

117TH CONGRESS
2D SESSION

H. R. 7332

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2022

Mrs. KIM of California (for herself, Mr. BERA, Mr. SMITH of New Jersey, and
Mrs. STEEL) introduced the following bill; which was referred to the
Committee on Foreign Affairs

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 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The North Korean Human Rights Act of
9 2004 (Public Law 108–333; 22 U.S.C. 7801 et seq.)
10 and subsequent reauthorizations were the product of

1 broad, bipartisan consensus regarding the promotion
2 of human rights, documentation of human rights
3 violations, transparency in the delivery of humani-
4 tarian assistance, and the importance of refugee pro-
5 tection.

6 (2) The human rights and humanitarian condi-
7 tions within the Democratic People's Republic of
8 North Korea (DPRK) remain deplorable and have
9 been intentionally perpetuated against the people of
10 North Korea through policies endorsed and imple-
11 mented by Kim Jong-Un and the Korean Workers'
12 Party.

13 (3) According to a 2014 report released by the
14 United Nations Commission of Inquiry, between
15 80,000 and 120,000 children, women, and men are
16 currently being held in political prison camps in
17 North Korea and are subjected to deliberate starva-
18 tion, forced labor, executions, torture, rape, forced
19 abortion, and infanticide.

20 (4) North Korea continues to hold a number of
21 South Koreans abducted after the signing of the
22 1953 armistice agreement and refuses to acknowl-
23 edge the abduction of over 100,000 South Koreans
24 during the Korean war in violation of the Geneva
25 Convention.

1 (5) Human rights violations in North Korea,
2 which include forced starvation, sexual violence
3 against women and children, restrictions on freedom
4 of movement, arbitrary detention, torture, execu-
5 tions, and enforced disappearances, amount to
6 crimes against humanity according to the United
7 Nations Commission of Inquiry (COI) on Human
8 Rights in the DPRK.

9 (6) The effects of the COVID–19 pandemic and
10 the DPRK’s strict lockdown of its borders and
11 crackdowns on informal market activities and small
12 entrepreneurship have drastically increased food in-
13 security for its people and given rise to famine con-
14 ditions in parts of the country.

15 (7) The DPRK’s COVID–19 border lockdown
16 measures also include shoot-to-kill orders that has
17 resulted in the killing of North Koreans attempting
18 to cross the border and at least one South Korean
19 citizen in September 2020.

20 (8) The Government of the People’s Republic of
21 China (PRC) is aiding and abetting in crimes
22 against humanity by forcibly repatriating North Ko-
23 rean refugees to the DPRK. Upon repatriation,
24 North Koreans are sent to prison camps, harshly in-
25 terrogated, tortured, or executed. The Government

1 of the People's Republic of China's forcible repatri-
2 ation of North Korean refugees violates its non-
3 refoulement obligations, under the United Nations
4 Convention Relating to the Status of Refugees, done
5 at Geneva July 28, 1951 (as made applicable by the
6 Protocol Relating to the Status of Refugees, done at
7 New York January 31, 1967 (19 UST 6223)).

8 (9) The DPRK continues to bar freedom of re-
9 ligion and persecute religious minorities, especially
10 Christians. Eyewitnesses reported that Christians in
11 North Korea have been tortured, forcibly detained,
12 and even executed for possessing a Bible or pro-
13 fessing Christianity.

14 (10) Broadcasting operations into the DPRK
15 serve as a critical source of outside news and infor-
16 mation for the North Korean people and provides a
17 valuable service for countering propaganda and false
18 narratives.

19 (11) The position of Special Envoy on North
20 Korean Human Rights Issues has been vacant since
21 January 2017, although the President is required to
22 appoint a Senate-confirmed Special Envoy to fill this
23 position in accordance with section 107 of the North
24 Korean Human Rights Act of 2004 (22 U.S.C.
25 7817).

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

2 It is the sense of Congress that—

3 (1) promoting information access in North
4 Korea continues to be a successful method of coun-
5 tering DPRK propaganda and the United States
6 Government should continue to support nongovern-
7 mental radio broadcasting to North Korea and pro-
8 mote other emerging methods in this space;

9 (2) because refugees among North Koreans
10 fleeing into China face severe punishments upon
11 their forcible return, the United States should urge
12 the Government of the People's Republic of China
13 to—

14 (A) immediately halt its forcible repatri-
15 ation of North Koreans who would face perse-
16 cution or torture upon return;

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

22 (C) fulfill its obligations under the 1951
23 United Nations Convention Relating to the Sta-
24 tus of Refugees, the 1984 Convention against
25 Torture and Other Cruel, Inhuman or Degrad-
26 ing Treatment or Punishment, the 1967 Pro-

