

116TH CONGRESS  
2D SESSION

# S. 3395

To require consultations on reuniting Korean Americans with family members in North Korea.

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IN THE SENATE OF THE UNITED STATES

MARCH 5, 2020

Ms. HIRONO (for herself and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To require consultations on reuniting Korean Americans with family members in North Korea.

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.**

4       This Act may be cited as the “Korean War Divided  
5       Families Reunification Act”.

6       **SEC. 2. CONSULTATIONS ON REUNITING KOREAN AMERI-**

7                   **CANS WITH FAMILY MEMBERS IN NORTH**  
8                   **KOREA.**

9       (a) FINDINGS.—Congress makes the following find-  
10      ings:

1                             (1) The division of the Korean Peninsula into  
2                             South Korea and North Korea separated thousands  
3                             of Koreans from family members.

4                             (2) Since the signing of the Agreement Con-  
5                             cerning a Military Armistice in Korea, signed at  
6                             Panmunjom July 27, 1953 (commonly referred to as  
7                             the “Korean War Armistice Agreement”), there has  
8                             been little to no contact between Korean Americans  
9                             and family members who remain in North Korea.

10                            (3) North Korea and South Korea first agreed  
11                             to reunions of divided families in 1985 and have  
12                             since held 20 face-to-face reunions and multiple  
13                             video link reunions.

14                            (4) Those reunions have subsequently given ap-  
15                             proximately 22,000 Koreans the opportunity to  
16                             briefly reunite with loved ones.

17                            (5) The most recent family reunions between  
18                             North Korea and South Korea took place in August  
19                             2018 and did not include any Korean Americans.

20                            (6) The United States and North Korea do not  
21                             maintain diplomatic relations and certain limitations  
22                             exist on Korean Americans participating in face-to-  
23                             face reunions.

1                         (7) According to the most recent census, more  
2                         than 1,700,000 people living in the United States  
3                         are of Korean descent.

4                         (8) The number of first generation Korean and  
5                         Korean American family members divided from fam-  
6                         ily members in North Korea is rapidly diminishing  
7                         given the advanced age of those family members.  
8                         More than 3,000 elderly South Koreans die each  
9                         year without having been reunited with their family  
10                        members.

11                        (9) Many Korean Americans with family mem-  
12                        bers in North Korea have not seen or communicated  
13                        with those family members in more than 60 years.

14                        (10) The inclusion of Korean American families  
15                        in the reunion process would constitute a positive  
16                        humanitarian gesture by the Government of North  
17                        Korea.

18                        (11) Section 1265 of the National Defense Au-  
19                        thorization Act for Fiscal Year 2008 (Public Law  
20                        110–181; 122 Stat. 407) required the President to  
21                        submit to Congress a report on “efforts, if any, of  
22                        the United States Government to facilitate family re-  
23                        unions between United States citizens and their rel-  
24                        atives in North Korea”.

1                             (12) The position of Special Envoy on North  
2                             Korean Human Rights Issues has been vacant since  
3                             January 2017, although the President is required to  
4                             appoint a Senate-confirmed Special Envoy to fill this  
5                             position in accordance with section 107 of the North  
6                             Korean Human Rights Act of 2004 (22 U.S.C.  
7                             7817).

8                             (13) In the report of the Committee on Appropriations of the House of Representatives accompanying H.R. 3081, 111th Congress (House Report 111–187), the Committee urged “the Special Representative on North Korea Policy, as the senior official handling North Korea issues, to prioritize the issues involving Korean divided families and to, if necessary, appoint a coordinator for such families”.

16                             (b) CONSULTATIONS REQUIRED.—

17                             (1) CONSULTATIONS WITH SOUTH KOREA.—  
18                             The Secretary of State, or a designee of the Secretary, shall consult with officials of South Korea, as appropriate, on potential opportunities to reunite Korean American families with family members in North Korea from which such Korean American families were divided after the signing of the Korean War Armistice Agreement, including potential oppor-

1       tunities for video reunions for Korean Americans  
2       and their family members in North Korea.

3                     (2) CONSULTATIONS WITH KOREAN AMERI-  
4       CANS.—The Special Envoy on North Korean Human  
5       Rights Issues of the Department of State shall regu-  
6       larly consult with representatives of Korean Ameri-  
7       cans with family members in North Korea with re-  
8       spect to efforts to reunite families divided after the  
9       signing of the Korean War Armistice Agreement, in-  
10      cluding potential opportunities for video reunions for  
11      Korean Americans and their family members in  
12      North Korea.

13                     (3) NO ADDITIONAL AUTHORIZATION OF AP-  
14      PROPRIATIONS.—No additional amounts are author-  
15      ized to be appropriated to the Department of State  
16      to carry out consultations under this subsection.

17                     (c) ADDITIONAL MATTER IN REPORT.—The Sec-  
18      retary of State, acting through the Special Envoy on  
19      North Korean Human Rights Issues, shall include, in each  
20      report required under section 107(d) of the North Korean  
21      Human Rights Act of 2004 (22 U.S.C. 7817(d)), a de-  
22      scription of the consultations described in subsection (b)  
23      conducted during the year preceding the submission of  
24      each report required under such section 107(d).

