

117TH CONGRESS
1ST SESSION

H. R. 1228

AN ACT

To 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Libya Stabilization Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 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.
- Sec. 305. Authority to expand educational and cultural exchange programs with Libya.

TITLE IV—DETERMINATION OF BUDGETARY EFFECTS

- Sec. 401. Determination of budgetary effects.

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

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

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

8 (2) United States Africa Command
9 (AFRICOM) has identified containing instability in
10 Libya as one of its six main lines of effort in Africa
11 and works to support diplomatic efforts to reconsti-
12 tute the Libyan State and to disrupt terrorist orga-
13 nizations that impede that process or threaten
14 United States interests.

15 (3) According to the Defense Intelligence Agen-
16 cy, the Islamic State in Libya (ISIS-Libya) is “de-
17 graded”. However, AFRICOM continues to “keep
18 pressure on ISIS and other violent extremist organi-
19 zations as they seek to take advantage of the secu-
20 rity vacuum created by the civil war in Libya”.

21 (4) According to the United Nations, since
22 April 2019, the conflict in Libya has led to the
23 deaths of more than 500 civilians and the displace-
24 ment of more than 200,000 people.

25 (5) Parties to the conflict in Libya have killed
26 civilians, committed torture and abuse, committed

1 mass extrajudicial killings, requisitioned the houses
2 of civilians, targeted medical facilities, and blocked
3 humanitarian access to food, health, and other life-
4 saving services, worsening humanitarian conditions.

5 (6) According to the United Nations, as of No-
6 vember 2020, more than 574,000 migrants and refu-
7 gees remained in Libya and the “continued arbitrary
8 detention of migrants and refugees in formal deten-
9 tion centers and at informal smuggler sites remains
10 a critical concern in Libya”. Migrants and refugees,
11 including women and children, are routinely sub-
12 jected to discrimination, arrest, arbitrary detention,
13 torture and other human rights violations and
14 abuses. The United Nations has called for the imme-
15 diate release, evacuation, and protection of refugees
16 and migrants detained in conflict zones.

17 (7) In November 2019, the Government of the
18 National Accord (GNA) and the Government of Tur-
19 key signed a Memorandum of Understanding on
20 maritime boundaries in the Mediterranean Sea.

21 (8) The Department of State’s 2020 Traf-
22 ficking in Persons Report states with regard to
23 Libya “Trafficking victims—including men, women,
24 and children—are highly vulnerable to extreme vio-
25 lence and other human rights violations in Libya by

1 governmental and non-state armed groups, includ-
2 ing: physical, sexual, and verbal assault; abduction
3 for ransom; extortion; arbitrary killings; inhumane
4 detention; and child soldiering. . .Migrants in
5 Libya are extremely vulnerable to sex and labor traf-
6 ficking [and . . .] are vulnerable to exploitation by
7 state and non-state actors, including employers who
8 refuse to pay laborers' wages.”.

9 (9) A November 2020 Department of Defense
10 Inspector General report estimated there are ap-
11 proximately 2,000 mercenary forces affiliated with
12 the Wagner Group, a Russian private military com-
13 pany, as well as approximately 2,000 Russian-
14 backed Syrian fighters, advanced equipment, and ad-
15 vanced capabilities supporting Khalifa Haftar’s Lib-
16 yan National Army (LNA) and Russian objectives in
17 North Africa.

18 (10) The most recent AFRICOM posture state-
19 ment claims, “Russia continues to harvest benefits
20 from the instability in Libya—its military meddling
21 has prolonged the conflict and exacerbated casualties
22 and humanitarian suffering.”.

23 (11) The Department of Defense Inspector
24 General reported that, “Turkey has hundreds of reg-
25 ular military personnel deployed to Libya in order to

1 train GNA-aligned militias and to operate Turkish
2 military equipment” and sent thousands of Syrian
3 mercenaries to Libya in support of the GNA.

4 (12) On January 19, 2020, at a peace con-
5 ference in Berlin, representatives of the Govern-
6 ments of Algeria, China, Egypt, France, Germany,
7 Italy, Russia, Turkey, the Republic of Congo, the
8 United Arab Emirates, the United Kingdom, and
9 the United States, as well as regional and multilat-
10 eral organizations, agreed to refrain from inter-
11 ference in Libya’s internal affairs, abide by the
12 United Nations arms embargo, and advance a 55-
13 point communique to resolve the conflict in Libya.

14 (13) On February 13, 2020, the United Na-
15 tions Security Council adopted Resolution 2510,
16 which endorses the Conclusions of the International
17 Conference on Libya held in Berlin, affirms the need
18 for a lasting ceasefire, demands full compliance by
19 all member states with the United Nations arms em-
20 bargo, and expresses unequivocal support for the
21 United Nations Special Representative and the ongo-
22 ing United Nations Support Mission in Libya
23 (UNSMIL)-facilitated intra-Libyan dialogue.

24 (14) On October 23, 2020, the warring parties
25 in Libya agreed a ceasefire, which called for the

1 withdrawal of all armed forces from conflict lines
2 and the departure of all mercenaries and foreign
3 fighters within three months, and was hailed by
4 United Nations Secretary General António Guterres
5 as “a fundamental step toward peace and stability
6 in Libya”.

7 (15) On January 19, 2021, United Nations
8 Secretary General Guterres recommended that re-
9 gional and international powers ensure the “depar-
10 ture of all foreign fighters and mercenaries from
11 Libya and full and unconditional respect for the Se-
12 curity Council arms embargo” and urged the Secu-
13 rity Council to “give UNSMIL a clear but flexible
14 mandate to enable the Mission to support the Liby-
15 an-led and Libyan-owned ceasefire monitoring mech-
16 anism”.

