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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

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

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mrs. KIM of California introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**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 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The North Korean Human Rights Act of  
9 2004 (Public Law 108–333; 22 U.S.C. 7801 et seq.)

1 and subsequent reauthorizations of such Act were  
2 the product of broad, bipartisan consensus regarding  
3 the promotion of human rights, documentation of  
4 human rights violations, transparency in the delivery  
5 of humanitarian assistance, and the importance of  
6 refugee protection.

7 (2) The human rights and humanitarian condi-  
8 tions within North Korea remain deplorable and  
9 have been intentionally perpetuated against the peo-  
10 ple of North Korea through policies endorsed and  
11 implemented by Kim Jong-un and the Workers'  
12 Party of Korea.

13 (3) According to a 2014 report released by the  
14 United Nations Human Rights Council's Commis-  
15 sion of Inquiry on Human Rights in the Democratic  
16 People's Republic of Korea, between 80,000 and  
17 120,000 children, women, and men were being held  
18 in political prison camps in North Korea, where they  
19 were subjected to deliberate starvation, forced labor,  
20 executions, torture, rape, forced abortion, and infan-  
21 ticide.

22 (4) North Korea continues to hold a number of  
23 South Koreans and Japanese abducted after the  
24 signing of the Agreement Concerning a Military Ar-  
25 mistice in Korea, signed at Panmunjom July 27,

1 1953 (commonly referred to as the “Korean War  
2 Armistice Agreement”) and refuses to acknowledge  
3 the abduction of more than 100,000 South Koreans  
4 during the Korean War in violation of the Geneva  
5 Convention.

6 (5) Human rights violations in North Korea,  
7 which include forced starvation, sexual violence  
8 against women and children, restrictions on freedom  
9 of movement, arbitrary detention, torture, execu-  
10 tions, and enforced disappearances, amount to  
11 crimes against humanity according to the United  
12 Nations Commission of Inquiry on Human Rights in  
13 the Democratic People’s Republic of Korea.

14 (6) The effects of the COVID–19 pandemic and  
15 North Korea’s strict lockdown of its borders and  
16 crackdowns on informal market activities and small  
17 entrepreneurship have drastically increased food in-  
18 security for its people and given rise to famine con-  
19 ditions in parts of the country.

20 (7) North Korea’s COVID–19 border lockdown  
21 measures also include shoot-to-kill orders that have  
22 resulted in the killing of—

23 (A) North Koreans attempting to cross the  
24 border; and

1 (B) at least 1 South Korean citizen in Sep-  
2 tember 2020.

3 (8) The Government of the People's Republic of  
4 China is aiding and abetting in crimes against hu-  
5 manity by forcibly repatriating North Korean refu-  
6 gees to North Korea where they are sent to prison  
7 camps, harshly interrogated, and tortured or exe-  
8 cuted.

9 (9) The forcible repatriation of North Korean  
10 refugees violates the People's Republic of China's  
11 freely undertaken obligation to uphold the principle  
12 of non-refoulement, as a state party to the Conven-  
13 tion Relating to the Status of Refugees, done at Ge-  
14 neva July 28, 1951 (and made applicable by the  
15 Protocol Relating to the Status of Refugees, done at  
16 New York January 31, 1967 (19 UST 6223)).

17 (10) North Korea continues to bar freedom of  
18 religion and persecute religious minorities, especially  
19 Christians. Eyewitnesses report that Christians in  
20 North Korea have been tortured, forcibly detained,  
21 and even executed for possessing a Bible or pro-  
22 fessing Christianity.

23 (11) United States and international broad-  
24 casting operations into North Korea—

1 (A) serve as a critical source of outside  
2 news and information for the North Korean  
3 people; and

4 (B) provide a valuable service for coun-  
5 tering regime propaganda and false narratives.

