

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.**

**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.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

Amendments In the Nature of a Substitute intended to be  
proposed by \_\_\_\_\_

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

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.

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 with regards to sanctions with respect to the Democratic People’s Republic of Korea.

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 and entities 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.

**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  
**5** the Senate and the Committee on Foreign Affairs of the  
**6** House of Representatives.

1 **TITLE I—REVIEW OF POLICY TO-**  
2 **WARD THE DEMOCRATIC**  
3 **PEOPLE’S REPUBLIC OF**  
4 **KOREA**

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. ADDRESSING THE EVOLVING THREATS POSED BY**  
2 **AND CAPABILITIES OF THE DEMOCRATIC**  
3 **PEOPLE’S REPUBLIC OF KOREA.**

4 (a) IN GENERAL.—Not later than 60 days after the  
5 date of the enactment of this Act, and every 180 days  
6 thereafter, the Director of National Intelligence, in con-  
7 sultation with the Secretary of State and the Secretary  
8 of Defense, shall submit to the appropriate congressional  
9 committees a report on—

10 (1) the evolving threats posed by and capabili-  
11 ties of the Democratic People’s Republic of Korea;  
12 and

13 (2) United States efforts to mitigate and re-  
14 spond to those threats and capabilities.

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

17 (1) An assessment of the status of the nuclear  
18 and ballistic missile programs of the Democratic  
19 People’s Republic of Korea, including what elements  
20 constitute such programs, and any technological ad-  
21 vancements, disruptions, or setbacks to such pro-  
22 grams during—

23 (A) in the case of the first such report, the  
24 60-day period preceding submission of the re-  
25 port; and

1 (B) in the case of any subsequent such re-  
2 port, the 180-day period preceding submission  
3 of the report.

4 (2) An assessment of the sources of, and the  
5 methods of the Democratic People's Republic of  
6 Korea for procuring, critical components for its nu-  
7 clear and ballistic missile programs, including liquid  
8 and solid rocket fuels and components, navigation  
9 and guidance systems, computer and electrical com-  
10 ponents, and specialized materials.

11 (3) An assessment of the cyber capabilities of  
12 the Democratic People's Republic of Korea, includ-  
13 ing its efforts to conduct cyber and corporate espio-  
14 nage, to commit illicit commercial and financial ac-  
15 tivities through international cyber systems, and to  
16 suppress opposition to and spread propaganda in  
17 support of the nuclear and ballistic missile activities  
18 of the Democratic People's Republic of Korea.

19 (4) A summary of activities of the Democratic  
20 People's Republic of Korea relating to evading sanc-  
21 tions imposed by the United States or the United  
22 Nations Security Council.

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

1 **SEC. 103. BRIEFINGS ON UNITED STATES ENGAGEMENT**  
2 **WITH THE DEMOCRATIC PEOPLE'S REPUBLIC**  
3 **OF KOREA.**

4 Not later than 30 days after the date of the enact-  
5 ment of this Act, and regularly thereafter, the Secretary  
6 of State or a designee of the Secretary shall brief the ap-  
7 propriate congressional committees on the status of any  
8 United States diplomatic engagement with the Govern-  
9 ment of the Democratic People's Republic of Korea, in-  
10 cluding with respect to efforts to secure the release of  
11 United States citizens detained in the Democratic People's  
12 Republic of Korea.

13 **SEC. 104. REPORT ON UNITED STATES CITIZENS DETAINED**  
14 **BY THE DEMOCRATIC PEOPLE'S REPUBLIC**  
15 **OF KOREA.**

16 (a) **IN GENERAL.**—Notwithstanding any other provi-  
17 sion of law, not later than 30 days after the date of the  
18 enactment of this Act, and every 180 days thereafter, the  
19 Secretary of State shall submit to the appropriate congres-  
20 sional committees a report on United States citizens de-  
21 tained by the Government of the Democratic People's Re-  
22 public of Korea, including United States citizens who are  
23 also citizens of other countries.

24 (b) **ELEMENTS.**—Each report required by subsection  
25 (a) shall include, with respect to each United States cit-

1 izen detained by the Government of the Democratic Peo-  
2 ple's Republic of Korea, the following:

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

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

6 (3) An assessment of the health and welfare of  
7 the United States citizen.

