

109TH CONGRESS
1ST SESSION

S. 1462

To promote peace and accountability in Sudan, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2005

Mr. BROWNBACK (for himself, Mr. CORZINE, Mr. DEWINE, Mr. DURBIN, Mr. COBURN, Mr. LAUTENBERG, Mr. SCHUMER, Mr. BINGAMAN, Mr. COLEMAN, Mr. TALENT, Mr. SALAZAR, Mrs. DOLE, and Mr. BAYH) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To promote peace and accountability in Sudan, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Darfur Peace and Ac-
5 countability Act of 2005”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
9 **TEES.**—The term “appropriate congressional com-

1 mittees” means the Committee on International Re-
2 lations of the House of Representatives and the
3 Committee on Foreign Relations of the Senate.

4 (2) GOVERNMENT OF SUDAN.—

5 (A) IN GENERAL.—The term “Government
6 of Sudan” means the National Congress Party,
7 formerly known as the National Islamic Front,
8 government in Khartoum, Sudan, or any suc-
9 cessor government formed on or after the date
10 of the enactment of this Act (including the coa-
11 lition National Unity Government agreed upon
12 in the Comprehensive Peace Agreement for
13 Sudan), except that such term does not include
14 the regional Government of Southern Sudan.

15 (B) OFFICIALS OF THE GOVERNMENT OF
16 SUDAN.—The term “Government of Sudan”,
17 when used with respect to an official of the
18 Government of Sudan, does not include an indi-
19 vidual—

20 (i) who was not a member of such
21 government prior to July 1, 2005; or

22 (ii) who is a member of the regional
23 Government of Southern Sudan.

24 (3) COMPREHENSIVE PEACE AGREEMENT FOR
25 SUDAN.—The term “Comprehensive Peace Agree-

1 ment for Sudan” means the peace agreement signed
2 by the Government of Sudan and the Sudan Peo-
3 ple’s Liberation Movement/Army (SPLM/A) in
4 Nairobi, Kenya, on January 9, 2005.

5 **SEC. 3. FINDINGS.**

6 Congress makes the following findings:

7 (1) On July 22, 2004, the House of Represent-
8 atives and the Senate declared that the atrocities oc-
9 ccurring in the Darfur region of Sudan are genocide.

10 (2) On September 9, 2004, Secretary of State
11 Colin L. Powell stated before the Committee on For-
12 eign Relations of the Senate, “[w]hen we reviewed
13 the evidence compiled by our team, along with other
14 information available to the State Department, we
15 concluded that genocide has been committed in
16 Darfur and that the Government of Sudan and the
17 [Janjaweed] bear responsibility—and genocide may
18 still be occurring”.

19 (3) On September 21, 2004, in an address be-
20 fore the United Nations General Assembly, Presi-
21 dent George W. Bush affirmed the Secretary of
22 State’s finding and stated, “[a]t this hour, the world
23 is witnessing terrible suffering and horrible crimes in
24 the Darfur region of Sudan, crimes my government
25 has concluded are genocide”.

1 (4) On July 30, 2004, the United Nations Se-
2 curity Council passed Security Council Resolution
3 1556, calling upon the Government of Sudan to dis-
4 arm the Janjaweed militias and to apprehend and
5 bring to justice Janjaweed leaders and their associ-
6 ates who have incited and carried out violations of
7 human rights and international humanitarian law,
8 and establishing a ban on the sale or supply of arms
9 and related materiel of all types, including the provi-
10 sion of related technical training or assistance, to all
11 nongovernmental entities and individuals, including
12 the Janjaweed.

13 (5) On September 18, 2004, the United Na-
14 tions Security Council passed Security Council Reso-
15 lution 1564, determining that the Government of
16 Sudan had failed to meet its obligations under Secu-
17 rity Council Resolution 1556, calling for a military
18 flight ban in and over the Darfur region, demanding
19 the names of Janjaweed militiamen disarmed and
20 arrested for verification, establishing an Inter-
21 national Commission of Inquiry on Darfur to inves-
22 tigate violations of international humanitarian and
23 human rights laws, and threatening sanctions should
24 the Government of Sudan fail to fully comply with
25 Security Council Resolutions 1556 and 1564, includ-

1 ing such actions as to affect Sudan’s petroleum sec-
2 tor or individual members of the Government of
3 Sudan.

