

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

Broadcasting Board of Governors, shall submit to the appropriate congressional committees a report that sets forth a detailed plan for improving broadcasting content for the purpose of targeting new audiences and increasing listenership; and

(B) 1 year after July 20, 2018, and annually thereafter for each of the next 5 years, the Secretary of State, in consultation with the Broadcasting Board of Governors, shall submit to the appropriate congressional committees a report including—

(i) a description of the effectiveness of actions taken pursuant to this section, including data reflecting audience and listenership, device distribution and usage, and technological development and advancement usage;

(ii) the amount of funds expended by the United States Government pursuant to section 403;<sup>1</sup> and

(iii) other appropriate information necessary to fully inform Congress of efforts related to this section.

## (b) Authorization of appropriations

### (1) In general

There are authorized to be appropriated to the President \$3,000,000 for each of the fiscal years 2005 through 2022 to carry out subsection (a).

### (2) Availability

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

### (c) Report

Not later than 1 year after October 18, 2004, and annually through 2022, the Secretary of State, after consultation with the heads of other appropriate Federal departments and agencies, shall submit to the appropriate congressional committees a report, in classified form, on actions taken pursuant to this section.

### (d) Information technology study

Not later than 180 days after the date of the enactment of the North Korea Sanctions and Policy Enhancement Act of 2015,<sup>1</sup> the President shall submit to the appropriate congressional committees a classified report that sets forth a detailed plan for making unrestricted, unmonitored, and inexpensive electronic mass communications available to the people of North Korea.

(Pub. L. 108–333, title I, §104, Oct. 18, 2004, 118 Stat. 1291; Pub. L. 110–346, §7, Oct. 7, 2008, 122 Stat. 3941; Pub. L. 112–172, §6, Aug. 16, 2012, 126 Stat. 1309; Pub. L. 114–122, title III, §301, Feb. 18, 2016, 130 Stat. 112; Pub. L. 115–198, §§5, 7(b), July 20, 2018, 132 Stat. 1521, 1523.)

#### REFERENCES IN TEXT

Section 403, referred to in subsec. (a)(7)(B)(ii), may mean section 403 of the North Korea Sanctions and Policy Enhancement Act of 2016, Pub. L. 114–122, which authorized appropriations to carry out various provisions in this chapter and was classified to section 9253 of this

<sup>1</sup> See References in Text note below.

title, prior to repeal by Pub. L. 115–198, §9, July 20, 2018, 132 Stat. 1525. There is no section 403 of Pub. L. 108–333, of which this section is a part.

The date of the enactment of the North Korea Sanctions and Policy Enhancement Act of 2015, referred to in subsec. (d), probably means the date of enactment of the North Korea Sanctions and Policy Enhancement Act of 2016, Pub. L. 114–122, which was approved Feb. 18, 2016.

#### AMENDMENTS

2018—Subsec. (a). Pub. L. 115–198, §5, designated existing provisions as par. (1), inserted heading, inserted “, 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” before period at end, and added pars. (2) to (7).

Subsec. (b)(1). Pub. L. 115–198, §7(b)(1), substituted “\$3,000,000” for “\$2,000,000” and “2022” for “2017”.

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

2016—Subsec. (d). Pub. L. 114–122 added subsec. (d).

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

2008—Subsec. (b)(1). Pub. L. 110–346, §7(1), substituted “2012” for “2008”.

Subsec. (c). Pub. L. 110–346, §7(2), substituted “annually through 2012” for “in each of the 3 years thereafter”.

#### DELEGATION OF FUNCTIONS

Functions of President under section 301 of Pub. L. 114–122 (adding subsec. (d) of this section) delegated to Secretary of State by Memorandum of President of the United States, May 18, 2016, 81 F.R. 37479, set out as a note under section 9212 of this title.

## § 7815. United Nations Commission on Human Rights

It is the sense of Congress that the United Nations has a significant role to play in promoting and improving human rights in North Korea, and that—

(1) the United Nations Commission on Human Rights (UNCHR) has taken positive steps by adopting Resolution 2003/10 and Resolution 2004/13 on the situation of human rights in North Korea, and particularly by requesting the appointment of a Special Rapporteur on the situation of human rights in North Korea; and

(2) the severe human rights violations within North Korea warrant country-specific attention and reporting by the United Nations Working Group on Arbitrary Detention, the Working Group on Enforced and Involuntary Disappearances, the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, the Special Rapporteur on human rights on the Right to Food, the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, the Special Rapporteur on Freedom of Religion or Belief, and the Special Rapporteur on Violence Against Women.

(Pub. L. 108–333, title I, §105, Oct. 18, 2004, 118 Stat. 1291.)

## § 7816. Establishment of regional framework

### (a) Findings

The Congress finds that human rights initiatives can be undertaken on a multilateral basis,