

“Congressional Record North Korea Policy Debate 2017-2019”

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Introduction

Numerous resources document U.S. congressional policymaking activities. The *Congressional Record* is one of these resources. It has been published daily when Congress is in session since 1873 and serves as the official record of congressional proceedings and debates. This publication provides at least a partial indication of public opinion on foreign policy and other issues confronting Congress while also reflecting congressional exercise of its U.S. Constitution Article 1 funding and oversight powers. The *Congressional Record* is divided into House and Senate sections which record U.S. House of Representatives and Senate debate spoken on the floor of these legislative chambers, the text of legislation, recorded votes, and material submitted into the *Record* by Representatives and Senators. It also includes a *Daily Digest* featuring House and Senate actions reported in individual issues, listings of committee meetings held that day and scheduled for the next day; the schedule of the next meeting for each chamber; measures introduced, reported, passed, or measures under consideration while referring to the House of Senate *Congressional Record* page numbers where the action occurred. The *Extension of Remarks* section includes material inserted into the transcript by members of the House of Representatives which were not delivered on the House floor while this chamber is in session[1].

The first mention of Korean matters in congressional proceedings appears to be in President Ulysses Grant’s December 4, 1871 annual message to Congress in which he mentions he has instructed the U.S. Ambassador to China to conclude a treaty with Korea to ensure the safe and humane treatment of U.S. sailors shipwrecked in that area who had experienced barbarous treatment from that country. The first time Korea is mentioned in the *Congressional Record* is on February 24, 1879 when Joint Resolution S. 24 by was introduced by Senator Hannibal Hamlin (R-ME) authorizing the President to arrange a treaty of friendship and commerce with Korea and appropriating necessary expenses[2].

This article examines speeches, legislation, and floor debate from the January 20, 2017 beginning of the Donald Trump Administration through December 31, 2019. It will cover matters as diverse as Trump's summits with North Korean leader Kim Jong-Un, North Korean human rights violations including the death of American university student Otto Warmbier, North Korea's nuclear weapons program, military capabilities, and the implications of these for U.S. national security, the return of the physical remains of American soldiers Missing in Action (MIA) since the Korean War, and the nature of China's relationship with North Korea and what influence Beijing might have with Pyongyang, and numerous other topics [3].

2017 Developments

On April 25, 2017 Rep. Mimi Walters (R-CA) expressed concern about the behavior of the Kim-Jung Un regime mentioning her Orange County, CA district and the Korean-American population of the 45th district she represented at this estimated at this time as 30,854 or 4.35% of this district's population by a leading Korean-American advocacy organization. She noted this week marked the 85th anniversary of the founding of the North Korean Army with this institution marking this occasion by conducting a large-scale artillery drill in the coastal region of Wonsan on the Sea of Japan. Walters went on to maintain that North Korea is the top threat facing the U.S., that U.S. intelligence experts asset that Pyongyang will be able to strike the West Coast in less than four years, and that Congress condemn North Korean provocations, demand comprehensive sanctions against this regime, and support actions to secure the safety of the U.S. and its allies[4].

Following the aftermath of the North Korean murder of American university student Otto Warmbier, Rep. Joe Wilson (R-SC) announced on June 22, 2017 that he was introducing bipartisan legislation to give the Treasury Department the authority to regulate travel to North Korea through licenses with no licenses being granted for tourist travel. Wilson maintained such actions would deny North Korea the opportunity to earn income and deprive it of the ability to use innocent individuals like Warmbier as hostages[5]. The following day Rep. Keith Rothfus (R-PA) noted that in May the House had passed the Korean Interdiction and

Modernization of Sanctions Act (H.R. 1644) and urged the Senate to do the same and allow the President to put maximum pressure on North Korea[6].

More detailed analysis of North Korea's increasing military capabilities and threat to the U.S. was presented during an August 3, 2017 speech by Senator Deb Fischer (R-NE). She noted the July 4, 2017 North Korean test of a ballistic missile and a missile test the previous week indicating a missile with the capability of reaching most of the U.S. which she said Nebraskans were concerned about. Fischer also noted that during his time in power Kim Jong Un had conducted more missile tests than his father did during his 17 years in power[7].

Continuing her analysis, Fischer noted that North Korea has conducted several submarine-launched ballistic missile tests; demonstrated a solid-fueled, road-mobile ballistic missile capability in February 2017; relentlessly pursues weapons whose only intent is threatening the U.S. and its allies; and that the rapid pace of this development reflects an increasingly capable North Korean scientific industrial base. She also stressed that the United Nations Security Council's failure to issue a statement condemning such testing is a step backward in international efforts to isolate and punish Pyongyang thanks to Chinese and Russian protective action at the United Nations whom she asserts are the Kim regime's biggest enablers citing some reports contending that North Korean-Russian trade had increased 85% during the past year. Fischer also noted that North Korean ballistic missiles have been photographed being hauled by Chinese-made trucks[8].

