

such a finding to the Associate Commissioner of the Office of International Programs. Under that authority, the Associate Commissioner of the Office of International Programs has approved a finding that St. Vincent and the Grenadines, beginning December 1, 2009, has a social insurance system of general application which:

(a) Pays periodic benefits, or the actuarial equivalent thereof, on account of old age, retirement, or death; and

(b) Permits United States citizens who are not citizens of St. Vincent and the Grenadines to receive such benefits, or their actuarial equivalent, at the full rate without qualification or restriction while outside St. Vincent and the Grenadines.

Accordingly, it is hereby determined and found that St. Vincent and the Grenadines has in effect, beginning December 1, 2009, a social insurance system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

St. Vincent and the Grenadines became an independent nation on October 27, 1979. At that time, it was determined that St. Vincent and the Grenadines did not have a pension system that met the requirements of section 202(t)(2) of the Social Security Act. The country's provident system did not provide for the payment of periodic benefits as required under section 202(t)(2)(A). Notice appeared in the **Federal Register** on March 12, 1982. Based on the 1981 determination of record, citizens of St. Vincent and the Grenadines cannot meet the exception provided under section 202(t)(2) of the Social Security Act. However, they have been afforded the limited exceptions provided under section 202(t)(4) of the Act.

In 1986, St. Vincent and the Grenadines instituted a social insurance system that became operational in 1987. The system provides old-age, disability, and survivor's benefits, as well as other types of social insurance. Information recently obtained from St. Vincent and the Grenadines' National Insurance Institute contains detailed information on the country's social insurance system and the coverage of its labor force. This information required a new determination under the section 202(t)(2) provisions.

**FOR FURTHER INFORMATION CONTACT:**

Donna Powers, 3700 Robert Ball Building, 6401 Security Boulevard, Baltimore, MD 21235-6401, (410) 965-3558.

(Catalog of Federal Domestic Assistance: Program Nos. 96.001 Social Security—

Disability Insurance; 96.002 Social Security—Retirement Insurance; 96.004 Social Security—Survivors Insurance)

**Diane K. Braunstein,**

*Associate Commissioner, Office of International Programs.*

[FR Doc. 2011-12596 Filed 5-20-11; 8:45 am]

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**DEPARTMENT OF STATE**

**[Public Notice 7463]**

**In the Matter of the Designation of Army of Islam, aka Jaish al-Islam, aka Jaysh al-Islam; as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended**

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the organization known as Army of Islam, also known as Jaish al-Islam, also known as Jaysh al-Islam, has committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that "prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously," I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: May 9, 2011.

**Hillary Rodham Clinton,**

*Secretary of State, Department of State.*

[FR Doc. 2011-12618 Filed 5-20-11; 8:45 am]

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**DEPARTMENT OF STATE**

**[Public Notice 7464]**

**In the Matter of the Designation of Army of Islam, aka Jaish al-Islam, aka Jaysh al-Islam, as a Foreign Terrorist Organization Pursuant to Section 219 of the Immigration and Nationality Act, as Amended**

Based upon a review of the Administrative Record assembled in this matter, and in consultation with the Attorney General and the Secretary of the Treasury, I conclude that there is a sufficient factual basis to find that the relevant circumstances described in section 219 of the Immigration and Nationality Act, as amended (hereinafter "INA") (8 U.S.C. 1189), exist with respect to Army of Islam, also known as Jaish al-Islam, also known as Jaysh al-Islam.

Therefore, I hereby designate the aforementioned organization and its aliases as a Foreign Terrorist Organization pursuant to section 219 of the INA.

This determination shall be published in the **Federal Register**.

Dated: May 9, 2011.

