To require the development of a comprehensive strategy to end serious human rights violations in Sudan, to create incentives for governments and persons to end support of and assistance to the Government of Sudan, to reinvigorate genuinely comprehensive peace efforts in Sudan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2012

Mr. McGovern (for himself, Mr. Wolf, Mr. Capuano, Ms. Lee of California, Mr. Miller of North Carolina, Mr. Olver, and Ms. Jackson Lee of Texas) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Government Reform, 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

A BILL

To require the development of a comprehensive strategy to end serious human rights violations in Sudan, to create incentives for governments and persons to end support of and assistance to the Government of Sudan, to reinvigorate genuinely comprehensive peace efforts in Sudan, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—The Act may be cited as the
3 “Sudan Peace, Security, and Accountability Act of 2012”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Findings.
Sec. 4. Statement of policy.
Sec. 5. Requirement of a comprehensive strategy to end serious human rights
violations and to create peace throughout Sudan.
Sec. 6. Sanctionable acts.
Sec. 7. Description of sanctions.
Sec. 8. Ineligibility for visas and admission to the United States.
Sec. 9. Prohibition on all transactions in property, goods, and technology.
Sec. 10. Expanding sanctions and other authorities in support of peace in
Sudan.
Sec. 11. Report.
Sec. 12. Termination of sanctions.

6 SEC. 2. DEFINITIONS.

7 (1) ADMITTED; ALIEN.—The terms “admitted”
8 and “alien” have the meanings given those terms in
9 section 101 of the Immigration and Nationality Act

11 (2) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means—
14
15 (A) the Committee on Banking, Housing, 
16 and Urban Affairs, the Committee on Foreign
17 Relations, the Committee on the Judiciary, and
18 the Select Committee on Intelligence of the
19 Senate; and
(B) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) Financial institution.—The term “financial institution” has the meaning given that term under section 5312(a)(2) of title 31, United States Code.

(4) Government of Sudan.—The term “Government of Sudan” means—

(A) the government in Khartoum, Sudan, which is led by the National Congress Party; or

(B) any successor government formed on or after the date of the enactment of this Act.

(5) Military equipment.—The term “military equipment” means—

(A) weapons, arms, supplies, or parts that readily may be used for military purposes, including radar systems, aerial weapons, or military-grade transport vehicles; or

(B) supplies or services sold or provided directly or indirectly to any person or government participating, supporting, or assisting in armed conflict in Sudan.
(6) PERSON.—The term “person” has the meaning given such term in section 2(9) of the Sudan Accountability and Divestment Act of 2007 (50 U.S.C. 1701 note; Public Law 110–174), including any board of directors or executives of such a person.

(7) SUPPORT.—The term “support” or “supported” means—

(A) any type of material, financial, or logistical assistance; or

(B) in the case of the Government of Sudan, failure to prevent or punish serious human rights violations by a person in Sudan that is committing or assisting in the commission of serious human rights violations.

(8) SERIOUS VIOLATIONS OF HUMAN RIGHTS.—

The term “serious violations of human rights” includes the following:

(A) Genocide, as described in section 1091 of title 18, United States Code.

(B) Torture, as such term is defined in section 2340 of title 18, United States Code.

(C) War crimes, as such term is defined in subsections (c) and (d) of section 2441 of title 18, United States Code.
(D) Consistent patterns of gross violations of internationally recognized human rights as described in section 502b(a) of the Foreign Assistance Act of 1961.

(E) Persecution, as interpreted by judicial and administrative case law in the application of section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)).

(F) Acts or omissions described in the President’s “Proclamation 8697—Suspension of Entry as Immigrants and Nonimmigrants of Persons Who Participate in Serious Human Rights and Humanitarian Law Violations and Other Abuses” (Aug. 4, 2011).

SEC. 3. FINDINGS.

(a) FINDINGS.—Congress makes the following findings:

(1) On October 21, 2002, the “Sudan Peace Act” was enacted into law as Public Law 107–245.

(2) On July 22, 2004—

(A) the House of Representatives adopted House Concurrent Resolution 467 by a vote of 422–0, concluding that crimes in Darfur constituted genocide; and
(B) the Senate adopted Senate Concurrent Resolution 1330 by unanimous consent and declared, “[T]he atrocities unfolding in Darfur, Sudan, are genocide.”.

