

Res. 754, designating November 13, 2022, as “National Warrior Call Day” in recognition of the importance of connecting warriors in the United States to support structures necessary to transition from the battlefield.

## TEXT OF AMENDMENTS DECEMBER 7, 2022

**SA 6507.** Ms. HASSAN (for Mr. GRASSLEY) proposed an amendment to the bill S. 3316, to provide for certain whistleblower incentives and protections; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Anti-Money Laundering Whistleblower Improvement Act”.

### SEC. 2. WHISTLEBLOWER INCENTIVES AND PROTECTIONS.

(a) IN GENERAL.—Section 5323 of title 31, United States Code, as amended by section 6314 of the Anti-Money Laundering Act of 2020 (division F of Public Law 116-283) is amended by striking subsection (b) and inserting the following:

#### “(b) AWARDS.—

“(1) IN GENERAL.—In any covered judicial or administrative action, or related action, the Secretary, under regulations prescribed by the Secretary, in consultation with the Attorney General and subject to subsection (c), shall pay an award or awards to 1 or more whistleblowers who voluntarily provided original information to the employer of the individual, the Secretary, or the Attorney General, as applicable, that led to the successful enforcement of the covered judicial or administrative action, or related action, in an aggregate amount equal to—

“(A) not less than 10 percent, in total, of what has been collected of the monetary sanctions imposed in the action or related actions; and

“(B) not more than 30 percent, in total, of what has been collected of the monetary sanctions imposed in the action or related actions.

#### “(2) PAYMENT OF AWARDS.—

“(A) IN GENERAL.—Any amount paid under paragraph (1) shall be paid from the Fund established under paragraph (3).

“(B) RELATED ACTIONS.—The Secretary may pay awards less than the amount described in paragraph (1)(A) for related actions in which a whistleblower may be paid by another whistleblower award program.

#### “(3) SOURCE OF AWARDS.—

“(A) IN GENERAL.—There shall be established in the Treasury of the United States a revolving fund to be known as the Financial Integrity Fund (referred to in this subsection as the ‘Fund’).

“(B) USE OF FUND.—The Fund shall be available to the Secretary, without further appropriation or fiscal year limitations, only for the payment of awards to whistleblowers as provided in subsection (b).

“(C) RESTRICTIONS ON USE OF FUND.—The Fund shall not be available to pay any personnel or administrative expenses.

#### “(4) DEPOSITS AND CREDITS.—

“(A) IN GENERAL.—There shall be deposited into or credited to the Fund an amount equal to—

“(i) any monetary sanction collected by the Secretary or Attorney General in any judicial or administrative action under this title, chapter 35 or section 4305 or 4312 of title 50, or the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.), unless the balance of the Fund at the time the monetary sanction is collected exceeds \$300,000,000; and

“(ii) all income from investments made under paragraph (5).

“(B) ADDITIONAL AMOUNTS.—If the amounts deposited into or credited to the Fund under subparagraph (A) are not sufficient to satisfy an award made under this subsection, there shall be deposited into or credited to the Fund an amount equal to the unsatisfied portion of the award from any monetary sanction collected by the Secretary of the Treasury or Attorney General in the covered judicial or administrative action on which the award is based.

“(C) EXCEPTION.—No amounts to be deposited or transferred into the United States Victims of State Sponsored Terrorism Fund pursuant to the Justice for United States Victims of State Sponsored Terrorism Act (34 U.S.C. 20144) or the Crime Victims Fund pursuant section 1402 of the Victims of Crime Act of 1984 (34 U.S.C. 20101) shall be deposited into or credited to the Fund.

#### “(5) INVESTMENTS.—

“(A) AMOUNTS IN FUND MAY BE INVESTED.—The Secretary of the Treasury may invest the portion of the Fund that is not required to meet the current needs of the Fund.

“(B) ELIGIBLE INVESTMENTS.—Investments shall be made by the Secretary of the Treasury in obligations of the United States or obligations that are guaranteed as to principal and interest by the United States, with maturities suitable to the needs of the Fund as determined by the Secretary.

