

Foreign Assets Control Regulations

Thursday
January 31, 1980

Part XII

Department of the Treasury

Office of Foreign Assets Control

Foreign Assets Control Regulations
Unblocking of Assets Blocked Because
of an Interest Therein of the People's
Republic of China or Its Nationals

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 500

Foreign Assets Control Regulations
Unblocking of Assets Blocked
Because of an Interest Therein of the
People's Republic of China or Its
Nationals

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Final rule.

SUMMARY: The Office of Foreign Assets Control is amending § 500.201(d) of the Foreign Assets Control Regulations by the deletion of "China" from the Schedule of "designated countries," except for the limited purposes of the new Part II of the Schedule. In keeping with the amendment, the Office is amending §§ 500.204, 500.328, 500.557, 500.558, and 500.559 to delete references to China or nationals thereof. The purpose of the amendment is to implement the Agreement Concerning the Settlement of Claims entered into between the United States and the People's Republic of China on May 11, 1979, as amended by an exchange of notes on September 28, 1979, to provide for the unblocking on January 31, 1980 of assets blocked because of an interest therein of the People's Republic of China or its nationals. (See notice of postponement published in the Federal Register of October 1, 1979.) The effect of the amendment is to unblock these assets in the United States and to remove any reference to China as a blocked country, except for the limited purpose described below.

To assist the Government of the People's Republic of China and its nationals in locating and recovering assets following the general unblocking, the Office is also amending the Regulations by the addition of new § 500.206 which retains for a two-year period a prohibition on the transfer of these assets to state agencies under state laws governing abandoned or unclaimed property. The need for the amendment is that the transfer of these assets from the present holders to state agencies may unduly delay recovery of assets by their owners. The purpose and effect of the amendment is to place a temporary hold on such transfers to facilitate presentation of claims.

EFFECTIVE DATE: January 31, 1980, 11:59 p.m. eastern standard time.

FOR FURTHER INFORMATION CONTACT: Dennis M. O'Connell, Chief Counsel, Office of Foreign Assets Control,

Department of the Treasury, (202) 376-0236.

SUPPLEMENTARY INFORMATION: Under the provisions of the Agreement Concerning the Settlement of Claims entered into between the United States and the People's Republic of China (PRC) on May 11, 1979, as amended by an exchange of notes on September 28, 1979, the PRC will pay to the United States \$80.5 million in settlement of claims. The first installment of \$30 million, due on October 1, 1979, has been paid. The remainder of \$50.5 million will be paid in five equal annual installments ending October 1, 1984. The United States agreed to unblock on January 31, 1980 assets blocked because of an interest therein of the PRC or its nationals.

To assist the PRC Government and its nationals in locating and recovering assets following the general unblocking, the Office of Foreign Assets Control is retaining a two-year hold on transfers of these assets to state agencies responsible for abandoned and unclaimed property. This decision was reached following consultations with the principal affected state agencies. The temporary hold on transfers to state agencies will afford owners time to trace their assets and present claims to the current holders. It will also enable state agencies to better determine which assets have been abandoned for purposes of state law.

Since these amendments involve a foreign affairs function, the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, the opportunity for public participation and a delay in effective date are inapplicable.

PART 500—FOREIGN ASSETS
CONTROL REGULATIONS

31 CFR Part 500 is amended as follows:

§ 500.201 [Amended]

1. Section 500.201(d) is amended by (1) the division of the schedule into Parts I and II; and (2) the transfer of "China: December 17, 1950" to Part II, with the remaining countries being renumbered in Part I. As amended, paragraph (d) reads:

(d) The term "designated foreign country" means a foreign country in the following schedule, and the terms "effective date" and "effective date of this section" mean with respect to any designated foreign country, or any national thereof, 12:01 a.m. eastern standard time of the date specified in the following schedule, except as

specifically noted after the country or area:

Part I

1. North Korea, i.e., Korea north of the 38th parallel of north latitude: December 17, 1950.
2. Cambodia: April 17, 1975.
3. North Viet-Nam; i.e., Viet-Nam north of the 17th parallel of north latitude: May 5, 1964.
4. South Viet-Nam, i.e., Viet-Nam south of the 17th parallel of north latitude: April 30, 1975 at 12:00 p.m. e.d.t.

