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S. 1903

To promote human rights, democracy, and development in North Korea, to promote overall security on the Korean Peninsula and establish a more peaceful world environment, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2003

Mr. BROWNBACK (for himself and Mr. BAYH) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To promote human rights, democracy, and development in North Korea, to promote overall security on the Korean Peninsula and establish a more peaceful world environment, 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 Free-
5 dom Act of 2003”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.

- Sec. 4. Purposes.
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- Sec. 101. Reports.
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TITLE II—ACTIONS TO PROTECT NORTH KOREAN REFUGEES

- Sec. 201. Pursuit of first asylum policy.
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TITLE III—ACTIONS TO PROMOTE NORTH KOREAN DEMOCRACY

- Sec. 301. Radio broadcasting into North Korea.
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- Sec. 303. Sense of Congress regarding United States financial assistance designed to address conditions created by the economic and political system of North Korea.
- Sec. 304. Funding for entities that promote programs for democracy, good governance, and the rule of law.
- Sec. 305. Funding for entities that promote market economies.

TITLE IV—NEGOTIATIONS WITH NORTH KOREA

- Sec. 401. Sense of Congress regarding negotiations with North Korea.
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- Sec. 403. Conditions for United States aid and other assistance.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Annual report.
- Sec. 502. Task force on North Korean criminal activities.

1 **SEC. 3. FINDINGS.**

2 Congress makes the following findings:

- 3 (1) The economies of North Korea and South
 4 Korea are dramatically different. The 2002 per cap-
 5 ita gross domestic product of North Korea is esti-
 6 mated at \$1,000; in South Korea it is estimated at

1 \$19,400. North Korea's 2002 gross domestic prod-
2 uct real growth rate is estimated at 1 percent, while
3 South Korea's is estimated at 5.8 percent. North
4 Korea's 2002 exports are estimated at
5 \$915,000,000, while South Korea's are estimated at
6 \$162,000,000,000.

7 (2) The health of the North Korean people as
8 a whole is significantly worse than the health of the
9 people of South Korea. The estimated infant mor-
10 tality rate in 2002 in North Korea is 22.8 deaths
11 per 1,000 live births, while in South Korea it is 7.6
12 deaths per 1,000 live births. The estimated life ex-
13 pectancy for babies born in 2002 is 3.5 years longer
14 in South Korea than it is in North Korea.

15 (3) Nearly 1 North Korean child in 10 suffers
16 from acute malnutrition, and 4 out of every 10 chil-
17 dren are chronically malnourished, according to a
18 United Nations-European Union survey in 2002.

19 (4) The differences in the economic perform-
20 ance of North Korea and South Korea and the
21 health of the people living in those countries cannot
22 be accounted for by differences in land area or nat-
23 ural resources.

24 (5) The people of the Korean peninsula are un-
25 justly divided into 2 different countries, one of which

1 offers its citizens freedom, prosperity, and hope for
2 the future, and one of which oppresses its people
3 and threatens them with imprisonment, starvation,
4 and death.

5 (6) The people of South Korea are able to exer-
6 cise their basic rights, and in doing so have impres-
7 sively created and sustained a peaceful, just, and
8 prosperous society since the end of the Korean con-
9 flict in 1953. The people of South Korea have main-
10 tained and are continually improving upon this suc-
11 cess.

12 (7) The people of North Korea deserve the
13 same rights, freedom, and prosperity enjoyed by
14 their relatives in South Korea, but the current Gov-
15 ernment of North Korea has denied them those
16 rights by—

17 (A) forbidding the exercise of free speech
18 and religion;

19 (B) imprisoning citizens and their families
20 in a system of prison and labor camps for exer-
21 cising basic rights;

22 (C) mismanaging the economy and food
23 production, with the result that millions of peo-
24 ple are threatened with starvation;

1 (D) dismantling the national food system,
2 with the result that the customary rules and ar-
3 rangements by which people exchange labor for
4 food are no longer in operation; and

5 (E) forbidding nearly all contact with the
6 outside world.

7 (8) Many persons wish to flee North Korea but
8 cannot do so because of the threat of arrest, impris-
9 onment, and execution in North Korea and the
10 threat of repatriation to North Korea if they are dis-
11 covered in another country.

12 (9) North Koreans, including agents of the
13 North Korean Government, have engaged in various
14 criminal activities, including international trafficking
15 in narcotics, arms, and persons.

16 (10) The North Korean Government has op-
17 pressed its people by imprisoning, executing, or
18 starving people for such crimes as “ideological diver-
19 gence,” “opposing socialism,” and other
20 “counterrevolutionary crimes.” An estimated
21 200,000 people are imprisoned in North Korea for
22 political reasons.

23 (11) The North Korean people are denied their
24 right to self-determination by the dictatorship of
25 Kim Jong Il.

1 (12) Estimates of the number of North Korean
2 refugees living in China range from 100,000 to
3 300,000 people.

4 (13) As many as 3,500,000 North Koreans
5 have died from hunger or famine-related disease
6 since 1994.

7 (14) South Korea accepted fewer than 3,000
8 North Korean refugees for resettlement in South
9 Korea between 1953 and 2002.

10 (15) Fewer than 100 North Koreans were
11 granted public interest parole into the United States
12 in each of 1998 and 1999.

13 (16) Korean unification under a peaceful, politi-
14 cally free, market-oriented system could contribute
15 to political stability and economic prosperity in
16 northeast Asia and beyond.

17 (17) United States and world security, which is
18 threatened by the production and export of weapons
19 of mass destruction and related delivery systems,
20 materials, and technologies by North Korea, will
21 best be advanced by the establishment of freedom,
22 democracy, and rights for the North Korean people.

23 **SEC. 4. PURPOSES.**

24 The purposes of this Act are—

1 (1) to declare that it is the policy of the United
2 States—

3 (A) to end the development, sale, and
4 transfer of weapons of mass destruction and re-
5 lated delivery systems, materials, and tech-
6 nologies in and from the Korean peninsula;

7 (B) to assist in the reunification of the Ko-
8 rean peninsula under a democratic system of
9 government; and

10 (C) to achieve respect for and protection of
11 human rights in North Korea in accordance
12 with United Nations conventions; and

13 (2) to take and encourage steps to implement
14 this policy.

15 **SEC. 5. DEFINITIONS.**

16 In this Act:

17 (1) The term “Appropriate congressional com-
18 mittees” means the Committee on Foreign Relations
19 and the Select Committee on Intelligence of the Sen-
20 ate and the Committee on International Relations
21 and the Permanent Select Committee on Intelligence
22 of the House of Representatives.

