

§ 539.705

promptly shall notify the respondent in writing of that determination and that no monetary penalty will be imposed.

(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.

(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.

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

In the event that the respondent does not pay the 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 the 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.

Subpart H—Procedures

§ 539.801 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 Freedom of Information and Privacy Acts (5 U.S.C. 552 and 552a), see part 501, subpart E, of this chapter.

[64 FR 8716, Feb. 23, 1999, as amended at 68 FR 53658, Sept. 11, 2003]

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§ 539.802 Delegation by the Secretary of the Treasury.

Any action that the Secretary of the Treasury is authorized to take pursuant to Executive Order 12938 of November 14, 1994 (59 FR 59099, 3 CFR, 1994 Comp., p. 950), as amended by Executive Order 13094 of July 28, 1998 (63 FR 40803, July 30, 1998), and any further Executive orders relating to the national emergency declared in Executive Order 12938 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

§ 539.901 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.

APPENDIX I TO PART 539—DESIGNATED FOREIGN PERSONS

The following foreign persons have been determined by the Secretary of State to have materially contributed or attempted to contribute materially to the efforts of a foreign country, project, or entity of proliferation concern to use, acquire, design, develop, produce, or stockpile weapons of mass destruction or missiles capable of delivering such weapons, for purposes of section 4(a) of Executive Order 12938, as amended by section 1(a) of Executive Order 13094, and to be subject to import measures authorized in Executive Orders 12938 and 13094. They, and any entities owned or controlled by them, unless indicated otherwise, are designated foreign persons for purposes of this part. The applicable effective date and citation to the FEDERAL REGISTER for each such person is given in brackets after that person's name and identifying information:

1. Baltic State Technical University, including at 1/21, 1-ya Krasnoarmeiskaya Ul.,

- 198005 St. Petersburg, Russia [July 30, 1998; 63 FR 42089, August 6, 1998].
2. Europalace 2000, including at Moscow, Russia [July 30, 1998; 63 FR 42089, August 6, 1998].
 3. Glavkosmos, including at 9 Krasno proletarskaya St., 103030 Moscow, Russia [July 30, 1998; 63 FR 42089, August 6, 1998].
 4. Grafit, also known as (“aka”) State Scientific Research Institute of Graphite or NIIGRAFIT, including at 2 Ulitsa Elektrodnyaya, 111524 Moscow, Russia [July 30, 1998; 63 FR 42089, August 6, 1998].
 5. MOSO Company, including at Moscow, Russia [July 30, 1998; 63 FR 42089, August 6, 1998].
 6. D. Mendeleev University of Chemical Technology of Russia, including at 9 Miusskaya Sq., Moscow 125047, Russia [January 8, 1999; 64 FR 2935, January 19, 1999].
 7. Moscow Aviation Institute (MAI), including at 4 Volokolamskoye Shosse, Moscow 125871, Russia [January 8, 1999; 64 FR 2935, January 19, 1999].
 8. The Scientific Research and Design Institute of Power Technology, aka NIKIET, Research and Development Institute of Power Engineering [RDIPE], and ENTEK, including at 101000, P.O. Box 788, Moscow, Russia.
- [64 FR 8716, Feb. 23, 1999, as amended at 66 FR 57381, Nov. 15, 2001]

PART 540—HIGHLY ENRICHED URANIUM (HEU) AGREEMENT ASSETS CONTROL REGULATIONS

Subpart A—Relation of This Part to Other Laws and Regulations

- Sec.
- 540.101 Relation of this part to other laws and regulations.

Subpart B—Prohibitions

- 540.201 Prohibited transactions involving blocked property.
- 540.202 Effect of transfers violating the provisions of this part.
- 540.203 Holding of funds in interest-bearing accounts; investment and reinvestment.

Subpart C—General Definitions

- 540.301 Blocked account; blocked property.
- 540.302 Effective date.
- 540.303 Entity.
- 540.304 Government of the Russian Federation.
- 540.305 HEU Agreements.
- 540.306 Highly Enriched Uranium (HEU).
- 540.307 Licenses; general and specific.
- 540.308 Low Enriched Uranium (LEU).

- 540.309 Natural uranium.
- 540.310 Person.
- 540.311 Property; property interest.
- 540.312 Transfer.
- 540.313 United States.
- 540.314 United States person; U.S. person.
- 540.315 Uranium-235 (U235).
- 540.316 Uranium enrichment.
- 540.317 Uranium feed; natural uranium feed.
- 540.318 Uranium Hexafluoride (UF6).
- 540.319 U.S. financial institution.

Subpart D—Interpretations

- 540.401 Reference to amended sections.
- 540.402 Effect of amendment.
- 540.403 Termination and acquisition of an interest in blocked property.
- 540.404 Setoffs prohibited.
- 540.405 Transactions incidental to a licensed transaction.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

- 540.500 Licensing procedures.
- 540.501 Effect of license or authorization.
- 540.502 Exclusion from licenses.
- 540.503 Payments and transfers to blocked accounts in U.S. financial institutions.
- 540.504 Entries in certain accounts for normal service charges authorized.

Subpart F—Reports

- 540.601 Records and reports.

Subpart G—Penalties

- 540.701 Penalties.
- 540.702 Prepenalty notice.
- 540.703 Response to prepenalty notice; informal settlement.
- 540.704 Penalty imposition or withdrawal.
- 540.705 Administrative collection; referral to United States Department of Justice.

Subpart H—Procedures

- 540.801 Procedures.
- 540.802 Delegation by the Secretary of the Treasury.

Subpart I—Paperwork Reduction Act

- 540.901 Paperwork Reduction Act notice.
- AUTHORITY: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890 (28 U.S.C. 2461 note); E.O. 13159, 65 FR 39279, 3 CFR Comp., p. 277.
- SOURCE: 66 FR 38555, July 25, 2001, unless otherwise noted.