

## **North Korea Policy Oversight Act of 2022**

The North Korea Policy Oversight Act of 2022 highlights the necessity of monitoring and verifiably eliminating North Korea's sizable and complex nuclear and missile program, while reaffirming Congressional intent to maintain pressure and deterrence on the government of North Korea until they take significant, meaningful and provable steps toward denuclearization.

### **Section 1. Short Title**

This Act may be cited as the "North Korea Policy Oversight Act of 2022."

### **Section 2. Definitions.**

This section defines for the purpose of this act, "appropriate congressional committees" as the Committee on Foreign Relations, the Appropriations Committee of the Senate, the Committee on Foreign Affairs, and the Appropriations Committee of the House. The term "nuclear nonproliferation treaty" refers to the Treaty on the Non-Proliferation of Nuclear Weapons, done in Washington, London, and Moscow July 1, 1968 (21 UST 483).

### **Section 3. Findings.**

This section finds that North Korea's nuclear program is the result of seven decades of illegal efforts, including six nuclear tests since 2006, violation of nine listed UN Security Council Resolutions, and the failure of North Korea to live up to its diplomatic commitments. The United States has applied sanctions against North Korean individuals and entities, including on Kim Jong Un, for their complicity in human rights abuses against the North Korean people and citizens of other countries, including the United States, South Korea, and Japan. The joint declaration by President Trump and Kim Jong Un at the June 12, 2018, summit in Singapore reaffirmed that North Korea "commits to working toward the complete denuclearization of the Korean Peninsula". The North Korean regime has a record of failing to uphold its diplomatic commitments, rejecting good faith efforts by United States and international negotiators, and leveraging talks to extract concessions such as sanctions relief. Since January 2022, North Korea has conducted 13 ballistic missile tests, including at least three assessed in open source analysis to be intercontinental ballistic missiles.

### **Section 4. Statements of Policy.**

This section states that it is US policy to pursue all credible diplomatic means to achieve the denuclearization of North Korea, including the complete abandonment and verifiable dismantlement of all nuclear weapons and existing nuclear programs/facilities/infrastructure, as well as North Korea returning to compliance with the Nuclear Nonproliferation Treaty and IAEA. US policy shall pursue meaningful diplomatic engagement with North Korea for the purposes of advancing negotiations, reducing risk, developing confidence-building measures, and encouraging nations to deny diplomatic missions to North Korea as well as sustaining economic pressure until they undertake meaningful and verifiable actions toward

denuclearization. US policy also reaffirms our commitments to Japan and South Korea, including maintaining joint military exercises in the Indo-Pacific. Finally, the US shall continue to promote human rights for the North Korean people, including refugees and asylum seekers, by exploring the use of new and emerging technologies and expanding nongovernmental radio broadcasting to North Korea.

### **Section 5. Diplomatic Strategy.**

This section calls for the Secretary of State to submit a report to Congress, not later than 180 days after the date of the enactment of this Act and every 180 days thereafter for a period of two years, assessing diplomatic negotiations with North Korea and US efforts to exert economic pressure on North Korea in coordination with our allies. This section also calls for an assessment of credible diplomatic engagement by North Korea and the threat posed by their nuclear and ballistic missile programs.

### **Section 6. Briefings.**

This section calls for Member-level briefings after each round of senior-level diplomatic talks between the U.S. and North Korea, as well as monthly staff briefings not later than 90 days after enactment of the Act.

### **Section 7. Congressional Hearings.**

This section states that it is the sense of Congress that regular congressional oversight through hearings is important while diplomatic talks between the United States and North Korea continue, and the SFRC and HFAC should hold hearings with an official witness and obtain information in order to fully review the negotiations.

### **Section 8. Oversight of Agreements with North Korea.**

This section mandates that no later than 5 days after reaching an agreement with North Korea on its nuclear program, the President will transmit the agreement to Congress. The Secretary of State will prepare a report on the agreement, describing its verification process, and the ability of the U.S. and the IAEA to implement the verification strategy. The report shall also include a classified annex in consultation with the DNI. Any binding agreement between the US and North Korea should be submitted to Congress as a treaty, subject to advice and consent of the Senate.

### **Section 9. Additional Reports.**

This section states that not later than 90 days after the date of the enactment, the Secretary of State, along with the Director of National Intelligence, will submit to Congress a report on North Korea's record of verification and compliance. The President will continue to submit a report to Congress every 180 days for a period of two years on North Korea's nuclear program and compliance of North Korea with any agreement.

### **Section 10. Report on North Korean Cyber Activities to Fund its Weapons Program.**

This section states that not later than 180 days after the date of enactment, the Secretary of State, in coordination with the Secretary of Defense, the Director of National Intelligence, the Director of the FBI, the Secretary of the Treasury, and the Attorney General, will submit to Congress a report on North Korea's use of cyberattacks and cryptocurrency to finance its nuclear weapons and ballistic missiles programs.

**Section 11. Imposition of Sanctions with Respect to Use of Cryptocurrency to Evade Sanctions Imposed with Respect to North Korea and Abduction by North Korean Persons of Citizens of Japan.**

This section amends the North Korea Sanctions and Policy Enhancement Act of 2016 to include sanction on North Korea in response to its use of cryptocurrency to evade sanctions and abduction of Japanese citizens by North Korean persons.

**Section 12. Report on the Political, Economic, Social Stability of North Korea.**

This section mandates that no later than 180 days after the date of enactment, the Secretary of State, the Secretary of Defense, and the Director of National Intelligence will jointly submit to Congress a classified report on the political, economic, and social stability of North Korea.

**Section 13. Special Representative for North Korea.**

This section establishes the Office of the Special Representative for North Korea to prepare for possible negotiations and conduct long-term planning with respect to North Korea. The head of the office will be appointed by the President and with the consent of the Senate hold the rank of ambassador.