

(b) *Violation.* If, after considering any response to a prepenalty notice and any relevant facts, the Director of the Office of Foreign Assets Control determines that there was a violation by the respondent named in the prepenalty notice, the Director promptly shall issue a written notice of the imposition of the monetary penalty to the respondent. The issuance of a written notice of the imposition of a monetary penalty shall constitute final agency action.

(1) The penalty notice shall inform the respondent that payment of the assessed penalty must be made within 30 days of the date of mailing of the penalty notice.

(2) The penalty notice shall inform the respondent of the requirement to furnish the respondent's taxpayer identification number pursuant to 31 U.S.C. 7701 and that such number will be used for purposes of collecting and reporting on any delinquent penalty amount.

§ 598.705 Administrative collection; referral to United States Department of Justice.

In the event that the respondent does not pay a penalty imposed pursuant to this part or make payment arrangements acceptable to the Director of the Office of Foreign Assets Control within 30 days of the date of mailing of a penalty notice, the matter may be referred for administrative collection measures by the Department of the Treasury or to the United States Department of Justice for appropriate action to recover the penalty in a civil suit in a Federal district court.

§ 598.706 Judicial review of civil penalty.

A civil penalty imposed pursuant to this subpart G is subject to judicial review only to the extent provided in 5 U.S.C. 702.

Subpart H—Procedures

§ 598.801 Procedures.

For license application procedures and procedures relating to amendments, modifications, or revocations of licenses; administrative decisions; rulemaking; and requests for documents pursuant to the Privacy Act (5

U.S.C. 552a), see part 501, subpart E of this chapter.

[65 FR 41336, July 5, 2000, as amended at 68 FR 53660, Sept. 11, 2003]

§ 598.802 Availability of information pursuant to the Freedom of Information Act.

Any record or information obtained or created in the implementation of this part is not subject to disclosure under section 552(a)(3) of the Freedom of Information Act. Information required to be made available to the public under other provisions of the Freedom of Information Act (5 U.S.C. 552) will be made available in accordance with § 501.805(a) of this chapter.

§ 598.803 Delegation by the Secretary of the Treasury.

Any action that the Secretary of the Treasury is authorized to take pursuant to the Foreign Narcotics Kingpin Designation Act may be taken by the Director of the Office of Foreign Assets Control or by any other person to whom the Secretary of the Treasury has delegated authority so to act.

Subpart I—Paperwork Reduction Act

§ 598.901 Paperwork Reduction Act notice.

For approval by the Office of Management and Budget (“OMB”) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3507) of information collections relating to recordkeeping and reporting requirements, licensing procedures (including those pursuant to statements of licensing policy), and other procedures, see § 501.901 of this chapter. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

APPENDIXES TO CHAPTER V—NOTE

NOTES: The alphabetical lists below provide the following information (to the extent known) concerning blocked persons, specially designated nationals, specially designated terrorists, foreign terrorist organizations, specially designated narcotics traffickers and blocked vessels:

1. For blocked individuals: name and title (known aliases), address, (other identifying information), (the notation “individual”), [sanctions program under which the individual is blocked].

2. For blocked entities: name (known former or alternate names), address, [sanctions program under which the entity is blocked].

3. For blocked vessels: name, sanctions program under which the vessel is blocked, registration of vessel, type, size in dead weight and/or gross tons, call sign, vessel owner, and alternate names.

4. Abbreviations. “a.k.a.” means “also known as”; “f.k.a.” means “formerly known as”; “n.k.a.” means “now known as”; “DOB” means “date of birth”; “DWT” means “deadweight”; “GRT” means “Gross Registered Tonnage”; “POB” means “place of birth”.

5. U.S. financial institutions are cautioned to review the details of a transaction prior to blocking in which the abbreviation of a foreign terrorist organization (“FTO”) appears in appendix A to ensure that the transaction relates to the FTO.

