

# Union Calendar No. 491

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4644

**[Report No. 116-594, Part I]**

To clarify United States policy toward Libya, advance a diplomatic solution to the conflict in Libya, and support the people of Libya.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 2019

Mr. DEUTCH (for himself, Mr. WILSON of South Carolina, Mr. TED LIEU of California, and Mr. MALINOWSKI) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

NOVEMBER 17, 2020

Additional sponsors: Mr. ALLRED, Mr. KINZINGER, Mr. GONZALEZ of Texas, Mr. RESCENTIALER, Mr. TRONE, Mr. CICILLINE, Mr. VELA, Mr. WENSTRUP, Mr. SIRES, Mr. SHERMAN, and Mr. TAYLOR

NOVEMBER 17, 2020

Reported from the Committee on Foreign Affairs with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

NOVEMBER 17, 2020

Committees on the Judiciary and Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on October 11, 2019]

# **A BILL**

To clarify United States policy toward Libya, advance a diplomatic solution to the conflict in Libya, and support the people of Libya.

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; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*  
 5 *“Libya Stabilization Act”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents for*  
 7 *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

*Sec. 2. Findings; statement of policy.*

*TITLE I—IDENTIFYING CHALLENGES TO STABILITY IN LIBYA*

*Sec. 101. Report on activities of certain foreign governments and actors in Libya.*

*Sec. 102. Report of Russian activities and objectives in Libya.*

*Sec. 103. Determination of sanctionable activities of the Libyan National Army with respect to Syria.*

*TITLE II—ACTIONS TO ADDRESS FOREIGN INTERVENTION IN LIBYA*

*Sec. 201. Sanctions with respect to foreign persons leading, directing, or supporting certain foreign government involvement in Libya.*

*Sec. 202. Sanctions with respect to foreign persons threatening the peace or stability of Libya.*

*Sec. 203. Sanctions with respect to foreign persons who are responsible for or complicit in gross violations of internationally recognized human rights committed in Libya.*

*Sec. 204. Sanctions described.*

*Sec. 205. Waiver.*

*Sec. 206. Implementation and regulatory authority.*

*Sec. 207. Exception relating to importation of goods.*

*Sec. 208. Definitions.*

*Sec. 209. Suspension of sanctions.*

*Sec. 210. Sunset.*

*TITLE III—ASSISTANCE FOR LIBYA*

*Sec. 301. Humanitarian relief for the people of Libya and international refugees and migrants in Libya.*

*Sec. 302. Support for democratic governance, elections, and civil society.*

*Sec. 303. Engaging international financial institutions to advance Libyan economic recovery and improve public sector financial management.*

*Sec. 304. Recovering assets stolen from the Libyan people.*

8 **SEC. 2. FINDINGS; STATEMENT OF POLICY.**

9 (a) *FINDINGS.*—*Congress makes the following findings:*

1           (1) *The stability and territorial unity of Libya*  
2 *is critical to the security of the United States, Eu-*  
3 *rope, North Africa, and the Sahel, as well as mari-*  
4 *time routes in the southern Mediterranean Sea.*

5           (2) *United States Africa Command (AFRICOM)*  
6 *identifies containing instability in Libya as one of its*  
7 *six main lines of effort in Africa and works to sup-*  
8 *port diplomatic efforts to reconstitute the Libyan*  
9 *State and to disrupt terrorist organizations that im-*  
10 *pede that process or threaten United States interests.*

11           (3) *According to the Defense Intelligence Agency,*  
12 *the Islamic State in Libya (ISIS-Libya) is “de-*  
13 *graded”. However, Secretary of Defense Mark Esper*  
14 *said in November 2019 that there is a continued need*  
15 *for lethal operations to keep ISIS-Libya in a de-*  
16 *graded state.*

17           (4) *On April 4, 2019, Khalifa Haftar, the com-*  
18 *mander of the Libyan National Army (LNA) ordered*  
19 *forces loyal to him to begin a unilateral military op-*  
20 *eration to take control of Tripoli, the capital of Libya*  
21 *and seat of the Government of National Accord*  
22 *(GNA), an interim body that emerged from previous*  
23 *United Nations-backed negotiations which the United*  
24 *States Government and the United Nations Security*  
25 *Council have recognized since 2015.*

1           (5) *Both the LNA, the GNA, and their associated*  
2 *forces have failed to observe their obligations under*  
3 *international humanitarian law, increased the geo-*  
4 *graphic scope of the conflict, ignored calls for de-escalation and a ceasefire, recruited foreign mercenaries,*  
5 *and intensified ground and air campaigns using*  
6 *heavy weapons, aircraft, and reportedly using armed*  
7 *drones provided by foreign powers.*

9           (6) *According to then-United Nations Special*  
10 *Representative and Head of the United Nations Support*  
11 *Mission in Libya (UNSMIL), Ghassan Salamé,*  
12 *weapons provided by foreign powers to the warring*  
13 *parties in violation of the United Nations arms embargo*  
14 *are being sold to or captured by terrorist*  
15 *groups active in Libya.*

16           (7) *According to the United Nations, since the*  
17 *LNA offensive began in April 2019, the conflict in*  
18 *Libya has led to the deaths of more than 2,200 people*  
19 *and the displacement of more than 150,000 people.*

20           (8) *All sides of the conflict have requisitioned the*  
21 *houses of civilians, targeted medical facilities, and inhibited*  
22 *humanitarian access to food, health, and other*  
23 *life-saving services, worsening humanitarian conditions.*  
24

1           (9) *More than 2,200 refugees and migrants are*  
2 *detained in detention facilities in Libya with serious*  
3 *risks of torture, starvation, sexual abuse, and death.*  
4 *On July 2, 2019, an airstrike against the Tajura De-*  
5 *tention Center killed 53 and wounded 130 people*  
6 *trapped in the center. The United Nations has called*  
7 *for the immediate release, evacuation, and protection*  
8 *of refugees and migrants detained in conflict zones.*

