

**FEDERAL RESERVE BANK
OF NEW YORK**

Fiscal Agent of the United States

[Circular No. **10435**
February 13, 1991]

**CENSUS OF BLOCKED IRAQI ASSETS
AND U.S. CLAIMS AGAINST IRAQ
Reports to be Filed by March 1**

*To All Banks, and Others Concerned,
in the Second Federal Reserve District:*

The Department of the Treasury has issued the following statement in connection with the reporting of claims against the Government of Iraq.

Holders of blocked Iraqi property and U.S. nationals wishing to assert claims against the Government of Iraq will be required to report to the Treasury Department's Office of Foreign Assets Control under regulations published in the *Federal Register*.

Reports on claims against the Government of Iraq must be submitted by March 1, 1991. The submission of a claims report will not constitute the formal filing of a claim for compensation against the Government of Iraq.

Reports by holders of blocked Iraqi property must be submitted by March 1, 1991, or within 15 days of the acquisition of the property, whichever is later. This information is needed by the U.S. Government to monitor compliance with the asset freeze imposed by President Bush following Iraq's invasion of Kuwait on August 2, 1990.

Copies of the necessary report forms were published in yesterday's *Federal Register*, or can be obtained by contacting one of the twelve regional Federal Reserve Banks located throughout the country or by calling the Office of Foreign Assets Control at (202) 535-4026. Photocopies of the report forms may be used.

The Treasury's official notice in this matter has been published in the *Federal Register* of February 11, 1991 (56 FR 5636). Also published in that *Federal Register* are the necessary report forms and instructions to be used by U.S. nationals and holders of blocked Iraqi property in making claims against the Government of Iraq. Copies of those forms or the complete *Federal Register* notice can be obtained from the Circulars Division (Tel. 212-720-5215 or 5216), or can be picked up in the Issues Division area on the first floor of this Bank (33 Liberty Street).

Questions regarding this matter should be directed to the Blocked Assets Division of the Office of Foreign Assets Control, Department of the Treasury (Tel. No. 202-535-4026) or, at this Bank, to Bradley K. Sabel, Counsel (Tel. No. 212-720-5041).

E. GERALD CORRIGAN,
President.

CENSUS OF BLOCKED IRAQI PROPERTY**INSTRUCTIONS FOR REPORTING ON FORM TDF 90-22.40**

The Office of Foreign Assets Control, Department of the Treasury, under Section 575.604 of the Iraqi Sanctions Regulations (31 CFR Part 575) ("the Regulations"), is conducting a census of blocked Iraqi property. The information is needed by the United States Government for planning purposes and to monitor compliance with the Regulations.

GENERAL INSTRUCTIONS

Reporting on Form TDF 90-22.40, Report of Blocked Iraqi Property, is mandatory for all persons who, since August 2, 1990, have held property subject to Executive Order Nos. 12722 or 12724. This requirement applies to all U.S. persons who had in their possession or control, since 5:00 a.m., EDT, August 2, 1990 ("the effective date"), any property or interests in property belonging to the Government of Iraq, its agencies, instrumentalities and controlled entities and the Central Bank of Iraq. Reports filed on Form TDF 90-22.40 are regarded as privileged and confidential.

Two copies of the report shall be sent to the Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220, by March 1, 1991, or within 15 days of the acquisition of property subject to Executive Order Nos. 12722 or 12724. The reporter shall retain a copy of the completed report. Copies of Form TDF 90.22-40 will be distributed through the Federal Reserve System to all regional Federal Reserve Banks. In addition, copies of the form will be mailed directly to certain persons believed by the Treasury Department to be affected by the reporting requirements. Other persons required to report or interested in obtaining copies of the form may do so by contacting the Office of Foreign Assets Control at the above address or by calling the telephone number listed below. Photocopies of the report form may be used.

A report may be filed on behalf of a holder by an attorney, agent, or other person. Primary responsibility for reporting blocked property, however, rests with the actual holder of the property, or the U.S. national exercising control over property located outside the U.S., with the following exceptions: primary responsibility for reporting any asset held by a foreign firm or branch owned or controlled by a U.S. person rests with the U.S. parent or head office; primary responsibility for reporting any trust assets rests with the trustee; and primary responsibility for reporting real property rests with the Iraqi owner's co-owner, legal representative, agent, or property manager in the United States. No person is excused from filing Form TDF 90-22.40 by reason of the fact that another person has submitted a report with regard to the same property, unless he has actual knowledge that the other person has filed a report with respect to the property as full and complete as that which he would otherwise be required to file.

A separate report shall be submitted with respect to each blocked account or asset held. Each question on the form shall be answered and all the specific information called for shall be given. When there is nothing to report under any question, or if information is lacking, state "N/A," "None," or "Unknown," as the case may be. If the space provided on the form is inadequate, the answer may be made or continued on a blank sheet of paper securely attached to the form. No person is excused from furnishing information he reasonably should have furnished. The definitions of terms contained in the Regulations are hereby incorporated by reference into Form TDF 90-22.40 and these instructions.

FOR FURTHER INFORMATION CALL: (202) 535-4026.

SPECIFIC INSTRUCTIONS**PART A: IRAQI GOVERNMENT ENTITY HAVING AN INTEREST IN THE PROPERTY REPORTED**

Lines 1-3. State the name and address of the Iraqi Government entity which has an interest in the property reported. If any other entities or persons, whether Iraqi or non-Iraqi, have interests in the property reported, the full value of the property shall be reported in Part B, Line 4, Columns (a) and (b), but the names and pro rata interests of all such entities or persons shall be identified in Line 3 of Part A.

PART B: PROPERTY REPORTED

Line 4. Provide a brief description of the property reported. If the property is denominated in a foreign currency, report the U.S. dollar equivalent value on the dates indicated and state the currency and conversion rate in the description. The following table may be used as a guide for items to include in the property description:

<u>Property</u>	<u>Items to include in description.</u>
Deposit	Account number, type of account, and interest rate terms (including, if applicable, index to which rate is pegged).
Securities or Bullion	Account number and brief description of securities or bullion.
Documentary Letter of Credit	Account party, other principal parties involved (including the issuing, confirming, and advising banks), and whether or not documents have been presented.
Standby Letter of Credit	Account party, all principal parties involved (including issuing and confirming banks), expiration date, and whether or not any calls have been made.
Section 575.518 Account	Number and date of Treasury license permitting establishment of account.
Credits or Other Obligations	Type of obligation (including a description of the transaction giving rise to the obligation).
Real Property	Location and description of the property.
Tangible Property	Brief description of the property.

IF PROPERTY REPORTED WAS HELD ON THE EFFECTIVE DATE: Report value of the property held on August 2, 1990 in Column (a) and value of the property held on January 31, 1991 in Column (b).

