

116TH CONGRESS
2D SESSION

H. R. 4644

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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 sup-
porting 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 refu-
gees and migrants in Libya.
Sec. 302. Support for democratic governance, elections, and civil society.
Sec. 303. Engaging international financial institutions to advance Libyan eco-
nomic recovery and improve public sector financial manage-
ment.
Sec. 304. Recovering assets stolen from the Libyan people.

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) identifies 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, Secretary of Defense Mark Esper
18 said in November 2019 that there is a continued
19 need for lethal operations to keep ISIS-Libya in a
20 degraded state.

21 (4) On April 4, 2019, Khalifa Haftar, the com-
22 mander of the Libyan National Army (LNA) or-
23 dered forces loyal to him to begin a unilateral mili-
24 tary operation to take control of Tripoli, the capital
25 of Libya and seat of the Government of National Ac-
26 cord (GNA), an interim body that emerged from

1 previous United Nations-backed negotiations which
2 the United States Government and the United Na-
3 tions Security Council have recognized since 2015.

4 (5) Both the LNA, the GNA, and their associ-
5 ated forces have failed to observe their obligations
6 under international humanitarian law, increased the
7 geographic scope of the conflict, ignored calls for de-
8 escalation and a ceasefire, recruited foreign merce-
9 naries, and intensified ground and air campaigns
10 using heavy weapons, aircraft, and reportedly using
11 armed drones provided by foreign powers.

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

19 (7) According to the United Nations, since the
20 LNA offensive began in April 2019, the conflict in
21 Libya has led to the deaths of more than 2,200 peo-
22 ple and the displacement of more than 150,000 peo-
23 ple.

24 (8) All sides of the conflict have requisitioned
25 the houses of civilians, targeted medical facilities,

1 and inhibited humanitarian access to food, health,
2 and other life-saving services, worsening humani-
3 tarian conditions.

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

12 (10) The Department of State’s 2020 Traf-
13 ficking in Persons Report states with regard to
14 Libya, “Trafficking victims—including men, women,
15 and children—are highly vulnerable to extreme vio-
16 lence and other human rights violations in Libya by
17 governmental and non-state armed groups, includ-
18 ing: physical, sexual, and verbal assault; abduction
19 for ransom; extortion; arbitrary killings; inhumane
20 detention; and child soldiering. . . Migrants in Libya
21 are extremely vulnerable to sex and labor trafficking
22 [and . . .] are vulnerable to exploitation by state
23 and non-state actors, including employers who refuse
24 to pay laborers’ wages.”.

1 (11) 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 (12) According to a July 2020 Department of
6 Defense Inspector General report, the Wagner
7 Group, a Russian private military company, has de-
8 ployed as many as 2,500 mercenary forces, including
9 some Syrian fighters, advanced equipment, and ad-
10 vanced capabilities to support the LNA and Russian
11 objectives in North Africa.

12 (13) According to a July 2020 Department of
13 Defense Inspector General report, “Turkey’s presi-
14 dent acknowledged that his country sent many Syr-
15 ian militants to Libya to support the Government of
16 National Accord (GNA). . .USAFRICOM esti-
17 mated that 3,500 Syrian mercenaries were in Libya
18 supporting the GNA as of the end of March. Citing
19 press reports, USAFRICOM stated that an addi-
20 tional 300 Turkish-supported ‘Syrian opposition’
21 fighters arrived in Libya in early April.”.

22 (14) In January 2020, LNA-aligned forces shut
23 down oil production in eastern Libya, which accord-
24 ing to the United Nations threatens devastating con-

1 sequences for the Libyan people and for the coun-
2 try's economic and financial situation.

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

13 (16) On January 30, 2020, then-United Na-
14 tions Special Representative Salamé asserted, "the
15 warring parties have continued to receive advanced
16 equipment, fighters, and advisors from foreign
17 states, in violation of the UN arms embargo and
18 pledges made by representatives of these countries in
19 Berlin".

20 (17) On February 12, 2020, the United States
21 Assistant Secretary of State for Near Eastern Af-
22 fairs testified before the Senate Foreign Relations
23 Committee, "The task of bringing the Libyans back
24 to the negotiating table has been complicated by the
25 involvement of external actors. Libya is not the place

1 for Russian mercenaries, or fighters from Syria,
2 Chad, and Sudan. It is not the place for the
3 Emiratis, Russians, or Turks to be fighting battles
4 on the ground through intermediaries they sponsor
5 or support with sophisticated and deadly equipment
6 in pursuit of their own agendas.”.

