DEPARTMENT OF THE TREASURY  
Office of Foreign Assets Control  
31 CFR Part 560  
Iranian Transactions Regulations  

AGENCY: Office of Foreign Assets Control, Treasury.  

ACTION: Final rule.  

SUMMARY: The Department of the Treasury’s Office of Foreign Assets Control (“OFAC”) is amending the Iranian Transactions Regulations in the Code of Federal Regulations to expand the scope of Appendix A to Part 560 to encompass any person determined by OFAC to be the Government of Iran, as that term is defined in those regulations. OFAC also is adding to the appendix 22 persons it has determined to be the Government of Iran. In addition, OFAC is updating the current list of entities in appendix A, removing an entity, and consolidating and amending other listings. Finally, OFAC is reformating and republishing in alphabetical order the entire list of persons in the expanded appendix.  

DATES: Effective Date: June 16, 2010.  


SUPPLEMENTARY INFORMATION:  

Electronic and Facsimile Availability  

This document and additional information concerning OFAC are available from OFAC’s Web site (http://www.tres.gov/ofac). Certain general information pertaining to OFAC’s sanctions programs also is available via facsimile through a 24-hour fax-on-demand service, tel.: 202/622–0077.  

Background  

The Iranian Transactions Regulations, 31 CFR part 560 (the “ITR”), implement a series of Executive orders that began with Executive Order 12613, which was issued on October 29, 1987, pursuant to authorities including the International Security and Development Cooperation Act of 1985 (22 U.S.C. 2349aa–9). In that Order, after finding, inter alia, that the Government of Iran was actively supporting terrorism as an instrument of state policy, the President prohibited the importation of Iranian-origin goods and services. Subsequently, in Executive Order 12957, issued on March 15, 1995, under the authority of, inter alia, the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) (“IEEPA”), the President declared a national emergency with respect to the actions and policies of the Government of Iran, including its support for international terrorism, its efforts to undermine the Middle East peace process, and its efforts to acquire weapons of mass destruction and the means to deliver them. To deal with that threat, Executive Order 12957 imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. On May 6, 1995, to further respond to this threat, the President issued Executive Order 12959, which imposed comprehensive trade and financial sanctions on Iran. Finally, on August 19, 1997, the President issued Executive Order 13059 consolidating and clarifying the previous orders.  

The ITR implement these Executive orders and prohibit various transactions, including, among others, transactions with the Government of Iran, a term defined in section 560.304. That definition includes several categories, one of which is any entity owned or controlled by the Government of Iran, a phrase that is itself defined in section 560.313 of the ITR.  

From its initial publication in 1999 until December 2008, Appendix A to Part 560 listed financial institutions that OFAC determined to be entities owned or controlled by the Government of Iran, within the meaning of sections 560.304 and 560.313 of the ITR. In a final rule amending the ITR published on December 4, 2008, OFAC expanded the scope of Appendix A to Part 560 to include all categories of entities determined to be owned or controlled by the Government of Iran, not just financial institutions (73 FR 73788, Dec. 4, 2008). That expansion of Appendix A to Part 560 was intended to better assist U.S. persons and others engaging in transactions subject to the ITR in complying with the ITR by identifying additional categories of persons that come within the term Government of Iran.  


OFAC also is updating the current list of persons in Appendix A to Part 560. As a result, OFAC is removing the Iran Overseas Trading Company Limited (Subsidiary) from the appendix, because this entity has been dissolved and no longer exists, and is amending the listing for Naftiran Intertrade Co. (NICO) Limited to reflect current identifying information. In addition, OFAC is consolidating the listings for the Iran Overseas Investment Bank Limited (Representative Office), the Iran Overseas Investment Bank Limited (Agency), and the Iran Overseas Investment Corporation Limited under
Bank Saderat PLC, and is consolidating the listings for Agricultural Cooperate Bank of Iran, Agricultural Development Bank of Iran, Bank Josaityy Keshavarzi, and Bank Taavon Keshavarzi Iran under Bank Keshavarzi Iran. Finally, OFAC is reformattting and republishing in alphabetical order the entire list of persons in the expanded appendix A. It is important to note that Appendix A to Part 560 is not a comprehensive list of persons falling within the definition of Government of Iran. Even if a person is not listed in Appendix A to Part 560, if the person satisfies the definition of the term Government of Iran in the ITR, U.S. persons and others engaging in transactions subject to the ITR are prohibited from engaging in transactions with that person, regardless of its location, to the same extent they are prohibited from engaging in transactions with any person located in Iran, even if that person does not come within the definition of the term Government of Iran. Finally, a person listed in Appendix A to Part 560 also may be subject to other sanctions programs administered by OFAC, in which case that person’s name would also appear in the list at Appendix A to 31 CFR chapter V. Such a person is identified in Appendix A to Part 560 by references (“tags”), located at the end of the person’s listing, to the sanctions program(s) to which the person is subject (e.g., [IRAN] [NPWMD] or [IRAN] [SDGT]).

