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1ST SESSION**S. 1901**

To require global economic and political pressure to support diplomatic denuclearization of the Korean Peninsula, including through the imposition of sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 2, 2017

Mr. GARDNER (for himself, Mr. MARKEY, Mr. RUBIO, Mr. RISCH, Mr. PORTMAN, and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

DECEMBER 7, 2017

Reported by Mr. CORKER, with an amendment and an amendment to the title
[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To require global economic and political pressure to support diplomatic denuclearization of the Korean Peninsula, including through the imposition of sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “Leverage to Enhance Effective Diplomacy Act of 2017”
 6 or the “LEED Act”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
 8 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—SANCTIONS WITH RESPECT TO THE DEMOCRATIC
 PEOPLE’S REPUBLIC OF KOREA AND ITS ENABLERS**

Sec. 101. Findings.

Sec. 102. Sanctions with respect to the Government of the Democratic People’s
 Republic of Korea and its enablers.

Sec. 103. Strategy to end use of North Korean laborers by other countries.

**TITLE II—REAUTHORIZATION OF NORTH KOREAN HUMAN
 RIGHTS ACT OF 2004**

Sec. 201. Short title.

Sec. 202. Reauthorization of the North Korean Human Rights Act of 2004.

**TITLE III—REVIEW OF POLICY TOWARD THE DEMOCRATIC
 PEOPLE’S REPUBLIC OF KOREA**

Sec. 301. Addressing the nuclear and ballistic missile threat posed by the
 Democratic People’s Republic of Korea.

Sec. 302. Briefings on United States engagement with the Democratic People’s
 Republic of Korea.

Sec. 303. Report on United States citizens detained by the Democratic People’s
 Republic of Korea.

Sec. 304. Report and strategy relating to use of rocket fuels for ballistic mis-
 siles by the Democratic People’s Republic of Korea.

Sec. 305. Appropriate congressional committees defined.

**TITLE IV—STRATEGY TO DIPLOMATICALLY AND ECONOMICALLY
 ISOLATE THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA**

Sec. 401. Report on effecting a strategy to diplomatically and economically iso-
 late the Democratic People’s Republic of Korea.

Sec. 402. Authorization to alter United States relations with countries enabling
 the Democratic People’s Republic of Korea.

Sec. 403. Authorization to terminate or reduce United States foreign assistance
 to countries enabling the Democratic People’s Republic of
 Korea.

Sec. 404. Appropriate congressional committees defined.

1 **TITLE I—SANCTIONS WITH RE-**
2 **SPECT TO THE DEMOCRATIC**
3 **PEOPLE’S REPUBLIC OF**
4 **KOREA AND ITS ENABLERS**

5 **SEC. 101. FINDINGS.**

6 Congress makes the following findings:

7 (1) The Government of the Democratic People’s
8 Republic of Korea has flagrantly defied the inter-
9 national community by illicitly developing its nuclear
10 and ballistic missile programs, in violation of United
11 Nations Security Council Resolutions 1718 (2006),
12 1874 (2009), 2087 (2013), 2094 (2013), 2270
13 (2016), 2321 (2016), 2371 (2017), and 2375
14 (2017).

15 (2) The Government of the Democratic People’s
16 Republic of Korea engages in gross human rights
17 abuses against its own people and citizens of other
18 countries, including the United States, the Republic
19 of Korea, and Japan.

20 (3) The United States is committed to pursuing
21 a peaceful denuclearization of the Democratic Peo-
22 ple’s Republic of Korea through a policy of max-
23 imum pressure and engagement, in close concert
24 with its partners.

1 **SEC. 102. SANCTIONS WITH RESPECT TO THE GOVERN-**
2 **MENT OF THE DEMOCRATIC PEOPLE'S RE-**
3 **PUBLIC OF KOREA AND ITS ENABLERS.**

4 (a) **BLOCKING OF PROPERTY.**—On and after the date
5 that is 180 days after the date of the enactment of this
6 Act, the President shall block and prohibit all transactions
7 in all property and interests in property of a person de-
8 scribed in subsection (d) if such property and interests in
9 property are in the United States, come within the United
10 States, or are or come within the possession or control
11 of a United States person.

12 (b) **FACILITATION OF CERTAIN TRANSACTIONS.**—
13 The President shall prohibit the opening, and prohibit or
14 impose strict conditions on the maintaining, in the United
15 States of a correspondent account or a payable-through
16 account by a foreign financial institution that the Presi-
17 dent determines has knowingly, on or after the date that
18 is 180 days after the date of the enactment of this Act,
19 conducted or facilitated a significant transaction with re-
20 spect to the importation, exportation, sale, or transfer of
21 goods, services, or technology to or from the Democratic
22 People's Republic of Korea on behalf of a person described
23 in subsection (d).

24 (c) **IMPORTATION, EXPORTATION, SALE, OR TRANS-**
25 **FER OF GOODS AND SERVICES.**—The President shall im-
26 pose sanctions pursuant to the International Emergency

1 Economic Powers Act (50 U.S.C. 1701 et seq.) with re-
2 spect to a person if the President determines that the per-
3 son knowingly, on or after the date that is 180 days after
4 the date of the enactment of this Act, imports, exports,
5 purchases, or transfers goods, services, or technology to
6 or from a person described in subsection (d).

7 (d) PERSONS DESCRIBED.—A person described in
8 this subsection is any of the following:

9 (1) The Government of the Democratic People's
10 Republic of Korea or any political subdivision, agen-
11 cy, or instrumentality of that Government.

12 (2) Any person owned or controlled, directly or
13 indirectly, by that Government.

14 (3) Any person acting or purporting to act, di-
15 rectly or indirectly, for or on behalf of that Govern-
16 ment.

17 (4) The following entities:

18 (A) Dandong Zhicheng Metallic Material
19 Co. Ltd.

20 (B) Dandong Kehua Economic and Trade
21 Co.

22 (C) Dandong Xinyang Chemical Rubber
23 Co.

24 (D) Dandong Zhongze Trade Co. Ltd.

25 (E) Dandong Tianfu Trade Co. Ltd.

1 (F) Hunchun Xinshidai Industry and
2 Trade Co. Ltd.

3 (G) Dandong Qianchang Trading Co. Ltd.

4 (H) Dalian West Pacific Petrochemical.

5 (I) Dandong Hao Du Trading Co. Ltd.

6 (J) Dandong Dongyuan Industrial Devel-
7 opment Co. Ltd.

8 (5) Any person affiliated with an entity de-
9 scribed in paragraph (4).

10 (6) Any person affiliated with an entity identi-
11 fied by the Secretary of the Treasury as a signifi-
12 cant importer or exporter of goods, services, or tech-
13 nology to or from the Democratic People's Republic
14 of Korea.

15 (7) Any person who knowingly unloads, loads,
16 services, fuels, maintains, provides insurance or rein-
17 surance for, or otherwise engages in a significant
18 transaction with a vessel owned, operated, or con-
19 trolled by the Government of the Democratic Peo-
20 ple's Republic of Korea or any political subdivision,
21 agency, or instrumentality of that Government.

22 (8) Any person who knowingly engages in a sig-
23 nificant transaction with a person owned, operated,
24 or controlled by the Government of the Democratic

1 People's Republic of Korea or any political subdivi-
2 sion, agency, or instrumentality of that Government.

3 (c) EXEMPTIONS.—The following activities are ex-
4 empt from sanctions under this section:

5 (1) Activities subject to the reporting require-
6 ments under title V of the National Security Act of
7 1947 (50 U.S.C. 3091 et seq.).