She continued by noting that in June the U.S. announced sanctions against a Chinese bank, two Chinese individuals, and a Chinese business entity for supporting North Korea while also expressing chagrin at the lack of change in Pyongyang's behavior. She noted that China shut down South Korean department stores in response to Seoul's decision to deploy the Theater High Altitude Air Defense (THAAD) system; that the conglomerate owning these stores also owns the property where the THAAD system is deployed; that this organization's websites were hit by cyber attacks; and that unofficial restrictions apparently were imposed on China's imports of South Korean cosmetics and South Korean tourism. Fischer, the Chair of the Senate Armed Service Committee Subcommittee on Strategic Forces, went on to emphasize that this committee has

authorized additional funding to construct Long Range Discrimination Radar (LRDR) to track potential North Korean threats. She also stressed that additional options to counter North Korean technical progress include deploying additional ground-based radars and space-based sensors to improve the ability to track incoming threats, discriminate warheads from debris and decoys, and conduct kill assessments to confirm threats have been destroyed. Examples of such capability enhancements include the Redesigned Kill Vehicle Program to modernize the interceptor portion impacting and destroying hostile warheads in space along with deploying more interceptors at facilities such as Fort Greely, AK which was cancelled by the Defense Department in August 2019 due to cost and technical problems[9].

Senator Benjamin Cardin (D-MD), a member of the Senate Foreign Relations Committee, noted on September 14, 2017 criticized the Trump Administration's "maximum pressure" claiming it was yielding "minimum results." He also maintained:

If the United States continues on the path laid out by President Trump, there are only two realistic outcomes, both bad: North Korea becomes a nuclear power or a large-scale conventional war breaks out on the Korean Peninsula that would result in the loss of hundreds of thousands and possibly millions of lives[10].

Cardin proposed the U.S. should counter "maximum pressure" with an all-out "diplomatic surge" which he claimed would constrain North Korean nuclear ambitions and produce a more stable, peaceful, and prosperous Northeast Asia. He theorized that an initial surge objective would be a diplomatic process with Pyongyang verifiably halting its nuclear and ballistic missile testing with the U.S. and its allies taking unspecified steps to deescalate current Korean Peninsula tensions. He denounced Trump for engaging in bluster and provocative statements about nuclear war with Korea instead of providing "responsible leadership," and claimed that Trump "lacks the temperament and judgment to deal with this serious crisis." Cardin went on to contend the U.S. should implement a comprehensive policy including imposing additional sanctions, actively engaging with allies, vigorously supporting human rights, and pursuing multilateral measures to shape the regional environment. Examples of this policy,

in Cardin's mind, included immediate and direct engagement with Pyongyang, guided by strategic clarity, to restrict North Korea's nuclear ambitions, protect allies, and bring peninsular stability[11].

Cardin went on to argue that China would benefit from a denuclearized Korean Peninsula, that increased military tensions and war are not beneficial to Beijing's interests, and that the U.S. could work with China to compel Pyongyang to return to the negotiating table. He also contended an "America Alone" approach is not a formula for dealing with North Korea, that regional partners such as Japan and South Korea must assist the U.S., that targeted sectoral and financial actions through the United Nations Security Council make it more difficult for North Korea to support its prohibited missile and nuclear programs including financing its illegal activities, and that truly effective sanctions halting the flow of goods, finances, and materials into North Korea and cutting off the ability of that country's elite individuals to access luxury goods will produce desirable policymaking outcomes[12].

Congressional outrage over North Korea's murder of American university student Otto Warmbier led to the October 24, 2017 House introduction of H.R. 3898 the Otto Warmbier North Korea Nuclear Sanctions Act. Provisions of this legislation, (H.R. 4084 during the 116th Congress in 2019-2020), which has still not passed Congress as of February 2020, include giving the U.S. Department of the Treasury the authority to impose secondary sanctions on foreign financial institutions with anyone doing business with North Korea, essentially eliminate Pyongyang's ability to earn hard currency through North Korean laborers working abroad, and use U.S. leverage at the International Monetary Fund, World Bank, and other international financial institutions to incentivize countries to crack down on illicit North Korean activities. Speaking in support of this legislation Rep. Andy Barr (R-KY) noted that existing international financial sanctions have not paid enough attention to North Korean enablers in third countries including foreign banks and middlemen in China, Southeast Asia, and elsewhere, and UN members have failed to enforce UN Security Council resolutions against Pyongyang with North Korea retaining significant access to the international financial system. Barr also stressed that international financial institutions need to choose between doing business with either the U.S. or North Korea but not both countries, that H.R. 3898 targets banks involved with petroleum, labor,

nearly all investments, and North Korean shipping vessel use; and it targets the knowledge and technological support Pyongyang needs for its weapons programs, hacking activities, and threats against cybersecurity enabling North Korea to gain access to financing[13].

2018 Developments

2018 was an eventful year in U.S. policymaking toward North Korea highlighted by the Trump-Kim Jung Un summit in Singapore on June 12, 2018[14]. During his January 30, 2018 State of the Union address to a joint session of Congress, Trump criticized North Korea's poor human rights record, warned that North Korea's pursuit of nuclear missiles could threaten the U.S., and stressed the importance of the U.S.' "maximum pressure" campaign to prevent North Korean aggression and provocation. He went on to note University of Virginia student Otto Warmbier's death in North Korea and introduced Warmbier's parents brother and sister in the audience to congressional Representatives and Senators and to those watching the broadcast of this speech. Trump also introduced Ji-Seong Ho as another guest of his in the audience mentioning that in 1996 Ji had been a starving boy in North Korea whose limbs were amputated following being run over by a train. He briefly escaped to China, but was tortured by North Korean authorities upon returning. Eventually he escaped to China and various parts of Southeast Asia before successfully reaching South Korea where he rescues defectors and makes broadcasts into North Korea[15].

