



DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202-5408

July 6, 2020

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-31 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Argentina for defense articles and services estimated to cost \$100 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

Charles W. Howell
Lieutenant General, USA
Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

[FR Doc. C1-2020-18786 Filed 9-29-20; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 20-0J]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Arms sales notice.

SUMMARY: The Department of Defense is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Karma Job at karma.d.job.civ@mail.mil or (703) 697-8976.

SUPPLEMENTARY INFORMATION: This 36(b)(5)(C) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164

dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 20-0J with attached Policy Justification.

Dated: September 22, 2020.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.



DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202-5408

August 26, 2020

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 20-0J. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 17-12 of June 23, 2017.

Sincerely,

A handwritten signature in black ink that reads "Heidi H. Grant".

Heidi H. Grant
Director

Enclosures:

1. Transmittal

Transmittal No. 20-0J

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(B)(5)(C), AECA)

(i) *Prospective Purchaser:* Government of Australia

(ii) Sec. 36(b)(1), AECA Transmittal No.: 17-12

Date: June 23, 2017

Military Department: Air Force

(iii) *Description:* On June 23, 2017, Congress was notified by Congressional certification transmittal number 17-12 of the possible sale under Section 36(b)(1) of the Arms Export Control Act of up to five (5) Gulfstream G-550

aircraft modified to integrate Airborne Intelligence, Surveillance, Reconnaissance, and Electronic Warfare (AISREW) mission systems, Global Positioning System (GPS) capability, secure communications, aircraft defensive systems; spares, including whole life costs of airborne and ground segments; aircraft modification and integration; ground systems for data processing and crew training; ground support equipment; publications and technical data; U.S. Government and contractor engineering, technical and logistics support services; flight test and certification; and other related elements

of logistical and program support. The estimated total cost was \$1.3 billion. Major Defense Equipment (MDE) constituted \$.04 billion of this total.

This transmittal reports the inclusion of the following non-MDE items and services: Spares and repair/return parts; consumables and support equipment; publications and technical documentation; maintenance, training and training equipment; U.S. Government and contractor flight test and certification, aircraft modification and integration, engineering, technical and logistics support services; and other related elements of logistical and

program support. These additional items will result in an increase in non-MDE cost of \$500 million, causing a revised total cost for non-MDE of \$1.76 billion. Major Defense Equipment (MDE) will remain \$.04 billion. The total estimated case value will increase by \$500 million to \$1.8 billion.

(iv) *Significance*: The proposed articles and services will support Australia's efforts to modernize its Electronic Warfare support capability and increases interoperability between the U.S. Air Force and the Royal Australian Air Force (RAAF).

(v) *Justification*: This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a major Non-NATO Ally that is a key partner of the United States in ensuring peace and stability around the world.

(vi) *Sensitivity of Technology*: The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

(vii) *Date Report Delivered to Congress*: August 26, 2020

[FR Doc. 2020-21632 Filed 9-29-20; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF EDUCATION

Notice of Investigation and Record Requests

AGENCY: Office of the General Counsel, Department of Education.

ACTION: Notice.

SUMMARY: The Department publishes a letter, dated September 15, 2020, notifying Binghamton University of an investigation and request for records and transcribed interviews.

FOR FURTHER INFORMATION CONTACT: Patrick Shaheen, U.S. Department of Education, Office of the General Counsel, 400 Maryland Avenue SW, Room 6E300, Washington, DC 20202. Telephone: (202) 453-6339. Email: Patrick.Shaheen@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service, toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: The Department publishes this letter, dated September 15, 2020, notifying Binghamton University of an investigation under 20 U.S.C. 1094 to determine if Binghamton's conduct related to events occurring between November 14 and November 19, 2019, as more particularly set forth in Appendix A, violated applicable statutory, regulatory, or contractual

provisions. The letter to Binghamton University is in Appendix A of this notice.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Reed D. Rubinstein,

Principal Deputy General Counsel.