“(C) INTEREST AND PROCEEDS CREDITED.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 5323 of title 31, United States Code, is amended—

#### (1) in subsection (a)—

(A) in paragraphs (1) and (5), by striking “this subchapter or subchapter III” each place the term appears and inserting “this subchapter, chapter 35 or section 4305 or 4312 of title 50, the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.), or .), and for conspiracies to violate the aforementioned provisions”; and

#### (B) in paragraph (4)—

(i) by inserting “covered” after “respect to any”; and

(ii) by striking “under this subchapter or subchapter III”; and

(iii) by striking “action by the Secretary or the Attorney General” and inserting “covered action”; and

#### (2) in subsection (c)(1)(B)(iii)—

(A) by striking “subchapter and subchapter III” and inserting “this subchapter, chapter 35 or section 4305 or 4312 of title 50, and the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.)”; and

(B) by striking “either such subchapter” and inserting “the covered judicial or administrative action”; and

(3) in subsection (g)(4)(D)(i), by inserting “chapter 35 or section 4305 or 4312 of title 50, or the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.),” after “subchapter.”

**SA 6508.** Ms. HASSAN (for Mrs. SHAHEEN) proposed an amendment to the resolution S. Res. 754, designating November 13, 2022, as “National Warrior Call Day” in recognition of the importance of connecting warriors in the United States to support structures necessary to transition from the battlefield; as follows:

Strike the preamble and insert the following:

Whereas establishing an annual “National Warrior Call Day” will draw attention to the

members of the Armed Forces whose connection to one another is key to the veterans and first responders in the United States who may be dangerously disconnected from family, friends, and support systems;

Whereas the rate of suicide for members of the Armed Forces serving on active duty increased from 20.3 per 100,000 individuals in 2015 to 28.7 per 100,000 individuals in 2020;

Whereas the suicide rate for veterans has steadily increased since 2006, with 6,261 veterans dying by suicide in 2019;

Whereas, after adjusting for sex and age, the rate of veteran suicide in 2019 was 31.6 per 100,000 individuals, substantially higher than the rate among adults in the United States who are not veterans at 16.8 per 100,000 individuals;

Whereas more veterans have died by suicide in the last 10 years than members of the Armed Forces who died from combat in Vietnam;

Whereas many of the veterans who died by suicide had no contact with the Department of Veterans Affairs;

Whereas the Coronavirus Disease 2019 (COVID-19) pandemic continues to lead to increased isolation and disconnection, further exacerbating mental and physical ailments such as post-traumatic stress disorder and traumatic brain injury;

Whereas invisible wounds linked to an underlying and undiagnosed traumatic brain injury can mirror many mental health conditions, a problem that can be addressed through appropriate medical treatment;

Whereas additional research is needed to highlight the connection between traumatic brain injury as a root cause of invisible wounds and suicide by members of the Armed Forces and veterans; and

Whereas November 13, 2022, would be an appropriate day to designate as “National Warrior Call Day”: Now, therefore, be it

## AMENDMENTS SUBMITTED AND PROPOSED

**SA 6509.** Mr. CARDIN (for Mr. DURBIN (for himself and Mr. CASSIDY)) proposed an amendment to the bill S. 2834, to amend title XVII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program.

**SA 6510.** Mr. CARDIN (for Ms. HASSAN) proposed an amendment to the bill H.R. 7535, to encourage the migration of Federal Government information technology systems to quantum-resistant cryptography, and for other purposes.

**SA 6511.** Mr. CARDIN (for Mr. RUBIO) proposed an amendment to the bill S. 4216, to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

## TEXT OF AMENDMENTS

**SA 6509.** Mr. CARDIN (for Mr. DURBIN (for himself and Mr. CASSIDY)) proposed an amendment to the bill S. 2834, to amend title XVII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Dr. Joanne Smith Memorial Rehabilitation Innovation Centers Act of 2022”.

### SEC. 2. PRESERVING ACCESS TO REHABILITATION INNOVATION CENTERS UNDER MEDICARE.

(a) IN GENERAL.—Section 1886(j)(7)(E) of the Social Security Act (42 U.S.C. 1395ww(j)(7)(E)) is amended—

(1) by striking “PUBLIC AVAILABILITY OF DATA SUBMITTED.—The” and inserting “PUBLIC AVAILABILITY OF DATA SUBMITTED.—

“(i) IN GENERAL.—The”; and

(2) by inserting after clause (i), as redesignated by paragraph (1), the following new clauses:

“(ii) PUBLIC RECOGNITION OF REHABILITATION INNOVATION CENTERS.—Beginning not later than 18 months after the date of the enactment of this clause, the Secretary shall make publicly available on such Internet website, in addition to the information required to be reported on such website under clause (i), a list of all rehabilitation innovation centers, and shall update such list on such website not less frequently than biennially.

