

classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

§ 10223. Sanctions and policy coordination for Burma

(a) In general

The head of the Office of Sanctions Coordination in the Department of State should develop a comprehensive strategy for the implementation of the full range of United States diplomatic capabilities to implement Burma-related sanctions in order to promote human rights and the restoration of civilian government in Burma.

(b) Matters to be included

The strategy described in subsection (a) should include plans and steps to—

(1) coordinate the sanctions policies of the United States with relevant bureaus and offices in the Department of State and other relevant United States Government agencies;

(2) conduct relevant research and vetting of entities and individuals that may be subject to sanctions and coordinate with other United States Government agencies and international financial intelligence units to assist in efforts to enforce anti-money laundering and anti-corruption laws and regulations;

(3) promote a comprehensive international effort to impose and enforce multilateral sanctions with respect to Burma;

(4) support interagency United States Government efforts, including efforts of the United States Chief of Mission to Burma, the United States Ambassador to ASEAN, and the United States Permanent Representative to the United Nations, relating to—

(A) identifying opportunities to exert pressure on the governments of the People's Republic of China and the Russian Federation to support multilateral action against the Burmese military; and

(B) working with like-minded partners to impose a coordinated arms embargo on the Burmese military and targeted sanctions on the economic interests of the Burmese military, including through the introduction and adoption of a United Nations Security Council resolution; and

(5) provide timely input for reporting on the impacts of the implementation of sanctions on the Burmese military and the people of Burma.

(Pub. L. 117-263, div. E, title LV, §5572, Dec. 23, 2022, 136 Stat. 3366.)

§ 10224. Support for greater United Nations action with respect to Burma

(a) Sense of Congress

It is the sense of Congress that—

(1) the United Nations Security Council has not taken adequate steps to condemn the February 1, 2021, coup in Burma, pressure the Burmese military to cease its violence against civilians, or secure the release of those unjustly detained;

(2) countries, such as the People's Republic of China and the Russian Federation, that are

directly or indirectly shielding the Burmese military from international scrutiny and action, should be obliged to endure the reputational damage of doing so by taking public votes on resolutions related to Burma that apply greater pressure on the Burmese military to restore Burma to its democratic path; and

(3) the United Nations Secretariat and the United Nations Security Council should take concrete steps to address the coup and ongoing crisis in Burma consistent with United Nations General Assembly resolution 75/287, "The situation in Myanmar," which was adopted on June 18, 2021.

(b) Support for greater action

The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to spur greater action by the United Nations and the United Nations Security Council with respect to Burma by—

(1) pushing the United Nations Security Council to consider a resolution condemning the February 1, 2021, coup and calling on the Burmese military to cease its violence against the people of Burma and release without preconditions the journalists, pro-democracy activists, and political officials that it has unjustly detained;

(2) pushing the United Nations Security Council to consider a resolution that immediately imposes a global arms embargo against Burma to ensure that the Burmese military is not able to obtain weapons and munitions from other nations to further harm, murder, and oppress the people of Burma;

(3) pushing the United Nations and other United Nations authorities to cut off assistance to the Government of Burma while providing humanitarian assistance directly to the people of Burma through United Nations bodies and civil society organizations, particularly such organizations working with ethnic minorities that have been adversely affected by the coup and the Burmese military's violent crackdown; and

(4) spurring the United Nations Security Council to consider multilateral sanctions against the Burmese military for its atrocities against Rohingya and individuals of other ethnic and religious minorities, its coup, and the atrocities it has and continues to commit in the coup's aftermath.

(c) Sense of Congress

It is the sense of Congress that the United States Permanent Representative to the United Nations should use the voice, vote, and influence of the United States to—

(1) object to the appointment of representatives to the United Nations and United Nations bodies such as the Human Rights Council that are sanctioned by the Burmese military; and

(2) work to ensure the Burmese military is not recognized as the legitimate government of Burma in any United Nations body.

(Pub. L. 117-263, div. E, title LV, §5573, Dec. 23, 2022, 136 Stat. 3367.)

§ 10225. Sunset**(a) In general**

The authority to impose sanctions and the sanctions imposed under this subchapter shall terminate on the date that is 8 years after December 23, 2022.

(b) Certification for early sunset of sanctions

Sanctions imposed under this subchapter may be removed before the date specified in subsection (a), if the President submits to the appropriate congressional committees a certification that—

(1) the Burmese military has released all political prisoners taken into custody on or after February 1, 2021, or is providing legal recourse to those that remain in custody;

(2) the elected government of Burma has been reinstated or new free and fair elections have been held;

(3) all legal charges against those winning election in November 2020 are dropped; and

(4) the 2008 constitution of Burma has been amended or replaced to place the Burmese military under civilian oversight and ensure that the Burmese military no longer automatically receives 25 percent of seats in Burma's state, regional, and national Hluttaws.

(c) Notification for early sunset of sanctions on individuals**(1) In general**

The President may terminate the application of sanctions under this subchapter with respect to specific individuals if the President submits to the appropriate congressional committees—

(A) a notice of and justification for the termination; and

(B) a notice that the individual is not engaging in the activity or is no longer occupying the position that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity.

(2) Form

The notice required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(Pub. L. 117-263, div. E, title LV, §5574, Dec. 23, 2022, 136 Stat. 3368.)

SUBCHAPTER III—AUTHORIZATIONS OF APPROPRIATIONS FOR ASSISTANCE FOR BURMA

§ 10241. General authorization of appropriations

During each of the fiscal years 2023 through 2027, following consultation with the appropriate congressional committees and subject to the limitations described in section 10242 of this title, funds authorized to be made available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 may be made available, notwithstanding any other provision of law, for—

(1) programs to strengthen federalism in and among ethnic states in Burma, including for non-lethal assistance for Ethnic Armed Organizations in Burma;

(2) the administrative operations and programs of entities in Burma, including the po-

litical entities and affiliates of Ethnic Armed Organizations and pro-democracy movement organizations, that support efforts to establish an inclusive and representative democracy in Burma;

(3) technical support and non-lethal assistance for Burma's Ethnic Armed Organizations, People's Defense Forces, and pro-democracy movement organizations to strengthen communications and command and control, and coordination of international relief and other operations between and among such entities;

(4) programs and activities relating to former members of the Burmese military that have condemned the February 1, 2022, coup d'état and voiced support for the restoration of civilian rule;

(5) programs to assist civil society organizations to investigate and document atrocities in Burma for the purposes of truth, justice, and accountability;

(6) programs to assist civil society organizations in Burma that support individuals that who are unlawfully detained in Burma for exercising their fundamental freedoms; and

(7) programs to assist civil society organizations and ethnic groups with reconciliation activities related to Burma.

(Pub. L. 117-263, div. E, title LV, §5575, Dec. 23, 2022, 136 Stat. 3369.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in text, is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424. Chapter 4 of part II of the Act is classified generally to part IV (§2346 et seq.) of subchapter II of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

§ 10242. Limitations

Except as provided for by this subchapter, none of the funds authorized to be appropriated for assistance for Burma by this subchapter may be made available to—

(1) the State Administrative Council or any organization or entity controlled by, or an affiliate of, the Burmese military, or to any individual or organization that has committed a gross violation of human rights or advocates violence against ethnic or religious groups or individuals in Burma, as determined by the Secretary of State for programs administered by the Department of State and the United States Agency for International Development, or President of the National Endowment for Democracy (NED) for programs administered by NED; and

(2) the Burmese military.

(Pub. L. 117-263, div. E, title LV, §5576, Dec. 23, 2022, 136 Stat. 3369.)

§ 10243. Appropriate congressional committees defined

In this subchapter, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and