

**Suspend the Rules and Pass the Bill, H.R. 2061, with an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2061

To reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2017

Ms. ROS-LEHTINEN (for herself, Mr. ENGEL, Mr. YOHO, and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “North Korean Human  
5 Rights Reauthorization Act of 2017”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) The North Korean Human Rights Act of  
2           2004 (22 U.S.C. 7801 et seq.), the North Korean  
3           Human Rights Reauthorization Act of 2008 (Public  
4           Law 110–346), and the Ambassador James R.  
5           Lilley and Congressman Stephen J. Solarz North  
6           Korea Human Rights Reauthorization Act of 2012  
7           (Public Law 112–172) were the products of broad,  
8           bipartisan consensus regarding the promotion of  
9           human rights, transparency in the delivery of hu-  
10          manitarian assistance, and the importance of refugee  
11          protection.

12          (2) Fundamental human rights and humani-  
13          tarian conditions inside North Korea remain deplor-  
14          able, North Korean refugees remain acutely vulner-  
15          able, and the congressional findings included in the  
16          Acts listed in paragraph (1) remain substantially ac-  
17          curate today.

18          (3) The United States, which has the largest  
19          international refugee resettlement program in the  
20          world, has resettled 212 North Koreans since the en-  
21          actment of the North Korean Human Rights Act of  
22          2004.

23          (4) In addition to the longstanding commitment  
24          of the United States to refugee and human rights  
25          advocacy, the United States is home to the largest

1 Korean population outside of northeast Asia, and  
2 many people in the Korean-American community  
3 have family ties to North Korea.

4 (5) Notwithstanding high-level advocacy by the  
5 United States, South Korea, and the United Nations  
6 High Commissioner for Refugees, China has forcibly  
7 repatriated tens of thousands of North Koreans.

8 (6) Congressman Eni F.H. Faleomavaega  
9 served 25 years in the House of Representatives, in-  
10 cluding as the Chairman and the Ranking Member  
11 of the Foreign Affairs Subcommittee on Asia and  
12 the Pacific, was a leader in strengthening the rela-  
13 tionship between the American and Korean peoples,  
14 authored multiple resolutions regarding issues on the  
15 Korean Peninsula, was a champion of human rights,  
16 and stated, in support of the Ambassador James R.  
17 Lilley and Congressman Stephen J. Solarz North  
18 Korea Human Rights Reauthorization Act of 2012,  
19 that “just as Ambassador Lilley and Congressman  
20 Solarz worked hard to protect the human rights of  
21 the North Korean people, we must remain vigilant  
22 in helping the people of North Korea who struggle  
23 daily to escape the oppression and tyranny of the  
24 North Korean regime”.

1 **SEC. 3. SENSE OF CONGRESS.**

2 (a) IN GENERAL.—It is the sense of Congress that—

3 (1) the United States should continue to seek  
4 cooperation from all foreign governments to allow  
5 the United Nations High Commissioner for Refugees  
6 access to process North Korean refugees overseas  
7 for resettlement and to allow United States officials  
8 access to process refugees for resettlement in the  
9 United States (if that is the destination country of  
10 the refugees' choosing);

11 (2) the Secretary of State, through persistent  
12 diplomacy by senior officials, including United  
13 States ambassadors to Asia-Pacific countries, and in  
14 close cooperation with United States ally South  
15 Korea, should make every effort to promote the pro-  
16 tection of North Korean refugees and defectors; and

17 (3) because North Koreans fleeing into China  
18 face a well-founded fear of persecution upon their  
19 forcible repatriation, the United States should urge  
20 China to—

21 (A) immediately halt the forcible repatri-  
22 ation of North Koreans;

23 (B) allow the United Nations High Com-  
24 missioner for Refugees unimpeded access to  
25 North Koreans inside China to determine

1           whether such North Koreans require protection  
2           as refugees; and

3                   (C) fulfill its obligations under the 1951  
4           United Nations Convention Relating to the Sta-  
5           tus of Refugees, the 1967 Protocol Relating to  
6           the Status of Refugees, and the Agreement on  
7           the Upgrading of the UNHCR Mission in the  
8           People’s Republic of China to UNHCR Branch  
9           Office in the People’s Republic of China (signed  
10          December 1, 1995).

11          (b) CONTINUING SENSE OF CONGRESS.—It remains  
12          the sense of Congress, as specified in section 3(3) of the  
13          North Korean Human Rights Reauthorization Act of 2008  
14          (Public Law 110–346; 22 U.S.C. 7801 note), that “the  
15          Special Envoy for North Korean Human Rights Issues  
16          should be a full-time position within the Department of  
17          State in order to properly promote and coordinate North  
18          Korean human rights and humanitarian issues, and to  
19          participate in policy planning and implementation with re-  
20          spect to refugee issues, as intended by the North Korean  
21          Human Rights Act of 2004 (Public Law 108–333; 22  
22          U.S.C. 7801 et seq.)”.