4 (6) On February 1, 2005, the United Nations
5 released the Report of the International Commission
6 of Inquiry on Darfur, which had been submitted to
7 the United Nations Secretary-General on January
8 25, 2005.

9 (7) The Report of the International Commis-
10 sion of Inquiry on Darfur established that the “Gov-
11 ernment of the Sudan and the Janjaweed are re-
12 sponsible for serious violations of international
13 human rights and humanitarian law amounting to
14 crimes under international law,” that “these acts
15 were conducted on a widespread and systematic
16 basis, and therefore may amount to crimes against
17 humanity,” and that Sudanese officials and other in-
18 dividuals may have acted with “genocidal intent”.

19 (8) The Report of the International Commis-
20 sion of Inquiry on Darfur further notes that, pursu-
21 ant to its mandate and in the course of its work, the
22 Commission had collected information relating to in-
23 dividual perpetrators of acts constituting “violations
24 of international human rights law and international
25 humanitarian law, including crimes against human-

1 ity and war crimes” and that a sealed file containing
2 the names of those individual perpetrators had been
3 delivered to the United Nations Secretary-General.

4 (9) On March 24, 2005, the United Nations Se-
5 curity Council passed Security Council Resolution
6 1590, establishing the United Nations Mission in
7 Sudan (UNMIS), consisting of up to 10,000 military
8 personnel and 715 civilian police and tasked with
9 supporting implementation of the Comprehensive
10 Peace Agreement for Sudan and “closely and con-
11 tinuously liais[ing] and coordinat[ing] at all levels
12 with the African Union Mission in Sudan (AMIS)
13 with a view towards expeditiously reinforcing the ef-
14 fort to foster peace in Darfur”.

15 (10) On March 29, 2005, the United Nations
16 Security Council passed Security Council Resolution
17 1591, extending the military embargo established by
18 Security Council Resolution 1556 to all the parties
19 to the N’djamena Ceasefire Agreement and any
20 other belligerents in the states of North Darfur,
21 South Darfur, and West Darfur, calling for an asset
22 freeze and travel ban against those individuals who
23 impede the peace process, constitute a threat to sta-
24 bility in Darfur and the region, commit violations of
25 international humanitarian or human rights law or

1 other atrocities, are responsible for offensive military
2 overflights, or violate the military embargo, and es-
3 tablishing a Committee of the Security Council and
4 a Panel of Experts to assist in monitoring compli-
5 ance with Security Council Resolutions 1556 and
6 1591.

7 (11) On March 31, 2005, the United Nations
8 Security Council passed Security Council Resolution
9 1593, referring the situation in Darfur since July 1,
10 2002, to the prosecutor of the International Crimi-
11 nal Court and calling on the Government of Sudan
12 and all parties to the conflict to cooperate fully with
13 the Court.

14 (12) In remarks before the G–8 Summit on
15 June 30, 2005, President Bush reconfirmed that
16 “the violence in Darfur is clearly genocide” and “the
17 human cost is beyond calculation”.

18 **SEC. 4. SENSE OF CONGRESS.**

19 It is the sense of Congress that—

20 (1) the atrocities unfolding in the Darfur region
21 of Sudan have been and continue to be genocide;

22 (2) the African Union should rapidly expand
23 the size and amend the mandate of the African
24 Union Mission in Sudan (AMIS) to authorize such
25 action as may be necessary to protect civilians and

1 humanitarian operations, and deter violence in the
2 Darfur region without delay;

3 (3) the international community, including the
4 United Nations, the North Atlantic Treaty Organi-
5 zation (NATO), the European Union, and the
6 United States, should immediately act to mobilize
7 sufficient political, military, and financial resources
8 to support the expansion of the African Union Mis-
9 sion in Sudan so that it achieves the size, strength,
10 and capacity necessary for protecting civilians and
11 humanitarian operations, and ending the continued
12 violence in the Darfur region;

13 (4) if an expanded and reinforced African
14 Union Mission in Sudan fails to stop genocide in the
15 Darfur region, the international community should
16 take additional, dispositive measures to prevent and
17 suppress acts of genocide in the Darfur region;