23 (2) The term “China” means the People’s Re-
24 public of China.

1 (3) The term “North Korea” means the Demo-
2 cratic People’s Republic of Korea.

3 (4) The term “North Koreans” means persons
4 who are natives or citizens of North Korea.

5 (5) The term “political offenses” means crimes
6 that are designed to prevent free speech, free exer-
7 cise of religion, opposition to the government, free
8 travel and movement, or other similar offenses.

9 (6) The term “Secretary” means the Secretary
10 of Homeland Security.

11 **TITLE I—PROTECTING THE**
12 **HUMAN RIGHTS OF NORTH**
13 **KOREANS**

14 **SEC. 101. REPORTS.**

15 (a) PRISON AND LABOR CAMPS.—

16 (1) CLASSIFIED REPORT.—Not later than 90
17 days after the date of the enactment of this Act, the
18 Secretary of State, in cooperation with the Central
19 Intelligence Agency and other United States intel-
20 ligence agencies, shall submit to the appropriate con-
21 gressional committees a report in classified form on
22 the North Korean prison and labor camp system.
23 The report shall particularly focus on any prisons or
24 labor camps that are used to house persons for polit-

1 ical offenses. The report shall include information
2 on—

3 (A) offenses for which prisoners are sent to
4 prison;

5 (B) torture;

6 (C) forced labor;

7 (D) medical experimentation;

8 (E) indoctrination and reeducation;

9 (F) executions; and

10 (G) the adequacy or inadequacy of food,
11 water, and sanitation.

12 (2) UNCLASSIFIED REPORT.—No later than 30
13 days after the date on which the report is submitted
14 pursuant to paragraph (1), the President, in con-
15 sultation with the appropriate congressional commit-
16 tees, shall submit to Congress an unclassified
17 version of the report. The report shall include un-
18 classified satellite photography of any prisons and
19 labor camps described in the report.

20 (b) DEFECTORS.—

21 (1) CLASSIFIED REPORT.—Not later than 90
22 days after the date of the enactment of this Act, the
23 Secretary of State, in cooperation with the Central
24 Intelligence Agency and other United States intel-
25 ligence agencies, shall submit to the appropriate con-

1 gressional committees a classified report describing
2 all United States Government policies toward North
3 Korean defectors and explaining the reasons for
4 those policies.

5 (2) UNCLASSIFIED REPORT.—Not later than 30
6 days after the date on which the report is submitted
7 pursuant to paragraph (1), the President, in con-
8 sultation with the appropriate congressional commit-
9 tees, shall submit to Congress an unclassified
10 version of the report. The report shall include infor-
11 mation on—

12 (A) the number of North Korean defectors
13 who have been identified;

14 (B) the countries or regions to which these
15 defectors have fled;

16 (C) the estimated total number of North
17 Korean defectors; and

18 (D) the reasons why the Department of
19 State has never identified North Koreans, par-
20 ticularly high level defectors, as a Priority 2
21 group of special concern, as defined by the Sec-
22 retary of State, for expedited consideration in
23 the United States refugee program.

1 **SEC. 102. THE UNITED NATIONS.**

2 (a) IN GENERAL.—It is the sense of Congress that
3 the people of the United States believe that the United
4 Nations has a significant role to play in promoting and
5 improving human rights in North Korea, and United
6 States confidence in the United Nations will be enhanced
7 if the United Nations deals aggressively with the issue of
8 human rights in North Korea.

9 (b) REPORTS BY THE UNITED NATIONS.—It is the
10 sense of Congress that the United Nations should begin
11 preparation of complete reports on—

12 (1) the prison and labor camp system in North
13 Korea, particularly those prisons and labor camps
14 that are used to house persons for political offenses,
15 including camps reportedly for children under the
16 age of 17; and

17 (2) the North Korean refugee situation in
18 China.

19 **SEC. 103. RELIGIOUS PERSECUTION IN NORTH KOREA.**

20 (a) COMMISSION ON INTERNATIONAL RELIGIOUS
21 FREEDOM.—It is the sense of Congress that, not later
22 than 1 year after the date of the enactment of this Act,
23 the United States Commission on International Religious
24 Freedom should hold extended informational hearings in
25 the United States on the status of religious persecution
26 in North Korea.

1 (b) COUNTRIES OF PARTICULAR CONCERN.—

2 (1) ANNUAL REPORT.—The President shall in-
3 clude in each annual report on proposed refugee ad-
4 mission pursuant to section 207(d) of the Immigra-
5 tion and Nationality Act (8 U.S.C. 1157(d)), infor-
6 mation about specific measures taken to facilitate
7 access to the United States refugee program for in-
8 dividuals who have fled countries of particular con-
9 cern, as defined by the Secretary of Homeland Secu-
10 rity, for violations of religious freedom pursuant to
11 section 402(b) of the International Religious Free-
12 dom Act of 1998 (22 U.S.C. 6442(b)).

13 (2) INFORMATION.—The information included
14 in the annual report described in paragraph (1) shall
15 include, for each country of particular concern, a de-
16 scription of access of the nationals or former habit-
17 ual residents of that country to a refugee determina-
18 tion on the basis of—

19 (A) referrals by external agencies to a ref-
20 ugee adjudication;

21 (B) groups deemed to be of special human-
22 itarian concern to the United States for pur-
23 poses of refugee resettlement; and

24 (C) family links to the United States.

1 **SEC. 104. HUMANITARIAN AND FOOD ASSISTANCE TO**
2 **NORTH KOREANS.**

3 (a) **REPORT ON UNITED STATES FOOD AID.**—Not
4 later than 180 days after the date of the enactment of
5 this Act, the Director of the United States Agency for
6 International Development shall submit to the appropriate
7 congressional committees a report setting forth the fund-
8 ing for, and use of Federal resources by, entities that are
9 providing humanitarian or food aid to North Korea.

10 (b) **FUNDING TO NONGOVERNMENTAL ORGANIZA-**
11 **TIONS.**—The Director of the United States Agency for
12 International Development may provide financial assist-
13 ance, including grants, to the World Food Program and
14 any United States nongovernmental organizations that are
15 able to—

16 (1) provide food aid and other humanitarian as-
17 sistance to North Koreans; and

18 (2) demonstrate—

19 (A) a successful record of providing food
20 aid to North Koreans; or

21 (B) the intent and capacity to provide such
22 aid.

