

**FEDERAL RESERVE BANK
OF NEW YORK**

Fiscal Agent of the United States

[Circular No. **10494**]
November 22, 1991]

HAITIAN SANCTIONS

- **Special Blocking Memorandum**
- **General Licenses Nos. 1 and 2**

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

The Office of Foreign Assets Control of the Department of the Treasury has requested that we provide all financial institutions in this District with the Special Blocking Memorandum that is printed on the following pages.

In addition, on November 6, 1991, the Office of Foreign Assets Control issued two general licenses under the Haitian Sanctions Regulations, which are also printed on the following pages. General License No. 1 affects the importation of baggage and personal effects from or to Haiti; General License No. 2 deals with the receipt and transmission of telecommunications payments involving Haiti.

Questions on these matters may be directed to the Office of Foreign Assets Control, or, at this Bank, to Bradley K. Sabel, Counsel (Tel. No. 212-720-5041).

E. GERALD CORRIGAN,
President.



DEPARTMENT OF THE TREASURY
WASHINGTON

NOV 19 1991

FAC No. 125028

MEMORANDUM FOR ALL FEDERAL RESERVE BANK PRESIDENTS
ALL BRANCH BANK MANAGERS

FROM: R. RICHARD NEWCOMB *R. Newcomb*
DIRECTOR
OFFICE OF FOREIGN ASSETS CONTROL

SUBJECT: HAITIAN SANCTIONS: SPECIAL BLOCKING
MEMORANDUM AND REQUEST FOR ASSISTANCE

This is a request for immediate action. Please notify financial institutions of the substance of this memorandum immediately upon receipt and provide a single facsimile copy of that notification to the Office of Foreign Assets Control. (202/377-7222).

The Office of Foreign Assets Control, pursuant to Executive Orders No. 12775 of October 4, 1991 and 12779 of October 28, 1991 ("Prohibiting Certain Transactions with Respect to Haiti"), and section 203 of the International Emergency Economic Powers Act, 50 U.S.C. 1701 et seq. ("IEEPA"), finds that there is reasonable cause to believe that the below-listed companies (collectively, "Air Haiti") constitute entities controlled by the Government of Haiti.

Air Haiti, S.A.
Air Haiti Cargo Services
Air Haiti Agency, Inc.
Air Haiti International
Air Haiti of Puerto Rico

Consequently, pursuant to section 1 of Executive Orders 12775 and 12779 and section 203 of IEEPA, all property and interests in property of Air Haiti that are in the United States or hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons are blocked. The blocked property includes, without limitation, all bank, loan, charge and investment accounts and securities in which Air Haiti has an interest. Neither Air Haiti nor its representatives shall be permitted access to property within the bank's custody, specifically including safe deposit boxes, except as authorized by the Office of Foreign Assets Control.

All Federal Reserve Banks, including branches and other offices, are requested to notify all United States financial institutions, including but not limited to depository institutions, Edge and Agreement Corporations, and U.S. branches and agencies of foreign

banks, in their district of these determinations and to instruct them that all property or property interests of Air Haiti are blocked and that no transactions concerning its accounts or other assets are permitted except as specifically authorized by the Office of Foreign Assets Control.

Furthermore, we request that all such institutions be instructed, in accordance with section 203(a)(2) of IEEPA, to report, under oath, any blocked property of Air Haiti within their possession and all transactions therein, on or after the effective dates, including prohibited transactions that are or were blocked by the banks or transactions that are or were attempted but not consummated, not later than 10 days after receipt of the Federal Reserve Bank's notification or, in the case of attempted transactions, within 10 days of occurrence.

The financial institutions' reports should include all information within their possession, control or custody, detailing the blocked property (including accounts) as of October 4, 1991, specifically identifying where such property is now held, and separately accounting for any transfers of property since October 4, 1991. In the case of accounts of any nature, the bank or other financial institution should provide the account number, the amount on deposit, available credit or balance outstanding, and the name and address of the institution or agency holding the account; and it should provide evidence confirming that the account is being maintained in a blocked status.

In the case of attempted transactions involving Air Haiti, the financial institution should provide the names, addresses, account numbers and any other available information identifying the parties or intended parties, including all financial institutions, involved with the attempted transaction.

If you have any questions concerning any aspect of this memorandum, please contact either J. Robert McBrien, Chief, International Programs, or Special Agent Jan H. Taylor, Enforcement Division, at (202) 566-5021.



DEPARTMENT OF THE TREASURY
WASHINGTON

OFFICE OF FOREIGN ASSETS CONTROL
HAITIAN SANCTIONS REGULATIONS
GENERAL LICENSE NO. 1

Accompanying Baggage and Personal Effects

Persons entering the United States directly or indirectly from Haiti are authorized to import personal accompanying baggage normally incident to travel and personal effects of Haitian origin. Persons departing the United States for Haiti are similarly authorized to export from the United States personal accompanying baggage normally incident to travel and personal effects.

Issued: November 6 1991

R. Richard Newcomb
Director
Office of Foreign Assets Control



DEPARTMENT OF THE TREASURY
WASHINGTON

OFFICE OF FOREIGN ASSETS CONTROL
HAITIAN SANCTIONS REGULATIONS

GENERAL LICENSE NO. 2

Telecommunications Payments

(a) All transactions of U.S. common carriers with respect to the receipt and transmission of telecommunications involving Haiti are authorized, provided any payment owed to the de facto regime in Haiti is paid into a blocked account in a U.S. bank.

(b) The terms used in this license are defined as follows:

(1) The term "de facto regime in Haiti" shall mean

(a) Those who seized power illegally from the democratically-elected government of Jean-Bertrand Aristide on September 30, 1991, and includes any persons, agencies, instrumentalities, or entities purporting to act on behalf of the de facto regime in Haiti, or under the asserted authority thereof, or any extraconstitutional successor thereto;

(b) Any partnership, association, corporation, or other organization owned or controlled by the foregoing;

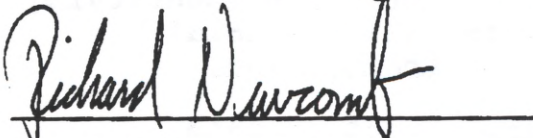
(c) Any person to the extent that such person is, or has been, or to the extent that there is reasonable cause to believe such person is, or has been, since October 4, 1991, acting or purporting to act, directly or indirectly on behalf of any of the foregoing; and

(d) Any other person or organization determined by the Secretary of the Treasury to be included within this section.

(2) The term "blocked account" shall mean an account with respect to which account payments, transfers or withdrawals or other dealings may not be made or effected except pursuant to an authorization or license from the Office of Foreign Assets Control authorizing such action. Such an account has been created for the Government of Haiti at the Federal Reserve Bank of New York. All transfers and payments owed to the Government of Haiti shall be made when due into this account, or otherwise as may be directed by the Secretary of the Treasury, to be held for the benefit of the Haitian people.

(3) The term "telecommunications" shall mean telephone, telex, and telegraph transmissions, and transmissions for the gathering or broadcast of news.

Issued: November 6, 1991

A handwritten signature in cursive script, appearing to read "Richard Newcomb", is written over a horizontal line.

R. Richard Newcomb
Director
Office of Foreign Assets Control