IF PROPERTY REPORTED WAS ACQUIRED AFTER THE EFFECTIVE DATE: Fill in date the property was acquired on the line indicated and report value of the property held on that date in Column (a) and value of the property on January 31, 1991 in Column (b). If the property was acquired after January 31, 1991, disregard Column (b).

Line 5. If the property reported was acquired after August 2, 1990, describe the circumstances. Include the name of the transferor or prior holder and the reasons the property was transferred.

Line 6. Explain any changes between amounts in Columns (a) and (b) of Line 4. Include the number, total amounts, and nature of all increases and credits (e.g., interest credited, deposits, incoming transfers) and decreases (e.g., service charges, licensed debits). If any Treasury Department licenses have been issued with respect to the account, indicate the number and date of the license. This question may be disregarded if the property was acquired after January 31, 1991.

Line 7. If the property reported is physically located or booked at a location other than that described in Part C (e.g., a deposit located in a foreign branch reported by the U.S. parent) give the name and the location of the actual holder.

Line 8. Describe any claims known to be asserted against the property reported. Examples include specific claims such as attachments and liens or more general claims such as set-off rights asserted by the holder of the property against the Government of Iraq. Indicate the full amount of the claim and the identity of the claimant.

PART C: U.S. PERSON OR ENTITY MAKING THE REPORT

Lines 9-11. State reporter's corporate name and address and the name and telephone number of an individual corporate official to contact regarding the report.

Line 12. Complete the certification. The report is not valid without the certification.

PAPERWORK REDUCTION ACT STATEMENT: The paperwork requirement has been cleared under the Paperwork Reduction Act of 1980. The Office of Foreign Assets Control of the Department of the Treasury requires this information be furnished pursuant to 50 U.S.C. 1701, and 31 CFR Part 575. The information collected will be used for U.S. Government planning purposes and to monitor compliance with Executive Order Nos. 12722 and 12724. The information will be held confidential.

The estimated burden associated with this collection of information is 2 hours per respondent or recordkeeper. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Blocked Assets Section, Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220 and the Office of Management and Budget, Paperwork Reduction Project (1505-0128), Washington, D.C. 20503.

REPORT OF BLOCKED IRAQI PROPERTY

Office of Foreign Assets Control
Department of the Treasury
Washington, D.C. 20220

This report shall be completed and two copies sent to the above address by all U.S. persons who, since August 2, 1990, have held property subject to Executive Order Nos. 12722 or 12724. Reports shall be submitted by March 1, 1991, or within 15 days of acquiring such property. Separate reports should be submitted for each blocked account or asset held. READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT. For assistance call (202) 535-4026.

TO THE SECRETARY OF THE TREASURY:

The undersigned, pursuant to 31 CFR 575.604, hereby makes the following report:

PART A: IRAQI GOVERNMENT ENTITY HAVING AN INTEREST IN THE PROPERTY REPORTED

- 1. Entity: _____
- 2. Address: _____

- 3. Identify any other entities or persons known to have interests in the property reported and explain the nature and extent of such interests:

PART B: PROPERTY REPORTED

4. Description of the Property. <small>(Include account number and interest terms, if applicable.)</small>	(a) Value On 08/02/90 <small>or</small>	(b) Value On 01/31/91
_____	_____ <small>(Specify Acquisition Date, If Later)</small>	

_____	_____ <small>(Amount)</small>	_____ <small>(Amount)</small>

- 5. If custody of the property was acquired after August 2, 1990, describe the circumstances. Include name of transferor or prior holder and reasons the property was transferred.

6. Explanation of any changes between amounts in Columns (a) and (b) above. Include the number and nature of all transactions, the total amount of all increases and/or decreases, and the number and date of any related Treasury Department licenses.

7. Name of the holder and location of the property if different than described in Part C.

8. Describe any claims known to be asserted against the property.

PART C: U.S. PERSON OR ENTITY MAKING THE REPORT

9. Name:

10. Address:

11. Individual to contact regarding this report:

_____ (Name) _____ (Telephone Number)

12. Certification:

I, _____, certify that I am the _____

(Name) (Corporate Title or Position, If Applicable)

of the _____, that I am authorized to make this certification,

(Corporate Name, If Applicable)

and that, to the best of my knowledge and belief, the statements set forth in this report, including any papers attached hereto or filed herewith, are true and accurate, and that all material facts in connection with said report have been set forth herein.

(Signature)

(Date)

CENSUS OF CLAIMS BY U.S. NATIONALS AGAINST IRAQ
INSTRUCTIONS FOR REPORTING ON FORM TDF 90-22.41

The Office of Foreign Assets Control, Department of the Treasury, under Section 575.605 of the Iraqi Sanctions Regulations (31 CFR Part 575) ("the Regulations"), is conducting a census of claims by U.S. nationals against the Government of Iraq, or any Iraqi Government entity. The information is needed by the U.S. Government for planning purposes.

Note: The submission of this report does not constitute the filing with the U.S. Government of a formal claim for compensation. No formal claims adjudication program currently exists. However, failure to file complete information in a timely fashion would not only constitute failure to comply with the Regulations but would also prevent the inclusion of the information in U.S. Government planning and therefore could be prejudicial to the interests of the claimant and other U.S. claimants. Espousal of claims of U.S. nationals against a foreign government is within the discretion of the U.S. Government.

GENERAL INSTRUCTIONS

Reporting on Form TDF 90-22.41 is mandatory for all U.S. nationals (whether individuals or legal entities) who, on 5:00 p.m., EST, January 16, 1991, had claims outstanding against the Government of Iraq, or any Iraqi Government entity. The report may also include claims of U.S. nationals arising from ownership in foreign entities. The report shall be completed and two copies sent to the Office of Foreign Assets Control, Department of the Treasury, Washington D.C. 20220, by March 1, 1991. The reporter shall retain a copy of the completed report. Reports filed on Form TDF 90-22.41 are regarded as privileged and confidential.

Copies of Form TDF 90-22-41 will be distributed through the Federal Reserve System to all regional Federal Reserve Banks. In addition, copies of the form will be mailed directly to certain persons believed by the Treasury Department to be affected by the reporting requirements. Other persons required to report or interested in obtaining copies of the form may do so by contacting the Office of Foreign Assets Control at the above address or by calling the telephone number listed below. This pamphlet contains reporting instructions, one copy of report Form TDF 90-22.41, and three copies of Schedule B1. Photocopies of the report form and schedule may be used.

