

117TH CONGRESS
1ST SESSION

H. R. 1228

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2021

Mr. DEUTCH (for himself, Mr. WILSON of South Carolina, Mr. LIEU, 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

A BILL

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,*

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.

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

1 and works to support diplomatic efforts to reconsti-
2 tute the Libyan State and to disrupt terrorist orga-
3 nizations that impede that process or threaten
4 United States interests.

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

11 (4) On April 4, 2019, Khalifa Haftar, the com-
12 mander of the Libyan National Army (LNA) or-
13 dered forces loyal to him to begin a unilateral mili-
14 tary operation to take control of Tripoli, the capital
15 of Libya and seat of the Government of National Ac-
16 cord (GNA), an interim body that emerged from
17 previous United Nations-backed negotiations which
18 the United States Government and the United Na-
19 tions Security Council have recognized since 2015.

20 (5) During the fighting, both the LNA, the
21 GNA, and their associated forces failed to observe
22 their obligations under international humanitarian
23 law, increased the geographic scope of the conflict in
24 Libya, recruited foreign mercenaries, and intensified
25 ground and air campaigns using heavy weapons, air-

1 craft, and reportedly using armed drones provided
2 by foreign powers.

3 (6) According to the United Nations, since the
4 LNA offensive began in April 2019, the conflict in
5 Libya has led to the deaths of more than 500 civil-
6 ians and the displacement of more than 200,000
7 people.

8 (7) Parties to the conflict in Libya have killed
9 civilians, committed torture and abuse, committed
10 mass extrajudicial killings, requisitioned the houses
11 of civilians, targeted medical facilities, and blocked
12 humanitarian access to food, health, and other life-
13 saving services, worsening humanitarian conditions.

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

1 (9) In November 2019, the GNA and the Gov-
2 ernment of Turkey signed a Memorandum of Under-
3 standing on maritime boundaries in the Mediterra-
4 nean Sea.

5 (10) A November 2020 Department of Defense
6 Inspector General report estimated there are ap-
7 proximately 2,000 mercenary forces affiliated with
8 the Wagner Group, a Russian private military com-
9 pany, as well as approximately 2,000 Russian-
10 backed Syrian fighters, advanced equipment, and ad-
11 vanced capabilities supporting the LNA and Russian
12 objectives in North Africa.

13 (11) The most recent AFRICOM posture state-
14 ment claims, “Russia continues to harvest benefits
15 from the instability in Libya—its military meddling
16 has prolonged the conflict and exacerbated casualties
17 and humanitarian suffering.”.

18 (12) The Department of Defense Inspector
19 General reported that, “Turkey has hundreds of reg-
20 ular military personnel deployed to Libya in order to
21 train GNA-aligned militias and to operate Turkish
22 military equipment” and sent thousands of Syrian
23 mercenaries to Libya in support of the GNA.

24 (13) On January 19, 2020, at a peace con-
25 ference in Berlin, representatives of the Govern-

1 ments of Algeria, China, Egypt, France, Germany,
2 Italy, Russia, Turkey, the Republic of Congo, the
3 United Arab Emirates, the United Kingdom, and
4 the United States, as well as regional and multilat-
5 eral organizations, agreed to refrain from inter-
6 ference in Libya’s internal affairs, abide by the
7 United Nations arms embargo, and advance a 55-
8 point communique to resolve the conflict in Libya.

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

19 (15) On October 23, 2020, the warring parties
20 in Libya agreed a ceasefire, which called for the
21 withdrawal of all armed forces from conflict lines
22 and the departure of all mercenaries and foreign
23 fighters within three months, and was hailed by
24 United Nations Secretary General António Guterres

1 as “a fundamental step toward peace and stability
2 in Libya”.

3 (16) At a November 2020 meeting of the Liby-
4 an Political Dialogue Forum, under the auspices of
5 UNSMIL, participants agreed on a roadmap to
6 credible, inclusive, and democratic national elections
7 to be held in December 2021.

