

In the Senate of the United States,

December 28, 2012.

Resolved, That the bill from the House of Representatives (H.R. 1464) entitled “An Act to develop a strategy for assisting stateless children from North Korea, and for other purposes.”, do pass with the following

AMENDMENTS:

Strike all after the enacting clause and insert the following:

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

2 *This Act may be cited as the “North Korean Child Wel-*
3 *fare Act of 2012”.*

4 ***SEC. 2. SENSE OF CONGRESS.***

5 *It is the sense of Congress that—*

6 *(1) hundreds of thousands of North Korean chil-*
7 *dren suffer from malnutrition in North Korea, and*
8 *North Korean children or children of one North Ko-*
9 *rean parent who are living outside of North Korea*
10 *may face statelessness in neighboring countries; and*

(2) *the Secretary of State should advocate for the best interests of these children, including, when possible, facilitating immediate protection for those living outside North Korea through family reunification or, if appropriate and eligible in individual cases, domestic or international adoption.*

SEC. 3. DEFINITIONS.

In this Act:

(1) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—*The term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.*

(2) *HAGUE COUNTRY.*—*The term “Hague country” means a country where the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague May 29, 1993, has entered into force and is fully implemented.*

(3) *NON-HAGUE COUNTRY.*—*The term “non-Hague country” means a country where the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague May 29, 1993, has not entered into force.*

1 **SEC. 4. BRIEFINGS ON THE WELFARE OF NORTH KOREAN**
2 **CHILDREN.**

3 (a) *IN GENERAL.*—*The Secretary of State shall des-*
4 *ignate a representative to regularly brief the appropriate*
5 *congressional committees in an unclassified setting on*
6 *United States Government efforts to advocate for the best*
7 *interests of North Korean children and children of one*
8 *North Korean parent, including efforts to address, when ap-*
9 *propriate, the adoption of such children living outside*
10 *North Korea without parental care.*

11 (b) *CONTENTS.*—*The Secretary's designee shall be pre-*
12 *pared to address in each briefing the following topics:*

13 (1) *The analysis of the Department of State of*
14 *the challenges facing North Korean children residing*
15 *outside North Korea and challenges facing children of*
16 *one North Korean parent in other countries who are*
17 *fleeing persecution or are living as de jure or de facto*
18 *stateless persons.*

19 (2) *Department of State efforts to advocate for*
20 *the best interest of North Korean children residing*
21 *outside North Korea or children of one North Korean*
22 *parent living in other countries who are fleeing perse-*
23 *cution or are living as de jure or de facto stateless*
24 *persons, including, when possible, efforts to address*
25 *the immediate care and family reunification of these*
26 *children, and, in individual cases where appropriate,*

1 *the adoption of eligible North Korean children living*
2 *outside North Korea and children of one North Ko-*
3 *rean parent living outside North Korea.*

4 *(3) Department of State efforts to develop a com-*
5 *prehensive strategy to address challenges that United*
6 *States citizens would encounter in attempting to*
7 *adopt, via intercountry adoption, North Korean-ori-*
8 *gin children residing in other countries or children of*
9 *one North Korean parent residing outside North*
10 *Korea who are fleeing persecution or are living as de*
11 *jure or de facto stateless persons, including efforts to*
12 *overcome the complexities involved in determining ju-*
13 *risdiction for best interest determinations and adop-*
14 *tion processing, if appropriate, of those who habit-*
15 *ually reside in a Hague country or a non-Hague*
16 *country.*

17 *(4) Department of State diplomatic efforts to en-*
18 *courage countries in which North Korean children or*
19 *children of one North Korean parent are fleeing perse-*
20 *cution or reside as de jure or de facto stateless persons*
21 *to resolve issues of statelessness of North Koreans re-*
22 *siding in that country.*

23 *(5) Department of State efforts to work with the*
24 *Government of the Republic of Korea to establish pilot*
25 *programs that identify, provide for the immediate*

1 *care of, and assist in the family reunification of*
2 *North Korean children and children of one North Ko-*
3 *rean parent living within South Korea and other*
4 *countries who are fleeing persecution or are living as*
5 *de jure or de facto stateless persons.*

Amend the title so as to read: “An Act to express the sense of Congress regarding North Korean children and children of one North Korean parent and to require the Department of State regularly to brief appropriate congressional committees on efforts to advocate for and develop a strategy to provide assistance in the best interest of these children.”.

Attest:

Secretary.

112TH CONGRESS
2^D SESSION

H.R. 1464

AMENDMENTS