

Executive Documents

DELEGATION OF FUNCTIONS

Functions and authorities of President under section 7143 of Pub. L. 116-92 with respect to this section delegated to Secretary of State, in consultation with the Secretary of the Treasury, by section 1(a)(vi) of Memorandum of President of the United States, Feb. 21, 2020, 85 F.R. 13717, set out as a note under section 286yy of this title.

Functions and authorities of President under subsecs. (b) and (c) of this section delegated to Secretary of State, to be executed in consultation with Secretary of the Treasury when appropriate, and functions and authorities of President under subsec. (d) of this section delegated to Secretary of the Treasury, 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.

§ 9229. Report on and imposition of sanctions to address persons responsible for knowingly engaging in significant activities undermining cybersecurity

(a) Report required**(1) In general**

The President shall submit to the appropriate congressional committees a report that describes significant activities undermining cybersecurity aimed against the United States Government or any United States person and conducted by the Government of North Korea, or a person owned or controlled, directly or indirectly, by the Government of North Korea or any person acting for or on behalf of that Government.

(2) Information

The report required under paragraph (1) shall include—

(A) the identity and nationality of persons that have knowingly engaged in, directed, or provided material support to conduct significant activities undermining cybersecurity described in paragraph (1);

(B) a description of the conduct engaged in by each person identified;

(C) an assessment of the extent to which a foreign government has provided material support to the Government of North Korea or any person acting for or on behalf of that Government to conduct significant activities undermining cybersecurity; and

(D) a United States strategy to counter North Korea's efforts to conduct significant activities undermining cybersecurity against the United States, that includes efforts to engage foreign governments to halt the capability of the Government of North Korea and persons acting for or on behalf of that Government to conduct significant activities undermining cybersecurity.

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

The report required under paragraph (1) shall be submitted not later than 90 days after October 25, 2018, and every 180 days thereafter for 5 years.

(B) Form

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

(b) Designation of persons

The President shall designate under section 9214(a) of this title any person identified in the report required under subsection (a)(1) that knowingly engages in significant activities undermining cybersecurity through the use of computer networks or systems against foreign persons, governments, or other entities on behalf of the Government of North Korea.

(Pub. L. 114-122, title II, §209, Feb. 18, 2016, 130 Stat. 110; Pub. L. 115-272, title III, §303(c)(1), Oct. 25, 2018, 132 Stat. 4157.)

Editorial Notes

AMENDMENTS

2018—Subsec. (a)(3)(A). Pub. L. 115-272 substituted “not later than 90 days after October 25, 2018, and every 180 days thereafter for 5 years” for “not later than 90 days after February 18, 2016, and every 180 days thereafter”.

Executive Documents

DELEGATION OF FUNCTIONS

For delegation of certain functions of President under this section, see 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.

§ 9230. Codification of sanctions with respect to North Korean activities undermining cybersecurity

(a) In general

United States sanctions with respect to activities of the Government of North Korea, persons acting for or on behalf of that Government, or persons located in North Korea that undermine cybersecurity provided for in Executive Order 13687 (50 U.S.C. 1701 note; relating to imposing additional sanctions with respect to North Korea) or Executive Order 13694 (50 U.S.C. 1701 note; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), as such Executive Orders are in effect on the day before February 18, 2016, shall remain in effect until the date that is 30 days after the date on which the President submits to Congress a certification that the Government of North Korea, persons acting for or on behalf of that Government, and persons owned or controlled, directly or indirectly, by that Government or persons acting for or on behalf of that Government, are no longer engaged in the illicit activities described in such Executive Orders, including actions in violation of United Nations Security Council Resolutions 1718 (2006), 1874 (2009), 2087 (2013), and 2094 (2013).

(b) Rule of construction

Nothing in this section shall be construed to limit the authority of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(Pub. L. 114-122, title II, §210, Feb. 18, 2016, 130 Stat. 111.)

Editorial Notes

REFERENCES IN TEXT

The International Emergency Economic Powers Act, referred to in subsec. (b), is title II of Pub. L. 95-223,