**Hillary Rodham Clinton,**

*Secretary of State.*

[FR Doc. 2011-12614 Filed 5-20-11; 8:45 am]

**BILLING CODE 4710-10-P**

**DEPARTMENT OF STATE**

**[Public Notice: 7461]**

**Issuance of a Presidential Permit for a Border Crossing Called "San Ysidro" at the International Boundary Between the United States and Mexico**

**SUMMARY:** The Department of State issued a Presidential permit to the General Services Administration on May 2, 2011, authorizing that agency to expand, renovate, and maintain the commercial and pedestrian border crossing called "San Ysidro" in San Diego, California, at the International Boundary between the United States and Mexico. In making this determination, the Department complied with the procedures required under Executive Order 11423, as amended.

**FOR FURTHER INFORMATION CONTACT:**

Stewart Tuttle, U.S.-Mexico Border Affairs Coordinator, via e-mail at [WHA-BorderAffairs@state.gov](mailto:WHA-BorderAffairs@state.gov); by phone at 202-647-9894; or by mail at Office of Mexican Affairs—Room 3909, Department of State, 2201 C St., NW., Washington, DC 20520. Information about Presidential permits is available

on the Internet at <http://www.state.gov/p/wha/rt/permit/>.

**SUPPLEMENTARY INFORMATION:** Following is the text of the issued permit:

By virtue of the authority vested in me as Under Secretary of State for Economic, Energy, and Agricultural Affairs under Executive Order 11423, 33 FR 11741 (1963), as amended by Executive Order 12847 of May 17, 1993, 58 FR 29511 (1993), Executive Order 13284 of January 23, 2003, 68 FR 4075 (2003), and Executive Order 13337 of April 30, 2004, 69 FR 25299 (2004) and Department of State Delegation of Authority number 118–2 of January 26, 2006; having considered the environmental effects of the proposed action consistent with the National Environmental Policy Act of 1969, as amended (83 Stat. 852, 42 U.S.C. 4321 *et seq.*) and other statutes relating to environmental concerns; having considered the proposed action consistent with the National Historic Preservation Act of 1966, as amended (80 Stat. 917, 16 U.S.C. 470f *et seq.*); and having requested and received the views of various of the federal departments and other interested persons; I hereby grant permission, subject to the conditions herein set forth, to the United States General Services Administration (GSA) (hereinafter referred to as the “permittee”), to expand, renovate, operate and maintain a vehicle and pedestrian land border crossing (hereinafter referred to as “San Ysidro”), in San Diego, CA.

\* \* \* \* \*

The term “facilities” as used in this permit means the facilities to be constructed and/or renovated at the San Ysidro border crossing in San Diego, California, consisting of the following improvements and structures:

- Inspection and X-Ray Facilities
- Main Administrative Building
- A new Auto Inspection building
- Entry and Exit Control Booths
- Southbound Inspection Facilities
- Roadways and related

Infrastructure, Pathways, Parking Lots, and related Lots

- Landscaping
- Ancillary Support Facilities
- Non-commercial Inspection facilities and lanes

• Pedestrian Crossings

• Pedestrian Inspection facilities

• Related Improvements and Infrastructure

• Renovation or expansion of the Historic Customs House

• Modifications of the U.S. Border Fence

These facilities are the subject of a Final Environmental Impact Statement

(FEIS), which was completed by GSA in August 2009 ([http://www.gsa.gov/NEPA\\_Library](http://www.gsa.gov/NEPA_Library)), and a Record of Decision by the Acting Regional Administrator, GSA Region 9, dated September 9, 2009, selecting a preferred alternative, specifying certain avoidance, minimization and mitigation measures and adopting a mitigation monitoring and enforcement program. EPA published a notice of availability of the FEIS in the **Federal Register** (74 FR 39697, August 7, 2009).

This permit is subject to the following conditions:

**Article 1.** The facilities herein described, and all aspects of their operation, shall be subject to all the conditions, provisions and requirements of this permit and any amendment thereof. This permit may be terminated upon a determination of the Executive Branch that the San Ysidro border crossing shall be closed. This permit may be amended by the Secretary of State or the Secretary's delegate in consultation with the permittee and, as appropriate, other Executive Branch agencies; the permittee's obligation to implement such an amendment is subject to the availability of funds. The permittee shall make no substantial change in the location of the facilities or in the operation authorized by this permit until such changes have been approved by the Secretary of State or the Secretary's delegate.