9           (10) *The Department of State’s 2020 Trafficking*  
10 *in Persons Report states with regard to Libya, “Traf-*  
11 *ficking victims—including men, women, and chil-*  
12 *dren—are highly vulnerable to extreme violence and*  
13 *other human rights violations in Libya by govern-*  
14 *mental and non-state armed groups, including: phys-*  
15 *ical, sexual, and verbal assault; abduction for ransom;*  
16 *extortion; arbitrary killings; inhumane detention; and*  
17 *child soldiering. . .Migrants in Libya are extremely*  
18 *vulnerable to sex and labor trafficking [and . . .] are*  
19 *vulnerable to exploitation by state and non-state ac-*  
20 *tors, including employers who refuse to pay laborers’*  
21 *wages.”.*

22           (11) *In November 2019, the GNA and the Gov-*  
23 *ernment of Turkey signed a Memorandum of Under-*  
24 *standing on maritime boundaries in the Mediterra-*  
25 *nean Sea.*

1           (12) *According to a July 2020 Department of*  
2 *Defense Inspector General report, the Wagner Group,*  
3 *a Russian private military company, has deployed as*  
4 *many as 2,500 mercenary forces, including some Syr-*  
5 *ian fighters, advanced equipment, and advanced ca-*  
6 *pabilities to support the LNA and Russian objectives*  
7 *in North Africa.*

8           (13) *According to a July 2020 Department of*  
9 *Defense Inspector General report, “Turkey’s president*  
10 *acknowledged that his country sent many Syrian*  
11 *militants to Libya to support the Government of Na-*  
12 *tional Accord (GNA). . .USAFRICOM estimated*  
13 *that 3,500 Syrian mercenaries were in Libya sup-*  
14 *porting the GNA as of the end of March. Citing press*  
15 *reports, USAFRICOM stated that an additional 300*  
16 *Turkish-supported ‘Syrian opposition’ fighters ar-*  
17 *rived in Libya in early April.”.*

18           (14) *In January 2020, LNA-aligned forces shut*  
19 *down oil production in eastern Libya, which accord-*  
20 *ing to the United Nations threatens devastating con-*  
21 *sequences for the Libyan people and for the country’s*  
22 *economic and financial situation.*

23           (15) *On January 19, 2020, at a peace conference*  
24 *in Berlin, representatives of the Governments of Alge-*  
25 *ria, China, Egypt, France, Germany, Italy, Russia,*

1 *Turkey, the Republic of Congo, the United Arab*  
2 *Emirates, the United Kingdom, and the United*  
3 *States, as well as regional and multilateral organiza-*  
4 *tions, agreed to refrain from interference in Libya’s*  
5 *internal affairs, abide by the United Nations arms*  
6 *embargo, and advance a 55-point communique to re-*  
7 *solve the conflict in Libya.*

8 (16) *On January 30, 2020, then-United Nations*  
9 *Special Representative Salamé asserted, “the warring*  
10 *parties have continued to receive advanced equipment,*  
11 *fighters, and advisors from foreign states, in violation*  
12 *of the UN arms embargo and pledges made by rep-*  
13 *resentatives of these countries in Berlin”.*

14 (17) *On February 12, 2020, the United States*  
15 *Assistant Secretary of State for Near Eastern Affairs*  
16 *testified before the Senate Foreign Relations Com-*  
17 *mittee, “The task of bringing the Libyans back to the*  
18 *negotiating table has been complicated by the involve-*  
19 *ment of external actors. Libya is not the place for*  
20 *Russian mercenaries, or fighters from Syria, Chad,*  
21 *and Sudan. It is not the place for the Emiratis, Rus-*  
22 *sians, or Turks to be fighting battles on the ground*  
23 *through intermediaries they sponsor or support with*  
24 *sophisticated and deadly equipment in pursuit of*  
25 *their own agendas.”.*



1           (18) *On February 13, 2020, the United Nations*  
2           *Security Council adopted Resolution 2510, which en-*  
3           *dorses the Conclusions of the International Conference*  
4           *on Libya held in Berlin, affirms the need for a last-*  
5           *ing ceasefire, demands full compliance by all member*  
6           *states with the United Nations arms embargo, and ex-*  
7           *presses unequivocal support for the United Nations*  
8           *Special Representative and the ongoing UNSMIL-fa-*  
9           *cilitated intra-Libyan dialogue.*

10          (b) *STATEMENT OF POLICY.—It is the policy of the*  
11          *United States—*

12                 (1) *to advance a peaceful resolution to the con-*  
13                 *flict in Libya through a political process as the best*  
14                 *way to secure United States interests, ensure a stable*  
15                 *and unified Libya, reduce the threat of terrorism, and*  
16                 *provide peace and opportunity to the Libyan people;*

17                 (2) *to support the implementation of United Na-*  
18                 *tions Security Council Resolutions 1970 (2011) and*  
19                 *1973 (2011), which established an arms embargo on*  
20                 *Libya, and subsequent resolutions modifying and ex-*  
21                 *tending the embargo;*

22                 (3) *to enforce Executive Order 13726 (81 Fed.*  
23                 *Reg. 23559; relating to blocking property and sus-*  
24                 *pending entry into the United States of persons con-*  
25                 *tributing to the situation in Libya (April 19, 2016)),*

1 *designed to target individuals or entities who “threat-*  
2 *en the peace, security, and stability of Libya”;*

3 *(4) to oppose attacks on civilians, medical work-*  
4 *ers, and critical infrastructure, including water sup-*  
5 *plies, in Libya, and to support accountability for*  
6 *those engaged in such heinous actions;*

7 *(5) to support Libya’s sovereignty, independence,*  
8 *territorial integrity, and national unity consistent*  
9 *with United Nations Security Council Resolution*  
10 *2510 (2020) and all predecessor resolutions with re-*  
11 *spect to Libya, including by—*

12 *(A) taking action to end the violence and*  
13 *flow of arms;*

14 *(B) rejecting attempts by any party to illic-*  
15 *itly export Libya’s oil; and*

16 *(C) urging Libyan parties to eject foreign*  
17 *military and mercenary forces;*

18 *(6) to leverage diplomatic relations to convince*  
19 *the parties to the conflict in Libya to immediately de-*  
20 *escalate and halt their current fighting and persuade*  
21 *foreign powers to stop providing personnel, including*  
22 *mercenaries, weapons, and financing that exacerbate*  
23 *the conflict;*

