

**Editorial Notes**

## REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (c)(2), was in the original “this Act” and was translated as reading “this title”, meaning title VII of div. J of Pub. L. 116–94, Dec. 20, 2019, 133 Stat. 3069, known as the Championing American Business Through Diplomacy Act of 2019, to reflect the probable intent of Congress, notwithstanding section 3 of Pub. L. 116–94, set out as a note under section 1 of Title 1, General Provisions. This chapter referred to in subsec. (b)(5), was in the original “this title”, meaning title VII of div. J. of Pub. L. 116–94. Title VII is classified principally to this chapter. For complete classification of title VII to the Code, see Short Title note set out under section 9901 of this title and Tables.

**§ 9905. Private sector consultation and coordination****(a) Consultation with private sector by embassy**

In developing the priorities for trade expansion initiatives described in section 9904(d) of this title, embassy mission teams shall convene local representatives of the United States private sector and the private sector of host countries to consult on issues affecting trade at the borders of such countries and take into account the private sector’s operational expertise and experience confronting the trade barriers in such countries as well as its recommendations for reform and best practices.

**(b) Inclusion of private-sector comments in mission plans**

Written comments from local United States private sector representatives shall be included in the trade expansion component of mission plans submitted by the chief of mission to the Secretary of State, with recommendations and comments from the mission team, for the purpose of informing the development of the joint strategic plan on trade expansion priorities required pursuant to section 9904(c)(4) of this title and recommended funding for the implementation of such plan.

**(c) Designated embassy point of contact for private sector consultation**

Each chief of mission shall designate an appropriate point of contact within the embassy who shall receive recommendations from appropriate private sector representatives regarding the implementation of the strategic plan required under section 9904(c)(4) of this title and ongoing trade barriers negatively impacting priority trade expansion. The chief of mission shall ensure that the designated point of contact shall be reasonably available for consultations with appropriate private sector representatives and to receive recommendations with respect to country-specific issues that may arise that will foreseeably disrupt trade.

**(d) Requirement to protect business confidential information****(1) In general**

The Secretary of State, Secretary of Commerce, and United States Trade Representative as well as the heads of all other agencies involved in the Economic Diplomacy Action Group established under section 9904(c) of this title shall protect from disclosure any propri-

etary information submitted by any private sector representative and marked as “business confidential information”, unless the party submitting the confidential business information had notice, at the time of submission, that such information would be released by the head of any such department or agency, or such party subsequently consents to the release of the information. To the extent business confidential information is provided, a non-confidential version of the information shall also be provided, in which the business confidential information is summarized or, if necessary, deleted.

**(2) Treatment as trade secrets**

Proprietary information submitted by a private party in accordance with this chapter shall be considered to be a matter falling within the meaning of trade secrets and commercial or financial information exemption under section 552(b)(4) of title 5 and shall be exempt from disclosure without the express approval of the private party.

(Pub. L. 116–94, div. J, title VII, §709, Dec. 20, 2019, 133 Stat. 3074.)

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This chapter, referred to in subsec. (d)(2), was in the original “this Act” and was translated as reading “this title”, meaning title VII of div. J of Pub. L. 116–94, Dec. 20, 2019, 133 Stat. 3069, known as the Championing American Business Through Diplomacy Act of 2019, to reflect the probable intent of Congress, notwithstanding section 3 of Pub. L. 116–94, set out as a note under section 1 of Title 1, General Provisions. Title VII is classified principally to this chapter. For complete classification of title VII to the Code, see Short Title note set out under section 9901 of this title and Tables.

**§ 9906. Improving awareness of United States Government tools and services to support United States businesses overseas**

The Secretary of State and the Secretary of Commerce shall take actions to improve the awareness of United States businesses with respect to United States Government tools and services to assist such businesses overseas, especially small and medium-sized enterprises, including by coordinating with State trade agencies, Export Assistance Centers, and Small Businesses Development Centers.

(Pub. L. 116–94, div. J, title VII, §710, Dec. 20, 2019, 133 Stat. 3075.)

**CHAPTER 107—SUDAN DEMOCRATIC TRANSITION, ACCOUNTABILITY, AND FISCAL TRANSPARENCY**

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### § 10001. Definitions

Except as otherwise provided, in this chapter:

#### (1) Appropriate congressional committees

The term “appropriate congressional committees” means—

- (A) the Committee on Foreign Relations of the Senate;
- (B) the Committee on Appropriations of the Senate;
- (C) the Committee on Foreign Affairs of the House of Representatives; and
- (D) the Committee on Appropriations of the House of Representatives.

#### (2) International financial institutions

The term “international financial institutions” means—

- (A) the International Monetary Fund;
- (B) the International Bank for Reconstruction and Development;
- (C) the International Development Association;
- (D) the International Finance Corporation;
- (E) the Inter-American Development Bank;
- (F) the Asian Development Bank;
- (G) the Inter-American Investment Corporation;
- (H) the African Development Bank;
- (I) the European Bank for Reconstruction and Development;
- (J) the Multilateral Investment Guaranty Agency; and
- (K) any multilateral financial institution, established after January 1, 2021, that could provide financial assistance to the Government of Sudan.

#### (3) Sovereignty Council

The term “Sovereignty Council” means the governing body of Sudan during the transitional period that consists of—

- (A) 5 civilians selected by the Forces of Freedom and Change;
- (B) 5 members selected by the Transitional Military Council; and
- (C) 1 member selected by agreement between the Forces of Freedom and Change and the Transitional Military Council.

#### (4) Sudanese security and intelligence services

The term “Sudanese security and intelligence services” means—

- (A) the Sudan Armed Forces;
- (B) the Rapid Support Forces,
- (C) Sudan’s Popular Defense Forces and other paramilitary units;
- (D) Sudan’s police forces;
- (E) the General Intelligence Service, previously known as the National Intelligence and Security Services; and
- (F) related entities, such as Sudan’s Military Industry Corporation.

#### (5) Transitional period

The term “transitional period” means the 39-month period beginning on August 17, 2019 (the date of the signing of Sudan’s constitutional charter), during which—

(A) the members of the Sovereignty Council described in paragraph (3)(B) select a chair of the Council for the first 21 months of the period; and

(B) the members of the Sovereignty Council described in paragraph (3)(A) select a chair of the Council for the remaining 18 months of the period.

(Pub. L. 116-283, div. A, title XII, §1262, Jan. 1, 2021, 134 Stat. 3967.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this subtitle”, meaning subtitle G (§§1261-1270E) of title XII of div. A of Pub. L. 116-283, known as the Sudan Democratic Transition, Accountability, and Fiscal Transparency Act of 2020, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE

Pub. L. 116-283, div. A, title XII, §1261, Jan. 1, 2021, 134 Stat. 3967, provided that: “This subtitle [subtitle G (§§1261-1270E) of title XII of div. A of Pub. L. 116-283, enacting this chapter and amending and repealing provisions set out as notes under section 1701 of Title 50, War and National Defense] may be cited as the ‘Sudan Democratic Transition, Accountability, and Fiscal Transparency Act of 2020.’”

#### § 10002. Statement of policy

It is the policy of the United States—

(1) to support a civilian-led political transition in Sudan that results in a democratic government, which is accountable to its people, respects and promotes human rights, is at peace internally and with its neighbors, and can be a partner for regional stability;

(2) to support the implementation of Sudan’s constitutional charter for the transitional period; and

(3) to pursue a strategy of calibrated engagement with Sudan that includes—

(A) facilitating an environment for free, fair, and credible democratic elections and a pluralistic and representative political system;

(B) supporting reforms that improve transparency and accountability, remove restrictions on civil and political liberties, and strengthen the protection of human rights, including religious freedom;

(C) strengthening civilian institutions, judicial independence, and the rule of law;

(D) empowering civil society and independent media;

(E) promoting national reconciliation and enabling a just, comprehensive, and sustainable peace;

(F) promoting the role of women in government, the economy, and society, in recognition of the seminal role that women