**Article 2.** The permittee shall comply with all applicable federal laws and regulations regarding the construction, operation and maintenance of the facilities. Further, the permittee shall comply with nationally recognized codes to the extent required under 40 U.S.C. 3312(b). The permittee shall cooperate with state and local officials to the extent required under 40 U.S.C. 3312(d).

**Article 3.** In the event that the San Ysidro Port of Entry is permanently closed and is no longer used as an international crossing, this permit shall terminate and the permittee may manage, utilize, or dispose of the facilities in accordance with its statutory authorities.

**Article 4.** The permittee is a federal agency that is responsible for managing and operating the San Ysidro Port of Entry, as authorized by applicable federal laws and regulations. This permit shall continue in full force and effect for only so long as the permittee shall continue the operations hereby authorized.

**Article 5.** This Article applies to transfer of the facilities or any part thereof as an operating land border crossing. The permittee shall

immediately notify the United States Department of State of any decision to transfer custody and control of the facilities or any part thereof to any other any agency or department of the United States Government. Said notice shall identify the transferee agency or department and seek the approval of the United States Department of State for the transfer of the permit. In the event of approval by the Department of State of such transfer of custody and control to another agency or department of the United States Government, the permit shall remain in force and effect, and the facilities shall be subject to all the conditions, permissions and requirements of this permit and any amendments thereof. The permittee may transfer ownership or control of the facilities to a non-federal entity or individual only upon the prior express approval of such transfer by the United States Department of State, which approval may include such conditions, permissions and requirements that the Department of State, in its discretion, determines are appropriate and necessary for inclusion in the permit, to be effective on the date of transfer.

**Article 6.** (1) The permittee or its agent shall acquire such right-of-way grants or easements and permits as may become necessary and appropriate.

(2) The permittee shall maintain the facilities and every part thereof.

**Article 7.** (1) The permittee shall take or cause to be taken all appropriate measures to prevent or mitigate adverse environmental impacts or disruption of significant archeological resources in connection with the construction, operation and maintenance of the facilities, including avoidance, minimization and mitigation measures and the mitigation monitoring and enforcement program adopted by the permittee in the Record of Decision issued in connection with the Final Environmental Impact Statement.

(2) Before issuing the notice to proceed for construction, the permittee shall obtain the concurrence of the U.S. Section of the International Boundary and Water Commission.

**Article 8.** The permittee shall file any applicable statements and reports that might be required by applicable federal law in connection with this project.

**Article 9.** The permittee shall not issue a notice to proceed for construction work until the Department of State has provided notification to the permittee that the Department has completed its exchange of diplomatic notes with the Government of Mexico regarding authorization of construction. The permittee shall provide written notice to the Department of State at such

time as the construction authorized by this permit is begun, and again at such time as construction is completed, interrupted for more than ninety days or discontinued.

*Article 10.* This permit is not intended to, and does not, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, in their individual or official capacities, or any other person.

In witness whereof, I, Robert D. Hormats, Under Secretary of State for Economic, Energy, and Agricultural Affairs of the United States, have hereunto set my hand this day of April 15, 2011, in the City of Washington, District of Columbia.

End Permit text.

Dated: May 16, 2011.

Alex Lee,

Director, Office of Mexican Affairs,  
Department of State.

[FR Doc. 2011-12619 Filed 5-20-11; 8:45 am]

BILLING CODE 4710-29-P

## Department of State

[Public Notice: 7465]

### Statutory Debarment and Reinstatement of BAE Systems plc

#### Bureau of Political-Military Affairs; Statutory Debarment and Reinstatement of BAE Systems plc and Policy of Denial Concerning Certain Non-U.S. Subsidiaries Under the Arms Export Control Act and the International Traffic in Arms Regulations

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Department of State, acting pursuant to section 127.7(c) of the International Traffic in Arms Regulations ("ITAR") (22 CFR Parts 120-130), imposed a statutory debarment on BAE Systems plc ("BAES") as a result of its conviction of conspiracy (18 U.S.C. 371) to violate certain provisions of U.S. law, including section 38 of the Arms Export Control Act, as amended, ("AECA") (22 U.S.C. 2778) and at the same time reinstated BAES. Concurrently, pursuant to section 126.7 of the ITAR, the Department of State is providing notice of a presumption of denial (also referred to as a policy of denial) regarding certain of BAES' non-U.S. subsidiaries because of their substantial involvement in activities related to the conviction.