24 *(7) to support building on the Libyan Political*  
25 *Agreement as a viable framework for the political so-*

1 *lution in Libya and to urge all Libyan parties to re-*  
2 *sume the inclusive Libyan-led and Libyan-owned po-*  
3 *litical process under the auspices of UNSMIL;*

4 *(8) to support a negotiated and peaceful political*  
5 *solution that includes a single, unified, inclusive, and*  
6 *effective Libyan Government approved by the Libyan*  
7 *House of Representatives, the end of a transitional*  
8 *period achieved through free, fair, inclusive, and cred-*  
9 *ible elections, a fair and transparent allocation of re-*  
10 *sources, interim security arrangements, and a process*  
11 *for the reunification of Libyan government ministries*  
12 *and Libyan sovereign institutions, including the Cen-*  
13 *tral Bank of Libya, the National Oil Corporation,*  
14 *and the Libyan Investment Authority;*

15 *(9) to support constant, unimpeded, and reliable*  
16 *humanitarian access to those in need and to hold ac-*  
17 *countable those who impede or threaten the delivery*  
18 *of humanitarian assistance;*

19 *(10) to seek to bring an end to trafficking in per-*  
20 *sons such as slavery, forced labor, and sexual exploi-*  
21 *tation, including with respect to migrants;*

22 *(11) to advocate for the immediate release and*  
23 *safe evacuations of detained refugees and migrants*  
24 *trapped by the fighting in Libya;*

1           (12) to encourage implementation of UNSMIL’s  
2           plan for the organized and gradual closure of migrant  
3           detention centers in Libya;

4           (13) to support current and future democratic  
5           and economic development; and

6           (14) to discourage all parties from heightening  
7           tensions in the region, through unhelpful and provoc-  
8           ative actions.

9           **TITLE I—IDENTIFYING CHAL-**  
10           **LENGES TO STABILITY IN**  
11           **LIBYA**

12           **SEC. 101. REPORT ON ACTIVITIES OF CERTAIN FOREIGN**  
13           **GOVERNMENTS AND ACTORS IN LIBYA.**

14           (a) *IN GENERAL.*—Not later than 90 days after the  
15           date of the enactment of this Act, the Secretary of State,  
16           in consultation with the Director of National Intelligence,  
17           shall submit to the appropriate congressional committees a  
18           report that includes—

19           (1) a description of the full extent of involvement  
20           in Libya by foreign governments, including the Gov-  
21           ernments of Russia, Turkey, the United Arab Emir-  
22           ates, Egypt, Sudan, Chad, China, Saudi Arabia, and  
23           Qatar, including—

24           (A) a description of which governments are  
25           linked to drone and aircraft strikes;

1           (B) a list of the types and estimated  
2 amounts of equipment transferred by each gov-  
3 ernment described in this paragraph to the par-  
4 ties to the conflict, including foreign military  
5 contractors, mercenaries, or paramilitary forces  
6 operating in Libya; and

7           (C) an estimate of the financial support  
8 provided by each government described in this  
9 paragraph to the parties to the conflict, includ-  
10 ing foreign military contractors, mercenaries, or  
11 paramilitary forces operating in Libya;

12           (2) an analysis and determination of whether the  
13 actions by the governments described in paragraph  
14 (1) violate the arms embargo with respect to Libya  
15 under United Nations Security Council Resolution  
16 2473 (2019) and other relevant Security Council reso-  
17 lutions;

18           (3) a list of the specific offending materiel or fi-  
19 nancial support transfers provided by a government  
20 described in paragraph (1) that violate the arms em-  
21 bargo with respect to Libya under United Nations Se-  
22 curity Council Resolution 2473 (2019) and other rel-  
23 evant Security Council resolutions;

24           (4) a description of the activities of each foreign  
25 armed group, including the Russian Wagner Group,

1 *Turkish military contractors and mercenaries, affili-*  
2 *ates of ISIS, al-Qaida in the Islamic Maghreb*  
3 *(AQIM), and Ansar al-Sharia, in Libya;*

4 *(5) a description of European Union and North*  
5 *Atlantic Treaty Organization (NATO) efforts to en-*  
6 *force the United Nations arms embargo and facilitate*  
7 *a ceasefire;*

8 *(6) a description of any violations of the arms*  
9 *embargo by European Union member states; and*

10 *(7) a description of United States diplomatic en-*  
11 *gagement with the European Union and NATO re-*  
12 *garding enforcement of the United Nations arms em-*  
13 *bargo.*

14 *(b) FORM.—The report required by subsection (a) shall*  
15 *be submitted in unclassified form, but may contain a classi-*  
16 *fied annex.*

17 *(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
18 *FINED.—In this section, the term “appropriate congres-*  
19 *sional committees” means—*

20 *(1) the Committee on Foreign Affairs and the*  
21 *Permanent Select Committee on Intelligence of the*  
22 *House of Representatives; and*

23 *(2) the Committee on Foreign Relations and the*  
24 *Select Committee on Intelligence of the Senate.*

1 **SEC. 102. REPORT OF RUSSIAN ACTIVITIES AND OBJEC-**  
2 **TIVES IN LIBYA.**

3 (a) *FINDINGS.*—Congress makes the following findings:

4 (1) *General Stephen Townsend, Commander of*  
5 *United States Africa Command (AFRICOM), warned*  
6 *in January 2020 that in Libya, Russia seeks to*  
7 *“demonstrate itself as an alternative partner to the*  
8 *West” and seeks to position itself alongside the south-*  
9 *ern flank of the North Atlantic Treaty Organization*  
10 *(NATO).*

11 (2) *AFRICOM has also stated that the Russian*  
12 *military presence in Libya threatens future United*  
13 *States military partnerships and counterterrorism co-*  
14 *operation by impeding United States access to Libya.*

15 (3) *In May 2020, AFRICOM reported that the*  
16 *Government of Russia deployed 14 MiG-29 and Su-*  
17 *24 aircraft to Libya to support Russian state-spon-*  
18 *sored private military contractors, including the*  
19 *Wagner Group.*

20 (b) *REPORT.*—

21 (1) *REPORT.*—Not later than 90 days after the  
22 date of the enactment of this Act, the Secretary of  
23 State shall submit to the appropriate congressional  
24 committees a report that contains an assessment of  
25 Russian activities and objectives in Libya, includ-  
26 ing—

1           (A) the potential threat such activities pose  
2 to the United States, southern Europe, NATO,  
3 and partners in the Mediterranean Sea and  
4 North African region;

5           (B) the direct role of Russia in Libyan fi-  
6 nancial affairs, to include issuing and printing  
7 currency; and

8           (C) Russia’s use of mercenaries, military  
9 contractors, equipment, and paramilitary forces  
10 in Libya.

