

HR 4011

North Korean Human Rights Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: International Affairs

Introduced: Mar 23, 2004

Current Status: Became Public Law No: 108-333.

Latest Action: Became Public Law No: 108-333. (Oct 18, 2004)

Law: 108-333 (Enacted Oct 18, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/4011>

Sponsor

Name: Rep. Leach, James A. [R-IA-2]

Party: Republican • **State:** IA • **Chamber:** House

Cosponsors (29 total)

Cosponsor	Party / State	Role	Date Joined
Del. Faleomavaega, Eni F. H. [D-AS-At Large]	D · AS		Mar 23, 2004
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Mar 23, 2004
Rep. Berman, Howard L. [D-CA-28]	D · CA		Mar 23, 2004
Rep. Chabot, Steve [R-OH-1]	R · OH		Mar 23, 2004
Rep. Cox, Christopher [R-CA-48]	R · CA		Mar 23, 2004
Rep. Lantos, Tom [D-CA-12]	D · CA		Mar 23, 2004
Rep. Royce, Edward R. [R-CA-40]	R · CA		Mar 23, 2004
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Mar 23, 2004
Rep. Gallegly, Elton [R-CA-24]	R · CA		Mar 24, 2004
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Mar 24, 2004
Rep. Burton, Dan [R-IN-5]	R · IN		Mar 30, 2004
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Mar 30, 2004
Rep. Payne, Donald M. [D-NJ-10]	D · NJ		Mar 30, 2004
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Mar 31, 2004
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Mar 31, 2004
Rep. Franks, Trent [R-AZ-2]	R · AZ		Apr 20, 2004
Rep. Tiahrt, Todd [R-KS-4]	R · KS		Apr 20, 2004
Del. Bordallo, Madeleine Z. [D-GU-At Large]	D · GU		May 4, 2004
Rep. Cole, Tom [R-OK-4]	R · OK		May 4, 2004
Rep. Rohrabacher, Dana [R-CA-46]	R · CA		May 4, 2004
Rep. Shimkus, John [R-IL-19]	R · IL		May 4, 2004
Rep. Ballenger, Cass [R-NC-10]	R · NC		May 11, 2004
Rep. Evans, Lane [D-IL-17]	D · IL		May 11, 2004
Rep. Honda, Michael M. [D-CA-15]	D · CA		May 11, 2004
Rep. Davis, Jo Ann [R-VA-1]	R · VA		May 13, 2004
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		May 13, 2004
Rep. Wexler, Robert [D-FL-19]	D · FL		May 13, 2004
Rep. Deutsch, Peter [D-FL-20]	D · FL		Jun 8, 2004
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Jul 15, 2004

Committee Activity

Committee	Chamber	Activity	Date
Foreign Affairs Committee	House	Reported By	May 4, 2004
Foreign Relations Committee	Senate	Discharged From	Sep 28, 2004
Judiciary Committee	House	Referred to	Apr 2, 2004

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

No related bills are listed.

(This measure has not been amended since it was passed by the Senate on September 28, 2004. The summary of that version is repeated here.)

North Korean Human Rights Act of 2004 - **Title I: Promoting the Human Rights of North Koreans** - (Sec. 101) Expresses the sense of Congress that: (1) the human rights of North Koreans should remain a key concern in future negotiations between the United States, North Korea, and other parties in Northeast Asia; (2) the United States should increase its support for radio broadcasting to North Korea; (3) the United Nations (UN) has a significant role to play in promoting and improving human rights in North Korea, and the United Nations Commission on Human Rights' adoption of Resolution 2003/10 on the North Korean human rights situation was a positive step, with additional UN attention needed; and (4) the United States should explore the possibility of a regional human rights dialogue with North Korea that is modeled on the Helsinki process.

(Sec. 102) Authorizes the President to: (1) provide grants to private, nonprofit organizations to promote human rights, democracy, rule of law, and the development of a market economy in North Korea, including educational and cultural exchanges; and (2) increase the availability of information inside North Korea by increasing the availability of information sources not controlled by the Government of North Korea. Authorizes FY 2005 through 2008 appropriations.

(Sec. 107) Directs the President to appoint within the Department of State a Special Envoy for human rights in North Korea. (States that such person shall be a person of recognized distinction in the field of human rights.)

Title II: Assisting North Koreans in Need - (Sec. 201) Directs the Administrator of the United States Agency for International Development (USAID) and the Secretary of State to report annually (for the next three years) on: (1) U.S. humanitarian assistance to North Koreans; (2) improvements in humanitarian transparency and monitoring inside North Korea; and (3) specific efforts by the United States and U.S. grantees to secure better monitoring and access.

(Sec. 202) Expresses the sense of Congress that: (1) significant increases above current U.S. support levels for humanitarian assistance inside North Korea should be conditioned upon substantial improvements in transparency, monitoring, and access to vulnerable populations throughout North Korea; (2) humanitarian assistance should be monitored so as to minimize the possibility of its political or military diversion; and (3) the United States should encourage other countries that provide food and other humanitarian assistance to North Korea to do so through monitored, transparent channels, rather than through direct, bilateral transfers to the Government of North Korea.

Expresses the sense of Congress that: (1) U.S. humanitarian assistance to the Government of North Korea shall be delivered and monitored according to internationally recognized humanitarian standards, be provided on a needs and not political basis, and be made available to all vulnerable groups in North Korea, no matter where in the country they may be located; and (2) U.S. nonhumanitarian assistance to North Korea shall be contingent upon North Korean progress toward human rights protection, family reunification, prison reform, decriminalization of political activity, and disclosure of information respecting the abduction of citizens of Japan and the Republic of Korea.

(Sec. 203) Authorizes the President to provide assistance to organizations or persons that provide humanitarian assistance or legal assistance to North Koreans who are outside of North Korea without the permission of the Government of North Korea. States that such assistance should be used to provide: (1) humanitarian assistance to North Korean refugees, defectors, migrants, and orphans outside of North Korea, which may include support for refugee camps or temporary settlements; and (2) humanitarian assistance to North Korean women outside of North Korea who are

victims of trafficking, or are in danger of being trafficked. Authorizes FY 2005 through 2008 appropriations.

Title III: Protecting North Korean Refugees - (Sec. 301) Directs the Secretary to report on the North Korean refugee situation and U.S. policy toward North Korean refugees and defectors, including: (1) an assessment of whether North Koreans in China have effective access to personnel of the United Nations High Commissioner for Refugees, and of whether the Government of China is fulfilling its obligations under the 1951 Convention Relating to the Status of Refugees; (2) an assessment of whether North Koreans have effective access to U.S. refugee and asylum processing; and (3) the total number of North Koreans who have been admitted into the United States as refugees or asylees in each of the past five years.

(Sec. 302) States that for refugee or asylum status under the Immigration and Nationality Act, a national of the Democratic Republic of Korea shall not be considered a national of the Republic of Korea.

(Sec. 303) Directs the Secretary to facilitate the submission of refugee applications by citizens of North Korea.

(Sec. 304) Expresses the sense of Congress that: (1) the Government of China has obligated itself to provide the United Nations High Commissioner for Refugees (UNHCR) with unimpeded access to North Koreans inside its borders to enable UNHCR to determine whether they are refugees and whether they require assistance, and that UNHCR donor countries should press China for such access; and (2) should China refuse such access, UNHCR should assert its right of access through arbitration with China.

(Sec. 305) Directs the Secretary and the Secretary of Homeland Security to report annually (for the next six years) on: (1) the numbers of North Koreans admitted as refugees or political asylees; and (2) measures taken to facilitate access to the U.S. refugee program by persons fleeing countries of particular concern for violations of religious freedom.

Actions Timeline

- **Oct 18, 2004:** Signed by President.
- **Oct 18, 2004:** Signed by President.
- **Oct 18, 2004:** Became Public Law No: 108-333.
- **Oct 18, 2004:** Became Public Law No: 108-333.
- **Oct 7, 2004:** Presented to President.
- **Oct 7, 2004:** Presented to President.
- **Oct 4, 2004:** Mr. Leach moved that the House suspend the rules and agree to the Senate amendment.
- **Oct 4, 2004:** DEBATE - The House proceeded with 40 minutes of debate on the motion to suspend the rules and agree to the Senate amendment to H.R. 4011.
- **Oct 4, 2004:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote.(consideration: CR H7981-7986; text as House agreed to Senate amendment: CR H7981-7984)
- **Oct 4, 2004:** On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote. (consideration: CR H7981-7986; text as House agreed to Senate amendment: CR H7981-7984)
- **Oct 4, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 29, 2004:** Message on Senate action sent to the House.
- **Sep 28, 2004:** Senate Committee on Foreign Relations discharged by Unanimous Consent.
- **Sep 28, 2004:** Senate Committee on Foreign Relations discharged by Unanimous Consent.
- **Sep 28, 2004:** Measure laid before Senate by unanimous consent. (consideration: CR S9805-9806)
- **Sep 28, 2004:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Sep 28, 2004:** Passed Senate with an amendment by Unanimous Consent.
- **Sep 7, 2004:** Read twice and referred to the Committee on Foreign Relations.
- **Jul 22, 2004:** Received in the Senate.
- **Jul 21, 2004:** Mr. Leach moved to suspend the rules and pass the bill, as amended.
- **Jul 21, 2004:** Considered under suspension of the rules. (consideration: CR H6508-6515)
- **Jul 21, 2004:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4011.
- **Jul 21, 2004:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H6508-6511)
- **Jul 21, 2004:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H6508-6511)
- **Jul 21, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 16, 2004:** Committee on Judiciary discharged.
- **Jul 16, 2004:** Committee on Judiciary discharged.
- **Jul 16, 2004:** Placed on the Union Calendar, Calendar No. 368.
- **Jul 6, 2004:** House Committee on Judiciary Granted an extension for further consideration ending not later than July 16, 2004.
- **May 4, 2004:** Reported (Amended) by the Committee on International Relations. H. Rept. 108-478, Part I.
- **May 4, 2004:** Reported (Amended) by the Committee on International Relations. H. Rept. 108-478, Part I.
- **May 4, 2004:** House Committee on Judiciary Granted an extension for further consideration ending not later than July 6, 2004.
- **Apr 2, 2004:** Referred to the Subcommittee on Immigration, Border Security, and Claims.
- **Mar 31, 2004:** Committee Consideration and Mark-up Session Held.
- **Mar 31, 2004:** Ordered to be Reported (Amended) by Unanimous Consent.
- **Mar 23, 2004:** Introduced in House
- **Mar 23, 2004:** Introduced in House
- **Mar 23, 2004:** Referred to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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