Criticism of Trump's North Korea was policy was expressed on March 22, 2018 by Rep. Sheila Jackson-Lee (D-TX) who claimed that then Secretary of State Rex Tillerson wanted to have an encounter with North Korea and maintained that former President Bill Clinton had come close with changing North Korean minds with Kim Jong-Un when she should have referred to Kim Jong-Il[16]. April 27, 2018 saw Rep. Ted Poe (R-TX) noted that North and South Korea had purportedly reached a peace agreement including denuclearization without defining what denuclearization meant. Poe argued that the North considers denuclearization as the end of the U.S.' nuclear umbrella over South Korea and that Kim Jong-Un remains committed to forcibly reunifying South Korea under Communist rule[17]. On May 10, 2018, Rep. Keith Rothfus (R-PA) praised Secretary of State Mike

Pompeo and President Trump for their work in ensuring the release of three Americans who had been held captive in North Korea[18].

Trump's June 12, 2018 summit meeting in Singapore with Kim Jung-Un produced reaction generally divided along partisan lines in *Congressional Record* floor debate. This day Rep. Poe said this summit was the first step toward complete North Korean denuclearization, praised Trump for reaching an agreement for completing the recovery of the U.S.' Korean War dead and urged the U.S. to remain firm on "complete, verifiable, and irreversible" North Korean disarmament[19]. Rep. Tulsi Gabbard (D-HI) praised the summit's agreement committing North Korea to complete denuclearization as a first step while also noting the need to be vigilant about ensuring that the details of this agreement produce complete, verifiable, irreversible North Korean denuclearization. She also noted that six months earlier people all over Hawaii received cell phone alerts saying that a ballistic missile was heading toward Hawaii producing terrified personal and social media reactions among Hawaiians[20].

The same day saw Senate Majority Leader Mitch McConnell (R-KY) congratulate the President for this summit and stress his support for administration objectives concerning Korean Peninsula denuclearization and declaring it would enhance Northeast Asian and U.S. security. However, Senate Minority Leader Charles Schumer (D-NY) noted that seeing Trump and Kim meet "was a welcome improvement to see the two of them having a dialogue rather than engaging in name-calling and saber rattling." Schumer expressed concern that there were no details about how the U.S. could verify that North Korea had disarmed; stopped enriching plutonium and uranium; that by meeting with Kim Trump had given his dictatorship long-craved international recognition; and criticized Trump for suspending U.S.-South Korean military exercises and calling them provocations. Senator Edward Markey (D-MA) echoed Schumer's criticisms while stressing that the Trump Administration must work with Congress on the details of a potential future deal with Pyongyang including a potential treaty requiring Senate ratification. Senator David Perdue (R-GA) stressed what he saw as a positive role played by Chinese President Xi Zinping in bringing North Korea to the negotiating table while also praising Trump's maximum pressure[21].

The following day Rep. Brad Sherman (D-CA) complained that relaxing sanctions against North Korea was giving Kim Jong-Un room to breathe by taking our foot off his neck and criticized Trump for tweeting “There is no longer a nuclear threat from North Korea” while sarcastically saying Trump’s *Art of the Deal* book had been reissued as *The Art of the Capitulation*. Sherman went on to complain that Trump had given Chinese bankers and businesses the “green light” to do business with North Korea. Rep. Joe Wilson (R-SC) praised the summit as a substantive step forward but urged the U.S. continue insisting North Korea take concrete and verifiable steps toward denuclearization. Rep. Roger Marshall (R-KS) expressed hope that the remains of 7,802 American soldiers who were prisoners of war or missing in action during the Korean War would be returned home[22].

June 13, 2018 Senate commentary on the Singapore summit saw Senator John Kennedy (R-LA) praised Trump for achieving this meeting while acknowledging Kim Jong-Un came to this meeting because Trump and the Congress have hit him with sanctions so severe that “he is coughing up bones.” Kennedy also asserted that Kim met with Trump because he recognizes that a U.S. military option is on the table based on two U.S. military strikes against Syria’s Assad regime. Schumer continued his criticisms from yesterday maintaining that Russia and China gained from the Singapore Summit while U.S. allies like Japan and South Korea had lost footing and faith in American reliability. Senator Elizabeth Warren (D-MA) also spoke in favor of an amendment to defense spending legislation criticizing U.S. plans to develop more usable low-yield nuclear weapons saying it would compromise U.S. ability to negotiate nuclear reductions with North Korea. Senator John Cornyn (R-TX) stressed that a nuclear-armed North Korea is a near-term belligerent threat to the U.S. in the Indo-Pacific, Senator Tom Cotton (R-AR) praised the Justice Department for conducting an investigation into the Chinese corporations Huawei and ZTE for doing business with North Korea and lying about to U.S. investigators, and Senator Joe Donnelly (D-IN) announced his support for preventing the Defense Department from doing business with Huawei or ZTE due to their selling sensitive technologies to North Korea in contravention of U.S. sanctions laws [23].

Senator Dan Sullivan (R-AK) and others introduced an amendment to the annual Defense Department spending legislation limiting the use of funds for removing U.S. military forces from the Korean Peninsula, decreasing the overall

balance of forces on or around this peninsula, and closing or abandoning any U.S. military installation on or around this peninsula[24].