18 (5) acting under Article 5 of the Charter of the
19 United Nations, the United Nations Security Coun-
20 cil should call for suspension of the Government of
21 Sudan's rights and privileges of membership by the
22 General Assembly until such time as the Govern-
23 ment of Sudan has honored pledges to cease attacks
24 upon civilians, demobilize the Janjaweed and associ-
25 ated militias, grant free and unfettered access for

1 deliveries of humanitarian assistance in the Darfur
2 region, and allow for safe, unimpeded, and voluntary
3 return of refugees and internally displaced persons;

4 (6) the President should use all necessary and
5 appropriate diplomatic means to ensure the full dis-
6 charge of the responsibilities of the Committee of
7 the United Nations Security Council and the Panel
8 of Experts established pursuant to section 3(a) of
9 Security Council Resolution 1591 (March 29, 2005);

10 (7) the United States should not provide assist-
11 ance to the Government of Sudan, other than assist-
12 ance necessary for the implementation of the Com-
13 prehensive Peace Agreement for Sudan, the support
14 of the regional Government of Southern Sudan and
15 marginalized areas in northern Sudan (including the
16 Nuba Mountains, Southern Blue Nile, Abyei, East-
17 ern Sudan (Beja), Darfur, and Nubia), as well as
18 marginalized peoples in and around Khartoum, or
19 for humanitarian purposes in Sudan, until such time
20 as the Government of Sudan has honored pledges to
21 cease attacks upon civilians, demobilize the
22 Janjaweed and associated militias, grant free and
23 unfettered access for deliveries of humanitarian as-
24 sistance in the Darfur region, and allow for safe,

1 unimpeded, and voluntary return of refugees and in-
2 ternally displaced persons;

3 (8) the President should seek to assist members
4 of the Sudanese diaspora in the United States by es-
5 tablishing a student loan forgiveness program for
6 those individuals who commit to return to southern
7 Sudan for a period of not less than five years for the
8 purpose of contributing professional skills needed for
9 the reconstruction of southern Sudan;

10 (9) the President should appoint a Presidential
11 Envoy for Sudan to provide stewardship of efforts to
12 implement the Comprehensive Peace Agreement for
13 Sudan, seek ways to bring stability and peace to the
14 Darfur region, address instability elsewhere in
15 Sudan and northern Uganda, and pursue a truly
16 comprehensive peace throughout the region;

17 (10) the international community should
18 strongly condemn attacks against humanitarian
19 workers and demand that all armed groups in the
20 Darfur region, including the forces of the Govern-
21 ment of Sudan, the Janjaweed, associated militias,
22 the Sudan Liberation Movement/Army (SLM/A), the
23 Justice and Equality Movement (JEM), and all
24 other armed groups to refrain from such attacks;

1 (11) the United States should fully support the
2 Comprehensive Peace Agreement for Sudan and
3 urge rapid implementation of its terms; and

4 (12) the Sudan People’s Liberation Movement
5 should seek to play a constructive role in bringing
6 about a political settlement to the crisis in the
7 Darfur region.

8 **SEC. 5. SANCTIONS IN SUPPORT OF PEACE IN DARFUR.**

9 (a) **BLOCKING OF ASSETS AND RESTRICTION ON**
10 **VISAS.**—Section 6 of the Comprehensive Peace in Sudan
11 Act of 2004 (Public Law 108–497; 50 U.S.C. 1701 note)
12 is amended—

13 (1) in the heading of subsection (b), by insert-
14 ing “OF APPROPRIATE SENIOR OFFICIALS OF THE
15 SUDANESE GOVERNMENT” after “ASSETS”;

16 (2) by redesignating subsections (c) through (e)
17 as subsections (d) through (f), respectively; and

18 (3) by inserting after subsection (b) the fol-
19 lowing new subsection:

20 “(c) **BLOCKING OF ASSETS AND RESTRICTION ON**
21 **VISAS OF CERTAIN INDIVIDUALS IDENTIFIED BY THE**
22 **PRESIDENT.**—

23 “(1) **BLOCKING OF ASSETS.**—Beginning on the
24 date that is 30 days after the date of the enactment
25 of the Darfur Peace and Accountability Act of 2005,

1 and in the interest of contributing to peace in
2 Sudan, the President shall, consistent with the au-
3 thorities granted in the International Emergency
4 Economic Powers Act (50 U.S.C. 1701 et seq.),
5 block the assets of any individual who the President
6 determines is responsible, either by commission or
7 omission, for acts of genocide, war crimes, or crimes
8 against humanity in Sudan, including the family
9 members or any associates of such individual to
10 whom assets or property of such individual was
11 transferred on or after July 1, 2002.

