

steps to strengthen governance and improve fiscal transparency, including—

(1) establishing civilian control over the finances and assets of the Sudanese security and intelligence services;

(2) developing a transparent budget that accounts for all expenditures related to the security and intelligence services;

(3) identifying the shareholdings in all public and private companies not exclusively dedicated to the national defense held or managed by the security and intelligence services, and publicly disclosing, evaluating, and transferring all such shareholdings to the Ministry of Finance of the Government of Sudan or to any specialized entity of the Government of Sudan established under law for this purpose, which is ultimately accountable to a civilian authority;

(4) ceasing the involvement of the security and intelligence services officials, and their immediate family members, in the illicit trade in mineral resources, including petroleum and gold;

(5) implementing a publicly transparent methodology for the Government of Sudan to recover, evaluate, hold, manage, or divest any state assets and the profits derived from the assets that may have been transferred to the National Congress Party, an affiliate of the National Congress Party, or an official of the National Congress Party in the individual capacity of such an official;

(6) identifying and monitoring the nature and purpose of offshore financial resources controlled by the security and intelligence services; and

(7) strengthening banking regulation and supervision and addressing anti-money laundering and counter-terrorism financing deficiencies.

(e) Appropriate congressional committees defined

Notwithstanding section 10001 of this title, in this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) Committee on Foreign Affairs of the House of Representatives;

(4) the Committee on Appropriations of the House of Representatives; and

(5) the Committee on Financial Services of the House of Representatives.

(Pub. L. 116-283, div. A, title XII, §1269, Jan. 1, 2021, 134 Stat. 3972.)

§ 10009. Coordinated support to recover assets stolen from the Sudanese people

The Secretary of State, in coordination with the Secretary of the Treasury and the Attorney General, shall seek to advance the efforts of the Government of Sudan to recover assets stolen from the Sudanese people, including with regard to international efforts—

(1) to identify and track assets taken from the people and institutions of Sudan through theft, corruption, money laundering, or other illicit means; and

(2) with respect to assets identified pursuant to paragraph (1), to work with foreign governments and international organizations—

(A) to share financial investigations intelligence, as appropriate;

(B) to oversee and manage the assets identified pursuant to paragraph (1);

(C) to advance civil forfeiture litigation, as appropriate, including providing technical assistance to help governments establish the necessary legal framework to carry out asset forfeitures; and

(D) to work with the Government of Sudan to ensure that a credible mechanism is established to ensure that any recovered assets are managed in a transparent and accountable fashion and ultimately used for the benefit of the Sudanese people, provided that—

(i) returned assets are not used for partisan political purposes; and

(ii) there are robust financial management and oversight measures to safeguard repatriated assets.

(Pub. L. 116-283, div. A, title XII, §1270, Jan. 1, 2021, 134 Stat. 3974.)

§ 10010. Limitation on assistance to the Sudanese security and intelligence services

(a) In general

The President may not provide assistance (other than assistance authorized under section 10005 of this title) to the Sudanese security and intelligence services until the President submits to Congress a certification that the Government of Sudan has met the conditions described in subsection (c).

(b) Exception; waiver

(1) Exception

The Secretary of State may, as appropriate and notwithstanding any other provision of law, provide assistance for the purpose of professionalizing the Sudanese security and intelligence services, through institutions such as the Africa Center for Strategic Studies and the United States Institute of Peace.

(2) Waiver

The President may waive the limitation on the provision of assistance under subsection (a) if, not later than 30 days before the assistance is to be provided, the President submits to the appropriate congressional committees—

(A) a list of the activities and participants to which such waiver would apply;

(B) a justification that the waiver is in the national security interest of the United States; and

(C) a certification that the participants have met the requirements of either section 2378d of this title for programs funded through Department of State appropriations or section 362 of title 10 for programs funded through Department of Defense appropriations.

(c) Conditions

(1) In general

The conditions described in this subsection are that the Sudanese security and intelligence services—