11           (2) *FORM.*—The report required by paragraph  
12 (1) shall be submitted in unclassified form, but may  
13 contain a classified annex.

14           (3) *APPROPRIATE CONGRESSIONAL COMMITTEES*  
15 *DEFINED.*—In this subsection, the term “appropriate  
16 congressional committees” means—

17           (A) the Committee on Foreign Affairs of the  
18 House of Representatives; and

19           (B) the Committee on Foreign Relations of  
20 the Senate.

21 **SEC. 103. DETERMINATION OF SANCTIONABLE ACTIVITIES**  
22 **OF THE LIBYAN NATIONAL ARMY WITH RE-**  
23 **SPECT TO SYRIA.**

24           Not later than 180 days after the date of the enactment  
25 of this Act, the President shall submit to the Committee on



1 *Foreign Affairs of the House of Representatives and the*  
2 *Committee on Foreign Relations of the Senate a list of*  
3 *members of the Libyan National Army (LNA), and details*  
4 *of their activities, that the President determines are know-*  
5 *ingly responsible for sanctionable offenses pursuant to—*

6           (1) *section 7412 of the Caesar Syria Civilian*  
7 *Protection Act of 2019 (22 U.S.C. 8791 note; 133*  
8 *Stat. 2292); or*

9           (2) *Executive Order 13582 (76 Fed. Reg. 52209;*  
10 *relating to blocking property of the Government of*  
11 *Syria and prohibiting certain transactions with re-*  
12 *spect to Syria (August 17, 2011)).*

13 **TITLE II—ACTIONS TO ADDRESS**  
14 **FOREIGN INTERVENTION IN**  
15 **LIBYA**

16 **SEC. 201. SANCTIONS WITH RESPECT TO FOREIGN PERSONS**  
17 **LEADING, DIRECTING, OR SUPPORTING CER-**  
18 **TAIN FOREIGN GOVERNMENT INVOLVEMENT**  
19 **IN LIBYA.**

20           (a) *IN GENERAL.*—*Not later than 180 days after the*  
21 *date of the enactment of this Act, the President shall impose*  
22 *each of the sanctions described in section 204 with respect*  
23 *to each foreign person that the President determines know-*  
24 *ingly engages in an activity described in subsection (b).*

1       **(b) ACTIVITIES DESCRIBED.**—*A foreign person engages*  
2 *in an activity described in this subsection if the person*  
3 *leads, directs, or provides significant financial, material,*  
4 *or technological support to, or knowingly engages in a sig-*  
5 *nificant transaction with, a non-Libyan foreign person that*  
6 *is—*

7           (1) *in Libya in a military or commercial capac-*  
8 *ity as a military contractor, mercenary, or part of a*  
9 *paramilitary force; and*

10          (2) *engaged in significant actions that threaten*  
11 *the peace, security, or stability of Libya.*

12 **SEC. 202. SANCTIONS WITH RESPECT TO FOREIGN PERSONS**  
13 **THREATENING THE PEACE OR STABILITY OF**  
14 **LIBYA.**

15       **(a) IMPOSITION OF SANCTIONS.**—*The President shall*  
16 *impose each of the sanctions described in section 204 with*  
17 *respect to each foreign person on the list required by sub-*  
18 *section (b).*

19       **(b) LIST.**—*Not later than 180 days after the date of*  
20 *the enactment of this Act, the President shall submit to the*  
21 *appropriate congressional committees a list of—*

22           (1) *foreign persons, including senior government*  
23 *officials, militia leaders, paramilitary leaders, and*  
24 *other persons who provide significant support to mili-*

1        *tia or paramilitary groups in Libya, that the Presi-*  
2        *dent determines are knowingly—*

3                *(A) engaged in significant actions or poli-*  
4                *cies that threaten the peace, security, or stability*  
5                *of Libya, including any supply of arms or re-*  
6                *lated materiel in violation of a United Nations*  
7                *Security Council resolution with respect to*  
8                *Libya;*

9                *(B) engaged in significant actions or poli-*  
10               *cies that obstruct, undermine, delay, or impede,*  
11               *or pose a significant risk of obstructing, under-*  
12               *mining, delaying, or impeding the United Na-*  
13               *tions-mediated political process that seeks a ne-*  
14               *gotiated and peaceful solution to the Libyan cri-*  
15               *sis;*

16               *(C) engaged in significant actions that may*  
17               *lead to or result in the misappropriation of sig-*  
18               *nificant state assets of Libya;*

19               *(D) involved in, or has been involved in, the*  
20               *significant illicit exploitation of crude oil or any*  
21               *other natural resources in Libya, including the*  
22               *significant illicit production, refining, brokering,*  
23               *sale, purchase, or export of Libyan oil;*

1           (E) significantly threatening or coercing  
2           Libyan state financial institutions or the Libyan  
3           National Oil Company; or

4           (F) significantly responsible for actions or  
5           policies that are intended to undermine efforts to  
6           promote stabilization and economic recovery in  
7           Libya;

8           (2) foreign persons that the President determines  
9           are successor entities to persons referred to in sub-  
10          paragraphs (A) through (F) of paragraph (1); and

11          (3) foreign persons that the President deter-  
12          mines—

13               (A) own or control, or are owned or con-  
14               trolled by, a person referred to in any of sub-  
15               paragraphs (A) through (F) of paragraph (1) or  
16               paragraph (2); and

17               (B) have provided, or attempted to provide,  
18               significant financial, material, technological, or  
19               other support for, or goods or services in support  
20               of, a person referred to in any of subparagraphs  
21               (A) through (F) of paragraph (1) or paragraph  
22               (2) for purposes of engaging in any activity list-  
23               ed in such subparagraphs (A) through (F) of  
24               paragraph (1).

