H. R. 1692

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

APRIL 24, 2013

Mr. McGovern (for himself, Mr. Wolf, Mr. Capuano, Mr. McCaul, Ms. Lee of California, Mr. Schock, Ms. Bass, Ms. Schakowsky, Mr. Van Hollen, Mr. Sherman, Mr. Grijalva, Ms. Edwards, Mr. Clay, Ms. Moore, Mrs. Carolyn B. Maloney of New York, Mr. Conyers, Mr. DeFazio, Mr. Carson of Indiana, Mr. Cicilline, Mr. Johnson of Georgia, Ms. McCollum, Mr. Michaud, Mr. Rush, Mr. Moran, Mr. Markey, Mr. McIntyre, Mr. Polis, and Mr. Welch) 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 Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—The Act may be cited as the
“Sudan Peace, Security, and Accountability Act of 2013”.

(b) Table of Contents.—The table of contents for
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, promote democratic transformation, and 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.

SEC. 2. DEFINITIONS.

(1) Admitted; Alien.—The terms “admitted”
and “alien” have the meanings given those terms in
section 101 of the Immigration and Nationality Act

(2) Appropriate Congressional Committees.—The term “appropriate congressional com-
mittees” means—

(A) the Committee on Banking, Housing,
and Urban Affairs, the Committee on Foreign
Relations, the Committee on the Judiciary, and
the Select Committee on Intelligence of the 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 (e) 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) 2013 marks ten years from the start of crimes in Darfur that were later found to constitute genocide, and 2014 marks ten years from when the
House of Representatives, the Senate, and the United States concluded that crimes in Darfur committed by the Government of Sudan constituted genocide.

(3) 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.”.

(4) 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”.


(6) On October 13, 2006, the “Darfur Peace and Accountability Act of 2006” was enacted into law as Public Law 109–344.
(7) 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.

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

(9) In May 2008, the Government of Sudan invaded Abyei and has since forcibly removed the Ngok Dinka population, which subsequently led to the conclusion of the Abyei Roadmap agreement that called for an arbitration to resolve the dispute over the area’s boundaries.

(10) 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.
(11) 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.

(12) 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.

(13) 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”.

(14) 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.

(15) 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.
(16) 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 bombardments.

(17) 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. Subsequent reports by the United Nations
and other independent monitors document the continuation of these violations throughout 2012 and the beginning of 2013.

(18) 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.

(19) 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.

(20) 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.

(21) In January 2013, the United Nations Of-
office for the Coordination of Humanitarian Affairs
(OCHA) stated that some 900,000 Sudanese people
are in need of humanitarian aid in South Kordofan
and Blue Nile provinces and in neighboring coun-
tries where they have sought refuge, describing their
situation as bleak and urgent. OCHA further re-
ported that there is a deficit of political will by both
sides of the conflict to do what is necessary to pro-
vide access to international humanitarian agencies to
help the people where they so urgently and des-
perately need aid.

(22) In February 2013, the United Nations
documented that over 1.5 million people have been
displaced or severely affected as a result of violence
in Darfur, Abyei, South Kordofan, and Blue Nile
provinces, including some 90,000–100,000 Darfuris
newly displaced in 2012. In addition, over 40,000
people of South Sudanese origin remain stranded in
Khartoum State and are living in dire conditions
awaiting repatriation to South Sudan.

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

(24) In May 2012, the United Nations Security Council passed Resolution 2046, calling on the Governments of Sudan and South Sudan to address several remaining unresolved issues, including humanitarian access to South Kordofan and Blue Nile, or face consequences under Chapter VII of the United Nations Charter, including possible sanctions.

(25) In July 2012, the Government of Sudan signed a Tripartite Agreement with the African Union, the League of Arab States, and the United Nations to allow international humanitarian access to South Kordofan and Blue Nile, but as of the beginning of March 2013, such access continues to be blocked by the Government of Sudan.

(26) In September 2012, the Governments of Sudan and South Sudan signed a series of security and economic framework agreements. In March 2013, the two sides agreed to an implementation matrix and modalities for the demilitarized buffer zone along their shared borders, but the slow pace of implementation of those agreements and the lack of an agreement over the final status of Abyei and
the demarcation of the north-south border threaten peace and stability in the region, and in particular peace and stability along the north-south borders of these countries.

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) ensure that work on a single, comprehensive solution to Sudan’s multiple conflicts runs parallel to negotiations between the Governments of Sudan and South Sudan but such comprehensive solution is not conditioned on the status of Sudan-South Sudan negotiations, and is coordinated effectively so as to prevent obstacles that may arise in Sudan-South Sudan from delaying or derailing work on such comprehensive solution;
(3) identify actions to provide immediate pro-
extection 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;

(D) engaging United States allies to adopt
and impose sanctions against the Government
of Sudan similar to the sanctions already en-
acted by the United States and the sanctions
described in this Act so as to strengthen multi-
lateral coordination and action to achieve a
comprehensive resolution to Sudan’s multiple
conflicts and unfettered access for international
humanitarian aid for Sudan’s vulnerable popu-
lations; and

(E) 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 Se-
curity Council Resolution 1591 (2005) to
other areas of Sudan where there are cur-
rently serious human rights violations oc-
curring, including in South Kordofan, Blue Nile, and Abyei; and

