

[Discussion Draft]
AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1771
OFFERED BY MR. ROYCE OF CALIFORNIA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “North Korea Sanctions Enforcement Act of 2014”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

**TITLE I—INVESTIGATIONS, PROHIBITED CONDUCT, AND
PENALTIES**

Sec. 101. Statement of policy.
Sec. 102. Investigations.
Sec. 103. Briefing to Congress.
Sec. 104. Prohibited conduct and mandatory and discretionary designation and sanctions authorities.
Sec. 105. Forfeiture of property.

**TITLE II—SANCTIONS AGAINST NORTH KOREAN PROLIFERATION,
HUMAN RIGHTS ABUSES, AND ILLICIT ACTIVITIES**

Sec. 201. Determinations with respect to North Korea as a jurisdiction of primary money laundering concern.
Sec. 202. Ensuring the consistent enforcement of United Nations Security Council resolutions and financial restrictions on North Korea.
Sec. 203. Proliferation prevention sanctions.
Sec. 204. Procurement sanctions.
Sec. 205. Enhanced inspections authorities.
Sec. 206. Travel sanctions.
Sec. 207. Exemptions, waivers, and removals of designation.

TITLE III—PROMOTION OF HUMAN RIGHTS

Sec. 301. Information technology.

Sec. 302. Report on North Korean prison camps.

Sec. 303. Report on persons who are responsible for serious human rights abuses or censorship in North Korea.

TITLE IV—GENERAL AUTHORITIES

Sec. 401. Suspension of sanctions and other measures.

Sec. 402. Termination of sanctions and other measures.

Sec. 403. Regulations.

Sec. 404. Effective date.

1 SEC. 2. FINDINGS.

2 Congress finds the following:

3 (1) The Government of North Korea has re-
4 peatedly violated its commitments to the complete,
5 verifiable, irreversible dismantlement of its nuclear
6 weapons programs, and has willfully violated mul-
7 tiple United Nations Security Council resolutions
8 calling for it to cease its development, testing, and
9 production of weapons of mass destruction.

10 (2) North Korea poses a grave risk for the pro-
11 liferation of nuclear weapons and other weapons of
12 mass destruction.

13 (3) The Government of North Korea has been
14 implicated repeatedly in money laundering and illicit
15 activities, including prohibited arms sales, narcotics
16 trafficking, the counterfeiting of United States cur-
17 rency, and the counterfeiting of intellectual property
18 of United States persons.

1 (4) The Government of North Korea has, both
2 historically and recently, repeatedly sponsored acts
3 of international terrorism, including attempts to as-
4 sassinate defectors and human rights activists, re-
5 peated threats of violence against foreign persons,
6 leaders, newspapers, and cities, and the shipment of
7 weapons to terrorists.

8 (5) North Korea has unilaterally withdrawn
9 from the 1953 Armistice Agreement that ended the
10 Korean War, and committed provocations against
11 South Korea in 2010 by sinking the warship
12 Cheonan and killing 46 of her crew, and by shelling
13 Yeonpyeong Island, killing four South Koreans.

14 (6) North Korea maintains a system of brutal
15 political prison camps that contain as many as
16 200,000 men, women, and children, who live in atro-
17 cious living conditions with insufficient food, cloth-
18 ing, and medical care, and under constant fear of
19 torture or arbitrary execution.

20 (7) The Congress reaffirms the purposes of the
21 North Korean Human Rights Act of 2004 contained
22 in section 4 of such Act (22 U.S.C. 7802).

23 (8) North Korea has prioritized weapons pro-
24 grams and the procurement of luxury goods, in defi-

1 ance of United Nations Security Council resolutions,
2 and in gross disregard of the needs of its people.

3 (9) Persons, including financial institutions,
4 who engage in transactions with, or provide financial
5 services to, the Government of North Korea and its
6 financial institutions without establishing sufficient
7 financial safeguards against North Korea's use of
8 these transactions to promote proliferation, weapons
9 trafficking, human rights violations, illicit activity,
10 and the purchase of luxury goods, aid and abet
11 North Korea's misuse of the international financial
12 system, and also violate the intent of relevant United
13 Nations Security Council resolutions.

14 (10) The Government of North Korea's conduct
15 poses an imminent threat to the security of the
16 United States and its allies, to the global economy,
17 to the safety of members of the United States armed
18 forces, to the integrity of the global financial system,
19 to the integrity of global nonproliferation programs,
20 and to the people of North Korea.

21 (11) The Congress seeks, through this legisla-
22 tion, to use nonmilitary means to address this crisis,
23 to provide diplomatic leverage to negotiate necessary
24 changes in North Korea's conduct, and to ease the
25 suffering of the people of North Korea.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) **APPLICABLE EXECUTIVE ORDER.**—The
4 term “applicable Executive order” means—

5 (A) Executive Order 13382 (2005), 13466
6 (2008), 13551 (2010), or 13570 (2011), to the
7 extent that such Executive order authorizes the
8 imposition of sanctions on persons for conduct,
9 or prohibits transactions or activities, involving
10 the Government of North Korea; or

11 (B) any Executive order adopted on or
12 after the date of the enactment of this Act, to
13 the extent that such Executive order authorizes
14 the imposition of sanctions on persons for con-
15 duct, or prohibits transactions or activities, in-
16 volving the Government of North Korea.

17 (2) **APPLICABLE UNITED NATIONS SECURITY**
18 **COUNCIL RESOLUTION.**—The term “applicable
19 United Nations Security Council resolution”
20 means—

21 (A) United Nations Security Council Reso-
22 lution 1695 (2006), 1718 (2006), 1874 (2009),
23 2087 (2013), or 2094 (2013); or

24 (B) any United Nations Security Council
25 resolution adopted on or after the date of the
26 enactment of this Act, to the extent that such

1 resolution authorizes the imposition of sanctions
2 on persons for conduct, or prohibits trans-
3 actions or activities, involving the Government
4 of North Korea.

5 (3) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) the Committee on Foreign Affairs and
9 the Committee on Financial Services of the
10 House of Representatives; and

11 (B) the Committee on Foreign Relations
12 and the Committee on Banking, Housing, and
13 Urban Affairs of the Senate.

14 (4) DESIGNATED PERSON.—The term “des-
15 ignated person” means a person designated under
16 subsection (a) or (b) of section 104 for purposes of
17 applying one or more of the sanctions described in
18 title I or II of this Act with respect to the person.

