United States Department of State

Assistant Secretary of State
for Diplomatic Security

Washington, D.C. 20520

May 28, 2003

RECEIVED
D.C. OFFICE OF ZONING
2003 JUN -3 AM 11:17

Ms. Jerrily R. Kress
Director
Office of Zoning
One Judiciary Square
441 4th Street, N.W., 2nd Floor
Washington, D.C. 20001

RE: BZA Application No. 17020
Embassy of Portugal
2012 Massachusetts Avenue, N.W.

Dear Ms. Kress:

The Department of State hereby provides its comments concerning the application submitted to the Foreign Missions Board of Zoning Adjustment ("FMBZA") by RNC 2012 LLC, on behalf of the Embassy of Portugal on April 7, regarding the Embassy's desire to add a modest expansion to its new chancery located at 2012 Massachusetts Avenue, N.W. The application was submitted pursuant to Section 206 of the Foreign Missions Act (22 U.S.C. §4306.) and D.C. Code 5-1206 and the case is scheduled to be heard June 17, 2003.

On behalf of the Secretary of State, and pursuant to the Foreign Missions Act, 22 U.S.C. §4301, *et seq.*, particularly sections 4303 and 4306, I hereby convey to the FMBZA the following comments and determinations concerning the subject application. These comments and determinations relate to the statutory criteria governing FMBZA determinations that lie within the purview of the Federal Government, namely 22 U.S.C. §4306(d)(1), (4), and (6), as well as the pertinent portion of (d)(3).

First, with respect to the criterion set forth in 22 U.S.C. §4306(d)(1), I have determined that favorable FMBZA action on the present application would fulfill the international obligation of the United States to facilitate the acquisition of adequate and secure premises by the

BZA
Case No. 17020
Exhibit No. 29

Board of Zoning Adjustment
District of Columbia
CASE NO. 17020
EXHIBIT NO. 29

Government of Portugal for its diplomatic mission in Washington.

Second, after consultation with Federal agencies authorized to perform protective services, I have determined, pursuant to 22 U.S.C. §4306(d)(6), that there exist no special security requirements relating to parking requirements in this case. I have also, after similar consultation, and pursuant to 22 U.S.C. §4306(d)(4), determined that the subject site and area are capable of being adequately protected.

Third, pursuant to 22 U.S.C. §4306(d)(6), I have determined that a favorable decision on this application would serve the federal interest. The Government of Portugal has consistently been supportive of the United States Embassy in Lisbon in its diplomatic property needs.

For the above reasons, the Department of State supports the application of on behalf the Embassy of Portugal and respectfully urges the FMBZA to act favorably on it.

Sincerely,

Joe D. Morton, Acting