

Calendar No. 280

115TH CONGRESS
1ST SESSION

S. 1118

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

IN THE SENATE OF THE UNITED STATES

MAY 11, 2017

Mr. RUBIO (for himself, Mr. CARDIN, Mr. GARDNER, Mr. MENENDEZ, Mr.
CRUZ, and Mr. HATCH) introduced the following bill; which was read
twice and referred to the Committee on Foreign Relations

DECEMBER 11, 2017

Reported by Mr. CORKER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) In 2014, the United Nations Commission of
4 Inquiry (COI) on Human Rights in the Democratic
5 People's Republic of Korea (DPRK) found that the
6 grave human rights violations still being perpetrated
7 against the people of North Korea, due to policies
8 established at the highest level of the state, amount
9 to crimes against humanity. Crimes include forced
10 starvation, sexual violence against women and chil-
11 dren, restrictions on freedom of movement, arbitrary
12 detention, torture, executions, and enforced dis-
13 appearances, among other hardships.

14 (2) The COI also noted that the Government of
15 the People's Republic of China is aiding and abet-
16 ting in crimes against humanity by forcibly repa-
17 triating North Korean refugees back to the DPRK.
18 Upon repatriation, North Koreans are sent to prison
19 camps, tortured, or even executed. The Government
20 of the People's Republic of China's forcible repatri-
21 ation of North Korean refugees violates its obliga-
22 tion to uphold the principle of non-refoulement,
23 under the United Nations Convention Relating to
24 the Status of Refugees, done at Geneva July 28,
25 1951 (as made applicable by the Protocol Relating

1 to the Status of Refugees, done at New York Janu-
2 ary 31, 1967 (19 UST 6223)).

3 (3) Estimates from the COI suggest that be-
4 tween 80,000 and 120,000 people are believed to be
5 imprisoned in political prison camps in North Korea.
6 Another 70,000 are believed to be held at other de-
7 tention facilities. Prisoners in both situations are
8 subject to harsh conditions, limited food, sexual
9 abuse, and in most cases hard labor.

10 (4) One of the most overlooked findings of the
11 COI report was the persecution of religious minori-
12 ties, especially Christians. There is effectively no
13 freedom of religion in North Korea, only worship of
14 the Kim family. Christians are subjected to particu-
15 larly acute persecution. It has been reported that
16 Christians in North Korea have been tortured, fore-
17 ibly detained, and even executed for possessing a
18 Bible or professing Christianity.

19 (5) North Korea profits from its human rights
20 abuses. One report from the Asan Institute for Pol-
21 icy Studies suggests that there are nearly 50,000
22 North Korean workers forced to labor overseas,
23 sometimes without compensation, and for as much
24 as 20 hours at a time. Workers that received com-
25 pensation were not to be paid more than \$150 per

1 month, which is between 10 to 20 percent of the
2 value of the labor they performed. Based on this re-
3 port, the regime may profit as much as
4 \$360,000,000 annually from just 50,000 laborers.

5 (6) On July 6, 2016, the United States imposed
6 sanctions on North Korean leader Kim Jong Un and
7 other senior North Korean officials for human rights
8 violations as required by the North Korea Sanctions
9 and Policy Enhancement Act of 2016 (Public Law
10 114–122). This was the first time that the United
11 States had designated North Korean entities for
12 human rights abuses.

13 (7) The North Korea Sanctions and Policy En-
14 hancement Act of 2016 (Public Law 114–122) re-
15 quires the President to impose mandatory penalties
16 under United States law on any person that “know-
17 ingly engages in, is responsible for, or facilitates se-
18 rious human rights abuses by the Government of
19 North Korea”.

20 (8) Although the United States Refugee Admis-
21 sions Program remains the largest in the world by
22 far, the United States has resettled only 174 refu-
23 gees from North Korea between January 2008 and
24 January 2017. Since the enactment of the North
25 Korea Human Rights Reauthorization Act of 2008

1 (Public Law 110-346), the United States has reset-
2 tled a total of 212 refugees from the DPRK.