1           (c) *UPDATES OF LIST.*—*The President shall submit to*  
2 *the appropriate congressional committees an updated list*  
3 *under subsection (b)—*

4                   (1) *not later than 180 days after the date of the*  
5 *enactment of this Act and annually thereafter for a*  
6 *period of 5 years; or*

7                   (2) *as new information becomes available.*

8           (d) *FORM.*—*The list required by subsection (b) shall*  
9 *be submitted in unclassified form, but may include a classi-*  
10 *fied annex.*

11 **SEC. 203. SANCTIONS WITH RESPECT TO FOREIGN PERSONS**  
12 **WHO ARE RESPONSIBLE FOR OR COMPLICIT**  
13 **IN GROSS VIOLATIONS OF INTERNATIONALLY**  
14 **RECOGNIZED HUMAN RIGHTS COMMITTED IN**  
15 **LIBYA.**

16           (a) *IMPOSITION OF SANCTIONS.*—*The President shall*  
17 *impose each of the sanctions described in section 204 with*  
18 *respect to each foreign person on the list required by sub-*  
19 *section (b).*

20           (b) *LIST OF PERSONS.*—

21                   (1) *IN GENERAL.*—*Not later than 180 days after*  
22 *the date of the enactment of this Act, the President*  
23 *shall submit to the appropriate congressional commit-*  
24 *tees a list of foreign persons, including senior govern-*  
25 *ment officials, militia leaders, paramilitary leaders,*

1        *and other persons who provide significant support to*  
2        *militia or paramilitary groups in Libya, that the*  
3        *President determines are knowingly responsible for or*  
4        *complicit in, or have directly or indirectly engaged*  
5        *in, gross violations of internationally recognized*  
6        *human rights committed in Libya.*

7                (2) *UPDATES OF LIST.—The President shall sub-*  
8        *mit to the appropriate congressional committees an*  
9        *updated list under paragraph (1)—*

10                    (A) *not later than 180 days after the date*  
11                    *of the enactment of this Act and annually there-*  
12                    *after for a period of 5 years; or*

13                    (B) *as new information becomes available.*

14                (3) *FORM.—The list required by paragraph (1)*  
15        *shall be submitted in unclassified form, but may in-*  
16        *clude a classified annex.*

17        **SEC. 204. SANCTIONS DESCRIBED.**

18                (a) *SANCTIONS DESCRIBED.—The sanctions to be im-*  
19        *posed with respect to a foreign person under section 201,*  
20        *202, or 203 are the following:*

21                    (1) *BLOCKING OF PROPERTY.—The President*  
22        *shall exercise all of the powers granted to the Presi-*  
23        *dent by the International Emergency Economic Pow-*  
24        *ers Act (50 U.S.C. 1701 et seq.) (except that the re-*  
25        *quirements of section 202 of such Act (50 U.S.C.*

1       1701) shall not apply) to the extent necessary to block  
2       and prohibit all transactions in property and inter-  
3       ests in property of the person if such property and in-  
4       terests in property are in the United States, come  
5       within the United States, or are or come within the  
6       possession or control of a United States person.

7               (2) *INADMISSIBILITY OF CERTAIN INDIVID-*  
8       *UALS.—*

9               (A) *INELIGIBILITY FOR VISAS, ADMISSION,*  
10       *OR PAROLE.—A foreign person who meets any of*  
11       *the criteria described section 201, 202, or 203*  
12       *is—*

13                       (i) *inadmissible to the United States;*

14                       (ii) *ineligible to receive a visa or other*  
15       *documentation to enter the United States;*  
16       *and*

17                       (iii) *otherwise ineligible to be admitted*  
18       *or paroled into the United States or to re-*  
19       *ceive any other benefit under the Immigra-*  
20       *tion and Nationality Act (8 U.S.C. 1101 et*  
21       *seq.).*

22               (B) *CURRENT VISAS REVOKED.—A foreign*  
23       *person subject to section 201, 202, or 203 is sub-*  
24       *ject to the following:*

1           (i) *Revocation of any visa or other*  
2           *entry documentation regardless of when the*  
3           *visa or other entry documentation is or was*  
4           *issued.*

5           (ii) *A revocation under clause (i)*  
6           *shall—*

7                       (I) *take effect immediately; and*

8                       (II) *automatically cancel any*  
9                       *other valid visa or entry documenta-*  
10                      *tion that is in the foreign person's pos-*  
11                      *session.*

12       (b) *PENALTIES.—The penalties provided for in sub-*  
13       *sections (b) and (c) of section 206 of the International*  
14       *Emergency Economic Powers Act (50 U.S.C. 1705) shall*  
15       *apply to a person that violates, attempts to violate, con-*  
16       *spires to violate, or causes a violation of regulations pro-*  
17       *mulgated under section 306(2) to carry out subsection*  
18       *(a)(1) to the same extent that such penalties apply to a*  
19       *person that commits an unlawful act described in section*  
20       *206(a) of that Act.*

21       (c) *EXCEPTION.—Sanctions under subsection (a)(2)*  
22       *shall not apply to an alien if admitting or paroling the*  
23       *alien into the United States is necessary to permit the*  
24       *United States to comply with the Agreement regarding the*  
25       *Headquarters of the United Nations, signed at Lake Success*



1 *June 26, 1947, and entered into force November 21, 1947,*  
2 *between the United Nations and the United States, or other*  
3 *applicable international obligations of the United States.*

4 (d) *EXCEPTION TO COMPLY WITH NATIONAL SECUR-*  
5 *ITY.—The following activities shall be exempt from sanc-*  
6 *tions under this section:*

7 (1) *Activities subject to the reporting require-*  
8 *ments under title V of the National Security Act of*  
9 *1947 (50 U.S.C. 3091 et seq.).*

10 (2) *Any authorized intelligence or law enforce-*  
11 *ment activities of the United States.*

12 **SEC. 205. WAIVER.**

13 *The President may waive the application of sanctions*  
14 *imposed on a foreign person under this title if the Presi-*  
15 *dent—*