A report may be filed on behalf of a claimant by an attorney, agent, or other person. Primary responsibility for reporting the claim, however, rests with the actual claimant. Each question on the form shall be answered and all the specific information called for shall be given. When there is nothing to report under any question, or if information is lacking, state "N/A," "None," or "Unknown," as the case may be. If the space provided on the form is inadequate, the answer may be made or continued on a blank sheet of paper securely attached to the form. The definitions of terms contained in the Regulations are hereby incorporated by reference into Form TDF 90-22.41 and these instructions. **FOR FURTHER INFORMATION CALL: (202) 535-4026.**

SPECIFIC INSTRUCTIONS

PART A: INFORMATION CONCERNING U.S. CLAIMANT

Lines 1-2. State the name, employer identification or social security number, and address of the U.S. claimant. If the report includes claims for losses suffered by a subsidiary, the name, employer identification number, and address of the U.S. parent company reporting the claim should be entered here.

Line 3. State the nationality or place of incorporation of the claimant. If there has been any change in the nationality status of the claimant since the date of loss, provide an explanation.

Line 4. If the claimant is a corporation or other legal entity, indicate the date and place of incorporation, the percentage of outstanding capital stock of all classes held, directly or indirectly, by persons who were U.S. nationals on the date of the loss.

Line 5. If the person reporting the claim is a person other than the claimant as reported in Line 1, state name, address, and relationship to the claimant (e.g., attorney, personal representative).

PART B: SUMMARY OF CLAIMS AGAINST IRAQ

Line 6. Report the aggregate value of all claims of a common type in the appropriate category or categories shown. Detailed information concerning specific claims should be reported on one or more attached Schedule B1's. The sum of all amounts reported separately on Schedule B1 should total the aggregate amount reported in the summary.

PART C: CERTIFICATION

Line 7. Enter the name and telephone number of the appropriate individual to contact regarding the report.

Line 8. Complete the certification. The report is not valid without a completed certification.

INSTRUCTIONS FOR SCHEDULE B1 - SCHEDULE FOR SEPARATE DESCRIPTION OF CLAIMS

Note: Be sure to enter the employer identification number or social security number of the U.S. claimant from Part A, Line 1, in the space indicated in upper right hand corner of the schedule. Also enter the number of this individual Schedule B1 and the total number of Schedule B1's submitted in the spaces indicated.

Submit an individual Schedule B1 for each claim or common set of claims. Claims of an individual person or a single entity (e.g., a subsidiary) against the same Iraqi entity involving a common set of circumstances may be reported on a single Schedule B1, with amounts allocated appropriately to each category of claim. Three copies of Schedule B1 are attached to the report. Additional photocopies of Schedule B1 may be used, if needed.

Lines 1-2. Enter the name and address of the entity actually suffering the loss, if different from the claimant named in Part A, Line 1 (e.g., a claim arising from injury to a subsidiary).

Line 3. If the entity described in Line 1 of this Schedule B1 is different than the claimant named in Part A, Line 1, include a full description of the claimant's ownership interest in the entity.

Line 4. Identify the Iraqi entity against which the claim is asserted.

Line 5. Enter the value of each claim in the appropriate category. Report the claim in U.S. dollars to the nearest dollar. Convert foreign currency values at the exchange rate prevailing on the date of the loss. In valuing the claims, use estimated values as of the date of the loss if precise values or balances are not known. Be sure to describe your valuation methods in Line 6.

Line 6. Describe the circumstances of the loss. Include the date of the loss and a description of the property, business, obligation, injury, or other damage which is the subject of the claim. Identify any other persons with interests in the claim and any alternative sources of compensation available, actual or potential. Describe any known counterclaims that potentially may be asserted by the Government of Iraq. If the claim involves a contract dispute, describe any clauses in the contract referring to choice of law or forum for settling disputes. If the property is of the type for which a specific balance or generally accepted market quotation value is not available, indicate the valuation method used (e.g., contractual value, book value, estimated value of similar property). If the property or obligation is valued in a foreign currency, be sure to specify the currency and the exchange rate used in the valuation. Do not submit documentary evidence with the report.

PAPERWORK REDUCTION ACT STATEMENT: The paperwork requirement has been cleared under the Paperwork Reduction Act of 1980. The Office of Foreign Assets Control of the Department of the Treasury requires this information be furnished pursuant to 50 U.S.C. 1701, and 31 CFR Part 575. The information collected will be used for U.S. Government planning purposes. The information will be held confidential.

The estimated burden associated with this collection of information is 3.5 hours per respondent or recordkeeper. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Block Assets Section, Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220 and the Office of Management and Budget, Paperwork Reduction Project (1505-0128), Washington, D.C. 20503

REPORT OF CLAIMS BY U.S. NATIONALS AGAINST IRAQ

Office of Foreign Assets Control
Department of the Treasury
Washington, D.C. 20220

This form shall be completed and two copies sent to the above address by March 1, 1991, by all U.S. nationals who, on 5:00 p.m., EST, January 16, 1991, had claims outstanding against the Government of Iraq, or any Iraqi Government entity. A third copy shall be retained by the reporter. READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT. For assistance call (202) 535-4026.

IMPORTANT: The submission of this report does not constitute the filing with the U.S. Government of a formal claim for compensation, nor does it guarantee that the claim will be included in any future agreement or settlement. However, failure to file complete information in a timely fashion would not only constitute failure to comply with Section 575.605 of the Iraqi Sanctions Regulations (31 CFR Part 575) but would also prevent the inclusion of the information in U.S. Government planning and therefore could be prejudicial to the interests of the claimant and other U.S. claimants.

TO THE SECRETARY OF THE TREASURY:

The undersigned, pursuant to 31 CFR 575.605, hereby makes the following report:

PART A: INFORMATION CONCERNING U.S. CLAIMANT

1. Name: _____ EIN/SSN: _____

2. Address: _____

3. State nationality or place of incorporation. If there has been any change in nationality status since the date of the loss, so explain.

4. If claimant is a corporation or other legal entity, state date and place of incorporation, percentage of outstanding capital stock of all classes held, directly or indirectly, by U.S. nationals on the date of the loss.

5. If the person reporting the claim is a person other than the claimant named in Line 1, state name, address, and relationship to claimant.

PART B: SUMMARY OF CLAIMS AGAINST IRAQ

6. Claims

Report the aggregate value of all claims in the appropriate category or categories below. Detailed information concerning specific claims should be reported on one or more attached Schedule B1's. The sum of all amounts reported on Schedule B1 should total the aggregate amount reported in this summary. Three copies of Schedule B1 are attached to this pamphlet. Additional photocopies may be used, if required.

