

“(2) at the same time that careful screening of intending refugees is important, the United States also should make every effort to ensure that its screening, processing, and resettlement of North Korean refugees are as efficient and expeditious as possible;

“(3) the Special Envoy for North Korean Human Rights Issues should be a full-time position within the Department of State in order to properly promote and coordinate North Korean human rights and humanitarian issues, and to participate in policy planning and implementation with respect to refugee issues, as intended by the North Korean Human Rights Act of 2004 (Public Law 108-333; 22 U.S.C. 7801 et seq.);

“(4) in an effort to more efficiently and actively participate in humanitarian burden-sharing, the United States should approach our ally, the Republic of Korea, to revisit and explore new opportunities for coordinating efforts to screen and resettle North Koreans who have expressed a wish to pursue resettlement in the United States and have not yet availed themselves of any right to citizenship they may enjoy under the Constitution of the Republic of Korea; and

“(5) because there are genuine refugees among North Koreans fleeing into China who face severe punishments upon their forcible return, the United States should urge the Government of China to—

“(A) immediately halt its forcible repatriation of North Koreans;

“(B) fulfill its obligations pursuant to the 1951 United Nations Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, and the 1995 Agreement on the Upgrading of the UNHCR Mission in the People’s Republic of China to UNHCR Branch Office in the People’s Republic of China; and

“(C) allow the United Nations High Commissioner for Refugees (UNHCR) unimpeded access to North Koreans inside China to determine whether they are refugees and whether they require assistance.”

#### § 7802. Purposes

The purposes of this chapter are—

(1) to promote respect for and protection of fundamental human rights in North Korea;

(2) to promote a more durable humanitarian solution to the plight of North Korean refugees;

(3) to promote increased monitoring, access, and transparency in the provision of humanitarian assistance inside North Korea;

(4) to promote the free flow of information into and out of North Korea; and

(5) to promote progress toward the peaceful reunification of the Korean peninsula under a democratic system of government.

(Pub. L. 108-333, § 4, Oct. 18, 2004, 118 Stat. 1290.)

#### § 7803. Definitions

In this chapter:

##### (1) Appropriate congressional committees

The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Foreign Relations of the Senate.

##### (2) China

The term “China” means the People’s Republic of China.

##### (3) Humanitarian assistance

The term “humanitarian assistance” means assistance to meet humanitarian needs, in-

cluding needs for food, medicine, medical supplies, clothing, and shelter.

##### (4) North Korea

The term “North Korea” means the Democratic People’s Republic of Korea.

##### (5) North Koreans

The term “North Koreans” means persons who are citizens or nationals of North Korea.

##### (6) South Korea

The term “South Korea” means the Republic of Korea.

(Pub. L. 108-333, § 5, Oct. 18, 2004, 118 Stat. 1290; Pub. L. 110-346, § 4, Oct. 7, 2008, 122 Stat. 3941.)

#### AMENDMENTS

2008—Par. (1)(A). Pub. L. 110-346 substituted “Foreign Affairs” for “International Relations”.

#### SUBCHAPTER I—PROMOTING THE HUMAN RIGHTS OF NORTH KOREANS

##### § 7811. Sense of Congress regarding negotiations with North Korea

It is the sense of Congress that the human rights of North Koreans should remain a key element in future negotiations between the United States, North Korea, and other concerned parties in Northeast Asia.

(Pub. L. 108-333, title I, § 101, Oct. 18, 2004, 118 Stat. 1290.)

##### § 7812. Support for human rights and democracy programs

###### (a) Support

The President is authorized to provide grants to private, nonprofit organizations to support programs that promote human rights, democracy, rule of law, and the development of a market economy in North Korea. Such programs may include appropriate educational and cultural exchange programs with North Korean participants, to the extent not otherwise prohibited by law. The President is also authorized to provide grants to entities to undertake research on North Korea’s denial of human rights, including on the political and military chains of command responsible for authorizing and implementing systemic human rights abuses, including at prison camps and detention facilities where political prisoners are held.

###### (b) Authorization of appropriations

###### (1) In general

There are authorized to be appropriated to the President \$2,000,000 for each of the fiscal years 2005 through 2008 and \$2,000,000 for each of fiscal years 2009 through 2022 to carry out this section.

###### (2) Availability

Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

(Pub. L. 108-333, title I, § 102, Oct. 18, 2004, 118 Stat. 1290; Pub. L. 110-346, § 5, Oct. 7, 2008, 122 Stat. 3941; Pub. L. 112-172, § 4, Aug. 16, 2012, 126

Stat. 1308; Pub. L. 115–198, §7(a), July 20, 2018, 132 Stat. 1523.)

