

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2061
OFFERED BY MR. YOHO OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. FINDINGS.

5 Congress finds the following:

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

17 (2) Fundamental human rights and humani-
18 tarian conditions inside North Korea remain deplor-

1 able, North Korean refugees remain acutely vulner-
2 able, and the congressional findings included in the
3 Acts listed in paragraph (1) remain substantially ac-
4 curate today.

5 (3) The United States, which has the largest
6 international refugee resettlement program in the
7 world, has resettled 212 North Koreans since the en-
8 actment of the North Korean Human Rights Act of
9 2004.

10 (4) In addition to the longstanding commitment
11 of the United States to refugee and human rights
12 advocacy, the United States is home to the largest
13 Korean population outside of northeast Asia, and
14 many people in the Korean-American community
15 have family ties to North Korea.

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

20 (6) Congressman Eni F.H. Faleomavaega
21 served 25 years in the House of Representatives, in-
22 cluding as the Chairman and the Ranking Member
23 of the Foreign Affairs Subcommittee on Asia and
24 the Pacific, was a leader in strengthening the rela-
25 tionship between the American and Korean peoples,

1 authored multiple resolutions regarding issues on the
2 Korean Peninsula, was a champion of human rights,
3 and stated, in support of the Ambassador James R.
4 Lilley and Congressman Stephen J. Solarz North
5 Korea Human Rights Reauthorization Act of 2012,
6 that “just as Ambassador Lilley and Congressman
7 Solarz worked hard to protect the human rights of
8 the North Korean people, we must remain vigilant
9 in helping the people of North Korea who struggle
10 daily to escape the oppression and tyranny of the
11 North Korean regime”.

12 **SEC. 3. SENSE OF CONGRESS.**

13 It is the sense of Congress that—

14 (1) the United States should continue to seek
15 cooperation from all foreign governments to allow
16 the United Nations High Commissioner for Refugees
17 access to process North Korean refugees overseas
18 for resettlement and to allow United States officials
19 access to process refugees for resettlement in the
20 United States (if that is the destination country of
21 the refugees’ choosing);

22 (2) the Secretary of State, through persistent
23 diplomacy by senior officials, including United
24 States ambassadors to Asia-Pacific countries, and in
25 close cooperation with United States ally South

1 Korea, should make every effort to promote the pro-
2 tection of North Korean refugees and defectors; and

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

7 (A) immediately halt the forcible repatri-
8 ation of North Koreans;

9 (B) allow the United Nations High Com-
10 missioner for Refugees unimpeded access to
11 North Koreans inside China to determine
12 whether such North Koreans require protection
13 as refugees; and

14 (C) fulfill its obligations under the 1951
15 United Nations Convention Relating to the Sta-
16 tus of Refugees, the 1967 Protocol Relating to
17 the Status of Refugees, and the Agreement on
18 the Upgrading of the UNHCR Mission in the
19 People's Republic of China to UNHCR Branch
20 Office in the People's Republic of China (signed
21 December 1, 1995).

22 **SEC. 4. REAUTHORIZATION OF THE NORTH KOREAN**
23 **HUMAN RIGHTS ACT OF 2004.**

24 (a) HUMAN RIGHTS AND DEMOCRACY PROGRAMS.—
25 Paragraph (1) of section 102(b) of the North Korean

1 Human Rights Act of 2004 (22 U.S.C. 7812(b)) is amend-
2 ed by striking “2017” and inserting “2022”.

3 (b) PROMOTING FREEDOM OF INFORMATION.—Sec-
4 tion 104 of the North Korean Human Rights Act of 2004
5 (22 U.S.C. 7814) is amended—

6 (1) in subsection (b)(1)—

7 (A) by striking “\$2,000,000” and inserting
8 “\$3,000,000”; and

9 (B) by striking “2017” and inserting
10 “2022”; and

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

13 (c) REPORT BY SPECIAL ENVOY ON NORTH KOREAN
14 HUMAN RIGHTS.—Subsection (d) of section 107 of the
15 North Korean Human Rights Act of 2004 (22 U.S.C.
16 7817) is amended by striking “2017” and inserting
17 “2022”.

18 (d) REPORT ON HUMANITARIAN ASSISTANCE.—Sec-
19 tion 201 of the North Korean Human Rights Act of 2004
20 (22 U.S.C. 7831) is amended in the matter preceding
21 paragraph (1) by striking “2017” and inserting “2022”.

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

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

5 **SEC. 5. REPEAL OF DUPLICATE AUTHORIZATIONS.**

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

9 **SEC. 6. REPORT BY THE BROADCASTING BOARD OF GOV-
10 ERNORS.**

11 (a) IN GENERAL.—Not later than 120 days after the
12 date of the enactment of this Act, the Broadcasting Board
13 of Governors shall submit to the appropriate congressional
14 committees a report that—

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

22 (2) includes a strategy to overcome obstacles to
23 such communication with the North Korean people,
24 including through unrestricted, unmonitored, and in-
25 expensive electronic means.

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

4 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—
5 In this section, the term “appropriate congressional com-
6 mittees” has the meaning given such term in section 5
7 of the North Korean Human Rights Act of 2004 (22
8 U.S.C. 7803).

9 **SEC. 7. 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” has the meaning given such term in section 5
6 of the North Korean Human Rights Act of 2004 (22
7 U.S.C. 7803).