A. Business Claims

- (1) Loans or credits overdue or in default _____
 - (2) Expropriation of equity, concessions, or going concern value _____
 - (3) Expropriation of real and/or tangible property _____
 - (4) Receivables or other amounts due and unpaid _____
 - (5) Breach of contract damages _____
 - (6) Other damages _____
- Subtotal A.** _____

B. Personal Claims

- (1) Expropriation losses _____
 - (2) Salaries, benefits, or other items due and unpaid _____
 - (3) Lost future benefits or other contractual claims _____
 - (4) Personal injury or other tort claims _____
 - (5) Other damages _____
- Subtotal B.** _____
- TOTAL (Subtotals A. + B.)** _____

PART C: CERTIFICATION

7. Individual to contact regarding this report: _____
(Name) (Telephone Number)

8. Certification:

I, _____, certify that I am the _____
(Name) (Corporate Title or Position, If Applicable)
of the _____, that I am authorized to make this certification,
(Corporate Name, If Applicable)
and that, to the best of my knowledge and belief, the statements set forth in this report, including any papers attached hereto or filed herewith, are true and accurate, and that all material facts in connection with said report have been set forth herein.

(Signature) (Date)

EIN or SSN of Claimant: _____.
This is _____ of _____ Schedule B1s submitted.
(Number) (Total Number)

SCHEDULE B1 - SCHEDULE FOR SEPARATE DESCRIPTION OF CLAIMS
(See Specific Instructions)

1. Name: _____

2. Address: _____

3. Describe the relationship of this entity to the claimant named in Part A.

4. Identify the Iraqi entity against which the claim is asserted.

5. Type and amount of claim reported on this Schedule B1.

A. Business Claims

- (1) Loans or credits overdue or in default _____
- (2) Expropriation of equity, concessions, or going concern value _____
- (3) Expropriation of real and/or tangible property _____
- (4) Receivables or other amounts due and unpaid _____
- (5) Breach of contract damages _____
- (6) Other damages _____

Subtotal A. _____

B. Personal Claims

- (1) Expropriation losses _____
- (2) Salaries, benefits, or other items due and unpaid _____
- (3) Lost future benefits or other contractual claims _____
- (4) Personal injury or other tort claims _____
- (5) Other damages _____

Subtotal B. _____

TOTAL (Subtotals A. + B.) _____

EIN or SSN of Claimant: _____
This is _____ of _____ Schedule B1s submitted.
(Number) (Total Number)

SCHEDULE B1 - SCHEDULE FOR SEPARATE DESCRIPTION OF CLAIMS
(See Specific Instructions)

1. Name: _____

2. Address: _____

3. Describe the relationship of this entity to the claimant named in Part A.

4. Identify the Iraqi entity against which the claim is asserted.

5. Type and amount of claim reported on this Schedule B1.

A. Business Claims

- (1) Loans or credits overdue or in default _____
- (2) Expropriation of equity, concessions, or going concern value _____
- (3) Expropriation of real and/or tangible property _____
- (4) Receivables or other amounts due and unpaid _____
- (5) Breach of contract damages _____
- (6) Other damages _____

Subtotal A. _____

B. Personal Claims

- (1) Expropriation losses _____
- (2) Salaries, benefits, or other items due and unpaid _____
- (3) Lost future benefits or other contractual claims _____
- (4) Personal injury or other tort claims _____
- (5) Other damages _____

Subtotal B. _____

TOTAL (Subtotals A. + B.) _____

EIN or SSN of Claimant: _____
This is _____ of _____ Schedule B1s submitted.
(Number) (Total Number)

SCHEDULE B1 - SCHEDULE FOR SEPARATE DESCRIPTION OF CLAIMS
(See Specific Instructions)

1. Name: _____

2. Address: _____

3. Describe the relationship of this entity to the claimant named in Part A.

4. Identify the Iraqi entity against which the claim is asserted.

5. Type and amount of claim reported on this Schedule B1.

A. Business Claims

- (1) Loans or credits overdue or in default _____
- (2) Expropriation of equity, concessions, or going concern value _____
- (3) Expropriation of real and/or tangible property _____
- (4) Receivables or other amounts due and unpaid _____
- (5) Breach of contract damages _____
- (6) Other damages _____

Subtotal A. _____

B. Personal Claims

- (1) Expropriation losses _____
- (2) Salaries, benefits, or other items due and unpaid _____
- (3) Lost future benefits or other contractual claims _____
- (4) Personal injury or other tort claims _____
- (5) Other damages _____

Subtotal B. _____

TOTAL (Subtotals A. + B.) _____

6. Describe the circumstances of the loss. Include the date of the loss and a description of the property, business, obligation, injury, or other damage which is the subject of the claim. Do not submit documentary evidence. (See Specific Instructions)

**Monday
February 11, 1991**



Part XIV

**Department of the
Treasury**

Office of Foreign Assets Control

31 CFR Part 575

**Iraqi Sanctions Regulations; Census of
Blocked Iraqi Government Assets and
Claims Against Iraq and Iraqi
Government Entities; Final Rule**

(Ref. Cir no. 10435)

DEPARTMENT OF THE TREASURY

31 CFR Part 575

Iraqi Sanctions Regulations; Census of Blocked Iraqi Government Assets and Claims Against Iraq and Iraqi Government Entities

AGENCY: Office of Foreign Assets Control.

ACTION: Final rule.

SUMMARY: The Office of Foreign Assets Control is amending the Iraqi Sanctions Regulations by the addition of §§ 575.604 and 575.605, providing, respectively, for a census of blocked assets of the Government of Iraq and a census of claims against the Government of Iraq. The amendments impose a requirement that reports, contained in the appendix to this rule, be filed (1) under § 575.604 with respect to blocked Iraqi assets held by any U.S. person on or after August 2, 1990, and (2) under § 575.605 with respect to claims held by U.S. nationals against the Government of Iraq as of 5 p.m., E.S.T., January 16, 1991. The amendments also add a definition of "United States national" as § 575.322 for use in determining who must report on claims pursuant to § 575.604, and make other technical corrections.

EFFECTIVE DATE: February 11, 1991.

FOR FURTHER INFORMATION CONTACT: Loren L. Dohm, Chief, Blocked Assets Section, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, (202) 535-4026.

SUPPLEMENTARY INFORMATION: The Iraqi Sanctions Regulations, 31 CFR part 575 56 FR 2112, January 18, 1991 ("the Regulations"), were issued by the Treasury Department in implementation of Executive Order 12722 of August 2, 1990 (55 FR 3183, August 3, 1990) and Executive Order 12724 of August 9, 1990 (55 FR 33089, August 13, 1990), and United Nations Security Council ("UNSC") Resolution 661 (August 6, 1990) and subsequent relevant resolutions. In the appendix to these amendments, the Office of Foreign Assets Control has provided samples of forms TDF 90-22.40 and TDF 90-22.41, with instructions to be used in reporting information on blocked assets and claims. The reports are needed to obtain information, on a one-time basis, regarding blocked Iraqi assets and claims by U.S. nationals against the Government of Iraq, for planning and administrative purposes. This census responds, in part, to UNSC Resolution 674 (October 29, 1990), which invites UN member states to collect information on

claims against the Government of Iraq. Additional reports may be required at a future date. Persons required to report or otherwise interested in obtaining copies of the forms and instructions may do so by contacting the nearest regional Federal Reserve Bank or the Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220.