19 (5) GOVERNMENT OF NORTH KOREA.—The
20 term “Government of North Korea” means—

21 (A) the Government of the Democratic
22 People’s Republic of Korea or any political sub-
23 division, agency, or instrumentality thereof; and

1 (B) any person owned or controlled by, or
2 acting for or on behalf of, the Government of
3 the Democratic People’s Republic of Korea.

4 (6) INTERNATIONAL TERRORISM.—The term
5 “international terrorism” has the meaning given
6 such term in section 140(d) of the Foreign Relations
7 Authorization Act, Fiscal Years 1988 and 1989 (22
8 U.S.C. 2656f(d)).

9 (7) LUXURY GOODS.—The term “luxury goods”
10 has the meaning given such term in subpart 746.4
11 of title 15, Code of Federal Regulations, and in-
12 cludes the items listed in Supplement No. 1 to such
13 regulation, and any similar items.

14 (8) MONETARY INSTRUMENT.—The term “mon-
15 etary instrument” has the meaning given such term
16 under section 5312 of title 31, United States Code.

17 (9) NORTH KOREAN FINANCIAL INSTITUTION.—
18 The term “North Korean financial institution”
19 means—

20 (A) a financial institution organized under
21 the laws of North Korea or any jurisdiction
22 within North Korea (including a foreign branch
23 of such institution);

24 (B) any financial institution located in
25 North Korea, except as may be excluded from

1 such definition by the President in accordance
2 with section 207(d);

3 (C) any financial institution, wherever lo-
4 cated, owned or controlled by the Government
5 of North Korea; and

6 (D) any financial institution, wherever lo-
7 cated, owned or controlled by a financial insti-
8 tution described in subparagraph (A), (B), or
9 (C).

10 (10) OTHER STORES OF VALUE.—The term
11 “other stores of value” means—

12 (A) prepaid access devices, tangible or in-
13 tangible prepaid access devices, or other instru-
14 ments or devices for the storage or transmission
15 of value, as defined in part 1010 of title 31,
16 Code of Federal Regulations; and

17 (B) any covered goods, as defined in sec-
18 tion 1027.100 of title 31, Code of Federal Reg-
19 ulations, and any instrument or tangible or in-
20 tangible access device used for the storage and
21 transmission of a representation of covered
22 goods.

23 (11) PERSON.—The term “person” has the
24 meaning given that term in section 510.306 of title
25 31, Code of Federal Regulations.

1 **TITLE I—INVESTIGATIONS, PRO-**
2 **HIBITED CONDUCT, AND PEN-**
3 **ALTIES**

4 **SEC. 101. STATEMENT OF POLICY.**

5 In order to achieve the peaceful disarmament of
6 North Korea, Congress finds that it is necessary—

7 (1) to encourage all states to fully and promptly
8 implement United Nations Security Council Resolu-
9 tion 2094 (2013);

10 (2) to sanction the persons, including financial
11 institutions, that facilitate proliferation, illicit activi-
12 ties, arms trafficking, imports of luxury goods, seri-
13 ous human rights abuses, cash smuggling, and cen-
14 sorship by the Government of North Korea;

15 (3) to authorize the President to sanction per-
16 sons who fail to exercise due diligence to ensure that
17 such financial institutions and jurisdictions do not
18 facilitate proliferation, arms trafficking, kleptocracy,
19 and imports of luxury goods by the Government of
20 North Korea;

21 (4) to deny the Government of North Korea ac-
22 cess to the funds it uses to obtain nuclear weapons,
23 ballistic missiles, and luxury goods instead of pro-
24 viding for the needs of its people; and

1 (5) to enforce sanctions in a manner that
2 avoids any adverse humanitarian impact on the peo-
3 ple of North Korea.

4 **SEC. 102. INVESTIGATIONS.**

5 The President shall initiate an investigation into the
6 possible designation of a person under section 104(a) upon
7 receipt by the President of credible information indicating
8 that such person has engaged in conduct described in sec-
9 tion 104(a).

10 **SEC. 103. BRIEFING TO CONGRESS.**

11 Not later than 180 days after the date of the enact-
12 ment of this Act, and periodically thereafter, the President
13 shall provide to the appropriate congressional committees
14 a briefing on efforts to implement this Act, to include the
15 following, to the extent the information is available:

16 (1) The principal foreign assets and sources of
17 foreign income of the Government of North Korea.

18 (2) A list of the persons designated under sub-
19 sections (a) and (b) of section 104.

20 (3) A list of the persons with respect to which
21 sanctions were waived or removed under section 207.

22 (4) A summary of any diplomatic efforts made
23 in accordance with section 202(b) and of the
24 progress realized from such efforts, including efforts
25 to encourage the European Union and other states

1 and jurisdictions to sanction and block the assets of
2 the Foreign Trade Bank of North Korea and
3 Daedong Credit Bank.

4 **SEC. 104. PROHIBITED CONDUCT AND MANDATORY AND**
5 **DISCRETIONARY DESIGNATION AND SANC-**
6 **TIONS AUTHORITIES.**

7 (a) PROHIBITED CONDUCT AND MANDATORY DES-
8 IGNATION AND SANCTIONS AUTHORITY.—

9 (1) CONDUCT DESCRIBED.—Except as provided
10 in section 207 the President shall designate under
11 this subsection any person the President determines
12 to—

13 (A) have knowingly engaged in significant
14 activities or transactions with the Government
15 of North Korea that have materially contrib-
16 uted to the proliferation of weapons of mass de-
17 struction or their means of delivery (including
18 missiles capable of delivering such weapons), in-
19 cluding any efforts to manufacture, acquire,
20 possess, develop, transport, transfer or use such
21 items, by any person or foreign country;

22 (B) have knowingly imported, exported, or
23 reexported to, into, or from North Korea any
24 arms or related materiel, whether directly or in-
25 directly;

1 (C) have knowingly provided significant
2 training, advice, or other services or assistance,
3 or engaged in transactions, related to the man-
4 ufacture, maintenance, or use of any arms or
5 related materiel to be imported, exported, or re-
6 exported to, into, or from North Korea, or fol-
7 lowing their importation, exportation, or re-
8 exportation to, into, or from North Korea,
9 whether directly or indirectly;

10 (D) have knowingly, directly or indirectly,
11 imported, exported, or reexported significant
12 luxury goods to or into North Korea;

13 (E) have knowingly engaged in or been re-
14 sponsible for censorship by the Government of
15 North Korea, including prohibiting, limiting, or
16 penalizing the exercise of freedom of expression
17 or assembly, limiting access to print or broad-
18 cast media, or the facilitation or support of in-
19 tentional frequency manipulation that would
20 jam or restrict an international signal;

21 (F) have knowingly engaged in or been re-
22 sponsible for serious human rights abuses by
23 the Government of North Korea, including tor-
24 ture or cruel, inhuman, or degrading treatment
25 or punishment, prolonged detention without

1 charges and trial, causing the disappearance of
2 persons by the abduction and clandestine deten-
3 tion of those persons, and other denial of the
4 right to life, liberty, or the security of a person;

5 (G) have knowingly, directly or indirectly,
6 engaged in significant acts of money laun-
7 dering, the counterfeiting of goods or currency,
8 bulk cash smuggling, narcotics trafficking, or
9 other illicit activity that involves or supports the
10 Government of North Korea or any senior offi-
11 cial thereof, whether directly or indirectly; or

12 (H) have knowingly attempted to engage in
13 any of the conduct described in subparagraphs
14 (A) through (G) in this paragraph.