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

4 It is the sense of Congress that—

5 (1) the United States Government should con-
6 tinue to make it a priority to improve information
7 access in North Korea by exploring the use of new
8 and emerging technologies and expanding non-
9 governmental radio broadcasting to North Korea, in-
10 cluding news and information, to increase informa-
11 tion dissemination in the DPRK;

12 (2) in an effort to more efficiently and actively
13 participate in humanitarian burden-sharing, the
14 Governments of the United States and the Republic
15 of South Korea should commit to revisit and explore
16 new opportunities for coordinating efforts to plan for
17 a humanitarian and human rights disaster in ad-
18 vance of the collapse of the DPRK;

19 (3) the United Nations has a significant role to
20 play in promoting and improving human rights in
21 North Korea and should press for access for the
22 Special Rapporteur on the situation of human rights
23 in the Democratic People's Republic of Korea as
24 well as the United Nations High Commissioner for
25 Human Rights;

1 (4) because refugees among North Koreans
2 fleeing into China face severe punishments upon
3 their forcible return, the United States should urge
4 the Government of the People's Republic of China
5 to—

6 (A) immediately halt its forcible repatri-
7 ation of North Koreans;

8 (B) fulfill its obligations pursuant to the
9 1951 United Nations Convention Relating to
10 the Status of Refugees, the 1967 Protocol Re-
11 lating to the Status of Refugees, and the 1995
12 Agreement on the Upgrading of the UNHCR
13 Mission in the People's Republic of China;

14 (C) allow the United Nations High Com-
15 missioner for Refugees (UNHCR) unimpeded
16 access to North Koreans inside China to deter-
17 mine whether they are refugees and whether
18 they require assistance;

19 (D) address the concerns of the United
20 Nations Committee against Torture by incor-
21 porating the principle of non-refoulement into
22 domestic legislation; and

23 (E) recognize the legal status of North Ko-
24 rean women who marry or have children with
25 Chinese citizens, and ensure that all such chil-

1 dren are granted resident status and access to
 2 education and other public services in accord-
 3 ance with Chinese law and international stand-
 4 ards;

5 (5) the President should continue to designate
 6 all individuals found to have committed violations
 7 described in section 104(a) of the North Korea
 8 Sanctions and Policy Enhancement Act of 2016 (22
 9 U.S.C. 2914(a)); regarding complicity in censorship
 10 and human right abuses; and

11 (6) United States citizens should not travel to
 12 the Democratic People’s Republic of Korea; and the
 13 Department of State should launch a public aware-
 14 ness campaign about the risks and dangers of such
 15 travel.

16 **SEC. 4. RADIO BROADCASTING TO NORTH KOREA.**

17 Section 103(a) of the North Korean Human Rights
 18 Act of 2004 (22 U.S.C. 7813(a)) is amended—

19 (1) by striking “that the United States should
 20 facilitate” and inserting the following: “that the
 21 United States should—

22 “(1) facilitate”;

23 (2) in paragraph (1), as redesignated by para-
 24 graph (1) of this section—

1 (A) by striking “radio broadcasting” and
 2 inserting “broadcasting, including news re-
 3 broadcasting,”; and

4 (B) by striking “increase broadcasts” and
 5 inserting “increase such broadcasts, including
 6 news rebroadcasts,”; and

7 (C) by striking “Voice of America.” and
 8 inserting the following: “Voice of America;
 9 and”; and

10 (3) by adding at the end the following new
 11 paragraph:

12 “(2) expand funding for nongovernmental orga-
 13 nization broadcasting efforts, prioritizing organiza-
 14 tions that engage North Korean defectors in pro-
 15 gramming and broadcast services.”.

16 **SEC. 5. ACTIONS TO PROMOTE FREEDOM OF INFORMA-**
 17 **TION.**

18 Section 104(a) of the North Korean Human Rights
 19 Act of 2004 (22 U.S.C. 7814(a)) is amended—

20 (1) by striking “The President” and inserting
 21 the following:

22 “(1) IN GENERAL.—The President”;

23 (2) by inserting “, USB drives, micro SD cards,
 24 audio players, video players, cell phones, wi-fi, wire-
 25 less internet, webpages, internet, wireless tele-

1 communications, and other electronic media that
2 shares information” before the period at the end;
3 and

4 (2) by adding at the end the following new
5 paragraphs:

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

17 “(3) RESEARCH AND DEVELOPMENT GRANT
18 PROGRAM.—In accordance with the authorization de-
19 scribed in paragraphs (1) and (2) to increase the
20 availability and distribution of sources of informa-
21 tion inside North Korea, the President, acting
22 through the Secretary of State, is authorized to es-
23 tablish a grant program to make grants to eligible
24 entities to develop or distribute (or both) new prod-
25 ucts or methods to allow North Koreans easier ac-

1 cess to outside information. Such program may in-
2 volve public-private partnerships.

