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S. 379

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 2021

Mr. COONS (for himself, Mr. GRAHAM, Mr. MURPHY, and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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. Codification of Executive Order 13726.

Sec. 102. Report on activities of certain foreign governments and actors in Libya.

Sec. 103. Strategy to counter Russian influence in Libya.

TITLE II—ACTIONS TO ADDRESS FOREIGN INTERVENTION IN LIBYA

Sec. 201. Definitions.

Sec. 202. Imposition of sanctions with respect to persons supporting Russian military intervention in Libya.

Sec. 203. Imposition of sanctions with respect to persons threatening the peace or stability of Libya.

Sec. 204. Imposition of sanctions with respect to certain persons who are responsible for or complicit in human rights abuses committed in Libya.

Sec. 205. Sanctions described.

Sec. 206. Waiver; exceptions.

Sec. 207. Implementation; regulations; penalties.

Sec. 208. Termination.

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 democratic 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) AFRICOM has identified containing insta-
9 bility in Libya as one of its six main lines of effort
10 in Africa and works to support diplomatic efforts to
11 reconstitute the Libyan state and to disrupt terrorist

1 organizations that impede that process or threaten
2 United States interests.

3 (3) On April 4, 2019, Khalifa Haftar, the com-
4 mander of the Libyan Arab Armed Forces/Libyan
5 National Army (LAAF/LNA) movement, ordered
6 forces loyal to him to begin a unilateral military op-
7 eration to take control of Tripoli, the capital of
8 Libya and seat of the Government of National Ac-
9 cord (GNA), an interim body that emerged from
10 previous United Nations-backed negotiations which
11 the United States Government and United Nations
12 Security Council have recognized since 2015.

13 (4) Although the LAAF/LNA movement initi-
14 ated the offensive, all parties to the conflict and
15 their associated forces have since April 2019 failed
16 to observe their obligations under international hu-
17 manitarian law and increased the geographic scope
18 of the conflict, including by using heavy weapons,
19 aircraft, and armed drones provided by foreign pow-
20 ers in violation of the United Nations arms embargo.
21 Foreign mercenaries have reportedly also partici-
22 pated in the conflict.

23 (5) In November 2019, the GNA and the Gov-
24 ernment of Turkey signed a Memorandum of Under-
25 standing on maritime boundaries in the Mediterra-

1 near Sea, which was opposed by European Union
2 member states and other countries in the region.

3 (6) On January 19, 2020, at a peace conference
4 in Berlin, representatives of the Governments of Al-
5 geria, China, Egypt, France, Germany, Italy, Rus-
6 sia, Turkey, the Republic of Congo, the United Arab
7 Emirates, the United Kingdom, and the United
8 States, as well as regional and multilateral organiza-
9 tions, agreed to refrain from interference in Libya’s
10 internal affairs, abide by the United Nations arms
11 embargo, and advance a 55-point communique to re-
12 solve the conflict in Libya.

13 (7) On January 30, 2020, then-United Nations
14 Special Representative of the Secretary General
15 (SRSG) Ghassan Salamé asserted that “the warring
16 parties have continued to receive a sizable amount of
17 advanced equipment, fighters, and advisors from for-
18 eign sponsors, in brazen violation of the UN arms
19 embargo as well as of the pledges made by rep-
20 resentatives of these countries in Berlin”.

21 (8) On February 12, 2020, the United States
22 Assistant Secretary of State for Near Eastern Af-
23 fairs testified before the Committee on Foreign Re-
24 lations of the Senate, “The task of bringing the
25 Libyans back to the negotiating table has been com-

1 plicated by the involvement of external actors. Libya
2 is not the place for Russian mercenaries, or fighters
3 from Syria, Chad, and Sudan. It is not the place for
4 the Emiratis, Russians, or Turks to be fighting bat-
5 tles on the ground through intermediaries they spon-
6 sor or support with sophisticated and deadly equip-
7 ment in pursuit of their own agendas.”.