1 **SEC. 4. REAUTHORIZATION OF THE NORTH KOREAN**  
2 **HUMAN RIGHTS ACT OF 2004.**

3 (a) HUMAN RIGHTS AND DEMOCRACY PROGRAMS.—  
4 Paragraph (1) of section 102(b) of the North Korean  
5 Human Rights Act of 2004 (22 U.S.C. 7812(b)) is amend-  
6 ed by striking “2017” and inserting “2022”.

7 (b) PROMOTING FREEDOM OF INFORMATION.—Sec-  
8 tion 104 of the North Korean Human Rights Act of 2004  
9 (22 U.S.C. 7814) is amended—

10 (1) in subsection (b)(1)—

11 (A) by striking “\$2,000,000” and inserting  
12 “\$3,000,000”; and

13 (B) by striking “2017” and inserting  
14 “2022”; and

15 (2) in subsection (c), by striking “2017” and  
16 inserting “2022”.

17 (c) REPORT BY SPECIAL ENVOY ON NORTH KOREAN  
18 HUMAN RIGHTS.—Subsection (d) of section 107 of the  
19 North Korean Human Rights Act of 2004 (22 U.S.C.  
20 7817) is amended by striking “2017” and inserting  
21 “2022”.

22 (d) REPORT ON HUMANITARIAN ASSISTANCE.—Sec-  
23 tion 201 of the North Korean Human Rights Act of 2004  
24 (22 U.S.C. 7831) is amended in the matter preceding  
25 paragraph (1) by striking “2017” and inserting “2022”.

1 (e) ASSISTANCE PROVIDED OUTSIDE OF NORTH  
2 KOREA.—Paragraph (1) of section 203(c) of the North  
3 Korean Human Rights Act of 2004 (22 U.S.C. 7833(c))  
4 is amended by striking “2017” and inserting “2022”.

5 (f) ANNUAL REPORTING.—Section 305 of the North  
6 Korean Human Rights Act of 2004 (22 U.S.C. 7845) is  
7 amended in the matter preceding paragraph (1) by strik-  
8 ing “2017” and inserting “2022”.

9 **SEC. 5. ACTIONS TO PROMOTE FREEDOM OF INFORMATION**  
10 **AND DEMOCRACY IN NORTH KOREA.**

11 The North Korean Human Rights Act of 2004, as  
12 amended by this Act, is further amended—

13 (1) in subsection (a) of section 103 (22 U.S.C.  
14 7813)—

15 (A) by striking “radio broadcasting” and  
16 inserting “broadcasting, including news re-  
17 broadcasting,”; and

18 (B) by striking “increase broadcasts” and  
19 inserting “increase such broadcasts, including  
20 news rebroadcasts,”; and

21 (2) in subsection (a) of section 104 (22 U.S.C.  
22 7814)—

23 (A) by striking “The President” and in-  
24 serting the following:

25 “(1) IN GENERAL.—The President”;

1 (B) by inserting “, USB drives, micro SD  
2 cards, audio players, video players, cell phones,  
3 wi-fi, wireless internet, webpages, internet, wire-  
4 less telecommunications, and other electronic  
5 media that share information” before the period  
6 at the end; and

7 (C) by adding at the end the following new  
8 paragraphs:

9 “(2) DISTRIBUTION.—In accordance with the  
10 sense of Congress described in section 103, the  
11 President, acting through the Secretary of State, is  
12 authorized to distribute or provide grants to dis-  
13 tribute information receiving devices, electronically  
14 readable devices, and other informational sources  
15 into North Korea, including devices and informa-  
16 tional sources specified in paragraph (1). To carry  
17 out this paragraph, the President is authorized to  
18 issue directions to facilitate the free-flow of informa-  
19 tion into North Korea.

20 “(3) RESEARCH AND DEVELOPMENT GRANT  
21 PROGRAM.—In accordance with the authorization de-  
22 scribed in paragraphs (1) and (2) to increase the  
23 availability and distribution of sources of informa-  
24 tion inside North Korea, the President, acting  
25 through the Secretary of State, is authorized to es-



1        establish a grant program to make grants to eligible  
2        entities to develop or distribute (or both) new prod-  
3        ucts or methods to allow North Koreans easier ac-  
4        cess to outside information. Such program may in-  
5        volve public-private partnerships.