16 (1) *determines that such a waiver is in the na-*  
17 *tional interest of the United States; and*

18 (2) *not later than the date on which such waiver*  
19 *will take effect, submits to the appropriate congres-*  
20 *sional committees a notice of and justification for*  
21 *such waiver.*

22 **SEC. 206. IMPLEMENTATION AND REGULATORY AUTHOR-**  
23 **ITY.**

24 *The President—*

1           (1) *is authorized to exercise all authorities pro-*  
2           *vided to the President under sections 203 and 205 of*  
3           *the International Emergency Economic Powers Act*  
4           *(50 U.S.C. 1702 and 1704) to carry out this title; and*  
5           (2) *shall issue such regulations, licenses, and or-*  
6           *ders as are necessary to carry out this title.*

7 **SEC. 207. EXCEPTION RELATING TO IMPORTATION OF**  
8                 **GOODS.**

9           (a) *IN GENERAL.—The authorities and requirements*  
10          *to impose sanctions under this title shall not include the*  
11          *authority or requirement to impose sanctions on the impor-*  
12          *tation of goods.*

13          (b) *GOOD DEFINED.—In this section, the term “good”*  
14          *means any article, natural or man-made substance, mate-*  
15          *rial, supply or manufactured product, including inspection*  
16          *and test equipment and excluding technical data.*

17 **SEC. 208. DEFINITIONS.**

18          *In this title:*

19                 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
20          *TEES.—The term “appropriate congressional commit-*  
21          *tees” means—*

22                         (A) *the Committee on Foreign Affairs and*  
23                         *the Committee on Financial Services of the*  
24                         *House of Representatives; and*

1           (B) *the Committee on Foreign Relations*  
2           *and the Committee on Banking, Housing, and*  
3           *Urban Affairs of the Senate.*

4           (2) *ADMITTED; ALIEN.*—*The terms “admitted”*  
5           *and “alien” have the meanings given those terms in*  
6           *section 101 of the Immigration and Nationality Act*  
7           *(8 U.S.C. 1101).*

8           (3) *FOREIGN PERSON.*—*The term “foreign per-*  
9           *son” means an individual or entity that is not a*  
10           *United States person.*

11           (4) *FOREIGN GOVERNMENT.*—*The term “foreign*  
12           *government” means any government of a country*  
13           *other than the United States.*

14           (5) *KNOWINGLY.*—*The term “knowingly” with*  
15           *respect to conduct, a circumstance, or a result, means*  
16           *that a person has actual knowledge, or should have*  
17           *known, of the conduct, the circumstance, or the result.*

18           (6) *UNITED STATES PERSON.*—*The term “United*  
19           *States person” means—*

20                   (A) *an individual who is a United States*  
21                   *citizen or an alien lawfully admitted for perma-*  
22                   *nent residence to the United States; or*

23                   (B) *an entity organized under the laws of*  
24                   *the United States or any jurisdiction within the*

1           *United States, including a foreign branch of*  
2           *such an entity; or*

3                   *(C) any person in the United States.*

4           (7) *GROSS VIOLATIONS OF INTERNATIONALLY*  
5           *RECOGNIZED HUMAN RIGHTS.—The term “gross viola-*  
6           *tions of internationally recognized human rights” has*  
7           *the meaning given such term in section 502B(d)(1) of*  
8           *the Foreign Assistance Act of 1961 (22 U.S.C.*  
9           *2304(d)(1)).*

10 **SEC. 209. SUSPENSION OF SANCTIONS.**

11           (a) *IN GENERAL.—The President may suspend in*  
12           *whole or in part the imposition of sanctions otherwise re-*  
13           *quired under this title for periods not to exceed 90 days*  
14           *if the President determines that the parties to the conflict*  
15           *in Libya have agreed to and are upholding a sustainable,*  
16           *good-faith ceasefire in support of a lasting political solution*  
17           *in Libya.*

18           (b) *NOTIFICATION REQUIRED.—Not later than 30 days*  
19           *after the date on which the President makes a determina-*  
20           *tion to suspend the imposition of sanctions as described in*  
21           *subsection (a), the President shall submit to the appropriate*  
22           *congressional committees a notification of the determina-*  
23           *tion.*

24           (c) *REIMPOSITION OF SANCTIONS.—Any sanctions sus-*  
25           *pending under subsection (a) shall be reimposed if the Presi-*

1 *dent determines that the criteria described in that sub-*  
2 *section are no longer being met.*

3 **SEC. 210. SUNSET.**

4 *The requirement to impose sanctions under this title*  
5 *shall cease to be effective on December 31, 2024.*

6 **TITLE III—ASSISTANCE FOR**  
7 **LIBYA**

8 **SEC. 301. HUMANITARIAN RELIEF FOR THE PEOPLE OF**  
9 **LIBYA AND INTERNATIONAL REFUGEES AND**  
10 **MIGRANTS IN LIBYA.**

11 *(a) SENSE OF CONGRESS.—It is the sense of Congress*  
12 *that—*

13 *(1) the United States Government should—*

14 *(A) continue efforts to address Libya’s hu-*  
15 *manitarian crisis;*

16 *(B) leverage diplomatic relations with the*  
17 *warring parties to guarantee constant, reliable*  
18 *humanitarian access by frontline providers in*  
19 *Libya;*

20 *(C) leverage diplomatic relations with the*  
21 *warring parties, the United Nations, and the*  
22 *European Union to encourage the voluntary safe*  
23 *passage of detained vulnerable migrants and ref-*  
24 *ugees from the conflict zones in Libya; and*

1           (D) support efforts to document and pub-  
2           licize gross violations of internationally recog-  
3           nized human rights and international humani-  
4           tarian law, including efforts related to traf-  
5           ficking in persons such as slavery, forced labor,  
6           and sexual exploitation, and hold perpetrators  
7           accountable; and

8           (2) humanitarian assistance to address the crisis  
9           in Libya should be targeted toward those most in need  
10          and delivered through partners that uphold inter-  
11          nationally recognized humanitarian principles, with  
12          robust monitoring to ensure assistance is reaching in-  
13          tended beneficiaries.