8 (17) On December 2, 2020, United Nations
9 Acting Special Representative Stephanie Williams
10 asserted that, despite repeated international agree-
11 ments, 20,000 foreign fighters remain in Libya
12 which represents “a serious crisis” and “a shocking
13 violation of Libyan sovereignty”.

14 (18) On December 29, 2020, United Nations
15 Secretary General Guterres recommended that inter-
16 national monitors deploy to Libya under United Na-
17 tions auspices to observe the October 2020 ceasefire,
18 warned that military activities by forces supporting
19 the warring parties and military cargo flights contin-
20 ued to impede the ceasefire, and urged implementa-
21 tion of the United Nations arms embargo.

22 (19) On January 21, 2021, the United States
23 joined the Governments of France, Germany, Italy,
24 and the United Kingdom to remind all Berlin Con-
25 ference participants of the need to “continue to sup-

1 port a ceasefire, restore full respect for the UN arms
2 embargo, and end the toxic foreign interference that
3 undermines the aspirations of all Libyans to reestab-
4 lish their sovereignty and choose their future peace-
5 fully through national elections”.

6 (20) On February 5, 2021, the Libyan Political
7 Dialogue Forum voted to select a new unified execu-
8 tive authority charged with leading the country until
9 elections on December 21, 2021, an important mile-
10 stone in the Libyan political process.

11 (21) On February 5, 2021, the United States
12 and the Governments of France, Germany, Italy,
13 and the United Kingdom jointly called “on all cur-
14 rent Libyan authorities and actors to ensure a
15 smooth and constructive handover of all competences
16 and duties to the new unified executive authority”.

17 (b) STATEMENT OF POLICY.—It is the policy of the
18 United States—

19 (1) to advance a peaceful resolution to the con-
20 flict in Libya through a United Nations-facilitated
21 Libyan-led and Libyan-owned political process as the
22 best way to secure United States interests and to
23 ensure the sovereignty, independence, territorial in-
24 tegrity, and national unity of Libya;

1 (2) to support the implementation of United
2 Nations Security Council Resolutions 1970 (2011)
3 and 1973 (2011), which established an arms embar-
4 go on Libya, and subsequent resolutions modifying
5 and extending the embargo;

6 (3) to enforce Executive Order 13726 (81 Fed.
7 Reg. 23559; relating to blocking property and sus-
8 pending entry into the United States of persons con-
9 tributing to the situation in Libya (April 19, 2016)),
10 designed to target individuals or entities who
11 “threaten the peace, security, and stability of
12 Libya”;

13 (4) to oppose attacks on civilians, medical work-
14 ers, and critical infrastructure, including water sup-
15 plies, in Libya, and to support accountability for
16 those engaged in such heinous actions;

17 (5) to support Libya’s sovereignty, independ-
18 ence, territorial integrity, and national unity con-
19 sistent with United Nations Security Council Resolu-
20 tion 2510 (2020) and all predecessor resolutions
21 with respect to Libya, including by—

22 (A) taking action to end the violence and
23 flow of arms;

24 (B) rejecting attempts by any party to il-
25 licitly export Libya’s oil; and

1 (C) urging the withdrawal of foreign mili-
2 tary and mercenary forces;

3 (6) to leverage diplomatic relations to convince
4 the parties to the conflict in Libya to maintain the
5 current ceasefire and persuade foreign powers to
6 stop providing personnel, including mercenaries,
7 weapons, and financing that threaten to reignite the
8 conflict;

9 (7) to support the Libyan Political Dialogue
10 and advance the inclusive Libyan-led and Libyan-
11 owned political process under the auspices of
12 UNSMIL;

13 (8) to support a negotiated and peaceful polit-
14 ical solution that includes a single, unified, inclusive,
15 and effective Libyan Government approved by the
16 Libyan House of Representatives, the end of a tran-
17 sitional period achieved through free, fair, inclusive,
18 and credible elections, a fair and transparent alloca-
19 tion of resources, interim security arrangements,
20 and a process for the reunification of Libyan govern-
21 ment ministries and Libyan sovereign institutions,
22 including the Central Bank of Libya, the National
23 Oil Corporation, and the Libyan Investment Author-
24 ity;

