

terms of massing and placement of a museum facility on the candidate sites. Although they were conceptual and only intended for site selection purposes, they are a point of departure for this study and the range of alternatives evaluated in this EIS.

The potential range of alternatives that will be evaluated in the EIS includes the no action or no build alternative and a range of build alternatives derived from the site evaluation study that will include a minimum build-out at approximately 350,000 gross square feet (GSF), a middle range build-out at approximately 415,000 GSF, and a maximum build-out that would not exceed approximately 804,000 GSF. Each alternative description will identify the number of levels above and below ground, general massing, and site setbacks. The Presidential Commission identified 350,000 GSF as the preliminary program space requirements for the museum. Thus, it was used as the baseline or "point of departure" for the maximum and minimum build scenarios developed in the site evaluation study. As part of the scoping process, other alternatives may be identified that merit further investigation.

Topics for environmental analysis will be further defined during scoping activities with the public and agencies but will include topics such as historic resources, archeology, visual resources, transportation, public utilities, land use, social and economic issues, and physical and biological resources such as air, geology, and groundwater.

**Public Scoping Meeting and Comments:** The Smithsonian Institution and the National Capital Planning Commission will solicit public comments for consideration and possible incorporation in the Draft EIS through public scoping, including a scoping meeting, on the proposed museum building at the Monument site. Notice of the public meeting will be publicized in local newspapers and through other sources. To ensure that all issues related to this action are addressed and all significant issues are identified early in the process, comments are invited in writing and orally from all interested and/or potentially affected parties. These comments may be provided at the public meeting or provided in writing to Jill Cavanaugh at the Louis Berger Group, Inc., 2300 N Street, NW., #800, Washington, DC 20037 (until December 15, 2006) and to 2445 M Street, NW., 4th Floor, Washington, DC 20037-1445 (after December 15, 2006). Comments will also be collected at <http://www.nmaahc-eis.com>. All public

comments must be postmarked or received on the Web site by January 5, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jane Passman, Senior Facilities Planner, Smithsonian Institution, Office of Facilities Engineering and Operations, PO Box 37012, 750 9th Street, NW., Suite 5200 MRC 908, Washington, DC 20013-7012; Phone: 202-275-0234; Fax: 202-275-0889.

**John E. Huerta,**

*General Counsel, Smithsonian Institution.*

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## DEPARTMENT OF STATE

[Public Notice 5617]

### Bureau of Political-Military Affairs; Statutory Debarment Under the Arms Export Control Act and the International Traffic in Arms Regulations

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that persons convicted of violating or conspiring to violate Section 38 of the Arms Export Control Act, as amended, ("AECA") (22 U.S.C. 2778) are statutorily debarred pursuant to Section 38(g)(4) of the AECA and Section 127.7(c) of the International Traffic in Arms Regulations ("ITAR") (22 CFR parts 120 to 130).

**DATES:** *Effective Date:* Date of conviction as specified for each person.

**FOR FURTHER INFORMATION CONTACT:** David Trimble, Director, Office of Defense Trade Controls Compliance, Bureau of Political-Military Affairs, Department of State (202) 663-2700.

**SUPPLEMENTARY INFORMATION:** Section 38(g)(4) of the AECA, 22 U.S.C. 2778(g)(4), prohibits the Department of State from issuing licenses or other approvals for the export of defense articles or defense services to be issued where the applicant or any party to the export, has been convicted of violating certain statutes, including the AECA. In implementing this provision, Section 127.7 of the ITAR provides for "statutory debarment" of any person who has been convicted of violating or conspiring to violate the AECA. Persons subject to statutory debarment are prohibited from participating directly or indirectly in the export of defense articles, including technical data, or in the furnishing of defense services for which a license or other approval is required.

Statutory debarment is based solely upon conviction in a criminal proceeding, conducted by a United States Court, and as such the administrative debarment procedures outlined in Part 128 of the ITAR are not applicable.

The period for debarment will be determined by the Assistant Secretary for Political-Military Affairs based on the underlying nature of the violations, but will generally be for three years from the date of conviction. At the end of the debarment period, export privileges may be reinstated only at the request of the debarred person followed by the necessary interagency consultations, 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, as required by Section 38(g)(4) of the AECA. Unless export privileges are reinstated, however, the person remains debarred.

Department of State policy permits debarred persons to apply to the Director, Office of Defense Trade Controls Compliance, for reinstatement beginning one year after the date of the debarment, in accordance with Section 38(g)(4) of the AECA. Any decision to grant reinstatement can be made only after the statutory requirements under Section 38(g)(4) of the AECA have been satisfied.

Exceptions, also known as transaction exceptions, may be made to this debarment determination on a case-by-case basis at the discretion of the Assistant Secretary of State for Political-Military Affairs, after consulting with the appropriate U.S. agencies. 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 interests; whether an exception would further law enforcement concerns that are consistent with the 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 that do not conflict with law enforcement concerns. Even if exceptions are granted, the debarment continues until subsequent reinstatement.

Pursuant to Section 38(g)(4) of the AECA and Section 127.7(c) of the ITAR, the following persons are statutorily debarred following the date of their AECA conviction:

(1) Victor Moscoso, July 26, 2002, U.S. District Court, Southern District of Florida (Miami), Case #: 01-966-CR-SEITZ/001.

(2) Romolo Martinez, February 5, 2004, U.S. District Court, Southern District of Florida (Miami), Case #: 1:02-20923-001-CR-MOORE.