8 (2) Authorized intelligence activities of the
9 United States.

10 (3) Activities necessary to comply with United
11 States obligations under the Agreement between the
12 United Nations and the United States of America
13 regarding the Headquarters of the United Nations,
14 signed at Lake Success June 26, 1947, and entered
15 into force November 21, 1947, the Convention on
16 Consular Relations, done at Vienna April 24, 1963,
17 and entered into force March 19, 1967, or any other
18 international agreement.

19 (4) Activities incidental to the POW/MIA ac-
20 counting mission in the Democratic People's Repub-
21 lic of Korea, including activities by the Defense
22 POW/MIA Accounting Agency and other govern-
23 mental or nongovernmental organizations tasked
24 with identifying or recovering the remains of mem-

1 bers of the United States Armed Forces in the
2 Democratic People's Republic of Korea.

3 (f) ~~WAIVERS.~~—

4 (1) ~~IN GENERAL.~~—The President may waive
5 the application of sanctions under this section with
6 respect to a person if the President—

7 (A)(i) determines that the person is no
8 longer engaged in sanctionable activities; or

9 (ii) determines that the waiver is in the na-
10 tional security interest of the United States;
11 and

12 (B) submits to the appropriate congres-
13 sional committees a report on the determination
14 and the reasons for the determination.

15 (2) ~~HUMANITARIAN WAIVER.~~—

16 (A) ~~IN GENERAL.~~—The President may
17 waive, for renewable periods of not less than 30
18 days and not more than one year, the applica-
19 tion of sanctions under this section if the Presi-
20 dent submits to the appropriate congressional
21 committees a written determination that the
22 waiver is necessary for humanitarian assistance
23 or to carry out the humanitarian purposes set
24 forth in section 4 of the North Korean Human
25 Rights Act of 2004 (22 U.S.C. 7802).

1 (B) ~~CONTENT OF WRITTEN DETERMINA-~~
2 TION.—A written determination submitted
3 under subparagraph (A) with respect to a waiv-
4 er shall include a description of all notification
5 and accountability controls that have been em-
6 ployed in order to ensure that the activities cov-
7 ered by the waiver are humanitarian assistance
8 or are carried out for the purposes set forth in
9 section 4 of the North Korean Human Rights
10 Act of 2004 (22 U.S.C. 7802) and do not entail
11 any activities in the Democratic People’s Re-
12 public of Korea or dealings with the Govern-
13 ment of the Democratic People’s Republic of
14 Korea not reasonably related to humanitarian
15 assistance or those purposes.

16 (C) ~~CLARIFICATION OF PERMITTED AC-~~
17 TIVITIES.—An internationally recognized hu-
18 manitarian organization shall not be subject to
19 sanctions under this section for—

20 (i) engaging in a financial transaction
21 relating to humanitarian assistance or for
22 humanitarian purposes pursuant to a waiv-
23 er issued under subparagraph (A);

24 (ii) transporting goods or services that
25 are necessary to carry out operations relat-

1 ing to humanitarian assistance or humani-
2 tarian purposes pursuant to such a waiver;
3 or

4 (iii) having merely incidental contact,
5 in the course of providing humanitarian
6 assistance or aid for humanitarian pur-
7 poses pursuant to such a waiver, with indi-
8 viduals who are under the control of a for-
9 eign person subject to sanctions under this
10 section.

11 (g) **RULE OF CONSTRUCTION.**—A person described in
12 subsection (d) is subject to sanctions under this section
13 without regard to whether the name of the person is pub-
14 lished in the Federal Register or incorporated into the list
15 of specially designated nationals and blocked persons
16 maintained by the Office of Foreign Assets Control of the
17 Department of the Treasury.

18 (h) **REPORTS.**—

19 (1) **IN GENERAL.**—Not later than 210 days
20 after the date of the enactment of this Act, and
21 every 90 days thereafter, the President shall submit
22 to the appropriate congressional committees a list of
23 persons (including foreign financial institutions)
24 with respect to which sanctions are imposed—

1 (A) in the case of the first list, before the
2 submission of the list; and

3 (B) in the case of any subsequent list, dur-
4 ing the 90 days preceding the submission of the
5 list.

6 (2) FORM OF REPORT; PUBLIC AVAILABILITY.—

7 (A) FORM.—The list required by para-
8 graph (1) shall be submitted in unclassified
9 form but may contain a classified annex.

10 (B) PUBLIC AVAILABILITY.—The unclassi-
11 fied portion of the list required by paragraph
12 (1) shall be made available to the public and
13 posted on the websites of the Department of the
14 Treasury and the Department of State.

15 (i) DEFINITIONS.—In this section:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Foreign Relations
20 and the Committee on Banking, Housing, and
21 Urban Affairs of the Senate; and

22 (B) the Committee on Foreign Affairs and
23 the Committee on Financial Services of the
24 House of Representatives.

1 (2) CORRESPONDENT ACCOUNT; PAYABLE-
2 THROUGH ACCOUNT.—The terms “correspondent ac-
3 count” and “payable-through account” have the
4 meanings given those terms in section 5318A of title
5 31, United States Code.

6 (3) FOREIGN FINANCIAL INSTITUTION.—The
7 term “foreign financial institution” has the meaning
8 given that term in section 561.308 of title 31, Code
9 of Federal Regulations (or any corresponding similar
10 regulation or ruling).

11 (4) HUMANITARIAN ASSISTANCE.—The term
12 “humanitarian assistance” means assistance to meet
13 humanitarian needs, including needs for food, medi-
14 cine, medical supplies, clothing, and shelter.

15 (5) KNOWINGLY.—The term “knowingly”, with
16 respect to conduct, a circumstance, or a result,
17 means that a person has actual knowledge, or should
18 have known, of the conduct, the circumstance, or the
19 result.

20 (6) PERSON.—The term “person” means an in-
21 dividual or entity.

22 (7) UNITED STATES PERSON.—The term
23 “United States person” means—

1 (A) a United States citizen or an alien law-
2 fully admitted for permanent residence to the
3 United States; and

4 (B) an entity organized under the laws of
5 the United States or any jurisdiction within the
6 United States, including a foreign branch of
7 such an entity.

8 **SEC. 103. STRATEGY TO END USE OF NORTH KOREAN LA-**
9 **BORERS BY OTHER COUNTRIES.**

10 (a) **IN GENERAL.**—Not later than 30 days after the
11 date of the enactment of this Act, the Secretary of State
12 shall submit to the Committee on Foreign Relations of the
13 Senate and the Committee on Foreign Affairs of the
14 House of Representatives a strategy for leveraging the
15 sanctions imposed pursuant to section 302B of the North
16 Korea Sanctions and Policy Enhancement Act (22 U.S.C.
17 9241b) to persuade countries that import North Korean
18 laborers in a manner described in section 302(b)(1)(L) of
19 that Act (22 U.S.C. 9241(b)(1)(L)) to end that practice.

20 (b) **FORM OF REPORT.**—The strategy required by
21 subsection (a) shall be submitted in unclassified form but
22 may include a classified annex.

1 **TITLE II—REAUTHORIZATION OF**
2 **NORTH KOREAN HUMAN**
3 **RIGHTS ACT OF 2004**

4 **SEC. 201. SHORT TITLE.**

5 This title may be cited as the “North Korean Human
6 Rights Reauthorization Act of 2017”.

7 **SEC. 202. REAUTHORIZATION OF THE NORTH KOREAN**
8 **HUMAN RIGHTS ACT OF 2004.**

9 (a) **HUMAN RIGHTS AND DEMOCRACY PROGRAMS.**—
10 Section 102(b)(1) of the North Korean Human Rights Act
11 of 2004 (22 U.S.C. 7812(b)(1)) is amended by striking
12 “2017” and inserting “2022”.