1 (9) to support constant, unimpeded, and reli-
2 able humanitarian access to those in need and to
3 hold accountable those who impede or threaten the
4 delivery of humanitarian assistance;

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

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

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

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

16 (14) 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) an identification of any regular or ir-
24 regular forces, including mercenary groups and
25 militias operating inside Libya, at the direction

1 or with the consent of the governments de-
2 scribed in this paragraph;

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

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

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

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

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

22 (4) a description of the activities of each foreign
23 armed group, including the Russian Wagner Group,
24 Emirati personnel and Emirati-backed mercenaries,
25 including from Syrian and Sudanese Darfurian

1 groups, Turkish military contractors and merce-
2 naries, affiliates of ISIS, al-Qaida in the Islamic
3 Maghreb (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 facili-
7 tate a ceasefire;

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

10 (7) a description of United States diplomatic
11 engagement with the European Union and NATO
12 regarding enforcement of the United Nations arms
13 embargo; and

14 (8) a description of European Union and Arab
15 League states' contributions to ceasefire monitoring,
16 arms embargo enforcement, and election support
17 and how the United States can partner with the Eu-
18 ropean Union and Arab League states with respect
19 to such contributions.

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

23 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
24 FINED.—In this section, the term “appropriate congres-
25 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) In May 2020, AFRICOM reported that the
23 Government of Russia deployed 14 MiG-29 and Su-
24 24 aircraft to Libya to support Russian state-spon-

1 sored private military contractors, including the
2 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.

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

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

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

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

22 (2) Executive Order 13582 (76 Fed. Reg.
23 52209; relating to blocking property of the Govern-
24 ment of Syria and prohibiting certain transactions
25 with respect to Syria (August 17, 2011)).

1 **TITLE II—ACTIONS TO ADDRESS**
2 **FOREIGN INTERVENTION IN**
3 **LIBYA**

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

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

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

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

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

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

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

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

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

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

22 (B) engaged in significant actions or poli-
23 cies that obstruct, undermine, delay, or impede,
24 or pose a significant risk of obstructing, under-
25 mining, delaying, or impeding the United Na-
26 tions-mediated political process that seeks a ne-

1 gotiated and peaceful solution to the Libyan
2 crisis;

3 (C) engaged in significant actions that may
4 lead to or result in the misappropriation of sig-
5 nificant state assets of Libya;

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

12 (E) significantly threatening or coercing
13 Libyan state financial institutions or the Liby-
14 an National Oil Company; or

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

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

23 (3) foreign persons who the President deter-
24 mines—

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

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

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

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

19 (B) as new information becomes available.

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

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

1 (1) the Committee on Foreign Affairs and the
2 Committee on Financial Services of the House of
3 Representatives; and

4 (2) the Committee on Foreign Relations and
5 the Committee on Banking, Housing, and Urban Af-
6 fairs of the Senate.

7 **SEC. 203. SANCTIONS WITH RESPECT TO FOREIGN PER-**
8 **SONS WHO ARE RESPONSIBLE FOR OR**
9 **COMPLICIT IN GROSS VIOLATIONS OF INTER-**
10 **NATIONALLY RECOGNIZED HUMAN RIGHTS**
11 **COMMITTED IN LIBYA.**

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

16 (b) LIST OF PERSONS.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the
19 President shall submit to the appropriate congress-
20 sional committees a list of foreign persons, including
21 senior government officials, militia leaders, para-
22 military leaders, and other persons who provide sig-
23 nificant support to militia or paramilitary groups in
24 Libya, that the President determines are knowingly
25 responsible for or complicit in, or have directly or in-

1 directly engaged in, gross violations of internation-
2 ally recognized human rights committed in Libya.