6 (12) The position of Special Envoy on North  
7 Korean Human Rights Issues was vacant from Jan-  
8 uary 2017 to December 2022, even though the  
9 President is required to appoint a Senate-confirmed  
10 Special Envoy to fill this position in accordance with  
11 section 107 of the North Korean Human Rights Act  
12 of 2004 (22 U.S.C. 7817). In January 2023 Presi-  
13 dent Biden nominated Julie Turner as Special  
14 Envoy on North Korean Human Rights and Issues  
15 and her nomination is currently awaiting Senate  
16 confirmation.

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

18 It is the sense of Congress that—

19 (1) promoting information access in North  
20 Korea continues to be a successful method of coun-  
21 tering DPRK propaganda and the United States  
22 Government should continue to support nongovern-  
23 mental radio broadcasting to North Korea and pro-  
24 mote other emerging methods in this space;

1           (2) 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           (A) to immediately halt its forcible repatri-  
6 ation of North Koreans;

7           (B) to allow the United Nations High  
8 Commissioner for Refugees (referred to in this  
9 section as “UNHCR”) unimpeded access to  
10 North Koreans within China to determine  
11 whether they are refugees and require assist-  
12 ance;

13           (C) to fulfill its obligations as a state party  
14 to the Convention Relating to the Status of  
15 Refugees, done at Geneva July 28, 1951 (and  
16 made applicable by the Protocol Relating to the  
17 Status of Refugees, done at New York January  
18 31, 1967 (19 UST 6223) and the Agreement  
19 on the upgrading of the UNHCR Mission in the  
20 People’s Republic of China to UNHCR branch  
21 office in the People’s Republic of China, done  
22 at Geneva December 1, 1995;

23           (D) to address the concerns of the United  
24 Nations Committee Against Torture by incor-

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

3           (E) to recognize the legal status of North  
4           Korean women who marry or have children with  
5           Chinese citizens and ensure that all such moth-  
6           ers and children are granted resident status  
7           and access to education and other public serv-  
8           ices in accordance with Chinese law and inter-  
9           national standards;

10          (3) the United States Government should con-  
11          tinue to promote the effective and transparent deliv-  
12          ery and distribution of any humanitarian aid pro-  
13          vided in North Korea to ensure that such aid  
14          reaches its intended recipients to the point of con-  
15          sumption or utilization by cooperating closely with  
16          the Government of the Republic of Korea and inter-  
17          national and nongovernmental organizations;

18          (4) the Department of State should continue to  
19          take steps to increase public awareness about the  
20          risks and dangers of travel by United States citizens  
21          to North Korea, including by continuing its policy of  
22          blocking United States passports from being used to  
23          travel to North Korea without a special validation  
24          from the Department of State;

1           (5) the United Nations, which has a significant  
2           role to play in promoting and improving human  
3           rights in North Korea, should press for access for  
4           the United Nations Special Rapporteur and the  
5           United Nations High Commissioner for Human  
6           Rights on the situation of human rights in North  
7           Korea;

8           (6) Julie Turner, Nominee for Special Envoy on  
9           North Korean Human Rights Issues should be con-  
10          firmed without delay—

11                   (A) to properly promote and coordinate  
12                   North Korean human rights and humanitarian  
13                   issues; and

14                   (B) to participate in policy planning and  
15                   implementation with respect to refugee issues;

16          (7) the United States should urge North Korea  
17          to repeal the Reactionary Thought and Culture De-  
18          nunciation Law and other draconian laws, regula-  
19          tions, and decrees that manifestly violate the free-  
20          dom of opinion and expression and the freedom of  
21          thought, conscience, and religion;

22          (8) the United States should urge North Korea  
23          to ensure that any restrictions on addressing the  
24          COVID–19 pandemic are necessary, proportionate,  
25          nondiscriminatory, time-bound, transparent, and

1 allow international staff to operate inside the North  
2 Korea to provide international assistance based on  
3 independent needs assessments;

4 (9) the United States should expand the Re-  
5 wards for Justice program to be open to North Ko-  
6 rean officials who can provide evidence of crimes  
7 against humanity being committed by North Korean  
8 officials;

9 (10) the United States should continue to seek  
10 cooperation from all foreign governments—

11 (A) to allow the UNHCR access to process  
12 North Korean refugees overseas for resettle-  
13 ment; and

14 (B) to allow United States officials access  
15 to process refugees for possible resettlement in  
16 the United States; and

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

23 **SEC. 4. REAUTHORIZATIONS.**

24 (a) SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY  
25 PROGRAMS.—Section 102(b)(1) of the North Korean

1 Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is  
2 amended by striking “2022” and inserting “2028”.