Notes to Appendix A to Part 560:
1. The abbreviations used in this appendix are “a.k.a.” (also known as) and “f.k.a.” (formerly known as).
2. The references to sanctions programs in 31 CFR chapter V include: [IRAN] (Iranian Transactions Regulations, part 560); [NPWMD] (Weapons of Mass Destruction Proliferators Sanctions Regulations, part 544); and [SDGT] (Global Terrorism Sanctions Regulations, part 594).
3. The names of persons listed in Appendix A to Part 560 also are published on OFAC’s Specially Designated Nationals and Blocked Persons List (“SDN” list), available on OFAC’s Web site. New names of persons determined to be the Government of Iran and changes to existing listings will be published in the Federal Register as the names are added to the SDN list on OFAC’s Web site. Appendix A to Part 560 will be republished annually.

Public Participation
Because the amendment of the ITR involves a foreign affairs function, the provisions of Executive Order 12866 and the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act (5 U.S.C. 601–612) does not apply.

Paperwork Reduction Act
The collections of information related to the ITR are contained in 31 CFR part 501 (the “Reporting, Procedures and Penalties Regulations”). Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), those collections of information have been approved by the Office of Management and Budget under control number 1505–0164. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number.

List of Subjects in 31 CFR Part 560
Administrative practice and procedure, Banks, Banking, Brokers, Foreign Trade, Investments, Loans, Securities, Iran.

For the reasons set forth in the preamble, the Department of the Treasury’s Office of Foreign Assets Control amends 31 CFR part 560 to read as follows:

PART 560—IRANIAN TRANSACTIONS REGULATIONS

1. The authority citation for Part 560 continues to read as follows:


2. Revise Appendix A to Part 560 to read as follows:

Appendix A To Part 560—Persons Determined To Be The Government Of Iran, As Defined In §560.304 Of This Part

This non-exhaustive appendix lists persons determined by the Office of Foreign Assets Control (“OFAC”) to be the Government of Iran, as defined in §560.304 of this part. The persons listed below are considered to be the Government of Iran not only when they operate from the locations listed below, but also when they operate from any other location. The names and addresses are subject to change. This part 560 contains prohibitions against engaging in most transactions with persons that meet the definition of the Government of Iran, whether such persons are located or incorporated inside or outside of Iran. Moreover, regardless of whether a person is listed below, if the person comes within the definition of Government of Iran in §560.304, the prohibitions on engaging in transactions with the person, wherever located worldwide, apply to the same extent they would apply if the person were listed in this appendix. Note that the prohibitions in this part 560 also apply to most transactions with persons located in Iran that are not the Government of Iran. Finally, a person listed in Appendix A to Part 560 also may be subject to other sanctions programs administered by OFAC, in which case that person’s name would also appear in the list at Appendix A to part 31 CFR chapter V. Such a person is identified in Appendix A to Part 560 by references (“tags”), located at the end of the person’s listing, to the sanctions program(s) to which the person is subject (e.g., [IRAN] [NPWMD] or [IRAN] [SDGT]).
PO Box 15875/7177, 144 Mirkamad Blvd, Tehran, Iran [IRAN]

BANK MASKAN (a.k.a. HOUSING BANK (OF IRAN)), PO Box 11365/ 5699, No 247 3rd Floor Fedowasi Ave, Cross Sarhang Sakhhaei St, Tehran, Iran; all offices worldwide [IRAN]

BANK MELLAT, 327 Forsat and Taleghani Avenue, Tehran 15817, Iran; PO Box 375010, Amiryan Str #6, P/N-24, Yerevan, Armenia;

Keumung Tower—13th & 14th Floor, 889–13 Daechi-Dong, Gangnam-Ku, Seoul 135–280, Korea, South; PO Box 79106425, Ziya Gokal Balavi No 12, Kizilay, Ankara, Ankara, Turkey; Cumnuriyet Bulvari No 88/A, P.K 7103521, Konak, Izmir, Turkey;

Buyukdere Cad, Cicek Sokak No 1— 1 Levent, Levent, Istanbul, Turkey; Head Office Bldg, 327 Taleghani Ave, Tehran 15817, Iran; all offices worldwide [IRAN]