#### AMENDMENTS

2018—Subsec. (a). Pub. L. 115–198, §7(a)(1), inserted at end “The President is also authorized to provide grants to entities to undertake research on North Korea’s denial of human rights, including on the political and military chains of command responsible for authorizing and implementing systemic human rights abuses, including at prison camps and detention facilities where political prisoners are held.”

Subsec. (b)(1). Pub. L. 115–198, §7(a)(2), substituted “2022” for “2017”.

2012—Subsec. (b)(1). Pub. L. 112–172 substituted “2017” for “2012”.

2008—Subsec. (b)(1). Pub. L. 110–346 inserted “and \$2,000,000 for each of fiscal years 2009 through 2012” after “2008”.

### § 7813. Radio broadcasting to North Korea

#### (a) Sense of Congress

It is the sense of Congress that the United States should—

(1) facilitate the unhindered dissemination of information in North Korea by increasing its support for broadcasting, including news rebroadcasting, to North Korea, and that the Broadcasting Board of Governors should increase such broadcasts, including news rebroadcasts, to North Korea from current levels, with a goal of providing 12-hour-per-day broadcasting to North Korea, including broadcasts by Radio Free Asia and Voice of America; and

(2) expand funding for nongovernmental organization broadcasting efforts, prioritizing organizations that engage North Korean defectors in programming and broadcast services.

#### (b) Report

Not later than 120 days after October 18, 2004, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report that—

(1) describes the status of current United States broadcasting to North Korea; and

(2) outlines a plan for increasing such broadcasts to 12 hours per day, including a detailed description of the technical and fiscal requirements necessary to implement the plan.

(Pub. L. 108–333, title I, §103, Oct. 18, 2004, 118 Stat. 1291; Pub. L. 115–198, §4, July 20, 2018, 132 Stat. 1521.)

#### AMENDMENTS

2018—Subsec. (a). Pub. L. 115–198, §4(1), (3), substituted “United States should—” for “United States should”, inserted par. (1) designation before “facilitate”, and added par. (2).

Subsec. (a)(1). Pub. L. 115–198, §4(2), substituted “broadcasting, including news rebroadcasting,” for “radio broadcasting”, “increase such broadcasts, including news rebroadcasts,” for “increase broadcasts”, and “Voice of America; and” for “Voice of America.”

### § 7814. Actions to promote freedom of information

#### (a) Actions

##### (1) In general

The President is authorized to take such actions as may be necessary to increase the

availability of information inside North Korea by increasing the availability of sources of information not controlled by the Government of North Korea, including sources such as radios capable of receiving broadcasting from outside North Korea, USB drives, micro SD cards, audio players, video players, cell phones, wi-fi, wireless internet, web pages, internet, wireless telecommunications, and other electronic media that shares information.

#### (2) Distribution

In accordance with the sense of Congress described in section 7813 of this title, the President, acting through the Secretary of State, is authorized to distribute or provide grants to distribute information receiving devices, electronically readable devices, and other informational sources into North Korea, including devices and informational sources specified in paragraph (1). To carry out this paragraph, the President is authorized to issue regulations to facilitate the free-flow of information into North Korea.

#### (3) Research and development grant program

In accordance with the authorization described in paragraphs (1) and (2) to increase the availability and distribution of sources of information inside North Korea, the President, acting through the Secretary of State, is authorized to establish a grant program to make grants to eligible entities to develop or distribute (or both) new products or methods to allow North Koreans easier access to outside information. Such program may involve public-private partnerships.

#### (4) Culture

In accordance with the sense of Congress described in section 7813 of this title, the Broadcasting Board of Governors may broadcast American, Korean, Chinese, and other popular music, television, movies, and popular cultural references as part of its programming.

#### (5) Rights and laws

In accordance with the sense of Congress described in section 7813 of this title, the Broadcasting Board of Governors should broadcast to North Korea in the Korean language information on rights, laws, and freedoms afforded through the North Korean Constitution, the Universal Declaration of Human Rights, the United Nations Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea, and any other applicable treaties or international agreements to which North Korea is bound.

#### (6) Religious minorities

Efforts to improve information access under this subsection should include religious communities and should be coordinated with the Office of International Religious Freedom to ensure maximum impact in improving the rights of religious persons in North Korea.

#### (7) Broadcasting report

Not later than—

(A) 180 days after July 20, 2018, the Secretary of State, in consultation with the