

of his intent to impose a monetary penalty. The prepenalty notice shall be issued whether or not another agency has taken any action with respect to this matter.

(b) *Contents*—(1) *Facts of violation*. The prepenalty notice shall describe the violation, specify the laws and regulations allegedly violated, and state the amount of the proposed monetary penalty.

(2) *Right to make presentations*. The prepenalty notice also shall inform the person of his right to make a written presentation within 30 days of mailing of the notice as to why a monetary penalty should not be imposed, or, if imposed, why it should be in a lesser amount than proposed.

§ 575.703 Presentation responding to prepenalty notice.

(a) *Time within which to respond*. The named person shall have 30 days from the date of mailing of the prepenalty notice to make a written presentation to the Director.

(b) *Form and contents of written presentation*. The written presentation need not be in any particular form, but shall contain information sufficient to indicate that it is in response to the prepenalty notice. It should contain responses to the allegations in the prepenalty notice and set forth the reasons why the person believes the penalty should not be imposed or, if imposed, why it should be in a lesser amount than proposed.

§ 575.704 Penalty notice.

(a) *No violation*. If, after considering and presentations made in response to the prepenalty notice and any relevant facts, the Director determines that there was no violation by the person named in the prepenalty notice, he promptly shall notify the person in writing of the determination and that no monetary penalty will be imposed.

(b) *Violation*. If, after considering any presentations made in response to the prepenalty notice, the Director determines that there was a violation by the person named in the prepenalty notice, he promptly shall issue a written notice of the imposition of the monetary penalty to that person.

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

In the event that the person named 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.

[70 FR 15762, Mar. 29, 2005]

Subpart H—Procedures

§ 575.801 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.

[62 FR 45109, Aug. 25, 1997, as amended at 68 FR 53659, Sept. 11, 2003]

§ 575.802 Delegation by the Secretary of the Treasury.

Any action which the Secretary of the Treasury is authorized to take pursuant to Executive Order No. 12723 and Executive Order No. 12725 may be taken by the Director, Office of Foreign Assets Control, or by any other person to whom the Secretary of the Treasury has delegated authority so to act.

[56 FR 2113, Jan. 18, 1991. Redesignated at 62 FR 45109, Aug. 25, 1997]

Subpart I—Paperwork Reduction Act

§ 575.901 Paperwork Reduction Act notice.

For approval by the Office of Management and Budget (“OMB”) under the Paperwork Reduction Act of information collections relating to record-keeping and reporting requirements, to

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licensing procedures (including those pursuant to statements of licensing policy), and to 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.

[62 FR 45110, Aug. 25, 1997]

PART 585—FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) AND BOSNIAN SERB-CONTROLLED AREAS OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA SANCTIONS REGULATIONS

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

Sec.

585.101 Relation of this part to other laws and regulations.

Subpart B—Prohibitions

- 585.201 Prohibited transactions involving blocked property; transactions with respect to securities.
- 585.202 Effect of transfers violating the provisions of this part.
- 585.203 Holding of certain types of blocked property in interest-bearing accounts.
- 585.204 Prohibited importation of goods or services from the FRY (S&M).
- 585.205 Prohibited exportation and reexportation of goods, technology, or services to the FRY (S&M).
- 585.206 Prohibited dealing in property.
- 585.207 Prohibited transportation-related transactions involving the FRY (S&M).
- 585.208 Prohibited overflights, takeoffs and landings of aircraft *en route* to or from the FRY (S&M).
- 585.209 Prohibited performance of contracts.
- 585.210 Prohibited transfers of funds to or for the benefit of the Government of the FRY (S&M) or any person in the FRY (S&M).
- 585.211 Prohibited transactions related to participation in sporting events.
- 585.212 Prohibited transactions related to scientific and technical cooperation, cultural exchanges, and other official visits.
- 585.213 Exemption of activities related to certain international organizations.
- 585.214 Evasions; attempts; conspiracies.
- 585.215 Conveyances and cargo suspected of being in violation of United Nations sanctions; detention; blocking.

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- 585.216 Expenses of maintaining blocked property; liquidation into blocked account.
- 585.217 Entry into the territorial waters of the FRY (S&M) or the riverine ports of the Republic of Bosnia and Herzegovina prohibited.
- 585.218 Trade in United Nations Protected Areas of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces.

Subpart C—General Definitions

- 585.301 Effective date.
- 585.302 Blocked account; blocked property.
- 585.303 Interest.
- 585.304 Property; property interest.
- 585.305 Transfer.
- 585.306 License.
- 585.307 General license.
- 585.308 Specific license.
- 585.309 Person.
- 585.310 Entity.
- 585.311 Government of the FRY (S&M).
- 585.312 Government of the Socialist Federal Republic of Yugoslavia.
- 585.313 Federal Republic of Yugoslavia (Serbia and Montenegro); FRY (S&M).
- 585.314 Goods and services originating in the FRY (S&M).
- 585.315 Person in the FRY (S&M).
- 585.316 United States.
- 585.317 United States person; U.S. person.
- 585.318 U.S. financial institution.
- 585.319 UNSC Resolution 757.

Subpart D—Interpretations

- 585.401 Reference to amended sections.
- 585.402 Effect of amendment.
- 585.403 Termination and acquisition of an interest in blocked property.
- 585.404 Payments from blocked accounts to U.S. exporters and for other obligations prohibited.
- 585.405 Acquisition of instruments including bankers acceptances.
- 585.406 Extensions of credits or loans.
- 585.407 Payments in connection with certain authorized transactions.
- 585.408 Offshore transactions.
- 585.409 Transshipments through the United States prohibited.
- 585.410 Imports from third countries of goods originating in the FRY (S&M); transshipments.
- 585.411 Exports to third countries; transshipments.
- 585.412 Release of goods originating in the FRY (S&M) from a bonded warehouse or foreign trade zone.
- 585.413 Imports of goods originating in the FRY (S&M), and purchases of goods from the FRY (S&M).