The reports required to be filed by these sections must be completed in triplicate and two copies are to be returned in a set to the Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, by March 1, 1991. Observance of the filing deadline is extremely important. Reporting under these sections is mandatory. However, information regarding property of private Iraqi citizens is not subject to the reporting requirement of section 575.604.

The submission of a TDF 90-22.41 report on a claim against the Government of Iraq does not constitute the filing with the United States Government of a formal claim for compensation. No formal claims adjudication program currently exists. However, failure to file a complete report with respect to claims in a timely fashion not only would constitute failure to comply with the Regulations, but would also prevent the inclusion of the information in U.S. Government planning and may therefore be prejudicial to the interests of the claimant and other U.S. claimants. Espousal of claims of U.S. nationals against a foreign government is within the discretion of the United States Government. Information regarding claims of the United States Government against the Government of Iraq will be collected separately.

The Supplementary Information section of the original publication of the Regulations (56 FR 2112, January 18, 1991) requires certain modifications, as follows: First, in the table in the second paragraph the reference to General License No. 3, as amended, should indicate that this general license is revoked in the Regulations. Second, the fifth paragraph should indicate that the collections of information in the Regulations are contained in §§ 575.202(d), 575.503, 575.506, 575.509-575.511, 575.517, 575.518, 575.520, 575.521, subpart F, § 575.703, and § 575.801. Third, the sixth paragraph should indicate that the estimated total annual reporting and/or recordkeeping burden (including the burden imposed by this amendment) is 10,000 hours.

Since the Regulations involve a foreign affairs function, the provisions of 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 *et seq.*, does not apply. Because the Regulations are issued with respect to a foreign affairs function of the United States, they are not subject to Executive Order 12291 of February 17, 1981, dealing with Federal regulations.

List of Subjects in 31 CFR Part 575

Blocking of assets, Foreign claims, Iraq, Reporting and recordkeeping requirements.

PART 575—IRAQI SANCTIONS REGULATIONS

For the reasons set forth in the preamble, 31 CFR part 575 is amended as set forth below:

1. The "authority" citation for part 575 continues to read as follows:

Authority: 50 U.S.C. 1701 *et seq.*; 50 U.S.C. 1601 *et seq.*; 22 U.S.C. 287c; Pub. L. 101-513, 104 Stat. 2047-55 (Nov. 5, 1990); 3 U.S.C. 301; E.O. 12722, 55 FR 31803 (Aug. 3, 1990); E.O. 12724, 55 FR 33089 (Aug. 13, 1990).

Subpart C—General Definitions

2. Section 575.322 is added to subpart C to read as follows:

§ 575.322 United States national; U.S. national.

The term "United States national" or "U.S. national" means any United States citizen; any person who, though not a citizen of the United States, owes permanent allegiance to the United States; and any juridical person organized under the laws of the United States or any jurisdiction within the United States. This term does not include U.S. branches of persons organized under foreign law, or aliens, regardless of whether they have permanent resident status in the United States.

Subpart E—Licenses, Authorizations and Statements of Licensing Policy**§ 575.503 [Amended]**

3. In § 575.503 of subpart E, paragraph (i) is removed.

§ 575.507 [Amended]

4. Section 575.507(a)(1) of subpart E is amended to correct two references, as follows:

"15 CFR 371.6" is corrected to read "15 CFR 771.6", and "15 CFR 371.13" is corrected to read "15 CFR 771.13".

Subpart F—Reports

5. Section 575.604 is added to subpart F to read as follows:

§ 575.604 Reports on Form TDF 90-22.40.

(a) *Requirement for report.* Reports on Form TDF 90-22.40 are hereby required to be filed on or before March 1, 1991, in the manner prescribed herein and in the instructions to Form TDF 90-22.40, with respect to all property held by any United States person, in which the Government of Iraq has or has had any interest at any time since 5 a.m. E.D.T., August 2, 1990. Reports must contain complete answers to every question included in Form TDF 90-22.40.

(b) *Who must report.* Reports on Form TDF 90-22.40 must be filed by each of the following:

(1) Any U.S. person, or his successor, who has had in his custody, possession or control, directly or indirectly, in trust or otherwise, property in which there was any direct or indirect interest of the Government of Iraq at any time since 5 a.m. e.d.t., August 2, 1990;

(2) Any business or non-business entity in the United States in which the Government of Iraq holds or has held any financial interest since 5 a.m. e.d.t., August 2, 1990.

(c) *How to file Form TDF 90-22.40.* Reports on Form TDF 90-22.40 shall be prepared in triplicate. On or before March 1, 1991, two copies shall be sent in a set to Unit 604, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220. The third copy must be retained with the reporter's records.

(d) *Certification.* Every report on Form TDF 90-22.40 shall contain the certification required in Part C of the Form. Failure to complete the certification shall render the report ineffective, and the submission of such a report shall not constitute compliance with this section.

(e) *Confidentiality of reports.* Reports on Form TDF 90-22.40 are regarded as privileged and confidential.

6. Section 575.605 is added to subpart F to read as follows:

§ 575.605 Reports on Form TDF 90-22.41.

(a) *Requirement for reports.* Reports on Form TDF 90-22.41 are hereby required to be filed on or before March 1, 1991, in the manner prescribed herein and in the instructions to Form TDF 90-22.41, with respect to all claims held by U.S. nationals as of 5 p.m., e.s.t., January 16, 1991, against the Government of Iraq or an Iraqi government entity. Reports must contain complete answers to every question included in Form 90-22.41.

(b) *Who must report.* Reports on Form TDF 90-22.41 must be filed by every U.S. national who had a claim outstanding at 5 p.m., e.s.t., January 16, 1991, against the Government of Iraq or an Iraqi government entity. No report is to be submitted by a U.S. branch of a foreign firm not owned or controlled by a U.S. national.

(c) *How to file Form TDF 90-22.41.* Reports on Form TDF 90-22.41 shall be prepared in triplicate. On or before March 1, 1991, two copies shall be sent in a set to Unit 605, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220. The third copy must be retained with the reporter's records.

(d) *Certification.* Every report on Form TDF 90-22.41 shall contain the certification required on Part C of the Form. Failure to complete the certification shall render the report ineffective, and the submission of such a report shall not constitute compliance with this section.