Part II

1. China: December 17, 1950. The inclusion of China in this schedule is for purposes of the prohibition contained in § 500.206 of this Part, as well as for purposes of §§ 500.601 and 500.602 which shall continue to apply to all assets blocked as of January 30, 1980 in which China or any national thereof had any interest whatsoever.

With respect to any country and for any other purpose for which an "effective date" is not otherwise provided, the "effective date" shall be December 17, 1950.

§ 500.204 [Amended]

2. Section 500.204 is amended by the deletion from subsection (a)(1) of the words, "the People's Republic of China," wherever they appear.
3. Section 500.206 is added as follows:

§ 500.206 Transfers under State
abandoned property laws of assets
blocked because of an interest therein of
China or Its Nationals.

Except as specifically authorized by the Secretary of the Treasury (or any person, agency, or instrumentality designated by him) by regulations, rulings, instructions, licenses, or otherwise, the transfer under laws governing abandoned property to states of the United States or agencies thereof of property blocked as of January 30, 1980 under 500.201 because of the interest therein of China or any national thereof, is prohibited until January 31, 1982.

§ 500.328 [Amended]

4. Section 500.328 is amended by the deletion of the words "China" and the "Republic of China."

§ 500.538 [Deleted]

5. Section 500.538 is deleted.

§ 500.541 [Deleted]

6. Section 500.541 is deleted.

§ 500.546 [Deleted]

7. Section 500.546 is deleted.

§ 500.547 [Deleted]

8. Section 500.547 is deleted.

§ 500.555 [Deleted]

9. Section 500.555 is deleted.

§ 500.557 [Amended]

10. Section 500.557 is amended in the introductory text of paragraph (a) by deleting the word "Chinese" and by deleting the words "and in the case of a Chinese national, prior to May 7, 1971." In addition, the amendment redesignates paragraph (a)(3) as paragraph (a)(2), and renumbers the subsections in numerical order.

§ 500.558 [Amended]

11. Section 500.558 is amended by deletion of the word "China" wherever it appears.

§ 500.559 [Amended]

12. Section 500.559 is amended by the deletion of the words "China" and "Chinese" and the phrase "or to persons in China if the indebtedness existed prior to May 7, 1971."

§ 500.610 [Deleted]

13. Section 500.610 is deleted.

(Sec. 5, 40 Stat. 415, as amended; 50 U.S.C. App. 5, E.O. 9193, 7 FR 5205, 3 CFR, 1938-1943 Comp., p. 1174; E.O. 9989, 13 FR 4891, 3 CFR, 1945-1948 Comp., p. 748)

Dated: January 28, 1980.

Stanley L. Sommerfield,

Director, Office of Foreign Assets Control.