14          (b) ASSISTANCE AUTHORIZED.—The Administrator of  
15          the United States Agency for International Development,  
16          in coordination with the Secretary of State, should continue  
17          to support humanitarian assistance to individuals and  
18          communities in Libya, including—

19               (1) health assistance, including logistical and  
20               technical assistance to hospitals, ambulances, and  
21               health clinics in affected communities, including mi-  
22               grant communities, and provision of basic public  
23               health commodities;

24               (2) services, such as medicines and medical sup-  
25               plies and equipment;

1           (3) *assistance to provide—*

2                   (A) *protection, food, and shelter, including*  
3           *to migrant communities; and*

4                   (B) *water, sanitation, and hygiene (com-*  
5           *monly referred to as “WASH”); and*

6           (4) *technical assistance to ensure health, food,*  
7           *and commodities are appropriately selected, procured,*  
8           *targeted, monitored, and distributed.*

9           (c) *STRATEGY.—Not later than 180 days after the date*  
10   *of the enactment of this Act, the Secretary of State, in co-*  
11   *ordination with the Administrator of the United States*  
12   *Agency for International Development, shall submit to the*  
13   *appropriate congressional committees a strategy on the fol-*  
14   *lowing:*

15                   (1) *How the United States, working with rel-*  
16           *evant foreign governments and multilateral organiza-*  
17           *tions, plans to address the humanitarian situation in*  
18           *Libya.*

19                   (2) *Diplomatic efforts by the United States to*  
20           *encourage strategic burden-sharing with international*  
21           *donors, including foreign governments and multilat-*  
22           *eral organizations on efforts to improve the humani-*  
23           *tarian situation in Libya.*

24                   (3) *How to address humanitarian access chal-*  
25           *lenges and ensure protection for vulnerable refugees*

1        *and migrants, including protection from trafficking*  
2        *in persons such as slavery, forced labor, and sexual*  
3        *exploitation.*

4            (4) *How the United States is mitigating risk,*  
5        *utilizing third party monitors, and ensuring effective*  
6        *delivery of assistance.*

7        (d) *DIPLOMATIC ENGAGEMENT.*—*The Secretary of*  
8        *State, in consultation with the Administrator of the United*  
9        *States Agency for International Development, should work*  
10       *with relevant foreign governments and multilateral organi-*  
11       *zations to coordinate a high-level summit with respect to*  
12       *Libya in order to—*

13            (1) *advance a ceasefire;*

14            (2) *facilitate a political process to achieve such*  
15        *a ceasefire; and*

16            (3) *coordinate donations to advance the provi-*  
17        *sion of humanitarian assistance to the people of*  
18        *Libya and international migrants and refugees in*  
19        *Libya in order to carry out the strategy required by*  
20        *subsection (c).*

21        (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
22        *FINED.*—*In this section, the term “appropriate congres-*  
23        *sional committees” means—*



1           (1) *the Committee on Foreign Affairs and the*  
2           *Committee on Appropriations of the House of Rep-*  
3           *resentatives; and*

4           (2) *the Committee on Foreign Relations and the*  
5           *Committee on Appropriations of the Senate.*

6   **SEC. 302. SUPPORT FOR DEMOCRATIC GOVERNANCE, ELEC-**  
7                                   **TIONS, AND CIVIL SOCIETY.**

8           (a) *IN GENERAL.*—*The Secretary of State shall coordi-*  
9           *nate United States Government efforts to—*

10           (1) *support efforts to resolve the current civil*  
11           *conflict in Libya;*

12           (2) *work to help the people of Libya and a future*  
13           *Libyan government develop functioning, unified Liby-*  
14           *an economic, security, and governing institutions;*

15           (3) *work to ensure free, fair, inclusive, and cred-*  
16           *ible elections organized by an independent and effec-*  
17           *tive High National Elections Commission in Libya,*  
18           *including through supporting electoral security and*  
19           *international election observation and by providing*  
20           *training and technical assistance to institutions with*  
21           *election-related responsibilities, as appropriate;*

22           (4) *work with the people of Libya, nongovern-*  
23           *mental organizations, and Libyan institutions to*  
24           *strengthen democratic governance, reinforce civilian*  
25           *institutions and support decentralization in order to*

1 *address community grievances, promote social cohe-*  
2 *sion, mitigate drivers of violent extremism, and help*  
3 *communities recover from Islamic State occupation;*

4 (5) *defend against gross violations of inter-*  
5 *nationally recognized human rights in Libya, includ-*  
6 *ing by supporting efforts to document such violations;*

7 (6) *to combat corruption and improve the trans-*  
8 *parency and accountability of Libyan government in-*  
9 *stitutions; and*

10 (7) *to support the efforts of independent media*  
11 *outlets to broadcast, distribute, and share information*  
12 *with the Libyan people.*

13 (b) *RISK MITIGATION AND ASSISTANCE MONI-*  
14 *TORING.*—*The Secretary of State and Administrator of the*  
15 *United States Agency for International Development shall*  
16 *ensure that appropriate steps are taken to mitigate risk of*  
17 *diversion of assistance for Libya and ensure reliable third-*  
18 *party monitoring is utilized for projects in Libya that*  
19 *United States Government personnel are unable to access*  
20 *and monitor.*

21 (c) *REPORT.*—

22 (1) *IN GENERAL.*—*Not later than 180 days after*  
23 *enactment of this Act, the Secretary of State, in co-*  
24 *ordination with the Administrator of the United*  
25 *States Agency for International Development, shall*

1       *submit to the appropriate congressional committees a*  
2       *report on the activities carried out under subsection*  
3       *(a).*

4               (2) *APPROPRIATE CONGRESSIONAL COMMITTEES*  
5       *DEFINED.—In this subsection, the term “appropriate*  
6       *congressional committees” means—*

7                       (A) *the Committee on Foreign Affairs and*  
8                       *the Committee on Appropriations of the House of*  
9                       *Representatives; and*

10                      (B) *the Committee on Foreign Relations*  
11                      *and the Committee on Appropriations of the*  
12                      *Senate.*

13       (d) *AUTHORIZATION OF APPROPRIATIONS.—*

14               (1) *IN GENERAL.—There are authorized to be ap-*  
15       *propriated \$23,000,000 for fiscal year 2021 to carry*  
16       *out subsection (a).*

17               (2) *NOTIFICATION REQUIREMENTS.—Any ex-*  
18       *penditure of amounts made available to carry out*  
19       *subsection (a) shall be subject to the notification re-*  
20       *quirements applicable to—*

21                      (A) *expenditures from the Economic Sup-*  
22                      *port Fund under section 531(c) of the Foreign*  
23                      *Assistance Act of 1961 (22 U.S.C. 2346(c)); and*

1                   (B) expenditures from the Development As-  
2                   sistance Fund under section 653(a) of the For-  
3                   eign Assistance Act of 1961 (22 U.S.C. 2413(a)).