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

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

18 (1) to advance a peaceful resolution to the con-
19 flict in Libya through a political process as the best
20 way to secure United States interests, ensure a sta-
21 ble and unified Libya, reduce the threat of ter-
22 rorism, and provide peace and opportunity to the
23 Libyan people;

24 (2) to support the implementation of United
25 Nations Security Council Resolutions 1970 (2011)

1 and 1973 (2011), which established an arms embar-
2 go on Libya, and subsequent resolutions modifying
3 and extending the embargo;

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

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

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

20 (A) taking action to end the violence and
21 flow of arms;

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

24 (C) urging Libyan parties to eject foreign
25 military and mercenary forces;

1 (6) to leverage diplomatic relations to convince
2 the parties to the conflict in Libya to immediately
3 de-escalate and halt their current fighting and per-
4 suade foreign powers to stop providing personnel, in-
5 cluding mercenaries, weapons, and financing that ex-
6 acerbate the conflict;

7 (7) to support building on the Libyan Political
8 Agreement as a viable framework for the political so-
9 lution in Libya and to urge all Libyan parties to re-
10 sume the inclusive Libyan-led and Libyan-owned po-
11 litical process under the auspices of UNSMIL;

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

24 (9) to support constant, unimpeded, and reli-
25 able humanitarian access to those in need and to

1 hold accountable those who impede or threaten the
2 delivery of humanitarian assistance;

3 (10) to seek to bring an end to trafficking in
4 persons such as slavery, forced labor, and sexual ex-
5 ploitation, including with respect to migrants;

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

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

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

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

17 **TITLE I—IDENTIFYING CHAL-**
18 **LENGES TO STABILITY IN**
19 **LIBYA**

20 **SEC. 101. REPORT ON ACTIVITIES OF CERTAIN FOREIGN**
21 **GOVERNMENTS AND ACTORS IN LIBYA.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of the enactment of this Act, the Secretary of State,
24 in consultation with the Director of National Intelligence,

1 shall submit to the appropriate congressional committees
2 a report that includes—

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

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

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

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

21 (2) an analysis and determination of whether
22 the actions by the governments described in para-
23 graph (1) violate the arms embargo with respect to
24 Libya under United Nations Security Council Reso-

1 lution 2473 (2019) and other relevant Security
2 Council resolutions;

3 (3) a list of the specific offending materiel or fi-
4 nancial support transfers provided by a government
5 described in paragraph (1) that violate the arms em-
6 bargo with respect to Libya under United Nations
7 Security Council Resolution 2473 (2019) and other
8 relevant Security Council resolutions;

9 (4) a description of the activities of each foreign
10 armed group, including the Russian Wagner Group,
11 Turkish military contractors and mercenaries, affili-
12 ates of ISIS, al-Qaida in the Islamic Maghreb
13 (AQIM), and Ansar al-Sharia, in Libya;

14 (5) a description of European Union and North
15 Atlantic Treaty Organization (NATO) efforts to en-
16 force the United Nations arms embargo and facili-
17 tate a ceasefire;

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

20 (7) a description of United States diplomatic
21 engagement with the European Union and NATO
22 regarding enforcement of the United Nations arms
23 embargo.

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

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

7 (1) the Committee on Foreign Affairs and the
8 Permanent Select Committee on Intelligence of the
9 House of Representatives; and

10 (2) the Committee on Foreign Relations and
11 the Select Committee on Intelligence of the Senate.

12 **SEC. 102. REPORT OF RUSSIAN ACTIVITIES AND OBJEC-**
13 **TIVES IN LIBYA.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) General Stephen Townsend, Commander of
17 United States Africa Command (AFRICOM),
18 warned in January 2020 that in Libya, Russia seeks
19 to “demonstrate itself as an alternative partner to
20 the West” and seeks to position itself alongside the
21 southern flank of the North Atlantic Treaty Organi-
22 zation (NATO).

23 (2) AFRICOM has also stated that the Russian
24 military presence in Libya threatens future United
25 States military partnerships and counterterrorism

1 cooperation by impeding United States access to
2 Libya.

3 (3) In May 2020, AFRICOM reported that the
4 Government of Russia deployed 14 MiG-29 and Su-
5 24 aircraft to Libya to support Russian state-spon-
6 sored private military contractors, including the
7 Wagner Group.