(3) Stephen Jorgensen, January 15, 2001, U.S. District Court, Southern District of Florida (Miami), Case #: 1:00CR00998-001.

(4) Gerald Morey, August 11, 2003, U.S. District Court, Southern District of Florida (Miami), Case #: 1:02-20923-001-CR-MOORE.

(5) Ziad Jamil Gammoh (a.k.a. Al Gammoh; a.k.a. Jamil Gammoh; a.k.a. Ziad Al Gammoh; a.k.a. Ziad Al J Gammoh; a.k.a. Ziad Jamil Salem, Gammoh; a.k.a. Ziad Al J Gammon; a.k.a. Ziad Al Jamil; a.k.a. Al Jamil Ziad), November 7, 2005, U.S. District Court, Central District of California, Case #: SA CR04-97 DOC.

(6) Naji Antoine Abi Khalil, February 2, 2006, U.S. District Court, Eastern District of Arkansas, Case #: 4:05CR00200-01,

(7) Martin Armando Arredondo-Meza, January 25, 2006, U.S. District Court Southern District of Texas, Case #: 7:05CR00754-001.

(8) Tomer Grinberg, April 24, 2006, U.S. District Court, Southern District of New York (Foley Square), Case #: 04cr573-02,

(9) Kwan Chun Chan (a.k.a. Jenny Chan), May 4, 2006, U.S. District Court District of New Jersey, Case # 05-660-01.

(10) Xiu Ling Chen (a.k.a. Linda Chen), May 4, 2006, U.S. District Court District of New Jersey, Case # 05-659-01.

(11) Hao Li Chen (a.k.a. Ali Chan), May 4, 2006, U.S. District Court, District of New Jersey, Case # 05-658-01.

(12) Xu Weibo (a.k.a. Kevin Xu), May 4, 2006, U.S. District Court, District of New Jersey, Case # 05-657-01.

(13) George Charles Budenz, II, July 17, 2006, U.S. District Court, Southern District of California, Case # 05CR01863-LAB.

(14) Richard Tobey, June 26, 2006, U.S. District Court, Southern District of California, Case # 05CR1462-LAB.

(15) Kellen Lamon Johnson, June 1, 2006, U.S. District Court, District of Montana, Case # CR 05-170-GF-SHE-03.

(16) Dwain Rouse, June 12, 2006, U.S. District Court, District of Montana, Case # CR 05-170-GF-SHE-01.

(17) Erika Jardine (a.k.a. Eriklynn Pattie Jardine; a.k.a. Erika Pattie Jardine), February 22, 2006, U.S. District Court, Eastern District of Pennsylvania, Case # CR-2005-446.

(18) Kal Nelson Aviation, Inc., August 9, 2006, U.S. District Court, Central, District of California, Case # CR05-1158.

(19) Ko-Suen Moo, July 24, 2006, U.S. District Court, Southern District of Florida, Case # 06-200006-CR-GRAHAM.

(20) Michael P. Murphy Surplus Materials Inc., May 16, 2006, U.S. District Court, Southern District of California, Case # 06CR0209-BTM.

As noted above, at the end of the three-year period following the date of conviction, the above named persons/entities remain debarred unless export privileges are reinstated.

Debarred persons are generally ineligible to participate in activity regulated under the ITAR (see e.g., sections 120.1(c) and (d), 127.1(c) and 127.11(a)). Also, under Section 127.1(c) of the ITAR, any person who has knowledge that an other persons is subject to debarment or is otherwise ineligible may not, without disclosure to and written approve from the Directorate of Defense Trade Controls, participate, directly or indirectly, in any export in which such ineligible person may benefit therefrom or in which he has a direct or indirect interest.

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 where provided.

Dated: November 2, 2006.

**Stephen D. Mull,**

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

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## DEPARTMENT OF STATE

### [Public Notice 5616]

#### **Bureau of Educational and Cultural Affairs (ECA) Request for Grant Proposals: Gilman International Scholarship Program**

*Announcement Type:* New Grant.

*Funding Opportunity Number:* ECA/A/S/A-07-10.

*Catalog of Federal Domestic Assistance Number:* 19.425.

### **Key Dates**

*Application Deadline:* February 2, 2007.

*Executive Summary:* The Office of Global Educational Programs of the Bureau of Educational and Cultural Affairs announces an open competition to administer the Benjamin A. Gilman International Scholarship Program. Public and private non-profit organizations meeting the provisions described in Internal Revenue Code section 26 U.S.C. 501(c)(3) may submit proposals for the purpose of administering a scholarship program for academic study by Americans outside the United States.

### **Funding Opportunity Description**

#### *Authority*

Overall grant making authority for this program is contained in the Mutual Educational and Cultural Exchange Act of 1961, as amended, Public Law 87-256, also known as the Fulbright-Hays Act. The purpose of the Act is "to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries \* \* \*; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations \* \* \* and thus to assist in the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world." The funding authority for the program above is provided through legislation.

#### *Purpose*

This program provides grants to enable U.S. citizen undergraduate students of limited financial means to pursue academic studies abroad. Such foreign study is intended to expand understanding of other countries and cultures among U.S. students, expose citizens of other countries to Americans from diverse backgrounds, and better prepare U.S. students to assume significant roles in an increasingly global economy.

#### *History*

Since the program's inception in 2001, nearly 2,000 Gilman scholars from more than 500 U.S. colleges and universities have studied in 94 countries around the world.

#### *Overview*

It is anticipated that, pending appropriation of funds, this grant will provide an assistance award of