

HR 3890

Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: International Affairs

Introduced: Oct 18, 2007

Current Status: Became Public Law No: 110-286.

Latest Action: Became Public Law No: 110-286. (Jul 29, 2008)

Law: 110-286 (Enacted Jul 29, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/3890>

Sponsor

Name: Rep. Lantos, Tom [D-CA-12]

Party: Democratic • **State:** CA • **Chamber:** House

Cosponsors (40 total)

Cosponsor	Party / State	Role	Date Joined
Rep. King, Peter T. [R-NY-3]	R · NY		Oct 18, 2007
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Oct 18, 2007
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Oct 18, 2007
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Oct 18, 2007
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Oct 18, 2007
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Oct 24, 2007
Rep. Burton, Dan [R-IN-5]	R · IN		Oct 24, 2007
Rep. Crowley, Joseph [D-NY-7]	D · NY		Oct 24, 2007
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Oct 24, 2007
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Oct 24, 2007
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Oct 24, 2007
Rep. Holt, Rush [D-NJ-12]	D · NJ		Oct 24, 2007
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Oct 24, 2007
Rep. McGovern, James P. [D-MA-3]	D · MA		Oct 24, 2007
Rep. Olver, John W. [D-MA-1]	D · MA		Oct 24, 2007
Rep. Sherman, Brad [D-CA-27]	D · CA		Oct 24, 2007
Rep. Tauscher, Ellen O. [D-CA-10]	D · CA		Oct 24, 2007
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Oct 24, 2007
Rep. Wu, David [D-OR-1]	D · OR		Oct 24, 2007
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Oct 31, 2007
Del. Bordallo, Madeleine Z. [D-GU-At Large]	D · GU		Nov 7, 2007
Rep. Delahunt, William D. [D-MA-10]	D · MA		Nov 7, 2007
Rep. Frank, Barney [D-MA-4]	D · MA		Nov 7, 2007
Rep. Moran, James P. [D-VA-8]	D · VA		Nov 7, 2007
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Nov 7, 2007
Rep. Waters, Maxine [D-CA-35]	D · CA		Nov 7, 2007
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Nov 9, 2007
Rep. Langevin, James R. [D-RI-2]	D · RI		Nov 13, 2007
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Nov 15, 2007
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Nov 15, 2007
Rep. Kennedy, Patrick J. [D-RI-1]	D · RI		Nov 15, 2007
Rep. Souder, Mark E. [R-IN-3]	R · IN		Nov 15, 2007
Rep. Welch, Peter [D-VT-At Large]	D · VT		Nov 15, 2007
Rep. Davis, Susan A. [D-CA-53]	D · CA		Dec 4, 2007
Rep. Doggett, Lloyd [D-TX-25]	D · TX		Dec 4, 2007
Rep. Miller, George [D-CA-7]	D · CA		Dec 4, 2007
Rep. Wamp, Zach [R-TN-3]	R · TN		Dec 4, 2007
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Dec 5, 2007
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Dec 5, 2007
Rep. Capuano, Michael E. [D-MA-8]	D · MA		Dec 6, 2007

Committee Activity

Committee	Chamber	Activity	Date
Foreign Affairs Committee	House	Reported By	Oct 31, 2007
Foreign Relations Committee	Senate	Discharged From	Dec 19, 2007
Judiciary Committee	House	Discharged From	Oct 31, 2007
Ways and Means Committee	House	Referred To	Oct 18, 2007

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

Bill	Relationship	Last Action
110 HRES 1341	Procedurally related	Jul 15, 2008: Motion to reconsider laid on the table Agreed to without objection.
110 S 2257	Related bill	Oct 29, 2007: Read twice and referred to the Committee on Foreign Relations. (text of measure as introduced: CR S13522-13524)
110 S 2172	Related bill	Oct 16, 2007: Read twice and referred to the Committee on Foreign Relations.

(This measure has not been amended since it was passed by the House on July 15, 2008. The summary of that version is repeated here.)

Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 - (Sec. 4) States that it is U.S. policy to: (1) condemn the repression carried out by the State Peace and Development Council (SPDC) of Burma; (2) support a peaceful transition to constitutional democracy in Burma; (3) support international efforts to alleviate the suffering of Burmese refugees and address the urgent humanitarian needs of the Burmese people; and (4) hold accountable individuals responsible for the repression of peaceful political activity in Burma.

(Sec. 5) Subjects the following persons to a U.S. entry visa prohibition and financial sanctions (blocked property, financial transaction prohibitions, prohibited activities, and banking sanctions), including: (1) former and present leaders of the SPDC, the Burmese military, or the Union Solidarity Development Association (USDA); (2) officials of the SPDC, the Burmese military, or the USDA involved in political repression in Burma or other gross violations of human rights abuses; (3) other Burmese SPDC, Burmese military, and USDA supporters; and (4) immediate family members of any such persons.

Directs the President to submit to Congress a list of such sanctioned persons.

Exempts medical and humanitarian assistance and certain financial transactions from such restrictions. Authorizes additional waivers for diplomatic, official U.S. Government, and travel purposes. Subjects persons who violate such prohibitions to certain civil and criminal penalties.

Terminates such sanctions upon a presidential certification to Congress that the SPDC has: (1) unconditionally released all political prisoners, including Aung San Suu Kyi and other members of the National League for Democracy (NLD); (2) entered into a dialogue with democratic forces led by the NLD and the ethnic minorities of Burma on transitioning to democratic government; and (3) allowed humanitarian access to populations affected by armed conflict in all regions of Burma.

Authorizes the President to waive such sanctions if it is in the national interests of the United States.

(Sec. 6) Amends the Burmese Freedom and Democracy Act of 2003 (BFDA) to prohibit the importation into the United States of jadeite and rubies, including jewelry containing such articles (covered articles) from Burma until the President certifies to Congress that Burma has met certain conditions concerning human rights and democratic reforms and has implemented certain counternarcotics measures.

Directs the President to require certain conditions for the importation into the United States of such articles from other countries (non-Burmese covered articles) in order to prevent trade in Burmese covered articles. Subjects Burmese covered articles and non-Burmese covered articles that are imported into the United States to seizure and forfeiture and to U.S. criminal and civil laws.

Expresses the sense of Congress that the President should take the necessary steps to negotiate an international arrangement (similar to the Kimberley Process Certification Scheme for conflict diamonds) to prevent the trade in Burmese covered articles.

Requires the President to report to Congress on what U.S. actions have been taken to seek: (1) the issuance of a draft

waiver decision by the Council for Trade in Goods of the World Trade Organization (WTO) granting the United States a waiver under the WTO with respect to the provisions of this Act; (2) the adoption of a United Nations (U.N.) resolution calling for the creation and implementation of a certification scheme for non-Burmese covered articles to prevent trade in Burmese covered articles; and (3) the negotiation of an international arrangement to prevent the trade in Burmese covered articles. Requires the Comptroller General to report to Congress on the effectiveness of this Act.

Extends import sanctions upon enactment of a renewal resolution by Congress.

(Sec. 7) Directs the President to appoint a Special Representative and Policy Coordinator for Burma.

(Sec. 8) Authorizes the President to assist nonviolent democracy activists in their efforts to promote freedom, democracy, and human rights in Burma. Authorizes appropriations for FY2008.

(Sec. 9) Declares the sense of Congress that the international community should increase support for nongovernmental organizations (NGOs) attempting to meet the urgent humanitarian needs of the Burmese people.

Amends the BFDA to authorize the Secretary of the Treasury to issue multi-year licenses for humanitarian or religious activities in Burma. Authorizes appropriations, with a limitation, for FY2008.

(Sec. 10) Directs the Secretary of State to report to Congress on countries, companies, and other entities that provide military or intelligence aid to the SPDC.

(Sec. 11) Expresses the sense of Congress that the United States should lead UN Security Council efforts to impose an international arms embargo on Burma.

(Sec. 12) Directs the Secretary of State to report annually to Congress on Burma's timber trade, including recommendations on alternative imports to Burmese hardwoods.