15 (2) EFFECT OF DESIGNATION.—With respect to
16 any person designated under this subsection, the
17 President—

18 (A) shall exercise the authorities of the
19 International Emergency Economic Powers Act
20 (50 U.S.C. 1705 et seq.) without regard to sec-
21 tion 202 of such Act to block all property and
22 interests in property of any person designated
23 under this subsection that are in the United
24 States, that hereafter come within the United
25 States, or that are or hereafter come within the

1 possession or control of any United States per-
2 son, including any overseas branch; and

3 (B) may apply any of the sanctions de-
4 scribed in section 204.

5 (3) PENALTIES.—The penalties provided for in
6 section 206 of the International Emergency Eco-
7 nomic Powers Act (50 U.S.C. 1705) shall apply to
8 a person who violates, attempts to violate, conspires
9 to violate, or causes a violation of any prohibition of
10 this subsection, or of an order or regulation pre-
11 scribed under this Act, to the same extent that such
12 penalties apply to a person that commits an unlaw-
13 ful act described in section 206(a) of that Act (50
14 U.S.C. 1705(a)).

15 (b) DISCRETIONARY DESIGNATION AND SANCTIONS
16 AUTHORITY.—

17 (1) CONDUCT DESCRIBED.—Except as provided
18 in section 207, the President may designate under
19 this subsection any person the President determines
20 to—

21 (A) have knowingly engaged in, contrib-
22 uted to, assisted, sponsored, or provided finan-
23 cial, material or technological support for, or
24 goods and services in support of, any violation

1 of, or evasion of, an applicable United Nations
2 Security Council resolution;

3 (B) have knowingly facilitated the transfer
4 of any funds, financial assets, or economic re-
5 sources of, or property or interests in property
6 of a person designated under an applicable Ex-
7 ecutive order, or by the United Nations Secu-
8 rity Council pursuant to an applicable United
9 Nations Security Council resolution;

10 (C) have knowingly facilitated the transfer
11 of any funds, financial assets, or economic re-
12 sources, or any property or interests in property
13 derived from, involved in, or that has materially
14 contributed to conduct prohibited by an applica-
15 ble United Nations Security Council resolution;

16 (D) have knowingly facilitated any trans-
17 action that contributes materially to a violation
18 of an applicable United Nations Security Coun-
19 cil resolution;

20 (E) have knowingly facilitated any trans-
21 actions in cash or monetary instruments or
22 other stores of value, including through cash
23 couriers transiting to or from North Korea,
24 used to facilitate any conduct prohibited by an

1 applicable United Nations Security Council res-
2 olution;

3 (F) have knowingly contributed to the
4 bribery of an official of the Government of
5 North Korea, the misappropriation, theft, or
6 embezzlement of public funds by, or for the
7 benefit of, an official of the Government of
8 North Korea, or the use of any proceeds of any
9 such conduct; or

10 (G) have knowingly and materially as-
11 sisted, sponsored, or provided financial, mate-
12 rial, or technological support for, or goods or
13 services to or in support of, the conduct de-
14 scribed in subparagraphs (A) through (F) of
15 this paragraph or the conduct described in sub-
16 paragraphs (A) through (G) of subsection
17 (a)(1).

18 (2) EFFECT OF DESIGNATION.—With respect to
19 any person designated under this subsection, the
20 President—

21 (A) may apply the sanctions described in
22 section 204;

23 (B) may apply any of the special measures
24 described in section 5318A of title 31, United
25 States Code;

1 (C) may prohibit any transactions in for-
2 eign exchange that are subject to the jurisdic-
3 tion of the United States and in which such
4 person has any interest;

5 (D) may prohibit any transfers of credit or
6 payments between financial institutions or by,
7 through, or to any financial institution, to the
8 extent that such transfers or payments are sub-
9 ject to the jurisdiction of the United States and
10 involve any interest of the person; and

11 (E) may exercise the authorities of the
12 International Emergency Economic Powers Act
13 (50 U.S.C. 1705 et seq.) without regard to sec-
14 tion 202 of such Act to block any property and
15 interests in property of the person that are in
16 the United States, that hereafter come within
17 the United States, or that are or hereafter come
18 within the possession or control of any United
19 States person, including any overseas branch.

20 (c) BLOCKING OF ALL PROPERTY AND INTERESTS
21 IN PROPERTY OF THE GOVERNMENT OF NORTH
22 KOREA.—The President shall exercise the authorities of
23 the International Emergency Economic Powers Act (50
24 U.S.C. 1705 et seq.) without regard to section 202 of such
25 Act to block all property and interests in property of the

1 Government of North Korea that are in the United States,
2 that hereafter come within the United States, or that are
3 or hereafter come within the possession or control of any
4 United States person, including any overseas branch.

5 (d) APPLICATION.—The designation of a person and
6 the blocking of property under subsection (a), (b), or (c)
7 shall also apply with respect to a person who is determined
8 to be owned or controlled by, or to have acted or purported
9 to act for or on behalf of, directly or indirectly, any person
10 whose property and interests in property are blocked pur-
11 suant to this section.

12 (e) TRANSACTION LICENSING.—The President shall
13 deny or revoke any license for any transaction that, in the
14 determination of the President, lacks sufficient financial
15 controls to ensure that such transaction will not facilitate
16 any of the conduct described in subsection (a) or sub-
17 section (b).

18 **SEC. 105. FORFEITURE OF PROPERTY.**

19 (a) AMENDMENT TO PROPERTY SUBJECT TO FOR-
20 FEITURE.—Section 981(a)(1) of title 18, United States
21 Code, is amended by adding at the end the following new
22 subparagraph:

23 “(I) Any property, real or personal, that is in-
24 volved in a violation or attempted violation, or which
25 constitutes or is derived from proceeds traceable to

1 a violation, of section 104(a) of the North Korea
2 Sanctions Enforcement Act of 2014.”.