8 (9) On September 2, 2020, Acting SRSG
9 Stephanie Williams described to the United Nations
10 Security Council cargo shipments and dozens of
11 military resupply flights to the LAAF/LNA and the
12 GNA as “an alarming breach of Libya’s sovereignty,
13 a blatant violation of the UN arms embargo, not to
14 mention the commitments undertaken by the Berlin
15 conference participants”.

16 (10) On October 23, 2020, conflict parties in
17 Libya agreed to a United Nations-facilitated
18 ceasefire which called for all military units and
19 armed groups on the front lines to return to their
20 camps, all mercenaries and foreign fighters to depart
21 from Libyan territory, and all military agreements
22 on training be suspended within three months of the
23 ceasefire’s signing. Ceasefire enforcement is histori-
24 cally difficult in Libya, and as of February 2021,
25 mercenaries, foreign fighters, and foreign militaries

1 remained active there. On February 4, 2021, the
2 United Nations Security Council requested an ad-
3 vance team be sent to Libya as a first step to send-
4 ing monitors to observe the ceasefire.

5 (11) On November 13, 2020, UNSMIL an-
6 nounced that national elections in Libya are sched-
7 uled to take place on December 24, 2021. On Janu-
8 ary 20, 2021, Libyan leaders agreed to hold a con-
9 stitutional referendum prior to the December 2021
10 election. On February 5, 2021, the 74-member
11 United Nations-led Libyan Political Dialogue Forum
12 reached an agreement on a unified interim Libyan
13 executive to lead the country to national elections on
14 December 24, 2021.

15 (12) According to the United Nations, since the
16 LNA movement offensive began in April 2019, the
17 conflict in Libya has led to the deaths of more than
18 400 civilians and the displacement of more than
19 200,000 people.

20 (13) Parties to the conflict in Libya have killed
21 civilians, committed torture and abuse, committed
22 mass extrajudicial killings, requisitioned the houses
23 of civilians, targeted medical facilities, and blocked
24 humanitarian access to food, health, and other life-
25 saving services, worsening humanitarian conditions.

1 (14) According to the United Nations Office for
2 the Coordination of Humanitarian Affairs, as of De-
3 cember 2020, more than 574,000 migrants and refu-
4 gees remained in Libya and “continue to be at risk
5 of killing, torture, arbitrary detention, rape and
6 other forms of sexual and gender-based violence,
7 forced labor, extortion and exploitation”. Among
8 these, between 1,000 and 3,000 migrants and refu-
9 gees are held in official detention centers and “many
10 other migrants and refugees are believed to be held
11 at other sites run by militias and trafficking
12 groups”.

13 (15) On January 19, 2021, at least 43 mi-
14 grants died in a shipwreck off of Libya’s coast, high-
15 lighting the vulnerable position of non-Libyan mi-
16 grants who are either subject to detention and
17 abuses in Libya or are forced to undertake unsafe
18 attempts to reach Europe. More than 100 migrants
19 drowned in 2020 and nearly 100 have drowned since
20 January 2021 in the Mediterranean.

21 (16) On January 21, 2021, the United States
22 joined the Governments of France, Germany, Italy,
23 and the United Kingdom to remind all Berlin Con-
24 ference participants of the need to “continue to sup-
25 port a ceasefire, restore full respect for the UN arms

1 embargo, and end the toxic foreign interference that
2 undermines the aspirations of all Libyans to reestab-
3 lish their sovereignty and choose their future peace-
4 fully through national elections”.

