

Sec.

SUBCHAPTER V—SANCTIONS EXCEPTION  
RELATING TO IMPORTATION OF GOODS10261. Sanctions exception relating to importation  
of goods.**§ 10201. Definitions**

In this chapter:

**(1) Burmese military**

The term “Burmese military”—

(A) means the Armed Forces of Burma, including the army, navy, and air force; and

(B) includes security services under the control of the Armed Forces of Burma, such as the police and border guards.

**(2) Executive Order 14014**

The term “Executive Order 14014” means Executive Order 14014 (86 Fed. Reg. 9429; relating to blocking property with respect to the situation in Burma).

**(3) Genocide**

The term “genocide” means any offense described in section 1091(a) of title 18.

**(4) War crime**

The term “war crime” has the meaning given the term in section 2441(c) of title 18.

(Pub. L. 117–263, div. E, title LV, § 5568, Dec. 23, 2022, 136 Stat. 3361.)

**Editorial Notes**

## REFERENCES IN TEXT

Executive Order 14014, referred to in par. (2), is Ex. Ord. No. 14014, Feb. 10, 2021, 86 F.R. 9429, which is listed in a table under section 1701 of Title 50, War and National Defense.

**Statutory Notes and Related Subsidiaries**

## SHORT TITLE

Pub. L. 117–263, div. E, title LV, § 5567, Dec. 23, 2022, 136 Stat. 3361, provided that: “This subtitle [subtitle E (§§ 5567–5579) of title LV of div. E of Pub. L. 117–263, enacting this chapter] may be cited as the ‘Burma Unified through Rigorous Military Accountability Act of 2022’ or the ‘BURMA Act of 2022’.”

SUBCHAPTER I—MATTERS RELATING TO  
THE CONFLICT IN BURMA**§ 10211. Statement of policy**

It is the policy of the United States to—

(1) continue to support the people of Burma in their struggle for democracy, human rights, and justice;

(2) support the efforts of the National Unity Government (NUG), the National Unity Consultative Council (NUCC), the Committee Representing Pyidaungsu Hluttaw (CRPH), the Burmese Civil Disobedience Movement, and other entities in Burma and in other countries to oppose the Burmese military and bring about an end to the military junta’s rule;

(3) support a credible process for the restoration of civilian government in Burma, with a reformed Burmese military under civilian control and the enactment of constitutional, political, and economic reform that protects the rights of minority groups and furthers a federalist form of government;

(4) hold accountable perpetrators of human rights violations committed against ethnic groups in Burma and the people of Burma, including through the February 2022 coup d’etat;

(5) hold accountable the Russian Federation and the People’s Republic of China for their support of the Burmese military;

(6) continue to provide humanitarian assistance to populations impacted by violence perpetrated by the Burmese military wherever they may reside, and coordinate efforts among like-minded governments and other international donors to maximize the effectiveness of assistance and support for the people of Burma;

(7) secure the unconditional release of all unlawfully detained individuals in Burma, including those detained for the exercise of their fundamental freedoms; and

(8) provide humanitarian assistance to the people of Burma in Burma, Bangladesh, Thailand, and the surrounding region without going through the Burmese military.

(Pub. L. 117–263, div. E, title LV, § 5569, Dec. 23, 2022, 136 Stat. 3362.)

SUBCHAPTER II—SANCTIONS AND POLICY  
COORDINATION WITH RESPECT TO BURMA**§ 10221. Definitions**

In this subchapter:

**(1) Admitted; alien**

The terms “admitted” and “alien” have the meanings given those terms in section 1101 of title 8.

**(2) Appropriate congressional committees**

The term “appropriate congressional committees” means—

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

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

**(3) Correspondent account; payable-through account**

The terms “correspondent account” and “payable-through account” have the meanings given those terms in section 5318A of title 31.

**(4) Foreign financial institution**

The term “foreign financial institution” has the meaning of that term as determined by the Secretary of the Treasury by regulation.

**(5) Foreign person**

The term “foreign person” means a person that is not a United States person.

**(6) Knowingly**

The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

**(7) Person**

The term “person” means an individual or entity.

**(8) Support**

The term “support”, with respect to the Burmese military, means to knowingly have

materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of the Burmese military.

**(9) United States person**

The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted to the United States for permanent residence;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

(Pub. L. 117–263, div. E, title LV, §5570, Dec. 23, 2022, 136 Stat. 3362.)

**§ 10222. Imposition of sanctions with respect to human rights abuses and perpetration of a coup in Burma**

**(a) Mandatory sanctions**

Not later than 180 days after December 23, 2022, the President shall impose the sanctions described in subsection (d) with respect to any foreign person that the President determines—

(1) is a senior official of—

(A) the Burmese military or security forces of Burma;

(B) the State Administration Council, the military-appointed cabinet at the level of Deputy Minister or higher, or a military-appointed minister of a Burmese state or region; or

(C) an entity that primarily operates in the defense sector of the Burmese economy; or

(2) is a Burmese state-owned commercial enterprise (other than an entity described in subsections (c)(1) and (c)(2)) that—

(A) is operating in the industrial or extractive sectors; and

(B) significantly financially benefits the Burmese military.

**(b) Additional measure relating to facilitation of transactions**

The Secretary of the Treasury may, in consultation with the Secretary of State, prohibit or impose strict conditions on the opening or maintaining in the United States of a correspondent account or payable-through account by a foreign financial institution that the President determines has, on or after December 23, 2022, knowingly conducted or facilitated a significant transaction or transactions on behalf of a foreign person subject to sanctions under this section imposed pursuant to subsection (a).

**(c) Additional sanctions**

The President may impose the sanctions described in subsection (d) with respect to—

(1) the Myanma Oil and Gas Enterprise;

(2) any Burmese state-owned enterprise that—

(A) is not operating in the industrial or extractive sectors; and

(B) significantly financially benefits the Burmese military;

(3) a spouse or adult child of any person described in subsection (a)(1);

(4) any foreign person that, leading up to, during, and since the February 1, 2021, coup d’etat in Burma, is responsible for or has directly and knowingly engaged in—

(A) actions or policies that significantly undermine democratic processes or institutions in Burma;

(B) actions or policies that significantly threaten the peace, security, or stability of Burma;

(C) actions or policies by a Burmese person that—

(i) significantly prohibit, limit, or penalize the exercise of freedom of expression or assembly by people in Burma; or

(ii) limit access to print, online, or broadcast media in Burma; or

(D) the orchestration of arbitrary detention or torture in Burma or other serious human rights abuses in Burma; or

(5) any Burmese entity that provides material to the Burmese military.

**(d) Sanctions described**

The sanctions described in this subsection are the following:

**(1) Property blocking**

The President may exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

**(2) Foreign exchange**

The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the foreign person has any interest.

**(3) Visas, admission, or parole**

**(A) In general**

An alien who is described in subsection (a) or (c) is—

(i) inadmissible to the United States;

(ii) ineligible for a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

**(B) Current visas revoked**

**(i) In general**

The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to an alien described in subparagraph (A) regardless of when the visa or other entry documentation is issued.