

Congress of the United States
Washington, DC 20515

May 16, 2019

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 "C" Street NW
Washington, DC 20520

Steven Mnuchin
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

Dear Secretary Pompeo and Secretary Mnuchin,

We write to express our deep concern about the current situation in Sudan and our support for a rapid transfer of power to a civilian-led transitional government committed to laying the foundations for democracy in the country. This is a critical moment for Sudan, one that came about because the Sudanese people took to the streets to demand it. It is also critical for the United States to support Sudanese citizen's demands for real democratic change.

We welcome the April 18th statement by the State Department supporting "a transition to a peaceful and democratic Sudan led by civilians who represent the diversity of Sudanese society," and expressing support for the "will of the Sudanese people" for "a transitional government that is inclusive and respectful of human rights and the rule of law." We appreciate the efforts of the Africa Bureau to update congressional offices about the changing situation in Sudan. We also acknowledge the African Union's condemnation of the military takeover as a coup d'état and its demand that the military "step aside and hand over power to a transitional civilian-led political authority, in accordance with the will of the people" by June 30th. We also welcome U.S. efforts to bring together like-minded nations and donors to emphasize international support for a civilian-led transition.

The military leadership who have taken power are attempting to create the appearance of change, but elements and structures of the old regime remain. The Transitional Military Council (TMC) does not meet the aspirations so clearly articulated by months of peaceful pro-democracy protests that demanded an inclusive, civilian-led democratic change. A government dominated by the military is not the goal of the Sudanese people and the longer the protestors' demands remain unfulfilled, there is increased probability of conflict like the violence against protestors, deaths and injuries that occurred this week.

We support your decision to continue Sudan's designation as a State Sponsor of Terrorism (SST) and to suspend Phase II discussions. Congress also has a role to play in law regarding changes to Sudan's status as a state sponsor of terrorism. We encourage close consultation with and the consent of Congress should the Administration seek to alter the SST designation or provide further economic relief to Sudan, actions which at the current moment would be inappropriate and premature. We understand that rapidly changing events on the ground might require a corresponding change in U.S. policy and we are ready to work as equal partners in decisions that advance civilian democratic governance, respect for human rights, including religious freedom, and rule of law.

The United States must send a clear message that the path to international credibility and American partnership will only come through credible civilian leadership. We encourage you to use all mechanisms and leverage to facilitate, as quickly as possible, an inclusive civilian-led transition to

democratic governance. The United States should make clear to foreign governments that have expressed support for the TMC that a civilian transition that reflects the will of the Sudanese people is non-negotiable.

In this regard, we are dismayed by the announcement from the Governments of Saudi Arabia and the United Arab Emirates (UAE) that they intend to provide Sudan with \$3 billion in budget support and aid. We urge you to use all appropriate diplomatic and political channels to discourage such a transfer of funds. If funds are disbursed, this will likely encourage the TMC to delay a civilian-led transition.

The Sudanese people will rightly determine matters of justice regarding the crimes of the previous regime, given the millions of people who suffered and perished under its deliberate and repressive actions. It is important for you, Mr. Secretaries, to emphasize that former President Bashir and other officials and military officers of his regime are internationally indicted for war crimes, crimes against humanity and the crime of genocide. It is an urgent matter of international law that they face trial and judgement on these charges.

There are additional actions that we strongly encourage you to take in your respective capacities as Secretary of State and Secretary of the Treasury:

- When a civilian-led transitional council is established – one supported by the pro-democracy movement and the Sudanese people – it is vital that the United States press for unimpeded access by international humanitarian aid agencies so that they may finally deliver, without interference or conditions, emergency relief to populations in conflict areas such as South Kordofan, Blue Nile and northern Darfur. We understand this is also a current priority for the U.S. and other aid donors, but unobstructed delivery of humanitarian aid to these regions is likely to remain stalled until inclusive civilian rule is established.
- To support and increase the capacity of civilian leadership and civil society, the United States should provide transitional civilian authorities and entities with technical and capacity-building assistance.
- The United States, in consultation with Congress, should signal its willingness to engage with and support international financial institutions in aiding Sudan once civilian-led transitional authorities are in place and functioning.
- The State Department should not issue visas to any Sudanese official to travel to the United States until credible civilian-led government is in place and functioning independently. Nor should any Sudanese or TMC official be issued a visa who has been internationally indicted, or who might be subject to justice in Sudan for war crimes, crimes against humanity or genocide.
- Treasury, in consultation with the State Department and relevant congressional committees, should continue to use the sanctions authorities provided under the Global Magnitsky program to target key Sudanese individuals, officials, entities and networks.
- Recognizing Sudan's extensive corruption, money-laundering operations and theft of state resources, it is critical for the United State to provide leadership on preventing funds from being moved out of the country during this period when the former Bashir regime is being pushed aside but current regime structures remain in place. The Treasury Department should issue public advisories to banks and other financial institutions regarding the risk of such capital flight and other high-risk transactions from Sudan, such as the gold trade. This would be an action like the

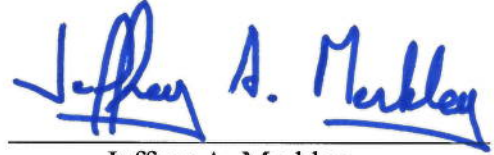
one taken by Treasury in 2014 related to Ukraine. It is also critical that the Treasury Department continue to track and respond aggressively to similar transfers of funds that occurred prior to Bashir's downfall.