17 (16) On January 21, 2021, the United States
18 joined the Governments of France, Germany, Italy,
19 and the United Kingdom to remind all Berlin Con-
20 ference participants of the need to “continue to sup-
21 port a ceasefire, restore full respect for the UN arms
22 embargo, and end the toxic foreign interference that
23 undermines the aspirations of all Libyans to reestab-
24 lish their sovereignty and choose their future peace-
25 fully through national elections”.

1 (17) On March 11, 2021, the United States
2 joined with France, Germany, Italy, and the United
3 Kingdom to welcome Libya’s Government of Na-
4 tional Unity and reiterate it will “have the primary
5 tasks of organizing free and fair elections on Decem-
6 ber 24, 2021, followed by a transfer of authority to
7 Libya’s democratically chosen leaders”.

8 (b) STATEMENT OF POLICY.—It is the policy of the
9 United States—

10 (1) to advance a peaceful resolution to the con-
11 flict in Libya through a United Nations-mediated
12 Libyan-led and Libyan-owned political process as the
13 best way to secure United States interests and to
14 ensure the sovereignty, independence, territorial in-
15 tegrity, and national unity of Libya;

16 (2) to support the implementation of United
17 Nations Security Council Resolutions 1970 (2011)
18 and 1973 (2011), which established an arms embar-
19 go on Libya, and subsequent resolutions modifying
20 and extending the embargo;

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

1 “threaten the peace, security, and stability of
2 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, independ-
8 ence, territorial integrity, and national unity con-
9 sistent with United Nations Security Council Resolu-
10 tion 2510 (2020) and all predecessor resolutions
11 with respect 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 il-
15 licitly export Libya’s oil; and

16 (C) urging the withdrawal of foreign mili-
17 tary and mercenary forces;

18 (6) to leverage diplomatic relations to convince
19 the parties to the conflict in Libya to maintain the
20 current ceasefire and persuade foreign powers to
21 stop providing personnel, including mercenaries,
22 weapons, and financing that threaten to reignite the
23 conflict;

24 (7) to support the Libyan Political Dialogue
25 and advance the inclusive Libyan-led and Libyan-

1 owned political process, including elections planned
2 for December 2021;

3 (8) to support a negotiated and peaceful polit-
4 ical solution that includes a single, unified, inclusive,
5 and effective Libyan Government approved by the
6 Libyan House of Representatives, the end of a tran-
7 sitional period achieved through free, fair, inclusive,
8 and credible elections planned for December 2021, a
9 fair and transparent allocation of resources, interim
10 security arrangements, and a process for the reunifi-
11 cation of Libyan government ministries and Libyan
12 sovereign institutions, including the Central Bank of
13 Libya, the National Oil Corporation, and the Libyan
14 Investment Authority;

15 (9) to help protect Libya's civilian population
16 and implementing humanitarian and international
17 organizations from the risk of harm resulting from
18 explosive hazards such as landmines, improvised ex-
19 plosive devices (IEDs), and unexploded ordnance
20 (UXO);

21 (10) to support constant, unimpeded, and reli-
22 able humanitarian access to those in need and to
23 hold accountable those who impede or threaten the
24 delivery of humanitarian assistance;

1 (11) to seek to bring an end to severe forms of
2 trafficking in persons such as slavery, forced labor,
3 and sexual exploitation, including with respect to mi-
4 grants;

5 (12) to advocate for the immediate release and
6 safe evacuations of detained refugees and migrants
7 trapped by the fighting in Libya;

8 (13) to encourage implementation of
9 UNSMIL’s plan for the organized and gradual clo-
10 sure of migrant detention centers in Libya;

11 (14) to support greater defense institutional ca-
12 pacity building after a comprehensive political settle-
13 ment;

14 (15) to support current and future democratic
15 and economic development; and

16 (16) to discourage all parties from heightening
17 tensions in the region, through unhelpful and pro-
18 vocative actions.

19 **TITLE I—IDENTIFYING CHAL-**
20 **LENGES TO STABILITY IN**
21 **LIBYA**

22 **SEC. 101. REPORT ON ACTIVITIES OF CERTAIN FOREIGN**
23 **GOVERNMENTS AND ACTORS IN LIBYA.**

24 (a) IN GENERAL.—Not later than 90 days after the
25 date of the enactment of this Act, the Secretary of State,

1 in consultation with the Director of National Intelligence,
2 shall submit to the appropriate congressional committees
3 a report that includes—

4 (1) a description of the full extent of involve-
5 ment in Libya by foreign governments, including the
6 Governments of Russia, Turkey, the United Arab
7 Emirates, Egypt, Sudan, Chad, China, Saudi Ara-
8 bia, and Qatar, including—

9 (A) a description of which governments
10 have been linked to drone and aircraft strikes
11 since April 2019;

12 (B) a list of the types and estimated
13 amounts of equipment transferred by each gov-
14 ernment described in this paragraph to the par-
15 ties to the conflict, including foreign military
16 contractors, mercenaries, or paramilitary forces
17 operating in Libya;

18 (C) an estimate of the financial support
19 provided by each government described in this
20 paragraph to the parties to the conflict, includ-
21 ing foreign military contractors, mercenaries, or
22 paramilitary forces operating in Libya; and

23 (D) a description of the activities of any
24 regular, irregular, or paramilitary forces, in-
25 cluding foreign military contractors, mercenary