(3) On September 9, 2004, then-Secretary of State Colin Powell testified before the Committee on Foreign Relations of the Senate that “genocide has occurred and may still be occurring in Darfur” and “the Government of Sudan and the Janjaweed bear responsibility”.


(5) On October 13, 2006, the “Darfur Peace and Accountability Act of 2006” was enacted into law as Public Law 109–344.

(6) On April 27, 2007, the International Criminal Court (ICC) issued arrest warrants for—

(A) former Sudanese Minister of the Interior Ahmad Muhammad Harun, who currently serves as Governor of the Sudanese state of South Kordofan, on 20 counts of crimes against humanity and 22 counts of war crimes in Darfur; and
(B) Janjaweed Commander Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb") on 22 counts of crimes against humanity and 28 counts of war crimes.

(7) On December 31, 2007, the "Sudan Accountability and Divestment Act of 2007" was enacted into law as Public Law 110–174.

(8) In May 2008, the Government of Sudan invaded Abyei and has since forcibly removed the Ngok Dinka population, despite signing the Abyei Roadmap Agreement that called for arbitration to resolve the boundary dispute.

(9) On March 4, 2009, the ICC issued an arrest warrant for Omar al-Bashir, the sitting President of Sudan, on two counts of war crimes and five counts of crimes against humanity related to Darfur.

(10) On July 10, 2010, the ICC issued a second arrest warrant for Omar al-Bashir, the sitting President of Sudan, on three counts of genocide related to Darfur.

(11) On May 21, 2011, the Government of Sudan invaded the disputed Abyei region which resulted in the displacement of more than 113,000 civilians, almost all of whom were Ngok Dinka, and
has not withdrawn its forces despite entering into an agreement to do so.

(12) A United Nations report, dated May 29, 2011, stated that the invasion of the Abyei region by the Sudanese Armed Forces (SAF) could lead to “ethnic cleansing”.

(13) On June 5, 2011, fighting erupted in South Kordofan, which included the aerial bombardment of civilian areas by the Sudanese Air Force, resulting in the displacement of more than 200,000 civilians. On September 1, 2011, similar fighting broke out in Blue Nile.

(14) In July 2011, the Government of Sudan signed the Doha Document for Peace in Darfur with one rebel group, but the agreement did not include other significant groups.

(15) Aerial bombardments in civilian areas of South Kordofan and Blue Nile have severely impeded the ability of the population to engage in normal agricultural activities, leading to the potential for a massive famine affecting hundreds of thousands of people, and has caused widespread displacement of civilians. Moreover, the Government of Sudan has continually blocked humanitarian relief to vulnerable populations devastated by its aerial bom-
barricades. The Famine Early Warning Systems Network warns that conditions in these two states are anticipated to reach emergency levels by March 2012. This is one level short of famine.

(16) On August 15, 2011, the United Nations Office of the High Commissioner for Human Rights released a preliminary report stating that alleged violations of international law by Sudanese forces in the South Kordofan region “may constitute war crimes and crimes against humanity”. Reported violations included extrajudicial killings, arbitrary arrests and illegal detention, forced disappearances, aerial bombardments and attacks against civilians, looting and destruction of civilian homes and villages, massive displacement, attacks on churches, interference with medical and humanitarian assistance, and allegations of targeted attacks against ethnic and racial groups and the existence of mass graves.

(17) On March 1, 2012, the ICC issued an arrest warrant against the current Sudanese Defense Minister Abdel Raheem Muhammad Hussein for crimes against humanity and war crimes committed in Darfur from August 2003 to March 2004.
(18) Recent offensive operations in South Kordofan and Blue Nile by Sudanese Armed Forces have led to significant and increasing flows of refugees to Ethiopia and South Sudan, and on November 10, 2011, reports by the United Nations indicated that aerial bombardment by the Sudanese Armed Forces was used against a refugee camp in South Sudan. On January 24, 2012, UNHCR again condemned an air raid carried out at a refugee transit site located within South Sudan.

(19) Reports of cross border ground attacks by Sudan into South Sudan, aerial bombardment inside South Sudan and the increasing presence of Sudanese military forces close to the border between Sudan and South Sudan are provocative acts that raise tensions between the two countries, increasing the risk of a military conflict and the aggravation of the humanitarian crisis.

(20) During 2011, the United Nations documented that over half a million people had been displaced as a result of violence in Darfur, South Kordofan, Blue Nile, and Abyei.