3 (b) AMENDMENT TO DEFINITION OF CIVIL FOR-
4 FEITURE STATUTE.—Section 983(i)(2)(D) of title 18,
5 United States Code, is amended—

6 (1) by striking “or the International Emergency
7 Economic Powers Act” and inserting “, the Inter-
8 national Emergency Economic Powers Act”; and

9 (2) by adding at the end before the semicolon
10 the following: “, or the North Korea Sanctions En-
11 forcement Act of 2014”.

12 (c) AMENDMENT TO DEFINITION OF SPECIFIED UN-
13 LAWFUL ACTIVITY.—Section 1956(e)(7)(D) of title 18,
14 United States Code, is amended—

15 (1) by striking “or section 92 of the Atomic
16 Energy Act of 1954” and inserting “section 92 of
17 the Atomic Energy Act of 1954”; and

18 (2) by adding at the end the following: “, or
19 section 104(a) of the North Korea Sanctions En-
20 forcement Act of 2014”.

1 **TITLE II—SANCTIONS AGAINST**
2 **NORTH KOREAN PROLIFERA-**
3 **TION, HUMAN RIGHTS**
4 **ABUSES, AND ILLICIT ACTIVI-**
5 **TIES**

6 **SEC. 201. DETERMINATIONS WITH RESPECT TO NORTH**
7 **KOREA AS A JURISDICTION OF PRIMARY**
8 **MONEY LAUNDERING CONCERN.**

9 (a) FINDINGS.—Congress makes the following find-
10 ings:

11 (1) The Undersecretary of the Treasury for
12 Terrorism and Financial Intelligence, who is respon-
13 sible for safeguarding the financial system against il-
14 licit use, money laundering, terrorist financing, and
15 the proliferation of weapons of mass destruction, has
16 repeatedly expressed concern about North Korea’s
17 misuse of the international financial system as fol-
18 lows:

19 (A) In 2006, the Undersecretary stated
20 that, given North Korea’s “counterfeiting of
21 U.S. currency, narcotics trafficking and use of
22 accounts worldwide to conduct proliferation-re-
23 lated transactions, the line between illicit and
24 licit North Korean money is nearly invisible”
25 and urged financial institutions worldwide to

1 “think carefully about the risks of doing any
2 North Korea-related business.”.

3 (B) In 2011, the Undersecretary stated
4 that “North Korea remains intent on engaging
5 in proliferation, selling arms as well as bringing
6 in material,” and was “aggressively pursuing
7 the effort to establish front companies.”.

8 (C) In 2013, the Undersecretary stated, in
9 reference to North Korea’s distribution of high-
10 quality counterfeit United States currency, that
11 “North Korea is continuing to try to pass a
12 supernote into the international financial sys-
13 tem,” and that the Department of the Treasury
14 would soon introduce new currency with im-
15 proved security features to protect against
16 counterfeiting by the Government of North
17 Korea.

18 (2) The Financial Action Task Force, an inter-
19 governmental body whose purpose is to develop and
20 promote national and international policies to com-
21 bat money laundering and terrorist financing, has
22 repeatedly—

23 (A) expressed concern at deficiencies in
24 North Korea’s regimes to combat money laun-
25 dering and terrorist financing;

1 (B) urged North Korea to adopt a plan of
2 action to address significant deficiencies in
3 these regimes and the serious threat they pose
4 to the integrity of the international financial
5 system;

6 (C) urged all jurisdictions to apply coun-
7 termeasures to protect the international finan-
8 cial system from ongoing and substantial money
9 laundering and terrorist financing risks ema-
10 nating from North Korea;

11 (D) urged all jurisdictions to advise their
12 financial institutions to give special attention to
13 business relationships and transactions with
14 North Korea, including North Korean compa-
15 nies and financial institutions; and

16 (E) called on all jurisdictions to protect
17 against correspondent relationships being used
18 to bypass or evade countermeasures and risk
19 mitigation practices, and take into account
20 money laundering and terrorist financing risks
21 when considering requests by North Korean fi-
22 nancial institutions to open branches and sub-
23 sidiaries in their jurisdiction.

1 (3) On March 7, 2013, the United Nations Se-
2 curity Council unanimously adopted Resolution
3 2094, which—

4 (A) welcomed the Financial Action Task
5 Force’s recommendation on financial sanctions
6 related to proliferation, and its guidance on the
7 implementation of sanctions;

8 (B) decided that Member States should
9 apply enhanced monitoring and other legal
10 measures to prevent the provision of financial
11 services or the transfer of property that could
12 contribute to activities prohibited by applicable
13 United Nations Security Council resolutions;
14 and

15 (C) called on Member States to prohibit
16 North Korean banks from establishing or main-
17 taining correspondent relationships with banks
18 in their jurisdictions, to prevent the provision of
19 financial services, if they have information that
20 provides reasonable grounds to believe that
21 these activities could contribute to activities
22 prohibited by an applicable United Nations Se-
23 curity Council resolution, or to the evasion of
24 such prohibitions.

1 (b) SENSE OF CONGRESS REGARDING THE DESIGNA-
2 TION OF NORTH KOREA AS A JURISDICTION OF PRIMARY
3 MONEY LAUNDERING CONCERN.—Congress—

4 (1) acknowledges the efforts of the United Na-
5 tions Security Council to impose limitations on, and
6 require enhanced monitoring of, transactions involv-
7 ing North Korean financial institutions that could
8 contribute to sanctioned activities;

9 (2) urges the President, in the strongest terms,
10 to consider immediately designating North Korea as
11 a jurisdiction of primary money laundering concern,
12 and to adopt stringent special measures to safeguard
13 the financial system against the risks posed by
14 North Korea's willful evasion of sanctions and its il-
15 licit activities; and

16 (3) urges the President to seek the prompt im-
17 plementation by other states of enhanced monitoring
18 and due diligence to prevent North Korea's misuse
19 of the international financial system, including by
20 sharing information about activities, transactions,
21 and property that could contribute to activities sanc-
22 tioned by applicable United Nations Security Council
23 resolutions, or to the evasion of sanctions.

24 (c) DETERMINATIONS REGARDING NORTH KOREA.—

1 (1) IN GENERAL.—The Secretary of the Treas-
2 ury shall, not later than 180 days after the date of
3 the enactment of this Act, determine, in consultation
4 with the Secretary of State and Attorney General,
5 and in accordance with section 5318A of title 31,
6 United States Code, whether reasonable grounds
7 exist for concluding that North Korea is a jurisdic-
8 tion of primary money laundering concern.

