articles or defense services in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of defense
services, technical data and defense articles to Taiwan to support the manufacture and
maintenance of GRC-171, RT-1272F and/or RT 1272H Ultra High Frequency Receiver
Transmitters for Taiwan’s 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,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.

Enclosure: Transmittal No. DDTC 083–03.

[FR Doc. 03–21678 Filed 8–22–03; 8:45 am]

BILLING CODE 4710–25–M

DEPARTMENT OF STATE

[Public Notice 4457]

Determination: Imposing Conditions and
Restrictions on the Cuban Interests Section and its Personnel
with Respect to Acquisition and
Disposition of Motor Vehicles in the
United States

Summary

The United States Interests Section of the
Embassy of Switzerland in Havana, Cuba (“the U.S. Interests Section”) is the
mission through which the U.S. communicates with the Government
and people of Cuba. The Cuban Government’s counterpart mission in the United States is the Cuban Interests
Section of the Embassy of Switzerland in Washington, DC, its personnel, and the family
members thereof. However, it also applies to any person subject to the
jurisdiction of the United States, whether natural person, business, or
other entity of any sort, that intends to
sell or lease a motor vehicle to, or
purchase a motor vehicle from the
Cuban Interests Section or its personnel.

Legal Authority

The terms and conditions
promulgated by this Determination are
done so pursuant to the Foreign
Missions Act of 1982, as amended, 22
U.S.C. 4301 et seq. (“the Act”). The Act
at section 4304 authorizes the Secretary to provide “benefits” to foreign
missions in the United States and to
impose certain terms and conditions
upon the provision of such benefits, if
such action is reasonably necessary to
achieve a statutory purpose identified in
the act, including the interests of
diplomatic reciprocity. The term
“benefits” is defined in the Act at
section 4302 to include any of a number of
specifically enumerated goods and
services, as well as “any other benefits
as the Secretary may designate.” 22

Pursuant to the Department of State
Delegation of Authority No. 214, section
14 (September 20, 1994), the authorities
that the Act vests in the Secretary of State were delegated by the Secretary to
the Assistant Secretary of State for
Diplomatic Security, who also functions
as Director of the Office of Foreign
Missions.

Designation of Benefits, Findings, and
Specific Determinations

Pursuant to the authority vested in me
by and through the above-cited
provisions of law and Designation of
Authority, I hereby find and determine
as follows:

(a) “Cuban Interests Section” shall
mean the Cuban Interests Section of the
Embassy of Switzerland in Washington, DC,
including its personnel, and any
dependent of such personnel, forming part of the household thereof;
(b) “motor vehicle” shall mean any
motorized device intended for the
purpose of transporting individuals on
public streets and highways;
(c) U.S. person shall mean any natural
or corporate person or entity physically
present within the United States,
regardless of nationality or immigration
status, except for accredited members of
foreign diplomatic or consular missions in the United States, and their
accredited dependents forming parts of
their households, provided that the
foregoing exclusion shall not apply to
any employee of such a foreign mission,
or any dependent thereof, who is a U.S.
citizen, permanent resident alien, or a
person regarded as permanently resident” in the U.S., pursuant to the
policies of the Department of State in
implementing the Vienna Convention on
Diplomatic Relations or the Vienna
Convention on Consular Relations;
(d) “acquisition” shall mean the
transfer by any U.S. person whatsoever
by the Cuban Interests Section of any
interest in a motor vehicle, by any
method or means including, but not
limited, to purchase, lease, loan, gift,
hypothecation, or devise; and
(e) “disposition” shall mean the
transfer by the Cuban Interests Section
to any U.S. person whatsoever of any
interest in a motor vehicle by any
method or means including, but not
limited to, sale, lease, loan, gift,
hypothecation, or devise, including sale
for scrap or salvage.

Designation of Benefits: Pursuant to
22 U.S.C. 4302(a)(1), which
authorizes the Secretary, or his
delegatee, to designate as a “benefit” under the Act any additional good or service beyond those enumerated in section 4302(a)(1)(A)–(G), I hereby designate as a benefit the privilege of disposing of a motor vehicle to a U.S. person within the United States. This designation of a benefit shall, as of this date, apply to all diplomatic and consular missions accredited to the United States. It is noted that the acquisition of a motor vehicle is already encompassed within the statutory designation of a “benefit”, pursuant to the existing definitions in 22 U.S.C. 4301(a)(1)(C), “transportation”.

(3) Based upon the facts and circumstances set forth in the Summary section above, I hereby find that with respect to the acquisition and disposition of motor vehicles, the Cuban Interests Section in Washington, its personnel, and their dependents enjoy significantly more favorable treatment than do the U.S. Interests Section in Havana, its personnel, and their dependents.