8 (b) REPORT.—

9 (1) REPORT.—Not later than 90 days after the
10 date of the enactment of this Act, the Secretary of
11 State shall submit to the appropriate congressional
12 committees a report that contains an assessment of
13 Russian activities and objectives in Libya, includ-
14 ing—

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; and

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

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

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

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

9 (B) the Committee on Foreign Relations of
10 the Senate.

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

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

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

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

5 **TITLE II—ACTIONS TO ADDRESS**
6 **FOREIGN INTERVENTION IN**
7 **LIBYA**

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

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

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

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

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

6 **SEC. 202. SANCTIONS WITH RESPECT TO FOREIGN PER-**
7 **SONS THREATENING THE PEACE OR STA-**
8 **BILITY OF LIBYA.**

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

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

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

21 (A) engaged in significant actions or poli-
22 cies that threaten the peace, security, or sta-
23 bility of Libya, including any supply of arms or
24 related materiel in violation of a United Nations

1 Security Council resolution with respect to
2 Libya;

3 (B) engaged in significant actions or poli-
4 cies that obstruct, undermine, delay, or impede,
5 or pose a significant risk of obstructing, under-
6 mining, delaying, or impeding the United Na-
7 tions-mediated political process that seeks a ne-
8 gotiated and peaceful solution to the Libyan
9 crisis;

10 (C) engaged in significant actions that may
11 lead to or result in the misappropriation of sig-
12 nificant state assets of Libya;

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

19 (E) significantly threatening or coercing
20 Libyan state financial institutions or the Liby-
21 an National Oil Company; or

22 (F) significantly responsible for actions or
23 policies that are intended to undermine efforts
24 to promote stabilization and economic recovery
25 in Libya;

1 (2) foreign persons that the President deter-
2 mines are successor entities to persons referred to in
3 subparagraphs (A) through (F) of paragraph (1);
4 and

5 (3) foreign persons that the President deter-
6 mines—

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

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

19 (4) UPDATES OF LIST.—The President shall
20 submit to the appropriate congressional committees
21 an updated list under paragraph (1)—

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

25 (B) as new information becomes available.

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

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

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

13 (b) LIST OF PERSONS.—

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

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

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

7 (B) as new information becomes available.

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

11 **SEC. 204. SANCTIONS DESCRIBED.**

12 (a) SANCTIONS DESCRIBED.—The sanctions to be
13 imposed with respect to a foreign person under section
14 201, 202, or 203 are the following:

15 (1) BLOCKING OF PROPERTY.—The President
16 shall exercise all of the powers granted to the Presi-
17 dent by the International Emergency Economic
18 Powers Act (50 U.S.C. 1701 et seq.) (except that
19 the requirements of section 202 of such Act (50
20 U.S.C. 1701) shall not apply) to the extent nec-
21 essary to block and prohibit all transactions in prop-
22 erty and interests in property of the person if such
23 property and interests in property are in the United
24 States, come within the United States, or are or

1 come within the possession or control of a United
2 States person.

3 (2) INADMISSIBILITY OF CERTAIN INDIVID-
4 UALS.—

5 (A) INELIGIBILITY FOR VISAS, ADMISSION,
6 OR PAROLE.—A foreign person who meets any
7 of the criteria described section 201, 202, or
8 203 is—

9 (i) inadmissible to the United States;

10 (ii) ineligible to receive a visa or other
11 documentation to enter the United States;
12 and

13 (iii) otherwise ineligible to be admitted
14 or paroled into the United States or to re-
15 ceive any other benefit under the Immigra-
16 tion and Nationality Act (8 U.S.C. 1101 et
17 seq.).

18 (B) CURRENT VISAS REVOKED.—A foreign
19 person subject to section 201, 202, or 203 is
20 subject to the following:

21 (i) Revocation of any visa or other
22 entry documentation regardless of when
23 the visa or other entry documentation is or
24 was issued.

1 (ii) A revocation under clause (i)
2 shall—

3 (I) take effect immediately; and

4 (II) automatically cancel any
5 other valid visa or entry documenta-
6 tion that is in the foreign person's
7 possession.

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

17 (c) EXCEPTION.—Sanctions under subsection (a)(2)
18 shall not apply to an alien if admitting or paroling the
19 alien into the United States is necessary to permit the
20 United States to comply with the Agreement regarding the
21 Headquarters of the United Nations, signed at Lake Suc-
22 cess June 26, 1947, and entered into force November 21,
23 1947, between the United Nations and the United States,
24 or other applicable international obligations of the United
25 States.

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

4 (1) Activities subject to the reporting require-
5 ments under title V of the National Security Act of
6 1947 (50 U.S.C. 3091 et seq.).