5 (b) STATEMENT OF POLICY.—It is the policy of the
6 United States—

7 (1) to engage regularly at the senior-most levels
8 and assert there is no military solution to the con-
9 flict in Libya and that only a political process can
10 secure United States interests, ensure a stable and
11 unified Libya, reduce the threat of terrorism, and
12 provide peace and opportunity to the people of
13 Libya;

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

19 (3) to support the implementation of United
20 Nations Security Council Resolutions 2146 (2014)
21 and 2362 (2017), which condemn attempts to illic-
22 itly export petroleum and refined petroleum products
23 from Libya, including by parallel institutions which
24 are not acting under the authority of the Govern-
25 ment of National Accord;

1 (4) to promote unified and effective Libyan
2 oversight over the Libyan National Oil Corporation,
3 the Central Bank of Libya, and the Libyan Invest-
4 ment Authority;

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

12 (6) to employ sanctions and support war-crimes
13 prosecution, against any and all parties engaging in
14 attacks on civilians, medical workers, and critical in-
15 frastructure, including water supplies, in Libya;

16 (7) to contribute to the peace and stability of
17 Libya, prevent destabilizing arms shipments, and
18 support efforts to safeguard Libya’s oil resources in
19 accordance with United Nations Security Council
20 Resolutions 2259 (2015), 2278 (2016), 2362
21 (2017), and 2473 (2019);

22 (8) to leverage diplomatic relations to convince
23 the parties to the conflict in Libya to de-escalate
24 and persuade foreign powers to stop providing weap-
25 ons and financing that exacerbate the conflict;

1 (9) to encourage the parties to continue to en-
2 gage in the political process led by UNSMIL;

3 (10) to support the United Nations-mediated
4 political process, which seeks a negotiated and
5 peaceful solution to the Libyan crisis;

6 (11) that a negotiated and peaceful political so-
7 lution should include a transitional, civilian-led gov-
8 ernment representing all Libyans, preparations for
9 credible elections, a fair and transparent allocation
10 of resources, interim security arrangements, and a
11 process to reunify security and economic institu-
12 tions;

13 (12) to support constant, unimpeded, and reli-
14 able humanitarian access to those in need and to
15 hold accountable those who impede or threaten the
16 delivery of humanitarian assistance;

17 (13) to advocate for the immediate release and
18 safe evacuations of detained refugees and migrants
19 threatened by conflict in Libya;

20 (14) to assist implementation of UNSMIL's
21 plan for the organized and gradual closure of mi-
22 grant detention centers in Libya and ensure robust
23 protection assistance for refugees and migrants; and

1 (15) to support future democratic development
2 and the economic recovery of Libya both during and
3 after a negotiated and peaceful political solution.

4 **TITLE I—IDENTIFYING CHAL-**
5 **LENGES TO STABILITY IN**
6 **LIBYA**

7 **SEC. 101. CODIFICATION OF EXECUTIVE ORDER 13726.**

8 Notwithstanding any other provision of law or Execu-
9 tive order, Executive Order 13726 (81 Fed. Reg. 23559),
10 signed on April 19, 2016, and entitled “Blocking Property
11 and Suspending Entry into the United States of Persons
12 Contributing to the Situation in Libya” shall have the
13 force and effect of law.

14 **SEC. 102. REPORT ON ACTIVITIES OF CERTAIN FOREIGN**
15 **GOVERNMENTS AND ACTORS IN LIBYA.**

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

21 (1) a description of the full extent of involve-
22 ment in Libya by foreign governments, including the
23 Governments of Russia, Turkey, the United Arab
24 Emirates, Egypt, Sudan, Chad, the People’s Repub-
25 lic of China, Saudi Arabia, and Qatar, including—

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

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

9 (C) the estimated dollar value of various
10 types of equipment and financial support pro-
11 vided by each government described in this
12 paragraph to the parties to the conflict, includ-
13 ing foreign military contractors, mercenaries, or
14 paramilitary forces operating in Libya; and

15 (D) the identification of any regular or ir-
16 regular forces, including but not limited to mer-
17 cenary groups and militias operating inside
18 Libya, at the direction or with the consent of
19 governments listed in this paragraph;

20 (2) a determination and analysis of whether the
21 actions by the governments identified in paragraph
22 (1)—