North Korean involvement in cybercrime and hacking was reflected in June 25, 2018 comments supporting H.R. 5733 whose intent involves enhancing Department of Homeland Security (DHS) capability to address threats and vulnerabilities in critical infrastructures such as industrial control systems, information technology, water and energy supply, medical care, and reliable transportation systems. Supporting this legislation Rep. Jim Langevin (D-RI) stressed concern about the resignation of White House cybersecurity officials while noting that DHS officials had recently announced North Korea was increasing its cyber intrusions of U.S. and other countries critical infrastructure. This legislation passed the House on September 26, 2018 and referred to the Senate. but was not passed by the Senate during the 115th Congress (2017-2018)[25].

On June 25, 2018, Rep. Ileana Ros-Lehtinen spoke in favor of H.R. 2061 reauthorizing the 2004 North Korean Human Rights Act. She favored amending this legislation by noting that a United Nations report emphasized the persecution of religious minorities, particularly Christians, in North Korea. Provisions of this legislation include recommending that the U.S. explore emerging technologies and expanding nongovernmental radio broadcasting to North Korea; allowing the United Nations High Commissioner for Refugees to have unimpeded access to North Koreans in China to determine if they require protection as refugees; the U.S. should continue blocking travel to North Korea by U.S. passport holders by warning them of the dangers of such travel; and the State Department and Broadcasting Board of Governors should submit an annual report to Congress with detailed plans for improving broadcasting content sent to North Korea. This legislation was enacted as Public Law 115-198 on July 20, 2018[26].

Senator Fischer addressed the need to support funding for the Defense Department's Prisoner of War/Missing in Action Accounting Agency (DPAA). She noted that a recent agreement between the U.S. and North Korea saw the potential remains of over 55 boxes of DOD personnel from the Korean war in July who now require processing and identification. She noted North Korean officials saying they have as many as 200 sets of remains recovered since the war, but that

there are still 5,300 U.S. military personnel listed as missing in action or presumed dead during this conflict whose remains are still located in North Korea[27].

On September 26, 2018, Representative Scott Tipton (R-CO) introduced H.R. 6332 the Improving Strategies to Counter Weapons Proliferation Act. This legislation's intent was studying how financial institutions, intelligence agencies, and law enforcement share information about know weapons financing activities to enhance identification of such activities. Speaking in favor of this legislation Rep. Reuben Kihuen (D-NV) commented that increasing proliferation threats from countries such as North Korea would give the reports required by this legislation the ability to inform Congress about terrorist financing and anti-money laundering work the U.S. Financial Crimes Enforcement Center is doing to combat financing the manufacturing and delivery of weapons of mass destruction. H.R. 6332 passed the House on this day and was referred to the Senate[28].

Symbolic House Resolution (H.Res.) 1149 on December 11, 2018 recognizing the South Korean-U.S. alliance received bipartisan support and House approval on this day. Rep. Edward Royce (R-CA) mentioned that North Korea has the world's fourth largest military with potentially as many as 60 nuclear weapons and 2,500-5,000 metric tons of chemical weapons, noted the contrast between Seoul's vibrant democracy and Pyongyang's numerous human rights violations, the initial arrival of Koreans in the U.S. in 1903 and their contributions to American society, and recent revelations about previously unknown North Korean missile bases. Rep. Elliott Engel (D-NY) noted the strength of the South Korean-U.S. alliance, stressed that Congress should continue providing room for diplomacy and humanitarian assistance to North Korea, and stressed the need for a holistic U.S. strategy to supplement sanctions[29].

On December 19, 2018, Senators Cory Gardner (R-CO) and Chris Coons (D-DE) introduced Senate Resolution (S.Res.) 736 calling for establishing a Cyber-League of Indo-Pacific States. Gardner noted the increasing prevalence of Chinese and Russian cyberthreats while also noting North Korean cybercrime reference in the *2018 Worldwide Threat Assessment* by the Director of National Intelligence which noted:

We expect the heavily sanctioned North Korea to use cyber operations to raise funds and to gather intelligence or launch attacks on South Korea and

the United States....North Korean actors developed and launched the WannaCry ransomware in May 2017, judging from technical links to previously identified North Korean cyber tools, tradecraft, and operational infrastructures. We also assess that these actors conducted the cyber theft of \$81 million from the Bank of Bangladesh in 2016.[30].

2019 Developments

2019 saw continued congressional reaction to Trump Administration North Korean policies including the Trump-Kim summit in Hanoi on February 25 and their brief meeting in the Demilitarized Zone on June 30, 2019[31]. A February 13, 2019 debate on the historically contentious subject of congressional war powers, focusing on U.S. withdrawing U.S. military forces from Yemen, saw Rep. Tom Cole (R-OK) express concern that passage of H. Joint Res. 37 would jeopardize the U.S.' security agreements with 117 countries. He maintained that passage of this resolution would cause allies such as South Korea and Japan to question the U.S.' ability to continue supporting them if there was war with North Korea. This resolution passed the House on this day and was referred to the Senate[32].