(e) *Confidentiality of reports.* Reports on Form TDF 90-22.41 are regarded as privileged and confidential.

(f) *Examples of claims.* Claims may relate to losses due to expropriation, nationalization, or other measures affecting property rights; losses for breach of contract or debt defaults; compensation for injuries to persons or loss of life; and any other losses or injuries suffered in Iraq, Kuwait or elsewhere, attributable to the Government of Iraq or an Iraqi government entity, whether or not arising from actions relating to Iraq's invasion of Kuwait. Claims may also relate to losses suffered by a foreign partnership, joint venture, corporation or other entity in which U.S. nationals have a significant interest.

Dated: January 31, 1991.

R. Richard Newcomb,
Director.

Approved: February 4, 1991.

John P. Simpson,
Acting Assistant Secretary (Enforcement).

Appendix: The forms and instructions included in this Appendix will not appear in the CFR.

Census of Blocked Iraqi Property**Instructions for Reporting on Form TDF 90-22.40**

The Office of Foreign Assets Control, Department of the Treasury, under Section 575.604 of the Iraqi Sanctions Regulations (31 CFR Part 575) ("the Regulations"), is conducting a census of blocked Iraqi property. The information is needed by the United States Government for planning purposes and

to monitor compliance with the Regulations.

General Instructions

Reporting on Form TDF 90-22.40, Report of Blocked Iraqi Property, is mandatory for all persons who, since August 2, 1990, have held property subject to Executive Order No. 12722 or 12724. This requirement applies to all U.S. persons who had in their possession or control, since 5:00 a.m., EDT, August 2, 1990 ("the effective date"), any property or interests in property belonging to the Government of Iraq, its agencies, instrumentalities and controlled entities and the Central Bank of Iraq. Reports filed on Form TDF 90-22.40 are regarded as privileged and confidential.

Two copies of the report shall be sent to the Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, by March 1, 1991, or within 15 days of the acquisition of property subject to Executive Order No. 12722 or 12724. The reporter shall retain a copy of the completed report. Copies of Form TDF 90-22.40 will be distributed through the Federal Reserve System to all regional Federal Reserve Banks. In addition, copies of the form will be mailed directly to certain persons believed by the Treasury Department to be affected by the reporting requirements. Other persons required to report or interested in obtaining copies of the form may do so by contacting the Office of Foreign Assets Control at the above address or by calling the telephone number listed below. Photocopies of the report form may be used.

A report may be filed on behalf of a holder by an attorney, agent, or other person. Primary responsibility for reporting blocked property, however, rests with the actual holder of the property, or the U.S. national exercising control over property located outside the U.S., with the following exceptions: primary responsibility for reporting any asset held by a foreign firm or branch owned or controlled by a U.S. person rests with the U.S. parent or head office; primary responsibility for reporting any trust assets rests with the trustee; and primary responsibility for reporting real property rests with the Iraqi owner's co-owner, legal representative, agent, or property manager in the United States. No person is excused from filing Form TDF 90-22.40 by reason of the fact that another person has submitted a report with regard to the same property, unless he has actual knowledge that the other person has filed a report with respect to the property as full and complete as that

which he would otherwise be required to file.

A separate report shall be submitted with respect to each blocked account or asset held. Each question on the form shall be answered and all the specific information called for shall be given. When there is nothing to report under any question, or if information is lacking, state "N/A," "None," or "Unknown," as the case may be. If the space provided on the form is inadequate, the answer may be made or continued on a blank sheet of paper securely attached to the form. No person is excused from furnishing information

he reasonably should have furnished. The definitions of terms contained in the Regulations are hereby incorporated by reference into Form TDF 90-22.40 and these instructions.

FOR FURTHER INFORMATION CALL: (202) 535-4028.

Specific Instructions

Part A: Iraqi Government Entity Having an Interest in the Property Reported

Lines 1-3. State the name and address of the Iraqi Government entity which has an interest in the property reported. If any other entities or persons, whether Iraqi or non-Iraqi, have interests in the

property reported, the full value of the property shall be reported in Part B, Line 4, Columns (a) and (b), but the names and pro rata interests of all such entities or persons shall be identified in Line 3 of Part A.

Part B: Property Reported

Line 4. Provide a brief description of the property reported. If the property is denominated in a foreign currency, report the U.S. dollar equivalent value on the dates indicated and state the currency and conversion rate in the description. The following table may be used as a guide for items to include in the property description:

Property	Items to include in description
Deposit.....	Account number, type of account, and interest rate terms (including, if applicable, index to which rate is pegged).
Securities or Bullion.....	Account number and brief description of securities or bullion.
Documentary Letter of Credit.....	Account party, other principal parties involved (including the issuing, confirming, and advising banks), and whether or not documents have been presented.
Standby Letter of Credit.....	Account party, all principal parties involved (including issuing and confirming banks), expiration date, and whether or not any calls have been made.
Section 575.518 Account.....	Number and date of Treasury license permitting establishment of account.
Credits or Other Obligations.....	Type of obligation (including a description of the transaction giving rise to the obligation).
Real Property.....	Location and description of the property.
Tangible Property.....	Brief description of the property.

If property reported was held on the effective date: Report value of the property held on August 2, 1990 in Column (a) and value of the property held on January 31, 1991 in Column (b).

If property reported was acquired after the effective date: Fill in date the property was acquired on the line indicated and report value of the property held on that date in Column (a) and value of the property on January 31, 1991 in Column (b). If the property was acquired after January 31, 1991, disregard Column (b).

Line 5. If the property reported was acquired after August 2, 1990, describe the circumstances. Include the name of the transferor or prior holder and the reasons the property was transferred.

Line 6. Explain any changes between amounts in Columns (a) and (b) of Line 4. Include the number, total amounts, and nature of all increases and credits (e.g., interest credited, deposits, incoming transfers) and decreases (e.g., service charges, licensed debits). If any Treasury Department licenses have been issued with respect to the account, indicate the number and date of the license. This question may be disregarded if the property was acquired after January 31, 1991.

Line 7. If the property reported is physically located or booked at a location other than that described in Part C (e.g., a deposit located in a foreign branch reported by the U.S.

parent) give the name and the location of the actual holder.

Line 8. Describe any claims known to be asserted against the property reported. Examples include specific claims such as attachments and liens or more general claims such as set-off rights asserted by the holder of the property against the Government of Iraq. Indicate the full amount of the claim and the identity of the claimant.

Part C: U.S. Person or Entity Making the Report

Lines 9-11. State reporter's corporate name and address and the name and telephone number of an individual corporate official to contact regarding the report.

Line 12. Complete the certification. The report is not valid without the certification.