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

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

20 “(6) FOCUS ON RELIGIOUS MINORITIES.—Ef-
21 forts to improve information access under this sub-
22 section should give priority to religious communities
23 and should be coordinated with the Office of Inter-
24 national Religious Freedom to ensure maximum im-

1 pact in improving the rights of religious persons in
2 North Korea.

3 “(7) BROADCASTING REPORT.—Not later
4 than—

5 “(A) 180 days after the date of the enact-
6 ment of this paragraph, the Secretary of State,
7 in consultation with the Broadcasting Board of
8 Governors, shall submit to the appropriate con-
9 gressional committees a report that sets forth a
10 detailed plan for improving broadcasting con-
11 tent for the purpose of targeting new audiences
12 and increasing listenership; and

13 “(B) one year after the date of the enact-
14 ment of this paragraph and annually thereafter
15 for each of the next five years, the Secretary of
16 State, in consultation with the Broadcasting
17 Board of Governors, shall submit to the appro-
18 priate congressional committees a report includ-
19 ing—

20 “(i) a description of the effectiveness
21 of actions taken pursuant to this section,
22 including data reflecting audience and
23 listenership, device distribution and usage,
24 and technological development and ad-
25 vancement usage;

1 “(ii) the amount of funds expended by
 2 the United States Government pursuant to
 3 section 403; and
 4 “(iii) other appropriate information
 5 necessary to fully inform Congress of ef-
 6 forts related to this section.”.

7 **SEC. 6. SENSE OF CONGRESS ON ACTIONS TO PREPARE**
 8 **FOR GOVERNMENTAL COLLAPSE IN NORTH**
 9 **KOREA.**

10 Title III of the North Korean Human Rights Act of
 11 2004 (22 U.S.C. 7841 et seq.) is amended by adding at
 12 the end the following new section:

13 **“SEC. 306. SENSE OF CONGRESS ON ACTIONS TO PREPARE**
 14 **FOR GOVERNMENTAL COLLAPSE IN NORTH**
 15 **KOREA.**

16 “‘It is the sense of Congress that—

17 “(1) a collapse of the current Government, or
 18 a significant change in the leadership, of the Demo-
 19 cratic People’s Republic of Korea could impact sta-
 20 bility and security of the region, and critical United
 21 States interests, and would result in a significant
 22 flow of refugees to neighboring states; and

23 “(2) as such, the United States Government
 24 should work with countries sharing a land or mari-
 25 time border with the DPRK to develop long-term

1 whole-of-government plans to coordinate efforts re-
 2 lated to humanitarian assistance and human rights
 3 promotion and to effectively assimilate North Ko-
 4 rean defectors.”.

5 **SEC. 7. REAUTHORIZATION PROVISIONS.**

6 (a) SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY
 7 PROGRAMS.—Section 102 of the North Korean Human
 8 Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is amended—

9 (1) in subsection (a), by adding at the end the
 10 following: “The President is also authorized to pro-
 11 vide grants to entities to undertake research on
 12 North Korea’s denial of human rights, including on
 13 the political and military chains of command respon-
 14 sible for authorizing and implementing systemic
 15 human rights abuses, including at prison camps and
 16 detention facilities where political prisoners are
 17 held.”; and

18 (2) in subsection (b)(1), by striking “2017”
 19 and inserting “2022”.

20 (b) ACTIONS TO PROMOTE FREEDOM OF INFORMA-
 21 TION.—Subsections (b)(1) and (c) of section 104 of the
 22 North Korean Human Rights Act of 2004 (22 U.S.C.
 23 7814) are amended by striking “2017” and inserting
 24 “2022” each place it appears.