Thank you for your attention to these urgent concerns and recommendations. We look forward to working together and developing a new policy framework consistent with American values and the aspirations of the Sudanese people.

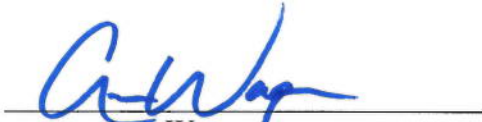
Sincerely,



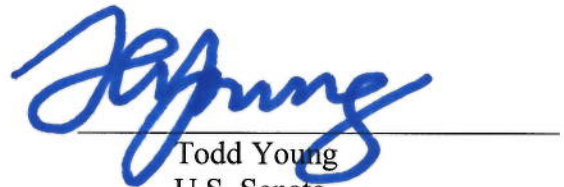
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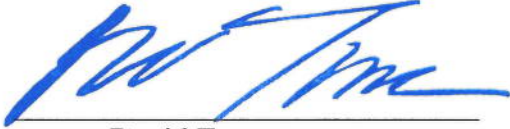
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Nydia M. Velázquez
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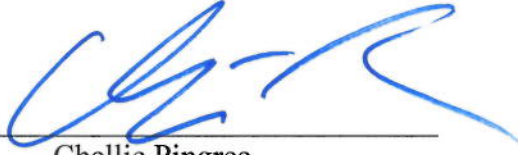
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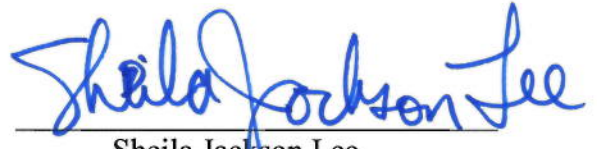
David Trone
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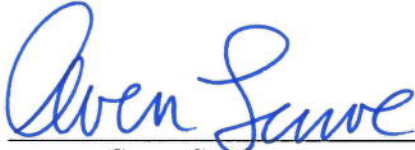
Eleanor Holmes Norton
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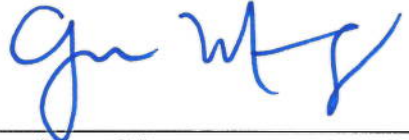
Chellie Pingree
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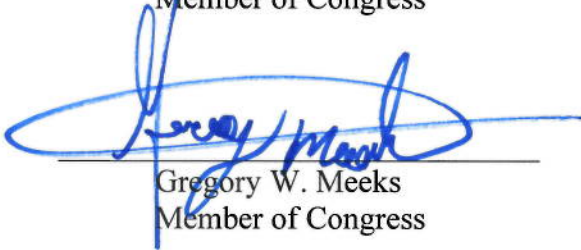
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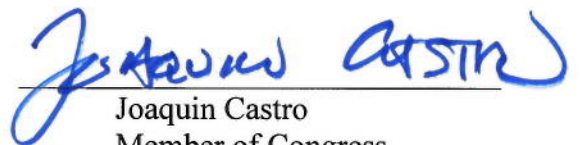
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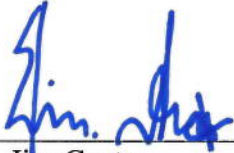
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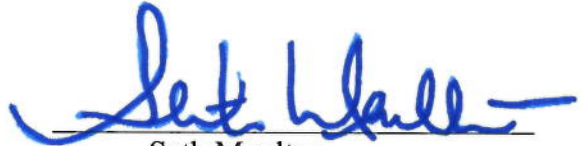
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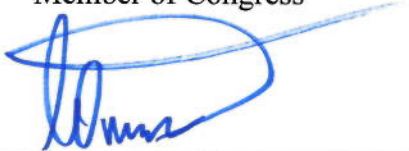
Seth Moulton
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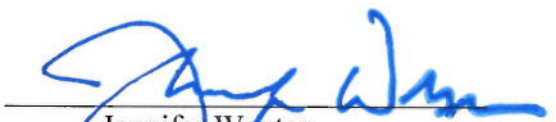
Steve Cohen
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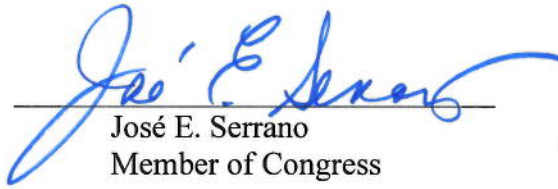
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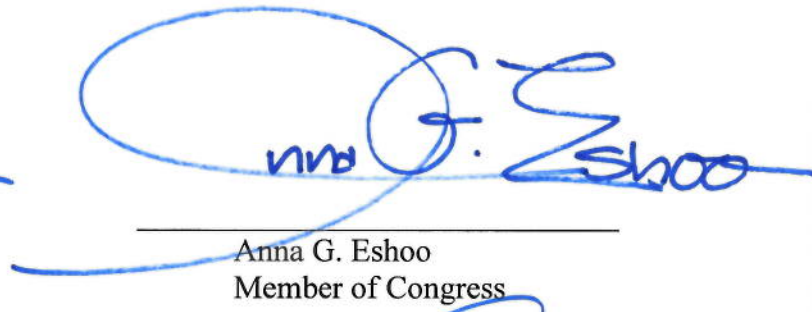