1 tocol Relating to the Status of Refugees, and
2 the Agreement on the Upgrading of the
3 UNHCR Mission in the People's Republic of
4 China to UNHCR Branch Office in the Peo-
5 ple's Republic of China (signed December 1,
6 1995);

7 (D) address the concerns of the United
8 Nations Committee against Torture by incor-
9 porating into domestic legislation the principle
10 of non-refoulement; and

11 (E) recognize the legal status of North Ko-
12 rean women who marry or have children with
13 Chinese citizens, and ensure that all such moth-
14 ers and children are granted resident status
15 and access to education and other public serv-
16 ices in accordance with Chinese law and con-
17 sistent with international standards;

18 (3) the United States Government should con-
19 tinue to promote the effective and transparent deliv-
20 ery and distribution of any humanitarian aid pro-
21 vided in North Korea to ensure it reaches its in-
22 tended recipients to the point of consumption or uti-
23 lization by cooperating closely with the Government
24 of the Republic of Korea and international and non-
25 governmental organizations;

1 (4) the United States currently blocks United
2 States passports from being used to travel to North
3 Korea without a special validation from the Depart-
4 ment of State, and the Department of State should
5 continue to take steps to increase public awareness
6 about the risks and dangers of travel by United
7 States citizens to North Korea;

8 (5) the United Nations has a significant role to
9 play in promoting and improving human rights in
10 North Korea and should press for access for the
11 Special Rapporteur on the situation of human rights
12 in North Korea, as well as for the United Nations
13 High Commissioner for Human Rights;

14 (6) the Special Envoy for North Korean
15 Human Rights Issues should be appointed without
16 delay to properly promote and coordinate North Ko-
17 rean human rights and humanitarian issues and to
18 participate in policy planning and implementation
19 with respect to refugee issues;

20 (7) the United States should urge North Korea
21 to repeal the Reactionary Thought and Culture De-
22 nunciation Law and other draconian laws, regula-
23 tions, and decrees as their implementation mani-
24 festly violates the rights to freedom of opinion and

1 expression and freedom of thought, conscience, and
2 religion;

3 (8) the United States should urge North Korea
4 to ensure that any restrictions on addressing the
5 COVID–19 pandemic are necessary, proportionate,
6 nondiscriminatory, time-bound, and transparent, and
7 allow international staff to operate inside the DPRK
8 to provide international assistance based on inde-
9 pendent needs assessments;

10 (9) the United States should continue to seek
11 cooperation from all foreign governments to allow
12 the UNHCR access to process North Korean refu-
13 gees overseas for resettlement; and

14 (10) the Secretary of State, through diplomacy
15 by senior officials, including United States ambas-
16 sadors to Asia-Pacific countries, and in close co-
17 operation with South Korea, should make every ef-
18 fort to promote the protection of North Korean refu-
19 gees, escapees, and defectors.

20 **SEC. 4. ACTIONS TO PROMOTE FREEDOM OF INFORMA-**
21 **TION.**

22 (a) CONFORMING CHANGE OF NAME.—Section
23 104(a) of the North Korean Human Rights Act of 2004
24 (22 U.S.C. 7814(a); Public Law 108–333) is amended by
25 striking “Broadcasting Board of Governors” each place it

1 appears and inserting “United States Agency for Global
2 Media”.

3 (b) EXTENSION OF AUTHORIZATION OF APPROPRIA-
4 TIONS.—Paragraph (1) of section 104(b) of the North Ko-
5 rean Human Rights Act of 2004 (22 U.S.C. 7814(b)) is
6 amended by striking “2022” and inserting “2027”.

7 (c) EXTENSION OF IMPLEMENTATION REPORT.—
8 Subsection (c) of section 104 of the North Korean Human
9 Rights Act of 2004 (22 U.S.C. 7814) is amended—

10 (1) by striking “2022” and inserting “2027”;

11 and

12 (2) by striking “section.” and inserting: “sec-
13 tion, including—

14 “(1) an update of the plan required under sub-
15 paragraph (A) of subsection (a)(7);

16 “(2) a description of the effectiveness of actions
17 taken pursuant to this section, including data re-
18 flecting audience and listenership, device distribution
19 and usage, and technological development and ad-
20 vancement usage;

21 “(3) the amount of funds expended by the
22 United States Government to carry out this section;
23 and

1 “(4) other appropriate information necessary to
2 fully inform Congress of efforts related to this sec-
3 tion.”.

