§ 501.603 Reports on blocked property.

(a) Who must report—(1) Holders of blocked property. Any person, including a financial institution, holding property blocked pursuant to this chapter must report. The requirement includes financial institutions that receive and block payments or transfers. This requirement is mandatory and applies to all U.S. persons (or persons subject to U.S. jurisdiction in the case of parts 500 and 515 of this chapter) who have in their possession or control any property or interests in property blocked pursuant to this chapter.

(2) Primary responsibility to report. A report may be filed on behalf of a holder of blocked property by an attorney, agent, or other person. Primary responsibility for reporting blocked property, however, rests with the actual holder of the property, or the person exercising control over property located outside the United States, with the following exceptions: primary responsibility for reporting any trust assets rests with the trustee; and primary responsibility for reporting real property rests with any U.S. co-owner, legal representative, agent, or property manager in the United States. No person is excused from filing a report by reason of the fact that another person has submitted a report with regard to the same property, except upon actual knowledge of the report filed by such other person. Reports filed are regarded as privileged and confidential.

(3) Financial institutions. For purposes of this section, the term “financial institution” shall include a banking institution, domestic bank, United States depository institution, financial institution, or U.S. financial institution, as those terms are defined in the applicable part of this chapter.

(b) What must be reported—(1) Initial reports—(i) When reports are due. Reports are required to be filed within 10 business days from the date that property becomes blocked. This reporting requirement includes payments or transfers that are received and blocked by financial institutions.

(ii) Contents of reports. Initial reports on blocked property shall describe the owner or account party, the property, its location, any existing or new account number or similar reference necessary to identify the property, actual or estimated value and the date it was blocked, and shall include the name and address of the holder, along with the name and telephone number of a contact person from whom compliance information can be obtained. If the report is filed by a financial institution and involves the receipt of a payment or transfer of funds which are blocked by the financial institution, the report shall also include a photocopy of the payment or transfer instructions received and shall confirm that the payment has been deposited into a new or existing blocked account which is labeled as such and is established in the name of, or contains a means of clearly identifying the interest of, the individual or entity subject to blocking pursuant to the requirements of this chapter.

(2) Annual reports—(i) When reports are due. A comprehensive report on all blocked property held as of June 30 of the current year shall be filed annually by September 30. The first annual report is due September 30, 1997.

(ii) Contents of reports. Annual reports shall be filed using Form TDF 90–22.50, Annual Report of Blocked Property. Copies of Form TDF 90–22.50 may be obtained directly from the Office of Foreign Assets Control, by calling the fax-on-demand service maintained by the Office of Foreign Assets Control at 202/622–0077, or by downloading the form from the “OFAC Press Releases and Miscellaneous Documents” file library (“FAC MISC”) located on the Government Printing Office’s Federal Bulletin Board Online via GPO Access (Internet site: http://fedbbs.access.gpo.gov/ibs/
§ 501.605 Reports on litigation, arbitration, and dispute resolution proceedings.

(a) U.S. persons (or persons subject to the jurisdiction of the United States in the case of parts 500 and 515 of this chapter) participating in litigation, arbitration, or other binding alternative dispute resolution proceedings in the United States on behalf of or against persons whose property or interests in property are blocked or whose funds have been retained pursuant to §596.504(b) of this chapter, or when the outcome of any proceeding may affect blocked property or retained funds, must:

(1) Referencing a blocked vessel but where none of the parties or financial institutions involved in the transaction is a blocked person;
(2) Sending funds to a person in Iraq;
(3) Transferring unlicensed gifts or charitable donations from the Government of Syria to a U.S. person;
(4) Crediting Iranian accounts on the books of a U.S. financial institution; and
(5) Making unauthorized transfers from U.S. persons to Iran or the Government of Iran.

(c) Reports on retained funds pursuant to §596.504(b) of this chapter. The reporting requirements set forth in this section are applicable to any financial institution retaining funds pursuant to §596.504(b) of this chapter, except that the account name shall reflect the name of the person whose interest required retention of the funds.

(d) Where to report. Reports must be filed with the Office of Foreign Assets Control, Compliance Programs Division, U.S. Treasury Department, 1500 Pennsylvania Avenue NW.—Annex, Washington, DC 20220.

NOTE: See subpart F of part 597 for the relationship between this section and part 597.