“(iii) REHABILITATION INNOVATION CENTERS DEFINED.—For purposes of clause (ii), the term ‘rehabilitation innovation centers’ means a rehabilitation facility that, as of the applicable date (as defined in clause (v)), is a rehabilitation facility described in clause (iv).

“(iv) REHABILITATION FACILITY DESCRIBED.—

“(I) IN GENERAL.—Subject to subclause (II), a rehabilitation facility described in this clause is a rehabilitation facility that—

“(aa) is classified as a rehabilitation facility under the IRF Rate Setting File for the Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2019 (83 Fed. Reg. 38514), or any successor regulations that contain such information;

“(bb) holds at least one Federal rehabilitation research and training designation for research projects on traumatic brain injury or spinal cord injury from the National Institute on Disability, Independent Living, and Rehabilitation Research at the Department of Health and Human Services, based on such data submitted to the Secretary by a facility, in a form, manner, and time frame specified by the Secretary;

“(cc) submits to the Secretary a description of the clinical research enterprise of the facility and a summary of research activities of the facility that are supported by Federal agencies;

“(dd) has a minimum Medicare estimated average weight per discharge of 1.20 for the most recent fiscal year for which such information is available according to the IRF Rate Setting File described in item (aa), or any successor regulations that contain such information; and

“(ee) has a minimum teaching status of 0.075 for the most recent fiscal year for which such information is available according to the IRF Rate Setting File described in item (aa), or any successor regulations that contain such information.

“(II) WAIVER.—The Secretary may, as determined appropriate, waive any of the requirements under items (aa) through (ee) of subclause (I).

“(v) APPLICABLE DATE DEFINED.—For purposes of clauses (iii) and (iv), the term ‘applicable date’ means—

“(I) with respect to the initial publication of a list under clause (ii), the date of the enactment of such clause; and

“(II) with respect to the publication of an updated list under clause (ii), a date specified by the Secretary that is not more than one year prior to the date of such publication.

“(vi) IMPLEMENTATION.—Notwithstanding any other provision of law the Secretary may implement clauses (ii) through (v) by program instruction or otherwise.

“(vii) NONAPPLICATION OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to data collected under clauses (ii) through (v).”

(b) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services—

(1) shall submit to Congress a report containing any recommendations on action as the Secretary determines appropriate to preserve access to rehabilitation innovation centers (as defined in section 1886(j)(7)(E)(iii) of the Social Security Act, as added by subsection (a)); and

(2) may, in the report described in paragraph (1), as permitted by law, disseminate research, best practices, and other clinical information identified or developed by such rehabilitation innovation centers, as determined appropriate by the Secretary.

**SA 6510.** Mr. CARDIN (for Ms. HASSAN) proposed an amendment to the bill H.R. 7535, to encourage the migration of Federal Government information technology systems to quantum-resistant cryptography, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Quantum Computing Cybersecurity Preparedness Act”.

#### **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds the following:

(1) Cryptography is essential for the national security of the United States and the functioning of the economy of the United States.

(2) The most widespread encryption protocols today rely on computational limits of classical computers to provide cybersecurity.

(3) Quantum computers might one day have the ability to push computational boundaries, allowing us to solve problems that have been intractable thus far, such as integer factorization, which is important for encryption.

(4) The rapid progress of quantum computing suggests the potential for adversaries of the United States to steal sensitive encrypted data today using classical computers, and wait until sufficiently powerful quantum systems are available to decrypt it.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a strategy for the migration of information technology of the Federal Government to post-quantum cryptography is needed; and

(2) the governmentwide and industrywide approach to post-quantum cryptography should prioritize developing applications, hardware intellectual property, and software that can be easily updated to support cryptographic agility.

#### **SEC. 3. DEFINITIONS.**

In this Act:

(1) AGENCY.—The term “agency”—

(A) means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency; and

(B) does not include—

(i) the Government Accountability Office; or

(ii) the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions.

(2) CLASSICAL COMPUTER.—The term “classical computer” means a device that accepts digital data and manipulates the information based on a program or sequence of instructions for how data is to be processed

and encodes information in binary bits that can either be 0s or 1s.

(3) DIRECTOR OF CISA.—The term “Director of CISA” means the Director of the Cybersecurity and Infrastructure Security Agency.