13 (b) **PROMOTING FREEDOM OF INFORMATION.**—Sec-
14 tion 104 of the North Korean Human Rights Act of 2004
15 (22 U.S.C. 7814) is amended by striking “2017” each
16 place it appears and inserting “2022”.

17 (c) **REPORT BY SPECIAL ENVOY ON NORTH KOREAN**
18 **HUMAN RIGHTS.**—Section 107(d) of the North Korean
19 Human Rights Act of 2004 (22 U.S.C. 7817(d)) is amend-
20 ed by striking “2017” and inserting “2022”.

21 (d) **REPORT ON HUMANITARIAN ASSISTANCE.**—Sec-
22 tion 201(a) of the North Korean Human Rights Act of
23 2004 (22 U.S.C. 7831(a)) is amended, in the matter pre-
24 ceeding paragraph (1), by striking “2017” and inserting
25 “2022”.

1 (e) ASSISTANCE PROVIDED OUTSIDE OF NORTH
 2 KOREA.—Section 203(e)(1) of the North Korean Human
 3 Rights Act of 2004 (22 U.S.C. 7833(e)(1)) is amended
 4 by striking “2017” and inserting “2022”.

5 (f) ANNUAL REPORTING.—Section 305(a) of the
 6 North Korean Human Rights Act of 2004 (22 U.S.C.
 7 7845(a)) is amended, in the matter preceding paragraph
 8 (1), by striking “2017” and inserting “2022”.

9 **TITLE III—REVIEW OF POLICY**
 10 **TOWARD THE DEMOCRATIC**
 11 **PEOPLE’S REPUBLIC OF**
 12 **KOREA**

13 **SEC. 301. ADDRESSING THE NUCLEAR AND BALLISTIC MIS-**
 14 **SILE THREAT POSED BY THE DEMOCRATIC**
 15 **PEOPLE’S REPUBLIC OF KOREA.**

16 (a) IN GENERAL.—Not later than 60 days after the
 17 date of the enactment of this Act, and every 90 days there-
 18 after, the President shall submit to the appropriate con-
 19 gressional committees a report on the efforts of the Presi-
 20 dent to achieve peaceful denuclearization of the Korean
 21 Peninsula and to eliminate the threat posed by the ballistic
 22 missile program of the Democratic People’s Republic of
 23 Korea.

24 (b) ELEMENTS.—Each report required by subsection
 25 (a) shall include the following:

1 (1) A description of the President's overall pol-
2 icy objectives with regard to the Democratic People's
3 Republic of Korea.

4 (2) An assessment by the intelligence commu-
5 nity (as defined in section 3(4) of the National Secu-
6 rity Act of 1947 (50 U.S.C. 3003(4))) of the status
7 of the nuclear and ballistic missile programs of the
8 Democratic People's Republic of Korea, including
9 what elements constitute such programs, and any
10 technological advancements, disruptions, or setbacks
11 to such programs.

12 (3) A summary of all sanctions imposed by the
13 United States with respect to the Democratic Peo-
14 ple's Republic of Korea relating to its nuclear and
15 ballistic missile programs pursuant to all applicable
16 statutes, regulations, and Executive orders and a
17 strategy outlining how the President intends to use
18 those authorities to impose additional sanctions with
19 respect to the Democratic People's Republic of
20 Korea if necessary.

21 (4) A summary of all sanctions designations by
22 the United Nations Security Council pursuant to all
23 applicable United Nations Security Council resolu-
24 tions.

1 (5) An assessment of and strategy for coun-
2 tering the cyber capabilities of the Democratic Peo-
3 ple's Republic of Korea, including its efforts to con-
4 duct cyber and corporate espionage, to commit illicit
5 commercial and financial activities through inter-
6 national cyber systems, and to suppress opposition
7 to and spread propaganda in support of the nuclear
8 and ballistic missile activities of the Democratic Peo-
9 ple's Republic of Korea.

10 (6) A summary of activities of the Democratic
11 People's Republic of Korea relating to evading sanc-
12 tions imposed with respect to its nuclear and bal-
13 listic missile programs.

14 (7) An assessment of the sources of, and the
15 methods of the Democratic People's Republic of
16 Korea for procuring, critical components for its nu-
17 clear and ballistic missile programs, including liquid
18 and solid rocket fuels and components, navigation
19 and guidance systems, computer and electrical com-
20 ponents, and specialized materials.

21 (8) A summary of the United States strategy to
22 increase international coordination and cooperation,
23 whether unilaterally, bilaterally, or multilaterally, in-
24 cluding sanctions enforcement and interdiction, to
25 address the threat posed by the nuclear and ballistic

1 missile programs of the Democratic People's Repub-
2 lie of Korea.

3 (9) An assessment of the adequacy of the na-
4 tional export control regimes of countries that are
5 members of the United Nations, and multilateral ex-
6 port control regimes, that are necessary to enforce
7 sanctions imposed with respect to the Democratic
8 People's Republic of Korea pursuant to United Na-
9 tions Security Council resolutions and an action plan
10 to encourage and assist countries in adopting and
11 using authorities necessary to enforce export con-
12 trols required by United Nations Security Council
13 resolutions.

14 (10) A summary of ongoing efforts by the
15 United States to identify strategies and policies, in-
16 cluding an assessment of the strengths and weak-
17 nesses of such strategies and policies, to achieve
18 peaceful denuclearization of the Korean Peninsula
19 and to eliminate the threat posed by the ballistic
20 missile program of the Democratic People's Republic
21 of Korea.

22 (11) An assessment of potential roadmaps to-
23 ward peaceful denuclearization of the Korean Penin-
24 sula and the elimination of the nuclear and ballistic
25 missile threats posted by the Democratic People's

1 Republic of Korea, and specific actions the Demo-
 2 cratic People's Republic of Korea would need to take
 3 for each such roadmap to become viable.

4 (12) A description of specific measures that the
 5 President has taken, or anticipates taking, to imple-
 6 ment the “maximum pressure and engagement” pol-
 7 icy.

8 (c) FORM OF REPORT.—Each report required by sub-
 9 section (a) shall be submitted in unclassified form but may
 10 include a classified annex.

11 **SEC. 302. BRIEFINGS ON UNITED STATES ENGAGEMENT**
 12 **WITH THE DEMOCRATIC PEOPLE'S REPUBLIC**
 13 **OF KOREA.**

14 Not later than 30 days after the date of the enact-
 15 ment of this Act, and regularly thereafter, the Secretary
 16 of State or a designee of the Secretary shall brief the ap-
 17 propriate congressional committees on the status of any
 18 United States diplomatic engagement with the Govern-
 19 ment of the Democratic People's Republic of Korea.

20 **SEC. 303. REPORT ON UNITED STATES CITIZENS DETAINED**
 21 **BY THE DEMOCRATIC PEOPLE'S REPUBLIC**
 22 **OF KOREA.**

23 (a) IN GENERAL.—Notwithstanding any other provi-
 24 sion of law, not later than 30 days after the date of the
 25 enactment of this Act, and every 180 days thereafter, the

1 Secretary of State shall submit to the appropriate congres-
2 sional committees a report on United States citizens de-
3 tained by the Government of the Democratic People's Re-
4 public of Korea, including United States citizens who are
5 also citizens of other countries.

6 (b) ELEMENTS.—Each report required by subsection
7 (a) shall include, with respect to each United States cit-
8 izen detained by the Government of the Democratic Peo-
9 ple's Republic of Korea, the following:

10 (1) The name of the United States citizen.

11 (2) A description of the circumstances sur-
12 rounding the detention of the United States citizen.

13 (3) An assessment of the health and welfare of
14 the United States citizen.

15 (4) An assessment of whether any United
16 States Government or foreign government officials
17 have been provided access to the United States cit-
18 izen.

19 (5) A summary of any communications or com-
20 ments by officials of the Government of the Demo-
21 cratic People's Republic of Korea regarding the de-
22 tention and welfare of the United States citizen.

23 (6) A summary of official communications by
24 United States Government officials or foreign gov-
25 ernment officials, or other persons acting on behalf

1 of those officials regarding the United States citizen,
2 including efforts to secure the release of the United
3 States citizen.

4 (7) A summary of unofficial communications by
5 other persons with officials of the Government of the
6 Democratic People's Republic of Korea regarding
7 the United States citizen, including efforts to secure
8 the release of the United States citizen.

9 (c) FORM OF REPORTS.—Each report required by
10 subsection (a) shall be submitted in unclassified form but
11 may include a classified annex.

12 (d) INTERIM BRIEFINGS.—During periods between
13 the submission of reports under subsection (a), the Sec-
14 retary of State shall brief the appropriate congressional
15 committees on any significant updates on the status and
16 welfare of any United States citizens detained by the Gov-
17 ernment of the Democratic People's Republic of Korea.

18 **SEC. 304. REPORT AND STRATEGY RELATING TO USE OF**
19 **ROCKET FUELS FOR BALLISTIC MISSILES BY**
20 **THE DEMOCRATIC PEOPLE'S REPUBLIC OF**
21 **KOREA.**

22 (a) REPORT REQUIRED.—

23 (1) IN GENERAL.—Not later than 90 days after
24 the date of the enactment of this Act, and every 90
25 days thereafter, the Director of National Intel-

1 ligence, in conjunction with the Secretary of State,
2 shall submit to the appropriate congressional com-
3 mittees a report on the use by the Democratic Peo-
4 ple's Republic of Korea of unsymmetrical dimethyl
5 hydrazine and other rocket fuels to power its bal-
6 listic missiles.

7 (2) ELEMENTS.—Each report required by para-
8 graph (1) shall include the following:

9 (A) An assessment of each type of rocket
10 fuel the Democratic People's Republic of Korea
11 uses, or potentially may use, to power its bal-
12 listic missiles, including the chemical precur-
13 sors, production process, and required produc-
14 tion equipment for each such type of rocket
15 fuel.

16 (B) With respect to each such type of
17 rocket fuel, an assessment of the following:

18 (i) Whether the use of that type of
19 rocket fuel by the Democratic People's Re-
20 public of Korea is prohibited under United
21 Nations Security Council resolutions, other
22 multilateral sanctions imposed on the
23 Democratic People's Republic of Korea, or
24 sanctions imposed by the United States

1 with respect to the Democratic People's
2 Republic of Korea.

3 (ii) Whether the Democratic People's
4 Republic of Korea imports that type of
5 rocket fuel as a finished product or im-
6 ports chemical precursors and manufac-
7 tures the finished product.

8 (iii) The countries from which the
9 Democratic People's Republic of Korea im-
10 ports that type of rocket fuel as a finished
11 product or from which the Democratic
12 People's Republic of Korea imports the
13 chemical precursors and equipment to
14 manufacture that type of rocket fuel.

15 (iv) The size and locations of the
16 Democratic People's Republic of Korea's
17 stockpiles, if any, of that type of rocket
18 fuel.

19 (v) Whether that type of rocket fuel
20 can be attributed to its original exporter
21 based on unique chemical signatures or
22 other relevant identifying information.

23 (3) FORM OF REPORT.—The report required by
24 paragraph (1) shall be submitted in unclassified
25 form but may include a classified annex.

1 (b) **STRATEGY REQUIRED.**—The Secretary of State,
2 in consultation with the heads of relevant agencies, shall
3 develop a diplomatic strategy to end the transfer of all
4 rocket fuels and chemical precursors for rocket fuels to
5 the Democratic People’s Republic of Korea.

6 (c) **SENSE OF CONGRESS.**—It is the sense of Con-
7 gress that the United States Ambassador to the United
8 Nations should introduce a resolution to the United Na-
9 tions Security Council—

10 (1) to request that the Panel of Experts on the
11 Democratic People’s Republic of Korea established
12 by United Nations Security Council Resolution 1874
13 (2009) investigate the importation and manufacture
14 by the Democratic People’s Republic of Korea of
15 rocket and ballistic missile fuels, including unsym-
16 metrical dimethyl hydrazine and other fuels or their
17 chemical precursors; and

18 (2) to specifically prohibit the exportation to
19 the Democratic People’s Republic of Korea of un-
20 symmetrical dimethyl hydrazine and any other rock-
21 et fuels or precursor chemicals to rocket fuels.

22 **SEC. 305. APPROPRIATE CONGRESSIONAL COMMITTEES**
23 **DEFINED.**

24 In this title, the term “appropriate congressional
25 committees” means the Committee on Foreign Relations

1 of the Senate and the Committee on Foreign Affairs of
2 the House of Representatives:

3 **TITLE IV—STRATEGY TO DIP-**
4 **LOMATICALLY AND ECONOMI-**
5 **CALLY ISOLATE THE DEMO-**
6 **CRATIC PEOPLE’S REPUBLIC**
7 **OF KOREA**

8 **SEC. 401. REPORT ON EFFECTING A STRATEGY TO DIP-**
9 **LOMATICALLY AND ECONOMICALLY ISOLATE**
10 **THE DEMOCRATIC PEOPLE’S REPUBLIC OF**
11 **KOREA.**

12 (a) **IN GENERAL.**—Not later than 90 days after the
13 date of the enactment of this Act, and every 180 days
14 thereafter, the Secretary of State or a designee of the Sec-
15 retary shall submit to the appropriate congressional com-
16 mittees a report on actions taken by the United States
17 to diplomatically and economically isolate the Democratic
18 People’s Republic of Korea.

19 (b) **ELEMENTS.**—Each report required by subsection
20 (a) shall include the following:

21 (1) A description of the actions taken by the
22 Secretary of State, or designees of the Secretary, to
23 consult with governments around the world, with the
24 purpose of inducing those governments to diplomati-

1 eally and economically isolate the Democratic Peo-
2 ple's Republic of Korea.

3 ~~(2)~~ A description of the actions taken by those
4 governments to implement measures to diplomati-
5 cally and economically isolate the Democratic Peo-
6 ple's Republic of Korea.

7 ~~(3)~~ A list of countries the governments of which
8 the Secretary has determined to be noncooperative
9 with respect to implementing measures to diplomati-
10 cally and economically isolate the Democratic Peo-
11 ple's Republic of Korea.

12 ~~(4)~~ A plan of action to engage with, and in-
13 crease cooperation with respect to the Democratic
14 People's Republic of Korea, by the governments of
15 the countries on the list required by paragraph ~~(3)~~.

16 ~~(c)~~ FORM OF REPORT.—Each report required by sub-
17 section (a) shall be submitted in unclassified form but may
18 include a classified annex.

19 **SEC. 402. AUTHORIZATION TO ALTER UNITED STATES RE-**
20 **LATIONS WITH COUNTRIES ENABLING THE**
21 **DEMOCRATIC PEOPLE'S REPUBLIC OF**
22 **KOREA.**

23 ~~(a)~~ IN GENERAL.—The Secretary of State may take
24 such actions as are necessary to induce countries to take
25 measures to diplomatically and economically isolate the

1 Democratic People's Republic of Korea on the list required
2 by section 401(b)(3).

3 (b) ACTIONS INCLUDED.—Actions described in sub-
4 section (a) may include—

5 (1) reduction of the diplomatic presence in the
6 United States of countries on the list required by
7 section 401(b)(3); and

8 (2) reduction of the diplomatic presence of the
9 United States in those countries.

10 (c) CONSULTATION.—Not less than 15 days before
11 taking any action under subsection (a), the Secretary shall
12 consult with the appropriate congressional committees
13 with respect to the action.

14 **SEC. 403. AUTHORIZATION TO TERMINATE OR REDUCE**
15 **UNITED STATES FOREIGN ASSISTANCE TO**
16 **COUNTRIES ENABLING THE DEMOCRATIC**
17 **PEOPLE'S REPUBLIC OF KOREA.**

18 (a) IN GENERAL.—The Secretary of State may ter-
19minate or reduce United States foreign assistance to coun-
20tries on the list required by section 401(b)(3).

21 (b) ASSISTANCE INCLUDED.—Assistance terminated
22 or reduced under subsection (a) may include—

23 (1) assistance under chapter 4 of part II of the
24 Foreign Assistance Act of 1961 (22 U.S.C. 2346 et
25 seq.; relating to the Economic Support Fund);

1 (2) military assistance provided pursuant to
 2 section 23 of the Arms Export Control Act (22
 3 U.S.C. 2763; relating to the Foreign Military Fi-
 4 nancing Program); and

5 (3) assistance provided under chapter 5 of part
 6 H of the Foreign Assistance Act of 1961 (22 U.S.C.
 7 2347 et seq.; relating to international military edu-
 8 cation and training).

9 (c) CONSULTATION.—Not less than 15 days before
 10 taking any action under subsection (a), the Secretary shall
 11 consult with the appropriate congressional committees
 12 with respect to the action.

13 **SEC. 404. APPROPRIATE CONGRESSIONAL COMMITTEES**

14 **DEFINED.**

15 In this title, the term “appropriate congressional
 16 committees” means—

17 (1) the Committee on Foreign Relations and
 18 the Committee on Appropriations of the Senate; and

19 (2) the Committee on Foreign Affairs and the
 20 Committee on Appropriations of the House of Rep-
 21 resentatives.

22 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

23 (a) *SHORT TITLE.*—This Act may be cited as the “Le-
 24 verage to Enhance Effective Diplomacy Act of 2017” or the
 25 “LEED Act”.

1 **(b) TABLE OF CONTENTS.**—*The table of contents for*
 2 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Appropriate congressional committees defined.

**TITLE I—REVIEW OF POLICY TOWARD THE DEMOCRATIC PEOPLE’S
 REPUBLIC OF KOREA**

Sec. 101. Findings.

Sec. 102. Addressing the evolving threats posed by and capabilities of the Democratic People’s Republic of Korea.

Sec. 103. Briefings on United States engagement with the Democratic People’s Republic of Korea.

Sec. 104. Report on United States citizens detained by the Democratic People’s Republic of Korea.

Sec. 105. Report and strategy relating to use of rocket fuels for ballistic missiles by the Democratic People’s Republic of Korea.

Sec. 106. Policy of the United States with respect to sanctions with respect to the Democratic People’s Republic of Korea.

Sec. 107. Policy of the United States with respect to negotiation on Democratic People’s Republic of Korea’s nuclear and ballistic missile programs.

**TITLE II—STRATEGY TO ADDRESS THE THREATS POSED BY AND
 CAPABILITIES OF THE DEMOCRATIC PEOPLE’S REPUBLIC OF
 KOREA**

Sec. 201. Report on a strategy to address the threats posed by and capabilities of the Democratic People’s Republic of Korea.

Sec. 202. Sense of Congress on participation in international organizations by the Democratic People’s Republic of Korea.

Sec. 203. Sense of Congress to alter United States relations with countries enabling the Democratic People’s Republic of Korea.

Sec. 204. Sense of Congress on termination or reduction of United States foreign assistance to countries enabling the Democratic People’s Republic of Korea.

**TITLE III—STRATEGY TO END USE OF NORTH KOREAN LABORERS
 BY OTHER COUNTRIES**

Sec. 301. Strategy to end use of North Korean laborers by other countries.

**TITLE IV—SANCTIONS WITH RESPECT TO THE DEMOCRATIC
 PEOPLE’S REPUBLIC OF KOREA**

Sec. 401. Imposition of sanctions with respect to sourcing, manufacture, trade, or distribution of illicit substances.

Sec. 402. Designation of certain entities under the North Korea Sanctions and Policy Enhancement Act of 2016.

Sec. 403. Report on exports of crude oil and petroleum products to the Democratic People’s Republic of Korea.

1 **SEC. 2. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
2 **FINED.**

3 *In this Act, the term “appropriate congressional com-*
4 *mittees” means the Committee on Foreign Relations of the*
5 *Senate and the Committee on Foreign Affairs of the House*
6 *of Representatives.*

7 **TITLE I—REVIEW OF POLICY TO-**
8 **WARD THE DEMOCRATIC PEO-**
9 **PLE’S REPUBLIC OF KOREA**

10 **SEC. 101. FINDINGS.**

11 *Congress makes the following findings:*

12 *(1) The Government of the Democratic People’s*
13 *Republic of Korea has flagrantly defied the inter-*
14 *national community by illicitly developing its nu-*
15 *clear and ballistic missile programs, in violation of*
16 *United Nations Security Council Resolutions 1718*
17 *(2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270*
18 *(2016), 2321 (2016), 2371 (2017), and 2375 (2017).*

19 *(2) The Government of the Democratic People’s*
20 *Republic of Korea engages in gross human rights*
21 *abuses against its own people and citizens of other*
22 *countries, including the United States, the Republic*
23 *of Korea, and Japan.*

24 *(3) The United States is committed to pursuing*
25 *a peaceful denuclearization of the Democratic People’s*
26 *Republic of Korea through a policy of maximum pres-*

1 *sure and engagement, in close concert with its part-*
 2 *ners.*

3 **SEC. 102. ADDRESSING THE EVOLVING THREATS POSED BY**
 4 **AND CAPABILITIES OF THE DEMOCRATIC**
 5 **PEOPLE’S REPUBLIC OF KOREA.**

6 *(a) IN GENERAL.—Not later than 60 days after the*
 7 *date of the enactment of this Act, and every 180 days there-*
 8 *after, the Director of National Intelligence, in consultation*
 9 *with the Secretary of State and the Secretary of Defense,*
 10 *and, as appropriate, the Secretary of the Treasury and the*
 11 *Administrator of the Drug Enforcement Administration,*
 12 *shall submit to the appropriate congressional committees a*
 13 *report on—*

14 *(1) the evolving threats posed by and capabilities*
 15 *of the Democratic People’s Republic of Korea; and*

16 *(2) United States efforts to mitigate and respond*
 17 *to those threats and capabilities.*

18 *(b) ELEMENTS.—Each report required by subsection*
 19 *(a) shall include the following:*

20 *(1) An assessment of the status of the nuclear*
 21 *and ballistic missile programs of the Democratic Peo-*
 22 *ple’s Republic of Korea, including what elements con-*
 23 *stitute such programs, and any technological advance-*
 24 *ments, disruptions, or setbacks to such programs dur-*
 25 *ing—*

1 (A) *in the case of the first such report, the*
2 *60-day period preceding submission of the re-*
3 *port; and*

4 (B) *in the case of any subsequent such re-*
5 *port, the 180-day period preceding submission of*
6 *the report.*

7 (2) *An assessment of the sources of, and the*
8 *methods of the Democratic People's Republic of Korea*
9 *for procuring, critical components for its nuclear and*
10 *ballistic missile programs, including liquid and solid*
11 *rocket fuels and components, navigation and guidance*
12 *systems, computer and electrical components, and spe-*
13 *cialized materials.*

14 (3) *An assessment of the cyber capabilities of the*
15 *Democratic People's Republic of Korea, including its*
16 *efforts to conduct cyber and corporate espionage, to*
17 *commit illicit commercial and financial activities*
18 *through international cyber systems, and to suppress*
19 *opposition to and spread propaganda in support of*
20 *the nuclear and ballistic missile activities of the*
21 *Democratic People's Republic of Korea.*

22 (4) *A summary of activities of the Democratic*
23 *People's Republic of Korea relating to evading sanc-*
24 *tions imposed by the United States or the United Na-*
25 *tions Security Council, including an assessment of the*

1 sourcing, manufacture, trade, or distribution of
2 methamphetamines, narcotics, and other illicit sub-
3 stances and any associated precursor chemicals, in-
4 cluding by state-owned entities, other entities (includ-
5 ing universities), and individuals, for the purpose of
6 financing or otherwise supporting the nuclear and
7 ballistic missile programs of the Democratic People's
8 Republic of Korea.

9 (c) *FORM OF REPORT.*—Each report required by sub-
10 section (a) shall be submitted in unclassified form but may
11 include a classified annex.

12 **SEC. 103. BRIEFINGS ON UNITED STATES ENGAGEMENT**
13 **WITH THE DEMOCRATIC PEOPLE'S REPUBLIC**
14 **OF KOREA.**

15 *Not later than 30 days after the date of the enactment*
16 *of this Act, and regularly thereafter, the Secretary of State*
17 *or a designee of the Secretary shall brief the appropriate*
18 *congressional committees on the status of any United States*
19 *diplomatic engagement with the Government of the Demo-*
20 *cratic People's Republic of Korea, including with respect*
21 *to efforts to secure the release of United States citizens de-*
22 *tained in the Democratic People's Republic of Korea.*

1 **SEC. 104. REPORT ON UNITED STATES CITIZENS DETAINED**
2 **BY THE DEMOCRATIC PEOPLE'S REPUBLIC OF**
3 **KOREA.**

4 (a) *IN GENERAL.*—Notwithstanding any other provi-
5 sion of law, not later than 30 days after the date of the
6 enactment of this Act, and every 180 days thereafter, the
7 Secretary of State shall submit to the appropriate congres-
8 sional committees a report on United States citizens de-
9 tained by the Government of the Democratic People's Re-
10 public of Korea, including United States citizens who are
11 also citizens of other countries.

12 (b) *ELEMENTS.*—Each report required by subsection
13 (a) shall include, with respect to each United States citizen
14 detained by the Government of the Democratic People's Re-
15 public of Korea, the following:

16 (1) *The name of the United States citizen.*

17 (2) *A description of the circumstances sur-*
18 *rounding the detention of the United States citizen.*

19 (3) *An assessment of the health and welfare of*
20 *the United States citizen.*

21 (4) *An assessment of whether any United States*
22 *Government officials or foreign government officials*
23 *have been provided access to the United States citizen.*

24 (5) *A summary of any communications or com-*
25 *ments by officials of the Government of the Demo-*

1 *cratic People's Republic of Korea regarding the deten-*
2 *tion and welfare of the United States citizen.*

3 (6) *A summary of official communications by*
4 *United States Government officials or foreign govern-*
5 *ment officials, or other persons acting on behalf of*
6 *those officials, regarding the United States citizen, in-*
7 *cluding efforts to secure the release of the United*
8 *States citizen.*

9 (c) *FORM OF REPORTS.*—*Each report required by sub-*
10 *section (a) shall be submitted in unclassified form but may*
11 *include a classified annex.*

12 (d) *INTERIM BRIEFINGS.*—*During periods between the*
13 *submission of reports under subsection (a), the Secretary*
14 *of State shall brief the appropriate congressional commit-*
15 *tees on any significant updates on the status and welfare*
16 *of any United States citizens detained by the Government*
17 *of the Democratic People's Republic of Korea.*

18 **SEC. 105. REPORT AND STRATEGY RELATING TO USE OF**
19 **ROCKET FUELS FOR BALLISTIC MISSILES BY**
20 **THE DEMOCRATIC PEOPLE'S REPUBLIC OF**
21 **KOREA.**

22 (a) *REPORT REQUIRED.*—

23 (1) *IN GENERAL.*—*Not later than 90 days after*
24 *the date of the enactment of this Act, the Director of*
25 *National Intelligence, in conjunction with the Sec-*

1 *retary of State, shall submit to the appropriate con-*
2 *gressional committees a report on the use by the*
3 *Democratic People's Republic of Korea of unsymmet-*
4 *rical dimethyl hydrazine and other rocket fuels to*
5 *power its ballistic missiles.*

6 (2) *ELEMENTS.—The report required by para-*
7 *graph (1) shall include the following:*

8 (A) *An assessment of each type of rocket fuel*
9 *the Democratic People's Republic of Korea uses,*
10 *or potentially may use, to power its ballistic*
11 *missiles, including the chemical precursors, pro-*
12 *duction process, and required production equip-*
13 *ment for each such type of rocket fuel.*

14 (B) *With respect to each such type of rocket*
15 *fuel, an assessment of the following:*

16 (i) *Whether the use of that type of rock-*
17 *et fuel by the Democratic People's Republic*
18 *of Korea is prohibited under United Na-*
19 *tions Security Council resolutions, other*
20 *multilateral sanctions imposed with respect*
21 *to the Democratic People's Republic of*
22 *Korea, or sanctions imposed by the United*
23 *States with respect to the Democratic Peo-*
24 *ple's Republic of Korea.*

1 (ii) *Whether the Democratic People's*
2 *Republic of Korea imports that type of rock-*
3 *et fuel as a finished product or imports*
4 *chemical precursors and manufactures the*
5 *finished product.*

6 (iii) *The countries from which the*
7 *Democratic People's Republic of Korea im-*
8 *ports that type of rocket fuel as a finished*
9 *product or from which the Democratic Peo-*
10 *ple's Republic of Korea imports the chem-*
11 *ical precursors and equipment to manufac-*
12 *ture that type of rocket fuel.*

13 (iv) *The size and locations of the*
14 *Democratic People's Republic of Korea's*
15 *stockpiles, if any, of that type of rocket fuel.*

16 (v) *Whether that type of rocket fuel can*
17 *be attributed to its original exporter based*
18 *on unique chemical signatures or other rel-*
19 *evant identifying information.*

20 (3) *FORM OF REPORT.*—*The report required by*
21 *paragraph (1) shall be submitted in unclassified form*
22 *but may include a classified annex.*

23 (b) *STRATEGY REQUIRED.*—*The Secretary of State, in*
24 *consultation with the heads of relevant agencies, shall de-*
25 *velop a diplomatic strategy to end the transfer of all rocket*