4 **SEC. 303. ENGAGING INTERNATIONAL FINANCIAL INSTITU-**  
5                   **TIONS TO ADVANCE LIBYAN ECONOMIC RE-**  
6                   **COVERY AND IMPROVE PUBLIC SECTOR FI-**  
7                   **NANCIAL MANAGEMENT.**

8           (a) *IN GENERAL.*—The Secretary of the Treasury shall  
9           instruct the United States Executive Director at each inter-  
10          national financial institution to use the voice, vote, and in-  
11          fluence of the United States to support, in a way that is  
12          consistent with broader United States national interests, a  
13          Libyan-led process to develop a framework for the economic  
14          recovery of Libya and improved public sector financial  
15          management, complementary to United Nations-led peace  
16          efforts and in support of the future establishment of a sov-  
17          ereign state with democratic institutions and the rule of law  
18          in Libya.

19          (b) *ADDITIONAL ELEMENTS.*—To the extent consistent  
20          with broader United States national interests, the frame-  
21          work described in subsection (a) shall include the following  
22          policy proposals:

23                  (1) *To restore, respect, and safeguard the integ-*  
24                  *riety, unity, and lawful governance of Libya’s key eco-*  
25                  *nomie ministries and institutions, in particular the*

1       *Central Bank of Libya, the Libya Investment Author-*  
2       *ity, the National Oil Corporation, and the Audit Bu-*  
3       *reau (AB).*

4             (2) *To improve the accountability and effective-*  
5       *ness of Libyan authorities, including sovereign eco-*  
6       *nomical institutions, in providing services and oppor-*  
7       *tunity to the Libyan people.*

8             (3) *To assist in improving public financial man-*  
9       *agement and reconciling the public accounts of na-*  
10       *tional financial institutions and letters of credit*  
11       *issued by private Libyan financial institutions as*  
12       *needed pursuant to a political process.*

13            (4) *To restore the production, efficient manage-*  
14       *ment, and development of Libya's oil and gas indus-*  
15       *tries so such industries are resilient against malign*  
16       *foreign influence and can generate prosperity on be-*  
17       *half of the Libyan people.*

18            (5) *To promote the development of private sector*  
19       *enterprise.*

20            (6) *To improve the transparency and account-*  
21       *ability of public sector employment and wage dis-*  
22       *tribution.*

23            (7) *To strengthen supervision of and reform of*  
24       *Libyan financial institutions.*

1           (8) *To eliminate exploitation of price controls*  
2           *and market distorting subsidies in the Libyan econ-*  
3           *omy.*

4           (9) *To support opportunities for United States*  
5           *businesses.*

6           (c) *CONSULTATION.*—*In supporting the framework de-*  
7           *scribed in subsection (a), the Secretary of the Treasury shall*  
8           *instruct the United States Executive Director at each inter-*  
9           *national financial institution to encourage the institution*  
10           *to consult with relevant stakeholders in the financial, gov-*  
11           *ernance, and energy sectors.*

12           (d) *DEFINITION OF INTERNATIONAL FINANCIAL INSTI-*  
13           *TUTION.*—*In this section, the term “international financial*  
14           *institution” means the International Monetary Fund,*  
15           *International Bank for Reconstruction and Development,*  
16           *European Bank for Reconstruction and Development, Inter-*  
17           *national Development Association, International Finance*  
18           *Corporation, Multilateral Investment Guarantee Agency,*  
19           *African Development Bank, African Development Fund,*  
20           *Asian Development Bank, Inter-American Development*  
21           *Bank, Bank for Economic Cooperation and Development in*  
22           *the Middle East and North Africa, and Inter-American In-*  
23           *vestment Corporation.*

24           (e) *TERMINATION.*—*The requirements of this section*  
25           *shall cease to be effective on December 31, 2024.*

1 **SEC. 304. RECOVERING ASSETS STOLEN FROM THE LIBYAN**  
2 **PEOPLE.**

3 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
4 *that the Secretary of State, the Secretary of the Treasury,*  
5 *and the Attorney General should, to the extent practicable,*  
6 *advance a coordinated international effort—*

7 (1) *to carry out special financial investigations*  
8 *to identify and track assets taken from the people and*  
9 *institutions of Libya through theft, corruption, money*  
10 *laundering, or other illicit means; and*

11 (2) *to work with foreign governments—*

12 (A) *to share financial investigations intel-*  
13 *ligence, as appropriate;*

14 (B) *to oversee the assets identified pursuant*  
15 *to paragraph (1); and*

16 (C) *to provide technical assistance to help*  
17 *governments establish the necessary legal frame-*  
18 *work to carry out asset forfeitures.*

19 (b) *ADDITIONAL ELEMENTS.*—*The coordinated inter-*  
20 *national effort described in subsection (a) should include*  
21 *input from—*

22 (1) *the Office of Terrorist Financing and Finan-*  
23 *cial Crimes of the Department of the Treasury;*

24 (2) *the Financial Crimes Enforcement Network*  
25 *of the Department of the Treasury; and*

- 1            *(3) the Money Laundering and Asset Recovery*
- 2            *Section of the Department of Justice.*





Union Calendar No. 491

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4644**

[Report No. 116-594, Part I]

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**A BILL**

To clarify United States policy toward Libya, advance a diplomatic solution to the conflict in Libya, and support the people of Libya.

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NOVEMBER 17, 2020

Reported from the Committee on Foreign Affairs with an amendment

NOVEMBER 17, 2020

Committees on the Judiciary and Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed