

(1) knowingly engages in, is responsible for, or facilitates censorship by the Government of North Korea; or

(2) knowingly engages in, is responsible for, or facilitates serious human rights abuses by the Government of North Korea.

**(c) Sense of Congress**

It is the sense of Congress that the President should—

(1) seek the prompt adoption by the United Nations Security Council of a resolution calling for the blocking of the assets of all persons responsible for severe human rights abuses or censorship in North Korea; and

(2) fully cooperate with the prosecution of any individual listed in the report required under subsection (a)(1) before any international tribunal that may be established to prosecute persons responsible for severe human rights abuses or censorship in North Korea.

(Pub. L. 114–122, title III, §304, Feb. 18, 2016, 130 Stat. 113.)

**Executive Documents**

DELEGATION OF FUNCTIONS

Functions and authorities of President under subsec. (b) of this section delegated to Secretary of the Treasury, in consultation with Secretary of State, by Memorandum of President of the United States, May 18, 2016, 81 F.R. 37479, set out as a note under section 9212 of this title.

SUBCHAPTER IV—GENERAL AUTHORITIES

**§ 9251. Suspension of sanctions and other measures**

**(a) In general**

Any sanction or other measure required under subchapter I, II, or III (or any amendment made by such subchapters) (other than section 9214(g), 9221b, or 9221c of this title) may be suspended for up to 1 year upon certification by the President to the appropriate congressional committees that the Government of North Korea has made progress toward—

(1) verifiably ceasing its counterfeiting of United States currency, including the surrender or destruction of specialized materials and equipment used or particularly suitable for counterfeiting;

(2) taking steps toward financial transparency to comply with generally accepted protocols to cease and prevent the laundering of monetary instruments;

(3) taking steps toward verification of its compliance with applicable United Nations Security Council resolutions;

(4) taking steps toward accounting for and repatriating the citizens of other countries—

(A) abducted or unlawfully held captive by the Government of North Korea; or

(B) detained in violation of the Agreement Concerning a Military Armistice in Korea, signed at Panmunjom July 27, 1953 (commonly referred to as the “Korean War Armistice Agreement”);

(5) accepting and beginning to abide by internationally recognized standards for the

distribution and monitoring of humanitarian aid; and

(6) taking verified steps to improve living conditions in its political prison camps.

**(b) Renewal of suspension**

The suspension described in subsection (a) may be renewed for additional, consecutive 180-day periods after the President certifies to the appropriate congressional committees that the Government of North Korea has continued to comply with the conditions described in subsection (a) during the previous year.

(Pub. L. 114–122, title IV, §401, Feb. 18, 2016, 130 Stat. 114; Pub. L. 116–92, div. F, title LXXI, §7143(b)(2), Dec. 20, 2019, 133 Stat. 2256.)

**Editorial Notes**

REFERENCES IN TEXT

Subchapter I, II, or III (or any amendment made by such subchapters), referred to in subsec. (a), was in the original “title I, II, or III (or any amendment made by such titles)”, meaning titles I, II, and III of Pub. L. 114–122, Feb. 18, 2016, 130 Stat. 98, 101, 112. Titles I and III are classified principally to subchapters I and III, respectively, of this chapter. Title II is classified generally to subchapter II of this chapter. For complete classification of titles I, II, and III of Pub. L. 114–122 to the Code, see Tables.

AMENDMENTS

2019—Subsec. (a). Pub. L. 116–92 inserted “(other than section 9214(g), 9221b, or 9221c of this title)” after “such subchapters)” in introductory provisions.

**Executive Documents**

DELEGATION OF FUNCTIONS

Functions and authorities of President under subsecs. (a) and (b) of this section delegated to Secretary of State, to be executed in consultation with Secretary of the Treasury when appropriate, by Memorandum of President of the United States, May 18, 2016, 81 F.R. 37479, set out as a note under section 9212 of this title.

**§ 9252. Termination of sanctions and other measures**

Any sanction or other measure required under subchapter I, II, or III (or any amendment made by such subchapters) shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of North Korea has—

(1) met the requirements set forth in section 9251 of this title; and

(2) made significant progress toward—

(A) completely, verifiably, and irreversibly dismantling all of its nuclear, chemical, biological, and radiological weapons programs, including all programs for the development of systems designed in whole or in part for the delivery of such weapons;

(B) releasing all political prisoners, including the citizens of North Korea detained in North Korea’s political prison camps;

(C) ceasing its censorship of peaceful political activity;

(D) establishing an open, transparent, and representative society; and

(E) fully accounting for and repatriating United States citizens (including deceased United States citizens)—

(i) abducted or unlawfully held captive by the Government of North Korea; or

(ii) detained in violation of the Agreement Concerning a Military Armistice in Korea, signed at Panmunjom July 27, 1953 (commonly referred to as the “Korean War Armistice Agreement”).