23 (A) violate the arms embargo with respect
24 to Libya in accordance with United Nations Se-

1 security Council Resolution 2473 (2019) and
2 predecessor Security Council resolutions;

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

6 (C) involved weapons of United States ori-
7 gin or were in violation of United States end
8 user license agreements;

9 (3) a description of United States diplomatic
10 engagement with any governments found to be in
11 violation of the arms embargo regarding enforce-
12 ment of the embargo;

13 (4) a list of the specific offending materiel or fi-
14 nancial support transfers provided by a government
15 described in paragraph (1) that violate the arms em-
16 bargo with respect to Libya in accordance with
17 United Nations Security Council Resolution 2473
18 (2019) and predecessor Security Council resolutions;

19 (5) a determination and analysis of the activi-
20 ties of foreign armed groups, including the Russian
21 Wagner Group, military contractors and mercenaries
22 employed or engaged by the governments of Turkey
23 and the United Arab Emirates, affiliates of the Is-
24 lamic State (ISIS), al-Qaida in the Islamic Maghreb
25 (AQIM), and other extremist groups, in Libya;

1 (6) a determination of whether and to what extent the conflict in Libya is enabling the recruitment
2 and training efforts of armed groups, including affiliates of ISIS, AQIM, and other extremist groups;

3 (7) a description of European Union and North Atlantic Treaty Organization efforts to enforce the
4 United Nations arms embargo and facilitate a sustainable ceasefire, and of United States diplomatic
5 engagement on these efforts;

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

7 (9) a description of European Union and Arab League states' contributions to ceasefire monitoring,
8 arms embargo enforcement, and election support and how the United States can partner with the EU
9 and Arab League states on such contributions.

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

12 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

13 (1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select
14 Committee on Intelligence of the Senate; and

1 (2) the Committee on Armed Services, the
2 Committee on Foreign Affairs, and the Permanent
3 Select Committee on Intelligence of the House of
4 Representatives.

5 **SEC. 103. STRATEGY TO COUNTER RUSSIAN INFLUENCE IN**
6 **LIBYA.**

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

9 (1) In January 2020, General Stephen Town-
10 send, Commander of AFRICOM, warned that in
11 Libya, Russia seeks to “demonstrate itself as an al-
12 ternative partner to the West” and seeks to position
13 itself alongside the southern flank of NATO.

14 (2) On May 29, 2020, AFRICOM assessed that
15 Russia deployed 14 military aircraft to Libya to sup-
16 port Russian state-sponsored private military con-
17 tractors there.

18 (3) On June 18, 2020, AFRICOM Director of
19 Operations Brigadier General Bradford Gering stat-
20 ed that “Russia continues to push for a strategic
21 foothold on NATO’s southern flank . . . at the ex-
22 pense of innocent Libya lives”.

23 (4) In January 2021, United States officials
24 told the international press that mercenaries affili-

1 ated with the Wagner Group were constructing so-
2 phisticated defensive fortifications in central Libya.

3 (b) REPORT AND STRATEGY.—

4 (1) REPORT.—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of
6 State and the Secretary of Defense shall submit to
7 the appropriate congressional committees a report
8 on—

9 (A) an assessment of Russian influence
10 and objectives in Libya;

11 (B) the potential threat such influence
12 poses to the United States, southern Europe,
13 and NATO operations in the Mediterranean
14 Sea;

15 (C) Russia's use of currency issuing and
16 printing;

17 (D) Russia's use of mercenaries, military
18 contractors, and paramilitary forces in Libya;
19 and

20 (E) an assessment of the sanctions and
21 other policies adopted by United States part-
22 ners and allies against the Wagner Group and
23 its destabilizing activities in Libya.

24 (2) STRATEGY.—Not later than 30 days after
25 the date on which the report required by paragraph

1 (1) is submitted to the appropriate congressional
2 committees, the Secretary of State and the Secretary
3 of Defense shall brief the appropriate congressional
4 committees regarding a strategy to counter threats
5 identified in the report.