9 (2) ENHANCED DUE DILIGENCE AND REPORT-
10 ING REQUIREMENTS.—Except as provided in section
11 207, if the Secretary of the Treasury determines
12 under this subsection that reasonable grounds exist
13 for finding that North Korea is a jurisdiction of pri-
14 mary money laundering concern, the Secretary of
15 the Treasury, in consultation with the Federal func-
16 tional regulators, shall impose one or more of the
17 special measures described in paragraphs (1)
18 through (5) of section 5318A(b) of title 31, United
19 States Code, with respect to the jurisdiction of
20 North Korea.

21 (3) REPORT REQUIRED.—

22 (A) IN GENERAL.—The Secretary of the
23 Treasury shall, not later than 180 days after
24 the enactment of this Act, and for each of the
25 3 calendar years thereafter, submit to the ap-

1 appropriate congressional committees a report on
2 the determination made under subsection (e)(1)
3 together with the reasons for that determina-
4 tion.

5 (B) FORM.—A report or copy of any re-
6 port submitted under this paragraph shall be
7 submitted in unclassified form but may contain
8 a classified annex.

9 **SEC. 202. ENSURING THE CONSISTENT ENFORCEMENT OF**
10 **UNITED NATIONS SECURITY COUNCIL RESO-**
11 **LUTIONS AND FINANCIAL RESTRICTIONS ON**
12 **NORTH KOREA.**

13 (a) FINDINGS.—Congress finds that—

14 (1) all states and jurisdictions are obligated to
15 implement and enforce applicable United Nations
16 Security Council resolutions fully and promptly, in-
17 cluding by—

18 (A) blocking the property of, and ensuring
19 that any property is prevented from being made
20 available to, persons designated by the Security
21 Council under applicable United Nations Secu-
22 rity Council resolutions;

23 (B) blocking any property associated with
24 an activity prohibited by applicable United Na-
25 tions Security Council resolutions; and

1 (C) preventing any transfer of property
2 and any provision of financial services that
3 could contribute to an activity prohibited by ap-
4 plicable United Nations Security Council resolu-
5 tions, or to the evasion of sanctions under such
6 resolutions;

7 (2) all states and jurisdictions share a common
8 interest in protecting the international financial sys-
9 tem from the risks of money laundering and illicit
10 transactions emanating from North Korea;

11 (3) the United States Dollar and the Euro are
12 the world's principal reserve currencies, and the
13 United States and the European Union are pri-
14 marily responsible for the protection of the inter-
15 national financial system from these risks;

16 (4) the cooperation of the People's Republic of
17 China, as North Korea's principal trading partner,
18 is essential to the enforcement of applicable United
19 Nations Security Council resolutions and to the pro-
20 tection of the international financial system;

21 (5) the report of the Panel of Experts estab-
22 lished pursuant to United Nations Security Council
23 Resolution 1874, dated June 11, 2013, expressed
24 concern about the ability of banks in states with less
25 effective regulators and those unable to afford effec-

1 tive compliance to detect and prevent illicit transfers
2 involving North Korea;

3 (6) North Korea has historically exploited in-
4 consistencies between jurisdictions in the interpreta-
5 tion and enforcement of financial regulations and
6 applicable United Nations Security Council resolu-
7 tions to circumvent sanctions and launder the pro-
8 ceeds of illicit activities;

9 (7) Amrogang Development Bank, Bank of
10 East Land, and Tanchon Commercial Bank have
11 been designated by the Secretary of the Treasury,
12 the United Nations Security Council, and the Euro-
13 pean Union;

14 (8) Korea Daesong Bank and Korea Kwangson
15 Banking Corporation have been designated by the
16 Secretary of the Treasury and the European Union;

17 (9) the Foreign Trade Bank of North Korea
18 has been designated by the Secretary of the Treas-
19 ury for facilitating transactions on behalf of persons
20 linked to its proliferation network, and for serving as
21 “a key financial node”; and

22 (10) Daedong Credit Bank has been designated
23 by the Secretary of the Treasury for activities pro-
24 hibited by applicable United Nations Security Coun-
25 cil resolutions, including the use of deceptive finan-

1 cial practices to facilitate transactions on behalf of
2 persons linked to North Korea's proliferation net-
3 work.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the President should intensify diplomatic ef-
6 forts, both in appropriate international fora such as the
7 United Nations and bilaterally, to develop and implement
8 a coordinated, consistent, multilateral strategy for pro-
9 tecting the global financial system against risks emanating
10 from North Korea, including—

11 (1) the cessation of any financial services whose
12 continuation is inconsistent with applicable United
13 Nations Security Council resolutions;

14 (2) the cessation of any financial services to
15 persons, including financial institutions, that present
16 unacceptable risks of facilitating money laundering
17 and illicit activity by the Government of North
18 Korea;

19 (3) the blocking by all states and jurisdictions,
20 in accordance with the legal process of the state or
21 jurisdiction in which the property is held, of any
22 property required to be blocked under applicable
23 United Nations Security Council resolutions; and

24 (4) the blocking of any property derived from il-
25 licit activity, or from the misappropriation, theft, or

1 embezzlement of public funds by, or for the benefit
2 of, officials of the Government of North Korea.

3 **SEC. 203. PROLIFERATION PREVENTION SANCTIONS.**

4 (a) EXPORT OF CERTAIN GOODS OR TECHNOLOGY.—

5 (1) IN GENERAL.—Subject to section
6 207(a)(2)(C) of this Act, a license shall be required
7 for the export to North Korea of any goods or tech-
8 nology subject to the Export Administration Regula-
9 tions (part 730 of title 15, Code of Federal Regula-
10 tions) without regard to whether the Secretary of
11 State has designated North Korea as a country the
12 government of which has provided support for acts
13 of international terrorism, as determined by the Sec-
14 retary of State under section 6(j) of the Export Ad-
15 ministration Act of 1979 (50 U.S.C. App. 2045), as
16 continued in effect under the International Emer-
17 gency Economic Powers Act.

18 (2) PRESUMPTION OF DENIAL.—A license for
19 the export to North Korea of any goods or tech-
20 nology as described in subsection (a) shall be subject
21 to a presumption of denial.