8 (4) An assessment of whether any United  
9 States Government or foreign government officials  
10 have been provided access to the United States cit-  
11 izen.

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

16 (6) A summary of official communications by  
17 United States Government officials or foreign gov-  
18 ernment officials, or other persons acting on behalf  
19 of those officials, regarding the United States cit-  
20 izen, including efforts to secure the release of the  
21 United States citizen.

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

1 (d) INTERIM BRIEFINGS.—During periods between  
2 the submission of reports under subsection (a), the Sec-  
3 retary of State shall brief the appropriate congressional  
4 committees on any significant updates on the status and  
5 welfare of any United States citizens detained by the Gov-  
6 ernment of the Democratic People’s Republic of Korea.

7 **SEC. 105. REPORT AND STRATEGY RELATING TO USE OF**  
8 **ROCKET FUELS FOR BALLISTIC MISSILES BY**  
9 **THE DEMOCRATIC PEOPLE’S REPUBLIC OF**  
10 **KOREA.**

11 (a) REPORT REQUIRED.—

12 (1) IN GENERAL.—Not later than 90 days after  
13 the date of the enactment of this Act, the Director  
14 of National Intelligence, in conjunction with the Sec-  
15 retary of State, shall submit to the appropriate con-  
16 gressional committees a report on the use by the  
17 Democratic People’s Republic of Korea of unsym-  
18 metrical dimethyl hydrazine and other rocket fuels  
19 to power its ballistic missiles.

20 (2) ELEMENTS.—The report required by para-  
21 graph (1) shall include the following:

22 (A) An assessment of each type of rocket  
23 fuel the Democratic People’s Republic of Korea  
24 uses, or potentially may use, to power its bal-  
25 listic missiles, including the chemical precur-



1 sors, production process, and required produc-  
2 tion equipment for each such type of rocket  
3 fuel.

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

6 (i) Whether the use of that type of  
7 rocket fuel by the Democratic People's Re-  
8 public of Korea is prohibited under United  
9 Nations Security Council resolutions, other  
10 multilateral sanctions imposed with respect  
11 to the Democratic People's Republic of  
12 Korea, or sanctions imposed by the United  
13 States with respect to the Democratic Peo-  
14 ple's Republic of Korea.

15 (ii) Whether the Democratic People's  
16 Republic of Korea imports that type of  
17 rocket fuel as a finished product or im-  
18 ports chemical precursors and manufac-  
19 tures the finished product.

20 (iii) The countries from which the  
21 Democratic People's Republic of Korea im-  
22 ports that type of rocket fuel as a finished  
23 product or from which the Democratic  
24 People's Republic of Korea imports the

1 chemical precursors and equipment to  
2 manufacture that type of rocket fuel.

3 (iv) The size and locations of the  
4 Democratic People's Republic of Korea's  
5 stockpiles, if any, of that type of rocket  
6 fuel.

7 (v) Whether that type of rocket fuel  
8 can be attributed to its original exporter  
9 based on unique chemical signatures or  
10 other relevant identifying information.

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

14 (b) STRATEGY REQUIRED.—The Secretary of State,  
15 in consultation with the heads of relevant agencies, shall  
16 develop a diplomatic strategy to end the transfer of all  
17 rocket fuels and chemical precursors for rocket fuels to  
18 the Democratic People's Republic of Korea.

19 (c) SENSE OF CONGRESS.—It is the sense of Con-  
20 gress that the United States Ambassador to the United  
21 Nations should introduce a resolution to the United Na-  
22 tions Security Council—

23 (1) to request that the Panel of Experts on the  
24 Democratic People's Republic of Korea established  
25 by United Nations Security Council Resolution 1874

1 (2009) investigate the importation and manufacture  
2 by the Democratic People’s Republic of Korea of  
3 rocket and ballistic missile fuels, including unsym-  
4 metrical dimethyl hydrazine and other fuels or their  
5 chemical precursors; and

6 (2) to specifically prohibit the exportation to  
7 the Democratic People’s Republic of Korea of un-  
8 symmetrical dimethyl hydrazine and any other rock-  
9 et fuels or precursor chemicals to rocket fuels.