12 “(2) RESTRICTION ON VISAS.—Beginning on
13 the date that is 30 days after the date of the enact-
14 ment of the Darfur Peace and Accountability Act of
15 2005, and in the interest of contributing to peace in
16 Sudan, the President shall deny visas and entry to
17 any individual who the President determines is re-
18 sponsible, either by commission or omission, for acts
19 of genocide, war crimes, or crimes against humanity
20 in Sudan, including the family members or any asso-
21 ciates of such individual to whom assets or property
22 of such individual was transferred on or after July
23 1, 2002.”.

24 (b) WAIVER.—Section 6(d) of the Comprehensive
25 Peace in Sudan Act of 2004 (as redesignated by sub-

1 section (a)) is amended by adding at the end the following
2 new sentence: “The President may waive the application
3 of paragraph (1) or (2) of subsection (c) with respect to
4 an individual if, prior to exercising the waiver, the Presi-
5 dent transmits to the appropriate congressional commit-
6 tees a notification of the waiver which includes the name
7 of the individual and the reasons for the waiver.”.

8 **SEC. 6. ADDITIONAL AUTHORITIES TO DETER AND SUP-**
9 **PRESS GENOCIDE IN DARFUR.**

10 (a) UNITED STATES ASSISTANCE TO SUPPORT
11 AMIS.—Section 7 of the Comprehensive Peace in Sudan
12 Act of 2004 (Public Law 108–497; 50 U.S.C. 1701 note)
13 is amended—

14 (1) by striking “Notwithstanding” and insert-
15 ing “(a) GENERAL ASSISTANCE.—Notwithstanding”;
16 and

17 (2) by adding at the end the following new sub-
18 section:

19 “(b) ASSISTANCE TO SUPPORT AMIS.—Notwith-
20 standing any other provision of law, the President is au-
21 thorized to provide assistance, on such terms and condi-
22 tions as the President may determine and in consultation
23 with the appropriate congressional committees, to rein-
24 force the deployment and operations of an expanded Afri-
25 can Union Mission in Sudan (AMIS) with the mandate,

1 size, strength, and capacity to protect civilians and hu-
2 manitarian operations, stabilize the Darfur region of
3 Sudan and dissuade and deter air attacks directed against
4 civilians and humanitarian workers, including but not lim-
5 ited to providing assistance in the areas of logistics, trans-
6 port, communications, materiel support, technical assist-
7 ance, training, command and control, aerial surveillance,
8 and intelligence.”.

9 (b) NATO ASSISTANCE TO SUPPORT AMIS.—The
10 President shall instruct the United States Permanent
11 Representative to the North Atlantic Treaty Organization
12 (NATO) to use the voice, vote, and influence of the United
13 States at NATO to advocate NATO reinforcement of the
14 African Union Mission in Sudan (AMIS), upon the request
15 of the African Union, including but not limited to the pro-
16 vision of assets to dissuade and deter offensive air strikes
17 directed against civilians and humanitarian workers in the
18 Darfur region of Sudan and other logistical, transpor-
19 tation, communications, training, technical assistance,
20 command and control, aerial surveillance, and intelligence
21 support.

22 (c) DENIAL OF ENTRY AT UNITED STATES PORTS
23 TO CERTAIN CARGO SHIPS OR OIL TANKERS.—

24 (1) IN GENERAL.—The President should take
25 all necessary and appropriate steps to deny the Gov-

1 ernment of Sudan access to oil revenues, including
2 by prohibiting entry at United States ports to cargo
3 ships or oil tankers engaged in business or trade ac-
4 tivities in the oil sector of Sudan or involved in the
5 shipment of goods for use by the armed forces of
6 Sudan, to ensure that the Government of Sudan nei-
7 ther directly nor indirectly utilizes any oil revenues
8 to purchase or acquire offensive military equipment
9 or to finance offensive military activities.