Schumer continued his criticism of Trump's summitry with Kim on January 25, 2019 by mistakenly saying the summit was occurring in Thailand than accusing the President of making concessions without receiving "verifiable, enduring, and concrete commitments from North Korea to denuclearize." The Senate Minority Leader also maintained that Trump should not have suspended U.S. military exercises with South Korea. Senator Jack Reed (D-RI) echoed Schumer's criticisms claiming that Trump had undermined the South Korean-U.S. alliance by describing joint military exercises as provocative, the U.S. and North Korea failing to create an agreed-upon negotiating path for both parties; that the U.S. should have produced a joint declaration from North Korea committing that country to "complete, verifiable, and irreversible denuclearization"; a catalog of all North Korean nuclear weapons, programs, and facilities; that Japanese and South Korean concerns must be represented in North Korean-U.S. talks; and that China is concerned that it does not end up with a U.S.-allied and reunified Korea on its

border and Beijing's desire to drive a wedge between the U.S. and its allies to enhance itself as a regional hegemon[33].

The February 27, 2019 *Congressional Record* noted that the House Foreign Relations Committee was going to receive a closed briefing on North Korean denuclearization efforts after Hanoi. On February 28, 2019 Senate Majority Leader McConnell stressed that the Obama Administration's Strategic Patience policy toward North Korea had not worked and praised Trump for adopting the maximum pressure policy and rallying the international community to respond to North Korean provocations. He commended the President for walking away from the summit when it was clear North Korea had not made satisfactory denuclearization process. McConnell went on to stress that China and other countries with influence over Kim Jong Un would urge him to return to the negotiating table and grab the opportunity to enhance North Korean prosperity and bring peace and stability to the Korean Peninsula and region, Schumer and Senator Lamar Alexander (R-TN) also praised Trump for walking away. Schumer went on to praise Trump for walking out of the Hanoi summit with Kim and urged Trump to stand up to China on trade negotiations. This same day also saw the Senate Foreign Relations Committee receive a closed briefing from Stephen Biegun, the State Department's Special Representative for North Korea on the status of North Korean denuclearization following Hanoi[34].

Continued partisan sniping at Trump was expressed on May 16, 2019 by Senator Thomas Carper (D-DE) who claimed Trump and given Pyongyang unprecedented concessions in hoping they would abandon their nuclear program while abandoning the Iranian nuclear agreement which Carper claimed would benefit a country with a growing moderate population. Various North Korea related amendments were submitted on June 18, 2019 to annual defense spending legislation by various Senators. Senate Amendment (SA) 636 by Senator Edward Markey (D-MA) called for a \$10 million increase to nuclear nonproliferation funding directed toward developing and preparing long-term monitoring and verification for potential North Korean nuclear denuclearization[35].

SA 643 by a bipartisan group of Senators called for continuing U.S. sanctions on North Korea, consistent messaging on North Korean policy from all U.S. executive

branch agencies, prohibiting international joint business ventures with North Korea, requiring a presidential report on foreign sources of support for North Korea, requiring the Treasury Department to conduct a congressional briefing on whether foreign financial institutions assisting North Korea are using using licit and illicit means to take a risk-based approach to such financing. This amendment also instructed the Director of National Intelligence to prepare a report to Congress on whether countries including China, Iran, North Korea, and Russia are exerting covert influence over other countries; and requiring various U.S. intelligence agencies to produce assessments of North Korean revenue sources in areas such as natural resources trade, providing fishing rights in North Korean territorial waters, textile sales, conventional military sales; exporting North Korean workers to remit money back to North Korea; online commercial activities including gambling; criminal activities including cybercrime and counterfeit goods; and financial and non-financial networks North Korea uses to access U.S. and international financial systems to repatriate and export capital, goods, and services. These provisions were incorporated into the 2020 defense spending law signed by President Trump on December 19, 2019[36].

On June 25, 2019 Senate Armed Services Committee Chair Jim Inhofe (R-OK) warned that North Korea was continuing to pursue its nuclear program, promoting instability, and seeking to increase its regional influence. Senator James Risch (R-ID) also contended that North Korea's security threat had been reduced as a result of U.S. policies[37]. During July 11, 2019 House debate on defense spending legislation Rep. Ro Khanna (D-CA) asserted that diplomacy was the key to Korean Peninsula policymaking and referenced a Congressional Research Service assessment which claimed that as many as 500,000 civilians, including Americans, could be killed in the first few minutes of a Korean Peninsula war, and that millions would be killed if this war became nuclear. Khanna also urged the U.S. to sign a nonaggression pact with Pyongyang to assure the North Koreans that the U.S. is not interested in regime change and wants a permanent peace[38].

Conclusion:

The *Congressional Record* serves as the substantially verbatim transcript of U.S. congressional debates, votes, and legislation providing a vitally important

resource for those studying how Congress debates and seeks to implement legislative branch policy toward North and South Korea. At its best, the *Congressional Record* can produce substantive legislation and insightful observations on U.S. and international policy toward North Korea. It can also reflect the variety of North Korean topics addressed by Congress encompassing human rights and other humanitarian matters, military security and other diplomatic topics, economic sanctions, and the return of Korean War POW remains to the U.S.

At its worst, *Congressional Record* transcripts can involve congressional posturing, demagoguery, and ad hominem attacks by legislators against Presidents or legislators of the opposing party. This has been particularly prevalent during the Trump Administration, but has also occurred regardless of the president's political party or which party(ies) have controlled the House of Representatives or Senate during a given two year congressional session during the seven decades since the Korean War.

