

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. 555

To direct the Secretary of State to establish a national registry of Korean American divided families, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. KAINE

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Korean American Di-

5 vided Families National Registry Act”.

6 **SEC. 2. NATIONAL REGISTRY OF KOREAN AMERICAN DI-**

7 **VIDED FAMILIES.**

8 (a) IN GENERAL.—The Secretary of State, acting

9 through the Special Envoy on North Korean Human

10 Rights Issues, the Assistant Secretary of State for Con-

1 sular Affairs, or such other individual as the Secretary
2 may designate, shall—

3 (1) engage, to the extent practicable, Korean
4 American families who wish to be reunited with fam-
5 ily members residing in North Korea from which
6 such Korean American families were divided after
7 the signing of the Agreement Concerning a Military
8 Armistice in Korea, signed at Panmunjom July 27,
9 1953 (commonly referred to as the “Korean War
10 Armistice Agreement”), in anticipation of future re-
11 unions for such families and family members, includ-
12 ing in-person and video reunions; and

13 (2) establish a private, internal national reg-
14 istry of the names and other relevant information of
15 such Korean American families—

16 (A) to facilitate such future reunions; and

17 (B) to provide for a repository of informa-
18 tion about such Korean American families and
19 family members in North Korea, including in-
20 formation about individuals who may be de-
21 ceased.

22 (b) DISCLOSURE OF INFORMATION.—The Secretary
23 of State may enter into agreements with Korean individ-
24 uals and families, academic institutions, or other members

1 of the public, as appropriate, to share, in whole or in part,
2 information collected and housed in the database if—

3 (1) the United States person whose personally
4 identifiable information would be disclosed as a re-
5 sult of an agreement has provided consent to such
6 disclosure; and

7 (2) the agreement outlines reasonable steps and
8 commitments to ensure that any information dis-
9 closed as a result of such agreement is—

10 (A) kept private and confidential; and

11 (B) will not be disclosed improperly to
12 other parties outside the agreement.

13 **SEC. 3. ACTIONS TO FACILITATE DIALOGUE BETWEEN THE**
14 **UNITED STATES AND NORTH KOREA.**

15 (a) **IN GENERAL.**—The Secretary of State should
16 take steps to ensure that any direct dialogue between the
17 United States and North Korea includes progress towards
18 holding future reunions for Korean American families and
19 their family members in North Korea.

20 (b) **CONSULTATIONS.**—The Secretary of State shall
21 consult with the Government of the Republic of Korea,
22 as appropriate, in carrying out this section.

23 (c) **REPORTING REQUIREMENT.**—

24 (1) **IN GENERAL.**—The Secretary of State, act-
25 ing through the Special Envoy on North Korean

1 Human Rights Issues, shall include in each report
2 required under section 107(d) of the North Korean
3 Human Rights Act of 2004 (22 U.S.C. 7817(d)) a
4 description of the consultations described in sub-
5 section (b) conducted during the year preceding the
6 submission of the report.

7 (2) ELEMENTS.—The reporting required under
8 paragraph (1) should include—

9 (A) the status of the national registry es-
10 tablished pursuant to section 2(a)(2);

11 (B) the number of individuals included on
12 the registry who—

13 (i) have met their family members in
14 North Korea during previous reunions; and

15 (ii) have yet to meet their family
16 members in North Korea;

17 (C) a summary of responses by North
18 Korea to requests by the United States Govern-
19 ment to hold reunions of divided families; and

20 (D) a description of actions taken by
21 North Korea that prevent the emigration of
22 family members of Korean American families.

23 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
24 DEFINED.—In this Act, the term “appropriate congres-
25 sional committees” means the Committee on Foreign Re-

1 lations of the Senate and the Committee on Foreign Af-
2 fairs of the House of Representatives.