1 groups, and militias operating inside Libya, at
2 the direction or with the consent of the govern-
3 ments described in this paragraph;

4 (2) an analysis and determination of whether
5 the actions by the governments described in para-
6 graph (1) violate the arms embargo with respect to
7 Libya under United Nations Security Council Reso-
8 lution 2473 (2019) and other relevant Security
9 Council resolutions;

10 (3) a list of the specific offending materiel or fi-
11 nancial support transfers provided by a government
12 described in paragraph (1) that—

13 (A) violate the arms embargo with respect
14 to Libya under United Nations Security Council
15 Resolution 2473 (2019) and other relevant Se-
16 curity Council resolutions;

17 (B) contribute to civilian death, harm, or
18 other violations of international humanitarian
19 law; or

20 (C) involve weapons of United States ori-
21 gin or were in violation of United States end
22 user agreements;

23 (4) a description of the activities of affiliates of
24 ISIS, al-Qaida in the Islamic Maghreb (AQIM), and
25 Ansar al-Sharia, in Libya;

1 (5) a description of efforts by the European
2 Union, North Atlantic Treaty Organization (NATO),
3 and the Arab League, and their respective member
4 states, to—

5 (A) enforce the arms embargo with respect
6 to Libya under United Nations Security Council
7 Resolution 2473 (2019) and other relevant Se-
8 curity Council resolutions;

9 (B) facilitate a ceasefire;

10 (C) monitor a ceasefire; and

11 (D) support forthcoming elections;

12 (6) a description of any violations of the arms
13 embargo by European Union member states; and

14 (7) a description of United States diplomatic
15 engagement with the European Union, NATO, and
16 the Arab League regarding enforcement of the
17 United Nations arms embargo, ceasefire monitoring,
18 and election support.

19 (b) FORM.—The report required by subsection (a)
20 shall be submitted in unclassified form, but may contain
21 a classified annex.

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

1 (1) the Committee on Foreign Affairs and the
2 Permanent Select Committee on Intelligence of the
3 House of Representatives; and

4 (2) the Committee on Foreign Relations and
5 the Select Committee on Intelligence of the Senate.

6 **SEC. 102. REPORT OF RUSSIAN ACTIVITIES AND OBJEC-**
7 **TIVES IN LIBYA.**

8 (a) FINDINGS.—Congress makes the following find-
9 ings:

10 (1) General Stephen Townsend, Commander of
11 United States Africa Command (AFRICOM),
12 warned in January 2020 that in Libya, Russia seeks
13 to “demonstrate itself as an alternative partner to
14 the West” and seeks to position itself alongside the
15 southern flank of the North Atlantic Treaty Organi-
16 zation (NATO).

17 (2) AFRICOM has also stated that the Russian
18 military presence in Libya threatens future United
19 States military partnerships and counterterrorism
20 cooperation by impeding United States access to
21 Libya.

22 (3) AFRICOM has reported that the Govern-
23 ment of Russia deployed 14 MiG-29 and Su-24 air-
24 craft, SA-22 air defense equipment, and mine-resist-
25 ant ambush protected armored vehicles to Libya to

1 support Russian state-sponsored private military
2 contractors, including the Wagner Group.

3 (4) In January 2021, United States officials
4 told the international press that mercenaries affili-
5 ated with the Wagner Group were constructing so-
6 phisticated defensive fortifications in central Libya.

7 (b) REPORT.—

8 (1) REPORT.—Not later than 90 days after the
9 date of the enactment of this Act, the Secretary of
10 State shall submit to the Committee on Foreign Af-
11 fairs of the House of Representatives and the Com-
12 mittee on Foreign Relations of the Senate a report
13 that contains an assessment of Russian activities
14 and objectives in Libya, including—

15 (A) the potential threat such activities pose
16 to the United States, southern Europe, NATO,
17 and partners in the Mediterranean Sea and
18 North African region;

19 (B) the direct role of Russia in Libyan fi-
20 nancial affairs, to include issuing and printing
21 currency;

22 (C) Russia’s use of mercenaries, military
23 contractors, equipment, and paramilitary forces
24 in Libya; and

1 (D) an assessment of sanctions and other
2 policies adopted by United States partners and
3 allies against the Wagner Group and its desta-
4 bilizing activities in Libya, including sanctions
5 on Yevgeny Prigozhin.

6 (2) FORM.—The report required by paragraph
7 (1) shall be submitted in unclassified form, but may
8 contain a classified annex.

9 **SEC. 103. DETERMINATION OF SANCTIONABLE ACTIVITIES**
10 **OF THE LIBYAN NATIONAL ARMY WITH RE-**
11 **SPECT TO SYRIA.**

12 Not later than 180 days after the date of the enact-
13 ment of this Act, the President shall submit to the Com-
14 mittee on Foreign Affairs of the House of Representatives
15 and the Committee on Foreign Relations of the Senate
16 a list of members of the Libyan National Army (LNA),
17 and details of their activities, that the President deter-
18 mines are knowingly responsible for sanctionable offenses
19 pursuant to—

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

23 (2) Executive Order 13582 (76 Fed. Reg.
24 52209; relating to blocking property of the Govern-

1 ment of Syria and prohibiting certain transactions
2 with respect to Syria (August 17, 2011)).

3 **TITLE II—ACTIONS TO ADDRESS**
4 **FOREIGN INTERVENTION IN**
5 **LIBYA**

6 **SEC. 201. SANCTIONS WITH RESPECT TO FOREIGN PER-**
7 **SONS LEADING, DIRECTING, OR SUPPORTING**
8 **CERTAIN FOREIGN GOVERNMENT INVOLVE-**
9 **MENT IN LIBYA.**

10 (a) **IN GENERAL.**—Not later than 180 days after the
11 date of the enactment of this Act, the President shall im-
12 pose each of the sanctions described in section 204 with
13 respect to each foreign person who the President deter-
14 mines knowingly engages in an activity described in sub-
15 section (b).

16 (b) **ACTIVITIES DESCRIBED.**—A foreign person en-
17 gages in an activity described in this subsection if the per-
18 son leads, directs, or provides significant financial, mate-
19 rial, or technological support to, or knowingly engages in
20 a significant transaction with, a non-Libyan foreign per-
21 son who is—

22 (1) in Libya in a military or commercial capac-
23 ity as a military contractor, mercenary, or part of a
24 paramilitary force; and

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

3 **SEC. 202. SANCTIONS WITH RESPECT TO FOREIGN PER-**
4 **SONS THREATENING THE PEACE OR STA-**
5 **BILITY OF LIBYA.**

6 (a) IMPOSITION OF SANCTIONS.—The President shall
7 impose each of the sanctions described in section 204 with
8 respect to each foreign person on the list required by sub-
9 section (b).

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

13 (1) foreign persons, including senior govern-
14 ment officials, militia leaders, paramilitary leaders,
15 and other persons who provide significant support to
16 militia or paramilitary groups in Libya, that the
17 President determines are knowingly—

18 (A) engaged in significant actions or poli-
19 cies that threaten the peace, security, or sta-
20 bility of Libya, including any supply of arms or
21 related materiel in violation of a United Nations
22 Security Council resolution with respect to
23 Libya;

24 (B) engaged in significant actions or poli-
25 cies that obstruct, undermine, delay, or impede,

1 or pose a significant risk of obstructing, under-
2 mining, delaying, or impeding the United Na-
3 tions-mediated political process that seeks a ne-
4 gotiated and peaceful solution to the Libyan
5 crisis;

6 (C) engaged in significant actions that may
7 lead to or result in the misappropriation of sig-
8 nificant state assets of Libya;

9 (D) involved in, or has been involved in,
10 the significant illicit exploitation of crude oil or
11 any other natural resources in Libya, including
12 the significant illicit production, refining,
13 brokering, sale, purchase, or export of Libyan
14 oil;

15 (E) significantly threatening or coercing
16 Libyan state financial institutions or the Liby-
17 an National Oil Company; or

18 (F) significantly responsible for actions or
19 policies that are intended to undermine efforts
20 to promote stabilization and economic recovery
21 in Libya;

22 (2) foreign persons who the President deter-
23 mines are successor entities to persons referred to in
24 subparagraphs (A) through (F) of paragraph (1);
25 and

1 (3) foreign persons who the President deter-
2 mines—

3 (A) own or control, or are owned or con-
4 trolled by, a person referred to in any of sub-
5 paragraphs (A) through (F) of paragraph (1)
6 or paragraph (2); and

7 (B) have provided, or attempted to pro-
8 vide, significant financial, material, techno-
9 logical, or other support for, or goods or serv-
10 ices in support of, a person referred to in any
11 of subparagraphs (A) through (F) of paragraph
12 (1) or paragraph (2) for purposes of engaging
13 in any activity listed in such subparagraphs (A)
14 through (F) of paragraph (1).

15 (4) UPDATES OF LIST.—The President shall
16 submit to the appropriate congressional committees
17 an updated list under paragraph (1)—

18 (A) not later than 180 days after the date
19 of the enactment of this Act and annually
20 thereafter for a period of 5 years; or

21 (B) as new information becomes available.

22 (5) FORM.—The list required by paragraph (1)
23 shall be submitted in unclassified form, but may in-
24 clude a classified annex.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committee on Foreign Affairs and the
5 Committee on Financial Services of the House of
6 Representatives; and

7 (2) the Committee on Foreign Relations and
8 the Committee on Banking, Housing, and Urban Af-
9 fairs of the Senate.

10 **SEC. 203. SANCTIONS WITH RESPECT TO FOREIGN PER-**
11 **SONS WHO ARE RESPONSIBLE FOR OR**
12 **COMPLICIT IN GROSS VIOLATIONS OF INTER-**
13 **NATIONALLY RECOGNIZED HUMAN RIGHTS**
14 **COMMITTED IN 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 OF PERSONS.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the
22 President shall submit to the appropriate congres-
23 sional committees a list of foreign persons, including
24 senior government officials, militia leaders, para-
25 military leaders, and other persons who provide sig-

1 nificant support to militia or paramilitary groups in
2 Libya, that the President determines are knowingly
3 responsible for or complicit in, or have directly or in-
4 directly engaged in, gross violations of internation-
5 ally recognized human rights committed in Libya.

6 (2) UPDATES OF LIST.—The President shall
7 submit to the appropriate congressional committees
8 an updated list under paragraph (1)—

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

12 (B) as new information becomes available.

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

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

19 (1) the Committee on Foreign Affairs and the
20 Committee on Financial Services of the House of
21 Representatives; and

22 (2) the Committee on Foreign Relations and
23 the Committee on Banking, Housing, and Urban Af-
24 fairs of the Senate.

1 **SEC. 204. SANCTIONS DESCRIBED.**

2 (a) SANCTIONS DESCRIBED.—The sanctions to be
3 imposed with respect to a foreign person under section
4 201, 202, or 203 are the following:

5 (1) BLOCKING OF PROPERTY.—The President
6 shall exercise all of the powers granted to the Presi-
7 dent by the International Emergency Economic
8 Powers Act (50 U.S.C. 1701 et seq.) (except that
9 the requirements of section 202 of such Act (50
10 U.S.C. 1701) shall not apply) to the extent nec-
11 essary to block and prohibit all transactions in prop-
12 erty and interests in property of the person if such
13 property and interests in property are in the United
14 States, come within the United States, or are or
15 come within the possession or control of a United
16 States person.

17 (2) INADMISSIBILITY OF CERTAIN INDIVID-
18 UALS.—

19 (A) INELIGIBILITY FOR VISAS, ADMISSION,
20 OR PAROLE.—A foreign person who meets any
21 of the criteria described section 201, 202, or
22 203 is—

23 (i) inadmissible to the United States;
24 (ii) ineligible to receive a visa or other
25 documentation to enter the United States;
26 and

1 (iii) otherwise ineligible to be admitted
2 or paroled into the United States or to re-
3 ceive any other benefit under the Immigra-
4 tion and Nationality Act (8 U.S.C. 1101 et
5 seq.).

6 (B) CURRENT VISAS REVOKED.—A foreign
7 person subject to section 201, 202, or 203 is
8 subject to the following:

9 (i) Revocation of any visa or other
10 entry documentation regardless of when
11 the visa or other entry documentation is or
12 was issued.

13 (ii) A revocation under clause (i)
14 shall—

15 (I) take effect immediately; and

16 (II) automatically cancel any
17 other valid visa or entry documenta-
18 tion that is in the foreign person's
19 possession.

20 (b) PENALTIES.—The penalties provided for in sub-
21 sections (b) and (c) of section 206 of the International
22 Emergency Economic Powers Act (50 U.S.C. 1705) shall
23 apply to a person who violates, attempts to violate, con-
24 spires to violate, or causes a violation of regulations issued
25 under section 206(2) of this Act to carry out subsection

1 (a)(1) to the same extent that such penalties apply to a
2 person who commits an unlawful act described in section
3 206(a) of the International Emergency Economic Powers
4 Act.

5 (c) EXCEPTION.—Sanctions under subsection (a)(2)
6 shall not apply to an alien if admitting or paroling the
7 alien into the United States is necessary to permit the
8 United States to comply with the Agreement regarding the
9 Headquarters of the United Nations, signed at Lake Suc-
10 cess June 26, 1947, and entered into force November 21,
11 1947, between the United Nations and the United States,
12 or other applicable international obligations of the United
13 States.

14 (d) EXCEPTION TO COMPLY WITH NATIONAL SECUR-
15 RITY.—The following activities shall be exempt from sanc-
16 tions under this section:

17 (1) Activities subject to the reporting require-
18 ments under title V of the National Security Act of
19 1947 (50 U.S.C. 3091 et seq.).

20 (2) Any authorized intelligence or law enforce-
21 ment activities of the United States.

22 **SEC. 205. WAIVER.**

23 (a) IN GENERAL.—The President may waive, for one
24 or more periods not to exceed 90 days, the application of

1 sanctions imposed on a foreign person under this title if
2 the President—

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

5 (2) not later than the date on which such waiv-
6 er will take effect, submits to the appropriate con-
7 gressional committees a notice of and justification
8 for such waiver.

9 (b) **APPROPRIATE CONGRESSIONAL COMMITTEES**
10 **DEFINED.**—In this section, the term “appropriate con-
11 gressional committees” means—

12 (1) the Committee on Foreign Affairs and the
13 Committee on Financial Services of the House of
14 Representatives; and

15 (2) the Committee on Foreign Relations and
16 the Committee on Banking, Housing, and Urban Af-
17 fairs of the Senate.

18 **SEC. 206. IMPLEMENTATION AND REGULATORY AUTHOR-**
19 **ITY.**

20 The President—

21 (1) is authorized to exercise all authorities pro-
22 vided to the President under sections 203 and 205
23 of the International Emergency Economic Powers
24 Act (50 U.S.C. 1702 and 1704) to carry out this
25 title; and

1 (2) shall issue such regulations, licenses, and
2 orders as are necessary to carry out this title.

3 **SEC. 207. EXCEPTION RELATING TO IMPORTATION OF**
4 **GOODS.**

5 (a) IN GENERAL.—The authorities and requirements
6 to impose sanctions under this title shall not include the
7 authority or requirement to impose sanctions on the im-
8 portation of goods.

9 (b) GOOD DEFINED.—In this section, the term
10 “good” means any article, natural or man-made sub-
11 stance, material, supply or manufactured product, includ-
12 ing inspection and test equipment and excluding technical
13 data.

14 **SEC. 208. DEFINITIONS.**

15 In this title:

16 (1) ADMITTED; ALIEN.—The terms “admitted”
17 and “alien” have the meanings given those terms in
18 section 101 of the Immigration and Nationality Act
19 (8 U.S.C. 1101).

20 (2) FOREIGN PERSON.—The term “foreign per-
21 son” means an individual or entity who is not a
22 United States person.

23 (3) FOREIGN GOVERNMENT.—The term “for-
24 eign government” means any government of a coun-
25 try other than the United States.

1 (4) KNOWINGLY.—The term “knowingly” with
2 respect to conduct, a circumstance, or a result,
3 means that a person has actual knowledge, or should
4 have known, of the conduct, the circumstance, or the
5 result.

6 (5) UNITED STATES PERSON.—The term
7 “United States person” means—

8 (A) an individual who is a United States
9 citizen or an alien lawfully admitted for perma-
10 nent residence to the United States;

11 (B) an entity organized under the laws of
12 the United States or any jurisdiction within the
13 United States, including a foreign branch of
14 such an entity; or

15 (C) any person in the United States.

16 (6) GROSS VIOLATIONS OF INTERNATIONALLY
17 RECOGNIZED HUMAN RIGHTS.—The term “gross vio-
18 lations of internationally recognized human rights”
19 has the meaning given such term in section
20 502B(d)(1) of the Foreign Assistance Act of 1961
21 (22 U.S.C. 2304(d)(1)).

22 **SEC. 209. SUSPENSION OF SANCTIONS.**

23 (a) IN GENERAL.—The President may suspend in
24 whole or in part the imposition of sanctions otherwise re-
25 quired under this title for periods not to exceed 90 days

1 if the President determines that the parties to the conflict
2 in Libya have agreed to and are upholding a sustainable,
3 good-faith ceasefire in support of a lasting political solu-
4 tion in Libya.

5 (b) NOTIFICATION REQUIRED.—Not later than 30
6 days after the date on which the President makes a deter-
7 mination to suspend the imposition of sanctions as de-
8 scribed in subsection (a), the President shall submit to the
9 appropriate congressional committees a notification of the
10 determination.

11 (c) REIMPOSITION OF SANCTIONS.—Any sanctions
12 suspended under subsection (a) shall be reimposed if the
13 President determines that the criteria described in that
14 subsection are no longer being met.

15 **SEC. 210. SUNSET.**

16 The requirement to impose sanctions under this title
17 shall cease to be effective on December 31, 2026.

18 **TITLE III—ASSISTANCE FOR**
19 **LIBYA**

20 **SEC. 301. HUMANITARIAN RELIEF FOR THE PEOPLE OF**
21 **LIBYA AND INTERNATIONAL REFUGEES AND**
22 **MIGRANTS IN LIBYA.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

25 (1) the United States Government should—

1 (A) continue senior-level efforts to address
2 Libya's humanitarian crisis, which has been ex-
3 acerbated by the conflict and the COVID-19
4 pandemic;

5 (B) leverage diplomatic relations with the
6 warring parties to guarantee constant, reliable
7 humanitarian access by frontline providers in
8 Libya;

9 (C) leverage diplomatic relations with the
10 warring parties, the United Nations, and the
11 European Union to encourage the voluntary
12 safe passage of detained vulnerable migrants
13 and refugees from the conflict zones in Libya;
14 and

15 (D) support efforts to document and pub-
16 licize gross violations of internationally recog-
17 nized human rights and international humani-
18 tarian law, including efforts related to severe
19 forms of trafficking in persons such as slavery,
20 forced labor, and sexual exploitation, and hold
21 perpetrators accountable; and

22 (2) humanitarian assistance to address the cri-
23 sis in Libya should be targeted toward those most
24 in need and delivered through partners that uphold
25 internationally recognized humanitarian principles,

1 with robust monitoring to ensure assistance is reach-
2 ing intended beneficiaries.

3 (b) ASSISTANCE AUTHORIZED.—The Administrator
4 of the United States Agency for International Develop-
5 ment, in coordination with the Secretary of State, should
6 continue to support humanitarian assistance to individuals
7 and communities in Libya, including—

8 (1) health assistance, including logistical and
9 technical assistance to hospitals, ambulances, and
10 health clinics in affected communities, including mi-
11 grant communities, and provision of basic public
12 health commodities, including support for an effec-
13 tive response to the COVID-19 pandemic;

14 (2) services, such as medicines and medical sup-
15 plies and equipment;

16 (3) assistance to provide—

17 (A) protection, food, and shelter, including
18 to migrant communities;

19 (B) water, sanitation, and hygiene (com-
20 monly referred to as “WASH”); and

21 (C) resources and training to increase com-
22 munications and education to help communities
23 slow the spread of COVID-19 and to increase
24 future vaccine acceptance; and

1 (4) technical assistance to ensure health, food,
2 and commodities are appropriately selected, pro-
3 cured, targeted, monitored, and distributed.

4 (c) STRATEGY.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of State,
6 in coordination with the Administrator of the United
7 States Agency for International Development, shall submit
8 to the appropriate congressional committees a strategy on
9 the following:

10 (1) How the United States, working with rel-
11 evant foreign governments and multilateral organiza-
12 tions, plans to address the humanitarian situation in
13 Libya.

14 (2) Diplomatic efforts by the United States to
15 encourage strategic burden-sharing and the coordi-
16 nation of donations with international donors, in-
17 cluding foreign governments and multilateral organi-
18 zations to advance the provision of humanitarian as-
19 sistance to the people of Libya and international mi-
20 grants and refugees in Libya.

21 (3) How to address humanitarian access chal-
22 lenges and ensure protection for vulnerable refugees
23 and migrants, including protection from severe
24 forms of trafficking in persons such as slavery,
25 forced labor, and sexual exploitation.

1 (4) How the United States is mitigating risk,
2 utilizing third party monitors, and ensuring effective
3 delivery of assistance.

4 (5) How to address the tragic and persistent
5 deaths of migrants and refugees at sea and human
6 trafficking.

