for use on Atlas launch vehicles, including the USAF Evolved Expandable Launch Vehicle.

The United States Government is prepared to license the export of this item 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 070-05.  
December 12, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles related to the sale of 212 AIM-120C-5 Advanced Medium Range Air-to-Air missiles (AMRAAM) for end-use by the United Kingdom Ministry of Defence.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 052-05.  
December 15, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 major defense equipment and defense articles in the amount of \$100,000,000 or more.

The transaction described in the attached certification involves the export to Italy of technical data, defense services, and defense articles necessary for the development and production of C-27J Spartan Transport aircraft for follow-on sale to the Ministries of Defense of Bulgaria, Canada, Finland, Greece, Italy, and Portugal.

The United States Government is prepared to license the export of this item 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 048-05.

December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 the Republic of Korea of technical data, hardware, and assistance to implement the Night Owl/Hyangbaek signals intelligence systems for the Ministry of National 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 043-05.  
December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 major defense equipment and defense articles in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export to Switzerland of technical data, defense services, and defense articles necessary to support the manufacture of aircraft metallic machined detail parts and minor structural assemblies for the F/A-18, F-15, T-45, C-17, and AH-64 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 047-05.  
December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 contract in the amount of \$100,000,000 or more.

The transaction described in the attached certification involves the export of defense services, technical data and defense articles related to HAWK Air Defense System Phase III Product Improvement Program for end-use by the Japanese Defense Agency.

The United States Government is prepared to license the export of this item 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 060-05.  
December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 \$100,000,000 or more.

The transaction contained in the attached certification involves the export of technical data, defense services, and hardware to Japan for design, production and launch of the JCSAT-11 commercial communications satellite and associated ground system for 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 061-05.  
December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 \$100,000,000 or more.

The transaction contained in the attached certification involves the export to the Netherlands of technical data, defense services and hardware for the manufacture of the Improved Extended Forward Avionics Bays (IEFABS) for installation on the AH-64 Series Apache helicopter for sales in the U.S.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 063-05.  
December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 the export of defense articles or defense services sold commercially under contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles for the manufacture in Japan of the Vertol 107 Helicopter, components and parts for end-use by Japan, Saudi Arabia, Sweden, and the United States.

The United States Government is prepared to license the export of this item 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 065-05.  
December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 the export of defense articles or defense services sold commercially under contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles for the manufacture in the Japan of the CH-47J Chinook Helicopter for end-use by the Japan Defense Agency.

The United States Government is prepared to license the export of this item 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,

Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 066-05.  
December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 of technical data, defense services and hardware to Taiwan for the manufacture, installation and upgrade of the GD-53 Airborne Multimode Radar installed on the Indigenous Defensive Fighter (IDF)/Ching Kuo 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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 067-05.  
December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 for the manufacture of significant military equipment abroad.

The transaction contained in the attached certification involves the export to the United Kingdom of technical data, defense services and hardware for the manufacture of the Bowman Communication System for end-use by the Royal Netherlands Navy (Marine Corps).

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 068-05.  
December 20, 2005.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles to the United Kingdom for the manufacture of the wing trailing edge panels and flap hinge fairings for installation on the C-17 aircraft in the United States.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 069-05.  
February 7, 2006.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

Dear Mr. Speaker: Pursuant to Section 36(c) and 36(d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services in the amount of \$50,000,000.

The transaction contained in the attached certification involves the manufacture in Russia and the United States of RD-180 two-chamber rocket motors for use on Atlas launch vehicles, including the USAF Evolved Expandable Launch Vehicle.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 003-06.  
March 23, 2006.

Hon. J. Dennis Hastert, Speaker of the House of Representatives.

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 contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles to the United Kingdom for the UK Chinook Through Life Customer Support Program (TLCS) for the United Kingdom Ministry of Defence.

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,  
Jeffrey T. Bergner,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 055-05.

Dated: March 30, 2006.

