

104TH CONGRESS
2D SESSION

H. R. 4332

To prohibit United States assistance to foreign governments that provide landing rights to Libyan aircraft.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 1996

Mr. LANTOS (for himself and Mr. HYDE) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To prohibit United States assistance to foreign governments that provide landing rights to Libyan aircraft.

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. FINDINGS.**

4 The Congress finds the following:

5 (1) Libya has been designated by the Secretary
6 of State under section 40(d) of the Arms Export
7 Control Act (22 U.S.C. 2780(d)) as a state sponsor
8 of terrorism.

9 (2) The Government of Libya has steadfastly
10 refused to hand over for trial the two individuals

1 currently in Libya who are accused of involvement in
2 the bombing of Pan Am flight 103 over Lockerbie,
3 Scotland, in December 1988, in which 269 individ-
4 uals, including many United States citizens, lost
5 their lives, and the United Nations Security Council
6 has voted to impose international sanctions against
7 Libya for its failure to hand over for trial these ac-
8 cused individuals.

9 (3) The Abu Nidal terrorist organization main-
10 tains a presence in Libya, other terrorist organiza-
11 tions have repeatedly been invited to Libya, and the
12 Libyan leader Muammar Qadhafi praised as “he-
13 roic” the October 1994 suicide bombing of a Tel
14 Aviv bus that killed and injured dozens of innocent
15 people.

16 (4) Libya has attempted to subvert and desta-
17 bilize Arab and African countries by supporting
18 coups, funding and training opposition forces and
19 guerrilla groups, and Libya has, at one time or an-
20 other, invaded, occupied, or claimed territory in the
21 countries of Niger, Chad, Tunisia, and Algeria.

22 (5) Libya has developed or is developing the ca-
23 pability to produce chemical weapons, maintains
24 stocks of chemical weapons, and is seeking ballistic
25 missiles capable of delivering such weapons.

1 **SEC. 2. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**
2 **ERNMENTS THAT PROVIDE LANDING RIGHTS**
3 **TO LIBYAN AIRCRAFT.**

4 (a) PROHIBITION.—

5 (1) IN GENERAL.—Notwithstanding any other
6 provision of law, the President may not provide
7 United States assistance to the government of any
8 country that, after the date of the enactment of this
9 Act, provides landing rights to aircraft owned or op-
10 erated by the Government of Libya or by a Libyan
11 national.

12 (2) EXCEPTION.—The requirement of para-
13 graph (1) to prohibit United States assistance to the
14 government of a country shall not apply to a govern-
15 ment that allows an aircraft described in paragraph
16 (1) to use a landing area in such country for emer-
17 gency purposes, as determined by the Secretary of
18 State.

19 (b) WAIVER.—The President may waive the require-
20 ment of subsection (a)(1) to prohibit United States assist-
21 ance to the government of a country if the President deter-
22 mines and certifies to the appropriate congressional com-
23 mittees that the provision of such assistance—

24 (1) is in the national interest of the United
25 States; and

1 (2) will contribute significantly to the efforts of
2 the United States—

3 (A) to secure the extradition to the United
4 States or to Great Britain of the individuals de-
5 scribed in section 1(2);

6 (B) to combat international terrorism;

7 (C) to strengthen compliance with inter-
8 national sanctions against Libya; or

9 (D) to prevent the acquisition or develop-
10 ment by Libya of chemical, biological, nuclear,
11 or other weapons of mass destruction or to pre-
12 vent the ability of Libya to deliver such weap-
13 ons.

14 (c) DEFINITIONS.—For purposes of this section, the
15 following definitions apply:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on International Rela-
20 tions of the House of Representatives; and

21 (B) the Committee on Foreign Relations of
22 the Senate.

23 (2) LIBYAN NATIONAL.—The term “Libyan na-
24 tional” means—

1 (A) a citizen of Libya who is a resident of
2 Libya, as determined by the Secretary of State;
3 or

4 (B) a corporation, trust, partnership, or
5 other legal entity organized under the laws of
6 Libya.

7 (3) UNITED STATES ASSISTANCE.—The term
8 “United States assistance” means assistance under
9 of the Foreign Assistance Act of 1961 (22 U.S.C.
10 2151 et seq.), credits, sales, guarantees of extension
11 of credit, and other assistance under the Arms Ex-
12 port Control Act (22 U.S.C. 2751 et seq.), and any
13 other program of assistance or credits provided by
14 the United States to other countries under other
15 provisions of law.

○