7 (d) INTEGRATION OF DEPARTMENT OF STATE-LED
8 STABILIZATION EFFORTS.—

9 (1) SENSE OF CONGRESS.—It is the sense of
10 Congress that the Secretary of State, working with
11 United States allies, international organizations, and
12 implementing partners, including local implementing
13 partners, to the extent practicable, should continue
14 coordinated international stabilization efforts in
15 Libya to—

16 (A) build up the capacity of implementers
17 and national mine action authorities engaged in
18 conventional weapons destruction efforts and
19 mine risk education training and programs; and

20 (B) conduct operational clearance of explo-
21 sive remnants of war resulting from the 2011
22 revolution and current military conflict in
23 Libya, including in territory previously occupied
24 by ISIS-Libya, and particularly in areas where
25 unexploded ordnance, booby traps, and anti-per-

1 sonnel and anti-vehicle mines contaminate areas
2 of critical infrastructure and large housing dis-
3 tricts posing a risk of civilian casualties.

4 (2) IN GENERAL.—To the maximum extent
5 practicable, humanitarian assistance authorized
6 under subsection (b) and the strategy required by
7 subsection (c) shall take into account and integrate
8 Department of State-led stabilization efforts—

9 (A) to address—

10 (i) contamination from landmines and
11 other explosive remnants of war left from
12 the 2011 revolution and current military
13 conflict in Libya, including in territory pre-
14 viously occupied by ISIS-Libya; and

15 (ii) proliferation of illicit small arms
16 and light weapons resulting from such con-
17 flict and the destabilizing impact the pro-
18 liferation of such weapons has in Libya
19 and neighboring countries; and

20 (B) to mitigate the threat that destruction
21 of conventional weapons poses to development,
22 the delivery of humanitarian assistance, and the
23 safe and secure return of internally displaced
24 persons.

1 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committee on Foreign Affairs and the
5 Committee on Appropriations of the House of Rep-
6 resentatives; and

7 (2) the Committee on Foreign Relations and
8 the Committee on Appropriations of the Senate.

9 **SEC. 302. SUPPORT FOR DEMOCRATIC GOVERNANCE, ELEC-**
10 **TIONS, AND CIVIL SOCIETY.**

11 (a) IN GENERAL.—The Secretary of State shall co-
12 ordinate United States Government efforts to—

13 (1) work with the United Nations Support Mis-
14 sion in Libya and the transitional Government of
15 National Unity in Libya to prepare for national elec-
16 tions in December 2021, as called for by the Libyan
17 Political Dialogue, and a subsequent political transi-
18 tion;

19 (2) support efforts to resolve the current civil
20 conflict in Libya;

21 (3) work to help the people of Libya and a fu-
22 ture Libyan government develop functioning, unified
23 Libyan economic, security, and governing institu-
24 tions;

1 (4) work to ensure free, fair, inclusive, and
2 credible elections in December 2021 organized by an
3 independent and effective High National Elections
4 Commission in Libya, including through supporting
5 electoral security and international election observa-
6 tion and by providing training and technical assist-
7 ance to institutions with election-related responsibil-
8 ities, as appropriate;

9 (5) work with the people of Libya, nongovern-
10 mental organizations, and Libyan institutions to
11 strengthen democratic governance, reinforce civilian
12 institutions and support decentralization in order to
13 address community grievances, promote social cohe-
14 sion, mitigate drivers of violent extremism, and help
15 communities recover from Islamic State occupation;

16 (6) defend against gross violations of inter-
17 nationally recognized human rights in Libya, includ-
18 ing by supporting efforts to document such viola-
19 tions;

20 (7) to combat corruption and improve the
21 transparency and accountability of Libyan govern-
22 ment institutions; and

23 (8) to support the efforts of independent media
24 outlets to broadcast, distribute, and share informa-
25 tion with the Libyan people.

1 (b) RISK MITIGATION AND ASSISTANCE MONI-
2 TORING.—The Secretary of State and Administrator of
3 the United States Agency for International Development
4 shall ensure that appropriate steps are taken to mitigate
5 risk of diversion of assistance for Libya and ensure reli-
6 able third-party monitoring is utilized for projects in Libya
7 that United States Government personnel are unable to
8 access and monitor.

9 (c) REPORT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after enactment of this Act, the Secretary of State,
12 in coordination with the Administrator of the United
13 States Agency for International Development, shall
14 submit to the appropriate congressional committees
15 a report on the activities carried out under sub-
16 section (a).

17 (2) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES DEFINED.—In this subsection, the term “ap-
19 propriate congressional committees” means—

20 (A) the Committee on Foreign Affairs and
21 the Committee on Appropriations of the House
22 of Representatives; and

23 (B) the Committee on Foreign Relations
24 and the Committee on Appropriations of the
25 Senate.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) IN GENERAL.—There are authorized to be
3 appropriated \$30,000,000 for fiscal year 2022 to
4 carry out subsection (a).

5 (2) NOTIFICATION REQUIREMENTS.—Any ex-
6 penditure of amounts made available to carry out
7 subsection (a) shall be subject to the notification re-
8 quirements applicable to—

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

13 (B) expenditures from the Development
14 Assistance Fund under section 653(a) of the
15 Foreign Assistance Act of 1961 (22 U.S.C.
16 2413(a)).

17 **SEC. 303. ENGAGING INTERNATIONAL FINANCIAL INSTITU-**
18 **TIONS TO ADVANCE LIBYAN ECONOMIC RE-**
19 **COVERY AND IMPROVE PUBLIC SECTOR FI-**
20 **NANCIAL MANAGEMENT.**

21 (a) IN GENERAL.—The Secretary of the Treasury
22 shall instruct the United States Executive Director at each
23 international financial institution to use the voice, vote,
24 and influence of the United States to support, in a way
25 that is consistent with broader United States national in-

1 terests, a Libyan-led process to develop a framework for
2 the economic recovery of Libya and improved public sector
3 financial management, complementary to United Nations-
4 led peace efforts and in support of the future establish-
5 ment of a sovereign state with democratic institutions and
6 the rule of law in Libya.