23 (c) **AUTHORIZATION OF APPROPRIATIONS.**—There
24 are authorized to be appropriated \$100,000,000 for each
25 of the fiscal years 2003, 2004, 2005, and 2006 for the
26 purpose of carrying out this section.

1 **TITLE II—ACTIONS TO PROTECT**
2 **NORTH KOREAN REFUGEES**

3 **SEC. 201. PURSUIT OF FIRST ASYLUM POLICY.**

4 It is the sense of Congress that—

5 (1) the United States guarantee safe haven and
6 assistance to North Koreans who arrive in, or seek
7 to arrive in, the United States; and

8 (2) because of such guarantee of safe haven
9 and assistance, the United States encourage coun-
10 tries that neighbor North Korea, including China,
11 Japan, Russia, and South Korea to institute meas-
12 ures similar to humanitarian parole, a form of tem-
13 porary protected status, or refugee status consistent
14 with the United Nations Convention Relating to the
15 Status of Refugees of 1951 and the Protocol Relat-
16 ing to the Status of Refugees of 1967 to guarantee
17 safe haven and assistance to displaced North Kore-
18 ans.

19 **SEC. 202. ADOPTION OF NORTH KOREAN CHILDREN BY**
20 **AMERICANS.**

21 It is the sense of Congress that—

22 (1) thousands of North Korean children do not
23 have parents and are threatened with starvation and
24 disease if they remain in North Korea;

1 (2) thousands of United States citizens would
2 welcome the opportunity to adopt North Korean or-
3 phans; and

4 (3) the Secretary of Homeland Security should
5 make every effort to facilitate the adoption of any
6 North Korean children who are granted humani-
7 tarian parole under section 203.

8 **SEC. 203. HUMANITARIAN PAROLE.**

9 (a) CASE-BY-CASE REQUIREMENT NOT APPLICA-
10 BLE.—

11 (1) IN GENERAL.—The case-by-case basis and
12 alien specific requirements of section 212(d)(5)(A)
13 of the Immigration and Nationality Act (8 U.S.C.
14 1182(d)(5)(A)) shall not be applicable to the parole
15 of any alien who is a native or citizen of North
16 Korea seeking entry to the United States.

17 (2) DISCRETION.—Nothing in this subsection
18 shall be construed to prohibit the Secretary of
19 Homeland Security from establishing conditions for
20 parole under section 212(d)(5) of the Immigration
21 and Nationality Act (8 U.S.C. 1182 (d)(5)), or from
22 denying parole to such aliens who are otherwise in-
23 eligible for parole.

24 (b) COMPELLING REASONS IN THE PUBLIC INTER-
25 EST CONSIDERED TO EXIST.—For purposes of section

1 212(d)(5)(B) of the Immigration and Nationality Act (8
2 U.S.C. 1182(d)(5)(B)), the parole of any alien who is a
3 native or citizen of North Korea and is seeking to enter
4 the United States shall be considered to be, for compelling
5 reasons, in the public interest.

6 (c) LENGTH OF PAROLE.—

7 (1) IN GENERAL.—Notwithstanding section
8 212(d)(5) of the Immigration and Nationality Act (8
9 U.S.C. 1182(d)(5)), if parole is granted to an alien
10 who is a native or citizen of North Korea, the parole
11 shall be effective until the final resolution of any ap-
12 plication for adjustment of status made pursuant to
13 section 204.

14 (2) DENIAL OF ADJUSTMENT OF STATUS.—If
15 an application for adjustment of status made pursu-
16 ant to section 204 is denied to an alien described in
17 paragraph (1), the alien may seek relief under sec-
18 tion 207 or 208.

19 (3) EXTENSION OF PAROLE PERIOD.—If no ap-
20 plication for adjustment of status is made pursuant
21 to section 204 within 18 months after parole is
22 granted to an alien described in paragraph (1), the
23 Secretary of Homeland Security may, in the discre-
24 tion of the Secretary, extend the parole period tem-

1 porarily under conditions that the Secretary of
2 Homeland Security prescribes.

3 (4) NO GRANT OF PAROLE.—If parole is not
4 granted to an alien described in paragraph (1), the
5 alien may seek relief under section 207 or 208.

6 (d) SUBSEQUENT REMOVAL PROCEEDINGS.—Noth-
7 ing in this section shall be construed to prohibit the Sec-
8 retary of Homeland Security from instituting removal pro-
9 ceedings against an alien paroled into the United States
10 under this section for—

11 (1) conduct committed after the parole of the
12 alien into the United States; or

13 (2) conduct or conditions that were not dis-
14 closed to the Secretary of Homeland Security prior
15 to the parole of the alien into the United States.

16 (e) NOTIFICATION TO WMDIC.—The Secretary of
17 Homeland Security shall notify the Weapons of Mass De-
18 struction Informant Center, described in section 207, of
19 any alien receiving parole under this section who would
20 otherwise qualify for the visa described in section
21 101(a)(15)(S)(iii) of the Immigration and Nationality Act
22 (8 U.S.C. 1101(a)(15)(S)(iii)).

23 **SEC. 204. NORTH KOREAN STATUS ADJUSTMENT.**

24 (a) STATUS ADJUSTMENT.—Notwithstanding section
25 245(c) of the Immigration and Nationality Act (8 U.S.C.

1 1255(c)), the status of any alien who is a native or citizen
2 of North Korea and has been inspected and admitted or
3 paroled into the United States may be adjusted by the
4 Secretary of Homeland Security, in the discretion of the
5 Secretary and under such regulations as the Secretary
6 may prescribe, to that of an alien lawfully admitted for
7 permanent residence under the conditions set forth in sub-
8 sections (b) and (c).

9 (b) NORTH KOREANS WITH KNOWLEDGE OF NORTH
10 KOREA'S WEAPONS OF MASS DESTRUCTION PRO-
11 GRAMS.—The status of any alien who is referred to the
12 Weapons of Mass Destruction Informant Center in accord-
13 ance with section 203(e), shall be immediately adjusted
14 to that of lawful permanent resident.