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

9 **SEC. 205. WAIVER.**

10 The President may waive the application of sanctions
11 imposed on a foreign person under this title if the Presi-
12 dent—

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

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

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

21 The President—

22 (1) is authorized to exercise all authorities pro-
23 vided to the President under sections 203 and 205
24 of the International Emergency Economic Powers

1 Act (50 U.S.C. 1702 and 1704) to carry out this
2 title; and

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

5 **SEC. 207. EXCEPTION RELATING TO IMPORTATION OF**
6 **GOODS.**

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

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

16 **SEC. 208. DEFINITIONS.**

17 In this title:

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

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

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

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

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

11 (4) FOREIGN GOVERNMENT.—The term “for-
12 eign government” means any government of a coun-
13 try other than the United States.

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

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

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

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

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

3 (C) any person in the United States.

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

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

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

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

24 (c) REIMPOSITION OF SANCTIONS.—Any sanctions
25 suspended under subsection (a) shall be reimposed if the

1 President determines that the criteria described in that
2 subsection are no longer being met.

3 **SEC. 210. SUNSET.**

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

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

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

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

13 (1) the United States Government should—

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

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

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

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

8 (2) humanitarian assistance to address the cri-
9 sis in Libya should be targeted toward those most
10 in need and delivered through partners that uphold
11 internationally recognized humanitarian principles,
12 with robust monitoring to ensure assistance is reach-
13 ing intended beneficiaries.

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

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

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

1 (3) assistance to provide—

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

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

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

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

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

19 (2) Diplomatic efforts by the United States to
20 encourage strategic burden-sharing with inter-
21 national donors, including foreign governments and
22 multilateral organizations on efforts to improve the
23 humanitarian situation in Libya.

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

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

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

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

13 (1) advance a ceasefire;

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

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

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

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

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

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

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

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

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

16 (3) 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 (4) work with the people of Libya, nongovern-
25 mental organizations, and Libyan institutions to

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

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

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

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

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

24 (c) REPORT.—

1 (1) IN GENERAL.—Not later than 180 days
2 after enactment of this Act, the Secretary of State,
3 in coordination with the Administrator of the United
4 States Agency for International Development, shall
5 submit to the appropriate congressional committees
6 a report on the activities carried out under sub-
7 section (a).

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

11 (A) the Committee on Foreign Affairs and
12 the Committee on Appropriations of the House
13 of Representatives; and

14 (B) the Committee on Foreign Relations
15 and the Committee on Appropriations of the
16 Senate.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) IN GENERAL.—There are authorized to be
19 appropriated \$23,000,000 for fiscal year 2021 to
20 carry out subsection (a).

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

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

5 (B) expenditures from the Development
 6 Assistance Fund under section 653(a) of the
 7 Foreign Assistance Act of 1961 (22 U.S.C.
 8 2413(a)).

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

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

24 (b) ADDITIONAL ELEMENTS.—To the extent con-
 25 sistent with broader United States national interests, the

1 framework described in subsection (a) shall include the
2 following policy proposals:

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

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

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

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

23 (5) To promote the development of private sec-
24 tor enterprise.

1 (6) To improve the transparency and account-
2 ability of public sector employment and wage dis-
3 tribution.

4 (7) To strengthen supervision of and reform of
5 Libyan financial institutions.

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

9 (9) To support opportunities for United States
10 businesses.

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

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

1 American Development Bank, Bank for Economic Co-
2 operation and Development in the Middle East and North
3 Africa, and Inter-American Investment Corporation.

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

6 **SEC. 304. RECOVERING ASSETS STOLEN FROM THE LIBYAN**
7 **PEOPLE.**

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

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

16 (2) to work with foreign governments—

17 (A) to share financial investigations intel-
18 ligence, as appropriate;

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

21 (C) to provide technical assistance to help
22 governments establish the necessary legal
23 framework to carry out asset forfeitures.

1 (b) ADDITIONAL ELEMENTS.—The coordinated inter-
2 national effort described in subsection (a) should include
3 input from—

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

6 (2) the Financial Crimes Enforcement Network
7 of the Department of the Treasury; and

8 (3) the Money Laundering and Asset Recovery
9 Section of the Department of Justice.

10 **TITLE IV—DETERMINATION OF** 11 **BUDGETARY EFFECTS**

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

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

Passed the House of Representatives November 18,
2020.

Attest:

Clerk.

116TH CONGRESS
2^D SESSION

H. R. 4644

AN ACT

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