

118TH CONGRESS
1ST SESSION

H. R. 5532

To provide for the imposition of sanctions with respect to North Korea's support for Russia's illegal war in Ukraine.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2023

Mr. CONNOLLY (for himself and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, Financial Services, and Oversight and Accountability, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the imposition of sanctions with respect to North Korea's support for Russia's illegal war in Ukraine.

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 "Russia-North Korea
5 Cooperation Sanctions Act".

6 **SEC. 4. FINDINGS.**

7 Congress makes the following findings:

1 (1) On February 24, 2022, the Government of
2 the Russian Federation, led by Vladimir Putin,
3 launched an unprovoked, full-scale invasion of
4 Ukraine.

5 (2) On September 13, 2023, the Supreme
6 Leader of the Democratic People’s Republic of
7 Korea (North Korea), Kim Jong Un, met with Rus-
8 sian Federation President Vladimir Putin to discuss
9 the transfer or sale of conventional arms to Russia
10 to be used in invasion of Ukraine’s sovereign terri-
11 tory in exchange for economic assistance and sup-
12 port for North Korea’s space, nuclear, and missile
13 programs.

14 (3) Kim Jong Un’s trip to Russia will be his
15 first known travel outside North Korea since the
16 Covid–19 pandemic and subsequent lockdown of
17 North Korea in early 2020.

18 (4) North Korea maintains an arsenal of artil-
19 lery shells, rockets, and other conventional military
20 equipment that it may provide to Russia.

21 (5) If Russia or Russian State-backed entities
22 are acquiring arms and related materiel from North
23 Korea, such actions would violate United Nations
24 Security Council resolutions, which were supported

1 by Russia to prohibit North Korea from exporting
2 such items.

3 (6) On August 16, 2023, the Department of the
4 Treasury imposed sanctions on three entities tied to
5 a sanctions evasion network attempting to support
6 arms deals between Russia and North Korea.

7 **SEC. 5. SANCTIONS.**

8 (a) IN GENERAL.—The President shall impose sanc-
9 tions described in subsection (b) with respect to the fol-
10 lowing:

11 (1) Any foreign person that is responsible for or
12 facilitates the transfer or sale of arms or material
13 support from North Korea to be used in Russia’s il-
14 legal war in Ukraine.

15 (2) Any foreign person that knowingly, directly
16 or indirectly, imports, exports, or reexports to, into,
17 or from North Korea any goods services or tech-
18 nology for weapons that may be used by Russian
19 forces or their proxies in Russia’s illegal war in
20 Ukraine.

21 (3) Any foreign financial institution that know-
22 ingly facilitates a significant transaction or provides
23 significant financial services for a foreign person de-
24 scribed in paragraph (1) or (2).

1 (4) Any foreign person that engages in a sig-
2 nificant transaction related to the transfer or sale of
3 arms or material support with a foreign person de-
4 scribed in paragraph (1) or (2) or foreign financial
5 institution described in paragraph (3).

6 (5) Any foreign person assisting in the logistical
7 supply and movement of North Korean arms or ma-
8 terial support to be used in Russia's illegal war in
9 Ukraine.

10 (b) SANCTIONS DESCRIBED.—The sanctions de-
11 scribed in this subsection are the following:

12 (1) BLOCKING OF PROPERTY.—Notwith-
13 standing the requirements of section 202 of the
14 International Emergency Economic Powers Act (50
15 U.S.C. 1701), the President may exercise of all pow-
16 ers granted to the President by that Act to the ex-
17 tent necessary to block and prohibit all transactions
18 in all property and interests in property of the for-
19 eign person if such property and interests in prop-
20 erty are in the United States, come within the
21 United States, or are or come within the possession
22 or control of a United States person.

23 (2) VISAS, ADMISSION, OR PAROLE.—

24 (A) IN GENERAL.—An alien who the Sec-
25 retary of State or the Secretary of Homeland

1 Security (or a designee of one of such Secre-
2 taries) knows, or has reason to believe, is de-
3 scribed in subsection (a) is—

4 (i) inadmissible to the United States;

5 (ii) ineligible for a visa or other docu-
6 mentation to enter the United States; and

7 (iii) otherwise ineligible to be admitted
8 or paroled into the United States or to re-
9 ceive any other benefit under the Immigra-
10 tion and Nationality Act (8 U.S.C. 1101 et
11 seq.).

12 (B) CURRENT VISAS REVOKED.—

13 (i) IN GENERAL.—The issuing con-
14 sular officer, the Secretary of State, or the
15 Secretary of Homeland Security (or a des-
16 ignee of one of such Secretaries) shall, in
17 accordance with section 221(i) of the Im-
18 migration and Nationality Act (8 U.S.C.
19 1201(i)), revoke any visa or other entry
20 documentation issued to an alien described
21 in subparagraph (A) regardless of when
22 the visa or other entry documentation is
23 issued.

24 (ii) EFFECT OF REVOCATION.—A rev-
25 ocation under clause (i)—

1 (I) shall take effect immediately;
2 and
3 (II) shall automatically cancel
4 any other valid visa or entry docu-
5 mentation that is in the alien's pos-
6 session.