(21) There is sufficient evidence to conclude that the Government of Sudan and persons controlled or supported by the Government of Sudan
are using military equipment to commit or assist in committing serious human rights violations.

SEC. 4. STATEMENT OF POLICY.

(a) Statement of Policy.—It shall be the policy of the United States to take urgent action to—

(1) promote a genuinely comprehensive approach to resolving all issues related to serious human rights violations and political instability in Sudan, with the goal of encouraging a single, comprehensive agreement that provides a framework for democratic reform and lasting peace throughout all of Sudan, as well as a transparent, fair, and all-inclusive constitutional process;

(2) identify actions to provide immediate protection to noncombatants throughout Sudan who have been victims of serious human rights violations or are vulnerable to becoming victims of serious human rights violations, including—

(A) demanding that the Government of Sudan permit free and unfettered access for international humanitarian aid throughout Sudan, including throughout Darfur, South Kordofan, Blue Nile, and Abyei, and absent such agreement, the United States should seek
other mechanisms to mitigate the effects of the
lack of such humanitarian aid;

(B) considering options, including in con-
sultation with key international and regional ac-
tors described in paragraph (6), in which the
United States could enforce the existing United
Nations-imposed ban on offensive military
flights over Darfur, as well as an extension of
that ban to include South Kordofan, Blue Nile,
and Abyei;

(C) calling upon all persons and govern-
ments to immediately cease all selling, leasing,
loaning, exporting, or otherwise transferring of
military equipment to the Government of Sudan
or to any person controlled or supported by the
Government of Sudan; and

(D) urging the United Nations Security
Council to—

(i) ban all sales, leases, loans, exports,
or transfers of military equipment to the
Government of Sudan or any person con-
trolled or supported by the Government of
Sudan;

(ii) expand the existing ban on all
military flights over Darfur provided for
under paragraph 6 of United Nations Security Council Resolution 1591 (2005) to other areas of Sudan where there are currently serious human rights violations occurring, including in South Kordofan, Blue Nile, and Abyei; and

(iii) authorize a peacekeeping force to any area of Sudan not currently served by such a force and for which there is credible evidence of serious human rights violations;

(3) promote free and transparent democratic reform in Sudan, including exploring methods through which the United States can provide technical support and funding to promote democratic institutions, nongovernmental organizations, civil society, and representative political participation in Sudan;

(4) hold persons and governments accountable for committing or assisting in the commission of in serious human rights violations, or for supporting or assisting those persons and governments that commit or assist in the commission of human rights violations, including—
(A) ensuring that all sanctions in effect against the Government of Sudan are exercised against all applicable Government of Sudan-controlled or supported persons and property, bearing in mind that the Government of Sudan may have nominally transferred certain state-controlled or supported persons and property to leaders within the National Congress Party (NCP) while preserving Government of Sudan control over or support of those persons and financial interests;

(B) expanding sanctions to target the Government of Sudan and persons controlled or supported by the Government of Sudan in the commission or assistance of serious human rights violations throughout Sudan, including in Darfur, South Kordofan, Blue Nile, or Abyei;

(C) formulating and enforcing sanctions against persons or governments outside of Sudan that support or assist the Government of Sudan or persons controlled or supported by the Government of Sudan in the commission or assistance of serious human rights violations in Sudan;
(D) urging the United Nations Security Council to—

(i) create a more comprehensive, international set of sanctions against the Government of Sudan and persons controlled or supported by the Government of Sudan that commit, assist in, or otherwise support serious human rights violations in Sudan;

(ii) expand the ICC’s mandate beyond only Darfur to cover all of Sudan, including South Kordofan, Blue Nile, and Abyei; and

(iii) adopt the broadest authority possible, including the application of the United Nations’ Charter Chapter 7 powers, to execute any ICC arrest warrants issued against any person in Sudan;

(E) encouraging countries to cooperate in executing ICC arrest warrants related to allegations of genocide, war crimes, and crimes against humanity in Sudan; and

(F) determining the extent of serious human rights violations throughout Sudan, including in Darfur, South Kordofan, Blue Nile,
and Abyei, which may include sending an assessment team to interview refugees in Ethiopia and South Sudan;

(5) ensure the resolution of all outstanding issues between the Governments of Sudan and South Sudan, including—

(A) enhancing diplomacy with the African Union High Level Implementation Panel, the United Nations, and other key international and regional actors described in paragraph (6) that have significant influence or interests related to the region to assist the Governments of Sudan and South Sudan to continue high level engagement to resolve outstanding issues, including the final status of Abyei, the disputed border areas, transitional financial arrangements, and outstanding oil-related issues in order to address points of conflict and ensure a peaceful relationship between the two countries; and

(B) insisting that the Governments of Sudan and South Sudan respect the political independence and territorial integrity of neighboring countries; and
(6) engage with key international and regional actors, including the African Union, the United Nations, the European Union, the League of Arab States, China, Russia, Ethiopia, Qatar, Turkey, and other governments and persons that have significant influence or interests related to Sudan, in order to achieve the policies of this section and the overall goals of this Act.

SEC. 5. REQUIREMENT OF A COMPREHENSIVE STRATEGY TO END SERIOUS HUMAN RIGHTS VIOLATIONS AND TO CREATE PEACE THROUGHOUT SUDAN.

(a) REQUIREMENT FOR DEVELOPMENT AND SUBMISSION OF COMPREHENSIVE STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall develop and transmit to the appropriate congressional committees a comprehensive strategy in accordance with the statement of policy specified in section 4.

(b) CONTENTS OF STRATEGY.—The strategy required under subsection (a) shall include the following:

(1) The development of an interagency framework to plan, coordinate, and review the diplomatic, economic, intelligence, and military actions and ca-
abilities of United States policy regarding Sudan. The agencies involved shall include the following:

(A) The Department of State and the United States Agency for International Development (USAID), including the Special Envoy for Sudan, the Bureau of Democracy, Human Rights, and Labor (DRL), the Bureau of Conflict and Stabilization Operations, and USAID’s Bureau of Democracy, Conflict, and Humanitarian Assistance.

(B) The Department of Treasury, including the Office of Foreign Assets Control (OFAC).

(C) The Department of Homeland Security.

(D) The Department of Commerce, including the Bureau of Industry and Security (BIS).

(E) The Department of Defense.

(F) The National Security Council.

(G) The Office of the Director of National Intelligence and the Central Intelligence Agency.

(2) A description of the United States diplomatic, economic, intelligence, and military actions and capabilities engaged, as of the date of the enact-
ment of this Act, with Sudan, including multilateral efforts.

(3) A review of governments and persons outside of Sudan that provide diplomatic, economic, intelligence, and military support or assistance to the Government of Sudan, including governments and persons that facilitate the export of military equipment to Sudan.

(4) A list of governments and persons identified in paragraph 3 that may be committing sanctionable acts (as defined in section 6).

(5) A process for providing timely and regular information to the President for the purpose of determining whether a government or person may be committing sanctionable acts (as defined in section 6).

(6) An assessment of the United States diplomatic, economic, intelligence, and military actions and capabilities that reasonably may be utilized, strengthened, or improved to further the objective of ending serious human rights violations in Sudan and of promoting a nationwide, comprehensive peace and democratic reform strategy. This assessment should include multilateral and bilateral efforts through the United Nations, other governments and persons that
have significant influence or interests in Sudan, and
humanitarian NGOs.

(c) Form.—The strategy shall be submitted in un-
classified form, but may include a classified annex.

SEC. 6. SANCTIONABLE ACTS.

(a) Providing Support or Assistance in the
Commission of Serious Human Rights Violations in
Sudan.—The President shall impose on any person or
government at least two of the sanctions specified in sec-
tion 7 if the President determines and certifies to the ap-
propriate congressional committees that such person or
government has supported or assisted the Government of
Sudan or any person controlled or supported by the Gov-
ernment of Sudan in the commission, or assistance in the
commission, of serious human rights violations in Sudan,
including by—

(1) selling, leasing, loaning, exporting, or other-
wise transferring military equipment to the Govern-
ment of Sudan or any person controlled or sup-
ported by the Government of Sudan; or

(2) providing in any 12-month period any prop-
erty, goods, technology, services, or other support in
the amount of $500,000 or more, or any combina-
tion of such items or support the aggregate of which
exceeds $500,000 in any such period, that directly
and significantly contributes to the Government of Sudan or any person controlled or supported by the Government of Sudan to commit or assist in the commission of serious human rights violations.