15 (c) NORTH KOREANS WITHOUT KNOWLEDGE OF
16 NORTH KOREA'S WEAPONS OF MASS DESTRUCTION PRO-
17 GRAMS.—Except for those aliens described in subsection
18 (b), adjustment of status may occur only if the Secretary
19 of Homeland Security determines that the alien—

20 (1) did not enter the United States in a then-
21 current capacity as an agent, representative, or offi-
22 cial of the Government of North Korea, or for any
23 purpose contrary to the purposes of this Act or for
24 any unlawful purpose;

1 (2) is not, since entering the United States or
2 at the time during which the application for adjust-
3 ment of status is filed or in process, an agent, rep-
4 resentative, or official of the Government of North
5 Korea, or during such period acting for any purpose
6 contrary to the purposes of this Act or for any un-
7 lawful purpose;

8 (3) in the judgment of the Secretary of Home-
9 land Security, is not likely to become an agent, rep-
10 resentative, or official of the Government of North
11 Korea, or act for any purpose contrary to the pur-
12 poses of this Act or for any unlawful purpose; and

13 (4) has been physically present in the United
14 States for at least 1 year.

15 (d) **ADDITIONAL RELIEF.**—Nothing in this section
16 precludes an alien from seeking relief under section 208
17 or 241(b)(3) of the Immigration and Nationality Act (8
18 U.S.C. 1158 or 1231(b)(3)).

19 (e) **AFFECT ON NUMBER OF AUTHORIZED VISAS.**—
20 The approval of an application for adjustment of status
21 to that of lawful permanent resident under this section
22 shall not result in a reduction in the number of visas au-
23 thorized by the Immigration and Nationality Act (8
24 U.S.C. 1101 et seq.).

1 (f) APPLICABILITY OF THE IMMIGRATION AND NA-
2 TIONALITY ACT.—

3 (1) IN GENERAL.—Nothing in this section shall
4 be construed to repeal or restrict the powers, duties,
5 functions, or authority of the Secretary of Homeland
6 Security in the administration and enforcement of
7 the Immigration and Nationality Act (8 U.S.C. 1101
8 et seq.) or any other Federal law relating to immi-
9 gration, nationality, or naturalization.

10 (2) DEFINITIONS.—The definitions in sub-
11 sections (a) and (b) of section 101 of the Immigra-
12 tion and Nationality Act (8 U.S.C. 1101(a) and (b))
13 shall apply to this section.

14 (3) SUBSEQUENT REMOVAL PROCEEDINGS.—
15 Nothing in this section shall be construed to prohibit
16 the Secretary of Homeland Security from instituting
17 removal proceedings against an alien whose status
18 was adjusted under subsection (a) for—

19 (A) conduct committed after such adjust-
20 ment of status; or

21 (B) conduct or conditions that were not
22 disclosed to the Secretary of Homeland Security
23 prior to such adjustment of status.

1 **SEC. 205. TEMPORARY PROTECTED STATUS.**

2 (a) EXTRAORDINARY AND TEMPORARY CONDITIONS
3 CONSIDERED TO EXIST.—

4 (1) IN GENERAL.—For purposes of section
5 244(b)(1)(C) of the Immigration and Nationality
6 Act (8 U.S.C. 1254a(b)(1)(C)), extraordinary and
7 temporary conditions shall be considered to exist in
8 North Korea that prevent aliens who are natives or
9 citizens of North Korea from returning to North
10 Korea in safety.

11 (2) TERMINATION OF PROTECTED STATUS.—
12 The extraordinary and temporary conditions referred
13 to in paragraph (1) shall be considered to exist until
14 the Secretary of Homeland Security determines
15 that—

16 (A) the human rights and trafficking
17 records of North Korea, according to the Coun-
18 try Report on Human Rights Practices issued
19 by the United States Department of State, Bu-
20 reau of Democracy, Human Rights, and Labor,
21 and the Country Report on Trafficking issued
22 by the Trafficking in Persons Office of the De-
23 partment of State, are satisfactory; and

24 (B) North Korea is no longer on the list of
25 nations designated as state sponsors of ter-

1 rorism by the United States Department of
2 State.

3 **SEC. 206. S VISA.**

4 (a) **EXPANSION OF S VISA CLASSIFICATION.**—Sec-
5 tion 101(a)(15)(S) of the Immigration and Nationality
6 Act (8 U.S.C. 1101(a)(15)(S)) is amended—

7 (1) in clause (i)—

8 (A) by striking “Attorney General” each
9 place that term appears and inserting “Sec-
10 retary of Homeland Security”; and

11 (B) by striking “or” at the end; and

12 (2) in clause (ii)—

13 (A) by striking “Attorney General” and in-
14 serting “Secretary of Homeland Security”; and

15 (B) by striking “1956,” and all that fol-
16 lows through “the alien;” and inserting the fol-
17 lowing: “1956; or

18 “(iii) who the Secretary of Homeland Se-
19 curity determines—

20 “(I) is in possession of critical reliable
21 information concerning the activities of
22 governments or other organizations, or
23 their agents, representatives, or officials,
24 with respect to weapons of mass destruc-
25 tion, if such governments or organizations

1 are at risk of using or exporting such
2 weapons; and

3 “(II) is willing to supply or has sup-
4 plied, fully and in good faith, information
5 described in subclause (I) to appropriate
6 persons within the United States Govern-
7 ment;

8 and, if the Secretary of Homeland Security considers
9 it to be appropriate, the spouse, married and unmar-
10 ried sons and daughters, and parents of an alien de-
11 scribed in clause (i), (ii), or (iii) if accompanying, or
12 following to join, the alien;”.

13 (b) NUMERICAL LIMITATION.—Section 214(k)(1) of
14 the Immigration and Nationality Act (8 U.S.C.
15 1184(k)(1)) is amended by striking “The number of
16 aliens” and all that follows through the period and insert-
17 ing the following: “The number of aliens who may be pro-
18 vided a visa as nonimmigrants under section
19 101(a)(15)(S) in any fiscal year may not exceed 3,500.”.

20 (c) ADJUSTMENT OF STATUS.—Section 245(j) of the
21 Immigration and Nationality Act (8 U.S.C. 1255(j)) is
22 amended—

23 (1) by striking “Attorney General” each place
24 that term appears and inserting “Secretary of
25 Homeland Security”;

1 (2) by redesignating paragraph (3) as para-
2 graph (4);

3 (3) by inserting after paragraph (2) the fol-
4 lowing:

5 “(3) If, in the sole discretion of the Secretary of
6 Homeland Security—

7 “(A) a nonimmigrant admitted into the United
8 States under section 101(a)(15)(S)(iii) has supplied
9 information described in subclause (I) of that sec-
10 tion; and

11 “(B) the provision of such information has sub-
12 stantially contributed to the purposes of the North
13 Korean Freedom Act of 2003;

14 the Secretary of Homeland Security may adjust the status
15 of the alien (and the spouse, married and unmarried sons
16 and daughters, and parents of the alien if admitted under
17 such section) to that of an alien lawfully admitted for per-
18 manent residence.”; and

19 (4) in paragraph (4), as so redesignated, by
20 striking “Upon the approval of adjustment of status
21 under paragraph (1) or (2),” and inserting “Upon
22 the approval of adjustment of status under para-
23 graph (1), (2), or (3),”.