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

6 (1) in subsection (b)(1), by striking “2022”  
7 and inserting “2028”; and

8 (2) in subsection (c), by striking “2022” and  
9 inserting “2028”.

10 (c) REPORT BY SPECIAL ENVOY ON NORTH KOREAN  
11 HUMAN RIGHTS ISSUES.—Section 107(d) of the North  
12 Korean Human Rights Act of 2004 (22 U.S.C. 7817(d))  
13 is amended by striking “2022” and inserting “2028”.

14 (d) REPORT ON UNITED STATES HUMANITARIAN AS-  
15 SISTANCE.—Section 201(a) of the North Korean Human  
16 Rights Act of 2004 (22 U.S.C. 7831(a)) is amended, in  
17 the matter preceding paragraph (1), by striking “2022”  
18 and inserting “2028”.

19 (e) ASSISTANCE PROVIDED OUTSIDE OF NORTH  
20 KOREA.—Section 203 of the North Korean Human Rights  
21 Act of 2004 (22 U.S.C. 7833) is amended—

22 (1) in subsection (b)(2), by striking “103(15)”  
23 and inserting “103(17)”; and

24 (2) in subsection (c)(1), by striking “2018  
25 through 2022” and inserting “2023 through 2028”.

1 (f) ANNUAL REPORTS.—Section 305(a) of the North  
2 Korean Human Rights Act of 2004 (22 U.S.C. 7845(a))  
3 is amended, in the matter preceding paragraph (1) by  
4 striking “2022” and inserting “2028”.

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

7 Title I of the North Korean Human Rights Act of  
8 2004 (22 U.S.C. 7811 et seq.) is amended—

9 (1) in section 103(a), by striking “Broadcasting  
10 Board of Governors” and inserting “United States  
11 Agency for Global Media”; and

12 (2) in section 104(a)—

13 (A) by striking “Broadcasting Board of  
14 Governors” each place such term appears and  
15 inserting “United States Agency for Global  
16 Media”;

17 (B) in paragraph (7)(B)—

18 (i) in the matter preceding clause (i),  
19 by striking “5 years” and inserting “10  
20 years”;

21 (ii) by redesignating clauses (i)  
22 through (iii) as clauses (ii) through (iv),  
23 respectively;

24 (iii) by inserting before clause (ii) the  
25 following:

1 “(i) an update of the plan required  
2 under subparagraph (A);” and

3 (iv) in clause (iii), as redesignated, by  
4 striking “pursuant to section 403” and in-  
5 serting “to carry out this section”.

6 **SEC. 6. SPECIAL ENVOY FOR NORTH KOREAN HUMAN**  
7 **RIGHTS ISSUES.**

8 Section 107 of the North Korean Human Rights Act  
9 of 2004 (22 U.S.C. 7817) is amended by adding at the  
10 end the following:

11 “(e) REPORT ON APPOINTMENT OF SPECIAL  
12 ENVOY.—Not later than 180 days after the date of the  
13 enactment of this subsection and annually thereafter  
14 through 2028 if the position of Special Envoy remains va-  
15 cant, the Secretary of State shall submit a report to the  
16 appropriate congressional committees that describes the  
17 efforts being taken to appoint the Special Envoy.”.

18 **SEC. 7. SENSE OF CONGRESS REGARDING KOREAN-AMER-**  
19 **ICAN DIVIDED FAMILIES.**

20 It is the sense of Congress that—

21 (1) the United States and North Korea should  
22 begin the process of reuniting Korean-American di-  
23 vided family members with their immediate relatives  
24 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.