6            “(4) CULTURE.—In accordance with the sense  
7        of Congress described in section 103, the Broad-  
8        casting Board of Governors may broadcast Amer-  
9        ican, Korean, and other popular music, television,  
10       movies, and popular cultural references as part of its  
11       programming.

12           “(5) RIGHTS AND LAWS.—In accordance with  
13       the sense of Congress described in section 103, the  
14       Broadcasting Board of Governors shall broadcast to  
15       North Korea in the Korean language information on  
16       rights, laws, and freedoms afforded through the  
17       North Korean Constitution, the Universal Declara-  
18       tion of Human Rights, the United Nations Commis-  
19       sion of Inquiry on Human Rights in the Democratic  
20       People’s Republic of Korea, and any other applicable  
21       treaties or international agreements to which North  
22       Korea is bound.

23           “(6) BROADCASTING REPORT.—Not later  
24       than—

1           “(A) 180 days after the date of the enact-  
2           ment of this paragraph, the Secretary of State,  
3           in consultation with the Broadcasting Board of  
4           Governors, shall submit to the appropriate con-  
5           gressional committees a report that sets forth a  
6           detailed plan for improving broadcasting con-  
7           tent for the purpose of reaching additional au-  
8           diences and increasing consumption of uncen-  
9           sored news and information using all available  
10          and reasonable means; and

11          “(B) one year after the date of the enact-  
12          ment of this paragraph and annually thereafter  
13          for each of the next five years, the Secretary of  
14          State, in consultation with the Broadcasting  
15          Board of Governors, shall submit to the appro-  
16          priate congressional committees a report on the  
17          effectiveness of actions taken pursuant to this  
18          section, including data reflecting audience and  
19          listenership, device distribution and usage, tech-  
20          nological development and advancement usage,  
21          and other information as requested by such  
22          committees.”.

1 **SEC. 6. REPEAL OF DUPLICATE AUTHORIZATIONS.**

2 Section 403 of the North Korea Sanctions and Policy  
3 Enhancement Act of 2016 (Public Law 114–122; 22  
4 U.S.C. 9253) is hereby repealed.

5 **SEC. 7. REPORT BY THE BROADCASTING BOARD OF GOV-**  
6 **ERNORS.**

7 (a) IN GENERAL.—Not later than 120 days after the  
8 date of the enactment of this Act, the Broadcasting Board  
9 of Governors shall submit to the appropriate congressional  
10 committees a report that—

11 (1) describes the status of current United  
12 States broadcasting to North Korea and the extent  
13 to which the Board has achieved the goal of 12-  
14 hour-per-day broadcasting to North Korea, in ac-  
15 cordance with section 103(a) of the North Korean  
16 Human Rights Act of 2004 (22 U.S.C. 7813(a));  
17 and

18 (2) includes a strategy to overcome obstacles to  
19 such communication with the North Korean people,  
20 including through unrestricted, unmonitored, and in-  
21 expensive electronic means.

22 (b) FORM.—The report required under subsection (a)  
23 shall be submitted in unclassified form, but may include  
24 a classified annex.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

2 In this section, the term “appropriate congressional com-  
3 mittees” means—

4 (1) the Committee on Foreign Affairs and the  
5 Committee on Appropriations of the House of Rep-  
6 resentatives; and

7 (2) the Committee on Foreign Relations and  
8 the Committee on Appropriations of the Senate.

9 **SEC. 8. REPORT BY THE DEPARTMENT OF STATE.**

10 (a) IN GENERAL.—Not later than 120 days after the  
11 date of the enactment of this Act, the Secretary of State,  
12 in consultation with the heads of other relevant Federal  
13 departments and agencies, shall submit to the appropriate  
14 congressional committees a report that includes a descrip-  
15 tion of any ongoing or planned efforts of the Department  
16 of State with respect to each of the following:

17 (1) Resuming the repatriation from North  
18 Korea of members of the United States Armed  
19 Forces missing or unaccounted for during the Ko-  
20 rean War.

21 (2) Reuniting Korean Americans with their rel-  
22 atives in North Korea.

23 (3) Assessing the security risks posed by travel  
24 to North Korea for United States citizens.

1 (b) FORM.—The report required under subsection (a)  
2 shall be submitted in unclassified form.

3 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

4 In this section, the term “appropriate congressional com-  
5 mittees” means—

6 (1) the Committee on Foreign Affairs and the  
7 Committee on Appropriations of the House of Rep-  
8 resentatives; and

9 (2) the Committee on Foreign Relations and  
10 the Committee on Appropriations of the Senate.