Paperwork Reduction Act Statement: The paperwork requirement has been cleared under the Paperwork Reduction Act of 1980. The Office of Foreign Assets Control of the Department of the Treasury requires this information be furnished pursuant to 50 U.S.C. 1701, and 31 CFR Part 575. The information collected will be used for U.S. Government planning purposes and to monitor compliance with Executive Order Nos. 12722 and 12724. The information will be held confidential.

The estimated burden associated with this collection of information is 2 hours per respondent or recordkeeper.

Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Blocked Assets Section, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220 and the Office of Management and Budget, Paperwork Reduction Project (1505-0128), Washington, DC 20503.

Report of Blocked Iraqi Property

Office of Foreign Assets Control,
Department of the Treasury,
Washington, DC 20220

This report shall be completed and two copies sent to the above address by all U.S. persons who, since August 2, 1990, have held property subject to Executive Order No. 12722 or 12724. Reports shall be submitted by March 1, 1991, or within 15 days of acquiring such property. Separate reports should be submitted for each blocked account or asset held. **READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.** For assistance call (202) 535-4028.

To the Secretary of the Treasury:
The undersigned, pursuant to 31 CFR 575.604, hereby makes the following report:

Part A: Iraqi Government Entity Having an Interest in the Property Reported

1. Entity:

2. Address:

3. Identify any other entities or persons known to have interests in the property reported and explain the nature and extent of such interests:

Part B: Property Reported

4. Description of the Property.

(Include account number and interest terms, if applicable.)

(a) Value on 08/02/90 or

(Specify acquisition date, if later)

(Amount)

(b) Value on 01/31/91

(Amount)

5. If custody of the property was acquired after August 2, 1990, describe the circumstances. Include name of transferor or prior holder and reasons the property was transferred.

6. Explanation of any changes between amounts in Columns (a) and (b) above. Include the number and nature of all transactions, the total amount of all increases and/or decreases, and the number and date of any related Treasury Department licenses.

7. Name of the holder and location of the property if different than described in Part C.

8. Describe any claims known to be asserted against the property.

Part C: U.S. Person or Entity Making the Report

9. Name:

10. Address:

11. Individual to contact regarding this report:

(Name)

(Telephone Number)

12. Certification:

I, _____
(Name)
certify that I am the _____
(Corporate Title or Position, If Applicable)
of the _____
(Corporate Name, If Applicable)
that I am authorized to make this
certification, and that, to the best of my
knowledge and belief, the statements set

forth in this report, including any papers attached hereto or filed herewith, are true and accurate, and that all material facts in connection with said report have been set forth herein.

(Signature)

(Date)

Census of Claims by U.S. Nationals Against Iraq

Instructions for Reporting on Form TDF 90-22.41

The Office of Foreign Assets Control, Department of the Treasury, under Section 575.605 of the Iraqi Sanctions Regulations (31 CFR Part 575) ("the Regulations"), is conducting a census of claims by U.S. nationals against the Government of Iraq, or any Iraqi Government entity. The information is needed by the U.S. Government for planning purposes.

Note: The submission of this report does not constitute the filing with the U.S. Government of a formal claim for compensation. No formal claims adjudication program currently exists. However, failure to file complete information in a timely fashion would not only constitute failure to comply with the Regulations but would also prevent the inclusion of the information in U.S. Government planning and therefore could be prejudicial to the interests of the claimant and other U.S. claimants. Espousal of claims of U.S. nationals against a foreign government is within the discretion of the U.S. Government.

General Instructions

Reporting on Form TDF 90-22.41 is mandatory for all U.S. nationals (whether individuals or legal entities) who, on 5:00 p.m., EST, January 16, 1991, had claims outstanding against the Government of Iraq, or any Iraqi Government entity. The report may also include claims of U.S. nationals arising from ownership in foreign entities. The report shall be completed and two copies sent to the Office of Foreign Assets Control, Department of the Treasury, Washington D.C. 20220, by March 1, 1991. The reporter shall retain a copy of the completed report. Reports filed on Form TDF 90-22.41 are regarded as privileged and confidential.

Copies of Form TDF 90-22-41 will be distributed through the Federal Reserve System to all regional Federal Reserve Banks. In addition, copies of the form will be mailed directly to certain persons believed by the Treasury Department to be affected by the reporting requirements. Other persons required to report or interested in obtaining copies of the form may do so by contacting the Office of Foreign Assets Control at the above address or

by calling the telephone number listed below. This pamphlet contains reporting instructions, one copy of report Form TDF 90-22.41, and three copies of Schedule B1. Photocopies of the report form and schedule may be used.

A report may be filed on behalf of a claimant by an attorney, agent, or other person. Primary responsibility for reporting the claim, however, rests with the actual claimant. Each question on the form shall be answered and all the specific information called for shall be given. When there is nothing to report under any question, or if information is lacking, state "N/A," "None," or "Unknown," as the case may be. If the space provided on the form is inadequate, the answer may be made or continued on a blank sheet of paper securely attached to the form. The definitions of terms contained in the Regulations are hereby incorporated by reference into Form TDF 90-22.41 and these instructions.

FOR FURTHER INFORMATION CALL: (202) 535-4026.

Specific Instructions

Part A: Information Concerning U.S. Claimant

Lines 1-2. State the name, employer identification or social security number, and address of the U.S. claimant. If the report includes claims for losses suffered by a subsidiary, the name, employer identification number, and address of the U.S. parent company reporting the claim should be entered here.

Line 3. State the nationality or place of incorporation of the claimant. If there has been any change in the nationality status of the claimant since the date of loss, provide an explanation.

Line 4. If the claimant is a corporation or other legal entity, indicate the date and place of incorporation, the percentage of outstanding capital stock of all classes held, directly or indirectly, by persons who were U.S. nationals on the date of the loss.

Line 5. If the person reporting the claim is a person other than the claimant as reported in Line 1, state name, address, and relationship to the claimant (e.g., attorney, personal representative).

Part B: Summary of Claims Against Iraq

Line 6. Report the aggregate value of all claims of a common type in the appropriate category or categories shown. Detailed information concerning specific claims should be reported on one or more attached Schedule B1's. The sum of all amounts reported separately

on Schedule B1 should total the aggregate amount reported in the summary.

Part C: Certification

Line 7. Enter the name and telephone number of the appropriate individual to contact regarding the report.

Line 8. Complete the certification. The report is not valid without a completed certification.

Instructions for Schedule B1—Schedule for Separate Description of Claims

Nota.—Be sure to enter the employer identification number or social security number of the U.S. claimant from Part A, Line 1, in the space indicated in upper right hand corner of the schedule. Also enter the number of this individual Schedule B1 and the total number of Schedule B1's submitted in the spaces indicated.