1 **SEC. 207. WEAPONS OF MASS DESTRUCTION INFORMANT**
2 **CENTER.**

3 (a) ESTABLISHMENT.—There is established within
4 the Department of Homeland Security a Weapons of Mass
5 Destruction Informant Center.

6 (b) RESPONSIBILITIES.—The Weapons of Mass De-
7 struction Informant Center established under subsection
8 (a) shall—

9 (1) have the primary responsibility of receiving
10 voluntary information about weapons of mass de-
11 struction and related delivery systems, materials,
12 and technologies and the intent or actions of coun-
13 tries to export such items or knowledge to other
14 countries or non-state actors;

15 (2) ensure that informants—

16 (A) are given the highest consideration for
17 visas described in section 101(a)(15)(S)(ii) of
18 the Immigration and Nationality Act (8 U.S.C.
19 1101(a)(15)(S)(ii)); and

20 (B) report all information related to the
21 development or export of weapons of mass de-
22 struction to senior officials at the Department
23 of Homeland Security, the Central Intelligence
24 Agency, and other relevant components of the
25 intelligence community and at the Federal Bu-

1 reau of Investigations and other relevant com-
2 ponents of the law enforcement community;

3 (3) educate consular officers regarding the visa
4 classification described in section 101(a)(15)(S)(iii)
5 of the Immigration and Nationality Act (8 U.S.C.
6 1101(a)(15)(S)(iii));

7 (4) facilitate, receive, and evaluate visa requests
8 for nonimmigrants described in such section
9 101(a)(15)(S)(iii) in consultation with appropriate
10 personnel both within and outside of the Department
11 of Homeland Security;

12 (5) in the event the Weapons of Mass Destruc-
13 tion Informant Center approves visa requests for
14 nonimmigrants described in such section
15 101(a)(15)(S)(iii), act in coordination with the Di-
16 rector of the Bureau of Citizenship and Immigration
17 Services and other appropriate government agencies
18 to facilitate the issuance of such visas, including ad-
19 ditional visas as are considered to be appropriate for
20 the spouse, married or unmarried sons and daugh-
21 ters, and parents of the alien whose request was
22 granted;

23 (6) facilitate the cooperation of aliens who re-
24 ceive such visas with the United States Government

1 in ways that further the purposes of the visa and the
2 goals of this Act;

3 (7) ensure that aliens who receive such visas
4 comply with the terms of the visa; and

5 (8) ensure that such visas are not utilized as a
6 method of gaining entry into the United States for
7 any purpose other than those outlined in this Act.

8 **SEC. 208. RIGHT TO ACCEPT EMPLOYMENT.**

9 Section 208(d)(2) of the Immigration and Nationality
10 Act (8 U.S.C. 1158(d)(2)) is amended—

11 (1) by striking “Attorney General” and insert-
12 ing “Secretary of Homeland Security”; and

13 (2) by adding at the end the following: “In the
14 case of an applicant who is a citizen or native of
15 North Korea, the Secretary of Homeland Security
16 shall issue regulations under which such applicant
17 shall be entitled to employment authorization, and
18 such applicant shall not be subject to the 180-day
19 limitation described in the previous sentence.”.

20 **SEC. 209. FUNDING FOR THE UNITED NATIONS HIGH COM-
21 MISSIONER FOR REFUGEES.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that—

24 (1) the United Nations High Commissioner for
25 Refugees (UNHCR) should monitor the situation of

1 North Korean refugees in China and provide assist-
2 ance to those refugees;

3 (2) the Government of China should provide the
4 UNHCR with access to any North Koreans inside
5 its borders to enable the UNHCR to determine
6 whether they are refugees and whether they require
7 assistance, as required by Article III, paragraph 5 of
8 the Agreement on the upgrading of the UNHCR
9 Mission in the People's Republic of China to
10 UNHCR branch office in the People's Republic of
11 China signed at Geneva, December 1, 1995 (referred
12 to in this section as the "UNHCR Mission Agree-
13 ment");

14 (3) the Government of China should not pro-
15 hibit such access by unilaterally declaring North Ko-
16 reans inside of China to be "economic migrants";

17 (4) the UNHCR, in order to effectively carry
18 out its mandate to protect refugees, should liberally
19 employ as professionals or experts on mission per-
20 sons with significant experience in humanitarian aid
21 work among displaced North Koreans in China; and

22 (5) the UNHCR, in order to effectively carry
23 out its mandate to protect refugees, should liberally
24 contract with appropriate nongovernmental organi-

1 zations that have a proven record of providing hu-
2 manitarian aid to displaced North Koreans in China.

3 (b) ARBITRATION.—It is the sense of Congress that
4 should the Government of China fail to provide the
5 UNHCR full access to all North Koreans within its bor-
6 ders, the UNHCR should initiate arbitration proceedings
7 pursuant to Article XVI of the UNHCR Mission Agree-
8 ment and appoint an arbitrator for the UNHCR.

9 **SEC. 210. FUNDING FOR HUMAN RIGHTS ORGANIZATIONS.**

10 (a) GRANTS TO ENTITIES THAT ASSIST NORTH KO-
11 REAN REFUGEES.—

12 (1) IN GENERAL.—The Director of the United
13 States Agency for International Development may
14 make grants to nongovernmental, non-profit human
15 rights organizations or persons, or foreign govern-
16 mental organizations—

17 (A) that—

18 (i) provide assistance to natives or
19 citizens of North Korea who are attempt-
20 ing to escape from North Korea or from
21 agents of North Korea outside that coun-
22 try; or

23 (ii) establish or operate camps or re-
24 settlement centers for North Korean refu-
25 gees; and

1 (B) that can demonstrate—

2 (i) a successful record of providing the
3 type of assistance to be funded; or

4 (ii) the intent and capacity to provide
5 such assistance.