BANK SADERAT IRAN (a.k.a. IRAN EXPORT BANK), Ground Floor Business Room, Building Banke Khooon Road, Harat, Afghanistan; No. 56, Opposite of Security Department, Toraboz Khan Str., Kabul, Afghanistan; 5 Lothbury, London EC2R 7HD, United Kingdom; Postfach 112227, Deichstrasse 11, 20459, Hamburg, Germany; PO Box 4308, 25– 29 Vonzenlou St, Athens, Attica GR 105 64, Greece; PO Box 15743–631, Bank Saderat Tower, 43 Somayeh Avenue, Tehran, Iran; 16 rue de la Paix, Paris 75002, France; Postfach 160151, Friedenstr 4, D–60311, Frankfurt am Main, Germany; 3rd Floor, Alikisird Bldg, Ras El Ein Street Baalbak, Baalbak, Lebanon; Saida Branch, Sida Riad Elsoleh St, Martyrs Sq, Saida, Lebanon; Borj Albarajneh Branch—20 Alholom Bldg, Sahat Mrejeel, Kafat St, Beirut, Lebanon; 1st Floor, Alrose Bldg, Verdon—Bastille-Beirut St, Beirut, Lebanon; PO Box 5126, Beirut, Lebanon;

3rd Floor, Mteco Centre, Mar Elias, Facing Al Hellow Barrak, POB 5126, Beirut, Lebanon; Alghobeiri Branch—Aljawhara Bldg, Ghobeiry Blvd, Beirut, Lebanon; PO Box 1269, Muscat 112, Oman; PO Box 4425, Salwa Rd, Doha, Qatar; PO Box 2256, Doha, Qatar; 2nd Floor, No 181 Makhtoomgholi Ave, Ashgabat, Turkmenistan; PO Box 700, Abu Dhabi, United Arab Emirates; PO Box 16, Liwara St, Abu Dhabi, United Arab Emirates; PO Box 1140, Al-Am Road, Al-Ein, Al Ain, Abu Dhabi, United Arab Emirates; Bur Dubai, Khaled Bin Al Walid St, Dubai City, United Arab Emirates; Sheikh Zayed Rd, Dubai City, United Arab Emirates; PO Box 4182, Almacktoum Rd, Dubai City, United Arab Emirates; PO Box 4182, Murshid Bazar Branch, Dubai City, United Arab Emirates; PO Box 316, Bank Saderat Bldg, Alaroda St, Borj Ave, Sharjah, United Arab Emirates; all offices worldwide [IRAN] [SDGT]

BANK SADERAT PLC (f.k.a. IRAN OVERSEAS INVESTMENT BANK LIMITED; f.k.a. IRAN OVERSEAS INVESTMENT BANK PLC; f.k.a. IRAN OVERSEAS INVESTMENT CORPORATION LIMITED), 5 Lothbury, London EC2R 7HD, United Kingdom; PO Box 15175/584, 6th Floor, Sadaf Bldg, 1137 Vali Asr Ave, Tehran 15119–43885, Iran; UK Company Number 01126618 (United Kingdom); all offices worldwide [IRAN] [SDGT]

BANK SEPAH, 64 Rue de Miromesnil, Paris 75008, France; Hafenstrasse 54, D–60327, Frankfurt am Main, Germany; Via Barberini 50, Rome, RM 00187, Italy; 17 Place Vendome, Paris 75008, France; Imam Khomeini Square, Tehran 1136953412, Iran; all offices worldwide [IRAN] [NPWMD]

BANK TEJARAT, 130 Zandi Alley, Taleghani Avenue, No 152, Ostad Nejat Ollahi Cross, Tehran 14567, Iran; 124–126 Rue de Provence, Angle 76 bd Haussman, Paris 75008, France; PO Box 734001, Rudaki Ave 88, Dushanbe 734001, Tajikistan; Office C208, Beijing Lufthansa Center No 50, Liangmaqiao Rd, Chaoyang District, Beijing 100016, China; c/o Europaisch-Iranische Handelsbank AG, Depenaus 2, D–20095, Hamburg, Germany; PO Box 119871, 4th Floor, c/o Persia International Bank PLC, The Gate Bldg, Dubai City, United Arab Emirates; c/o Persia International Bank, 6 Lothbury, London EC2R 7HH, United Kingdom; PO Box 11365–5416, 152 Taleghani Avenue, Tehran 15994, Iran; all offices worldwide [IRAN]

BIMEH IRAN INSURANCE COMPANY (U.K.) LIMITED (a.k.a. BIUK), 4/5 Fenchurch Buildings, London EC3M 5HN, United Kingdom; UK Company Number 01223433 (United Kingdom); all offices worldwide [IRAN]

EUROPAISCH-IRANISCHE HANDELSBANK AG (f.k.a. DEUTSCH–IRANISCHE HANDELSBANK AG; a.k.a. EUROPÆISCH–IRANISCHE HANDELSBANK AKTIENGESELLSCHAFT), PO Box 95145–148, Sanaee Avenue, Kish Island, Iran; No. 1655/1 Valiasr Avenue, PO Box 19615–851, Tehran 19655 43 511, Iran; Depenaus 2, D– 20095, Hamburg, Germany; all offices worldwide [IRAN]