(b) INTERFERING WITH HUMANITARIAN AID.—The President shall impose on any person or government at least two of the sanctions specified in section 7 if the President determines and certifies to the appropriate congressional committees that such person or government is interfering or has interfered with the delivery of humanitarian aid to Sudan.

(c) IMPEDING OR THREATENING PEACE AND STABILITY IN SUDAN.—The President shall impose on any person or government at least two of the sanctions specified in section 7 if the President determines and certifies to the appropriate congressional committees that such person or government is impeding the peace process or threatening the stability of any part of Sudan or the region.

(d) FAILURE TO EXECUTE ICC ARREST WARRANTS AGAINST GOVERNMENT OF SUDAN OFFICIALS.—The President shall impose on any person or government at least two of the sanctions specified in section 7 if the President determines and certifies to the appropriate congressional committees that such person or government has
failed to execute an International Criminal Court arrest warrant against any Government of Sudan official if such person or government—

(1) had the jurisdictional authority to execute the warrant;

(2) had the opportunity to execute the warrant; and

(3) failed to do so without reasonable justification.

(e) Exception for South Sudan.—No sanctions or other prohibitions described in this Act shall be imposed on any government or person that is acting on behalf of the Government of South Sudan in connection with—

(1) the shipment or payment for oil from South Sudan; or

(2) the advancement of peace between Sudan and South Sudan.

(f) Exception for Sales of Humanitarian Aid, Including Food, Medicine, and Medical Devices.—No sanctions or other prohibitions described in this Act shall be imposed on any government or person that is or has conducted or facilitated the provision or sale of humanitarian aid, including food, medicine, or medical devices, to the Government of Sudan or any person controlled or supported by the Government of Sudan.
SEC. 7. DESCRIPTION OF SANCTIONS.

(a) SANCTIONS.—The sanctions referred to in section 6 are the following:


(2) Directing the Export-Import Bank of the United States, the Overseas Private Investment Corporation, or the Trade and Development Agency to not approve the issuance of any (or a specified number of) guarantees, insurance, extensions of credit, or participation in an extension of credit with respect to the person or government identified by the President under section 6 of this Act.


(4) In accordance with section 701 of the International Financial Institutions Act, directing the United States executive director at international financial institutions referred to in such section to oppose and vote against loans primarily benefitting the person or government identified by the President under section 6 of this Act.

(5) Ordering the heads of the appropriate United States departments and agencies not to issue
any (or a specified number of) specific licenses, and
not to grant any other specific authority (or a speci-
fied number of authorities), to export any goods or
technology to the person or government identified by
the President under section 6 of this Act, under—

(A) the Export Administration Act of 1979
(as continued in effect by the International
Emergency Economic Powers Act);
(B) the Arms Export Control Act;
(C) the Atomic Energy Act of 1954; or
(D) any other statute that requires the
prior review and approval of the United States
Government as a condition for the export or re-
export of goods or services.

(6) Prohibiting any United States financial in-
stitution or person from making loans or providing
credits totaling more than $500,000 in any 12-
month period to the person or government identified
by the President under section 6 of this Act.

(7) Prohibiting the United States Government
from procuring, or entering into any contract for the
procurement of, any goods or services from the per-
son or government identified by the President under
section 6 of this Act.
(8) Downgrading, suspending, or canceling at
least one official, economic, cultural, or scientific
visit, meeting, or contact between any person or gov-
ernment within the jurisdiction of the United States
and the government identified by the President
under section 6 of this Act.

(b) Presidential Authority for Additional
Sanctions.—The President may impose additional sanc-
tions not specified in subsection (a) pursuant to the Inter-
1701 et seq.) with respect to any person or government
identified by the President under section 6 of this Act.

(c) Waiver.—The President may waive the applica-
tion of section 6 of this Act with respect to any person
or government identified by the President under such sec-
tion if the President determines that such a waiver is in
the national interests of the United States. At least 30
days before granting such a waiver, the President shall
provide the appropriate congressional committees notice
of, and a justification for, such waiver.

SEC. 8. INELIGIBILITY FOR VISAS AND ADMISSION TO THE
UNITED STATES.

(a) In General.—An alien is ineligible to receive
any visa to enter the United States if the President has
made a determination regarding the alien under section 6.

(b) REVOCATION.—The Secretary of State shall re-voke, including retroactively revoke if the alien has been admitted to the United States, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), the visa or other documentation of any alien if the President has made a determination regarding the alien under section 6 of this Act.