10 **SEC. 106. POLICY WITH REGARDS TO SANCTIONS WITH RE-**  
11 **SPECT TO THE DEMOCRATIC PEOPLE’S RE-**  
12 **PUBLIC OF KOREA.**

13 (a) STATEMENT OF POLICY.—It is the policy of the  
14 United States that sanctions with respect to activities of  
15 the Government of the Democratic People’s Republic of  
16 Korea, persons acting for or on behalf of that Government,  
17 or other persons, provided for in Executive Order 13687  
18 (50 U.S.C. 1701 note; relating to imposing additional  
19 sanctions with respect to North Korea), Executive Order  
20 13694 (50 U.S.C. 1701 note; relating to blocking the  
21 property of certain persons engaging in significant mali-  
22 cious cyber-enabled activities), Executive Order 13722 (50  
23 U.S.C. 1701 note; relating to blocking the property of the  
24 Government of North Korea and the Workers’ Party of  
25 Korea, and prohibiting certain transactions with respect

1 to North Korea), or Executive Order 13810 (82 Fed. Reg.  
2 44705; relating to imposing additional sanctions with re-  
3 spect to North Korea), as such Executive Orders are in  
4 effect on the day before the date of the enactment of this  
5 Act, shall remain in effect until the Democratic People's  
6 Republic of Korea is no longer engaged in the illicit activi-  
7 ties described in such Executive Orders, including actions  
8 in violation of United Nations Security Council Resolu-  
9 tions 1718 (2006), 1874 (2009), 2087 (2013), 2094  
10 (2013), 2270 (2016), 2321 (2016), 2371 (2017), and  
11 2375 (2017).

12 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
13 tion shall be construed to limit the authority of the Presi-  
14 dent pursuant to the International Emergency Economic  
15 Powers Act (50 U.S.C. 1701 et seq.).

16 (c) REPORT.—Not later than 30 days after termi-  
17 nating any sanction with respect to the activities of the  
18 Government of the Democratic People's Republic of  
19 Korea, a person acting for or on behalf of that Govern-  
20 ment, or any other person provided for in an Executive  
21 order specified in subsection (a), the Secretary of State  
22 shall submit to the appropriate congressional committees  
23 a report regarding the cessation of illicit activities in viola-  
24 tion of United Nations Security Council Resolutions 1718  
25 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270

1 (2016), 2321 (2016), 2371 (2017), and 2375 (2017) by  
2 that Government or that person, as the case may be.

3 **TITLE II—STRATEGY TO AD-**  
4 **DRESS THE THREATS POSED**  
5 **BY AND CAPABILITIES OF**  
6 **THE DEMOCRATIC PEOPLE’S**  
7 **REPUBLIC OF KOREA**

8 **SEC. 201. REPORT ON A STRATEGY TO ADDRESS THE**  
9 **THREATS POSED BY AND CAPABILITIES OF**  
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 address the threats posed by and capabilities of the  
18 Democratic People’s Republic of Korea.

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

21 (1) A summary of ongoing efforts by the United  
22 States to identify strategies and policies, including  
23 an assessment of the strengths and weaknesses of  
24 such strategies and policies, to achieve peaceful  
25 denuclearization of the Korean Peninsula and to

1 eliminate the threat posed by the ballistic missile  
2 program of the Democratic People's Republic of  
3 Korea.

4 (2) An assessment of potential roadmaps to-  
5 ward peaceful denuclearization of the Korean Penin-  
6 sula and the elimination of the nuclear and ballistic  
7 missile threats posed by the Democratic People's Re-  
8 public of Korea, and specific actions the Democratic  
9 People's Republic of Korea would need to take for  
10 each such roadmap to become viable.

11 (3) A summary of the United States strategy to  
12 increase international coordination and cooperation,  
13 whether unilaterally, bilaterally, or multilaterally, in-  
14 cluding sanctions enforcement and interdiction, to  
15 address the threat posed by the nuclear and ballistic  
16 missile programs of the Democratic People's Repub-  
17 lic of Korea. That summary shall include the fol-  
18 lowing:

19 (A) A description of the actions taken by  
20 the Secretary of State, or designees of the Sec-  
21 retary, to consult with governments around the  
22 world, with the purpose of inducing those gov-  
23 ernments to diplomatically and economically  
24 isolate the Democratic People's Republic of  
25 Korea.

1 (B) A description of the actions taken by  
2 those governments to implement measures to  
3 diplomatically and economically isolate the  
4 Democratic People's Republic of Korea.