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

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

12 (A) the Committee on Armed Services, the
13 Committee on Foreign Relations, the Select
14 Committee on Intelligence, and the Committee
15 on Appropriations of the Senate; and

16 (B) the Committee on Armed Services, the
17 Committee on Foreign Affairs, the Permanent
18 Select Committee on Intelligence, and the Com-
19 mittee on Appropriations of the House of Rep-
20 resentatives.

21 **TITLE II—ACTIONS TO ADDRESS**
22 **FOREIGN INTERVENTION IN**
23 **LIBYA**

24 **SEC. 201. DEFINITIONS.**

25 In this title:

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

5 (2) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

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

11 (B) the Committee on Foreign Relations
12 and the Committee on Banking, Housing, and
13 Urban Affairs of the Senate.

14 (3) FOREIGN PERSON.—The term “foreign per-
15 son” means an individual or entity that is not a
16 United States person and that is not a foreign gov-
17 ernment, unless acting in a commercial capacity.

18 (4) KNOWINGLY.—The term “knowingly” with
19 respect to conduct, a circumstance, or a result,
20 means that a person has actual knowledge, or should
21 have known, of the conduct, the circumstance, or the
22 result.

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

1 (A) a United States citizen or an alien law-
2 fully admitted for permanent residence to the
3 United States;

4 (B) an entity organized under the laws of
5 the United States or any jurisdiction within the
6 United States, including a foreign branch of
7 such an entity; or

8 (C) any person in the United States.

9 **SEC. 202. IMPOSITION OF SANCTIONS WITH RESPECT TO**
10 **PERSONS SUPPORTING RUSSIAN MILITARY**
11 **INTERVENTION IN LIBYA.**

12 (a) **IN GENERAL.**—On and after the date that is 180
13 days after the date on which the report required by section
14 102 is submitted to the appropriate congressional commit-
15 tees, the President shall impose the sanctions described
16 in section 205 with respect to a foreign person if the Presi-
17 dent determines that the foreign person, on or after the
18 date of the enactment of this Act, knowingly engages in
19 an activity described in subsection (b).

20 (b) **ACTIVITIES DESCRIBED.**—A foreign person en-
21 gages in an activity described in this subsection if the per-
22 son knowingly provides significant financial, material, or
23 technological support to, or knowingly engages in a signifi-
24 cant transaction with a foreign person that is knowingly

1 operating in a military capacity in Libya for or on behalf
2 of the Government of the Russian Federation.

3 **SEC. 203. IMPOSITION OF SANCTIONS WITH RESPECT TO**
4 **PERSONS THREATENING THE PEACE OR STA-**
5 **BILITY OF LIBYA.**

6 (a) IN GENERAL.—On and after the date that is 180
7 days after the date of the enactment of this Act, the Presi-
8 dent shall impose the sanctions described in section 205
9 with respect to a foreign person if the President deter-
10 mines that the person, on or after the date of the enact-
11 ment of this Act, knowingly engages in an activity de-
12 scribed in subsection (b).

13 (b) ACTIVITIES DESCRIBED.—A foreign person en-
14 gages in an activity described in this subsection if, on or
15 after the date of enactment, the person knowingly—

16 (1) is engaging in significant actions that
17 threaten the peace, security, or stability of Libya by
18 supplying arms or related material to Libyan forces;

19 (2) is engaging in significant actions that ob-
20 struct, undermine, delay, or impede the United Na-
21 tions-mediated political process that seeks a nego-
22 tiated and peaceful solution to the Libyan crisis;

23 (3) is engaging in significant actions that lead
24 to or result in the misappropriation of significant as-
25 sets of the Government of Libya;

1 (4) is involved in, or has been involved in, the
2 significant illicit exploitation of crude oil or any
3 other natural resources in Libya, including the sig-
4 nificant illicit production, refining, brokering, sale,
5 purchase, or export of oil produced in Libya;

