

119TH CONGRESS
2D SESSION

S. _____

To expedite the provision of humanitarian assistance, including life-saving medical care, to the people of North Korea, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To expedite the provision of humanitarian assistance, including life-saving medical care, to the people of North Korea, 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 “Enhancing North
5 Korea Humanitarian Assistance Act of 2026”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Providing humanitarian assistance, includ-
9 ing to countries subject to sanctions imposed by the
10 United States, is an expression of American values

1 that furthers United States interests around the
2 world and is consistent with international humani-
3 tarian law and promoting peace.

4 (2) As of 2025, roughly 11,800,000 people in
5 North Korea are in urgent need of food assistance
6 and roughly 10,400,000 need nutrition support and
7 improved access to basic services, including health
8 care, water, sanitation, and hygiene facilities.

9 (3) More than 45 percent of people in North
10 Korea are undernourished, and 1 out of every 5 chil-
11 dren in the country younger than 5 years of age is
12 stunted in growth.

13 (4) One-third of household drinking water in
14 North Korea is contaminated.

15 (5) Independent experts have identified severe
16 deficiencies in North Korea's public health infra-
17 structure, trained medical personnel, ability to com-
18 municate important safety information, and the abil-
19 ity to address those deficiencies.

20 (6) North Korea has one of the highest burdens
21 of tuberculosis in the world and humanitarian assist-
22 ance is critical for countering the spread of deadly
23 infectious diseases such as tuberculosis.

24 (7) North Korea cannot reliably maintain
25 stocks of drugs to treat diseases such as tuberculosis

1 posing the risk of interrupted treatments, which can
2 lead to treatment failures and resistance to multiple
3 therapies that make treatment significantly more
4 difficult and costly.

5 (8) In its final report published on August 28,
6 2020, the United Nations Panel of Experts on
7 North Korea found that “there can be little doubt
8 that United Nations sanctions have had unintended
9 effects on the humanitarian situation and aid oper-
10 ations within the Democratic People’s Republic of
11 Korea”.

12 (9) Barriers to humanitarian access can result
13 from decisions made or delayed by the Government
14 of North Korea, by the governments of other coun-
15 tries, including the Governments of the United
16 States and the People’s Republic of China, and by
17 the Committee of the United Nations Security Coun-
18 cil established by United Nations Security Council
19 Resolution 1718 (2006) (referred to in this Act as
20 the “1718 Sanctions Committee”).

21 (10) Nongovernmental organizations that pro-
22 vide humanitarian assistance in North Korea must
23 typically seek simultaneous authorizations from the
24 Department of the Treasury, the Department of
25 State, the Department of Commerce, the 1718 Sanc-

1 tions Committee, customs officials in the People’s
2 Republic of China, and the Government of North
3 Korea, adding further delays to humanitarian ac-
4 cess.

5 (11) The 1718 Sanctions Committee issued the
6 document entitled “Implementation Assistance No-
7 tice No. 7” on August 6, 2018, to clarify the process
8 for granting requests for humanitarian exemptions
9 by the United Nations and to reaffirm that sanc-
10 tions are not intended to have adverse humanitarian
11 consequences for civilians in North Korea. That
12 guidance was updated on December 1, 2020, to help
13 streamline permissions for COVID–19 related aid
14 and to extend humanitarian waivers from 6 to 9
15 months. It was updated again on June 2, 2023, to
16 further streamline the exemption process and to re-
17 flect United Nations Security Council Resolution
18 2664 (2022), which created a standing humanitarian
19 carve-out from the asset-freeze measures while leav-
20 ing other sanctions measures subject to case-by-case
21 exemptions.

22 (12) United States Government travel restric-
23 tions impede the access of United States employees
24 of humanitarian organizations inside North Korea
25 and can complicate the monitoring and evaluation

1 procedures that nongovernmental organizations have
2 used to ensure that aid reaches the most vulnerable
3 populations.

4 (13) Humanitarian exceptions in comprehensive
5 sanctions programs, such as the exceptions under
6 section 510.512 of the North Korea Sanctions Regu-
7 lations, are not effective unless the persons who pro-
8 vide assistance along with their financial institu-
9 tions, suppliers, shippers, and other entities can
10 make practical use of the exceptions, including the
11 ability to make use of humanitarian exemptions
12 without delay or extended review periods.

