

Expiration Notice for Sudan License and Registration Holders

Extensive General Authorizations

Trade and humanitarian assistance in the Specified Areas of Sudan are no longer prohibited (and no longer require a specific license or registration¹), provided that these activities do not involve Sudan's petroleum or petrochemical industries or any property or interests in property of the Government of Sudan.² The Specified Areas of Sudan are identified as Southern Sudan, Southern Kordofan/Nuba Mountains State, Blue Nile State, Abyei, Darfur, and marginalized areas in and around Khartoum. Marginalized areas are defined as the following official camps for internally displaced persons: Mayo, El Salaam, Wad El Bashir, and Soba.

The non-Specified Areas of Sudan continue to be subject to the comprehensive sanctions set forth in Executive Orders 13067 and 13412. Nongovernmental organizations (NGOs) involved in humanitarian or religious activities in the non-Specified Areas of Sudan, therefore, still need a specific license or registration number to conduct their activities in those areas. Of course, as before, other transactions in the non-Specified Areas of Sudan continue to require a license.

Expiration Date for Licenses and Registrations Established by the Sudanese Sanctions Regulations

On October 31, 2007, the Federal Register published amendments to the Sudanese Sanctions Regulations, 31 C.F.R. Part 538, including the following:

All specific licenses and all nongovernmental organization registrations issued pursuant to Executive Order 13067 or [the Sudanese Sanctions Regulations] prior to October 13, 2006, are authorized pursuant to Executive Order 13412 and remain in effect until the expiration date specified in the license or registration or, *if no expiration date is specified, June 30, 2008.*

See 31 C.F.R. § 538.530(b) (72 Fed.Reg. 61513, 61516, October 31, 2007) (emphasis added).

Licenses and registrations with expiration dates continue in effect until the specified expiration date. Those licenses and registrations without a specific expiration date will need to be renewed if the services are to continue to be provided.

Because of the large number of registrations and licenses that were issued without expiration dates, OFAC has determined that registrants or licensees that mail or fax their renewal applications by June 30, 2008, will be provisionally authorized to conduct the same activities as permitted under the registrations or licenses they have applied to renew, until November 30, 2008, or the date OFAC responds to their applications, whichever date is sooner. After June 30, 2008, any renewal requests that are mailed or faxed will be processed as new applications, because the underlying authorizations will have expired on June 30, 2008.

¹ Pursuant to 31 C.F.R. § 538.521 registration numbers may be issued to nongovernmental organizations involved in humanitarian or religious activities in certain areas of Sudan.

² Even in cases where exports of agricultural commodities, medicine, and medical devices pursuant to § 538.523 of the Sudanese Sanctions Regulations are destined for the exempt areas of Sudan, licensing remains required pursuant to section 906 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (P. Law 106-387).

Renewal Procedures

NGO Registration Renewal

Specific guidelines for NGO registration can be found on this website at:

http://www.treas.gov/offices/enforcement/ofac/programs/legacy/ngo_guide.pdf. This document outlines the necessary steps for becoming a registered NGO. These guidelines can also be found in 31 C.F.R. §501.801(c). Providing all of the requested information will help to expedite the registration renewal process.

In response to section (k) of the application, which requests a detailed description of your organization's activities and programs, be sure to include specific information regarding financial transactions, as well as potential exports or imports of goods and/or services. A generic or overly broad response to section (k), such as a description of the importance of AIDS education, is insufficient and will cause the application to be returned for more information.

Renewal applications should include a copy of the original registration provided by OFAC and contain a report of accomplished and ongoing activities. Please clearly delineate between these accomplished and ongoing activities and any new activities or programs for which you seek registration.

All renewal and new applications for registration must clearly identify the geographic locations in Sudan in which the activities or programs are to occur, including whether your proposed activities and programs will occur within the Specified Areas of Sudan or in the areas of Sudan that remain fully subject to the Sudanese Sanctions Regulations.

Specific License Renewal

License applicants should feel free to be guided by the NGO guidelines at

http://www.treas.gov/offices/enforcement/ofac/programs/legacy/ngo_guide.pdf, in particular, in the identification of all involved parties and financial transactions, and in the detailed description of your activities or projects in or with Sudan. Be sure to state whether the transaction is a commercial sale (and, if there is to be a sale, who the purchaser will be) or donation, and to include a copy of any Commerce commodity classification upon which you rely in your application; copies of any invoicing; and information on who will be monitoring, maintaining and operating the export, and where it will physically be located. Please indicate which of the license renewal requests are for ongoing transactions and which, if any, are new, and include a copy of your original OFAC license.

All renewal and new applications must clearly identify the geographic location in Sudan in which the transaction is to occur, including whether your proposed transaction will occur within the Specified Areas of Sudan or in the areas of Sudan that remain fully subject to the Sudanese Sanctions Regulations.