3 (2) UPDATES OF LIST.—The President shall
4 submit to the appropriate congressional committees
5 an updated list under paragraph (1)—

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

9 (B) as new information becomes available.

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

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

16 (1) the Committee on Foreign Affairs and the
17 Committee on Financial Services of the House of
18 Representatives; and

19 (2) the Committee on Foreign Relations and
20 the Committee on Banking, Housing, and Urban Af-
21 fairs of the Senate.

22 **SEC. 204. SANCTIONS DESCRIBED.**

23 (a) SANCTIONS DESCRIBED.—The sanctions to be
24 imposed with respect to a foreign person under section
25 201, 202, or 203 are the following:

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

13 (2) INADMISSIBILITY OF CERTAIN INDIVID-
14 UALS.—

15 (A) INELIGIBILITY FOR VISAS, ADMISSION,
16 OR PAROLE.—A foreign person who meets any
17 of the criteria described section 201, 202, or
18 203 is—

19 (i) inadmissible to the United States;

20 (ii) ineligible to receive a visa or other
21 documentation to enter the United States;
22 and

23 (iii) otherwise ineligible to be admitted
24 or paroled into the United States or to re-
25 ceive any other benefit under the Immigra-

1 tion and Nationality Act (8 U.S.C. 1101 et
2 seq.).

3 (B) CURRENT VISAS REVOKED.—A foreign
4 person subject to section 201, 202, or 203 is
5 subject to the following:

6 (i) Revocation of any visa or other
7 entry documentation regardless of when
8 the visa or other entry documentation is or
9 was issued.

10 (ii) A revocation under clause (i)
11 shall—

12 (I) take effect immediately; and

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

17 (b) PENALTIES.—The penalties provided for in sub-
18 sections (b) and (c) of section 206 of the International
19 Emergency Economic Powers Act (50 U.S.C. 1705) shall
20 apply to a person who violates, attempts to violate, con-
21 spires to violate, or causes a violation of regulations pro-
22 mulgated under section 306(2) to carry out subsection
23 (a)(1) to the same extent that such penalties apply to a
24 person who commits an unlawful act described in section
25 206(a) of that Act.

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

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

13 (1) Activities subject to the reporting require-
14 ments under title V of the National Security Act of
15 1947 (50 U.S.C. 3091 et seq.).

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

18 **SEC. 205. WAIVER.**

19 (a) IN GENERAL.—The President may waive, for one
20 or more periods not to exceed 90 days, the application of
21 sanctions imposed on a foreign person under this title if
22 the President—

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

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

5 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
6 DEFINED.—In this section, the term “appropriate con-
7 gressional committees” means—

8 (1) the Committee on Foreign Affairs and the
9 Committee on Financial Services of the House of
10 Representatives; and

11 (2) the Committee on Foreign Relations and
12 the Committee on Banking, Housing, and Urban Af-
13 fairs of the Senate.

14 **SEC. 206. IMPLEMENTATION AND REGULATORY AUTHOR-**
15 **ITY.**

16 The President—

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

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

1 **SEC. 207. EXCEPTION RELATING TO IMPORTATION OF**
2 **GOODS.**

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

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

12 **SEC. 208. DEFINITIONS.**

13 In this title:

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

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

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

24 (4) KNOWINGLY.—The term “knowingly” with
25 respect to conduct, a circumstance, or a result,
26 means that a person has actual knowledge, or should

1 have known, of the conduct, the circumstance, or the
2 result.

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

5 (A) an individual who is a United States
6 citizen or an alien lawfully admitted for perma-
7 nent residence to the United States;

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

12 (C) any person in the United States.

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

19 **SEC. 209. SUSPENSION OF SANCTIONS.**

20 (a) IN GENERAL.—The President may suspend in
21 whole or in part the imposition of sanctions otherwise re-
22 quired under this title for periods not to exceed 90 days
23 if the President determines that the parties to the conflict
24 in Libya have agreed to and are upholding a sustainable,

1 good-faith ceasefire in support of a lasting political solu-
2 tion in Libya.