13 **SEC. 3. SENSE OF CONGRESS.**

14 It is the sense of Congress that—

15 (1) national governments and multilateral au-
16 thorities must take action to mitigate documented
17 delays and ensure that sanctions imposed with re-
18 spect to North Korea do not hinder efforts to pro-
19 vide humanitarian relief to the people of North
20 Korea;

21 (2) the Department of the Treasury should pro-
22 vide timely and meaningful responses to requests for
23 specific licenses given that humanitarian organiza-
24 tions typically have a limited time to execute
25 projects that must be approved by multiple United

1 States Government agencies and foreign govern-
2 ments;

3 (3) because humanitarian assistance is unlikely
4 to enable large-scale sanctions evasion and revenue
5 generation, sanctions enforcement should focus on
6 ongoing North Korean activities, including ship-to-
7 ship transfers of coal and other goods, cyberattacks,
8 and the use of forced labor abroad, all highlighted
9 in reports issued by the United Nations Panel of Ex-
10 perts on North Korea and other authoritative
11 sources;

12 (4) financial institutions should recognize and
13 consider the reputational and practical costs of im-
14 peding legitimate efforts to deliver life saving aid to
15 North Korea; and

16 (5) as of July 2026, the Department of State's
17 travel ban for humanitarian missions to North
18 Korea, introduced in 2017, is inconsistent with the
19 intent of the North Korea Sanctions and Policy En-
20 hancement Act of 2016 (22 U.S.C. 9201 et seq.),
21 which explicitly exempted work related to the repa-
22 triation of the remains of United States veterans.

1 **SEC. 4. ENHANCING EXEMPTIONS FROM UNITED STATES**
2 **SANCTIONS.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the Secretary of the
5 Treasury, acting through the Director of the Office of
6 Foreign Assets Control, shall take the following actions:

7 (1) Modify the North Korea Sanctions Regula-
8 tions to eliminate pre-activity reporting requirements
9 entirely, in line with the precedent set by previous
10 general licenses.

11 (2) Adopt a post-activity reporting process, fa-
12 cilitating urgently needed humanitarian assistance
13 without diminishing oversight or compliance.

14 (b) MODIFICATION TO NORTH KOREA SANCTIONS
15 REGULATIONS.—Not later than 90 days after the date of
16 the enactment of this Act, the Secretary of the Treasury
17 shall modify the North Korea Sanctions Regulations so
18 that personal computers and related peripherals that sup-
19 port authorized humanitarian activities by nongovern-
20 mental organizations are not considered to be “luxury
21 goods” and do not require export license from the Bureau
22 of Industry and Security, including in circumstances
23 where such items may otherwise be authorized for export
24 pursuant to section 740.14 of title 15, Code of Federal
25 Regulations, which would permit authorization for tem-
26 porary exports by United States persons traveling with

1 baggage, including certain tools of the trade, for work
2 abroad.

3 (c) MODIFICATION TO EXPORT ADMINISTRATION
4 REGULATIONS.—Not later than 90 days after the date of
5 the enactment of this Act, the Secretary of Commerce
6 shall amend the Export Administration Regulations, in-
7 cluding section 746.4(b)(1) of title 15, Code of Federal
8 Regulations, as necessary to exclude personal computers
9 and related peripheral equipment that support authorized
10 humanitarian activities by nongovernmental organizations
11 from the definition of “luxury goods”.

12 (d) GUIDANCE.—Not later than 120 days after the
13 date of the enactment of this Act, the Secretary of the
14 Treasury, acting through the Director of the Office of
15 Foreign Assets Control, shall issue plainly worded guid-
16 ance intended for financial institutions, shipping compa-
17 nies, foreign customs officials, and others involved in
18 transactions related to humanitarian assistance that—

19 (1) clarifies the applicability of the humani-
20 tarian exception under the North Korea Sanctions
21 Regulations; and

22 (2) describes best practices for ensuring that
23 activities are consistent with that exception.