(c) INADMISSIBILITY AND REMOVABILITY.—

(1) INADMISSIBILITY.—An arriving alien may be charged under any applicable provision of section 212 of the Immigration and Nationality Act if the President has made a determination regarding the alien under section 6.

(2) REMOVABILITY.—An alien admitted to the United States may be charged under any applicable provision of section 237 of the Immigration and Nationality Act if the President has made a determination regarding the alien under section 6.

(d) CERTAIN FAMILY MEMBERS ALSO INELIGIBLE FOR VISAS AND ADMISSION.—The following persons, if they are aliens, are subject to subsections (a) through (c) if the President has made a determination under section 6 with respect to an alien:
(1) The spouse of the alien identified by the President under section 6.

(2) The natural, adopted, or step-son or daughter of the alien so identified.

(3) The natural or legal parents, step-parents, or guardians of the alien so identified.

(4) The natural or legal grandparents or step-grandparents of the alien so identified.

(e) VISA WAIVER.—The Secretary of State may waive the application of subsections (a), (b), and (d) if the Secretary determines that such a waiver is in the national interests of the United States. At least 30 days before granting such a waiver, the Secretary shall provide to the appropriate congressional committees notice of, and a justification for, the waiver.

(f) INADMISSIBILITY AND REMOVAL WAIVER.—The Secretary of Homeland Security may waive the application of subsections (c) and (d) if the Secretary determines that such a waiver is in the national interests of the United States. At least 30 days before granting such a waiver, the Secretary shall provide to the appropriate congressional committees notice of, and a justification for, the waiver.
SEC. 9. PROHIBITION ON ALL TRANSACTIONS IN PROPERTY, GOODS, AND TECHNOLOGY.

(a) Prohibition of Property Transactions.—The Secretary of the Treasury shall block and prohibit all transactions in all property and interests in property, including any goods or technology, of any person or government in the United States, or that come within the United States, or that are or come within the possession or control of a person within the jurisdiction of the United States, if a person or government—

(1) is designated by the President under section 6; or

(2) acts as an agent of or on behalf of a person or government designated by the President under section 6 in a matter relating to the activity for which the person or government was added to that list.

(b) Waiver for National Interests.—The Secretary of the Treasury may waive the application of subsection (a) if the Secretary determines that such a waiver is in the national interests of the United States. At least 30 days before granting such a waiver, the Secretary shall provide to the appropriate congressional committees notice of, and a justification for, the waiver.

(c) Enforcement.—
(1) Penalties.—A person or government that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties specified in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of such section.

(2) Requirements for Financial Institutions.—

(A) In General.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to require each financial institution in the United States—

(i) to perform an audit of the assets within the possession or control of the financial institution to determine whether any of such assets are required to be frozen pursuant to subsection (a); and

(ii) to submit to the Secretary—

(I) a report containing the results of the audit; and
(II) a certification that, to the
best of the knowledge of the financial
institution, the financial institution
has frozen all assets within the pos-
session or control of the financial in-
stitution that are required to be so
frozen.

(B) Penalties.—The penalties provided
for in sections 5321(a) and 5322 of title 31,
United States Code, shall apply to a financial
institution that violates a regulation prescribed
under subparagraph (A) in the same manner
and to the same extent as such penalties would
apply to any person that is otherwise subject to
such sections 5321(a) or 5322.

(d) Regulatory Authority.—The Secretary of the
Treasury shall issue such regulations, licenses, or orders
as are necessary to carry out this section.

SEC. 10. EXPANDING SANCTIONS AND OTHER AUTHORITIES
IN SUPPORT OF PEACE IN SUDAN.

(a) Blocking of Assets and Restriction on
Visas of Certain Individuals Identified by the
President.—Section 6(c) of the Comprehensive Peace in
note) is amended—
(1) by striking “Darfur Peace and Accountability Act of 2006” each place it appears and inserting “Sudan Peace, Security, and Accountability Act of 2012”; and

(2) by striking “in Darfur” each place it appears and inserting “in Sudan”.

(b) SANCTIONS AGAINST JANJAWEED COMMANDERS AND COORDINATORS OR OTHER INDIVIDUALS.—Section 5(c) of the Darfur Peace and Accountability Act of 2006 (Public Law 109–344; 50 U.S.C. 1701 note) is amended—

(1) by inserting “and as amended by section 10(a) of the Sudan Peace, Security, and Accountability Act of 2012” after “as added by subsection (a)”;

(2) by striking “in Darfur” and inserting “in Sudan”.

