

audit trail record of all disclosures made under the pilot. For these reasons, we do not anticipate that the disclosures will have any unwarranted adverse effect on the rights of individuals.

Dated: June 4, 1996.

Shirley S. Chater,

Commissioner of Social Security.

[FR Doc. 96-15265 Filed 6-14-96; 8:45 am]

BILLING CODE 4190-29-P

DEPARTMENT OF STATE

Bureau of Inter-American Affairs

[Public Notice 2403]

Guidelines Implementing Title IV of the Cuban Liberty and Democratic Solidarity Act

AGENCY: Bureau of Inter-American Affairs.

ACTION: Notice.

SUMMARY: Title IV, section 401(a), of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 ("Act"), 22 U.S.C. 6021 *et seq.*, also known as the Helms-Burton Act, provides that the "Secretary of State shall deny a visa to, and the Attorney General shall exclude from the United States, any alien who the Secretary of State determines is a person who, after the date of the enactment of this act—

(1) Has confiscated, or has directed or overseen the confiscation of, property [in Cuba] a claim to which is owned by a United States national, or converts or has converted for personal gain confiscated property, a claim to which is owned by a United States national;

(2) Traffics in confiscated property, a claim to which is owned by a United States national;

(3) Is a corporate officer, principal, or shareholder with a controlling interest of an entity which has been involved in the confiscation of property or trafficking in confiscated property, a claim to which is owned by a United States national; or

(4) Is a spouse, minor child, or agent of a person excludable under paragraph (1), (2), or (3)." 22 U.S.C. 6091(a).

The following guidelines will be used by the Department of State for the purpose of implementing Title IV of the act.

EFFECTIVE DATE: This notice is effective on June 17, 1996.

FOR FURTHER INFORMATION CONTACT:

Director, Office of Cuban Affairs, Bureau of Inter-American Affairs, Department of State, 2201 C Street, NW, Washington, D.C. 20520, 202-647-7505.

SUPPLEMENTARY INFORMATION:

Department of State Guidelines for Implementation of Title IV of the LIBERTAD Act

1. *Purpose and Authority.* These guidelines will be used by the Department of State ("Department") for the purpose of implementing Title IV of the Cuban Liberty and Democratic Solidarity Act of 1996, P.L. 104-114, 22 U.S.C. § 6021 *et seq.*, also known as the Libertad Act or Helms-Burton Act ("Act"), and other applicable legislation as appropriate.

2. *Delegation of Authority.* The Secretary of State has delegated authority to the Assistant Secretary of State for Inter-American Affairs to make determinations of excludability and visa ineligibility under section 401(a) of the Act.

3. *Point of Contact.* The Office of Cuban Affairs in the Bureau of Inter-American Affairs at the Department is the central point of contact for all inquiries about implementation of Title IV of the Act. The Office may be contacted in Room No. 3244, U.S. Department of State, Washington, DC 20520; telephone number 202-647-7505.

4. *Collection of Information*—a. As resources permit, the Department may collect information from available sources on whether property in Cuba owned by a U.S. national has been confiscated or whether trafficking in such property confiscated from a U.S. national has occurred.

b. If the Department has information indicating that certain property may have been confiscated or subject to trafficking, it may request the Foreign Claims Settlement Commission (FCSC) to inform it whether the property in question was the subject of an FCSC-certified claim. The Department may also obtain information from the FCSC and other available sources about the current ownership of an FCSC-certified claim, including whether it is owned by a U.S. national.

c. For non-certified claims, the Department may request claimants to provide additional information related to ownership and confiscation of, or trafficking in, the property concerned.

d. The department will consult as appropriate with other agencies of the U.S. government and other sources regarding the identify of principals, officers, and controlling shareholders, and their agents, spouses, and minor children, or entities that may have confiscated property owned by a U.S. national or trafficked in such property.

5. *Determinations of excludability and Ineligibility.* Determinations of

ineligibility and excludability under Title IV will be made when facts or circumstances exist that would lead the Department reasonably to conclude that a person has engaged in confiscation or trafficking after March 12, 1996.