22 (b) TRANSACTIONS WITH COUNTRIES SUPPORTING
23 ACTS OF INTERNATIONAL TERRORISM.—The prohibitions
24 and restrictions described in section 40 of the Arms Ex-
25 port Control Act (22 U.S.C. 2780), as well as other provi-

1 sions in that Act, shall also apply to exporting or otherwise
2 providing (by sale, lease or loan, grant, or other means),
3 directly or indirectly, any munitions item to the Govern-
4 ment of North Korea without regard to whether or not
5 North Korea is a country with respect to which subsection
6 (d) of such section (relating to designation of state spon-
7 sors of terrorism) applies.

8 (c) TRANSACTIONS IN LETHAL MILITARY EQUIP-
9 MENT.—

10 (1) IN GENERAL.—The President shall withhold
11 assistance under the Foreign Assistance Act of 1961
12 (22 U.S.C. 2151 et seq.) to any country that pro-
13 vides lethal military equipment to, or receives lethal
14 military equipment from, the Government of North
15 Korea.

16 (2) APPLICABILITY.—The prohibition under
17 this subsection with respect to a foreign government
18 shall terminate on the date that is 1 year after the
19 date on which such foreign government ceases to
20 provide lethal military equipment to the Government
21 of North Korea.

22 (3) WAIVER.—The President may waive the
23 prohibition under this subsection with respect to a
24 country if the President determines that it is in the
25 national interest of the United States to do so.

1 **SEC. 204. PROCUREMENT SANCTIONS.**

2 (a) IN GENERAL.—Except as provided in this section,
3 the United States Government may not procure, or enter
4 into any contract for the procurement of, any goods or
5 services from any designated person.

6 (b) FAR.—The Federal Acquisition Regulation
7 issued pursuant to section 1303 of title 41, United States
8 Code, shall be revised to require a certification from each
9 person that is a prospective contractor that such person
10 does not engage in any of the conduct described in section
11 104(a). Such revision shall apply with respect to contracts
12 in an amount greater than the simple acquisition threshold
13 (as defined in section 134 of title 41, United States Code)
14 for which solicitations are issued on or after the date that
15 is 90 days after the date of the enactment of this Act.

16 (c) TERMINATION OF CONTRACTS AND INITIATION
17 OF SUSPENSION AND DEBARMENT PROCEEDING.—

18 (1) TERMINATION OF CONTRACTS.—Except as
19 provided in paragraph (2), the head of an executive
20 agency shall terminate a contract with a person who
21 has provided a false certification under subsection
22 (b).

23 (2) WAIVER.—The head of an executive agency
24 may waive the requirement under paragraph (1)
25 with respect to a person based upon a written find-
26 ing of urgent and compelling circumstances signifi-

1 cantly affecting the interests of the United States. If
2 the head of an executive agency waives the require-
3 ment under paragraph (1) for a person, the head of
4 the agency shall submit to the appropriate congress-
5 sional committees, within 30 days after the waiver is
6 made, a report containing the rationale for the waiv-
7 er and relevant information supporting the waiver
8 decision.

9 (3) INITIATION OF SUSPENSION AND DEBAR-
10 MENT PROCEEDING.—The head of an executive
11 agency shall initiate a suspension and debarment
12 proceeding against a person who has provided a
13 false certification under subsection (b). Upon deter-
14 mination of suspension, debarment, or proposed de-
15 barment, the agency shall ensure that such person
16 is entered into the Government-wide database con-
17 taining the list of all excluded parties ineligible for
18 Federal programs pursuant to Executive Order
19 12549 (31 U.S.C. 6101 note; relating to debarment
20 and suspension) and Executive Order 12689 (31
21 U.S.C. 6101 note; relating to debarment and sus-
22 pension).

23 (d) CLARIFICATION REGARDING CERTAIN PROD-
24 UCTS.—The remedies specified in subsections (a) through
25 (c) shall not apply with respect to the procurement of eligi-

1 ble products, as defined in section 308(4) of the Trade
2 Agreements Act of 1979 (19 U.S.C. 2518(4)), of any for-
3 eign country or instrumentality designated under section
4 301(b) of such Act (19 U.S.C. 2511(b)).

5 (e) **RULE OF CONSTRUCTION.**—Nothing in this sub-
6 section may be construed to limit the use of other remedies
7 available to the head of an executive agency or any other
8 official of the Federal Government on the basis of a deter-
9 mination of a false certification under subsection (b).

10 (f) **EXECUTIVE AGENCY DEFINED.**—In this section,
11 the term “executive agency” has the meaning given such
12 term in section 133 of title 41, United States Code.

13 **SEC. 205. ENHANCED INSPECTIONS AUTHORITIES.**

14 (a) **BRIEFING REQUIRED.**—Not later than 180 days
15 after the date of the enactment of this Act, and every 180
16 days thereafter, the President, acting through the Sec-
17 retary of Homeland Security, shall provide to the appro-
18 priate congressional committees, the Committee on Home-
19 land Security of the House of Representatives, and the
20 Committee on Homeland Security and Governmental Af-
21 fairs of the Senate, a briefing identifying foreign sea ports
22 and airports whose inspections of ships, aircraft, and con-
23 veyances originating in North Korea, carrying North Ko-
24 rean property, or operated by the Government of North

1 Korea are deficient to effectively prevent the facilitation
2 of any of the activities described in section 104(a).

3 (b) ENHANCED SECURITY TARGETING REQUIRE-
4 MENTS.—Not later than 180 days after the identification
5 of any sea port or airport pursuant to subsection (a), the
6 Secretary of Homeland Security shall promulgate regula-
7 tions imposing enhanced physical inspection requirements,
8 as identified by the Automated Targeting System operated
9 by the National Targeting Center in U.S. Customs and
10 Border Protection, on any cargo landed in the United
11 States that has been transported through such sea port
12 or airport.

13 (c) SEIZURE AND FORFEITURE.—A vessel, aircraft,
14 or conveyance used to facilitate any of the activities de-
15 scribed in section 104(a) that comes within the jurisdic-
16 tion of the United States may be seized and forfeited
17 under chapter 46 of title 18, United States Code, or under
18 the Tariff Act of 1930 and the proceeds of any such for-
19 feiture shall be available for the purposes described in sec-
20 tion 403.

21 **SEC. 206. TRAVEL SANCTIONS.**

22 (a) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR
23 PAROLE.—

24 (1) VISAS, ADMISSION, OR PAROLE.—An alien
25 who the Secretary of State or the Secretary of

1 Homeland Security (or a designee of one of such
2 Secretaries) knows, or has reasonable grounds to be-
3 lieve, is described in subsection (a)(1) or (b)(1) of
4 section 104 is—

5 (A) inadmissible to the United States;

6 (B) ineligible to receive a visa or other doc-
7 umentation to enter the United States; and

8 (C) otherwise ineligible to be admitted or
9 paroled into the United States or to receive any
10 other benefit under the Immigration and Na-
11 tionality Act (8 U.S.C. 1101 et seq.).

