

*Periodic Report on the National Emergency
With Respect to North Korea*

I hereby report to the Congress on developments and expenditures relating to the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008 (E.O. 13466), expanded in Executive Order 13551 of August 30, 2010 (E.O. 13551), addressed further in Executive Order 13570 of April 18, 2011 (E.O. 13570), and further expanded in scope in Executive Order 13687 of January 2, 2015. This report covers actions taken in the exercise of national emergency authorities, pursuant to section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), and expenses that are directly attributable to the exercise of those authorities, pursuant to section 401(c) of the National Emergencies Act (NEA), 50 U.S.C. 1641(c).

IEEPA Reporting (from December 4, 2014, through April 26, 2015)

1. On January 2, 2015, the President issued Executive Order 13687, "Imposing Additional Sanctions with Respect to North Korea" (80 Fed. Reg. 819, January 6, 2015) (E.O. 13687). In E.O. 13687, the President found that the provocative, destabilizing, and repressive actions and policies of the Government of North Korea, including its destructive, coercive cyber-related actions during November and December 2014, actions in violation of United Nations Security Council Resolutions 1718, 1874, 2087, and 2094, and commission of serious human rights abuses, constitute a continuing threat to the national security, foreign policy, and economy of the United States.

To deal with this threat, the President expanded the scope of the national emergency declared in E.O. 13466, as expanded in scope in E.O. 13551, and relied upon for addition steps in E.O. 13570, and ordered the blocking of all property and interests in property of any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, to (1) be an agency, instrumentality, or controlled entity of the Government of North Korea or the Workers' Party of Korea; (2) to be an official of the Government of North Korea; (3) to be an official of the Workers' Party of Korea; (4) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the

Government of North Korea or any person whose property and interests in property are blocked pursuant to E.O. 13687; or (5) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, the Government of North Korea or any person whose property and interests in property are blocked pursuant to E.O. 13687. A copy of E.O. 13687 is attached to this report.

2. Also on January 2, 2015, the Department of the Treasury's Office of Foreign Assets Control (OFAC) designated three entities and 10 individuals pursuant to E.O. 13687 for being officials or agencies, instrumentalities, or controlled entities of the Government of North Korea.

3. OFAC issued no specific licenses authorizing transactions otherwise prohibited by E.O.s 13466, 13551, 13570, 13687, or the North Korea Sanctions Regulations, 31 C.F.R. part 510.

4. Five transactions, totaling \$23,200, involving entities or individuals listed in or designated pursuant to E.O.s 13551 or 13687, were reported to OFAC as blocked. OFAC continues to respond to public inquiries regarding this program during its numerous outreach events to the financial, securities, and international trade communities. Details of this program also are available to the public on the Department of the Treasury's website, including in a program brochure and in industry-specific OFAC compliance guidance.

NEA Reporting (from December 27, 2014, through June 26, 2015)

4. The expenses incurred by the federal government that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to North Korea are estimated to be approximately \$400,000, most of which represent wage and salary costs for federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in OFAC and the Office of the General Counsel) and the Department of State.

I shall continue to report periodically to the Congress on significant developments as required by law.

A handwritten signature in black ink, appearing to read "Jacob J. Lew". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jacob J. Lew

Department of the Treasury

Dated: May 21, 2015

Presidential Documents

Title 3—

Executive Order 13687 of January 2, 2015

The President

Imposing Additional Sanctions With Respect To North Korea

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code; and in view of United Nations Security Council Resolution (UNSCR) 1718 of October 14, 2006, UNSCR 1874 of June 12, 2009, UNSCR 2087 of January 22, 2013, and UNSCR 2094 of March 7, 2013,

I, BARACK OBAMA, President of the United States of America, find that the provocative, destabilizing, and repressive actions and policies of the Government of North Korea, including its destructive, coercive cyber-related actions during November and December 2014, actions in violation of UNSCRs 1718, 1874, 2087, and 2094, and commission of serious human rights abuses, constitute a continuing threat to the national security, foreign policy, and economy of the United States, and hereby expand the scope of the national emergency declared in Executive Order 13466 of June 26, 2008, expanded in scope in Executive Order 13551 of August 30, 2010, and relied upon for additional steps in Executive Order 13570 of April 18, 2011. To address this threat and to take further steps with respect to this national emergency, I hereby order:

Section 1. (a) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to be an agency, instrumentality, or controlled entity of the Government of North Korea or the Workers' Party of Korea;

(ii) to be an official of the Government of North Korea;

(iii) to be an official of the Workers' Party of Korea;

(iv) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the Government of North Korea or any person whose property and interests in property are blocked pursuant to this order; or

(v) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, the Government of North Korea or any person whose property and interests in property are blocked pursuant to this order.

(b) The prohibitions in this order apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order.

Sec. 2. I hereby determine that the making of donations of the type of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to section 1 of this order would seriously impair my ability to deal with the national emergency declared in Executive Order

13466, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 3. The prohibitions in this order include but are not limited to:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 4. I hereby find that the unrestricted immigrant and nonimmigrant entry into the United States of aliens determined to meet one or more of the criteria in section 1(a) of this order would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants or nonimmigrants, of such persons. Such persons shall be treated as persons covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions).

Sec. 5. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 6. For the purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

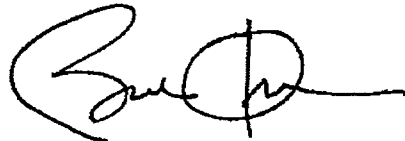
(c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States; and

(d) the term "Government of North Korea" means the Government of the Democratic People's Republic of Korea and its agencies, instrumentalities, and controlled entities.

Sec. 7. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13466, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 9. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

A handwritten signature in black ink, appearing to be Barack Obama's signature, written over a circular stamp or mark.

THE WHITE HOUSE,
January 2, 2015.

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Filed 1-5-15; 11:15 am]
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DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

May 12, 2016

Re: 2016-01-019 and 2016-03-067

Mr. Steven Aftergood
Federation of American Scientists
1725 DeSales Street NW, Suite 600
Washington, DC 20036

Dear Mr. Aftergood:

This is the final response to your Freedom of Information Act (FOIA) requests to the U.S. Department of the Treasury, dated January 12, 2016 and March 11, 2016. You have requested access to the following records:

1. The latest six-month periodic report to Congress from the Secretary of the Treasury on the national emergency with respect to North Korea that was declared in Executive Order 13687 of January 2, 2015, and
2. The latest six-month periodic report to Congress from the Secretary of the Treasury on the national emergency with respect to significant malicious cyber-enabled activities that was declared in Executive Order 13694 of April 1, 2015.

Your request has been processed under the provisions of the FOIA, 5 U.S.C. § 552. A search conducted within the Treasury Departmental Offices located 11 responsive pages. After review of those documents, I have determined that they will be released in their entirety. The documents are enclosed, no exemptions have been claimed.

If you are dissatisfied with my action on your request, you may appeal within 35 days of the date of this letter. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for the appeal. Your appeal should be addressed to:

Freedom of Information Act Appeal
Privacy, Transparency, and Records
Department of the Treasury
Washington, D.C. 20220

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may email them at ogis@nara.gov or call 1-877-684-6448.

Sincerely,

Digitally signed by Ryan A. Law
DN: c=US, o=U.S. Government,
ou=Department of the Treasury,
ou=Departmental Offices, ou=People,
serialNumber=716338, cn=Ryan A. Law
Date: 2016.05.12 10:44:18 -04'00'

Ryan Law
Director, FOIA and Transparency