10 (2) EXCEPTION.—Paragraph (1) shall not
11 apply with respect to cargo ships or oil tankers in-
12 volved in an internationally-recognized demobiliza-
13 tion program or the shipment of non-lethal assist-
14 ance necessary to carry out elements of the Com-
15 prehensive Peace Agreement for Sudan.

16 (d) PROHIBITION ON ASSISTANCE TO COUNTRIES IN
17 VIOLATION OF UNITED NATIONS SECURITY COUNCIL
18 RESOLUTIONS 1556 AND 1591.—

19 (1) PROHIBITION.—Amounts made available to
20 carry out the Foreign Assistance Act of 1961 (22
21 U.S.C. 2151 et seq.) may not be used to provide as-
22 sistance to the government of a country that is in
23 violation of the embargo on military assistance with
24 respect to Sudan imposed pursuant to United Na-

1 tions Security Council Resolutions 1556 (July 30,
2 2004) and 1591 (March 29, 2005).

3 (2) WAIVER.—The President may waive the ap-
4 plication of paragraph (1) if the President deter-
5 mines and certifies to the appropriate congressional
6 committees that it is in the national security inter-
7 ests of the United States to do so.

8 **SEC. 7. MULTILATERAL EFFORTS.**

9 The President shall direct the United States Perma-
10 nent Representative to the United Nations to use the voice
11 and vote of the United States to urge the adoption of a
12 resolution by the United Nations Security Council which—

13 (1) supports the expansion of the African Union
14 Mission in Sudan (AMIS) so that it achieves the
15 mandate, size, strength, and capacity needed to pro-
16 tect civilians and humanitarian operations, and dis-
17 suade and deter fighting and violence in the Darfur
18 region of Sudan, and urges member states of the
19 United Nations to accelerate political, material, fi-
20 nancial, and other assistance to the African Union
21 toward this end;

22 (2) reinforces efforts of the African Union to
23 negotiate peace talks between the Government of
24 Sudan, the Sudan Liberation Movement/Army
25 (SLM/A), the Justice and Equality Movement

1 (JEM), and associated armed groups in the Darfur
2 region, calls on the Government of Sudan, the SLM/
3 A, and the JEM to abide by their obligations under
4 the N'Djamena Ceasefire Agreement of April 8,
5 2004 and subsequent agreements, urges all parties
6 to engage in peace talks without preconditions and
7 seek to resolve the conflict, and strongly condemns
8 all attacks against humanitarian workers in the
9 Darfur region;

10 (3) imposes sanctions against the Government
11 of Sudan, including sanctions against individual
12 members of the Government of Sudan, and entities
13 controlled or owned by officials of the Government
14 of Sudan or the National Congress Party in Sudan;

15 (4) extends the military embargo established by
16 United Nations Security Council Resolutions 1556
17 (July 30, 2004) and 1591 (March 29, 2005) to in-
18 clude a total prohibition on the sale or supply of of-
19 fensive military equipment to the Government of
20 Sudan, except for use in an internationally-recog-
21 nized demobilization program or for non-lethal as-
22 sistance necessary to carry out elements of the Com-
23 prehensive Peace Agreement for Sudan;

24 (5) calls upon those member states of the
25 United Nations that continue to undermine efforts

1 to foster peace in Sudan by providing military assist-
2 ance and equipment to the Government of Sudan,
3 the SLM/A, the JEM, and associated armed groups
4 in the Darfur region in violation of the embargo on
5 such assistance and equipment, as called for in
6 United Nations Security Council Resolutions 1556
7 and 1591, to immediately cease and desist; and

8 (6) acting under Article 5 of the Charter of the
9 United Nations, calls for suspension of the Govern-
10 ment of Sudan's rights and privileges of membership
11 by the General Assembly until such time as the Govern-
12 ment of Sudan has honored pledges to cease at-
13 tacks upon civilians, demobilize the Janjaweed and
14 associated militias, grant free and unfettered access
15 for deliveries of humanitarian assistance in the
16 Darfur region, and allow for safe, unimpeded, and
17 voluntary return of refugees and internally displaced
18 persons.