**Peter J. Berry,**  
*Director, Office of Defense Trade Controls  
Licensing, Department of State*  
[FR Doc. E6-5004 Filed 4-5-06; 8:45 am]  
**BILLING CODE 4710-25-P**

## DEPARTMENT OF STATE

[Public Notice: 5367]

### Secretary of State's Advisory Committee of Private International Law: Study Group on International Child Support

*Subject:* There will be a public meeting of the Study Group on International Child Support of the Secretary's of State's Advisory Committee on Private International Law on Thursday, April 20, 2006, to consider the draft Convention on the International recovery of Child Support and other Forms of Family Maintenance. The draft is available at <http://www.hcch.net> (click Works in Progress, Maintenance, Preliminary Document 16). The meeting will be held at the Holiday Inn Tyson's Corner Hotel, 1960 Chain Bridge Road, McLean, Virginia, 22102, from 8 a.m. until 5 p.m. The purpose is to assist the United States in preparing for the next negotiating session which will take place at the Hague Conference on Private International Law in June 2006.

The Study Group meeting is open to the public up to the capacity of the meeting room. Persons wishing to attend and have their views considered are encouraged to submit in writing comments in advance of the meeting. Comments should be sent electronically to [carlsonmh@state.gov](mailto:carlsonmh@state.gov). Anyone planning to attend this meeting should provide their name, affiliation and contact information in advance to Mary Helen Carlson at 202-776-8420 or by e-mail to [carlsonmh@state.gov](mailto:carlsonmh@state.gov)

Dated: March 31, 2006.

**Mary Helen Carlson,**  
*Office of the Legal Adviser for Private  
International Law, Department of State.*  
[FR Doc. 06-3357 Filed 4-5-06; 8:45 am]  
**BILLING CODE 4710-08-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Opportunity for Public Comment on Surplus Property Release at Augusta Regional Airport, Augusta, GA

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

**SUMMARY:** Under the provisions of Title 49, U.S.C. 47153(c), notice is being given that the FAA is considering a request from the Augusta Aviation Commission and the Augusta Regional Airport to waive the requirement that a 4.31-acre parcel of surplus property, located at the Augusta Regional Airport, be used for aeronautical purposes.

**DATES:** Comments must be received on or before May 8, 2006.

**ADDRESSES:** Comments on this notice may be mailed or delivered in triplicate to the FAA at the following address: Atlanta Airports District Office, Attn: Aimee A. McCormick, Program Manager, 1701 Columbia Ave., Campus Bldg., Suite 2-260, Atlanta, GA 30337-2747.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Buster Boshears, Executive Director, Augusta Regional Airport at the following address: 1501 Aviation Way, Augusta, GA 30906.

**FOR FURTHER INFORMATION CONTACT:** Aimee McCormick, Program Manager, Atlanta Airports District Office, 1701 Columbia Ave., Campus Bldg., Suite 2-260, Atlanta, GA 30337-2747, (404) 305-7143. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA is reviewing a request by the Augusta Aviation Commission and the Augusta Regional Airport to release 4.31 acres of surplus property at the Augusta Regional Airport. The property will be purchased as a permanent easement to construct a force gravity sewer main and additional future utility lines. The net proceeds from the sale of this property will be used for airport purposes. The proposed use of this property is compatible with airport operations.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon request, inspect the request, notice and other documents germane to the request in person at the Augusta Aviation Commission and the August Regional Airport.

Issued in Atlanta, Georgia, on March 20, 2006.

**Scott L. Seritt,**  
*Manager, Atlanta Airports District Office,  
Southern Region.*  
[FR Doc. 06-3288 Filed 4-5-06; 8:45 am]  
**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Receipt of Noise Compatibility Program and Request for Review; Columbia Metropolitan Airport, Columbia, SC

**AGENCY:** Federal Aviation  
Administration, DOT.  
**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces that it is reviewing a proposed noise compatibility program that was submitted for Columbia Metropolitan Airport under the provisions of 49 U.S.C. 47501 et seq. (the Aviation Safety and Noise Abatement Act hereinafter referred to as "the Act") and 14 CFR part 150 by the Richland-Lexington Airport District. This program was submitted subsequent to a determination by FAA that the associated noise exposure maps submitted under 14 CFR part 150 for Columbia Metropolitan Airport were in compliance with applicable requirements effective July 29, 2005. The proposed noise compatibility program will be approved or disapproved on or before September 18, 2006.

**DATES:** *Effective Date:* The effective date of the start of FAA's review of the associated noise compatibility program is March 22, 2006. The public comment period ends May 22, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ms. Bonnie Baskin, Federal Aviation Administration, Atlanta Airports District Office, 1702 Columbia Avenue, Campus Building, Suite 2-260, College Park, Georgia, (404) 305-7152. Comments on the proposed noise compatibility program should also be submitted to the above office.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA is