

A motion to reconsider was laid on the table.

BURMA POLITICAL PRISONERS ASSISTANCE ACT

Mr. LEVIN of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2327) to direct the Secretary of State to provide assistance to civil society organizations in Burma that work to secure the release of prisoners of conscience and political prisoners in Burma, and assistance to current and former prisoners of conscience and political prisoners in Burma, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Burma Political Prisoners Assistance Act”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Aung San Suu Kyi and the National League for Democracy (NLD) pledged that they “would not arrest anyone as political prisoners”, but have failed to fulfill this promise since they took control of Burma’s Union Parliament and the Government’s executive branch in April 2016.

(2) As of the end of April 2019, there were 331 political prisoners in Burma, 48 of them serving sentences, 90 awaiting trial inside prison, and 193 awaiting trial outside prison, according to the Assistance Association for Political Prisoners in Burma.

(3) During its three years in power, the NLD Government has provided pardons for Burma’s political prisoners on six occasions. State Counsellor Aung San Suu Kyi took steps to secure the release of nearly 235 political prisoners in April 2016. On May 23, 2017, former President Htin Kyaw granted pardons to 259 prisoners, including 89 political prisoners. On April 17, 2018, current President Win Myint pardoned 8,541 prisoners, including 36 political prisoners. In April and May 2019, he pardoned more than 23,000 prisoners, including 20 political prisoners.

(4) The Burmese security forces have used colonial-era laws to arrest and charge political prisoners and prisoners of conscience. These laws include but are not limited to provisions of the Penal Code, the Peaceful Assembly and Peaceful Procession Act, the 1908 Unlawful Associations Act, the 2013 Telecommunications Act, and the 1923 Official Secrets Act.

(5) On December 12, 2017, Reuters reporters Wa Lone and Kyaw Soe Oo were arrested and charged with violating the Official Secrets Act, continuing a trend of restricting media and free speech and attempting to thwart coverage of the events in Rakhine State.

(6) On September 3, 2018, Wa Lone and Kyaw Soe Oo were convicted and sentenced to seven years in prison. Time Magazine included pictures of the two reporters on the cover of its “Person of the Year” issue on December 10, 2018, as two of the “Guardians and the War on Truth”.

(7) On May 6, 2019, Wa Lone and Kyaw Soe Oo were released after more than 500 days behind bars.

(8) According to Burmese free speech organization Athan, 44 journalists and 142 activists since 2016 were charged with colonial-era laws used to stifle dissent and restrict activist groups and have faced trial.

(9) Since December 2018, three Kachin activists were sentenced to six months in prison in connection with peaceful antiwar protests; a protester demonstrating against the Myitsone Dam (a controversial Chinese-backed hydropower project) was charged for peaceful demonstrations, and police used excessive force to crack down on peaceful protesters in Kayah State, with some of the demonstrators charged under vaguely worded, repressive laws.

(10) On August 18, 2017, Aung Ko Htwe was arrested because he gave a media interview in which he described his experience as a child soldier, including how the Burmese military abducted and forcibly recruited him when he was 13 years old. He was charged under Section 505(b) of Burma’s Penal Code.

(11) Although former Secretary of State Rex Tillerson took Burma off the State Department’s list of the worst offenders in the use of child soldiers in 2017, the Department reinstated Burma to the list in 2018. According to the United Nations, the Burmese military and ethnic guerrilla groups remain “persistent perpetrators” in the recruitment and use of children in [Burma].”.

SEC. 3. CHILD SOLDIERS.

It is the sense of Congress that no one should be jailed for freely expressing him or herself or for speaking against the use of child soldiers.

SEC. 4. PEACEFUL ASSEMBLY.

It is the sense of Congress that Burma must immediately drop defamation charges against the three Kachin activists, Lum Zawng, Nang Pu, and Zau Jet, who led a peaceful rally in Myitkyina, the capital of Kachin State in April 2018, and that the prosecution of Lum Zawng, Nang Pu, and Zau Jet is an attempt by the Burmese authorities to intimidate, harass, and silence community leaders and human rights defenders who speak out about military abuses and the impact on civilian populations.

SEC. 5. PRESS FREEDOM.

It is the sense of Congress that press freedom is a fundamental human right and should be upheld and protected in Burma and everywhere, and that Burmese authorities must immediately cease the arbitrary arrest, detention, imprisonment, and physical attacks of journalists, which have created a climate of fear and self-censorship among local journalists.