19 **SEC. 8. REPORTS.**

20 (a) REPORT ON AFRICAN UNION MISSION IN SUDAN
21 (AMIS) .—Section 8 of the Sudan Peace Act (Public Law
22 107–245; 50 U.S.C. 1701 note) is amended—

23 (1) by redesignating subsection (c) as sub-
24 section (d); and

1 (2) by inserting after subsection (b) the fol-
2 lowing new subsection:

3 “(c) REPORT ON AFRICAN UNION MISSION IN SUDAN
4 (AMIS).—Not later than 30 days after the date of the
5 enactment of the Darfur Peace and Accountability Act of
6 2005, and in conjunction with reports required under sub-
7 sections (a) and (b) of this section thereafter, the Sec-
8 retary of State shall submit to the appropriate congres-
9 sional committees a report, to be prepared in conjunction
10 with the Secretary of Defense, on—

11 “(1) efforts to fully deploy the African Union
12 Mission in Sudan (AMIS) with the size, strength,
13 and capacity necessary to stabilize the Darfur region
14 of Sudan and protect civilians and humanitarian op-
15 erations;

16 “(2) the needs of AMIS to ensure success, in-
17 cluding in the areas of housing, transport, commu-
18 nications, equipment, technical assistance, training,
19 command and control, intelligence, and such assist-
20 ance as is necessary to dissuade and deter attacks,
21 including by air, directed against civilians and hu-
22 manitarian operations;

23 “(3) the current level of United States assist-
24 ance and other assistance provided to AMIS, and a

1 request for additional United States assistance, if
2 necessary;

3 “(4) the status of North Atlantic Treaty Orga-
4 nization (NATO) plans and assistance to support
5 AMIS; and

6 “(5) the performance of AMIS in carrying out
7 its mission in the Darfur region.”.

8 (b) REPORT ON SANCTIONS IN SUPPORT OF PEACE
9 IN DARFUR.—Section 8 of the Sudan Peace Act (Public
10 Law 107–245; 50 U.S.C. 1701 note), as amended by sub-
11 section (a), is further amended—

12 (1) by redesignating subsection (d) (as redesign-
13 nated) as subsection (e); and

14 (2) by inserting after subsection (c) the fol-
15 lowing new subsection:

16 “(d) REPORT ON SANCTIONS IN SUPPORT OF PEACE
17 IN DARFUR.—Not later than 30 days after the date of
18 the enactment of the Darfur Peace and Accountability Act
19 of 2005, and in conjunction with reports required under
20 subsections (a), (b), and (c) of this section thereafter, the
21 Secretary of State shall submit to the appropriate congres-
22 sional committees a report regarding sanctions imposed
23 under subsections (a) through (d) of section 6 of the Com-
24 prehensive Peace in Sudan Act of 2004, including—

1 “(1) a description of each sanction imposed
2 under such provisions of law; and

3 “(2) the name of the individual or entity sub-
4 ject to the sanction, if applicable.”.

5 (e) REPORT ON INDIVIDUALS IDENTIFIED BY THE
6 UNITED NATIONS AS RESPONSIBLE FOR GENOCIDE, WAR
7 CRIMES, AND CRIMES AGAINST HUMANITY IN DARFUR.—
8 Section 8 of the Sudan Peace Act (Public Law 107–245;
9 50 U.S.C. 1701 note), as amended by subsections (a) and
10 (b), is further amended—

11 (1) by redesignating subsection (e) (as redesign-
12 nated) as subsection (f); and

13 (2) by inserting after subsection (d) the fol-
14 lowing new subsection:

15 “(e) REPORT ON INDIVIDUALS IDENTIFIED BY THE
16 UNITED NATIONS AS RESPONSIBLE FOR GENOCIDE, WAR
17 CRIMES, AND CRIMES AGAINST HUMANITY IN DARFUR.—
18 Not later than 30 days after the date on which the United
19 States has access to any of the names of the individuals
20 identified by the International Commission of Inquiry on
21 Darfur (established pursuant to United Nations Security
22 Council Resolution 1564 (2004)), or the names of the indi-
23 viduals designated by the Committee of the United Na-
24 tions Security Council (established pursuant to United
25 Nations Security Council Resolution 1591 (2005)), the

1 Secretary of State shall submit to the appropriate congres-
2 sional committees a report containing the determination
3 of the President as to whether such individuals are subject
4 to sanctions under section 6 of the Comprehensive Peace
5 in Sudan Act of 2004 (as amended by the Darfur Peace
6 and Accountability Act of 2005) and the reasons for such
7 determination.”.

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