12 (2) CURRENT VISAS REVOKED.—

13 (A) IN GENERAL.—The issuing consular
14 officer, the Secretary of State, or the Secretary
15 of Homeland Security (or a designee of one of
16 such Secretaries) shall revoke any visa or other
17 entry documentation issued to an alien who is
18 described in subsection (a)(1) or (b)(1) of sec-
19 tion 104 regardless of when issued.

20 (B) EFFECT OF REVOCATION.—A revoca-
21 tion under subparagraph (A)—

22 (i) shall take effect immediately; and

23 (ii) shall automatically cancel any
24 other valid visa or entry documentation
25 that is in the alien's possession.

1 (b) EXCEPTION TO COMPLY WITH UNITED NATIONS
2 HEADQUARTERS AGREEMENT.—Sanctions under sub-
3 section (a)(1)(B) shall not apply to an alien if admitting
4 the alien into the United States is necessary to permit the
5 United States to comply with the Agreement regarding the
6 Headquarters of the United Nations, signed at Lake Suc-
7 cess June 26, 1947, and entered into force November 21,
8 1947, between the United Nations and the United States,
9 or other applicable international obligations.

10 **SEC. 207. EXEMPTIONS, WAIVERS, AND REMOVALS OF DES-**
11 **IGNATION.**

12 (a) EXEMPTIONS.—

13 (1) MANDATORY EXEMPTIONS.—The following
14 activities shall be exempt from sanctions under sec-
15 tion 104:

16 (A) Activities subject to the reporting re-
17 quirements of title V of the National Security
18 Act of 1947 (50 U.S.C. 413 et seq.), or to any
19 authorized intelligence activities of the United
20 States.

21 (B) Any transaction necessary to comply
22 with United States obligations under the Agree-
23 ment between the United Nations and the
24 United States of America regarding the Head-
25 quarters of the United Nations, signed June

1 26, 1947, and entered into force on November
2 21, 1947, or under the Vienna Convention on
3 Consular Relations, signed April 24, 1963, and
4 entered into force on March 19, 1967, or under
5 other international agreements.

6 (2) DISCRETIONARY EXEMPTIONS.—The fol-
7 lowing activities may be exempt from sanctions
8 under section 104 as determined by the President:

9 (A) Any financial transaction the exclusive
10 purpose for which is to provide humanitarian
11 assistance to the people of North Korea.

12 (B) Any financial transaction the exclusive
13 purpose for which is to import food products
14 into North Korea, if such food items are not de-
15 fined as luxury goods.

16 (C) Any transaction the exclusive purpose
17 for which is to import agricultural products,
18 medicine, or medical devices into North Korea,
19 provided that such supplies or equipment are
20 classified as designated “EAR 99” under the
21 Export Administration Regulations (part 730 of
22 title 15, Code of Federal Regulations) and not
23 controlled under—

24 (i) the Export Administration Act of
25 1979 (50 U.S.C. App. 2401 et seq.), as

1 continued in effect under the International
2 Emergency Economic Powers Act (50
3 U.S.C. 1701 et seq.);

4 (ii) the Arms Export Control Act (22
5 U.S.C. 2751 et seq.);

6 (iii) part B of title VIII of the Nu-
7 clear Proliferation Prevention Act of 1994
8 (22 U.S.C. 6301 et seq.); or

9 (iv) the Chemical and Biological
10 Weapons Control and Warfare Elimination
11 Act of 1991 (22 U.S.C. 5601 et seq.).

12 (b) WAIVER.—The President may waive, on a case-
13 by-case basis, the imposition of sanctions for a period of
14 not more than one year, and may renew that waiver for
15 additional periods of not more than one year, any sanction
16 or other measure under section 104, 204, 205, 206, or
17 303 if the President submits to the appropriate congres-
18 sional committees a written determination that the waiver
19 meets one or more of the following requirements:

20 (1) The waiver is important to the economic or
21 national security interests of the United States.

22 (2) The waiver will further the enforcement of
23 this Act or is for an important law enforcement pur-
24 pose.

1 (3) The waiver is for an important humani-
2 tarian purpose, including any of the purposes de-
3 scribed in section 4 of the North Korean Human
4 Rights Act of 2004 (22 U.S.C. 7802).

5 (c) REMOVALS OF SANCTIONS.—The President may
6 prescribe rules and regulations for the removal of sanc-
7 tions on a person that is designated under subsection (a)
8 or (b) of section 104 and the removal of designations of
9 a person with respect to such sanctions if the President
10 determines that the designated person has verifiably
11 ceased its participation in any of the conduct described
12 in subsection (a) or (b) of section 104, as the case may
13 be, and has given assurances that it will abide by the re-
14 quirements of this Act.

15 (d) FINANCIAL SERVICES FOR HUMANITARIAN AND
16 CONSULAR ACTIVITIES.—The President may promulgate
17 regulations, rules, and policies as may be necessary to fa-
18 cilitate the provision of financial services by a foreign fi-
19 nancial institution that is not controlled by the Govern-
20 ment of North Korea in support of the activities subject
21 to exemption under this section.

1 **TITLE III—PROMOTION OF**
2 **HUMAN RIGHTS**

3 **SEC. 301. INFORMATION TECHNOLOGY.**

4 Section 104 of the North Korean Human Rights Act
5 of 2004 (22 U.S.C. 7814) is amended by inserting after
6 subsection (c) the following new subsection:

7 “(d) INFORMATION TECHNOLOGY STUDY.—Not later
8 than 180 days after the date of the enactment of this sub-
9 section, the President shall submit to the appropriate con-
10 gressional committees a classified report setting forth a
11 detailed plan for making unrestricted, unmonitored, and
12 inexpensive electronic mass communications available to
13 the people of North Korea.”.

14 **SEC. 302. REPORT ON NORTH KOREAN PRISON CAMPS.**

15 (a) IN GENERAL.—The Secretary of State shall sub-
16 mit to the appropriate congressional committees a report
17 describing, with respect to each political prison camp in
18 North Korea to the extent information is available—

- 19 (1) the camp’s estimated prisoner population;
20 (2) the camp’s geographical coordinates;
21 (3) the reasons for confinement of the pris-
22 oners;
23 (4) the camp’s primary industries and products,
24 and the end users of any goods produced in such
25 camp;

1 (5) the natural persons and agencies respon-
2 sible for conditions in the camp;

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

7 (7) imagery, to include satellite imagery of each
8 such camp, in a format that, if published, would not
9 compromise the sources and methods used by the in-
10 telligence agencies of the United States to capture
11 geospatial imagery.