6 (2) TIME OF GRANTS.—A grant provided under
7 this subsection may not exceed 3 years in duration.

8 (3) REPORTING REQUIREMENTS.—Each entity
9 or person awarded a grant pursuant to this sub-
10 section shall, not later than 1 year after the date the
11 grant is awarded, submit a report to the Director re-
12 garding the activities of, and use of funds awarded
13 through such grant by, such person or entity during
14 the previous year. Notwithstanding any other provi-
15 sion of law, the contents of each such report shall
16 not be revealed until 10 years after the date on
17 which the report was submitted.

18 (b) GRANTS TO ORGANIZATIONS THAT ASSIST
19 NORTH KOREAN ORPHANS.—

20 (1) QUALIFYING ORGANIZATIONS.—The Direc-
21 tor of the United States Agency for International
22 Development may make grants to nongovernmental
23 organizations that—

24 (A) provide assistance to North Korean or-
25 phans in any country; and

1 (B) can demonstrate—

2 (i) a successful record of providing as-
3 sistance to North Korean orphans; or

4 (ii) the intent and capacity to provide
5 such assistance.

6 (2) TIME OF GRANTS.—The grants provided
7 under this subsection may not exceed 3 years in du-
8 ration.

9 (3) REPORTING REQUIREMENTS.—Each non-
10 governmental organization awarded a grant pursu-
11 ant to this subsection shall submit an annual report
12 to the Director not later than March 1 of each year
13 regarding the activities of, and use of funds awarded
14 through such grant by, such organization during the
15 previous year.

16 (c) GRANTS TO ORGANIZATIONS FOR RESETTLE-
17 MENT AND ADMISSIONS FOR NORTH KOREAN REFU-
18 GEES.—

19 (1) IN GENERAL.—The Secretary of State may
20 make grants to nongovernmental, nonprofit organi-
21 zations or persons that—

22 (A) provide legal assistance to natives or
23 citizens of North Korea who are applying for
24 refugee status, parole, visas, or other means of
25 admission to the United States; or

1 (B) can demonstrate—

2 (i) a successful record of providing
3 similar assistance to other persons in the
4 past; or

5 (ii) the intent and capacity to provide
6 such assistance.

7 (2) REPORTING REQUIREMENT.—Each non-
8 governmental organization awarded a grant pursu-
9 ant to this subsection shall, not later than 1 year
10 after the date the grant is awarded, and annually
11 thereafter, submit a report to the Secretary of State
12 regarding the activities of, and the use of funds
13 awarded through such grants by, such organization
14 during the previous year.

15 (d) GRANTS FOR HUMAN RIGHTS DIALOGUE.—The
16 Secretary of State may make grants to nongovernmental
17 organizations from the United States, South Korea, and
18 Japan to promote dialogue regarding human rights in
19 North Korea.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Director of the
22 United States Agency for International Development—

23 (1) \$20,000,000 for each of the fiscal years
24 2003 through 2006 to carry out subsection (a);

1 (2) \$500,000 for each of the fiscal years 2003
2 through 2006 to carry out subsection (b);

3 (3) \$5,000,000 for each of the fiscal years 2003
4 through 2006 to carry out subsection (c); and

5 (4) \$2,000,000 for each of the fiscal years 2003
6 through 2006 carry out subsection (d).

7 **TITLE III—ACTIONS TO PRO-**
8 **MOTE NORTH KOREAN DE-**
9 **MOCRACY**

10 **SEC. 301. RADIO BROADCASTING INTO NORTH KOREA.**

11 (a) **PURPOSE.**—The purpose of this section is to au-
12 thorize increased support for radio broadcasting to North
13 Korea by the United States Government and surrogates
14 that will—

15 (1) eventually provide 24-hour per day broad-
16 casting to North Korea, including by Radio Free
17 Asia and Voice of America; and

18 (2) facilitate the unhindered dissemination of
19 information in North Korea.

20 (b) **REPORT ON RADIO BROADCASTING IN NORTH**
21 **KOREA.**—Not later than 120 days after the date of the
22 enactment of this Act, the Secretary of State shall submit
23 to the appropriate congressional committees a report
24 that—

1 (1) describes how funds that are appropriated
2 and allocated pursuant to this section will be used
3 to provide AM and FM broadcasting that—

4 (A) covers the territory of North Korea;
5 and

6 (B) delivers independent and uncensored
7 programming; and

8 (2) reviews the feasibility of providing 24-hour
9 per day broadcasting to North Korea.

10 **SEC. 302. DISTRIBUTION OF RADIOS TO NORTH KOREANS.**

11 (a) DISTRIBUTION OF RADIOS.—Not later than 90
12 days after the date of the enactment of this Act, the
13 Broadcasting Board of Governors, in consultation and co-
14 ordination with nongovernmental organizations, shall es-
15 tablish a program for the distribution of radios in North
16 Korea.

17 (b) REPORT.—Not later than 1 year after the date
18 of the enactment of this Act, the Broadcasting Board of
19 Governors shall report to the appropriate congressional
20 committees on the distribution of radios by that service
21 or by any recipients of grants from that service.

22 (c) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated \$11,000,000 in each of
24 the fiscal years 2003 through 2006 to carry out this sec-
25 tion.

1 **SEC. 303. SENSE OF CONGRESS REGARDING UNITED**
2 **STATES FINANCIAL ASSISTANCE DESIGNED**
3 **TO ADDRESS CONDITIONS CREATED BY THE**
4 **ECONOMIC AND POLITICAL SYSTEM OF**
5 **NORTH KOREA.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that—

8 (1) the United States should encourage coun-
9 tries in the Northeast Asia region, including South
10 Korea, to participate in the Proliferation Security
11 Initiative and the Illicit Activities Initiative as a con-
12 dition for receiving United States financial assist-
13 ance specifically designed to address conditions cre-
14 ated by the economic and political system of North
15 Korea; and

16 (2) any country receiving such assistance shall,
17 in the 6 months prior to any assistance being pro-
18 vided, have—

19 (A) taken significant and public actions to
20 promote human rights in North Korea for the
21 purpose of assisting the people of North Korea;
22 and

23 (B) taken significant actions to deny the
24 North Korean Government and North Korean
25 officials financial benefits resulting from illegal
26 activities; and

1 (3) any money or other financial benefit pro-
2 vided to the North Korean Government or to its offi-
3 cials or agents by the country receiving such assist-
4 ance, or by private entities closely associated with
5 that country if done in cooperation with or with
6 funds provided by the Government of that country,
7 shall have a true and legitimate commercial purpose,
8 or humanitarian aid purpose if such money or other
9 financial benefit is subject to controls sufficient to
10 ensure it reaches hungry and needful people, and
11 may not be a subsidy to the North Korean Govern-
12 ment or to its officials or agents.

