

104TH CONGRESS
1ST SESSION

H. J. RES. 83

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19 (legislative day, SEPTEMBER 5), 1995

Received; read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

Relating to the United States-North Korea Agreed Framework and the obligations of North Korea under that and previous agreements with respect to the denuclearization of the Korean Peninsula and dialogue with the Republic of Korea.

Whereas the United States-Democratic People's Republic of Korea Agreed Framework ("Agreed Framework"), entered into on October 21, 1994, between the United States and North Korea, requires North Korea to stop and eventually dismantle its graphite-moderated nuclear reactor program and related facilities, and comply fully with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, in exchange for alternative energy sources, including interim supplies of heavy fuel oil for electric generators and more proliferation-resistant light water reactor technology;

Whereas the Agreed Framework also commits North Korea to "consistently take steps to implement the North-South

Joint Declaration on the Denuclearization of the Korean Peninsula” and “engage in North-South” dialogue with the Republic of Korea;

Whereas the Agreed Framework does not indicate specific criteria for full normalization of relations between the United States and North Korea, and does not link the sequencing of actions in the Agreed Framework with any time-frame for carrying out the provisions of the North-South Joint Declaration on the Denuclearization of the Korean Peninsula and carrying out the dialogue between North Korea and the Republic of Korea;

Whereas the commitment by North Korea to carry out the letter and spirit of the Agreed Framework has been put into doubt by actions of North Korea since October 21, 1994, including the suspected diversion of United States heavy fuel oil in apparent contravention of the agreed purpose of the interim fuel deliveries, the resistance to accepting light water reactors from the Republic of Korea, the harsh denunciations of the Government of the Republic of Korea and other actions contrary to the commitment by North Korea to engage in a dialogue with such Government, and the continued conduct of provocative, offensive oriented military exercises; and

Whereas the nuclear threat posed by North Korea is just one of a number of security concerns of the United States arising out of the policies of North Korea: Now, therefore, be it

- 1 *Resolved by the Senate and House of Representatives*
- 2 *of the United States of America in Congress assembled,*

1 **SECTION 1. CLARIFICATION OF NUCLEAR NONPROLIFERA-**
2 **TION OBLIGATIONS OF NORTH KOREA**
3 **UNDER THE AGREED FRAMEWORK.**

4 It is the sense of the Congress that in discussions
5 or negotiations with the Government of North Korea pur-
6 suant to the implementation of the United States-Demo-
7 cratic People's Republic of Korea Agreed Framework (in
8 this joint resolution referred to as the "Agreed Frame-
9 work"), entered into on October 21, 1994, the President
10 should uphold the following minimum conditions relating
11 to nuclear nonproliferation:

12 (1) All spent fuel from the graphite-moderated
13 nuclear reactors and related facilities of North
14 Korea should be removed from the territory of North
15 Korea as is consistent with the Agreed Framework.

16 (2) The International Atomic Energy Agency
17 should have the freedom to conduct any and all in-
18 spections that it deems necessary to fully account for
19 the stocks of plutonium and other nuclear materials
20 in North Korea, including special inspections of sus-
21 pected nuclear waste sites, before any nuclear com-
22 ponents controlled by the Nuclear Supplier Group
23 Guidelines are delivered for a light water reactor for
24 North Korea.

25 (3) The dismantlement of all declared graphite-
26 based nuclear reactors and related facilities in North

1 Korea, including reprocessing units, should be com-
2 pleted in accordance with the Agreed Framework
3 and in a manner that effectively bars in perpetuity
4 any reactivation of such reactors and facilities.

5 (4) The United States should suspend actions
6 described in the Agreed Framework if North Korea
7 attempts to reload its existing 5 megawatt nuclear
8 reactor or resumes construction of nuclear facilities
9 other than those permitted to be built under the
10 Agreed Framework.

11 **SEC. 2. ROLE OF THE REPUBLIC OF KOREA UNDER THE**
12 **AGREED FRAMEWORK.**

13 It is further the sense of the Congress that the Re-
14 public of Korea should play the central role in the project
15 to provide light water reactors to North Korea under the
16 Agreed Framework.

17 **SEC. 3. FURTHER STEPS TO PROMOTE UNITED STATES SE-**
18 **CURITY AND POLITICAL INTERESTS WITH RE-**
19 **SPECT TO NORTH KOREA.**

20 It is further the sense of the Congress that, after the
21 date of the enactment of this joint resolution, the Presi-
22 dent should not take further steps toward upgrading diplo-
23 matic relations with North Korea beyond opening liaison
24 offices, or relaxing trade and investment barriers imposed
25 against North Korea without—

1 (1) action by the Government of North Korea
2 to engage in a North-South dialogue with the Gov-
3 ernment of the Republic of Korea;

4 (2) significant progress toward implementation
5 of the North-South Joint Declaration on the
6 Denuclearization of the Korean Peninsula; and

7 (3) progress toward the achievement of several
8 long-standing United States policy objectives regard-
9 ing North Korea and the Korean Peninsula, includ-
10 ing—

11 (A) reducing the number of military forces
12 of North Korea along the Demilitarized Zone
13 and relocating such military forces away from
14 the Demilitarized Zone;

15 (B) prohibiting any movement by North
16 Korea toward the deployment of an intermedi-
17 ate range ballistic missile system; and

18 (C) prohibiting the export by North Korea
19 of missiles and other weapons of mass destruc-
20 tion, including related technology and compo-
21 nents.

1 **SEC. 4. RESTRICTIONS ON ASSISTANCE TO NORTH KOREA**
2 **AND THE KOREAN PENINSULA ENERGY DE-**
3 **VELOPMENT ORGANIZATION.**

4 (a) IN GENERAL.—Chapter 1 of part III of the For-
5 eign Assistance Act of 1961 (22 U.S.C. 2370 et seq.) is
6 amended by adding at the end the following new section:

7 **“SEC. 620G. ASSISTANCE TO NORTH KOREA AND THE KO-**
8 **REAN PENINSULA ENERGY DEVELOPMENT**
9 **ORGANIZATION.**

10 “(a) IN GENERAL.—No assistance may be provided
11 under this Act or any other provision of law to North
12 Korea or the Korean Peninsula Energy Development Or-
13 ganization unless—

14 “(1) such assistance is provided in accordance
15 with all requirements, limitations, and procedures
16 otherwise applicable to the provision of such assist-
17 ance for such purposes; and

18 “(2) the President—

19 “(A) notifies the congressional committees
20 specified in section 634A(a) of this Act prior to
21 the obligation of such assistance in accordance
22 with the procedures applicable to
23 reprogramming notifications under that section,
24 irrespective of the amount of the proposed obli-
25 gation of such assistance; and

1 “(B) determines and reports to such com-
2 mittees that the provision of such assistance is
3 vital to the national interests of the United
4 States.

5 “(b) EXCEPTION.—The requirement of subsection
6 (a)(2) shall not apply with respect to assistance authorized
7 to be appropriated and appropriated for North Korea or
8 the Korean Peninsula Energy Development Organiza-
9 tion.”.

10 (b) EFFECTIVE DATE.—Section 620G of the Foreign
11 Assistance Act of 1961, as added by subsection (a), ap-
12 plies with respect to assistance provided to North Korea
13 or the Korean Peninsula Energy Development Organiza-
14 tion on or after the date of the enactment of this joint
15 resolution.

 Passed the House of Representatives September 18,
1995.

Attest:

ROBIN H. CARLE,

Clerk.