

§ 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