1 ~~(e) SPECIAL ENVOY ON NORTH KOREAN HUMAN~~
 2 ~~RIGHTS ISSUES.—Section 107(d) of the North Korean~~
 3 ~~Human Rights Act of 2004 (22 U.S.C. 7817(d)) is amend-~~
 4 ~~ed by striking “2017” and inserting “2022”.~~

5 ~~(d) REPORT ON UNITED STATES HUMANITARIAN AS-~~
 6 ~~SISTANCE.—Section 201 of the North Korean Human~~
 7 ~~Rights Act of 2004 (22 U.S.C. 7831 is amended—~~

8 ~~(1) in subsection (a), in the matter preceding~~
 9 ~~paragraph (1), by striking “2017” and inserting~~
 10 ~~“2022”,~~

11 ~~(2) by redesignating subsection (b) as sub-~~
 12 ~~section (c); and~~

13 ~~(3) by inserting after subsection (a) the fol-~~
 14 ~~lowing new subsection:~~

15 ~~“(b) NEEDS ASSESSMENT.—The report shall include~~
 16 ~~a needs assessment to inform the distribution of humani-~~
 17 ~~tarian assistance inside North Korea.”.~~

18 ~~(e) ASSISTANCE PROVIDED OUTSIDE OF NORTH~~
 19 ~~KOREA.—Section 203(c)(1) of the North Korean Human~~
 20 ~~Rights Act of 2004 (22 U.S.C. 7833(c)(1)) is amended~~
 21 ~~by striking “2013 through 2017” and inserting “2018~~
 22 ~~through 2022”.~~

23 ~~(f) ANNUAL REPORTS.—Section 305(a) of the North~~
 24 ~~Korean Human Rights Act of 2004 (22 U.S.C. 7845(a))~~

1 is amended, in the matter preceding paragraph (1) by
 2 striking “2017” and inserting “2022”.

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 makes the following findings:*

8 *(1) In 2014, the United Nations Commission of*
 9 *Inquiry (COI) on Human Rights in the Democratic*
 10 *People’s Republic of Korea (DPRK) found that the*
 11 *grave human rights violations still being perpetrated*
 12 *against the people of North Korea, due to policies es-*
 13 *tablished at the highest level of the state, amount to*
 14 *crimes against humanity. Crimes include forced star-*
 15 *vation, sexual violence against women and children,*
 16 *restrictions on freedom of movement, arbitrary deten-*
 17 *tion, torture, executions, and enforced disappearances,*
 18 *among other hardships.*

19 *(2) The COI also noted that the Government of*
 20 *the People’s Republic of China is aiding and abetting*
 21 *in crimes against humanity by forcibly repatriating*
 22 *North Korean refugees back to the DPRK. Upon repa-*
 23 *triation, North Koreans are sent to prison camps, tor-*
 24 *tured, or even executed. The Government of the Peo-*
 25 *ple’s Republic of China’s forcible repatriation of*

1 *North Korean refugees violates its obligation to up-*
2 *hold the principle of non-refoulement, under the*
3 *United Nations Convention Relating to the Status of*
4 *Refugees, done at Geneva July 28, 1951 (as made ap-*
5 *plicable by the Protocol Relating to the Status of Ref-*
6 *ugees, done at New York January 31, 1967 (19 UST*
7 *6223)).*

8 *(3) Estimates from the COI suggest that between*
9 *80,000 and 120,000 people are believed to be impris-*
10 *oned in political prison camps in North Korea. An-*
11 *other 70,000 are believed to be held at other detention*
12 *facilities. Prisoners in both situations are subject to*
13 *harsh conditions, limited food, sexual abuse, and in*
14 *most cases hard labor.*

15 *(4) One of the most overlooked findings of the*
16 *COI report was the persecution of religious minori-*
17 *ties, especially Christians. There is effectively no free-*
18 *dom of religion in North Korea, only worship of the*
19 *Kim family. Christians are subjected to particularly*
20 *acute persecution. It has been reported that Chris-*
21 *tians in North Korea have been tortured, forcibly de-*
22 *tained, and even executed for possessing a Bible or*
23 *professing Christianity.*

24 *(5) North Korea profits from its human rights*
25 *abuses. One report from the Asan Institute for Policy*