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

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

13 **SEC. 210. SUNSET.**

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

16 **TITLE III—ASSISTANCE FOR**
17 **LIBYA**

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

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

23 (1) the United States Government should—

1 (A) continue efforts to address Libya’s hu-
2 manitarian crisis, which has been exacerbated
3 by the conflict and the COVID-19 pandemic;

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

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

14 (D) support efforts to document and pub-
15 licize gross violations of internationally recog-
16 nized human rights and international humani-
17 tarian law and hold perpetrators accountable;
18 and

19 (2) humanitarian assistance to address the cri-
20 sis in Libya should be targeted toward those most
21 in need and delivered through partners that uphold
22 internationally recognized humanitarian principles,
23 with robust monitoring to ensure assistance is reach-
24 ing intended beneficiaries.

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

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

12 (2) services, such as medicines and medical sup-
13 plies and equipment;

14 (3) assistance to provide—

15 (A) protection, food, and shelter, including
16 to migrant communities;

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

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

23 (4) technical assistance to ensure health, food,
24 and commodities are appropriately selected, pro-
25 cured, targeted, monitored, and distributed.

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

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

11 (2) Diplomatic efforts by the United States to
12 encourage strategic burden-sharing with inter-
13 national donors, including foreign governments and
14 multilateral organizations on efforts to improve the
15 humanitarian situation in Libya.

16 (3) How to address humanitarian access chal-
17 lenges and ensure protection for vulnerable refugees
18 and migrants.

19 (4) How the United States is mitigating risk,
20 utilizing third party monitors, and ensuring effective
21 delivery of assistance.

22 (5) How to address the tragic and persistent
23 deaths of migrants and refugees at sea and human
24 trafficking.

1 (d) DIPLOMATIC ENGAGEMENT.—The Secretary of
2 State, in consultation with the Administrator of the
3 United States Agency for International Development,
4 should work with relevant foreign governments and multi-
5 lateral organizations to coordinate a high-level summit
6 with respect to Libya in order to—

7 (1) advance a permanent ceasefire;

8 (2) facilitate a political process to achieve such
9 a ceasefire; and

10 (3) coordinate donations to advance the provi-
11 sion of humanitarian assistance to the people of
12 Libya and international migrants and refugees in
13 Libya in order to carry out the strategy required by
14 subsection (c).

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

18 (1) the Committee on Foreign Affairs and the
19 Committee on Appropriations of the House of Rep-
20 resentatives; and

21 (2) the Committee on Foreign Relations and
22 the Committee on Appropriations of the Senate.

1 **SEC. 302. SUPPORT FOR DEMOCRATIC GOVERNANCE, ELEC-**
2 **TIONS, AND CIVIL SOCIETY.**

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

5 (1) work with the United Nations Support Mis-
6 sion in Libya to bolster Libyan efforts to establish
7 a new, transitional government to prepare for na-
8 tional elections as called for by the Libyan Political
9 Dialogue;

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

12 (3) work to help the people of Libya and a fu-
13 ture Libyan government develop functioning, unified
14 Libyan economic, security, and governing institu-
15 tions;

16 (4) work to ensure free, fair, inclusive, and
17 credible elections organized by an independent and
18 effective High National Elections Commission in
19 Libya, including through supporting electoral secu-
20 rity and international election observation and by
21 providing training and technical assistance to insti-
22 tutions with election-related responsibilities, as ap-
23 propriate;

24 (5) work with the people of Libya, nongovern-
25 mental organizations, and Libyan institutions to
26 strengthen democratic governance, reinforce civilian

1 institutions and support decentralization in order to
2 address community grievances, promote social cohe-
3 sion, mitigate drivers of violent extremism, and help
4 communities recover from Islamic State occupation;

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

9 (7) to combat corruption and improve the
10 transparency and accountability of Libyan govern-
11 ment institutions; and

12 (8) to support the efforts of independent media
13 outlets to broadcast, distribute, and share informa-
14 tion with the Libyan people.