7 (c) IMPLEMENTATION; PENALTIES.—

8 (1) IMPLEMENTATION.—The President may ex-
9 ercise all authorities provided to the President under
10 sections 203 and 205 of the International Emer-
11 gency Economic Powers Act (50 U.S.C. 1702 and
12 1704) to carry out this section.

13 (2) PENALTIES.—The penalties provided for in
14 subsections (b) and (c) of section 206 of the Inter-
15 national Emergency Economic Powers Act (50
16 U.S.C. 1705) shall apply to a person that violates,
17 attempts to violate, conspires to violate, or causes a
18 violation of regulations promulgated to carry out
19 this section to the same extent that such penalties
20 apply to a person that commits an unlawful act de-
21 scribed in section 206(a) of that Act.

22 (d) WAIVER.—The President may waive the applica-
23 tion of sanctions imposed with respect to a foreign person
24 or foreign financial institution under this section if the
25 President certifies to the appropriate congressional com-

1 mittees not later than 15 days before such waiver is to
2 take effect that the waiver is vital to the national security
3 interests of the United States.

4 (e) EXCEPTION FOR HUMANITARIAN ASSISTANCE.—

5 An internationally recognized humanitarian organization
6 shall not be subject to sanctions under this section with
7 respect to—

8 (1) engaging in a financial transaction relating
9 to humanitarian assistance or for humanitarian pur-
10 poses pursuant to a waiver issued under subsection
11 (d);

12 (2) transporting goods or services that are nec-
13 essary to carry out operations relating to humani-
14 tarian assistance or humanitarian purposes pursuant
15 to such a waiver issued under subsection (d); or

16 (3) having merely incidental contact, in the
17 course of providing humanitarian assistance or aid
18 for humanitarian purposes pursuant to a waiver
19 issued under subsection (d) with individuals who are
20 under the control of a foreign person subject to
21 sanctions under this section.

22 **SEC. 6. EXPANSION OF NORTH KOREA SANCTIONS AND**
23 **POLICY ENHANCEMENT ACT OF 2016.**

24 The North Korea Sanctions and Policy Enhancement
25 Act of 2016 is amended as follows:

1 (1) In section 401(a) (22 U.S.C. 9251(a))—

2 (A) in paragraph (5), by striking “and” at
3 the end;

4 (B) in paragraph (6), by striking the pe-
5 riod at the end and inserting “; and”; and

6 (C) by adding at the end the following:

7 “(7) halting material support (as such term is
8 defined in section 6 of the Stopping the Transfer of
9 Pyongyang’s Proliferation to Enhance Russia Act)
10 for Russia’s illegal war in Ukraine.”.

11 (2) In section 402(2) (22 U.S.C. 9252(2))—

12 (A) in subparagraph (D), by striking
13 “and” at the end;

14 (B) in subparagraph (E)(ii), by striking
15 the period at the end and inserting “; and”;
16 and

17 (C) by adding at the end the following:

18 “(F) halting material support (as such
19 term is defined in section 6 of the Stopping the
20 Transfer of Pyongyang’s Proliferation to En-
21 hance Russia Act) for Russia’s illegal war in
22 Ukraine.”.

23 **SEC. 7. REPORT.**

24 (a) IN GENERAL.—Not later than 90 days after the
25 date of the enactment of this Act, and every 180 days

1 thereafter, the President shall submit to the appropriate
2 congressional committees a report that describes signifi-
3 cant activities by the Democratic People’s Republic of
4 Korea to support the Russian Federation and its proxies
5 in Russia’s illegal war in Ukraine.

6 (b) MATTERS TO BE INCLUDED.—The report re-
7 quired by this section shall include the following:

8 (1) The identity and nationality of foreign per-
9 sons and foreign financial institutions that are sub-
10 ject to sanctions under section 3.

11 (2) A description of the conduct engaged in by
12 such persons and institutions.

13 (3) An assessment of the extent to which a for-
14 eign government has provided material support to
15 the Government of North Korea or any person act-
16 ing for or on behalf of that Government to conduct
17 significant activities to materially support Russia’s
18 illegal war in Ukraine.

19 (4) A United States strategy to counter North
20 Korea’s efforts to conduct significant activities to
21 support Russia’s war in Ukraine, that includes ef-
22 forts to engage foreign governments to halt the ca-
23 pability of the Government of North Korea and per-
24 sons acting for or on behalf of that Government to

1 conduct significant activities supporting Russia’s il-
2 legal war in Ukraine.

3 (c) FORM.—The report required by this section shall
4 be submitted in unclassified form, but may include a clas-
5 sified annex.

6 **SEC. 8. DEFINITIONS.**

7 In this Act:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means the Committee on Foreign Affairs of
11 the House of Representatives and the Committee on
12 Foreign Relations of the Senate.

13 (2) FOREIGN FINANCIAL INSTITUTION.—The
14 term “foreign financial institution”—

15 (A) has the meaning given that term in
16 section 1010.605 of title 31, Code of Federal
17 Regulations; and

18 (B) includes a foreign central bank.

19 (3) MATERIAL SUPPORT.—The term “material
20 support” has the meaning given the term “material
21 support or resources” in section 2339A of title 18,
22 United States Code.

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