1 *Studies suggests that there are nearly 50,000 North*
2 *Korean workers forced to labor overseas, sometimes*
3 *without compensation, and for as much as 20 hours*
4 *at a time. Workers that received compensation were*
5 *not to be paid more than \$150 per month, which is*
6 *between 10 to 20 percent of the value of the labor they*
7 *performed. Based on this report, the regime may prof-*
8 *it as much as \$360,000,000 annually from just*
9 *50,000 laborers.*

10 *(6) On July 6, 2016, the United States imposed*
11 *sanctions on North Korean leader Kim Jong Un and*
12 *other senior North Korean officials for human rights*
13 *violations as required by the North Korea Sanctions*
14 *and Policy Enhancement Act of 2016 (Public Law*
15 *114–122). This was the first time that the United*
16 *States had designated North Korean entities for*
17 *human rights abuses.*

18 *(7) The North Korea Sanctions and Policy En-*
19 *hancement Act of 2016 (Public Law 114–122) re-*
20 *quires the President to impose mandatory penalties*
21 *under United States law on any person that “know-*
22 *ingly engages in, is responsible for, or facilitates seri-*
23 *ous human rights abuses by the Government of North*
24 *Korea”.*

1 (8) *Although the United States Refugee Admis-*
 2 *sions Program remains the largest in the world by*
 3 *far, the United States has resettled only 174 refugees*
 4 *from North Korea between January 2008 and Janu-*
 5 *ary 2017. Since the enactment of the North Korea*
 6 *Human Rights Reauthorization Act of 2008 (Public*
 7 *Law 110–346), the United States has resettled a total*
 8 *of 212 refugees from the DPRK.*

9 **SEC. 3. SENSE OF CONGRESS.**

10 *It is the sense of Congress that—*

11 (1) *the United States Government should con-*
 12 *tinue to make it a priority to improve information*
 13 *access in North Korea by exploring the use of new*
 14 *and emerging technologies and expanding nongovern-*
 15 *mental radio broadcasting to North Korea, including*
 16 *news and information, to increase information dis-*
 17 *semination in the DPRK;*

18 (2) *in an effort to more efficiently and actively*
 19 *participate in humanitarian burden-sharing, the*
 20 *Governments of the United States and the Republic of*
 21 *South Korea should commit to revisit and explore*
 22 *new opportunities for coordinating efforts to plan for*
 23 *a humanitarian and human rights disaster;*

24 (3) *the United Nations has a significant role to*
 25 *play in promoting and improving human rights in*

1 *North Korea and should press for access for the Spe-*
 2 *cial Rapporteur on the situation of human rights in*
 3 *the Democratic People's Republic of Korea as well as*
 4 *the United Nations High Commissioner for Human*
 5 *Rights;*

6 *(4) because refugees among North Koreans fleeing*
 7 *into China face severe punishments upon their forc-*
 8 *ible return, the United States should urge the Govern-*
 9 *ment of the People's Republic of China to—*

10 *(A) immediately halt its forcible repatri-*
 11 *ation of North Koreans;*

12 *(B) fulfill its obligations pursuant to the*
 13 *1951 United Nations Convention Relating to the*
 14 *Status of Refugees, the 1967 Protocol Relating to*
 15 *the Status of Refugees, and the 1995 Agreement*
 16 *on the Upgrading of the UNHCR Mission in the*
 17 *People's Republic of China;*

18 *(C) allow the United Nations High Com-*
 19 *missioner for Refugees (UNHCR) unimpeded ac-*
 20 *cess to North Koreans inside China to determine*
 21 *whether they are refugees and whether they re-*
 22 *quire assistance;*

23 *(D) address the concerns of the United Na-*
 24 *tions Committee against Torture by incor-*

1 *porating the principle of non-refoulement into*
2 *domestic legislation; and*

3 *(E) recognize the legal status of North Ko-*
4 *rean women who marry or have children with*
5 *Chinese citizens, and ensure that all such chil-*
6 *dren are granted resident status and access to*
7 *education and other public services in accord-*
8 *ance with Chinese law and international stand-*
9 *ards;*

10 *(5) the President should continue to designate all*
11 *individuals found to have committed violations de-*
12 *scribed in section 104(a) of the North Korea Sanc-*
13 *tions and Policy Enhancement Act of 2016 (22*
14 *U.S.C. 2914(a)), regarding complicity in censorship*
15 *and human right abuses;*