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

23 (c) REPORT.—

24 (1) IN GENERAL.—Not later than 180 days
25 after enactment of this Act, the Secretary of State,

1 in coordination with the Administrator of the United
2 States Agency for International Development, shall
3 submit to the appropriate congressional committees
4 a report on the activities carried out under sub-
5 section (a).

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

9 (A) the Committee on Foreign Affairs and
10 the Committee on Appropriations of the House
11 of Representatives; and

12 (B) the Committee on Foreign Relations
13 and the Committee on Appropriations of the
14 Senate.

15 (d) AUTHORIZATION OF APPROPRIATIONS.—

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

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

23 (A) expenditures from the Economic Sup-
24 port Fund under section 531(c) of the Foreign

1 Assistance Act of 1961 (22 U.S.C. 2346(c));
2 and

3 (B) expenditures from the Development
4 Assistance Fund under section 653(a) of the
5 Foreign Assistance Act of 1961 (22 U.S.C.
6 2413(a)).

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

11 (a) IN GENERAL.—The Secretary of the Treasury
12 shall instruct the United States Executive Director at each
13 international financial institution to use the voice, vote,
14 and influence of the United States to support, in a way
15 that is consistent with broader United States national in-
16 terests, a Libyan-led process to develop a framework for
17 the economic recovery of Libya and improved public sector
18 financial management, complementary to United Nations-
19 led peace efforts and in support of the future establish-
20 ment of a sovereign state with democratic institutions and
21 the rule of law in Libya.

22 (b) ADDITIONAL ELEMENTS.—To the extent con-
23 sistent with broader United States national interests, the
24 framework described in subsection (a) shall include the
25 following policy proposals:

1 (1) To restore, respect, and safeguard the in-
2 tegrity, unity, and lawful governance of Libya’s key
3 economic ministries and institutions, in particular
4 the Central Bank of Libya, the Libya Investment
5 Authority, the National Oil Corporation, and the
6 Audit Bureau (AB).

7 (2) To improve the accountability and effective-
8 ness of Libyan authorities, including sovereign eco-
9 nomic institutions, in providing services and oppor-
10 tunity to the Libyan people.

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

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

21 (5) To promote the development of private sec-
22 tor enterprise.

23 (6) To improve the transparency and account-
24 ability of public sector employment and wage dis-
25 tribution.

1 (7) To strengthen supervision of and reform of
2 Libyan financial institutions.

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

6 (9) To support opportunities for United States
7 businesses.

8 (c) CONSULTATION.—In supporting the framework
9 described in subsection (a), the Secretary of the Treasury
10 shall instruct the United States Executive Director at each
11 international financial institution to encourage the institu-
12 tion to consult with relevant stakeholders in the financial,
13 governance, and energy sectors.

14 (d) DEFINITION OF INTERNATIONAL FINANCIAL IN-
15 STITUTION.—In this section, the term “international fi-
16 nancial institution” means the International Monetary
17 Fund, International Bank for Reconstruction and Devel-
18 opment, European Bank for Reconstruction and Develop-
19 ment, International Development Association, Inter-
20 national Finance Corporation, Multilateral Investment
21 Guarantee Agency, African Development Bank, African
22 Development Fund, Asian Development Bank, Inter-
23 American Development Bank, Bank for Economic Co-
24 operation and Development in the Middle East and North
25 Africa, and Inter-American Investment Corporation.

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

3 **SEC. 304. RECOVERING ASSETS STOLEN FROM THE LIBYAN**
4 **PEOPLE.**

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

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

13 (2) to work with foreign governments—

14 (A) to share financial investigations intel-
15 ligence, as appropriate;

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

18 (C) to provide technical assistance to help
19 governments establish the necessary legal
20 framework to carry out asset forfeitures.

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

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

- 1 (2) the Financial Crimes Enforcement Network
- 2 of the Department of the Treasury; and
- 3 (3) the Money Laundering and Asset Recovery
- 4 Section of the Department of Justice.

○