

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1228
OFFERED BY MR. DEUTCH OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; statement of policy.

TITLE I—IDENTIFYING CHALLENGES TO STABILITY IN LIBYA

Sec. 101. Report on activities of certain foreign governments and actors in Libya.
Sec. 102. Report of Russian activities and objectives in Libya.
Sec. 103. Determination of sanctionable activities of the Libyan National Army with respect to Syria.

TITLE II—ACTIONS TO ADDRESS FOREIGN INTERVENTION IN LIBYA

Sec. 201. Sanctions with respect to foreign persons leading, directing, or supporting certain foreign government involvement in Libya.
Sec. 202. Sanctions with respect to foreign persons threatening the peace or stability of Libya.
Sec. 203. Sanctions with respect to foreign persons who are responsible for or complicit in gross violations of internationally recognized human rights committed in Libya.
Sec. 204. Sanctions described.
Sec. 205. Waiver.
Sec. 206. Implementation and regulatory authority.
Sec. 207. Exception relating to importation of goods.
Sec. 208. Definitions.
Sec. 209. Suspension of sanctions.
Sec. 210. Sunset.

TITLE III—ASSISTANCE FOR LIBYA

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

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

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

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

1 SEC. 2. FINDINGS; STATEMENT OF POLICY.

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

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

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

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

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

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

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

23 (7) In November 2019, the Government of the
24 National Accord (GNA) and the Government of Tur-

1 key signed a Memorandum of Understanding on
2 maritime boundaries in the Mediterranean Sea.

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

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

1 (10) The most recent AFRICOM posture state-
2 ment claims, “Russia continues to harvest benefits
3 from the instability in Libya—its military meddling
4 has prolonged the conflict and exacerbated casualties
5 and humanitarian suffering.”.

6 (11) The Department of Defense Inspector
7 General reported that, “Turkey has hundreds of reg-
8 ular military personnel deployed to Libya in order to
9 train GNA-aligned militias and to operate Turkish
10 military equipment” and sent thousands of Syrian
11 mercenaries to Libya in support of the GNA.

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

22 (13) On February 13, 2020, the United Na-
23 tions Security Council adopted Resolution 2510,
24 which endorses the Conclusions of the International
25 Conference on Libya held in Berlin, affirms the need

1 for a lasting ceasefire, demands full compliance by
2 all member states with the United Nations arms em-
3 bargo, and expresses unequivocal support for the
4 United Nations Special Representative and the ongo-
5 ing United Nations Support Mission in Libya
6 (UNSMIL)-facilitated intra-Libyan dialogue.

7 (14) On October 23, 2020, the warring parties
8 in Libya agreed a ceasefire, which called for the
9 withdrawal of all armed forces from conflict lines
10 and the departure of all mercenaries and foreign
11 fighters within three months, and was hailed by
12 United Nations Secretary General António Guterres
13 as “a fundamental step toward peace and stability
14 in Libya”.

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

1 (16) On January 21, 2021, the United States
2 joined the Governments of France, Germany, Italy,
3 and the United Kingdom to remind all Berlin Con-
4 ference participants of the need to “continue to sup-
5 port a ceasefire, restore full respect for the UN arms
6 embargo, and end the toxic foreign interference that
7 undermines the aspirations of all Libyans to reestab-
8 lish their sovereignty and choose their future peace-
9 fully through national elections”.

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

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-mediated
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, including elections planned
12 for December 2021;

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 planned for December 2021, a
19 fair and transparent allocation of resources, interim
20 security arrangements, and a process for the reunifi-
21 cation of Libyan government ministries and Libyan
22 sovereign institutions, including the Central Bank of
23 Libya, the National Oil Corporation, and the Libyan
24 Investment Authority;

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 seek to bring an end to severe forms of
6 trafficking in persons such as slavery, forced labor,
7 and sexual exploitation, including with respect to mi-
8 grants;

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

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

15 (13) to support greater defense institutional ca-
16 pacity building after a comprehensive political settle-
17 ment;

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

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

1 **TITLE I—IDENTIFYING CHAL-**
2 **LENGES TO STABILITY IN**
3 **LIBYA**

4 **SEC. 101. REPORT ON ACTIVITIES OF CERTAIN FOREIGN**
5 **GOVERNMENTS AND ACTORS IN LIBYA.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, the Secretary of State,
8 in consultation with the Director of National Intelligence,
9 shall submit to the appropriate congressional committees
10 a report that includes—

