

Brad Sherman

(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To review current restrictions on travel to North Korea, call for a formal end to the Korean War, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SHERMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To review current restrictions on travel to North Korea, call for a formal end to the Korean War, and for other purposes.

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 “Peace on the Korean
5 Peninsula Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) On July 27, 1953, the commander in chief
2 of the United Nations Command signed an armistice
3 agreement with the supreme commander of the
4 North Korean People’s Army and the commander of
5 the Chinese People’s Volunteers, aiming to “insure
6 a complete cessation of hostilities and of all acts of
7 armed force in Korea until a final peaceful settle-
8 ment is achieved”.

9 (2) The armistice agreement neither formally
10 ended the war nor represented a final peaceful set-
11 tlement.

12 (3) On April 27, 2018, in Panmunjom, the
13 leaders of South Korea and North Korea declared
14 that “a new era of peace has begun on the Korean
15 peninsula”, and committed “to declare the end of
16 war” on the Korean peninsula 65 years after the
17 signing of the armistice agreement.

18 (4) In its roll out of its policy towards North
19 Korea, the Biden Administration expressed support
20 for the Singapore framework, which identifies peace
21 on the Korean peninsula as an objective of any fu-
22 ture negotiations between the United States and
23 North Korea.

24 (5) The United States should pursue a sus-
25 tained and credible diplomatic process to achieve an

1 end to the Korean war, and every effort should be
2 made to avoid military confrontation with North
3 Korea.

4 (6) The persistence of a state of war does not
5 serve the national interest of the United States and
6 its allies.

7 (7) One major consequence of the continuation
8 of the Korean war is that the United States does not
9 have formal relations with North Korea, which has
10 prevented Korean Americans with relatives in North
11 Korea from seeing their families.

12 (8) Approximately 100,000 Americans have re-
13 latives living in North Korea.

14 (9) At the Hanoi Summit in February 2019,
15 the United States and North Korea discussed for-
16 mally ending the Korean war and the exchange of
17 diplomatic liaison offices, however these discussions
18 did not advance due to a stalemate on nuclear and
19 missile issues.

20 (10) The ongoing nuclear- and ballistic-missile-
21 related activities of North Korea continue to pose a
22 threat to international peace and security.

1 **SEC. 3. HUMANITARIAN CONSIDERATIONS REGARDING VIS-**
2 **ITING NORTH KOREA.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the current restrictions barring United States
5 nationals traveling to the Democratic People’s Republic of
6 Korea (DPRK) warrant review by the Secretary of State.

7 (b) REVIEW.—The Secretary of State shall conduct
8 a full review of the restrictions in place conditioning the
9 travel of United States nationals to the DPRK. Such re-
10 view shall include consideration of the following:

11 (1) The Department of State’s guidance as to
12 the nature of travel to the DPRK that qualifies as
13 “in the national interest” of the United States, in-
14 cluding whether the scope of travel qualifying as
15 such should be adjusted.

16 (2) The “compelling humanitarian consider-
17 ations” that qualify a United States national for
18 travel to the DPRK, including whether the scope of
19 travel permissible under such considerations should
20 be adjusted.

21 (3) Whether, and if so, to what extent and
22 under what conditions, travel to the DPRK for the
23 purposes of attending to or witnessing funerals, bur-
24 ials, or other religious and family commemorations
25 of relatives of United States nationals in the DRPK
26 does or should qualify as “compelling humanitarian

1 considerations” meriting issuance of Special Valida-
2 tion Passports to such nationals.

3 (c) REPORT.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of State shall submit to the Committee on
7 Foreign Affairs of the House of Representatives and
8 the Committee on Foreign Relations of the Senate
9 a report detailing the review conducted under sub-
10 section (b). Such report shall include a comprehen-
11 sive description of the Department of State’s consid-
12 eration of all matters described in paragraphs (1),
13 (2), and (3) of such subsection, including, as appli-
14 cable, any related policy changes and the rationale
15 behind the Department’s decision to make or refrain
16 from making policy changes relating to such mat-
17 ters.

18 (2) FORM.—The report required under para-
19 graph (1) shall be submitted in unclassified form but
20 may contain a classified annex.

21 **SEC. 4. CALLING FOR A FORMAL END TO THE KOREAN**
22 **WAR.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that given the commitment of the leaders of South
25 Korea and North Korea in Panmunjom on April 27, 2018,

1 to actively promote meetings involving the United States
2 “with a view to replacing the Armistice Agreement with
3 a peace agreement and establishing a permanent and solid
4 peace regime”, the Secretary of State should pursue seri-
5 ous, urgent diplomatic engagement with North Korea and
6 South Korea in pursuit of a binding peace agreement con-
7 stituting a formal and final end to the state of war be-
8 tween North Korea, South Korea, and the United States.

9 (b) REPORT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the Sec-
12 retary of State shall submit to the Committee on
13 Foreign Affairs of the House of Representatives and
14 the Committee on Foreign Relations of the Senate
15 a report that describes a clear roadmap for achieving
16 a permanent peace agreement on the Korean penin-
17 sula.

18 (2) CONTENTS.—The report required under
19 paragraph (1) shall—

20 (A) contain an accounting of the steps nec-
21 essary to enter into negotiations with North
22 Korea and South Korea to conclude a binding
23 peace agreement;

24 (B) identify the key stakeholders involved
25 in such negotiations; and

1 (C) describe the challenges concerning the
2 ability of the United States to achieve a binding
3 peace agreement constituting a formal and final
4 end to the state of war between North Korea,
5 South Korea, and the United States.

6 (3) FORM.—The report required under para-
7 graph (1) shall be submitted in unclassified form but
8 may contain a classified annex.

9 **SEC. 5. ESTABLISHING LIAISON OFFICES.**

10 It is the sense of Congress that given the joint state-
11 ment signed by the United States and North Korea in
12 Singapore on June 12, 2018, which included an agreement
13 to “establish new U.S.-DPRK relations in accordance with
14 the desire of the peoples of the two countries for peace
15 and prosperity”, the Secretary of State should seek to
16 enter into negotiations with the Democratic People’s Re-
17 public of North Korea (DPRK) to establish liaison offices
18 of the DPRK and the United States in the respective cap-
19 itals of each such country.