(4) I further find that, in the area of motor vehicles, the Cuban Government’s treatment of the U.S. Interests Section in Havana, its personnel, and their dependents imposes additional undue and unjustifiable costs on the operation of the United States Interests Section in Havana; that it creates a source of dispute in relations between the United States and Cuba; and that the persistence of such an imbalance in the treatment of United States and Cuban diplomatic personnel in each other’s state is contrary to the interests of the United States.

(5) Determination To Deny Benefits:
In light of the findings discussed in Sections 3 and 4 above and pursuant to the statutory requirements and purposes of the Act, I hereby determine that imposition of the following terms and conditions on the acquisition and disposition of motor vehicles by or on behalf of the Cuban Interests Section in Washington is necessary on the basis of reciprocity:

(a) Acquisitions of Vehicles:
The Cuban Interests Section shall be denied the benefit of acquiring any motor vehicle in the United States, subject only to the following exceptions:

(i) The rental of a vehicle from an established auto rental business, for a period not to exceed thirty (30) days.

(ii) The direct, duty-free importation of a vehicle from a vendor located outside the United States, utilizing the services of a manufacturer’s authorized dealer, provided that such vehicle is less than four years old from date of manufacture and complies fully with all applicable Federal safety requirements.

In order to be eligible for this exclusion, the acquisition may not be made from any pre-existing dealer stock, and the ownership and importation documentation must clearly indicate the Cuban Interests Section as the consignee/transferee of said vehicle;

(iii) The duty-free importation into the United States from abroad by the Cuban Interests Section of any motor vehicle, the pre-existing ownership of which was already in the hands of the Government of Cuba, any employee thereof, or any dependent of such employee forming part of the employee’s household, provided that such vehicle is less than four years old from date of manufacture and complies fully with all applicable Federal safety requirements;

(iv) The continued ownership by the Cuban Interests Section of any vehicles that are owned as of the effective date hereof;

(v) The continued retention and use, until and not beyond the expiration of the lease term, of any motor vehicle leased by the Cuban Interests Section as of the effective date hereof;

(vi) The purchase by the Cuban Interests Section of a motor vehicle from any accredited diplomatic or consular mission in the United States, or any accredited member of such a mission, or accredited dependent thereof, enjoying privileges and immunities in the United States pursuant to international law, provided that such transaction shall constitute a bona fide arms-length purchase not entered into for purposes of collusion or evasion of the general prohibition on vehicle acquisitions being imposed by this Determination. For purposes of ascertaining the bona fide nature of any such acquisition, it shall be presumed that the acquisition of any vehicle which was registered in the name of a foreign mission or accredited member or dependent thereof for longer than 120 days satisfies the requirements of a bona fide acquisition. The present exclusion, however, shall not apply to the purchase of vehicles currently leased by the Cuban Interests Section, its members, or their dependents.

(vii) The acquisition of any motor vehicle by and through the Department of State’s Office of Foreign Missions.

(b) Dispositions of Vehicles:
The Cuban Interests Section shall likewise be denied the benefit of disposing of any motor vehicle in the United States, subject only to the following exceptions:

(i) The return of any rental vehicle to the auto rental entity concerned;

(ii) The return of any prior leased vehicle to the dealership concerned;

(iii) The sale of any vehicle to any diplomatic or consular mission to the United States, any accredited member thereof, or any accredited dependent forming part of the household of such member, provided that such member or dependent is not a “U.S. person” as defined in Section 1(C), above; and

(iv) The sale of any vehicle by and through the Department of State’s Office of Foreign Missions.

(c) No Restriction on Exports or Imports of Vehicles:
Nothing in this Determination shall in any way operate to limit or restrict the right of the Cuban Interests Section, its personnel, and dependents thereof to import or export motor vehicles for mission or personal use from or to sources outside the United States.

(6) Waiver of Recourse:
Pursuant to the Act at section 4304(d) and the Delegation of Authority thereunder, I hereby find and determine that, for the purposes of implementing the present restrictions on motor vehicle benefits, it is reasonably necessary in order to achieve the purposes set forth in the Act at § 4304, to require that the acceptance and use of all motor vehicle license tags issued by the Office of Foreign Missions to the Cuban Interests Section be conditioned, consistent with U.S. international obligations, as follows:

(a) The Cuban Interests Section, shall waive any recourse that the Interests Section, its agents or assigns may have in U.S. courts or administrative tribunals against any person or party with respect to any past, present, or future motor-vehicle-related transaction, whether such transaction is contracted for or has actually been concluded.

(b) Pursuant to the Act at 22 U.S.C. 4304(d) of the Act, I hereby designate the Deputy Director of the Office of Foreign Missions to be the agent for the Cuban Interests Section for purposes of effectuating such a waiver of recourse.