11 (1) a description of the full extent of involve-
12 ment in Libya by foreign governments, including the
13 Governments of Russia, Turkey, the United Arab
14 Emirates, Egypt, Sudan, Chad, China, Saudi Ara-
15 bia, and Qatar, including—

16 (A) a description of which governments
17 have been linked to drone and aircraft strikes
18 since April 2019;

19 (B) a list of the types and estimated
20 amounts of equipment transferred by each gov-
21 ernment described in this paragraph to the par-
22 ties to the conflict, including foreign military
23 contractors, mercenaries, or paramilitary forces
24 operating in Libya;

1 (C) an estimate of the financial support
2 provided by each government described in this
3 paragraph to the parties to the conflict, includ-
4 ing foreign military contractors, mercenaries, or
5 paramilitary forces operating in Libya; and

6 (D) a description of the activities of any
7 regular, irregular, or paramilitary forces, in-
8 cluding foreign military contractors, mercenary
9 groups, and militias operating inside Libya, at
10 the direction or with the consent of the govern-
11 ments described in this paragraph;

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

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

21 (A) violate the arms embargo with respect
22 to Libya under United Nations Security Council
23 Resolution 2473 (2019) and other relevant Se-
24 curity Council resolutions;

1 (B) contribute to civilian death, harm, or
2 other violations of international humanitarian
3 law; or

4 (C) involve weapons of United States ori-
5 gin or were in violation of United States end
6 user agreements;

7 (4) a description of the activities of affiliates of
8 ISIS, al-Qaida in the Islamic Maghreb (AQIM), and
9 Ansar al-Sharia, in Libya;

10 (5) a description of efforts by the European
11 Union, North Atlantic Treaty Organization (NATO),
12 and the Arab League, and their respective member
13 states, to—

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

18 (B) facilitate a ceasefire;

19 (C) monitor a ceasefire; and

20 (D) support forthcoming elections;

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

23 (7) a description of United States diplomatic
24 engagement with the European Union, NATO, and
25 the Arab League regarding enforcement of the

1 United Nations arms embargo, ceasefire monitoring,
2 and election support.

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

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

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

12 (2) the Committee on Foreign Relations and
13 the Select Committee on Intelligence of the Senate.

14 **SEC. 102. REPORT OF RUSSIAN ACTIVITIES AND OBJEC-**
15 **TIVES IN LIBYA.**

16 (a) FINDINGS.—Congress makes the following find-
17 ings:

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

1 (2) AFRICOM has also stated that the Russian
2 military presence in Libya threatens future United
3 States military partnerships and counterterrorism
4 cooperation by impeding United States access to
5 Libya.

6 (3) AFRICOM has reported that the Govern-
7 ment of Russia deployed 14 MiG-29 and Su-24 air-
8 craft, SA-22 air defense equipment, and mine-resist-
9 ant ambush protected armored vehicles to Libya to
10 support Russian state-sponsored private military
11 contractors, including the Wagner Group.

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

16 (b) REPORT.—

17 (1) REPORT.—Not later than 90 days after the
18 date of the enactment of this Act, the Secretary of
19 State shall submit to the Committee on Foreign Af-
20 fairs of the House of Representatives and the Com-
21 mittee on Foreign Relations of the Senate a report
22 that contains an assessment of Russian activities
23 and objectives in Libya, including—

24 (A) the potential threat such activities pose
25 to the United States, southern Europe, NATO,

1 and partners in the Mediterranean Sea and
2 North African region;

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

6 (C) Russia's use of mercenaries, military
7 contractors, equipment, and paramilitary forces
8 in Libya; and

9 (D) an assessment of sanctions and other
10 policies adopted by United States partners and
11 allies against the Wagner Group and its desta-
12 bilizing activities in Libya, including sanctions
13 on Yevgeny Prigozhin.

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

17 **SEC. 103. DETERMINATION OF SANCTIONABLE ACTIVITIES**
18 **OF THE LIBYAN NATIONAL ARMY WITH RE-**
19 **SPECT TO SYRIA.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the President shall submit to the Com-
22 mittee on Foreign Affairs of the House of Representatives
23 and the Committee on Foreign Relations of the Senate
24 a list of members of the Libyan National Army (LNA),
25 and details of their activities, that the President deter-

1 mines are knowingly responsible for sanctionable offenses
2 pursuant to—

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

6 (2) Executive Order 13582 (76 Fed. Reg.
7 52209; relating to blocking property of the Govern-
8 ment of Syria and prohibiting certain transactions
9 with respect to Syria (August 17, 2011)).