(c) ADDITIONAL AUTHORITIES TO DETER AND SUPPRESS GENOCIDE IN SUDAN.—

(1) IN GENERAL.—Section 6 of the Darfur Peace and Accountability Act of 2006 (Public Law 109–344; 50 U.S.C. 1701 note) is amended—

(A) in the section heading, by striking “GENOCIDE IN DARFUR” and inserting “HUMAN RIGHTS VIOLATIONS IN SUDAN”;
(B) by striking subsections (a) through (d); and

(C) by redesignating subsections (e) and (f) as subsections (a) and (b), respectively.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 6 and inserting the following:

“Sec. 6. Additional authorities to deter and suppress human rights violations in Sudan.”.

(d) CONTINUATION OF RESTRICTIONS.—Section 7(a) of the Darfur Peace and Accountability Act of 2006 (Public Law 109–344; 50 U.S.C. 1701 note) is amended by striking “the Government of Sudan is acting in good faith to” and all that follows and inserting “the Government of Sudan has met the requirements described in paragraphs (1) through (10) of section 12 of the Sudan Peace, Security, and Accountability Act of 2012”.

(e) REPORTING REQUIREMENTS.—The Sudan Peace Act (Public Law 107–245; 50 U.S.C. 1701 note) is amended by striking section 8.

SEC. 11. REPORT.

(a) REPORT REQUIRED.—Not later than one year after the transmission of the strategy required under section 5 and every 180 days thereafter, the President shall prepare and transmit to the appropriate congressional
committees a report on the progress made toward the implementation of the strategy.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) a description and evaluation of actions taken toward the implementation of the comprehensive strategy required under section 5;

(2) a description of efforts to identify any person or government that has engaged in any action under section 6 that would trigger the imposition of sanctions under section 7;

(3) a description of efforts to renew engagement with key regional and international actors, including the African Union, the United Nations, the European Union, the League of Arab States, China, Russia, Ethiopia, Qatar, Turkey, and other governments and persons that have significant influence or interests related to Sudan on the issue of sanctions with respect to Sudan;

(4) a description of efforts taken and progress made to update and expand the sanctions regime to target and include Government of Sudan and persons who have committed serious human rights violations in Sudan;
(5) a description of efforts to work with the African Union, the United Nations, the European Union, the League of Arab States, China, Russia, Ethiopia, Qatar, Turkey, and other governments and persons that have significant influence or interests related to Sudan to develop a comprehensive approach to Sudan’s many conflicts and engage the Government of Sudan in achieving a comprehensive agreement for democratic reform; and

(6) a description of efforts to ensure, and the degree of success in ensuring, free and unfettered access and delivery of humanitarian aid to those individuals who need it, protect civilians from attack, and the cessation of attacks on noncombatants.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 12. TERMINATION OF SANCTIONS.

The imposition of sanctions under sections 6 and 7 and the restrictions under sections 8 and 9 shall terminate on the date that is 30 days after the date on which the President certifies to the appropriate congressional committees that the Government of Sudan has—
(1) abided by all United Nations Security Council Resolutions related to peace and humanitarian issues in Sudan;
(2) permanently ceased all attacks on non-combatants throughout Sudan;
(3) demobilized and demilitarized any person controlled or supported by the Government of Sudan which has committed or assisted in serious human rights violations;
(4) cooperated with efforts to disarm, demobilize, and deny safe haven in Sudan to members of the Lord’s Resistance Army;
(5) granted free and unfettered access for delivery of humanitarian assistance;
(6) allowed for the safe and voluntary return of refugees and internally displaced persons;
(7) provided genuine accountability for persons who have committed or assisted in serious human rights violations, including those persons with political or military command authority;
(8) permitted free, transparent, and all-inclusive democratic reform in Sudan, with a constitutional process leading to free and fair elections having occurred or scheduled to occur in a reasonable amount of time;
(9) complied in substance and spirit with all peace agreements signed since 2006, including the Darfur Peace Agreement (Abuja), the Doha Document for Peace in Darfur, all existing agreements with South Sudan, and any future agreements that may be reached to achieve the goals of this Act; and

(10) negotiated in good faith for a resolution of all conflicts in Sudan.