16 *(6) United States citizens should not travel to*
17 *the Democratic People's Republic of Korea, and the*
18 *Department of State should launch a public aware-*
19 *ness campaign about the risks and dangers of such*
20 *travel;*

21 *(7) the United States should continue to seek co-*
22 *operation from all foreign governments to allow the*
23 *United Nations High Commissioner for Refugees ac-*
24 *cess to process North Korean refugees overseas for re-*
25 *settlement and to allow United States officials access*

1 *to process refugees for resettlement in the United*
2 *States (if that is the destination country of the refu-*
3 *gees' choosing);*

4 *(8) the Secretary of State, through persistent di-*
5 *plomacy by senior officials, including United States*
6 *ambassadors to Asia-Pacific countries, and in close*
7 *cooperation with United States ally South Korea,*
8 *should make every effort to promote the protection of*
9 *North Korean refugees and defectors; and*

10 *(9) because North Koreans fleeing into China*
11 *face a well-founded fear of persecution upon their*
12 *forcible repatriation, the United States should urge*
13 *China to—*

14 *(A) immediately halt the forcible repatri-*
15 *ation of North Koreans;*

16 *(B) allow the United Nations High Com-*
17 *missioner for Refugees unimpeded access to*
18 *North Koreans inside China to determine wheth-*
19 *er such North Koreans require protection as refu-*
20 *gees; and*

21 *(C) fulfill its obligations under the 1951*
22 *United Nations Convention Relating to the Sta-*
23 *tus of Refugees, the 1967 Protocol Relating to the*
24 *Status of Refugees, and the Agreement on the*
25 *Upgrading of the UNHCR Mission in the Peo-*

1 *ple’s Republic of China to UNHCR Branch Of-*
 2 *fice in the People’s Republic of China (signed*
 3 *December 1, 1995).*

4 **SEC. 4. RADIO BROADCASTING TO NORTH KOREA.**

5 *Section 103(a) of the North Korean Human Rights Act*
 6 *of 2004 (22 U.S.C. 7813(a)) is amended—*

7 *(1) by striking “that the United States should fa-*
 8 *cilitate” and inserting the following: “that the United*
 9 *States should—*

10 *“(1) facilitate”;*

11 *(2) in paragraph (1), as redesignated by para-*
 12 *graph (1) of this section—*

13 *(A) by striking “radio broadcasting” and*
 14 *inserting “broadcasting, including news rebroad-*
 15 *casting,”; and*

16 *(B) by striking “increase broadcasts” and*
 17 *inserting “increase such broadcasts, including*
 18 *news rebroadcasts,”; and*

19 *(C) by striking “Voice of America.” and in-*
 20 *serting the following: “Voice of America; and”;*
 21 *and*

22 *(3) by adding at the end the following new para-*
 23 *graph:*

24 *“(2) expand funding for nongovernmental orga-*
 25 *nization broadcasting efforts, prioritizing organiza-*

1 *tions that engage North Korean defectors in program-*
 2 *ming and broadcast services.”.*

3 **SEC. 5. ACTIONS TO PROMOTE FREEDOM OF INFORMATION.**

4 *Section 104(a) of the North Korean Human Rights Act*
 5 *of 2004 (22 U.S.C. 7814(a)) is amended—*

6 *(1) by striking “The President” and inserting*
 7 *the following:*

8 *“(1) IN GENERAL.—The President”;*

9 *(2) by inserting “, USB drives, micro SD cards,*
 10 *audio players, video players, cell phones, wi-fi, wire-*
 11 *less internet, webpages, internet, wireless tele-*
 12 *communications, and other electronic media that*
 13 *shares information” before the period at the end; and*

14 *(3) by adding at the end the following new para-*
 15 *graphs:*

16 *“(2) DISTRIBUTION.—In accordance with the*
 17 *sense of Congress described in section 103, the Presi-*
 18 *dent, acting through the Secretary of State, is author-*
 19 *ized to distribute or provide grants to distribute in-*
 20 *formation receiving devices, electronically readable de-*
 21 *vices, and other informational sources into North*
 22 *Korea, including devices and informational sources*
 23 *specified in paragraph (1). To carry out this para-*
 24 *graph, the President is authorized to issue regulations*