6. Except in limited circumstances, financial institutions are instructed to reject any funds transfer referencing a blocked vessel and must notify OFAC, preferably via facsimile with a copy of the payment instructions, that funds have been returned to remitter due to the possible involvement of a blocked vessel in the underlying transaction. See §501.604(b)(1) of this chapter. Financial institutions should contact OFAC’s Compliance Programs Division for further instructions should the name of a blocked vessel appear in shipping documents presented under a letter of credit or if noticed in a documentary collection. Blocked vessels must themselves be physically blocked should they enter U.S. jurisdiction. Freight forwarders and shippers may not charter, book cargo on, or otherwise deal with blocked vessels.

7. References to regulatory parts in chapter V or other authorities:

[BALKANS]: Western Balkans Stabilization Regulations, part 588; Executive Order 13304, 68 FR 32315;

[BELARUS]: Belarus Sanctions Regulations, part 548;

[BURMA]: Burmese Sanctions Regulations, part 537; Executive Order 13448, 72 FR 60223; Executive Order 13464, 73 FR 24491;

[COTED]: Persons Contributing to the Conflict in Côte d’Ivoire Sanctions Regulations, part 543;

[CUBA]: Cuban Assets Control Regulations, part 515;

[DARFUR]: Darfur Sanctions Regulations, part 546;

[DRCONGO]: Democratic Republic of the Congo Sanctions Regulations, part 547;

[FTO]: Foreign Terrorist Organizations Sanctions Regulations, part 597;

[IRAN]: Iranian Transactions Regulations, part 560;

[IRAQ2]: Executive Order 13315, 68 FR 52315; Executive Order 13350, 69 FR 46055;

[IRAQ3]: Executive Order 13438, 72 FR 39719;

[JADE]: Pub. L. 110–286, 122 Stat. 2632;

[LEBANON]: Executive Order 13441, 72 FR 43499;

[LIBERIA]: Former Liberian Regime of Charles Taylor Sanctions Regulations, part 593;

[NPWMD]: Weapons of Mass Destruction Proliferators Sanctions Regulations, part 544;

[SDGT]: Global Terrorism Sanctions Regulations, part 594;

[SDNT]: Narcotics Trafficking Sanctions Regulations, part 536;

[SDNTK]: Foreign Narcotics Kingpin Sanctions Regulations, part 598;

[SDT]: Terrorism Sanctions Regulations, part 595;

[SOMALIA]: Somalia Sanctions Regulations, part 551;

[SUDAN]: Sudanese Sanctions Regulations, part 538;

[SYRIA]: Syrian Sanctions Regulations, part 542; Executive Order 13399, 71 FR 25059; Executive Order 13460, 73 FR 8991; and

[ZIMBABWE]: Zimbabwe Sanctions Regulations, part 541; Executive Order 13391, 70 FR 71201; Executive Order 13469, 73 FR 43841.

8. Changes to these appendices are made through amendments published in the FEDERAL REGISTER. Frequently updated information on Office of Foreign Assets Control (“OFAC”) designations is provided for examination or downloading on OFAC’s Internet site (<http://www.treas.gov/ofac>). Among other data, the Internet site posts changes in designations and identifying information, and provides country-by-country lists of names. Information is also available by fax through OFAC’s fax-on-demand system at 202/622–0077 and on various computer bulletin boards serviced by OFAC. Updated information on OFAC designations should be consulted before engaging in transactions subject to the economic sanctions programs in chapter V. (Please call OFAC Compliance Programs Division for current electronic sources of OFAC information: 202/622–2490.)

[62 FR 67729, Dec. 30, 1997, as amended at 63 FR 29609, June 1, 1998; 64 FR 34985, June 30, 1999; 64 FR 60661, Nov. 8, 1999; 65 FR 39100, June 23, 2000; 65 FR 75630, Dec. 4, 2000; 66 FR 57373, Nov. 15, 2001; 68 FR 38844, June 30, 2003; 69 FR 30362, May 27, 2004; 73 FR 37536, July 1, 2008; 74 FR 29743, June 23, 2009; 75 FR 38213, July 1, 2010]