Congress will continue debating historic and contemporary North Korean and other Korean Peninsula topics. This debate will also include analysis and debate on emerging topics including the possibility of South Korea developing a nuclear powered submarine deterrent and to what extent the U.S. should support or oppose this potential development and its impact on the regional security calculus[39]. The *Congressional Record* remains an essential resource for those analyzing congressional policymaking on North Korea and how it impacts overall U.S. government and military policymaking toward Pyongyang due to Congress' exercising Article I powers under the U.S. Constitution and its role as at least a partial indicator of U.S. public opinion.

References

[1]U.S. Government Publishing Office, "Congressional Record (Daily, 1994 to Present: About the Congressional Record," (Washington, DC: GPO, 2020): 1-3; <https://www.govinfo.gov/help/crec#about>; Accessed February 7, 2020; and Michelle M. Springer, "The Congressional Record: 'Substantially a Verbatim

Report?”, *Government Publications Review*, 13 (3)(May-June 1986): 371-378;
[https://doi.org/10.1016/0277-9390\(86\)90095-6](https://doi.org/10.1016/0277-9390(86)90095-6)

[2]See *Journal of the House of Representatives of the United States*, 72 (December 4, 1871): 19; http://memory.loc.gov/cgi-bin/ampage?collId=llhj&fileName=072/llhj072.db&recNum=18&itemLink=D?hlaw:2:/temp/~ammem_Z5dt::%230720019&linkText=1; Accessed May 12, 2021; *Congressional Record*, 8 (2)(February 24, 1879): 1806; <https://www.govinfo.gov/content/pkg/GPO-CRECB-1879-pt2-v8/pdf/GPO-CRECB-1879-pt2-v8-19.pdf>; Accessed May 12, 2021; and *Hannibal Hamlin, 1809-1891, Biographical Directory of the United States Congress*, (Washington, DC: 2021); <https://bioguide.congress.gov/search/bio/H000121>; Accessed May 12, 2021. Korea is spelled “Corea” in early years of the *Congressional Record* and other U.S. government documents including *Foreign Relations of the United States*.

[3]Timothy S. Boylan and Karen M. Kedrowski, “The Constitution and War Power: What Motivates Congressional Behavior,” *Armed Forces & Society*, 30 (4)(Summer 2004): 539-570; <https://doi.org/10.1177%2F0095327X0403000403>; Andrei Shigin and Sergei Shinin, “After the Singapore Summit: The American Strategy for Denuclearizing North Korea,” *Far Eastern Affairs*, 47 (1)(2019): 64-DOI:10.31857/S013128120001137-1; Jong-Kon Seu, “Agreements Without Commitments? The U.S. Congress and the U.S.-North Korea Agreed Framework, 1994-2002,” *Korean Journal of Defense Analysis*, 27 (1)(March 2015): 107-122.

[4]*Congressional Record*, 163 (70)(April 25, 2017): H2818, <https://www.govinfo.gov/content/pkg/CREC-2017-04-25/pdf/CREC-2017-04-25-house.pdf>; Accessed February 10, 2020; and Korean Americans in Action, “Congressional Districts,” 2019; 12; <https://kaaction.org/116th-congress/>; Accessed February 10, 2020.

[5]*Ibid.*, 163 (107)(June 22, 2017): H5056; <https://www.govinfo.gov/content/pkg/CREC-2017-06-22/pdf/CREC-2017-06-22-house.pdf>; Accessed February 10, 2018.

[6]*Ibid.*, 163 (108)(June 23, 2017): H5125; <https://www.govinfo.gov/content/pkg/CREC-2017-06-23/pdf/CREC-2017-06-23-house.pdf>; Accessed February 10, 2018.

[7]Ibid., 163 (132)(August 3, 2017): S4793;
<https://www.govinfo.gov/content/pkg/CREC-2017-08-03/pdf/CREC-2017-08-03-senate.pdf>; Accessed February 10, 2020.

[8]Ibid., S4793-4794.

[9]Ibid., S4794; and Paul McCleary, “Pentagon Cancels Multi-Billion Boeing Missile Defense Program, *Breaking Defense*, (August 21, 2019): 1;
<https://breakingdefense.com/2019/08/pentagon-cancels-multi-billion-boeing-missile-defense-program/>; Accessed February 10, 2020.

[10]Ibid., 163 (149)(September 14, 2017): S5739;
<https://www.govinfo.gov/content/pkg/CREC-2017-09-14/pdf/CREC-2017-09-14-senate.pdf>; Accessed February 11, 2020.

[11]Ibid., S5739-5740.

[12]Ibid., S5740-5741.

[13]Ibid., 163, (171)(October 24, 2017): H8099-H8101;
<https://www.govinfo.gov/content/pkg/CREC-2017-10-24/pdf/CREC-2017-10-24-house.pdf>; Accessed February 11, 2020; United Nations Security Council, *Letter Dated 28 August 2017 from the Panel of Experts Established Pursuant to Resolution 1874 (2009) Addressed to the President of the Security Council*, (New York: United Nations Security Council, (5 September 2017): 4-5, 21-28;
<https://www.undocs.org/S/2017/742>; Accessed February 11, 2020; “H.R.3898 - Otto Warmbier North Korea Nuclear Sanctions Act,”
<https://congress.gov/bill/115th-congress/house-bill/3898/actions?KWICView=false>; Accessed February 12, 2020; and “A Bill to Impose Sanctions with Respect to the Democratic People’s Republic of Korea, and for Other Purposes,” <https://www.govinfo.gov/content/pkg/HOB-2019/html/HOB-2019-hr4084.htm>; Accessed February 12, 2020.

