



U.S. TREASURY DEPARTMENT OFFICE OF PUBLIC AFFAIRS

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TREASURY TO ISSUE GENERAL LICENSE TO AUTHORIZE TRANSACTIONS WITH SUDAN

Action to be Taken in Conjunction with New Executive Order

WASHINGTON – Today, President Obama signed Executive Order (E.O.) ____ of January 13, 2017, “Recognizing Positive Actions by the Government of Sudan and Providing for the Revocation of Certain Sudan-Related Sanctions.” This E.O. provides for the revocation of the sanctions provisions in E.O.s 13067 and 13412 on July 12, 2017, if the Government of Sudan sustains positive actions it has taken over the last 6 months. In conjunction with the new E.O., the Department of the Treasury’s Office of Foreign Assets Control (OFAC) today is announcing an amendment to the Sudanese Sanctions Regulations (SSR), 31 C.F.R. part 538. This amendment, which will become effective upon publication in the *Federal Register*, will immediately authorize all transactions prohibited by the SSR, as well as by Executive Orders 13067 and 13412. As a result, U.S. persons will generally be able to transact with individuals and entities in Sudan, and the property of the Government of Sudan subject to U.S. jurisdiction will be unblocked.

The actions taken today are an outcome of ongoing engagement between the United States and the Government of Sudan, and the result of sustained progress by the Government of Sudan on several fronts, including a marked reduction in offensive military activity, a pledge to maintain a cessation of hostilities in conflict areas in Sudan, steps toward improving humanitarian access throughout Sudan, and cooperation with the United States on counterterrorism and addressing regional conflicts.

“Treasury’s sanctions are aimed at encouraging a change in behavior, and in the case of Sudan, our sanctions were intended to pressure the Government of Sudan to change the way it treats its people,” said Adam J. Szubin, Acting Under Secretary for Terrorism and Financial Intelligence. “The Executive Order issued by President Obama and the amendment to the Sudanese Sanctions Regulations announced today recognize the positive steps taken by the Government of Sudan

Presidential Documents

Title 3—

Executive Order 13761 of January 13, 2017

The President**Recognizing Positive Actions by the Government of Sudan and Providing for the Revocation of Certain Sudan-Related Sanctions**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201–7211) (TSRA), the Comprehensive Peace in Sudan Act of 2004, as amended (Public Law 108–497) (CPSA), the Darfur Peace and Accountability Act of 2006 (Public Law 109–344) (DPAA), and section 301 of title 3, United States Code,

I, BARACK OBAMA, President of the United States of America, find that the situation that gave rise to the actions taken in Executive Order 13067 of November 3, 1997, and Executive Order 13412 of October 13, 2006, related to the policies and actions of the Government of Sudan has been altered by Sudan's positive actions over the past 6 months. These actions include a marked reduction in offensive military activity, culminating in a pledge to maintain a cessation of hostilities in conflict areas in Sudan, and steps toward the improvement of humanitarian access throughout Sudan, as well as cooperation with the United States on addressing regional conflicts and the threat of terrorism. Given these developments, and in order to see these efforts sustained and enhanced by the Government of Sudan, I hereby order:

Section 1. Effective July 12, 2017 and provided the criteria in section 12(b) of this order are met, sections 1 and 2 of Executive Order 13067 of November 3, 1997, are revoked, and Executive Order 13412 of October 13, 2006, is revoked in its entirety. The revocation of those provisions of Executive Order 13067 and of Executive Order 13412 shall not affect any violation of any rules, regulations, orders, licenses, or other forms of administrative action under those orders during the period that those provisions were in effect.

Sec. 2. Pursuant to section 908(a)(3) of TSRA, I hereby determine that it is in the national security interest of the United States to waive, and hereby waive, the application of section 908(a)(1) of TSRA with respect to Sudan.

Sec. 3. Pursuant to section 6(d) of CPSA, I hereby determine and certify that it is in the national interest of the United States to waive, and hereby waive, the application of sections 6(a) and (b) of CPSA.

Sec. 4. The function of the President under section 6(c)(1) of CPSA is assigned to the Secretary of the Treasury.