(iii) authorize a peacekeeping force that contains a human rights monitoring component and the appropriate mandate and resources necessary to protect civilians to any area of Sudan not currently served by such a force and for which there is credible evidence of serious human rights violations;

(4) promote free and transparent democratic reform in Sudan, including exploring methods through which the United States can provide technical support, training, capacity building, and funding to promote and strengthen democratic institutions, nongovernmental organizations, civil society, and representative political participation in Sudan, including those institutions and organizations that can represent and articulate the demands of marginalized constituencies, such as the peripheries, youth, women, nomads, and urban and rural poor;

(5) hold persons and governments accountable for committing or assisting in the commission of serious human rights violations, or for supporting or assisting those persons and governments that com-
mit 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) formulating and enforcing sanctions against persons or governments that fail to execute an International Criminal Court arrest warrant against any Government of Sudan official as described under section 6(d);

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

(G) 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;

(6) 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, address points of conflict, and ensure a peaceful relationship between the two countries, including—
(i) reaching agreement on the final status of Abyei and the disputed border areas; and

(ii) implementing fully the framework and cooperation agreements signed in September 2012 on security, oil, financial matters, nationality, trade, and other critical issues; and

(B) insisting that the Governments of Sudan and South Sudan respect the political independence and territorial integrity of neighboring countries; and

(7) 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, PROMOTE DEMOCRATIC TRANSFORMATION, AND 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 plan and the commitment of resources to end serious human rights violations in Sudan, create a nationwide, comprehensive peace, and promote democratic reform. Such interagency plan shall describe—

(A) the diplomatic, economic, intelligence, and military activities to be undertaken to address and end human rights violations, strengthen democratic institutions, and expand democratic participation and governance, including capacity building of Sudanese civil soci-
ety, political parties, and nongovernmental organizations seeking peaceful democratic change;

(B) the resources required to carry out the activities described in subparagraph (A), and the additional diplomatic personnel required in Sudan for such activities and outreach to civil society;

(C) options for expanding United States diplomatic engagement with countries with close political or economic relations with Sudan, including China, Russia, Qatar, Egypt, and other traditional allies of Sudan, and with multilateral organizations, in order to promote and achieve a comprehensive peace process within Sudan; and

(D) how sanctions against the Government of Sudan or Sudanese individuals shall be more effectively enforced, including by providing adequate resources and personnel to the Office of Foreign Assets Control (OFAC) within the Department of the Treasury, prioritizing the enforcement of sanctions against Sudan within OFAC, and mandating increased collection of intelligence information on Sudanese targets of sanctions.
(2) A description of the United States diplomatic, economic, intelligence, and military actions and capabilities engaged, as of the date of the enactment 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) AGENCIES SPECIFIED.—The agencies involved in the development of the interagency plan required under subsection (b)(1) are the following:

(1) The Department of State and the United States Agency for International Development (USAID), including the Special Envoy for Sudan and South 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.

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


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

(5) The Department of Defense.


(7) The Office of the Director of National Intelligence and the Central Intelligence Agency.
(8) The Department of Justice.

(d) FORM.—The strategy required under this section shall be submitted in unclassified 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 section 7 if the President determines and certifies to the appropriate congressional committees that such person or government has supported or assisted the Government of Sudan or any person controlled or supported by the Government 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 otherwise transferring military equipment to the Government of Sudan or any person controlled or supported by the Government of Sudan; or

(2) providing in any 12-month period any property, goods, technology, services, or other support in the amount of $500,000 or more, or any combination 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 government 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 sanctions not specified in subsection (a) pursuant to the International Emergency Economic Powers Act (50 U.S.C. 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 application of section 6 of this Act with respect to any person or government identified by the President under such section 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 Na-
tionality Act if the President has made a determina-
tion 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 (e)
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 (e) 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 possession or control of the financial institution 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(e) of the Comprehensive Peace in Sudan Act of 2004 (Public Law 108–497; 50 U.S.C. 1701 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 2013”; 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 2013,” after “as added by subsection (a)”; and

(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 through the period at the end 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 2013.”.

(e) RULE OF CONSTRUCTION.—The amendments made to section 6 of the Comprehensive Peace in Sudan Act of 2004 (Public Law 108–497; 50 U.S.C. 1701 note) and section 7(a) of the Darfur Peace and Accountability Act of 2006 (Public Law 109–344; 50 U.S.C. 1701 note) by this section may not be construed to affect in any manner any sanctions that were imposed pursuant to such section 6 or any restrictions imposed in accordance with such
section 7(a), as the case may be, on or before the date
of the enactment of this Act.

(f) 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 sec-
tion 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 im-
plementation of the strategy.

(b) CONTENTS.—The report required under sub-
section (a) shall include—

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

(2) a description of efforts to address and end
human rights violations and to strengthen and ex-
pand the capacity of civil society in the areas of gov-
ernance and democratic reform;

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

(4) 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;

(5) 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;

(6) 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; and

(7) 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 ap-
proach to Sudan’s many conflicts and engage the
Government of Sudan in achieving a comprehensive
agreement for democratic reform.

(c) FORM.—The report under subsection (a) shall be
submitted in unclassified form, but may include a classi-
fixed 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 com-
mittees that the Government of Sudan has—

(1) abided by all United Nations Security
Council Resolutions related to peace and humani-
tarian 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, demobi-
lize, 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 2005, 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.