7 (b) ADDITIONAL ELEMENTS.—To the extent con-
8 sistent with broader United States national interests, the
9 framework described in subsection (a) shall include the
10 following policy proposals:

11 (1) To restore, respect, and safeguard the in-
12 tegrity, unity, and lawful governance of Libya’s key
13 economic ministries and institutions, in particular
14 the Central Bank of Libya, the Libya Investment
15 Authority, the National Oil Corporation, and the
16 Audit Bureau (AB).

17 (2) To improve the accountability and effective-
18 ness of Libyan authorities, including sovereign eco-
19 nomic institutions, in providing services and oppor-
20 tunity to the Libyan people.

21 (3) To assist in improving public financial man-
22 agement and reconciling the public accounts of na-
23 tional financial institutions and letters of credit
24 issued by private Libyan financial institutions as
25 needed pursuant to a political process.

1 (4) To restore the production, efficient manage-
2 ment, and development of Libya’s oil and gas indus-
3 tries so such industries are resilient against malign
4 foreign influence and can generate prosperity on be-
5 half of the Libyan people.

6 (5) To promote the development of private sec-
7 tor enterprise.

8 (6) To improve the transparency and account-
9 ability of public sector employment and wage dis-
10 tribution.

11 (7) To strengthen supervision of and reform of
12 Libyan financial institutions.

13 (8) To eliminate exploitation of price controls
14 and market distorting subsidies in the Libyan econ-
15 omy.

16 (9) To support opportunities for United States
17 businesses.

18 (c) CONSULTATION.—In supporting the framework
19 described in subsection (a), the Secretary of the Treasury
20 shall instruct the United States Executive Director at each
21 international financial institution to encourage the institu-
22 tion to consult with relevant stakeholders in the financial,
23 governance, and energy sectors.

24 (d) DEFINITION OF INTERNATIONAL FINANCIAL IN-
25 STITUTION.—In this section, the term “international fi-

1 nancial institution” means the International Monetary
2 Fund, International Bank for Reconstruction and Devel-
3 opment, European Bank for Reconstruction and Develop-
4 ment, International Development Association, Inter-
5 national Finance Corporation, Multilateral Investment
6 Guarantee Agency, African Development Bank, African
7 Development Fund, Asian Development Bank, Inter-
8 American Development Bank, Bank for Economic Co-
9 operation and Development in the Middle East and North
10 Africa, and Inter-American Investment Corporation.

11 (e) TERMINATION.—The requirements of this section
12 shall cease to be effective on December 31, 2026.

13 **SEC. 304. RECOVERING ASSETS STOLEN FROM THE LIBYAN**
14 **PEOPLE.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that the Secretary of State, the Secretary of the
17 Treasury, and the Attorney General should, to the extent
18 practicable, advance a coordinated international effort—

19 (1) to carry out special financial investigations
20 to identify and track assets taken from the people
21 and institutions of Libya through theft, corruption,
22 money laundering, or other illicit means; and

23 (2) to work with foreign governments—

24 (A) to share financial investigations intel-
25 ligence, as appropriate;

1 (B) to oversee the assets identified pursu-
2 ant to paragraph (1); and

3 (C) to provide technical assistance to help
4 governments establish the necessary legal
5 framework to carry out asset forfeitures.

6 (b) ADDITIONAL ELEMENTS.—The coordinated inter-
7 national effort described in subsection (a) should include
8 input from—

9 (1) the Office of Terrorist Financing and Fi-
10 nancial Crimes of the Department of the Treasury;

11 (2) the Financial Crimes Enforcement Network
12 of the Department of the Treasury; and

13 (3) the Money Laundering and Asset Recovery
14 Section of the Department of Justice.

15 **SEC. 305. AUTHORITY TO EXPAND EDUCATIONAL AND CUL-**
16 **TURAL EXCHANGE PROGRAMS WITH LIBYA.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the United States should expand educational
19 and cultural exchange programs with Libya to promote
20 mutual understanding and people-to-people linkages be-
21 tween the United States and Libya.

22 (b) AUTHORITY.—The President is authorized to ex-
23 pand educational and cultural exchange programs with
24 Libya, including programs carried out under the following:

1 (1) The J. William Fulbright Educational Ex-
2 change Program referred to in paragraph (1) of sec-
3 tion 112(a) of the Mutual Educational and Cultural
4 Exchange Act of 1961 (22 U.S.C. 2460(a)).

5 (2) The International Visitors Program referred
6 to in paragraph (3) of such section.

7 (3) The U.S.-Middle East Partnership Initiative
8 (MEPI) Student Leaders Program.

9 (4) The Youth Exchange and Study Program.

10 (5) Other related programs administered by the
11 Department of State.

12 **TITLE IV—DETERMINATION OF** 13 **BUDGETARY EFFECTS**

14 **SEC. 401. DETERMINATION OF BUDGETARY EFFECTS.**

15 The budgetary effects of this Act, for the purpose of
16 complying with the Statutory Pay-As-You-Go Act of 2010,
17 shall be determined by reference to the latest statement
18 titled “Budgetary Effects of PAYGO Legislation” for this
19 Act, submitted for printing in the Congressional Record
20 by the Chairman of the House Budget Committee, pro-

- 1 vided that such statement has been submitted prior to the
- 2 vote on passage.

Passed the House of Representatives September 28,
2021.

Attest:

Clerk.

117TH CONGRESS
1ST SESSION

H. R. 1228

AN ACT

To advance a diplomatic solution to the conflict in
Libya and support the people of Libya.