6. *Prior Notification.*—a. An alien who may be the subject of a determination under Title IV will be sent notification by registered mail that his/her name will be entered in the visa lookout system and port of entry exclusion system, and that he/she will be denied a visa upon application or have his/her visa revoked, 45 days after the date of the notification letter. The alien will be informed that divesting from a "trafficking" arrangement would avert the exclusion. The Department may inform the government of the alien's country of nationality in confidence through diplomatic channels of the name of any corporation or other entity related to this action.

b. If no information is received within the 45 day period above that leads the Department reasonably to conclude (i) that the alien or company involved has not engaged in trafficking or is no longer doing so, or (ii) that an exception to trafficking under section 401(b)(2)(B) applies, the Department will notify consular officers and the Immigration and Naturalization Service ("INS") of a determination by entering the alien's name, including the names of the alien's agents, spouse and minor children, if applicable, in the appropriate lookout system, and a visa application from the named alien will be denied or a visa revoked in accordance with the law. Entry of the named alien into the appropriate lookout systems will be the exclusive means by which consular officers and the INS will verify that the alien has been determined to be excludable under section 401 of the Act.

7. *Exemptions.* The Department may grant an exemption for diplomatic and consular personnel of foreign governments, and representatives to and officials of international organizations. An alien may request from the Department an exemption for medical reasons or for purposes of litigation of an action under Title III of the Act to the extent permitted under section 401(c) of the Act. The Department will notify Department consular officers and the INS through appropriate channels of the decision to grant an exemption to a person otherwise excludable under Title IV of the Act. The Department may impose appropriate conditions on any exemption granted.

8. *Review of Determinations.* The Department may review a determination made under Title IV at any time, as appropriate, upon the receipt of

information indicating that the determination was in error, that a person has ended all involvement with confiscated U.S. property in Cuba, that an exception applies under section 401(b)(2)(B), or that an exemption should be granted under section 401(c).

9. *Definitions.*—a. “Agent” means a person who acts on behalf of a corporate officer, principal, or shareholder with a controlling interest to carry out or facilitate acts or policies that result in a determination under section 401(a) of the Act.

b. “Confiscate” means the same as the term defined in section 401(b)(1) of the Act.

c. “Corporate officer” means the president, chief executive officer, principal financial officer, principal accounting officer (or, if there is not accounting officer, the controller), any vice president of the entity in charge of a principal business unit, division or function (such as sales, administration or finance), or any other officer or person who performs policy-making functions for the entity. Corporate officers of a parent or subsidiary of the entity may be deemed corporate officers of the entity if they perform policy-making functions for the entity. (This definition is derived from, and will in general be applied consistent with, the definition of “officer” in 17 CFR § 240.16a–1(f)).

d. “Minor child” means a person who is under 18 years of age and who is a child as defined in 8 U.S.C. § 1101(b)(1).

e. “Person” means the same as the term defined in section 4(11) of the Act.

f. “Principal” means: (i) When the entity is a general partnership, any general partner and any officer or employee of the general partnership who performs a policy-making function for the partnership, (ii) when the entity is a limited partnership, any general partner and any officer or employee of a general partner of the limited partnership who performs a policy-making function for the limited partnership, (iii) when the entity is a trust, any trustee and any officer or employee of the trustee who performs a policy-making function for the trust, and (iv) any other person who performs similar policy-making functions for the entity. (This definition is derived from, and will in general be applied consistent with, the definition of “officer” in 17 CFR § 240.16a–1(f).)

g. “Shareholder with a controlling interest” means a person possessing the power, directly or indirectly, to direct or cause the direction of the management and policies of the entity through the ownership of voting securities. (This definition is derived from, and will in

general be applied consistent with, the definition of “control” in 17 CFR § 230.405.)

h. “Traffics” means the same as the term defined in section 401(b)(2) of the Act.

i. “Transactions and uses of property incident to lawful travel in Cuba” are such incidental transactions and uses of confiscated property as are necessary to the conduct of lawful travel to Cuba.