[14] “Joint Statement by President Trump and Chairman of the State Affairs Commission Kim Jong Un of North Korea,” *Daily Compilation of Presidential Documents*, (June 12, 2018): 1-2; <https://www.govinfo.gov/content/pkg/DCPD-201800422/pdf/DCPD-201800422.pdf>; Accessed February 12, 2020.

[15] *Congressional Record*, 164 (20)(January 30, 2018): H730; <https://www.govinfo.gov/content/pkg/CREC-2018-01-30/pdf/CREC-2018-01-30-house.pdf>; Accessed February 12, 2020; video archive of speech at <https://www.c-span.org/video/?439496-1/president-trump-delivers-state-union-address> with reference to Warmbier and Ji beginning at 1:15:09; accessed February 12, 2020.

[16] *Ibid.*, 164 (50)(March 22, 2018): H2032; <https://www.govinfo.gov/content/pkg/CREC-2018-03-22/pdf/CREC-2018-03-22.pdf>; Accessed February 12, 2020.

[17] *Ibid.*, 164 (69)(April 27, 2018): H3728; <https://www.govinfo.gov/content/pkg/CREC-2018-04-27/pdf/CREC-2018-04-27-house.pdf>; Accessed February 12, 2020.

[18] *Ibid.*, 164 (76)(May 10, 2018): H3919; <https://www.govinfo.gov/content/pkg/CREC-2018-05-10/pdf/CREC-2018-05-10-house.pdf>; Accessed February 12, 2020.

[19] Andrei S. Shinin and Sergei Shinin, “After the Singapore Summit: The American Strategy for Denuclearizing North Korea,” *Far Eastern Affairs*, 47 (1)(2019): 64-81; DOI: 10.31857/S013128120001137-1; and *Congressional Record* 164 (97)(June 12, 2018): H5025-H5026; <https://www.govinfo.gov/content/pkg/CREC-2018-06-12/pdf/CREC-2018-06-12-house.pdf>; Accessed February 13, 2020.

[20] *Ibid.*, H5078; Bhavini Patel Murthy, Nevin Krishna, Terrance Jones, Amy Wolkin, Rachel Nonkin Avchen, and Sara J. Vagi, “Public Health Emergency Risk Communication and Social Media Reactions to an Errant Warning of a Ballistic Missile Threat — Hawaii, January 2018,” *Morbidity and Mortality Weekly Report*, 68 (7)(February 22, 2019): 174-176; <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6385709/pdf/mm6807a2.pdf>; Accessed February 13, 2020.

[21] *Ibid.*, S3729-S3731, S3735-S3736, S3753.

[22] *Ibid.*, 164 (98)(June 13, 2018): H5104, H5106, H5138-H5139; <https://www.govinfo.gov/content/pkg/CREC-2018-06-13/pdf/CREC-2018-06-13-house.pdf>; Accessed February 13, 2020.

[23]Ibid., S3864-S3865, S3878, S3883, S3896, and S3899.

[24]Ibid., S3913-S3914.

[25]Ibid., 164 (106)(June 25, 2018): H5631-H5632; <https://www.govinfo.gov/content/pkg/CREC-2018-06-25/pdf/CREC-2018-06-25-house.pdf>; Accessed February 14, 2020; and “H.R. 5733 — A Bill to amend the Homeland Security Act of 2002 to Provide for the Responsibility of the National Cybersecurity and Communications Integration Center to Maintain Capabilities to Identify threats to Industrial Control systems, and for other purposes; to the Committee on Homeland Security,” <https://www.govinfo.gov/content/pkg/HOB-2018/html/HOB-2018-hr5733.html>; Accessed February 14, 2020.

[26]Ibid., 164 (108)(June 27, 2018): H5787-H5788; <https://www.govinfo.gov/content/pkg/CREC-2018-06-27/pdf/CREC-2018-06-27-house.pdf>; Accessed February 14, 2020; Public Law 115-198; “North Korean Human Rights Reauthorization Act of 2017,” 132 *U.S. Statutes at Large* 1519-1525; <https://www.govinfo.gov/content/pkg/PLAW-115publ198/pdf/PLAW-115publ198.pdf>; Accessed February 14, 2020.

[27]Ibid., 164 (138)(August 20, 2018): S5712; <https://www.govinfo.gov/content/pkg/CREC-2018-08-20/pdf/CREC-2018-08-20-senate.pdf>; Calvin Y. Shiroma, “A Retrospective Review of Forensic Odontology Reports Written by the Joint POW/MIA Accounting Command Central Identification Laboratory for Remains Identified from the Korean War,” *Journal of Forensic Sciences*, 61 (1)(January 2016): 68-75; <https://doi.org/10.1111/1556-4029.12986>; and Paul M. Cole, “Accounting for the Korean War Missing,” in Paul M. Cole, *POW/MIA Accounting: Searching for America’s Missing Servicemen in the Soviet Union*, (Singapore: Palgrave Macmillan, 2018): 181-214.