10 **TITLE II—ACTIONS TO ADDRESS**
11 **FOREIGN INTERVENTION IN**
12 **LIBYA**

13 **SEC. 201. SANCTIONS WITH RESPECT TO FOREIGN PER-**
14 **SONS LEADING, DIRECTING, OR SUPPORTING**
15 **CERTAIN FOREIGN GOVERNMENT INVOLVE-**
16 **MENT IN LIBYA.**

17 (a) **IN GENERAL.**—Not later than 180 days after the
18 date of the enactment of this Act, the President shall im-
19 pose each of the sanctions described in section 204 with
20 respect to each foreign person who the President deter-
21 mines knowingly engages in an activity described in sub-
22 section (b).

23 (b) **ACTIVITIES DESCRIBED.**—A foreign person en-
24 gages in an activity described in this subsection if the per-
25 son leads, directs, or provides significant financial, mate-

1 rial, or technological support to, or knowingly engages in
2 a significant transaction with, a non-Libyan foreign per-
3 son who is—

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

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

9 **SEC. 202. SANCTIONS WITH RESPECT TO FOREIGN PER-**
10 **SONS THREATENING THE PEACE OR STA-**
11 **BILITY OF 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.—Not later than 180 days after the date
17 of the enactment of this Act, the President shall submit
18 to the appropriate congressional committees a list of—

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

24 (A) engaged in significant actions or poli-
25 cies that threaten the peace, security, or sta-

1 bility of Libya, including any supply of arms or
2 related materiel in violation of a United Nations
3 Security Council resolution with respect to
4 Libya;

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

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

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

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

24 (F) significantly responsible for actions or
25 policies that are intended to undermine efforts

1 to promote stabilization and economic recovery
2 in Libya;

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

7 (3) foreign persons who the President deter-
8 mines—

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

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

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

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

4 (B) as new information becomes available.

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

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

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

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

17 **SEC. 203. SANCTIONS WITH RESPECT TO FOREIGN PER-**
18 **SONS WHO ARE RESPONSIBLE FOR OR**
19 **COMPLICIT IN GROSS VIOLATIONS OF INTER-**
20 **NATIONALLY RECOGNIZED HUMAN RIGHTS**
21 **COMMITTED IN LIBYA.**

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

1 (b) LIST OF PERSONS.—

2 (1) IN GENERAL.—Not later than 180 days
3 after the date of the enactment of this Act, the
4 President shall submit to the appropriate congress-
5 sional committees a list of foreign persons, including
6 senior government officials, militia leaders, para-
7 military leaders, and other persons who provide sig-
8 nificant support to militia or paramilitary groups in
9 Libya, that the President determines are knowingly
10 responsible for or complicit in, or have directly or in-
11 directly engaged in, gross violations of internation-
12 ally recognized human rights committed in Libya.

13 (2) 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 (3) 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 congress-
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. 204. SANCTIONS DESCRIBED.**

8 (a) SANCTIONS DESCRIBED.—The sanctions to be
9 imposed with respect to a foreign person under section
10 201, 202, or 203 are the following:

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

23 (2) INADMISSIBILITY OF CERTAIN INDIVID-
24 UALS.—

1 (A) INELIGIBILITY FOR VISAS, ADMISSION,
2 OR PAROLE.—A foreign person who meets any
3 of the criteria described section 201, 202, or
4 203 is—

5 (i) inadmissible to the United States;

6 (ii) ineligible to receive a visa or other
7 documentation to enter the United States;
8 and

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

14 (B) CURRENT VISAS REVOKED.—A foreign
15 person subject to section 201, 202, or 203 is
16 subject to the following:

17 (i) Revocation of any visa or other
18 entry documentation regardless of when
19 the visa or other entry documentation is or
20 was issued.

21 (ii) A revocation under clause (i)
22 shall—

23 (I) take effect immediately; and

24 (II) automatically cancel any
25 other valid visa or entry documenta-

1 tion that is in the foreign person's
2 possession.

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

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

21 (d) EXCEPTION TO COMPLY WITH NATIONAL SECU-
22 RITY.—The following activities shall be exempt from sanc-
23 tions under this section:

1 (1) Activities subject to the reporting require-
2 ments under title V of the National Security Act of
3 1947 (50 U.S.C. 3091 et seq.).