10. *Persons with Business Dealings with Persons Subject to a Determination.* It is not sufficient in itself for a determination under section 401(a) that a person has merely had business dealings with a person for whom a determination is made under section 401(a).

11. *Confidentiality of Records.* Department records pertaining to the issuance or denial of a visa under section 401(a), including records related to the determination of ineligibility or excludability, are confidential consistent with section 222(f) of the Immigration and Nationality Act, 8 U.S.C. 1202(f).

12. *No Right of Action.* Nothing in these guidelines will create any right or benefit, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or its employees, or any other person.

13. *Publication and Revision of these Guidelines.* These guidelines will be published in the Federal Register, and will become effective upon publication. Revisions may be made as appropriate and published in the Federal Register.

Dated: June 12, 1996.

Jeffrey Davidow,

Acting Assistant Secretary of State for Inter-American Affairs, Department of State.

[FR Doc. 96–15406 Filed 6–14–96; 8:45 am]

BILLING CODE 4710–29–M

TENNESSEE VALLEY AUTHORITY

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Tennessee Valley Authority.

[Meeting No. 1485]

TIME AND DATE: 10 a.m. (EDT), June 19, 1996.

PLACE: TVA Chattanooga Office Complex Auditorium, 1101 Market Street, Chattanooga, Tennessee.

STATUS: Open.

Agenda

Approval of minutes of meeting held on May 15, 1996.

New Business

E—Real Property Transactions

E1. Transfer of custody of the Edgemont Uranium Mill Tailings Disposal Site to the Department of Energy.

E2. Grant of permanent easement to Tishomingo County, Mississippi, affecting approximately 6 acres of land on Pickwick Lake in Tishomingo County for a road and utilities right-of-way (Tract No. XTYECCR–9H).

E3. Sale of 30-year easement to Power Paper Company, Inc., for a natural gas pipeline affecting approximately 3.5 acres of land on Watts Bar Lake in Roane County, Tennessee (Tract No. XWBR–713P).

E4. Sale of 40-year commercial recreation easement to Watts Bar Resort Company affecting approximately 162 acres of land on Watts Bar Lake in Rhea County, Tennessee (Tract No. XWBR–710RE).

E5. Grant of permanent easements to the City of Fort Payne, Alabama, affecting approximately 9.65 acres of land on Guntersville Lake in Jackson County, Alabama, for a raw water pump station and water line (Tract No. XTGR–162E).

E6. Abandonment of easement rights over a portion of the Pulaski-Fayetteville Transmission Line affecting approximately 5.95 acres in Lincoln County, Tennessee (a portion of Tract No. PF–59 and all of Tract No. PF–80).

Unclassified

F1. Filing of condemnation cases.

Information Items

1. Abandonment of easement rights affecting approximately 0.7 acre of the Norris-Knoxville Transmission Line right-of-way in Anderson County, Tennessee (Tract No. NV–19).

2. Grant of easement to Bluegrass Network LLC affecting approximately 0.03 acre of the Bowling Green Customer Service Center property in Warren County, Kentucky, for construction, operation, and maintenance of a fiber optic cable (Tract No. XBKPSC–3UC).

3. Drive-home vehicle program for TVA Police Officers.

4. Delegation of authority to the Vice President of Fuel Supply and Engineering to enter into agreements with the Southern Pacific Rail Corporation (and certain of its affected subsidiaries) to modify existing Contract Nos. ICC–SP–C–15118 and ICC–SP–C–15119 and to resolve outstanding claims.

5. Extension of the current Low Density Credit Program.

6. Award of contract to Alcoa Fujikura, Ltd., for fiber optic cable and to further the arrangement with Worldcom Network Services, Inc., to construct a fiber optic system from Memphis to Nashville, with an optional segment from Nashville to East Tennessee.

7. Filing of condemnation cases.

8. Sale of permanent easement to CSX Transportation, Inc., for railroad and other transportation purposes affecting approximately 45.5 acres of Widows Creek Fossil Plant Interchange Yard, Jackson County, Alabama (Tract No. XCSA–47RR).

For more information: Please call TVA Public Relations at (423) 632–6000.