1 *to facilitate the free-flow of information into North*
2 *Korea.*

3 “(3) *RESEARCH AND DEVELOPMENT GRANT PRO-*
4 *GRAM.—In accordance with the authorization de-*
5 *scribed in paragraphs (1) and (2) to increase the*
6 *availability and distribution of sources of information*
7 *inside North Korea, the President, acting through the*
8 *Secretary of State, is authorized to establish a grant*
9 *program to make grants to eligible entities to develop*
10 *or distribute (or both) new products or methods to*
11 *allow North Koreans easier access to outside informa-*
12 *tion. Such program may involve public-private part-*
13 *nerships.*

14 “(4) *CULTURE.—In accordance with the sense of*
15 *Congress described in section 103, the Broadcasting*
16 *Board of Governors may broadcast American, Ko-*
17 *rean, Chinese, and other popular music, television,*
18 *movies, and popular cultural references as part of its*
19 *programming.*

20 “(5) *RIGHTS AND LAWS.—In accordance with the*
21 *sense of Congress described in section 103, the Broad-*
22 *casting Board of Governors should broadcast to North*
23 *Korea in the Korean language information on rights,*
24 *laws, and freedoms afforded through the North Korean*
25 *Constitution, the Universal Declaration of Human*

1 *Rights, the United Nations Commission of Inquiry on*
2 *Human Rights in the Democratic People's Republic*
3 *of Korea, and any other applicable treaties or inter-*
4 *national agreements to which North Korea is bound.*

5 “(6) *FOCUS ON RELIGIOUS MINORITIES.*—*Efforts*
6 *to improve information access under this subsection*
7 *should give priority to religious communities and*
8 *should be coordinated with the Office of International*
9 *Religious Freedom to ensure maximum impact in im-*
10 *proving the rights of religious persons in North*
11 *Korea.*

12 “(7) *BROADCASTING REPORT.*—*Not later than—*

13 “(A) *180 days after the date of the enact-*
14 *ment of this paragraph, the Secretary of State,*
15 *in consultation with the Broadcasting Board of*
16 *Governors, shall submit to the appropriate con-*
17 *gressional committees a report that sets forth a*
18 *detailed plan for improving broadcasting content*
19 *for the purpose of targeting new audiences and*
20 *increasing listenership; and*

21 “(B) *one year after the date of the enact-*
22 *ment of this paragraph and annually thereafter*
23 *for each of the next five years, the Secretary of*
24 *State, in consultation with the Broadcasting*
25 *Board of Governors, shall submit to the appro-*

1 *priate congressional committees a report includ-*
 2 *ing—*

3 *“(i) a description of the effectiveness of*
 4 *actions taken pursuant to this section, in-*
 5 *cluding data reflecting audience and*
 6 *listenership, device distribution and usage,*
 7 *and technological development and advance-*
 8 *ment usage;*

9 *“(ii) the amount of funds expended by*
 10 *the United States Government pursuant to*
 11 *section 403; and*

12 *“(iii) other appropriate information*
 13 *necessary to fully inform Congress of efforts*
 14 *related to this section.”.*

15 **SEC. 6. SENSE OF CONGRESS ON HUMANITARIAN COORDI-**
 16 **NATION RELATED TO THE KOREAN PENIN-**
 17 **SULA.**

18 *Title III of the North Korean Human Rights Act of*
 19 *2004 (22 U.S.C. 7841 et seq.) is amended by adding at the*
 20 *end the following new section:*

21 **“SEC. 306. SENSE OF CONGRESS ON HUMANITARIAN CO-**
 22 **ORDINATION RELATED TO THE KOREAN PE-**
 23 **NINSULA.**

24 *“It is the sense of Congress that—*

1 “(1) any instability on the Korean Peninsula
2 could have significant humanitarian and strategic
3 impact on the region and for United States national
4 interests; and

5 “(2) as such, the United States Government
6 should work with countries sharing a land or mari-
7 time border with the DPRK to develop long-term
8 whole-of-government plans to coordinate efforts related
9 to humanitarian assistance and human rights pro-
10 motion and to effectively assimilate North Korean de-
11 fectors.”.

