

Administration of Barack Obama, 2011

**Letter to Congressional Leaders Reporting on the Executive Order
Prohibiting Certain Transactions With Respect to North Korea**

April 18, 2011

Dear Mr. Speaker: (Dear Mr. President:)

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that takes additional steps to address the national emergency declared in Executive Order 13466 of June 26, 2008, and expanded in Executive Order 13551 of August 30, 2010.

In 2008, upon terminating the exercise of certain authorities under the Trading With the Enemy Act (TWEA) with respect to North Korea, the President issued Executive Order 13466 and declared a national emergency pursuant to IEEPA to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the existence and risk of the proliferation of weapons-usable fissile material on the Korean Peninsula. Executive Order 13466 continued certain restrictions on North Korea and North Korean nationals that had been in place under TWEA.

In 2010, I determined that the Government of North Korea's continued provocative actions destabilized the Korean Peninsula and imperiled U.S. Armed Forces, allies, and trading partners in the region, and warranted the imposition of additional sanctions, and I issued Executive Order 13551, expanding the national emergency declared in Executive Order 13466. In Executive Order 13551, I ordered blocked the property and interests in property of three North Korean entities and one individual listed in the Annex to that order and provided criteria under which the Secretary of the Treasury, in consultation with the Secretary of State, may designate additional persons whose property and interests in property shall be blocked.

The United Nations Security Council, in Resolutions 1718 and 1874, requires Member States to take certain measures to prevent, among other transactions, the importation of certain goods and services from North Korea. The sanctions contained in Executive Order 13551 strengthen the implementation of these Resolutions.

I have issued the order today to further address the national emergency with respect to North Korea and ensure implementation of United Nations Security Council Resolutions 1718 and 1874. The order also complements executive authorities under section 73 of the Arms Export Control Act to ensure that all imports from North Korea are consistent with the import restrictions described in that provision, even when relevant designations under that provision are not in effect. To accomplish these goals, the order prohibits the direct or indirect importation of goods, services, and technology from North Korea. Unless exempt, all imports into the United States from North Korea must be authorized.

The order leaves in place all existing sanctions imposed under Executive Orders 13466 and 13551.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and the United Nations Participation Act as may be necessary to carry out the purposes of the order. In particular, this

delegated authority may be used to establish a process to consider licenses for imports from North Korea that are consistent with the purposes of the order.

The order is effective at 12:01 a.m. eastern daylight time on April 19, 2011. All executive agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the order I have issued.

Sincerely,

BARACK OBAMA

NOTE: Identical letters were sent to John A. Boehner, Speaker of the House of Representatives, and Joseph R. Biden, Jr., President of the Senate.

Categories: Communications to Congress : North Korea, Executive order prohibiting certain transactions, letter reporting.

Subjects: North Korea : Prohibiting certain transactions.

DCPD Number: DCPD201100267.