(c) The requirement for such waiver of recourse shall constitute a condition both as regards the continued use of license tags previously issued to the Cuban Interests Section as well as the acceptance and use of license tags in the future.

(7) Enforcement:
Pursuant to the Act at 22 U.S.C. 4311, provision to the Cuban Interests Section of any motor vehicle-related benefit contrary to the terms and conditions set forth above shall be unlawful. The United States is authorized to bring legal action to obtain compliance with the aforementioned terms and conditions.

(8) Date of Effect:
The provisions of this Determination shall take effect upon the earlier of (a) its publication in
TENNESSEE VALLEY AUTHORITY

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Tennessee Valley Authority (Meeting No. 1547).

TIME AND DATE: 9 a.m. (EDT), August 27, 2003; TVA West Tower Auditorium, 400 West Summit Hill Drive, Knoxville, Tennessee.

STATUS: Open.

Agenda

Approval of minutes of meeting held on July 30, 2003.

New Business

A—Budget and Financing

A1. Rate change and rate adjustment.


C—Energy


E—Real Property Transactions

E1. Public auction sale of approximately 1.6 acres of land adjacent to the Singleton Laboratory site on Fort Loudoun Reservoir in Blount County, Tennessee, Tract No. XFL-135.

E2. Abandonment of certain transmission line easement rights affecting approximately 23.0 acres of land, Tract Nos. KDHR-2, KDHR-4, and KDHR-5, to Vaulcan Materials, in exchange for transmission line easement rights affecting approximately 24.6 acres of land in Livingston County, Kentucky, Tract No. 2KDHR-1.

E3. Abandonment of certain transmission line easement rights affecting approximately 12.8 acres of land, Tract Nos. WGFL-2, WGFL-3, WGFL-4, TRF-12, and TRF-13, to BP Amoco Chemical Company, in exchange for transmission line easement rights affecting approximately 39.14 acres of land in Morgan County, Alabama, Tract No. MECT-1.

E4. Grant of a 30-year term public recreation easement for use as a public park to the City of Stevenson, Alabama, affecting approximately 122 acres of land on Guntersville Reservoir in Jackson County, Alabama, Tract No. XTGR-83RE.

E5. Grant of permanent and temporary construction easements to the State of Tennessee for a highway improvement project affecting approximately .53 acre of land on the Norton Hill Microwave Repeater Station site in Madison County, Tennessee, Tract No. XTWJRS-1H.

E6. Grant of a permanent easement to the State of Tennessee for a highway improvement project affecting approximately .4 acre of land on Watts Bar Reservoir in Roane County, Tennessee, Tract No. XTWBR-144H.

F—Other

F1. Designation of Edwin W. Small and Michael L. Wills as Assistant Secretaries of TVA.

F2. Approval to file condemnation cases to acquire easements and rights-of-way for a TVA power transmission line project affecting the Leake-Singleton Transmission Line in Leake County, Mississippi.

Information Items

1. Approval to enter into a financial arrangement associated with a call provision which TVA has on its 1993 Series F Power Bonds and for delegations to take related actions.

2. Approval of the issuance, sale, and delivery of TVA Power Bonds.

3. Approval of the appointment of John M. Hoskins to the Board of Directors of the TVA Retirement System.

4. Approval of a contract with KEMA, Inc., to provide project management and engineering support in connection with TVA’s Power System Optimization Project.

5. Approval of an amendment to the Business Practice entitled, “The Acquisition and Disposal of Fossil Fuels and Related Transportation and Storage.”

6. Sale of a permanent easement to Kentucky Utilities Company for a 60kV double circuit transmission line, affecting approximately 4.47 acres of land on Kentucky Reservoir Dam Reservation in Livingston County, Kentucky, Tract No. XGIR-939T.

7. Approval to file condemnation cases to acquire easements and rights-of-way for TVA power transmission line projects affecting the Batesville-Blue Goose Transmission Line in Panola and Tate Counties, Mississippi, and the John Sevier-Alcoa Loop into State Route 160 Substation Transmission Line in Hamblen County, Tennessee.

8. Approval of a revised Business Practice 12 entitled, “Legal Representation.”

For more information: Please call TVA Media Relations at (865) 632-6000, Knoxville, Tennessee. Information is also available at TVA’s Washington Office (202) 898-2999. People who plan to attend the meeting and have special needs should call (865) 632-6000. Anyone who wishes to comment on any of the agenda in writing may send their comments to: TVA Board of Directors, Board Agenda Comments, 400 West Summit Hill Drive, Knoxville, Tennessee 37902.


Maureen H. Dunn,
General Counsel and Secretary.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Request for Comments and Notice of Public Hearing Concerning Proposed United States–Bahrain Free Trade Agreement

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of intent to initiate negotiations on a free trade agreement between the United States and Bahrain,