24 (e) REPORT REQUIRED.—Not later than 90 days
25 after the date of the enactment of this Act, and every 120

1 days thereafter, the Secretary of the Treasury, acting
2 through the Director of the Office of Foreign Assets Con-
3 trol and in consultation with the Secretary of State, shall
4 submit to the appropriate congressional committees a re-
5 port that includes—

6 (1) a list of requests for specific licenses or
7 comfort letters related to humanitarian assistance in
8 North Korea denied by the Office of Foreign Assets
9 Control during such 120-day period, including expla-
10 nations for the denials;

11 (2) a list of requests for specific licenses or
12 comfort letters related to humanitarian assistance in
13 North Korea that have been pending for 60 days or
14 more as of the date on which the report is sub-
15 mitted, including explanations for the delays; and

16 (3) a description of recent efforts to streamline
17 the process by which nongovernmental organizations
18 engaged in humanitarian activity in North Korea
19 apply for and are granted specific licenses or com-
20 fort letters.

21 **SEC. 5. ENHANCING MULTILATERAL SANCTIONS EXEMP-**
22 **TIONS.**

23 (a) IN GENERAL.—The Secretary of State shall di-
24 rect the United States Permanent Representative to the

1 United Nations to use the voice, vote, and influence of the
2 United States to urge the United Nations—

3 (1) to extend the period for humanitarian ex-
4 emptions from the 1718 Sanctions Committee to 1
5 year and remove the limitation on exemption appli-
6 cations per organization per year;

7 (2) to apply lessons learned from expedited ap-
8 provals of requests for humanitarian exemptions
9 during the COVID–19 pandemic to speed approval
10 at the 1718 Sanctions Committee of other critical
11 exemption requests, such as requests that would ad-
12 dress urgent needs identified in the annual reports
13 of the United Nations on needs and priorities for
14 North Korea; and

15 (3) to modify applications for humanitarian ex-
16 emptions from the 1718 Sanctions Committee to be
17 less burdensome for nongovernmental organizations,
18 drawing as appropriate on successes in approaches
19 taken by other United Nations sanctions commit-
20 tees.

21 (b) REPORTING.—Not later than 90 days after the
22 date of the enactment of this Act, and every 180 days
23 thereafter, the Secretary of State shall submit to the ap-
24 propriate congressional committees a report—

1 (1) describing any requests for humanitarian
2 exemptions to the 1718 Sanctions Committee known
3 to have been denied in the 180 days preceding sub-
4 mission of the report or known to have been in proc-
5 ess for more than 60 days as of the date of the re-
6 port, and any known explanations for such denials
7 and delays;

8 (2) detailing any action by a foreign govern-
9 ment in the 180 days preceding submission of the
10 report that has delayed or impeded humanitarian as-
11 sistance approved by the 1718 Sanctions Committee,
12 including the status of obstacles to humanitarian as-
13 sistance posed by customs officials in the People's
14 Republic of China; and

15 (3) describing efforts in the 180 days preceding
16 submission of the report to establish or maintain an
17 approved banking channel for transactions related to
18 humanitarian assistance for North Korea.

19 **SEC. 6. STREAMLINING HUMANITARIAN TRAVEL AUTHOR-**
20 **IZATIONS.**

21 Not later than 90 days after the date of the enact-
22 ment of this Act, and every 120 days thereafter, the Sec-
23 retary of State shall provide to the appropriate congres-
24 sional committees a briefing—

1 (1) detailing the number of requests for special
2 validation to travel to North Korea;

3 (2) a list of requests for special validation to
4 travel to North Korea that have been pending for 60
5 days or more as of the date on which the report is
6 submitted, including explanations for the delays; and

7 (3) a list of requests for special validation to
8 travel to North Korea denied by the Department of
9 State during such 120-day period, including expla-
10 nations for the denials.

11 **SEC. 7. DEFINITIONS.**

12 In this Act:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committee on Foreign Relations
17 and the Committee on Banking, Housing, and
18 Urban Affairs of the Senate; and

19 (B) the Committee on Foreign Affairs and
20 the Committee on Financial Services of the
21 House of Representatives.

22 (2) EXPORT ADMINISTRATION REGULATIONS.—
23 The term “Export Administration Regulations”
24 means the regulations set forth in subchapter C of

1 chapter VII of title 15, Code of Federal Regulations,
2 or successor regulations.

3 (3) NORTH KOREA SANCTIONS REGULATIONS.—

4 The term “North Korea Sanctions Regulations”
5 means the regulations set forth in part 510 of title
6 31, Code of Federal Regulations, or successor regu-
7 lations.