(Pub. L. 114–122, title IV, §402, Feb. 18, 2016, 130 Stat. 115.)

#### Editorial Notes

##### REFERENCES IN TEXT

Subchapter I, II, or III (or any amendment made by such subchapters), referred to in subsec. (a), was in the original “title I, II, or III (or any amendment made by such titles)”, meaning titles I, II, and III of Pub. L. 114–122, Feb. 18, 2016, 130 Stat. 98, 101, 112. Titles I and III are classified principally to subchapters I and III, respectively, of this chapter. Title II is classified generally to subchapter II of this chapter. For complete classification of titles I, II, and III of Pub. L. 114–122 to the Code, see Tables.

#### Executive Documents

##### DELEGATION OF FUNCTIONS

Functions and authorities of President under this section delegated to Secretary of State, to be executed in consultation with Secretary of the Treasury when appropriate, by Memorandum of President of the United States, May 18, 2016, 81 F.R. 37479, set out as a note under section 9212 of this title.

#### § 9253. Repealed. Pub. L. 115–198, §9, July 20, 2018, 132 Stat. 1525

Section, Pub. L. 114–122, title IV, §403, Feb. 18, 2016, 130 Stat. 115, authorized appropriations for fiscal years 2017 through 2021 to carry out provisions in chapter 85 of this title.

#### § 9254. Rulemaking

##### (a) In general

The President is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this chapter (which may include regulatory exceptions), including under section 205 of the International Emergency Economic Powers Act (50 U.S.C. 1704).

##### (b) Rule of construction

Nothing in this chapter, or in any amendment made by this Act, may be construed to limit the authority of the President to designate or sanction persons pursuant to an applicable Executive order or otherwise pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(Pub. L. 114–122, title IV, §404, Feb. 18, 2016, 130 Stat. 116.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 114–122, Feb. 18, 2016, 130 Stat. 93, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of this title and Tables.

Any amendment made by this Act, referred to in subsec. (b), means the amendments made by Pub. L.

114–122. See Short Title note set out under section 9201 of this title and Tables.

The International Emergency Economic Powers Act, referred to in subsec. (b), 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.

#### Executive Documents

##### DELEGATION OF FUNCTIONS

Functions and authorities of President under subsec. (a) of this section delegated to Secretary of State, Secretary of the Treasury, Secretary of Commerce, and Director of National Intelligence by Memorandum of President of the United States, May 18, 2016, 81 F.R. 37479, set out as a note under section 9212 of this title.

#### § 9255. Authority to consolidate reports

Any and all reports required to be submitted to appropriate congressional committees under this chapter or any amendment made by this Act that are subject to a deadline for submission consisting of the same unit of time may be consolidated into a single report that is submitted to appropriate congressional committees pursuant to such deadline. The consolidated reports must contain all information required under this chapter or any amendment made by this Act, in addition to all other elements mandated by previous law.

(Pub. L. 114–122, title IV, §405, Feb. 18, 2016, 130 Stat. 116.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 114–122, Feb. 18, 2016, 130 Stat. 93, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of this title and Tables.

Any amendment made by this Act, referred to in text, means the amendments made by Pub. L. 114–122. See Short Title note set out under section 9201 of this title and Tables.

#### SUBCHAPTER V—AUTHORITIES AND REQUIREMENTS RELATED TO EXPANDED SANCTIONS

#### Editorial Notes

##### CODIFICATION

This subchapter was enacted as part of the Otto Warmbier North Korea Nuclear Sanctions and Enforcement Act of 2019, and also as part of the National Defense Authorization Act for Fiscal Year 2020, and not as part of the North Korea Sanctions and Policy Enhancement Act of 2016 which comprises this chapter.

#### § 9261. Definitions

In this subtitle,<sup>1</sup> the terms “applicable Executive order”, “applicable United Nations Security Council resolution”, “appropriate congressional committees”, “Government of North Korea”, “North Korea”, “North Korean financial institution”, and “North Korean person” have the

<sup>1</sup> See References in Text note below.