Sec. 5. The functions of the President under section 6(c)(2) and the last sentence of section 6(d) of CPSA are assigned to the Secretary of State, except that the function of denial of entry is assigned to the Secretary of Homeland Security.

Sec. 6. The function of the President under section 8 of DPAA is assigned to the Secretary of State.

Sec. 7. The Secretary of the Treasury and the Secretary of Commerce are authorized to issue regulations, licenses, and orders, and conduct such investigations as may be necessary, to implement the provisions of section 906 of TSRA.

Sec. 8. This order is not intended to, and does not, otherwise affect the national emergency declared in Executive Order 13067 of November 3, 1997, as expanded in scope by Executive Order 13400 of April 26, 2006, which shall remain in place.

Sec. 9. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 10. On or before July 12, 2017, the Secretary of State, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the Administrator of the U.S. Agency for International Development, and based on a consideration of relevant and credible information from available sources, including nongovernmental organizations, shall provide to the President a report on whether the Government of Sudan has sustained the positive actions that gave rise to this order, including carrying out its pledge to maintain a cessation of hostilities in conflict areas in Sudan; continued improvement of humanitarian access throughout Sudan; and maintaining its cooperation with the United States on addressing regional conflicts and the threat of terrorism. As much of the report as possible, consistent with sources and methods, shall be unclassified and made public.

Sec. 11. (a) The Secretary of State, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the Administrator of the U.S. Agency for International Development, and based on a consideration of relevant and credible information from available sources, including nongovernmental organizations, shall provide to the President an updated version of the report required in section 10 of this order annually thereafter. As much of the report as possible, consistent with sources and methods, shall be unclassified and made public. To the extent a report concludes that the Government of Sudan has or has not sustained the positive actions that gave rise to this order, the Secretary of State, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the Administrator of the U.S. Agency for International Development, shall provide to the President recommendations on appropriate U.S. Government responses.

(b) Concurrent with the provision of the reports required in section 11(a) of this order, the Secretary of State, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the Administrator of the U.S. Agency for International Development, shall publish a notice in the *Federal Register* stating whether the Government of Sudan has sustained the positive actions that gave rise to this order.

Sec. 12. (a) This order is effective on January 13, 2017, except for sections 1, 4, 5, 6, and 7 of this order;

over the past several months and aim to further incentivize the Government of Sudan to continue to improve its conduct.”

The regulatory amendment will be implemented as a general license added at section 538.540 of the SSR, and will authorize U.S. persons to process transactions involving persons in Sudan; to engage in imports and exports that were previously prohibited under the SSR; and to engage in transactions involving property in which the Government of Sudan has an interest. As a result of the amendments to the SSR:

- All property and interests in property blocked pursuant to the SSR will be unblocked.
- All trade between the United States and Sudan that was previously prohibited by the SSR will be authorized.
- All transactions by U.S. persons relating to the petroleum or petrochemical industries in Sudan that were previously prohibited by the SSR will be authorized, including oilfield services and oil and gas pipelines.
- U.S. persons will no longer be prohibited from facilitating transactions between Sudan and third countries, to the extent previously prohibited by the SSR.

The regulatory changes will not impact Sudanese individuals or entities blocked pursuant to E.O. 13400 of April 27, 2006, “Blocking Property of Persons in Connection With the Conflict in Sudan’s Darfur Region,” or any OFAC sanctions authorities other than the SSR, E.O. 13067, and E.O. 13412. The property and interests in property of persons designated pursuant to E.O. 13400 and other E.O.s remain blocked. Additionally, this regulatory change will not eliminate the need to comply with other applicable provisions of law, including the Export Administration Regulations (15 C.F.R. parts 730 through 774) administered by the Bureau of Industry and Security of the Department of Commerce.

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(b) Sections 1, 4, 5, 6, and 7 of this order are effective on July 12, 2017, provided that the Secretary of State, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the Administrator of the U.S. Agency for International Development, has published a notice in the *Federal Register* on or before that date, stating that the Government of Sudan has sustained the positive actions that gave rise to this order and that the Secretary of State has provided to the President the report described in section 10 of this order.



THE WHITE HOUSE,
January 13, 2017.