13 (b) ILLEGAL ACTIVITIES OF DIVISION 39.—For pur-
14 poses of subsection (a), the term “significant actions” in-
15 cludes actions to limit the activities of Division 39 of the
16 North Korean Government and any successors or similar
17 entities, including aggressive criminal and civil prosecution
18 of individuals and organizations (whether or not such indi-
19 viduals or organizations are part of the North Korean
20 Government) that engage in commercial or financial trans-
21 actions with Division 39 and any successors or similar en-
22 tities.

1 **SEC. 304. FUNDING FOR ENTITIES THAT PROMOTE DEMOC-**
2 **RACY, GOOD GOVERNANCE, AND THE RULE**
3 **OF LAW.**

4 (a) GRANTS AUTHORIZED.—The Director of the
5 United States Agency for International Development may
6 make grants to nongovernmental, non-profit human rights
7 organizations or persons, or foreign governmental organi-
8 zations for the purpose of promoting and supporting pro-
9 grams for democracy, good governance, and the rule of
10 law.

11 (b) TIME OF GRANTS.—A grant provided under this
12 subsection may not exceed 2 years in duration.

13 (c) REPORTING REQUIREMENTS.—Each entity or
14 person awarded a grant pursuant to this subsection shall
15 submit a report to the Director not later than March 1
16 of each year regarding the activities of, and use of funds
17 awarded through such grant by, such person or entity dur-
18 ing the previous year.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to the Director of the
21 United States Agency for International Development
22 \$1,000,000 for each of the fiscal years 2003 through 2006
23 to carry out this section.

1 **SEC. 305. FUNDING FOR ENTITIES THAT PROMOTE MARKET**
2 **ECONOMIES.**

3 (a) GRANTS AUTHORIZED.—The Director of the
4 United States Agency for International Development may
5 make grants to nongovernmental, non-profit human rights
6 organizations or persons, or foreign governmental organi-
7 zations that promote market economies modeled after pro-
8 grams in Vietnam.

9 (b) TIME OF GRANTS.—The grants provided under
10 this subsection may not exceed 2 years in duration.

11 (c) REPORTING REQUIREMENTS.—Each nongovern-
12 mental organization awarded a grant pursuant to this sub-
13 section shall submit an annual report to the Director not
14 later than March 1 of each year regarding the activities
15 of, and use of funds awarded through such grant by, such
16 organization during the previous year.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated to the Director of the
19 United States Agency for International Development
20 \$1,000,000 for each of the fiscal years 2003 through 2006
21 to carry out this section.

22 **TITLE IV—NEGOTIATIONS WITH**
23 **NORTH KOREA**

24 **SEC. 401. SENSE OF CONGRESS REGARDING NEGOTIATIONS**
25 **WITH NORTH KOREA.**

26 It is the sense of Congress that—

1 (1) it is proper and useful for the United States
2 to engage in negotiations with the Government of
3 North Korea to address issues of concern to coun-
4 tries in the northeast Asia region and around the
5 world;

6 (2) South Korea is the country that stands to
7 benefit most from a free and peaceful reunification,
8 and the political leadership in South Korea and the
9 United States should work together to develop a
10 strategy for increasing public awareness of the com-
11 mon goal of the 2 countries to achieve a peaceful re-
12 unification of the Korean peninsula based on demo-
13 cratic principles;

14 (3) any negotiations between the United States
15 and North Korea should include discussions—

16 (A) directed toward ending the develop-
17 ment, sale, and transfer by North Korea of
18 weapons of mass destruction and related deliv-
19 ery systems, materials, and technologies;

20 (B) regarding a complete, irreversible, and
21 verifiable halt to the quest by the Government
22 of North Korea for nuclear weaponry and a de-
23 mobilization of North Korea's long-range mis-
24 sile program and biological and chemical weap-
25 ons programs; and

1 (C) regarding the establishment of a last-
2 ing peace between North Korea and South
3 Korea;

4 (4) any diplomatic solution to the problems
5 posed by the development of weapons of mass de-
6 struction, including biological and chemical weapons
7 programs, the proliferation of arms, and the desta-
8 bilization of the northeast Asia region by North
9 Korea should also include protections for human
10 rights within North Korea; and

11 (5) any negotiations between the United States
12 and North Korea should include the human rights of
13 North Korean citizens as a key item in a dialogue
14 on political freedoms, prison systems, and religious
15 freedoms.

16 **SEC. 402. SENSE OF CONGRESS REGARDING TRADE SANC-**
17 **TIONS AND ECONOMIC ASSISTANCE.**

18 It is the sense of Congress that—

19 (1) the United States and North Korea should
20 engage in trade that will mutually benefit the people
21 of both nations;

22 (2) the mere lifting of United States sanctions
23 against North Korea, without fundamental changes
24 in the North Korean economy, will not lead to mutu-

1 ally beneficial economic relationships between the
2 United States and North Korea;

3 (3) the United States should provide economic
4 assistance to North Korea that will benefit the peo-
5 ple of North Korea, and should avoid merely estab-
6 lishing North Korea as a permanent recipient of
7 government-to-government transfer payments;

8 (4) the Government of North Korea should rec-
9 ognize that the path to economic renewal growth lies
10 in international markets in goods, services, and cap-
11 ital, which offer opportunities for reducing costs, im-
12 proving productivity, and promoting dynamism;

13 (5) the participation in the North Korean econ-
14 omy of more than 450 small- and medium-sized
15 businesses from South Korea represents an oppor-
16 tunity for North Korea to integrate its economy with
17 the world market, expand trade, and attract foreign
18 investment and other economic benefits; and

19 (6) trade sanctions related to North Korea
20 should not be lifted, and economic assistance should
21 not be provided to North Korea, unless such lifting
22 of sanctions or provision of economic assistance is
23 also accompanied by the Government of North
24 Korea taking monitored steps related to the stand-
25 ards of the Millennium Challenge Account proposed

1 by the President of the United States on March 14,
2 2002, including the aggressive prosecution of any
3 North Koreans engaged in international criminal ac-
4 tivities such as drug trafficking and counterfeiting.