[28]Ibid., 164 (159)(September 26, 2018): H9063; <https://www.govinfo.gov/content/pkg/CREC-2018-09-26/pdf/CREC-2018-09-26-house.pdf>; Accessed February 17, 2020.

[29]Ibid., 164 (195)(December 11, 2018): H 10065; <https://www.govinfo.gov/content/pkg/CREC-2018-12-11/pdf/CREC-2018-12-11-house.pdf>; Accessed February 17, 2020.

[30]Ibid., 164 (200)(December 19, 2018): S7932; <https://www.govinfo.gov/content/pkg/CREC-2018-12-19/pdf/CREC-2018-12-19-senate.pdf>; Accessed February 17, 2020; Daniel R. Coats, *Statement for the Record: Worldwide Threat Assessment of the U.S. Intelligence Community*, (Washington, DC: Office of the Director of National Intelligence, February 13, 2018): 5-6; <https://www.dni.gov/files/documents/Newsroom/Testimonies/2018-ATA---Unclassified-SSCI.pdf>; Accessed February 17, 2020.

[31]"Remarks in a Meeting With Chairman of the State Affairs Commission Kim Jong Un of North Korea in Panmunjon, Korean Demilitarized Zone," *Daily Compilation of Presidential Documents*, (June 30, 2019): 1; <https://www.govinfo.gov/content/pkg/DCPD-201900447/pdf/DCPD-201900447.pdf>; Accessed February 20, 2020.

[32]Ibid., 165 (28)(February 13, 2019): H1535; <https://www.govinfo.gov/content/pkg/CREC-2019-02-13/pdf/CREC-2019-02-13.pdf>; Accessed February 17, 2020; "H.J. Res. 37 — A joint resolution directing the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; to the Committee on Foreign Affairs," <https://www.govinfo.gov/content/pkg/HOB-2019/html/HOB-2019-hjres37.htm>; Accessed February 17, 2020; and Florian Büllwer and Marcus Müller, "Unleashing the Watchdogs: Explaining Congressional Assertiveness in the Politics of U.S. Military Interventions," *European Political Science Review*, 10 (4)(November 2018): 637-662; . <https://doi.org/10.1017/S1755773918000152>

[33]Ibid., 165 (34)(February 25, 2019): S1413; S1425-S1427; <https://www.govinfo.gov/content/pkg/CREC-2019-02-25/pdf/CREC-2019-02-25-senate.pdf>; Accessed February 17, 2020.

[34]Ibid., 165 (36)(February 27, 2019): E226; <https://www.govinfo.gov/content/pkg/CREC-2019-02-27/pdf/CREC-2019-02-27-extensions.pdf>; Accessed February 17, 2020; Ibid., 165 (37)(February 28, 2020): S155, S1557, S1569; ; <https://www.govinfo.gov/content/pkg/CREC-2019-02-28/pdf/CREC-2019-02-28-senate.pdf>; Accessed February 17, 2020; Ibid., 165 (39)(March 5, 2019): S1638; . <https://www.govinfo.gov/content/pkg/CREC-2019-03-05/pdf/CREC-2019-03-05-senate.pdf>; Accessed February 19, 2020; and Ibid.,

<https://www.govinfo.gov/content/pkg/CREC-2019-03-05/pdf/CREC-2019-03-05-dailydigest.pdf>; E214; Accessed February 19, 2020.

[35]Ibid., 165 (82)(May 16, 2019): S2908;
<https://www.govinfo.gov/content/pkg/CREC-2019-05-16/pdf/CREC-2019-05-16-senate.pdf>; Accessed February 19, 2020; Ibid., 165 (102)(June 18, 2019): S3660; Accessed February 19, 2020.

[36]Ibid., 165 (102)(June 18, 2019): , S3662-S3665, S3731, S3744, S3747-S3748;
<https://www.govinfo.gov/content/pkg/CREC-2019-06-18/pdf/CREC-2019-06-18-senate.pdf>; Accessed February 19, 2019; and “National Defense Authorization Act for Fiscal Year 2020: Conference Report to Accompany S. 1790,” House Report 116-133, <https://www.congress.gov/116/crpt/hrpt333/CRPT-116hrpt333.pdf>; Accessed February 19, 2020.

[37]Ibid., 165 (107)(June 25, 2019): S4496, S4522;
<https://www.govinfo.gov/content/pkg/CREC-2019-06-25/pdf/CREC-2019-06-25-senate.pdf>; Accessed February 19, 2020.

[38]Ibid., 165 (116)(July 11, 2019): H5711;
<https://www.govinfo.gov/content/pkg/CREC-2019-07-11/pdf/CREC-2019-07-11-house.pdf>; Accessed April 13, 2021; *North Korean Challenge: Military Options and Issues for Congress*, (Washington, DC: Library of Congress, Congressional Research Service, 2017): 18-20;
<https://crsreports.congress.gov/product/pdf/R/R44994>; Accessed April 13, 2021.

[39]Jihoon Yu and Erik French. “Should the United States Support a Republic of Korea Nuclear Submarine Program?” *Naval War College Review*, 73 (1)(Winter 2020): 84-106; <https://digital-commons.usnwc.edu/cgi/viewcontent.cgi?article=8094&context=nwc-review>; Accessed April 13, 2021.