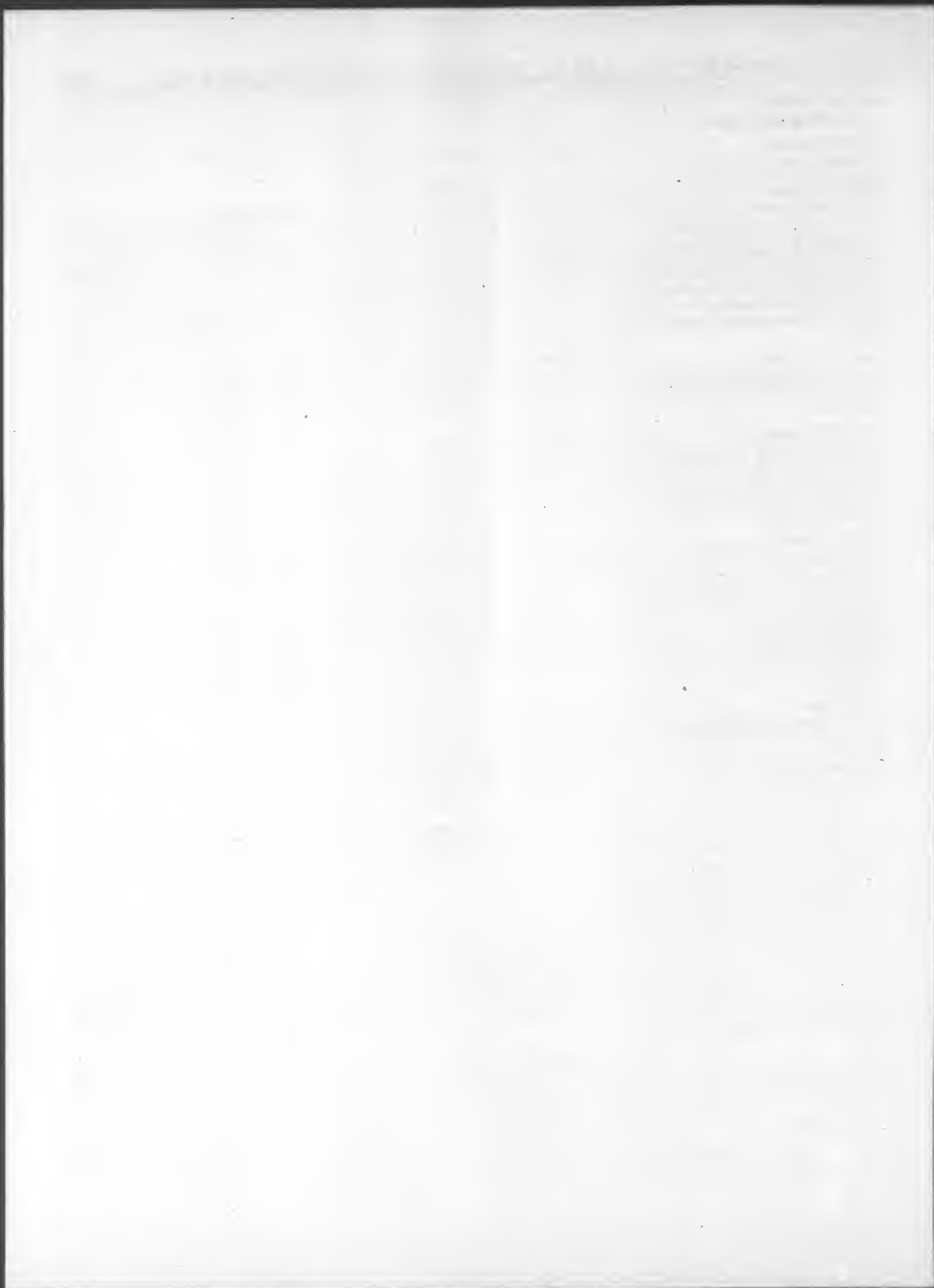
Approved:

Richard J. Davis,

Assistant Secretary (Enforcement and Operations).

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
DOT/FRA	USDA/REA		DOT/FRA	USDA/REA
DOT/NHTSA	MSPB/OPM		DOT/NHTSA	MSPB/OPM
DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of

the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

REMINDERS

The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.

Rules Going Into Effect Today

- CIVIL AERONAUTICS BOARD**
2313 1-11-80 / Charter trips by foreign air carriers, allowance of nonemergency wet leases
- FEDERAL COMMUNICATIONS COMMISSION**
77164 12-31-79 / Amendment to rules on protection of FCC monitoring stations from radio interference
- TRANSPORTATION DEPARTMENT**
 Federal Railroad Administration—
77348 12-31-79 / Safety glazing standards; locomotives, passenger cars and cabooses

Listing of Public Laws

This is the first continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the Federal Register but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (telephone 202-375-3030).

H.J. Res. 478 / Pub. L. 96-188 To extend by sixty days the expiration date of the Defense Production Act of 1950. (Jan. 28, 1980; 94 Stat. 3) Price: \$.75.

THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

- FOR:** Any person who uses the Federal Register and Code of Federal Regulations.
- WHO:** The Office of the Federal Register.
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 3. The important elements of typical Federal Register documents.
 4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them, as part of the General Services Administration's efforts to encourage public participation in Government actions. There will be no discussion of specific agency regulations.

WASHINGTON, D.C.

- WHEN:** Feb. 22; March 7 and 21; at 9 a.m. (identical sessions)
- WHERE:** Office of the Federal Register, Room 9409, 1100 L Street N.W., Washington, D.C.
- RESERVATIONS:** Call Mike Smith, Workshop Coordinator, 202-523-5235. Gwendolyn Henderson, Assistant Coordinator, 202-523-5234.

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