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

6 **SEC. 205. WAIVER.**

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

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

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

17 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
18 DEFINED.—In this section, the term “appropriate con-
19 gressional committees” means—

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

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

1 **SEC. 206. IMPLEMENTATION AND REGULATORY AUTHOR-**
2 **ITY.**

3 The President—

4 (1) is authorized to exercise all authorities pro-
5 vided to the President under sections 203 and 205
6 of the International Emergency Economic Powers
7 Act (50 U.S.C. 1702 and 1704) to carry out this
8 title; and

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

11 **SEC. 207. EXCEPTION RELATING TO IMPORTATION OF**
12 **GOODS.**

13 (a) **IN GENERAL.**—The authorities and requirements
14 to impose sanctions under this title shall not include the
15 authority or requirement to impose sanctions on the im-
16 portation of goods.

17 (b) **GOOD DEFINED.**—In this section, the term
18 “good” means any article, natural or man-made sub-
19 stance, material, supply or manufactured product, includ-
20 ing inspection and test equipment and excluding technical
21 data.

22 **SEC. 208. DEFINITIONS.**

23 In this title:

24 (1) **ADMITTED; ALIEN.**—The terms “admitted”
25 and “alien” have the meanings given those terms in

1 section 101 of the Immigration and Nationality Act
2 (8 U.S.C. 1101).

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

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

9 (4) KNOWINGLY.—The term “knowingly” with
10 respect to conduct, a circumstance, or a result,
11 means that a person has actual knowledge, or should
12 have known, of the conduct, the circumstance, or the
13 result.

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

16 (A) an individual who is a United States
17 citizen or an alien lawfully admitted for perma-
18 nent residence to the United States;

19 (B) an entity organized under the laws of
20 the United States or any jurisdiction within the
21 United States, including a foreign branch of
22 such an entity; or

23 (C) any person in the United States.

24 (6) GROSS VIOLATIONS OF INTERNATIONALLY
25 RECOGNIZED HUMAN RIGHTS.—The term “gross vio-

1 lations of internationally recognized human rights”
2 has the meaning given such term in section
3 502B(d)(1) of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2304(d)(1)).

5 **SEC. 209. SUSPENSION OF SANCTIONS.**

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

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

19 (c) REIMPOSITION OF SANCTIONS.—Any sanctions
20 suspended under subsection (a) shall be reimposed if the
21 President determines that the criteria described in that
22 subsection are no longer being met.

23 **SEC. 210. SUNSET.**

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

1 tarian law, including efforts related to severe
2 forms of trafficking in persons such as slavery,
3 forced labor, and sexual exploitation, and hold
4 perpetrators accountable; and

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

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

16 (1) health assistance, including logistical and
17 technical assistance to hospitals, ambulances, and
18 health clinics in affected communities, including mi-
19 grant communities, and provision of basic public
20 health commodities, including support for an effec-
21 tive response to the COVID-19 pandemic;

22 (2) services, such as medicines and medical sup-
23 plies and equipment;

24 (3) assistance to provide—

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

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

5 (C) resources and training to increase com-
6 munications and education to help communities
7 slow the spread of COVID-19 and to increase
8 future vaccine acceptance; and

9 (4) technical assistance to ensure health, food,
10 and commodities are appropriately selected, pro-
11 cured, targeted, monitored, and distributed.

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

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

22 (2) Diplomatic efforts by the United States to
23 encourage strategic burden-sharing and the coordi-
24 nation of donations with international donors, in-
25 cluding foreign governments and multilateral organi-

1 zations to advance the provision of humanitarian as-
2 sistance to the people of Libya and international mi-
3 grants and refugees in Libya.

4 (3) How to address humanitarian access chal-
5 lenges and ensure protection for vulnerable refugees
6 and migrants, including protection from severe
7 forms of trafficking in persons such as slavery,
8 forced labor, and sexual exploitation.

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

12 (5) How to address the tragic and persistent
13 deaths of migrants and refugees at sea and human
14 trafficking.

15 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
16 DEFINED.—In this section, the term “appropriate con-
17 gressional 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 and the transitional Government of
7 National Unity in Libya to prepare for national elec-
8 tions in December 2021, as called for by the Libyan
9 Political Dialogue, and a subsequent political transi-
10 tion;

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

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

17 (4) work to ensure free, fair, inclusive, and
18 credible elections in December 2021 organized by an
19 independent and effective High National Elections
20 Commission in Libya, including through supporting
21 electoral security and international election observa-
22 tion and by providing training and technical assist-
23 ance to institutions with election-related responsibil-
24 ities, as appropriate;

25 (5) work with the people of Libya, nongovern-
26 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 (6) 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 (7) to combat corruption and improve the
11 transparency and accountability of Libyan govern-
12 ment institutions; and

13 (8) 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 \$30,000,000 for fiscal year 2022 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, 2026.

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.