INTRA CHEM TRADING GMBH (a.k.a. INTRA–CHEM TRADING CO. (GMBH)), Schottweg 3, Hamburg 22087, Germany; Registration ID HRB46146 (Germany); all offices worldwide [IRAN]

IRAN INSURANCE COMPANY (a.k.a. BIMEH IRAN), Abdolaziz-Al-Masaeed Building, Sheikh Maktoum St., Deira, P.O. Box 2004, Dubai, United Arab Emirates; P.O. Box 1867, Al Ain, Abu Dhabi, United Arab Emirates; 107 Dr Fatemi Avenue, Tehran 14155/6363, Iran; P.O. Box 3281, Abu Dhabi, United Arab Emirates; P.O. Box 1666, Sharjah, United Arab Emirates; P.O. Box 849, Ras-Al-Khaimah, United Arab Emirates; P.O. Box 417, Muscat 113, Oman; P.O. Box 676, Salalah 211, Oman; P.O. Box 922, Manama, Bahrain; Al-Lami Center, Al-Bin-Abi Taleb St. Sharafia, P.O. Box 11210, Jeddah 21453, Saudi Arabia; Al Alia
DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2009–0395]

RIN 1625–AA08

Special Local Regulation; Swim Across the Sound, Long Island Sound, Port Jefferson, NY to Captain’s Cove Seaport, Bridgeport, CT

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a permanent Special Local Regulation on the navigable waters of Long Island Sound between Port Jefferson, NY and Captain’s Cove Seaport, Bridgeport, CT due to the annual Swim Across the Sound event. This special local regulation is necessary to provide for the safety of life by protecting swimmers and their safety craft from the hazards imposed by marine traffic. Entry into this zone is prohibited unless authorized by the Captain of the Port Long Island Sound, New Haven, CT.

DATES: This rule is effective July 19, 2010.

ADDRESSES: Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG–2009–0395 and are available online by going to http://www.regulations.gov, inserting USCG–2009–0395 in the “Keyword” box, and then clicking “Search.” This material is also available for inspection or copying at the Docket Management Facility (M–200), U.S. Department of Transportation, Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or e-mail Petty Officer Joseph Graun, Prevention Department, USCG Sector Long Island Sound at 203–468–4454, joseph.l.grau@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On July 21, 2009 the Coast Guard published a notice of proposed rulemaking with request for comments titled, “Special Local Regulation, Swim Across the Sound, Long Island Sound, Port Jefferson, NY to Captain’s Cove Seaport, Bridgeport, CT” (Docket number USCG–2009–0395) in the Federal Register (74 FR 35834).

On April 2, 2010, the Coast Guard published a supplemental notice of proposed rulemaking (SNPRM) entitled: Special Local Regulation, Swim Across the Sound, Long Island Sound, Port Jefferson, NY to Captain’s Cove Seaport, Bridgeport, CT in the Federal Register (75 FR 16700). The Coast Guard received no comments or requests for meetings on the proposed rule.

Basis and Purpose

Swim Across the Sound is a 25 km swim that has historically involved over 200 swimmers and accompanying safety craft. The swim course is located directly northwest of Port Jefferson, NY and extends to Captain’s Cove Seaport, Bridgeport, CT. Prior to this rule there was not a permanent regulation in place to protect the swimmers or safety craft from the hazards imposed by marine traffic. To provide for the safety of life, the Coast Guard is establishing a permanent special local regulation on the navigable waters of Long Island Sound that excludes all unauthorized persons and vessels from approaching within 100 yards of any swimmer or safety craft on the race course. This section will be enforced from 8:30 a.m. to 7:30 p.m. on August 7, 2010 and thereafter annually on a single, specified Saturday in either July or August. Notification of the exact dates will be announced in the Federal Register, via a Notice of Enforcement, and separate Marine Broadcasts and a local notice to mariners.

Background

On July 21, 2009, the notice of proposed rulemaking’s regulated area encompassed 100 yards around the race course for the duration of the race. This provided safety of life for swimmers and safety craft, but any vessel transiting through Long Island Sound would have to pass through the regulated area, putting a burden on vessel traffic. Due to the length of the race course, participants will only be occupying a small portion of the course at any given time. This regulated area, was considered but was not chosen due to its burden on vessel traffic.

On April 2, 2010, the Coast Guard published a supplemental notice of proposed rulemaking [SNPRM] entitled: Special Local Regulation, Swim Across the Sound, Long Island Sound, Port Jefferson, NY to Captain’s Cove Seaport, Bridgeport, CT in the Federal Register.