

(c) Exception**(1) In general**

A person may not be designated under subsection (a) if the President certifies to the appropriate congressional committees that the President has received reliable assurances from such person that—

(A) the employment of North Korean laborers does not result in the direct or indirect transfer of convertible currency, luxury goods, or other stores of value to the Government of North Korea;

(B) all wages and benefits are provided directly to the laborers, and are held, as applicable, in accounts within the jurisdiction in which they reside in locally denominated currency; and

(C) the laborers are subject to working conditions consistent with international standards.

(2) Recertification

Not later than 180 days after the date on which the President transmits to the appropriate congressional committees an initial certification under paragraph (1), and every 180 days thereafter, the President shall—

(A) transmit a recertification stating that the conditions described in such paragraph continue to be met; or

(B) if such recertification cannot be transmitted, impose the sanctions described in subsection (b) beginning on the date on which the President determines that such recertification cannot be transmitted.

(Pub. L. 114–122, title III, § 302B, as added Pub. L. 115–44, title III, § 321(b)(1), Aug. 2, 2017, 131 Stat. 952.)

Editorial Notes

REFERENCES IN TEXT

The International Emergency Economic Powers Act, referred to in subsec. (b)(2), is title II of Pub. L. 95–223, Dec. 28, 1977, 91 Stat. 1626, which is classified generally to chapter 35 (§1701 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 50 and Tables.

§ 9242. Report on North Korean prison camps**(a) In general**

The Secretary of State shall submit to the appropriate congressional committees a report that describes, with respect to each political prison camp in North Korea, to the extent information is available—

(1) the camp's estimated prisoner population;

(2) the camp's geographical coordinates;

(3) the reasons for the confinement of the prisoners;

(4) the camp's primary industries and products, and the end users of any goods produced in the camp;

(5) the individuals and agencies responsible for conditions in the camp;

(6) the conditions under which prisoners are confined, with respect to the adequacy of food, shelter, medical care, working conditions, and reports of ill-treatment of prisoners; and

(7) imagery, to include satellite imagery of the camp, in a format that, if published, would not compromise the sources and methods used by the United States intelligence community to capture geospatial imagery.

(b) Form

The report required under subsection (a) may be included in the first human rights report required to be submitted to Congress after February 18, 2016, under sections 2151n(d) and 2304(b) of this title.

(Pub. L. 114–122, title III, § 303, Feb. 18, 2016, 130 Stat. 113.)

§ 9243. Report on and imposition of sanctions with respect to serious human rights abuses or censorship in North Korea**(a) Report required****(1) In general**

The Secretary of State shall submit to the appropriate congressional committees a report that—

(A) identifies each person the Secretary determines to be responsible for serious human rights abuses or censorship in North Korea and describes the conduct of that person; and

(B) describes serious human rights abuses or censorship undertaken by the Government of North Korea or any person acting for or on behalf of that Government in the most recent year ending before the submission of the report.

(2) Consideration

In preparing the report required under paragraph (1), the Secretary of State shall—

(A) give due consideration to the findings of the United Nations Commission of Inquiry on Human Rights in North Korea; and

(B) make specific findings with respect to the responsibility of Kim Jong Un, and of each individual who is a member of the National Defense Commission of North Korea or the Organization and Guidance Department of the Workers' Party of Korea, for serious human rights abuses and censorship.

(3) Submission and form**(A) Submission**

The report required under paragraph (1) shall be submitted not later than 120 days after February 18, 2016, and every 180 days thereafter for a period not to exceed 3 years, and shall be included in each human rights report required under sections 2151n(d) and 2304(b) of this title.

(B) Form

The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(C) Public availability

The Secretary of State shall publish the unclassified part of the report required under paragraph (1) on the website of the Department of State.

(b) Designation of persons

The President shall designate under section 9214(a) of this title any person listed in the report required under subsection (a)(1) that—