SEC. 6. STATEMENT OF POLICY.

It is the policy of the United States that—

(1) all prisoners of conscience and political prisoners in Burma should be unconditionally and immediately released;

(2) the Administration and the Department of State should use all of their diplomatic tools to ensure that all prisoners of conscience and political prisoners in Burma are released; and

(3) the Burmese Government should repeal or amend all laws that violate the rights to freedom of expression, peaceful assembly, or association, and ensure that laws such as the Telecommunications Law of 2013 and the Unlawful Associations Act of 1908, and laws relating to the right to peaceful assembly, all comply with international human rights standards.

SEC. 7. POLITICAL PRISONERS ASSISTANCE.

The Secretary of State shall continue to provide assistance to civil society organizations in Burma that work to secure the release of prisoners of conscience and political prisoners in Burma, and assistance to current and former prisoners of conscience and political prisoners in Burma. Such assistance may include the following:

(1) Support for the documentation of human rights violations with respect to prisoners of conscience and political prisoners.

(2) Support for advocacy in Burma to raise awareness of issues relating to prisoners of conscience and political prisoners.

(3) Support for efforts to repeal or amend laws that are used to imprison individuals as either prisoners of conscience or political prisoners.

(4) Support for health, including mental health, and post-incarceration assistance in gaining access to education and employment opportunities or other forms of reparation to enable former prisoners of conscience and political prisoners to resume a normal life.

(5) The creation, in consultation with former political prisoners and prisoners of conscience, their families, and representatives, of an independent prisoner review mechanism in Burma to review the cases of individuals who may have been charged or deprived of their liberty for peacefully exercising their human rights, review all laws used to arrest, prosecute, and punish individuals as political prisoners and prisoners of conscience, and provide recommendations to the Burmese Government for the repeal or amendment of all such laws.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. LEVIN) and the gentleman from Texas (Mr. MCCAUL) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. LEVIN of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include in the RECORD extraneous material on H.R. 2327.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LEVIN of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of my bill, the Burma Political Prisoners Assistance Act.

Next week, I will travel to Bangladesh, where I am going to spend time in Cox’s Bazar, the site of the world’s largest refugee settlement. Since August of 2017, hundreds of thousands of Rohingya refugees have fled to Cox’s Bazar from Burma, where villages were burned to the ground, women and girls were raped, and many were massacred at the hands of Burmese security forces as part of a campaign that can only be described as genocide.

When I come home to the United States, I plan to speak openly and honestly about what I saw and share the stories of Rohingya refugees I talk to. And, while I don’t expect everyone to like what I have to say, I know that, here in America, I won’t be persecuted for exercising my right to free speech and sharing an honest account of the atrocities so many have experienced in Burma.

But, if Burma was my home country, I would not be able to rest so easy, no matter my ethnic group or religion. That is because colonial-era laws are used to stifle dissent and imprison people who dare to speak out or work to protect human rights.

Take the example of Wa Lone and Kyaw Soe Oo, Reuters journalists who were arrested while investigating a massacre of Rohingya men and boys and spent more than 500 days in prison before being released after massive international pressure earlier this year; or, Aung Ko Htwe, a former child soldier who gave an interview talking about his experience being abducted and forcibly recruited by the Burmese military when he was just 13 years old. For that offense, he was imprisoned for 2 years and just released earlier this month.

Were it not for incredibly brave people like Wa Lone, Kyaw Soe Oo, and Aung Ko Htwe, the world might not know about the horrors that have occurred in Burma.

Journalists, activists, and anyone who is willing to use their voice to call out wrongdoing must be protected. That is why Congresswoman ANN WAGNER and I introduced the Burma Political Prisoners Assistance Act.

This bill calls for the release of political prisoners and prisoners of conscience in Burma and directs our State Department to bolster its work to achieve these ends.

We need to support efforts to amend or repeal the unjust laws that are being used to stifle free expression and honest reporting. We should support the creation of an independent prisoner review mechanism to examine cases like the ones I just mentioned and offer recommendations as to how the law might better protect free expression. And we must aid the organizations that are working to secure the release of political prisoners and prisoners of conscience.

Mr. Speaker, I urge my colleagues to join me in supporting this important bill, and I reserve the balance of my time.