Submit an individual Schedule B1 for each claim or common set of claims. Claims of an individual person or a single entity (e.g., a subsidiary) against the same Iraqi entity involving a common set of circumstances may be reported on a single Schedule B1, with amounts allocated appropriately to each category of claim. Three copies of Schedule B1 are attached to the report. Additional photocopies of Schedule B1 may be used, if needed.

Lines 1-2. Enter the name and address of the entity actually suffering the loss, if different from the claimant named in Part A, Line 1 (e.g., a claim arising from injury to a subsidiary).

Line 3. If the entity described in Line 1 of this Schedule B1 is different than the claimant named in Part A, Line 1, include a full description of the claimant's ownership interest in the entity.

Line 4. Identify the Iraqi entity against which the claim is asserted.

Line 5. Enter the value of each claim in the appropriate category. Report the claim in U.S. dollars to the nearest dollar. Convert foreign currency values at the exchange rate prevailing on the date of the loss. In valuing the claims, use estimated values as of the date of the loss if precise values or balances are not known. Be sure to describe your valuation methods in Line 6.

Line 6. Describe the circumstances of the loss. Include the date of the loss and a description of the property, business, obligation, injury, or other damage which is the subject of the claim. Identify any other persons with interests in the claim and any alternative sources of compensation available, actual or potential. Describe any known counterclaims that potentially may be asserted by the Government of Iraq. If the claim involves a contract dispute,

describe any clauses in the contract referring to choice of law or forum for settling disputes. If the property is of the type for which a specific balance or generally accepted market quotation value is not available, indicate the valuation method used (e.g., contractual value, book value, estimated value of similar property). If the property or obligation is valued in a foreign currency, be sure to specify the currency and the exchange rate used in the valuation. Do not submit documentary evidence with the report.

Paperwork Reduction Act Statement: The paperwork requirement has been cleared under the Paperwork Reduction Act of 1980. The Office of Foreign Assets Control of the Department of the Treasury requires this information be furnished pursuant to 50 U.S.C. 1701, and 31 CFR Part 575. The information collected will be used for U.S. Government planning purposes. The information will be held confidential.

The estimated burden associated with this collection of information is 3.5 hours per respondent or recordkeeper. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Blocked Assets Section, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220 and the Office of Management and Budget, Paperwork Reduction Project (1505-0128), Washington, DC 20503.

Report of Claims by U.S. Nationals Against Iraq

Office of Foreign Assets Control,
Department of the Treasury,
Washington, DC 20220

This form shall be completed and two copies sent to the above address by March 1, 1991, by all U.S. nationals who, on 5:00 p.m., EST, January 16, 1991, had claims outstanding against the Government of Iraq, or any Iraqi Government entity. A third copy shall be retained by the reporter. **READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.** For assistance call (202) 535-4026.

Important: The submission of this report does not constitute the filing with the U.S. Government of a formal claim for compensation, nor does it guarantee that the claim will be included in any future agreement or settlement. However, failure to file complete information in a timely fashion would not only constitute failure to comply with Section 575.605 of the Iraqi Sanctions Regulations (31 CFR part 575) but would also prevent the inclusion of the information in U.S. Government planning and therefore could be

prejudicial to the interests of the claimant and other U.S. claimants.

To the Secretary of the Treasury:
The undersigned, pursuant to 31 CFR 575.605, hereby makes the following report:

Part A: Information Concerning U.S. Claimant

1. Name: _____

EIN/SSN: _____

2. Address: _____

3. State nationality or place of incorporation. If there has been any change in nationality status since the date of the loss, so explain. _____

4. If claimant is a corporation or other legal entity, state date and place of incorporation, percentage of outstanding capital stock of all classes held, directly or indirectly, by U.S. nationals on the date of the loss. _____

5. If the person reporting the claim is a person other than the claimant named in Line 1, state name, address, and relationship to claimant. _____

Part B: Summary of Claims Against Iraq

6. Claims:

Report the aggregate value of all claims in the appropriate category or categories below. Detailed information concerning specific claims should be reported on one or more attached Schedule B1's. The sum of all amounts reported on Schedule B1 should total the aggregate amount reported in this summary. Three copies of Schedule B1 are attached to this pamphlet. Additional photocopies may be used, if required.

A. Business Claims:

- (1) Loans or credits overdue or in default.....
- (2) Expropriation of equity, concessions, or going concern value.....
- (3) Expropriation of real and/or tangible property.....
- (4) Receivables or other amounts due and unpaid.....
- (5) Breach of contract damages.....
- (6) Other damages.....
- Subtotal A.....

B. Personal Claims:

- (1) Expropriation losses.....
- (2) Salaries, benefits, or other items due and unpaid.....

- (3) Lost future benefits or other contractual claims.....
- (4) Personal injury or other tort claims.....
- (5) Other damages.....
- Subtotal B.....
- Total (Subtotals A. + B.).....

Part C: Certification

7. Individual to contact regarding this report:

(Name) _____

(Telephone Number) _____

8. Certification:

I, _____
 (Name)
 certify that I am the _____
 (Corporate Title or Position, If Applicable)
 of the _____
 (Corporate Name, If Applicable)
 that I am authorized to make this certification, and that, to the best of my knowledge and belief, the statements set forth in this report, including any papers attached hereto or filed herewith, are true and accurate, and that all material facts in connection with said report have been set forth herein.

(Signature) _____

(Date)
 EIN or SSN of Claimant: _____

This is _____
 (Number of) _____

(Total Number)
 Schedule B1s submitted.

Schedule B1—Schedule for Separate Description of Claims

(See Specific Instructions)

1. Name: _____

2. Address: _____

3. Describe the relationship of this entity to the claimant named in Part A. _____

4. Identify the Iraqi entity against which the claim is asserted. _____

5. Type and amount of claim reported on this Schedule B1. _____

A. Business Claims:

- (1) Loans or credits overdue or in default.....

(2) Expropriation of equity, concessions, or going concern value.....

(3) Expropriation of real and/or tangible property.....

(4) Receivables or other amounts due and unpaid.....

(5) Breach of contract damages.....

(6) Other damages.....

Subtotal A.....

B. Personal Claims:

(1) Expropriation losses.....

(2) Salaries, benefits, or other items due and unpaid.....

(3) Lost future benefits or other contractual claims.....

(4) Personal injury or other tort claims.....

(5) Other damages.....

Subtotal B.....

Total (Subtotals A. + B.).....

6. Describe the circumstances of the loss. Include the date of the loss and a description of the property, business, obligation, injury, or other damage which is the subject of the claim. Do not submit documentary evidence. (See Specific Instructions)

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