1 *fuels and chemical precursors for rocket fuels to the Demo-*
 2 *cratic People's Republic of Korea.*

3 (c) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 4 *that the United States Ambassador to the United Nations*
 5 *should introduce a resolution to the United Nations Secu-*
 6 *rity Council—*

7 (1) *to request that the Panel of Experts on the*
 8 *Democratic People's Republic of Korea established by*
 9 *United Nations Security Council Resolution 1874*
 10 *(2009) investigate the importation and manufacture*
 11 *by the Democratic People's Republic of Korea of rock-*
 12 *et and ballistic missile fuels, including unsymmetrical*
 13 *dimethyl hydrazine and other fuels or their chemical*
 14 *precursors; and*

15 (2) *to specifically prohibit the exportation to the*
 16 *Democratic People's Republic of Korea of unsymmet-*
 17 *rical dimethyl hydrazine and any other rocket fuels or*
 18 *precursor chemicals to rocket fuels.*

19 **SEC. 106. POLICY OF THE UNITED STATES WITH RESPECT**
 20 **TO SANCTIONS WITH RESPECT TO THE DEMO-**
 21 **CRATIC PEOPLE'S REPUBLIC OF KOREA.**

22 (a) *STATEMENT OF POLICY.*—*It is the policy of the*
 23 *United States that sanctions with respect to activities of*
 24 *the Government of the Democratic People's Republic of*
 25 *Korea, persons acting for or on behalf of that Government,*

1 *or other persons, provided for in Executive Order 13687 (50*
2 *U.S.C. 1701 note; relating to imposing additional sanctions*
3 *with respect to North Korea), Executive Order 13694 (50*
4 *U.S.C. 1701 note; relating to blocking the property of cer-*
5 *tain persons engaging in significant malicious cyber-en-*
6 *abled activities), Executive Order 13722 (50 U.S.C. 1701*
7 *note; relating to blocking the property of the Government*
8 *of North Korea and the Workers' Party of Korea, and pro-*
9 *hibiting certain transactions with respect to North Korea),*
10 *or Executive Order 13810 (82 Fed. Reg. 44705; relating to*
11 *imposing additional sanctions with respect to North*
12 *Korea), as such Executive Orders are in effect on the day*
13 *before the date of the enactment of this Act, shall remain*
14 *in effect until the Democratic People's Republic of Korea*
15 *is no longer engaged in the illicit activities described in*
16 *such Executive Orders, including actions in violation of*
17 *United Nations Security Council Resolutions 1718 (2006),*
18 *1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321*
19 *(2016), 2371 (2017), and 2375 (2017).*

20 (b) *RULE OF CONSTRUCTION.*—*Nothing in this section*
21 *shall be construed to limit the authority of the President*
22 *pursuant to the International Emergency Economic Powers*
23 *Act (50 U.S.C. 1701 et seq.).*

24 (c) *REPORT.*—*Not later than 30 days after termi-*
25 *nating any sanction with respect to the activities of the*

1 *Government of the Democratic People's Republic of Korea,*
2 *a person acting for or on behalf of that Government, or any*
3 *other person provided for in an Executive order specified*
4 *in subsection (a), the Secretary of State shall submit to the*
5 *appropriate congressional committees a report regarding*
6 *the cessation of illicit activities in violation of United Na-*
7 *tions Security Council Resolutions 1718 (2006), 1874*
8 *(2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321*
9 *(2016), 2371 (2017), and 2375 (2017) by that Government*
10 *or that person, as the case may be.*

11 **SEC. 107. POLICY OF THE UNITED STATES WITH RESPECT**
12 **TO NEGOTIATION ON DEMOCRATIC PEOPLE'S**
13 **REPUBLIC OF KOREA'S NUCLEAR AND BAL-**
14 **LISTIC MISSILE PROGRAMS.**

15 *It is the policy of the United States that the objective*
16 *of negotiations with respect to the nuclear and ballistic mis-*
17 *sile programs of the Democratic People's Republic of Korea*
18 *be the complete, verifiable, and irreversible dismantlement*
19 *of those programs.*

1 **TITLE II—STRATEGY TO AD-**
2 **DRESS THE THREATS POSED**
3 **BY AND CAPABILITIES OF THE**
4 **DEMOCRATIC PEOPLE’S RE-**
5 **PUBLIC OF KOREA**

6 **SEC. 201. REPORT ON A STRATEGY TO ADDRESS THE**
7 **THREATS POSED BY AND CAPABILITIES OF**
8 **THE DEMOCRATIC PEOPLE’S REPUBLIC OF**
9 **KOREA.**

10 *(a) IN GENERAL.—Not later than 90 days after the*
11 *date of the enactment of this Act, and every 180 days there-*
12 *after, the Secretary of State or a designee of the Secretary*
13 *shall submit to the appropriate congressional committees a*
14 *report on actions taken by the United States to address the*
15 *threats posed by and capabilities of the Democratic People’s*
16 *Republic of Korea.*

17 *(b) ELEMENTS.—Each report required by subsection*
18 *(a) shall include the following:*

19 *(1) A summary of ongoing efforts by the United*
20 *States to identify strategies and policies, including an*
21 *assessment of the strengths and weaknesses of such*
22 *strategies and policies, to achieve peaceful*
23 *denuclearization of the Korean Peninsula and to*
24 *eliminate the threat posed by the ballistic missile pro-*
25 *gram of the Democratic People’s Republic of Korea.*

1 (2) *An assessment of potential roadmaps toward*
2 *peaceful denuclearization of the Korean Peninsula*
3 *and the elimination of the nuclear and ballistic mis-*
4 *sile threats posed by the Democratic People’s Republic*
5 *of Korea, and specific actions the Democratic People’s*
6 *Republic of Korea would need to take for each such*
7 *roadmap to become viable.*

8 (3) *A summary of the United States strategy to*
9 *increase international coordination and cooperation,*
10 *whether unilaterally, bilaterally, or multilaterally, in-*
11 *cluding sanctions enforcement and interdiction, to ad-*
12 *dress the threat posed by the nuclear and ballistic*
13 *missile programs of the Democratic People’s Republic*
14 *of Korea. That summary shall include the following:*

15 (A) *A description of the actions taken by*
16 *the Secretary of State, or designees of the Sec-*
17 *retary, to consult with governments around the*
18 *world, with the purpose of inducing those govern-*
19 *ments to diplomatically and economically isolate*
20 *the Democratic People’s Republic of Korea.*

21 (B) *A description of the actions taken by*
22 *those governments to implement measures to dip-*
23 *lomatically and economically isolate the Demo-*
24 *cratic People’s Republic of Korea.*

1 (C) *A list of countries the governments of*
2 *which the Secretary has determined to be non-*
3 *cooperative with respect to implementing meas-*
4 *ures to diplomatically and economically isolate*
5 *the Democratic People’s Republic of Korea.*

6 (D) *A plan of action to engage, and in-*
7 *crease cooperation with respect to the Democratic*
8 *People’s Republic of Korea, with the governments*
9 *of the countries on the list required by subpara-*
10 *graph (C).*

11 (4) *An assessment of the adequacy of the na-*
12 *tional export control regimes of countries that are*
13 *members of the United Nations, and multilateral ex-*
14 *port control regimes, that are necessary to enforce*
15 *sanctions imposed with respect to the Democratic Peo-*
16 *ple’s Republic of Korea pursuant to United Nations*
17 *Security Council resolutions and an action plan to*
18 *encourage and assist countries in adopting and using*
19 *authorities necessary to enforce export controls re-*
20 *quired by United Nations Security Council resolu-*
21 *tions.*