12 (b) FORM.—The report required under subsection (a)
13 may be included in the first report required to be sub-
14 mitted to Congress after the date of the enactment of this
15 Act under sections 116(d) and 502B(b) of the Foreign As-
16 sistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b))
17 (relating to the annual human rights report).

18 **SEC. 303. REPORT ON PERSONS WHO ARE RESPONSIBLE**
19 **FOR SERIOUS HUMAN RIGHTS ABUSES OR**
20 **CENSORSHIP IN NORTH KOREA.**

21 (a) IN GENERAL.—The Secretary of State shall sub-
22 mit to the appropriate congressional committees a report
23 that contains an identification of each person the Sec-
24 retary determines to be responsible for serious human
25 rights abuses or censorship in North Korea and a descrip-

1 tion of such abuses or censorship engaged in by such per-
2 son.

3 (b) CONSIDERATION.—In preparing the report re-
4 quired under subsection (a), the Secretary of State shall
5 give due consideration to the findings of the United Na-
6 tions Commission of Inquiry on Human Rights in North
7 Korea, and shall make specific findings with respect to
8 the responsibility of Kim Jong Un, and of each natural
9 person who is a member of the National Defense Commis-
10 sion of North Korea, for serious human rights abuses and
11 censorship.

12 (c) DESIGNATION OF PERSONS.—The President shall
13 designate under section 104(a) any person listed in the
14 report required under subsection (a) as responsible for se-
15 rious human rights abuses or censorship in North Korea.

16 (d) SUBMISSION AND FORM.—

17 (1) SUBMISSION.—The report required under
18 subsection (a) shall be submitted not later than 90
19 days after the date of the enactment of this Act, and
20 every 180 days thereafter for a period not to exceed
21 3 years, shall be included in each report required
22 under sections 116(d) and 502B(b) of the Foreign
23 Assistance Act of 1961 (22 U.S.C. 2151n(d) and
24 2304(b)) (relating to the annual human rights re-
25 port).

1 (2) FORM.—The report required under sub-
2 section (a) shall be submitted in unclassified form,
3 but may include a classified annex. The Secretary of
4 State shall also publish the unclassified part of the
5 report on the Department of State’s website.

6 **TITLE IV—GENERAL** 7 **AUTHORITIES**

8 **SEC. 401. SUSPENSION OF SANCTIONS AND OTHER MEAS-** 9 **URES.**

10 (a) IN GENERAL.—Any sanction or other measure re-
11 quired by title I, II, or III of this Act (or any amendment
12 made by title I, II, or III of this Act) may be suspended
13 for up to 365 days upon certification by the President to
14 the appropriate congressional committees that the Govern-
15 ment of North Korea has—

16 (1) verifiably ceased its counterfeiting of United
17 States currency, including the surrender or destruc-
18 tion of specialized materials and equipment used for
19 or particularly suitable for counterfeiting;

20 (2) taken significant steps toward financial
21 transparency to comply with generally accepted pro-
22 tocols to cease and prevent the laundering of mone-
23 tary instruments;

24 (3) taken significant steps toward verification
25 of its compliance with United Nations Security

1 Council Resolutions 1695, 1718, 1874, 2087, and
2 2094;

3 (4) taken significant steps toward accounting
4 for and repatriating the citizens of other countries
5 abducted or unlawfully held captive by the Govern-
6 ment of North Korea or detained in violation of the
7 1953 Armistice Agreement;

8 (5) accepted and begun to abide by internation-
9 ally recognized standards for the distribution and
10 monitoring of humanitarian aid;

11 (6) provided credible assurances that it will not
12 support further acts of international terrorism; and

13 (7) taken significant and verified steps to im-
14 prove living conditions in its political prison camps.

15 (b) RENEWAL OF SUSPENSION.—The suspension de-
16 scribed in subsection (a) may be renewed for additional
17 consecutive periods of 365 days upon certification by the
18 President to the appropriate congressional committees
19 that the Government of North Korea has continued to
20 comply with the conditions described in subsection (a) dur-
21 ing the previous year.

22 **SEC. 402. TERMINATION OF SANCTIONS AND OTHER MEAS-**
23 **URES.**

24 Any sanction or other measure required by title I, II,
25 or III of this Act (or any amendment made by title I, II,

1 or III of this Act) shall terminate on the date on which
2 the President determines and certifies to the appropriate
3 congressional committees that the Government of North
4 Korea has met the requirements of section 401, and has
5 also—

6 (1) completely, verifiably, and irreversibly dis-
7 mantled all of its nuclear, chemical, biological, and
8 radiological weapons programs, including all pro-
9 grams for the development of systems designed in
10 whole or in part for the delivery of such weapons;

11 (2) released all political prisoners, including the
12 citizens of North Korea detained in North Korea's
13 political prison camps;

14 (3) ceased its censorship of peaceful political
15 activity;

16 (4) taken significant steps toward the establish-
17 ment of an open, transparent, and representative so-
18 ciety;

19 (5) fully accounted for and repatriated all citi-
20 zens of all nations abducted or unlawfully held cap-
21 tive by the Government of North Korea or detained
22 in violation of the 1953 Armistice Agreement; and

23 (6) agreed with the Financial Action Task
24 Force on a plan of action to address deficiencies in

1 its anti-money laundering regime and begun to im-
2 plement this plan of action.

3 **SEC. 403. REGULATIONS.**

4 (a) **IN GENERAL.**—The President is authorized to
5 promulgate such rules and regulations as may be nec-
6 essary to carry out the provisions of this Act (which may
7 include regulatory exceptions), including under section
8 205 of the International Emergency Economic Powers Act
9 (50 U.S.C. 1704).

10 (b) **RULE OF CONSTRUCTION.**—Nothing in this Act
11 or any amendment made by this Act shall be construed
12 to limit the authority of the President to designate or
13 sanction persons pursuant to an applicable Executive
14 order or otherwise pursuant to the International Emer-
15 gency Economic Powers Act (50 U.S.C. 1701 et seq.).

16 **SEC. 404. EFFECTIVE DATE.**

17 Except as otherwise provided in this Act, this Act and
18 the amendments made by this Act shall take effect on the
19 date of the enactment of this Act.