(Sec. 13) Directs the Secretary of the Treasury to report annually to Congress on all countries and foreign banking institutions that hold assets on behalf of senior Burmese officials.

(Sec. 14) Expresses the sense of Congress that the United States should work with the Royal Thai Government to ensure the safety of the 15 plaintiffs in the *Doe v. Unocal* case. Urges the United States to grant plaintiffs refugee status or humanitarian parole to enter the United States.

(Sec. 15) Urges: (1) U.S., French, and Thai investors to voluntarily divest in the Burmese Yadana gas pipeline project if the Burmese Government fails to take steps to release political prisoners, restore civilian constitutional rule, and promote national reconciliation; and (2) Yadana investors that remain invested in Burma to communicate certain criticisms to the Burmese government, disclose transparently their role in Burmese investment, and work with project partners to ensure forced labor is not used on the project.

Actions Timeline

- **Jul 29, 2008:** Signed by President.
- **Jul 29, 2008:** Became Public Law No: 110-286.
- **Jul 25, 2008:** Presented to President.
- **Jul 23, 2008:** Message on Senate action sent to the House.
- **Jul 22, 2008:** Resolving differences -- Senate actions: Senate agreed to the House amendments (substitute and title) by Unanimous Consent.(consideration: CR S7079-7084; text as Senate agreed to House amendment: CR S7079-7084)
- **Jul 22, 2008:** Senate agreed to the House amendments (substitute and title) by Unanimous Consent. (consideration: CR S7079-7084; text as Senate agreed to House amendment: CR S7079-7084)
- **Jul 22, 2008:** Cleared for White House.
- **Jul 17, 2008:** Message on House action received in Senate and at desk: House amendments to Senate amendments.
- **Jul 16, 2008:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 3890. (consideration: CR H6599)
- **Jul 15, 2008:** Resolving differences -- House actions: House agreed to Senate amendments with amendments pursuant to H.Res. 1341.(consideration: CR H6520)
- **Jul 15, 2008:** House agreed to Senate amendments with amendments pursuant to H.Res. 1341. (consideration: CR H6520)
- **Dec 19, 2007:** Senate Committee on Foreign Relations discharged by Unanimous Consent.
- **Dec 19, 2007:** Measure laid before Senate by unanimous consent. (consideration: CR S15971)
- **Dec 19, 2007:** Passed/agreed to in Senate: Passed Senate with an amendment and an amendment to the Title by Unanimous Consent.
- **Dec 19, 2007:** Passed Senate with an amendment and an amendment to the Title by Unanimous Consent.
- **Dec 19, 2007:** Message on Senate action sent to the House.
- **Dec 12, 2007:** Received in the Senate and Read twice and referred to the Committee on Foreign Relations.
- **Dec 11, 2007:** Mr. Meeks (NY) moved to suspend the rules and pass the bill, as amended.
- **Dec 11, 2007:** Considered under suspension of the rules. (consideration: CR H15234-15239)
- **Dec 11, 2007:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3890.
- **Dec 11, 2007:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H15234-15237)
- **Dec 11, 2007:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H15234-15237)
- **Dec 11, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 11, 2007:** The title of the measure was amended. Agreed to without objection.
- **Dec 7, 2007:** House Committee on Ways and Means Granted an extension for further consideration ending not later than Dec. 12, 2007.
- **Nov 15, 2007:** House Committee on Ways and Means Granted an extension for further consideration ending not later than Dec. 7, 2007.
- **Oct 31, 2007:** Reported (Amended) by the Committee on Foreign Affairs. H. Rept. 110-418, Part I.
- **Oct 31, 2007:** Committee on Judiciary discharged.
- **Oct 31, 2007:** House Committee on Ways and Means Granted an extension for further consideration ending not later than Nov. 16, 2007.
- **Oct 23, 2007:** Committee Consideration and Mark-up Session Held.
- **Oct 23, 2007:** Ordered to be Reported in the Nature of a Substitute by Unanimous Consent.
- **Oct 18, 2007:** Introduced in House
- **Oct 18, 2007:** Referred to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.