4 **SEC. 5. REPORT ON UNITED STATES HUMANITARIAN AS-**
5 **SISTANCE.**

6 (a) IN GENERAL.— Section 201(a) of the North Ko-
7 rean Human Rights Act of 2004 (22 U.S.C. 7831(a)) is
8 amended—

9 (1) in paragraph (2), by striking “and” after
10 the semicolon at the end;

11 (2) in paragraph (3), by striking the period and
12 inserting “: and”; and

13 (3) by adding at the end the following new
14 paragraph:

15 “(4) the impacts of the COVID–19 pandemic
16 on the North Korean people across the country and
17 on the distribution of humanitarian assistance inside
18 North Korea.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) shall take effect on the date of the enact-
21 ment of this Act and apply beginning with the first report
22 required under section 201(a) of the North Korean
23 Human Rights Act of 2004, as amended by such sub-
24 section.

1 **SEC. 6. REAUTHORIZATION PROVISIONS.**

2 (a) SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY
3 PROGRAMS.—Section 102(b)(1) of the North Korean
4 Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is
5 amended by striking “2022” and inserting “2027”.

6 (b) REPORT BY SPECIAL ENVOY FOR NORTH KO-
7 REAN HUMAN RIGHTS ISSUES.—Section 107(d) of the
8 North Korean Human Rights Act of 2004 (22 U.S.C.
9 7817(d)) is amended by striking “2022” and inserting
10 “2027”.

11 (c) REPORT ON UNITED STATES HUMANITARIAN AS-
12 SISTANCE.—Subsection (a) of section 201 of the North
13 Korean Human Rights Act of 2004 (22 U.S.C. 7831) is
14 amended, in the matter preceding paragraph (1), by strik-
15 ing “2022” and inserting “2027”.

16 (d) ASSISTANCE PROVIDED OUTSIDE OF NORTH
17 KOREA.—Section 203(c)(1) of the North Korean Human
18 Rights Act of 2004 (22 U.S.C. 7833(c)(1)) is amended
19 by striking “2022” and inserting “2027”.

20 (e) ANNUAL REPORTS.—Section 305(a) of the North
21 Korean Human Rights Act of 2004 (22 U.S.C. 7845(a))
22 is amended in the matter preceding paragraph (1) by
23 striking “2022” and inserting “2027”.

24 (f) SPECIAL ENVOY FOR NORTH KOREAN HUMAN
25 RIGHTS ISSUES.—Section 107 of the North Korean

1 Human Rights Act of 2004 (22 U.S.C. 7817) is amended
2 by adding at the end the following:

3 “(e) REPORT ON APPOINTMENT OF SPECIAL
4 ENVOY.—Not later than 180 days after the date of the
5 enactment of this subsection and annually thereafter
6 through 2027, the Secretary of State shall submit to the
7 appropriate congressional committees a report on efforts
8 being taken to appoint a Special Envoy for North Korean
9 human rights issues so long as such position remains va-
10 cant.”.

11 (g) REPORT ON NORTH KOREAN PRISON CAMPS.—
12 Section 303 of the North Korea Sanctions and Policy En-
13 hancement Act of 2016 (22 U.S.C. 9242) is amended—

14 (1) in subsection (a), by inserting “annually
15 through 2027” before “submit”; and

16 (2) in subsection (b)—

17 (A) by striking “The report” and inserting
18 “Each report”; and

19 (B) by striking “the date of the enactment
20 of this Act” and inserting “the date of the en-
21 actment of the North Korean Human Rights
22 Reauthorization Act of 2022”.

1 **SEC. 7. REPORT BY UNITED STATES AGENCY FOR GLOBAL**
2 **MEDIA.**

3 Not later than 120 days after the date of the enact-
4 ment of this Act, the Chief Executive Officer of the United
5 States Agency for Global Media shall submit to the Com-
6 mittee on Foreign Affairs of the House of Representatives
7 and the Committee on Foreign Relations of the Senate
8 a report that—

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

16 (2) includes a strategy to overcome obstacles to
17 such broadcasting, including through unrestricted,
18 unmonitored, and inexpensive electronic means.

19 **SEC. 8. SENSE OF CONGRESS REGARDING KOREAN-AMER-**
20 **ICAN DIVIDED FAMILIES.**

21 It is the sense of Congress that—

22 (1) the United States and North Korea should
23 begin the process of reuniting Korean-American di-
24 vided family members with their immediate relatives
25 through ways such as—

1 (A) identifying divided families in the
2 United States and North Korea who are willing
3 and able to participate in a pilot program for
4 family reunions;

5 (B) finding matches for members of such
6 families through organizations such as the Red
7 Cross; and

8 (C) working with the Government of South
9 Korea to include American citizens in inter-Ko-
10 rean video reunions;

11 (2) the institution of family is inalienable and
12 the restoration of contact between divided families
13 whether physically, literarily, or virtually is an ur-
14 gent need; and

15 (3) the United States and North Korea should
16 pursue reunions as a humanitarian priority of imme-
17 diate concern.

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