(4) DIRECTOR OF NIST.—The term “Director of NIST” means the Director of the National Institute of Standards and Technology.

(5) DIRECTOR OF OMB.—The term “Director of OMB” means the Director of the Office of Management and Budget.

(6) INFORMATION TECHNOLOGY.—The term “information technology” has the meaning given the term in section 3502 of title 44, United States Code.

(7) NATIONAL SECURITY SYSTEM.—The term “national security system” has the meaning given the term in section 3552 of title 44, United States Code.

(8) POST-QUANTUM CRYPTOGRAPHY.—The term “post-quantum cryptography” means those cryptographic algorithms or methods that are assessed not to be specifically vulnerable to attack by either a quantum computer or classical computer.

(9) QUANTUM COMPUTER.—The term “quantum computer” means a computer that uses the collective properties of quantum states, such as superposition, interference, and entanglement, to perform calculations.

#### **SEC. 4. INVENTORY OF CRYPTOGRAPHIC SYSTEMS; MIGRATION TO POST-QUANTUM CRYPTOGRAPHY.**

(a) INVENTORY.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Director of OMB, in coordination with the National Cyber Director and in consultation with the Director of CISA, shall issue guidance on the migration of information technology to post-quantum cryptography, which shall include at a minimum—

(A) a requirement for each agency to establish and maintain a current inventory of information technology in use by the agency that is vulnerable to decryption by quantum computers, prioritized using the criteria described in subparagraph (B);

(B) criteria to allow agencies to prioritize their inventory efforts; and

(C) a description of the information required to be reported pursuant to subsection (b).

(2) ADDITIONAL CONTENT IN GUIDANCE.—In the guidance established by paragraph (1), the Director of OMB shall include, in addition to the requirements described in that paragraph—

(A) a description of information technology to be prioritized for migration to post-quantum cryptography; and

(B) a process for evaluating progress on migrating information technology to post-quantum cryptography, which shall be automated to the greatest extent practicable.

(3) PERIODIC UPDATES.—The Director of OMB shall update the guidance required under paragraph (1) as the Director of OMB determines necessary, in coordination with the National Cyber Director and in consultation with the Director of CISA.

(b) AGENCY REPORTS.—Not later than 1 year after the date of enactment of this Act, and on an ongoing basis thereafter, the head of each agency shall provide to the Director of OMB, the Director of CISA, and the National Cyber Director—

(1) the inventory described in subsection (a)(1); and

(2) any other information required to be reported under subsection (a)(1)(C).

(c) MIGRATION AND ASSESSMENT.—Not later than 1 year after the date on which the Director of NIST has issued post-quantum cryptography standards, the Director of OMB shall issue guidance requiring each agency to—

(1) prioritize information technology described under subsection (a)(2)(A) for migration to post-quantum cryptography; and

(2) develop a plan to migrate information technology of the agency to post-quantum cryptography consistent with the prioritization under paragraph (1).

(d) **INTEROPERABILITY.**—The Director of OMB shall ensure that the prioritizations made under subsection (c)(1) are assessed and coordinated to ensure interoperability.

(e) **OFFICE OF MANAGEMENT AND BUDGET REPORTS.**—

(1) **REPORT ON POST-QUANTUM CRYPTOGRAPHY.**—Not later than 15 months after the date of enactment of this Act, the Director of OMB, in coordination with the National Cyber Director and in consultation with the Director of CISA, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on the following:

(A) A strategy to address the risk posed by the vulnerabilities of information technology of agencies to weakened encryption due to the potential and possible capability of a quantum computer to breach that encryption.

(B) An estimate of the amount of funding needed by agencies to secure the information technology described in subsection (a)(1)(A) from the risk posed by an adversary of the United States using a quantum computer to breach the encryption of the information technology.

(C) A description of Federal civilian executive branch coordination efforts led by the National Institute of Standards and Technology, including timelines, to develop standards for post-quantum cryptography, including any Federal Information Processing Standards developed under chapter 35 of title 44, United States Code, as well as standards developed through voluntary, consensus standards bodies such as the International Organization for Standardization.

(2) **REPORT ON MIGRATION TO POST-QUANTUM CRYPTOGRAPHY IN INFORMATION TECHNOLOGY.**—Not later than 1 year after the date on which the Director of OMB issues guidance under subsection (c)(2), and thereafter until the date that is 5 years after the date on which post-quantum cryptographic standards are issued, the Director of OMB, in coordination with the National Cyber Director and in consultation with the Director of CISA, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives, with the report submitted pursuant to section 3553(c) of title 44, United States Code, a report on the progress of agencies in adopting post-quantum cryptography standards.