5 (C) A list of countries the governments of  
6 which the Secretary has determined to be non-  
7 cooperative with respect to implementing meas-  
8 ures to diplomatically and economically isolate  
9 the Democratic People's Republic of Korea.

10 (D) A plan of action to engage, and in-  
11 crease cooperation with respect to the Demo-  
12 cratic People's Republic of Korea, with the gov-  
13 ernments of the countries on the list required  
14 by subparagraph (C).

15 (4) An assessment of the adequacy of the na-  
16 tional export control regimes of countries that are  
17 members of the United Nations, and multilateral ex-  
18 port control regimes, that are necessary to enforce  
19 sanctions imposed with respect to the Democratic  
20 People's Republic of Korea pursuant to United Na-  
21 tions Security Council resolutions and an action plan  
22 to encourage and assist countries in adopting and  
23 using authorities necessary to enforce export con-  
24 trols required by United Nations Security Council  
25 resolutions.

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

4 **SEC. 202. SENSE OF CONGRESS ON PARTICIPATION IN**  
5 **INTERNATIONAL ORGANIZATIONS AND ENTI-**  
6 **TIES BY THE DEMOCRATIC PEOPLE'S REPUB-**  
7 **LIC OF KOREA.**

8 It is the sense of Congress that representatives of the  
9 United States shall use the voice and vote of the United  
10 States in all international organizations, as appropriate,  
11 to advocate for the expulsion of the Democratic People's  
12 Republic of Korea from such organizations, until such  
13 time that the Democratic People's Republic of Korea  
14 meets its commitments under United Nations Security  
15 Council Resolutions 1718 (2006), 1874 (2009), 2087  
16 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371  
17 (2017), and 2375 (2017).

18 **SEC. 203. SENSE OF CONGRESS TO ALTER UNITED STATES**  
19 **RELATIONS WITH COUNTRIES ENABLING THE**  
20 **DEMOCRATIC PEOPLE'S REPUBLIC OF**  
21 **KOREA.**

22 It is the sense of Congress that the Secretary of State  
23 may take such actions as are necessary to induce countries  
24 to take measures to diplomatically and economically iso-



1 late the Democratic People's Republic of Korea includ-  
2 ing—

3           (1) reducing the diplomatic presence in the  
4 United States of countries the governments of which  
5 the Secretary has determined to be noncooperative  
6 with respect to implementing measures to diplomati-  
7 cally and economically isolate the Democratic Peo-  
8 ple's Republic of Korea; and

9           (2) reducing the diplomatic presence of the  
10 United States in those countries.

11 **SEC. 204. SENSE OF CONGRESS ON TERMINATION OR RE-**  
12 **DUCTION OF UNITED STATES FOREIGN AS-**  
13 **SISTANCE TO COUNTRIES ENABLING THE**  
14 **DEMOCRATIC PEOPLE'S REPUBLIC OF**  
15 **KOREA.**

16 It is the sense of Congress that the Secretary of State  
17 may terminate or reduce United States foreign assistance  
18 to countries enabling the Democratic People's Republic of  
19 Korea.

1 **TITLE III—STRATEGY TO END**  
2 **USE OF NORTH KOREAN LA-**  
3 **BORERS BY OTHER COUN-**  
4 **TRIES**

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

7 (a) IN GENERAL.—Not later than 60 days after the  
8 date of the enactment of this Act, the Secretary of State  
9 shall submit to the appropriate congressional committees  
10 a strategy for leveraging the sanctions imposed pursuant  
11 to section 302B of the North Korea Sanctions and Policy  
12 Enhancement Act (22 U.S.C. 9241b) to persuade coun-  
13 tries that import North Korean laborers in a manner de-  
14 scribed in section 104(b)(1)(L) of that Act (22 U.S.C.  
15 9214(b)(1)(L)) to end that practice.

16 (b) FORM OF REPORT.—The strategy required by  
17 subsection (a) shall be submitted in unclassified form but  
18 may include a classified annex.

19 Amend the title so as to read: “A bill to address the  
20 evolving threats posed by and capabilities of the Demo-  
21 cratic People’s Republic of Korea, to require global eco-  
22 nomic and political pressure to support diplomatic  
23 denuclearization of the Korean Peninsula, and for other  
24 purposes.”.