These non-U.S. subsidiaries are: BAE Systems CS&S International, Red Diamond Trading Ltd., and Poseidon Trading Investments Ltd.

**DATES:** *Effective Date(s):* May 16, 2011.

#### FOR FURTHER INFORMATION CONTACT:

Office of Defense Trade Controls Compliance, Bureau of Political-Military Affairs, Department of State (202) 632-2798.

**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, including technical data, or defense services where the applicant, or any party to the export, has been convicted of violating certain statutory provisions, including provisions of the AECA, and conspiracy (18 U.S.C. 371) to violate the AECA. The statute permits limited exceptions to be made on a case-by-case basis. In implementing this provision, section 127.7(c) of the ITAR provides for a "statutory debarment" of any person who has been convicted of violating or conspiring to violate the AECA. Persons subject to a 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 court of the United States, and as such the administrative debarment procedures outlined in Part 128 of the ITAR are not applicable.

On March 2, 2010, the United States District Court in the District of Columbia, filed judgment against BAES for conspiracy to violate, *inter alia*, the AECA and the ITAR, in violation of section 38 of the AECA and parts 127 and 130 of the ITAR. Notice is hereby given that, pursuant to section 38(g)(4) of the AECA and section 127.7(c) of the ITAR, BAES, headquartered in Farnborough, England, in the United Kingdom of Great Britain and Northern Ireland, was statutorily debarred on May 16, 2011, but that in accordance with section 38(g)(4) of the AECA and section 127.7 of the ITAR, and in conjunction with a Consent Agreement between the Department and BAES, the statutory debarment was concurrently rescinded. Ineligible status and statutory debarment may be terminated after consultation with other appropriate U.S. agencies, 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 reviewed the circumstances and consulted with other appropriate U.S. agencies, and determined that BAES took appropriate steps to address the causes of the violations and to mitigate any law enforcement concerns.

Further notice is hereby given that the Department of State, pursuant to section 38 of the AECA and section 126.7 of the ITAR, imposed on May 16, 2011 a policy of denial on the following BAES' non-U.S. subsidiaries: BAE Systems CS&S International, Red Diamond Trading Ltd., and Poseidon Trading Investments Ltd., including their divisions and business units, and successor entities. This means that there will be an initial presumption of denial for all applications for licenses and other approvals involving these subsidiaries unless upon case-by-case review the Department determines that it is in the foreign policy or national security interests of the United States to provide an approval. Section 126.7(a) of the ITAR provides that any application for an export license or other approval under the ITAR may be disapproved, and any license or other approval or exemption granted may be revoked, suspended, or amended without prior notice, in part, whenever: (1) An applicant or any party to the export or the agreement has been convicted of violating any of the U.S. criminal statutes enumerated in section 120.27 of the ITAR, which include the AECA; (2) the Department of State believes that 22 U.S.C. 2778, any regulation contained in the ITAR, or the terms of any U.S. Government export authorization has been violated by any party to the export or other person having a significant interest in the transaction; or, (3) whenever the Department of State deems such action to be in furtherance of world peace, the national security or the foreign policy of the United States, or is otherwise advisable. All new applications for licenses or other approvals to which BAE Systems CS&S International, Red Diamond Trading Ltd., and Poseidon Trading Investments Ltd., including their divisions and business units, and successor entities are a party will be reviewed consistent with this presumption of denial.

Exceptions, also known as "transaction exceptions," may be made to the policy of denial on a case-by-case basis. However, such a "transaction exception" would be granted only after a full review of all circumstances, and 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