#### **SEC. 5. EXEMPTION OF NATIONAL SECURITY SYSTEMS.**

This Act shall not apply to any national security system.

#### **SEC. 6. DETERMINATION OF BUDGETARY EFFECTS.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

**SA 6511.** Mr. CARDIN (for Mr. RUBIO) proposed an amendment to the bill S. 4216, to reauthorize the North Korean Human Rights Act of 2004, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “North Korean Human Rights Reauthorization Act of 2022”.

#### **SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) The North Korean Human Rights Act of 2004 (Public Law 108-333; 22 U.S.C. 7801 et seq.) and subsequent reauthorizations of such Act were the product of broad, bipartisan consensus regarding the promotion of human rights, documentation of human rights violations, transparency in the delivery of humanitarian assistance, and the importance of refugee protection.

(2) The human rights and humanitarian conditions within North Korea remain deplorable and have been intentionally perpetuated against the people of North Korea through policies endorsed and implemented by Kim Jong-un and the Workers’ Party of Korea.

(3) According to a 2014 report released by the United Nations Human Rights Council’s Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea, between 80,000 and 120,000 children, women, and men were being held in political prison camps in North Korea, where they were subjected to deliberate starvation, forced labor, executions, torture, rape, forced abortion, and infanticide.

(4) North Korea continues to hold a number of South Koreans and Japanese abducted after the signing of the Agreement Concerning a Military Armistice in Korea, signed at Panmunjom July 27, 1953 (commonly referred to as the “Korean War Armistice Agreement”) and refuses to acknowledge the abduction of more than 100,000 South Koreans during the Korean War in violation of the Geneva Convention.

(5) Human rights violations in North Korea, which include forced starvation, sexual violence against women and children, restrictions on freedom of movement, arbitrary detention, torture, executions, and enforced disappearances, amount to crimes against humanity according to the United Nations Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea.

(6) The effects of the COVID-19 pandemic and North Korea’s strict lockdown of its borders and crackdowns on informal market activities and small entrepreneurship have drastically increased food insecurity for its people and given rise to famine conditions in parts of the country.

(7) North Korea’s COVID-19 border lockdown measures also include shoot-to-kill orders that have resulted in the killing of—

(A) North Koreans attempting to cross the border; and

(B) at least 1 South Korean citizen in September 2020.

(8) The Chinese Communist Party and the Government of the People’s Republic of China are aiding and abetting in crimes against humanity by forcibly repatriating North Korean refugees to North Korea where they are sent to prison camps, harshly interrogated, and tortured or executed.

(9) The forcible repatriation of North Korean refugees violates the People’s Republic of China’s freely undertaken obligation to uphold the principle of non-refoulement, under the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (and made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)).

(10) North Korea continues to bar freedom of religion and persecute religious minorities, especially Christians. Eyewitnesses re-

port that Christians in North Korea have been tortured, forcibly detained, and even executed for possessing a Bible or professing Christianity.

(11) United States and international broadcasting operations into North Korea—

(A) serve as a critical source of outside news and information for the North Korean people; and

(B) provide a valuable service for countering regime propaganda and false narratives.

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

#### **SEC. 3. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) promoting information access in North Korea continues to be a successful method of countering North Korean propaganda;

(2) the United States Government should continue to support efforts described in paragraph (1), including by enacting and implementing the Otto Warmbier North Korean Censorship and Surveillance Act of 2021, which was introduced by Senator Portman on June 17, 2021;

(3) because refugees among North Koreans fleeing into China face severe punishments upon their forcible return, the United States should urge the Government of the People’s Republic of China—

(A) to immediately halt its forcible repatriation of North Koreans;

(B) to allow the United Nations High Commissioner for Refugees (referred to in this section as “UNHCR”) unimpeded access to North Koreans within China to determine whether they are refugees and require assistance;

(C) to fulfill its obligations under the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (and made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)) and the Agreement on the upgrading of the UNHCR Mission in the People’s Republic of China to UNHCR branch office in the People’s Republic of China, done at Geneva December 1, 1995;

(D) to address the concerns of the United Nations Committee Against Torture by incorporating into domestic legislation the principle of non-refoulement; and