5 **SEC. 403. CONDITIONS FOR UNITED STATES AID AND**
6 **OTHER ASSISTANCE.**

7 (a) HUMANITARIAN AID.—No department, agency, or
8 entity of the United States Government may provide hu-
9 manitarian aid to any department, agency, or entity of the
10 Government of North Korea unless such United States
11 Government department, agency, or entity can document
12 that every effort has been made to ensure that North
13 Korea has taken steps and made progress toward ensuring
14 that—

15 (1) such aid—

16 (A) reaches all the people who are identi-
17 fied as the intended beneficiaries, irrespective of
18 any geographic restriction;

19 (B) is not used as a political tool or tool
20 of human rights coercion; and

21 (C) is provided on a needs basis;

22 (2) the beneficiaries of any such aid are in-
23 formed of the source of the aid; and

1 (3) the delivery, distribution, and monitoring of
2 any assistance is carried out in accordance with
3 internationally recognized standards.

4 (b) NONHUMANITARIAN AID.—No department, agen-
5 cy, or entity of the United States Government may provide
6 nonhumanitarian aid to any department, agency, or entity
7 of the Government of North Korea unless such United
8 States Government department, agency or entity can doc-
9 ument that every effort has been made to ensure that
10 North Korea has taken steps and made progress toward—

11 (1) providing for significant family reunification
12 between families of Korean descent in the United
13 States and North Korea;

14 (2) protecting and monitoring basic human
15 rights, including freedom of religion for its people;

16 (3) disclosing complete and total information
17 regarding citizens of Japan and South Korea kid-
18 napped by the Government of North Korea;

19 (4) providing complete and total freedom for
20 such victims and their families to live in the country
21 of their choice;

22 (5) achieving significant reform of its prison
23 and labor camp system and subjects such reform to
24 monitoring by independent officials; and

1 (6) achieving significant reform with respect to
2 the definitions of political crimes and the prosecu-
3 tion by the Government of North Korea for alleged
4 political crimes.

5 (c) OTHER ASSISTANCE.—It is the sense of Congress
6 that the successful implementation of the actions de-
7 scribed in subsections (a) and (b) may, in the context of
8 more comprehensive negotiations, serve as a basis for the
9 United States to—

10 (1) support the opening of an embassy in
11 Pyongyang, North Korea; and

12 (2) support the membership of North Korea in
13 multilateral development institutions.

14 **TITLE V—MISCELLANEOUS**
15 **PROVISIONS**

16 **SEC. 501. ANNUAL REPORT.**

17 (a) ANNUAL REPORT.—

18 (1) IN GENERAL.—Not later than 1 year after
19 the date of the enactment of this Act, and annually
20 thereafter, the Secretary of State and the Secretary
21 of Homeland Security shall submit a joint report to
22 the appropriate congressional committees on the op-
23 eration of this Act during the previous year.

24 (2) CONTENTS.—The report submitted in ac-
25 cordance with paragraph (1) shall include—

1 (A) the number of aliens who are natives
2 or citizens of North Korea and have been grant-
3 ed humanitarian parole under section 203, and
4 the immigration status of such aliens before
5 being granted humanitarian parole;

6 (B) the number of aliens who are natives
7 or citizens of North Korea and have been grant-
8 ed an adjustment of status under section 204,
9 and the immigration status of such aliens be-
10 fore being granted adjustment of status;

11 (C) the number of aliens who are natives
12 or citizens of North Korea who were granted
13 political asylum;

14 (D) the number of aliens who are natives
15 or citizens of North Korea who were granted
16 temporary protected status under section 205;

17 (E) the number of aliens who are natives
18 or citizens of North Korea who applied for ref-
19 ugee status and the number who were granted
20 refugee status;

21 (F) the number of orphans who are natives
22 or citizens of North Korea who have been iden-
23 tified for adoption by, or are in the process of
24 being adopted by, United States citizens;

1 (G) a description of the activities of the
2 Weapons of Mass Destruction Informant Center
3 established under section 207 of this Act; and

4 (H) the activities of the United Nations
5 High Commission for Refugees with respect to
6 section 210.

7 (b) COMMITTEE REPORT.—Not later than 180 days
8 after the date on which the report submitted in accordance
9 with subsection (a)(1) is received, the appropriate congress-
10 sional committees should report to the House of Rep-
11 resentatives or the Senate, as appropriate, on oversight
12 findings and proposed legislation that the congressional
13 committees consider appropriate.

14 **SEC. 502. TASK FORCE ON NORTH KOREAN CRIMINAL**
15 **ACTIVITIES.**

16 (a) ESTABLISHMENT.—The President shall establish
17 an Interagency Task Force to Monitor and Combat North
18 Korean Criminal Activities (referred to in this section as
19 the “Task Force”).

20 (b) MEMBERSHIP.—The Task Force shall be com-
21 posed of—

22 (1) 2 senior staff members of the Department
23 of Homeland Security appointed by the Secretary;

24 (2) 2 senior staff members of the Department
25 of State appointed by the Secretary of State;

1 (3) 2 senior staff members of the Department
2 of Justice appointed by the Attorney General;

3 (4) 2 senior staff members of the Department
4 of Defense appointed by the Secretary of Defense;

5 (5) 2 senior staff members of the Department
6 of Treasury appointed by the Secretary of the Treas-
7 ury; and

8 (6) 2 senior staff members of the Central Intel-
9 ligence Agency appointed by the Director of Central
10 Intelligence.

11 (c) DUTIES.—The Task Force shall coordinate the
12 monitoring and prosecution of criminal activities in North
13 Korea, including counterfeiting and trafficking in nar-
14 cotics, weapons, and persons. The Task Force shall—

15 (1) not later than 180 days after the date of
16 the enactment of this Act, deliver to the appropriate
17 congressional committees a plan for denying to the
18 North Korean regime and North Korean Govern-
19 ment officials financial benefits from the activities of
20 Division 39 and any similar or successor entities;

21 (2) coordinate United States agency activities
22 regarding crimes committed by North Koreans, in-
23 cluding by officials and entities of the Government
24 of North Korea; and

1 (3) coordinate United States agency cooperation
2 with law enforcement, intelligence, and military serv-
3 ices of foreign countries with respect to crimes com-
4 mitted by North Koreans.

5 (d) REPORT.—The Task Force shall issue an annual
6 report to the appropriate congressional committees de-
7 scribing criminal activities conducted by North Koreans
8 in the previous year and the response by United States
9 Government agencies.

○