12 **SEC. 7. REAUTHORIZATION PROVISIONS.**

13 (a) *SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY*
14 *PROGRAMS.*—Section 102 of the North Korean Human
15 *Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is amended—*

16 (1) *in subsection (a), by adding at the end the*
17 *following: “The President is also authorized to pro-*
18 *vide grants to entities to undertake research on North*
19 *Korea’s denial of human rights, including on the po-*
20 *litical and military chains of command responsible*
21 *for authorizing and implementing systemic human*
22 *rights abuses, including at prison camps and deten-*
23 *tion facilities where political prisoners are held.”; and*

24 (2) *in subsection (b)(1), by striking “2017” and*
25 *inserting “2022”.*

1 (b) *ACTIONS TO PROMOTE FREEDOM OF INFORMA-*
 2 *TION.—Section 104 of the North Korean Human Rights Act*
 3 *of 2004 (22 U.S.C. 7814) is amended—*

4 (1) *in subsection (b)(1)—*

5 (A) *by striking “\$2,000,000” and inserting*
 6 *“\$3,000,000”; and*

7 (B) *by striking “2017” and inserting*
 8 *“2022”; and*

9 (2) *in subsection (c), by striking “2017” and in-*
 10 *serting “2022”.*

11 (c) *REPORT BY SPECIAL ENVOY ON NORTH KOREAN*
 12 *HUMAN RIGHTS ISSUES.—Section 107(d) of the North Ko-*
 13 *rean Human Rights Act of 2004 (22 U.S.C. 7817(d)) is*
 14 *amended by striking “2017” and inserting “2022”.*

15 (d) *REPORT ON UNITED STATES HUMANITARIAN AS-*
 16 *SISTANCE.—Section 201 of the North Korean Human*
 17 *Rights Act of 2004 (22 U.S.C. 7831) is amended—*

18 (1) *in subsection (a), in the matter preceding*
 19 *paragraph (1), by striking “2017” and inserting*
 20 *“2022”;*

21 (2) *by redesignating subsection (b) as subsection*
 22 *(c); and*

23 (3) *by inserting after subsection (a) the following*
 24 *new subsection:*

1 “(b) *NEEDS ASSESSMENT.*—*The report shall include*
 2 *a needs assessment to inform the distribution of humani-*
 3 *tarian assistance inside North Korea.*”.

4 (e) *ASSISTANCE PROVIDED OUTSIDE OF NORTH*
 5 *KOREA.*—*Section 203(c)(1) of the North Korean Human*
 6 *Rights Act of 2004 (22 U.S.C. 7833(c)(1)) is amended by*
 7 *striking “2013 through 2017” and inserting “2018 through*
 8 *2022”.*

9 (f) *ANNUAL REPORTS.*—*Section 305(a) of the North*
 10 *Korean Human Rights Act of 2004 (22 U.S.C. 7845(a)) is*
 11 *amended, in the matter preceding paragraph (1) by striking*
 12 *“2017” and inserting “2022”.*

13 **SEC. 8. REPORT BY BROADCASTING BOARD OF GOVERNORS.**

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

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

24 (2) *includes a strategy to overcome obstacles to*
 25 *such communication with the North Korean people,*

1 *including through unrestricted, unmonitored, and in-*
 2 *expensive electronic means.*

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

6 **(c) APPROPRIATE CONGRESSIONAL COMMITTEES.**—*In*
 7 *this section, the term “appropriate congressional commit-*
 8 *tees” means—*

9 *(1) the Committee on Foreign Relations and the*
 10 *Committee on Appropriations of the Senate; and*

11 *(2) the Committee on Foreign Affairs and the*
 12 *Committee on Appropriations of the House of Rep-*
 13 *resentatives.*

14 **SEC. 9. REPEAL OF DUPLICATIVE AUTHORIZATIONS.**

15 *Section 403 of the North Korea Sanctions and Policy*
 16 *Enhancement Act of 2016 (Public Law 114–122; 22 U.S.C.*
 17 *9253) is hereby repealed.*

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115TH CONGRESS
1ST Session

S. 1118

A BILL

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

DECEMBER 11, 2017

Reported with an amendment