

## REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (b)(1), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, which is classified principally to chapter 32 (§2151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

**§ 9224. Procurement sanctions****(a) In general**

Except as provided in this section, the head of an executive agency may not procure, or enter into any contract for the procurement of, any goods or services from any person designated under section 9214(a) of this title.

**(b) Federal Acquisition Regulation****(1) In general**

The Federal Acquisition Regulation issued pursuant to section 1303(a)(1) of title 41 shall be revised to require that each person that is a prospective contractor submit a certification that such person does not engage in any activity described in section 9214(a) of this title.

**(2) Applicability**

The revision required under paragraph (1) shall apply with respect to contracts for which solicitations are issued on or after the date that is 90 days after February 18, 2016.

**(c) Remedies****(1) Inclusion on list**

The Administrator of General Services shall include, on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs maintained by the Administrator under part 9 of the Federal Acquisition Regulation, each person that is debarred, suspended, or proposed for debarment or suspension by the head of an executive agency on the basis of a determination of a false certification under subsection (b).

**(2) Contract termination; suspension**

If the head of an executive agency determines that a person has submitted a false certification under subsection (b) after the date on which the Federal Acquisition Regulation is revised to implement the requirements of this section, the head of such executive agency shall—

(A) terminate any contract with such person; and

(B) debar or suspend such person from eligibility for Federal contracts for a period of not longer than 2 years.

**(3) Applicable procedures**

Any debarment or suspension under paragraph (2)(B) shall be subject to the procedures that apply to debarment and suspension under subpart 9.4 of the Federal Acquisition Regulation.

**(d) Clarification regarding certain products**

The remedies specified in subsection (c) shall not apply with respect to the procurement of any eligible product (as defined in section 2518(4) of title 19 of any foreign country or instrumentality designated under section 2511(b) of title 19.

**(e) Rule of construction**

Nothing in this subsection may be construed to limit the use of other remedies available to the head of an executive agency or any other official of the Federal Government on the basis of a determination of a false certification under subsection (b).

**(f) Executive agency defined**

In this section, the term “executive agency” has the meaning given such term in section 133 of title 41.

(Pub. L. 114-122, title II, §204, Feb. 18, 2016, 130 Stat. 107.)

**§ 9225. Enhanced inspection authorities****(a) Report required**

Not later than 180 days after February 18, 2016, and annually thereafter, the President shall submit to the appropriate congressional committees a report that identifies foreign ports and airports at which inspections of ships, aircraft, and conveyances originating in North Korea, carrying North Korean property, or operated by the Government of North Korea are not sufficient to effectively prevent the facilitation of any of the activities described in section 9214(a) of this title.

**(b) Enhanced customs inspection requirements**

The Secretary of Homeland Security may require enhanced inspections of any goods entering the United States that have been transported through a port or airport identified by the President under subsection (a).

**(c) Seizure and forfeiture**

A vessel, aircraft, or conveyance used to facilitate any of the activities described in section 9214(a) of this title under the jurisdiction of the United States may be seized and forfeited under—

(1) chapter 46 of title 18; or

(2) title V<sup>1</sup> of the Tariff Act of 1930 (19 U.S.C. 1501 et seq.).

(Pub. L. 114-122, title II, §205, Feb. 18, 2016, 130 Stat. 108.)

## REFERENCES IN TEXT

The Tariff Act of 1930, referred to in subsec. (c)(2), is act June 17, 1930, ch. 497, 46 Stat. 590, which is classified generally to chapter 4 (§1202 et seq.) of Title 19, Customs Duties. The Act does not contain a title V. Section 1501 et seq. of Title 19 is contained in title IV of the Act. For complete classification of this Act to the Code, see section 1654 of Title 19 and Tables.

## DELEGATION OF FUNCTIONS

Functions and authorities of President under subsec. (a) of this section delegated to Director of National Intelligence, 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.

**§ 9226. Travel sanctions**

The Secretary of State may deny a visa to, and the Secretary of Homeland Security may deny entry into the United States of, any alien who is—

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