(E) to recognize the legal status of North Korean women who marry or have children with Chinese citizens and ensure that all such mothers and children are granted resident status and access to education and other public services in accordance with Chinese law and international standards;

(4) the United States Government should continue to promote the effective and transparent delivery and distribution of any humanitarian aid provided in North Korea to ensure that such aid reaches its intended recipients to the point of consumption or utilization by cooperating closely with the Government of the Republic of Korea and international and nongovernmental organizations;

(5) the Department of State should continue to take steps to increase public awareness about the risks and dangers of travel by United States citizens to North Korea, including by continuing its policy of blocking United States passports from being used to travel to North Korea without a special validation from the Department of State;

(6) the United Nations, which has a significant role to play in promoting and improving human rights in North Korea, should

press for access for the United Nations Special Rapporteur and the United Nations High Commissioner for Human Rights on the situation of human rights in North Korea;

(7) the Special Envoy for North Korean Human Rights Issues should be appointed without delay—

(A) to properly promote and coordinate North Korean human rights and humanitarian issues; and

(B) to participate in policy planning and implementation with respect to refugee issues;

(8) the United States should urge North Korea to repeal the Reactionary Thought and Culture Denunciation Law and other draconian laws, regulations, and decrees that manifestly violate the freedom of opinion and expression and the freedom of thought, conscience, and religion;

(9) the United States should urge North Korea to ensure that any restrictions on addressing the COVID-19 pandemic are necessary, proportionate, nondiscriminatory, time-bound, transparent, and allow international staff to operate inside the North Korea to provide international assistance based on independent needs assessments;

(10) the United States should expand the Rewards for Justice program to be open to North Korean officials who can provide evidence of crimes against humanity being committed by North Korean officials;

(11) the United States should continue to seek cooperation from all foreign governments—

(A) to allow the UNHCR access to process North Korean refugees overseas for resettlement; and

(B) to allow United States officials access to process refugees for possible resettlement in the United States; and

(12) the Secretary of State, through diplomacy by senior officials, including United States ambassadors to Asia-Pacific countries, and in close cooperation with South Korea, should make every effort to promote the protection of North Korean refugees, escapees, and defectors.

#### SEC. 4. REAUTHORIZATIONS.

(a) **SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMS.**—Section 102(b)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is amended by striking “2022” and inserting “2027”.

(b) **ACTIONS TO PROMOTE FREEDOM OF INFORMATION.**—Section 104 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814) is amended—

(1) in subsection (b)(1), by striking “2022” and inserting “2027”; and

(2) in subsection (c), by striking “2022” and inserting “2027”.

(c) **REPORT BY SPECIAL ENVOY ON NORTH KOREAN HUMAN RIGHTS ISSUES.**—Section 107(d) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817(d)) is amended by striking “2022” and inserting “2027”.

(d) **REPORT ON UNITED STATES HUMANITARIAN ASSISTANCE.**—Section 201(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7831(a)) is amended, in the matter preceding paragraph (1), by striking “2022” and inserting “2027”.

(e) **ASSISTANCE PROVIDED OUTSIDE OF NORTH KOREA.**—Section 203(c)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(c)(1)) is amended by striking “2018 through 2022” and inserting “2023 through 2027”.

(f) **ANNUAL REPORTS.**—Section 305(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7845(a)) is amended, in the matter preceding paragraph (1) by striking “2022” and inserting “2027”.

#### SEC. 5. ACTIONS TO PROMOTE FREEDOM OF INFORMATION.

Title I of the North Korean Human Rights Act of 2004 (22 U.S.C. 7811 et seq.) is amended—

(1) in section 103(a), by striking “Broadcasting Board of Governors” and inserting “United States Agency for Global Media”; and

(2) in section 104(a)—

(A) by striking “Broadcasting Board of Governors” each place such term appears and inserting “United States Agency for Global Media”; and

(B) in paragraph (7)(B)—

(i) in the matter preceding clause (i), by striking “5 years” and inserting “10 years”;  
(ii) by redesignating clauses (i) through (iii) as clauses (ii) through (iv), respectively;  
(iii) by inserting before clause (ii) the following:

“(i) an update of the plan required under subparagraph (A);” and

(iv) in clause (iii), as redesignated, by striking “pursuant to section 403” and inserting “to carry out this section”.

