

117TH CONGRESS
1ST SESSION

H. R. 3446

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

MAY 20, 2021

Mr. SHERMAN (for himself, Mr. KHANNA, Mr. KIM of New Jersey, and Ms. MENG) introduced the following bill; which was referred to the Committee on Foreign Affairs

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:

8 (1) On July 27, 1953, the commander in chief
9 of the United Nations Command signed an armistice

1 agreement with the supreme commander of the
2 North Korean People’s Army and the commander of
3 the Chinese People’s Volunteers, aiming to “insure
4 a complete cessation of hostilities and of all acts of
5 armed force in Korea until a final peaceful settle-
6 ment is achieved”.

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

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

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

22 (5) The United States should pursue a sus-
23 tained and credible diplomatic process to achieve an
24 end to the Korean war, and every effort should be

1 made to avoid military confrontation with North
2 Korea.

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

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

11 (8) Approximately 100,000 Americans have rel-
12 atives living in North Korea.

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

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

22 **SEC. 3. HUMANITARIAN CONSIDERATIONS REGARDING VIS-**
23 **ITING NORTH KOREA.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that the current restrictions barring United States

1 nationals traveling to the Democratic People’s Republic of
2 Korea (DPRK) warrant review by the Secretary of State.

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

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

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

17 (3) Whether, and if so, to what extent and
18 under what conditions, travel to the DPRK for the
19 purposes of attending to or witnessing funerals, bur-
20 ials, or other religious and family commemorations
21 of relatives of United States nationals in the DPRK
22 does or should qualify as “compelling humanitarian
23 considerations” meriting issuance of Special Valida-
24 tion Passports to such nationals.

25 (c) REPORT.—

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

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

18 **SEC. 4. CALLING FOR A FORMAL END TO THE KOREAN**
19 **WAR.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that given the commitment of the leaders of South
22 Korea and North Korea in Panmunjom on April 27, 2018,
23 to actively promote meetings involving the United States
24 “with a view to replacing the Armistice Agreement with
25 a peace agreement and establishing a permanent and solid

1 peace regime”, the Secretary of State should pursue seri-
2 ous, urgent diplomatic engagement with North Korea and
3 South Korea in pursuit of a binding peace agreement con-
4 stituting a formal and final end to the state of war be-
5 tween North Korea, South Korea, and the United States.

6 (b) REPORT.—

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

15 (2) CONTENTS.—The report required under
16 paragraph (1) shall—

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

21 (B) identify the key stakeholders involved
22 in such negotiations; and

23 (C) describe the challenges concerning the
24 ability of the United States to achieve a binding
25 peace agreement constituting a formal and final

1 end to the state of war between North Korea,
2 South Korea, and the United States.

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

6 **SEC. 5. ESTABLISHING LIAISON OFFICES.**

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

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