Appendix A

September 15, 2020

President Harvey Stenger SUNY-Binghamton, P.O. Box 6000, Binghamton, NY 13902-6000 via electronic mail

Re: Notice of 20 U.S.C. 1094 Investigation/ Request for Records and Transcribed Interviews/Binghamton University

Dear President Stenger:

The U.S. Department of Education ("Department") has become aware of facts suggesting representations made by Binghamton University ("Binghamton"), part of the State University of New York, promising, inter alia, institutional protection for free speech and free inquiry rights are misleading to students, parents, and consumers in the market for education credentials. Instead, there seems to be evidence suggesting Binghamton selectively applies its stated policies and procedures to discriminate against students based on the content of their speech and their decision to associate with groups such as the College Republicans and Young Americans for Freedom/Young America's Foundation ("YAF"). Consequently, the Department is opening an investigation to determine if Binghamton's conduct related to events occurring between November 14 and November 19, 2019, as more particularly set forth below, violated applicable statutory, regulatory, and/or contractual provisions.

The reported facts are as follows:

On November 14, 2019, beginning around 10:00 a.m., fewer than ten Binghamton

students who were members, associated with, or supporters of a recognized Binghamton University student group called "College Republicans" began "tabling" using two folding tables displaying fliers and other promotional materials in a common area of campus used to promote on-campus speeches, activities, and political causes. The College Republicans handed out fliers promoting a November 18, 2019, lecture by the prominent economist, Dr. Arthur Laffer. Other literature from a different organization supporting the Second Amendment but unrelated to the College Republicans was displayed on a nearby table. At approximately 2:00 p.m., approximately 200 persons surrounded the College Republicans and their tables, shouting threats and obscenities. They allegedly destroyed the College Republicans' materials and tables and attempted to chase them away. See Matthew Benninger, "Binghamton University says 'provocative' displays by political student organizations led to campus protest" (Nov. 18, 2019), <https://wbng.com/2019/11/18/binghamton-university-says-provocative-displays-by-political-student-organizations-led-to-campus-protest/>. Contemporaneous video footage demonstrates the University's police did not impede or prevent the conspirators' violence and intimidation. See https://www.youtube.com/watch?v=_X2-96gt9MI.¹

Preliminary information suggests these persons were acting in concert pursuant to a conspiracy. Contrary to law, the express object of this conspiracy was to injure, oppress, threaten, or intimidate the College Republicans in the free exercise or enjoyment of their First Amendment rights. See 18 U.S.C. 241; 42 U.S.C. 1985(3). Reported social media messages confirming the conspiracy's purpose included, inter alia, "[y]eah there's not that many but f— em [sic] up anyways" and "[t]oday on the spine Trump supporters are actively advocating for the Trump administration and gun violence. Join us at 2 as we disrupt this disgusting space that Binghamton has allowed students to create and protect the racism, homophobia, and xenophobia that has erupted from Trump and his supporters". See Editorial, "To protect free speech, SUNY Binghamton must throw the book at these

¹ On November 14, 2019, less than thirty minutes before the College Republicans began tabling, a shooter at a California high school killed two fellow students and injured three others before killing himself. On November 18, Binghamton's Vice President for Student Affairs, Brian Rose, imputed knowledge of this shooting to the College Republicans without any evidence the College Republicans knew or could have known of it at the time they commenced their protected activity. He said: "The [College Republicans] display included provocative posters with gun imagery, this being the same day as the Saugus High School shooting [so] the [College Republicans] intended to be provocative." See Benninger, supra <https://wbng.com/2019/11/18/binghamton-university-says-provocative-displays-by-political-student-organizations-led-to-campus-protest/>. The Department is concerned because Rose's statement seemingly contextualizes the police's failure to stop the threats, intimidation, and violence, and provides reason to believe Binghamton may harbor systemic bias and animus toward students with Republican or conservative political views.