

114TH CONGRESS
2D SESSION

S. 3325

To promote sustainable economic development in Burma, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2016

Mr. GARDNER (for himself and Mr. SULLIVAN) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

A BILL

To promote sustainable economic development in Burma,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Empower Burma Act
5 of 2016”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 It shall be the policy of the United States—

8 (1) to support peaceful, democratic, and inclu-
9 sive development of Burma; and

1 (2) to support United States and international
2 assistance, as appropriate, to address urgent and
3 long-term development and infrastructure challenges
4 in Burma, including universal access to electricity.

5 **SEC. 3. FINDINGS.**

6 Congress makes the following findings:

7 (1) Since 2011, the Government of Burma has
8 taken admirable and concrete steps toward the es-
9 tablishment of democratic institutions and the rule
10 of law.

11 (2) The November 2015 parliamentary elections
12 in Burma were conducted in a peaceful and trans-
13 parent manner and culminated in an overwhelming
14 victory for the National League of Democracy
15 (NLD), led by Nobel Prize laureate Aung San Suu
16 Kyi.

17 (3) Since assuming office on March 30, 2016,
18 Burma's new President Htin Kyaw has authorized
19 the release of more than 200 political prisoners.

20 (4) Aung Sun Suu Kyi has successfully initi-
21 ated a nationwide and historic effort to achieve last-
22 ing peace in Burma, titled the "21st Century
23 Panglong Conference".

1 (5) Burma faces serious short- and long-term
2 economic and development challenges, which the new
3 NLD-led government has pledged to address.

4 (6) According to World Bank estimates, over 70
5 percent of Burma's population and 84 percent of
6 rural households lack access to grid electricity.

7 (7) The Government of Burma has announced
8 a National Electrification Plan (NEP) to assure uni-
9 versal access to electricity by 2030.

10 (8) The World Bank has approved a
11 \$400,000,000 interest-free credit to Burma to sup-
12 port the NEP.

13 (9) The World Bank has approved
14 \$1,690,000,000 total in development projects in
15 Burma.

16 (10) The Asian Development Bank has ap-
17 proved \$1,920,000,000 in development projects in
18 Burma.

19 **SEC. 4. EMPOWER BURMA STRATEGY.**

20 (a) STRATEGY REQUIRED.—

21 (1) IN GENERAL.—The President shall establish
22 a comprehensive, integrated, multiyear strategy to
23 encourage international efforts to promote sustain-
24 able economic development in Burma, including uni-
25 versal access to sufficient reliable, affordable, and

1 sustainable power, in order to reduce poverty and
2 drive economic growth and job creation, and to sup-
3 port the continued democratic transition in Burma.

4 (2) FLEXIBILITY.—The President shall ensure
5 that the strategy required under paragraph (1)
6 maintains sufficient flexibility for and remains re-
7 sponsive to concerns and interests of affected local
8 communities and technological innovation.

9 (b) REPORT REQUIRED.—Not later than 180 days
10 after the date of the enactment of this Act, the President
11 shall submit to the Committee on Foreign Relations of the
12 Senate and the Committee on Foreign Affairs of the
13 House of Representatives a report that contains the strat-
14 egy required under subsection (a).

15 (c) INTERAGENCY WORKING GROUP.—

16 (1) IN GENERAL.—The President may, as ap-
17 propriate, establish an Interagency Working Group
18 to coordinate the activities of relevant United States
19 Government departments and agencies involved in
20 carrying out the strategy required under this sec-
21 tion.

22 (2) FUNCTIONS.—The Interagency Working
23 Group may, among other things—

24 (A) seek to coordinate the activities of the
25 United States Government departments and

1 agencies involved in implementing the strategy
2 required under this section;

3 (B) ensure efficient and effective coordina-
4 tion between participating departments and
5 agencies; and

6 (C) facilitate information sharing and co-
7 ordinate partnerships between the United
8 States Government, the private sector, and
9 other development partners to achieve the goals
10 of the strategy.

11 **SEC. 5. MULTILATERAL ASSISTANCE.**

12 (a) **POLICY.**—In implementing the strategy required
13 under section 4, the President should direct the United
14 States representatives to appropriate international bodies
15 to use the voice, vote, and influence of the United States
16 to advocate, as appropriate, for commitments to signifi-
17 cantly increase efforts to promote economic development
18 efforts in Burma, including power sector and electrifica-
19 tion projects that increase energy access, in partnership
20 with the private sector.

21 (b) **RESTRICTIONS.**—The United States Government
22 should ensure that international development assistance
23 projects in Burma it supports—

1 (1) do not directly or indirectly benefit entities
2 on the SDN list or entities otherwise undermining
3 peace and stability in Burma;

4 (2) do not directly or indirectly benefit the mili-
5 tary;

6 (3) do not marginalize vulnerable populations or
7 exclude any ethnic or religious communities; and

8 (4) promote good governance, transparency,
9 and meet internationally recognized labor standards.

10 **SEC. 6. SENSE OF CONGRESS REGARDING BURMA AND THE**
11 **GENERALIZED SYSTEM OF PREFERENCES.**

12 It is the sense of Congress that preferential duty
13 treatment under the Generalized System of Preferences
14 under title V of the Trade Act of 1974 (19 U.S.C. 2461
15 et seq.) should be extended to Burma as soon as Burma
16 meets the eligibility criteria under section 502 of that Act
17 (19 U.S.C. 2462).

18 **SEC. 7. SENSE OF CONGRESS REGARDING BURMA AND THE**
19 **MILLENNIUM CHALLENGE CORPORATION.**

20 It is the sense of Congress that the Board of Direc-
21 tors for the Millennium Challenge Corporation should pro-
22 vide assistance to Burma under section 605 of the Millen-
23 nium Challenge Act of 2003 (22 U.S.C. 7704) as soon
24 as Burma qualifies as an eligible country under section
25 607 of that Act (22 U.S.C. 7706) and enters into a Millen-

1 nium Challenge Compact with the United States under
2 section 609 of that Act (22 U.S.C. 7708).

3 **SEC. 8. SENSE OF CONGRESS ON BURMA SANCTIONS.**

4 It is the sense of Congress that—

5 (1) the President should not remove any entity
6 from the list of specially designated nationals and
7 blocked persons maintained by the Office of Foreign
8 Assets Control of the Department of the Treasury
9 (in this section referred to as the “SDN list”) for
10 activities related to Burma without credible evidence
11 that the entity is no longer participating in the ac-
12 tivities for which the entity was placed on the SDN
13 list and is not otherwise undermining peace and sta-
14 bility in Burma; and

15 (2) the President or his designees should closely
16 consult with Congress with respect to, and seek con-
17 gressional approval for, any modifications to the
18 SDN list or other United States restrictions on as-
19 sistance to Burma, including any military-to-military
20 engagements.

21 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated such sums
23 as may be necessary to carry out activities under this Act.

○