#### SEC. 6. SPECIAL ENVOY FOR NORTH KOREAN HUMAN RIGHTS ISSUES.

Section 107 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817) is amended by adding at the end the following:

“(e) **REPORT ON APPOINTMENT OF SPECIAL ENVOY.**—Not later than 180 days after the date of the enactment of this subsection and annually thereafter through 2027 if the position of Special Envoy remains vacant, the Secretary of State shall submit a report to the appropriate congressional committees that describes the efforts being taken to appoint the Special Envoy.”

#### SEC. 7. SUPPORT FOR NORTH KOREAN REFUGEES.

(a) **IN GENERAL.**—The Secretary of State and the Secretary of Homeland Security should collaborate with faith-based and Korean-American organizations to resettle North Korean participants in the United States Refugee Admissions Program in areas with existing Korean-American communities to mitigate trauma and mental health considerations of refugees, as appropriate.

(b) **RESETTLEMENT LOCATION ASSISTANCE EDUCATION.**—The Secretary of State shall publicly disseminate guidelines and information relating to resettlement options in the United States or South Korea for eligible North Korean refugees, with a particular focus on messaging to North Koreans.

(c) **MECHANISMS.**—The guidelines and information described in subsection (b)—

(1) shall be published on a publicly available website of the Department of State;

(2) shall be broadcast into North Korea through radio broadcasting operations funded or supported by the United States Government; and

(3) shall be distributed through brochures or electronic storage devices.

#### SEC. 8. AUTHORIZATION OF SANCTIONS FOR FORCED REPATRIATION OF NORTH KOREAN REFUGEES.

(a) **DISCRETIONARY DESIGNATIONS.**—Section 104(b)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214) is amended—

(1) in subparagraph (M), by striking “or” after the semicolon;

(2) in subparagraph (N), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:  
“(O) knowingly, directly or indirectly, forced the repatriation of North Korean refugees to North Korea.”

(b) **EXEMPTIONS.**—Section 208(a)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228(a)(1)) is amended by inserting “, the Republic of Korea, and Japan” before the period at the end.

#### SEC. 9. REPORT ON HUMANITARIAN EXEMPTIONS TO SANCTIONS IMPOSED WITH RESPECT TO NORTH KOREA.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the continued pursuit by the North Korean regime of weapons of mass destruction (including nuclear, chemical, and biological weapons), in addition to its ballistic missile program, along with the regime’s gross violations of human rights, have led the international community to impose sanctions with respect to North Korea, including sanctions imposed by the United Nations Security Council;

(2) authorities should grant exemptions for humanitarian assistance to the people of North Korea consistent with past United Nations Security Council resolutions; and

(3) humanitarian assistance intended to provide humanitarian relief to the people of North Korea must not be exploited or misdirected by the North Korean regime to benefit the military or elites of North Korea.

(b) **REPORTS REQUIRED.**—

(1) **DEFINED TERM.**—In this subsection, the term “covered period” means—

(A) in the case of the first report required to be submitted under paragraph (2), the period beginning on January 1, 2018, and ending on the date that is 90 days after the date of the enactment of this Act; and

(B) in the case of each subsequent report required to be submitted under paragraph (2), the 1-year period preceding the date by which the report is required to be submitted.

(2) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 2 years, the Secretary of State shall submit a report to Congress that—

(A) describes—

(i) how the North Korean regime has previously exploited humanitarian assistance from the international community to benefit elites and the military in North Korea;

(ii) the most effective methods to provide humanitarian relief, including mechanisms to facilitate humanitarian assistance, to the people of North Korea, who are in dire need of such assistance;

(iii) any requests to the Committee of the United Nations Security Council established by United Nations Security Council Resolution 1718 (2006) (referred to in this section as the “1718 Sanctions Committee”) for humanitarian exemptions from sanctions known to have been denied during the covered period or known to have been in process for more than 30 days as of the date of the report; and

(iv) any known explanations for the denials and delays referred to in clause (iii); and

(B) details any action by a foreign government during the covered period that has delayed or impeded humanitarian assistance that was approved by the 1718 Sanctions Committee.

**DIRECTING THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY TO REMOVE THE BUST OF ROGER BROOKE TANEY IN THE OLD SUPREME COURT CHAMBER OF THE CAPITOL AND TO OBTAIN A BUST OF THURGOOD MARSHALL FOR INSTALLATION IN THE CAPITOL OR ON THE CAPITOL GROUNDS**

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 5229, introduced earlier today by Senators CARDIN and VAN HOLLEN.