22 (c) *FORM OF REPORT.*—*Each report required by sub-*
23 *section (a) shall be submitted in unclassified form but may*
24 *include a classified annex.*

1 **SEC. 202. SENSE OF CONGRESS ON PARTICIPATION IN**
2 **INTERNATIONAL ORGANIZATIONS BY THE**
3 **DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA.**

4 *It is the sense of Congress that representatives of the*
5 *United States shall use the voice and vote of the United*
6 *States in all international organizations, as appropriate,*
7 *to advocate for the expulsion of the Democratic People’s Re-*
8 *public of Korea from such organizations, until such time*
9 *as the Democratic People’s Republic of Korea meets its com-*
10 *mitments under United Nations Security Council Resolu-*
11 *tions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013),*
12 *2270 (2016), 2321 (2016), 2371 (2017), and 2375 (2017).*

13 **SEC. 203. SENSE OF CONGRESS TO ALTER UNITED STATES**
14 **RELATIONS WITH COUNTRIES ENABLING THE**
15 **DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA.**

16 *It is the sense of Congress that the Secretary of State*
17 *may take such actions as are necessary to induce countries*
18 *to take measures to diplomatically and economically isolate*
19 *the Democratic People’s Republic of Korea, including—*

20 *(1) reducing the diplomatic presence in the*
21 *United States of countries the governments of which*
22 *the Secretary has determined to be noncooperative*
23 *with respect to implementing measures to diplomati-*
24 *cally and economically isolate the Democratic Peo-*
25 *ple’s Republic of Korea; and*

1 (2) *reducing the diplomatic presence of the*
2 *United States in those countries.*

3 **SEC. 204. SENSE OF CONGRESS ON TERMINATION OR RE-**
4 **DUCTION OF UNITED STATES FOREIGN AS-**
5 **SISTANCE TO COUNTRIES ENABLING THE**
6 **DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA.**

7 *It is the sense of Congress that the Secretary of State*
8 *may terminate or reduce United States foreign assistance*
9 *to countries enabling the Democratic People’s Republic of*
10 *Korea.*

11 **TITLE III—STRATEGY TO END**
12 **USE OF NORTH KOREAN LA-**
13 **BORERS BY OTHER COUN-**
14 **TRIES**

15 **SEC. 301. STRATEGY TO END USE OF NORTH KOREAN LA-**
16 **BORERS BY OTHER COUNTRIES.**

17 (a) *IN GENERAL.*—*Not later than 60 days after the*
18 *date of the enactment of this Act, the Secretary of State*
19 *shall submit to the appropriate congressional committees a*
20 *strategy for leveraging the sanctions imposed pursuant to*
21 *section 302B of the North Korea Sanctions and Policy En-*
22 *hancement Act (22 U.S.C. 9241b) to persuade countries that*
23 *import North Korean laborers in a manner described in sec-*
24 *tion 104(b)(1)(L) of that Act (22 U.S.C. 9214(b)(1)(L)) to*
25 *end that practice.*

1 (b) *FORM OF REPORT.*—*The strategy required by sub-*
2 *section (a) shall be submitted in unclassified form but may*
3 *include a classified annex.*

4 ***TITLE IV—SANCTIONS WITH RE-***
5 ***SPECT TO THE DEMOCRATIC***
6 ***PEOPLE’S REPUBLIC OF***
7 ***KOREA***

8 ***SEC. 401. IMPOSITION OF SANCTIONS WITH RESPECT TO***
9 ***SOURCING, MANUFACTURE, TRADE, OR DIS-***
10 ***TRIBUTION OF ILLICIT SUBSTANCES.***

11 *Section 104(b)(1) of the North Korea Sanctions and*
12 *Policy Enhancement Act of 2016 (22 U.S.C. 9214(b)(1)) is*
13 *amended—*

14 (1) *in subparagraph (M), by striking “; or” and*
15 *inserting a semicolon;*

16 (2) *in subparagraph (N), by striking the period*
17 *at the end and inserting “; or”; and*

18 (3) *by adding at the end the following:*

19 *“(O) knowingly facilitated the sourcing,*
20 *manufacture, trade, or distribution of illicit sub-*
21 *stances for the purpose of financing or otherwise*
22 *supporting the nuclear and ballistic missile pro-*
23 *grams of North Korea.”.*

1 **SEC. 402. DESIGNATION OF CERTAIN ENTITIES UNDER THE**
2 **NORTH KOREA SANCTIONS AND POLICY EN-**
3 **HANCEMENT ACT OF 2016.**

4 (a) *IN GENERAL.*—Not later than 90 days after the
5 date of the enactment of this Act, the President shall submit
6 to the appropriate congressional committees a report that
7 includes the following:

8 (1) *A determination with respect to whether rea-*
9 *sonable grounds exist, and an explanation of the rea-*
10 *sons for any determination that such grounds do not*
11 *exist, to designate, pursuant to section 104 of the*
12 *North Korea Sanctions and Policy Enhancement Act*
13 *of 2016 (22 U.S.C. 9214), each of the following:*

14 (A) *Dandong Xinyang Chemical Rubber Co.*

15 (B) *Dandong Zhongze Trade Co. Ltd.*

16 (C) *Hunchun Xinshidai Industry and*
17 *Trade Co. Ltd.*

18 (D) *Dandong Qianchang Trading Co. Ltd.*

19 (E) *Dalian West Pacific Petrochemical.*

20 (F) *Dandong Hao Du Trading Co. Ltd.*

21 (2) *A list of entities that, during the 12-month*
22 *period preceding submission of the report, have im-*
23 *ported or exported any goods, services, or technology*
24 *to or from the Democratic People's Republic of Korea*
25 *valued at more than \$1,000,000,000.*

1 (b) *FORM.*—*The report required by subsection (a) shall*
 2 *be submitted in unclassified form but may include a classi-*
 3 *fied annex.*

4 **SEC. 403. REPORT ON EXPORTS OF CRUDE OIL AND PETRO-**
 5 **LEUM PRODUCTS TO THE DEMOCRATIC PEO-**
 6 **PLE'S REPUBLIC OF KOREA.**

7 (a) *REPORT REQUIRED.*—*Not later than 90 days after*
 8 *the date of the enactment of this Act, and every 90 days*
 9 *thereafter, the President shall submit to the appropriate*
 10 *congressional committees a report on exports of crude oil*
 11 *and petroleum products to the Democratic People's Republic*
 12 *of Korea that includes—*

13 (1) *an estimate of the total amount of crude oil*
 14 *and petroleum products, by volume and by dollar*
 15 *amount, exported to the Democratic People's Republic*
 16 *of Korea; and*

17 (2) *a description of the method of transportation*
 18 *for such crude oil and petroleum products.*

19 (b) *FORM.*—*The report required by subsection (a) shall*
 20 *be submitted in unclassified form but may include a classi-*
 21 *fied annex.*

Amend the title so as to read: “A bill to address the evolving threats posed by and capabilities of the Democratic People’s Republic of Korea, to require global economic and political pressure to support diplomatic denuclearization of the Korean Peninsula, and for other purposes.”.

Calendar No. 279

115TH CONGRESS
1ST Session

S. 1901

A BILL

To require global economic and political pressure to support diplomatic denuclearization of the Korean Peninsula, including through the imposition of sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

DECEMBER 7, 2017

Reported with an amendment and an amendment to the
title