Mr. McCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of the Burma Political Prisoners Assistance Act, introduced by the gentleman from Michigan (Mr. LEVIN) and the gentlewoman from Missouri (Mrs. WAGNER).

True to our founding ideals, the United States must continue to stand as a beacon of hope and freedom in the world. This includes voicing our support for political prisoners who are in chains only because of their peaceful dissent.

Although recent years have seen elections in Burma, the human rights situation there still remains grave.

Burma's brutal military remains constitutionally immune from civilian oversight or control. It still has not been held responsible for the unspeakable, bloody genocide against Burma's Rohingya population 2 years ago, which displaced hundreds of thousands of people in Bangladesh and India.

Criticizing the government remains a dangerous business in Burma. A lot of things can get you thrown into jail, or worse: honest reporting about military

violence against ethnic minorities, telling the truth about the use of child soldiers, or expressing political dissent, among other things.

As a result, there are hundreds of prisoners of conscience in Burma. All people deserve fundamental rights of speech and political expression and to be free from arbitrary imprisonment.

Mr. Speaker, for these reasons, I am pleased to support this bipartisan bill before us today. The brutal Burmese military continues to exercise outsized influence over the government in that country and tramples the rights of many who dare to dissent. True to American ideals, this measure expresses our solidarity and concern for political prisoners in Burma and, really, throughout the world, and it deserves our full support.

Mr. Speaker, I thank my colleague on the other side of the aisle, Mr. LEVIN, for his strong, bipartisan support for this measure, and I yield back the balance of my time.

Mr. LEVIN of Michigan. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing.

Mr. Speaker, I am so happy that, between the day we introduced this legislation and today, Wa Lone, Kyaw Soe Oo, and Aung Ko Htwe were released, but there are so many other people like them whose names we do not know but to whom we owe tremendous gratitude for their bravery.

For the courageous people of Burma who have raised their voices to insist on accountability, to demand reform and bring justice to light, I hope this legislation helps to bring about the change they so richly deserve.

I want to thank Congresswoman ANN WAGNER for her partnership on this bill and for all her work to protect human rights in Southeast Asia. I hope this bill is the first of many we work on together.

And I thank Chairman ENGEL and Ranking Member McCAUL for prioritizing this legislation.

Mr. Speaker, I urge all Members to join me in supporting this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. LEVIN) that the House suspend the rules and pass the bill, H.R. 3227, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BURMA UNIFIED THROUGH RIGOROUS MILITARY ACCOUNTABILITY ACT OF 2019

Mr. LEVIN of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3190) to authorize humanitarian assistance and impose sanctions with respect to human rights

abuses in Burma, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Burma Unified through Rigorous Military Accountability Act of 2019” or the “BURMA Act of 2019”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Findings.

TITLE I—MATTERS RELATING TO THE CONFLICT IN BURMA

Sec. 101. Statement of policy.

Sec. 102. Sense of Congress with respect to humanitarian assistance, freedom of movement, and rights of returnees.

Sec. 103. Sense of Congress on freedoms of press and association.

Sec. 104. Imposition of sanctions for the violation of human rights.

TITLE II—ASSISTANCE AND SANCTIONS WITH RESPECT TO BURMA

Sec. 201. Authorization to provide humanitarian assistance.

Sec. 202. Imposition of sanctions with respect to human rights abuses in Burma.

TITLE III—GOVERNANCE OF THE BURMESE MINING AND GEMSTONE SECTORS

Sec. 301. Sense of Congress on the mining sector of Burma.

Sec. 302. Guidance relating to responsibility and transparency in the mining sector of Burma.

TITLE IV—ACCOUNTABILITY FOR HUMAN RIGHTS ABUSES AND STRATEGY FOR ECONOMIC GROWTH

Sec. 401. Report on accountability for war crimes, crimes against humanity, and genocide in Burma.

Sec. 402. Authorization to provide technical assistance for efforts against human rights abuses.

Sec. 403. Strategy for promoting economic development in Burma.

TITLE V—DETERMINATION OF BUDGETARY EFFECTS

Sec. 501. Determination of budgetary effects.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, and the Committee on Armed Services of the Senate.

(2) CRIMES AGAINST HUMANITY.—The term “crimes against humanity” includes, when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack—

(A) murder;

(B) deportation or forcible transfer of population;

(C) torture;

(D) extermination;

(E) enslavement;

(F) rape, sexual slavery, or any other form of sexual violence of comparable severity;