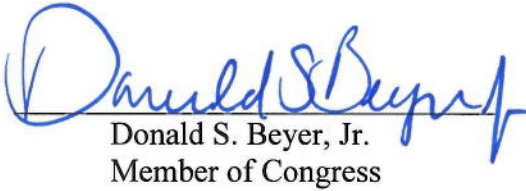
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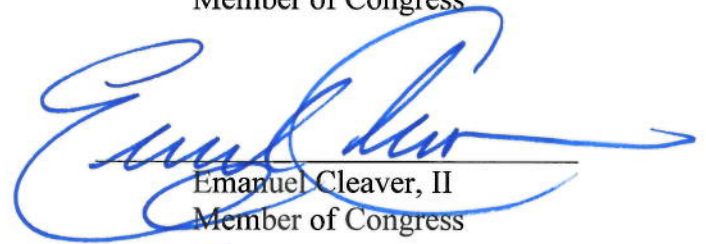


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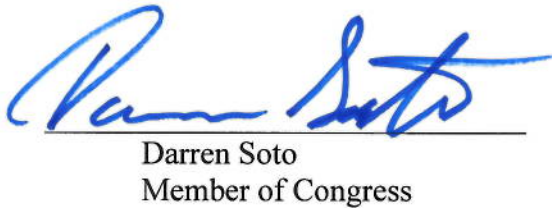

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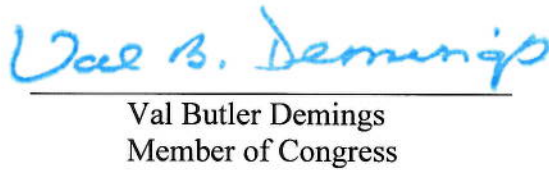

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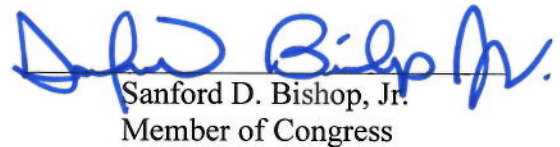

Alan S. Lowenthal
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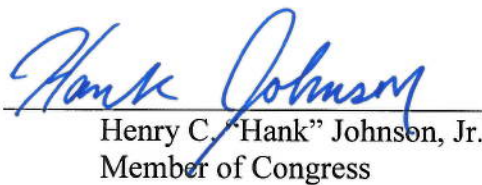

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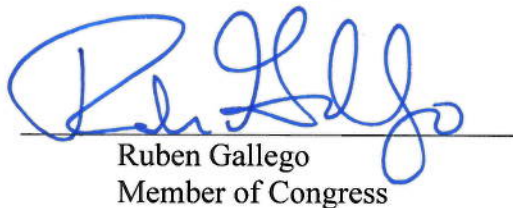

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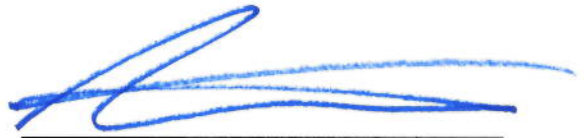

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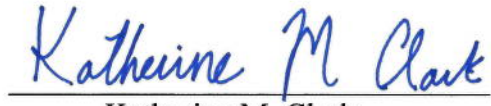
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Katherine M. Clark
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Ron Kind
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Brian Higgins
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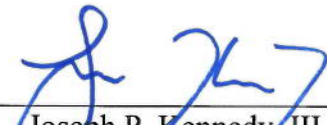
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Joseph P. Kennedy, III
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Ann McLane Kuster
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Eddie Bernice Johnson
Member of Congress



William R. Keating
Member of Congress



Ayanna Pressley
Member of Congress

cc: Tibor P. Nagy, Assistant Secretary of State, Bureau of African Affairs
Andy Burnett, Office of the U.S. Special Envoy for Sudan and South Sudan

Norma J. Torres

Norma J. Torres
Member of Congress