6 (5) is significantly threatening or coercing fi-
7 nancial institutions owned or controlled by the Gov-
8 ernment of Libya or the Libyan National Oil Com-
9 pany;

10 (6) is significantly responsible for actions that
11 are undermining—

12 (A) the United Nations-led political proc-
13 ess to end the conflict in Libya; or

14 (B) efforts to maintain peace and promote
15 stabilization and economic recovery in Libya;

16 (7) is significantly responsible for civilian cas-
17 ualties or violations of international humanitarian
18 law;

19 (8) is violating the UN arms embargo;

20 (9) is a successor entity to a person referred to
21 in any of paragraphs (1) through (8);

22 (10) owns or controls, or is owned or controlled
23 by, a person referred to in any of paragraphs (1)
24 through (8);

1 (11) is acting for or on behalf of a person re-
2 ferred to in any of paragraphs (1) through (8); or
3 (12) has provided, or attempted to provide, sig-
4 nificant financial, material, technological, or other
5 support for, or goods or services in support of, a
6 person referred to in any of paragraphs (1) through
7 (8).

8 **SEC. 204. IMPOSITION OF SANCTIONS WITH RESPECT TO**
9 **CERTAIN PERSONS WHO ARE RESPONSIBLE**
10 **FOR OR COMPLICIT IN HUMAN RIGHTS**
11 **ABUSES COMMITTED IN LIBYA.**

12 (a) IN GENERAL.—The President shall impose the
13 sanctions described in section 205 with respect to each for-
14 eign person on the list required by subsection (b).

15 (b) LIST OF PERSONS.—

16 (1) IN GENERAL.—Not later than 180 days
17 after the date of the enactment of this Act, the
18 President shall submit to the appropriate congress-
19 sional committees a list of foreign persons that the
20 President determines are knowingly responsible for
21 or complicit in, or to have directly or indirectly en-
22 gaged in, serious human rights abuses and violations
23 of international humanitarian law committed in
24 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 until the date that is 5 years after
7 such date of enactment; or

8 (B) as new information becomes available.

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

12 **SEC. 205. SANCTIONS DESCRIBED.**

13 The sanctions to be imposed with respect to a foreign
14 person under section 202, 203, or 204 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.—An alien described in section 202,
7 203, or 204(b)(1) is—

8 (i) inadmissible to the United States;

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

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

17 (B) CURRENT VISAS REVOKED.—

18 (i) IN GENERAL.—An alien described
19 in section 202, 203, or 204(b)(1) is subject
20 to revocation of any visa or other entry
21 documentation regardless of when the visa
22 or other entry documentation is or was
23 issued.

24 (ii) IMMEDIATE EFFECT.—A revoca-
25 tion under clause (i) shall—

- 1 (I) take effect immediately; and
2 (II) automatically cancel any
3 other valid visa or entry documenta-
4 tion that is in the alien's possession.

5 **SEC. 206. WAIVER; EXCEPTIONS.**

6 (a) **WAIVER.**—The President, acting through the Sec-
7 retary of State, may waive the application of sanctions im-
8 posed with respect to a foreign person under this title if
9 the Secretary—

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

12 (2) not later than the date on which the waiver
13 takes effect, submits to the appropriate congres-
14 sional committees a notice of and justification for
15 the waiver.

16 (b) **EXCEPTION FOR COMPLIANCE WITH INTER-**
17 **NATIONAL OBLIGATIONS.**—Section 205(2) shall not apply
18 to an alien if admitting or paroling the alien into the
19 United States is necessary to permit the United States
20 to comply with the Agreement regarding the Headquarters
21 of the United Nations, signed at Lake Success June 26,
22 1947, and entered into force November 21, 1947, between
23 the United Nations and the United States, or other appli-
24 cable international obligations of the United States.

1 (c) EXCEPTION RELATING TO IMPORTATION OF
2 GOODS.—

3 (1) IN GENERAL.—The authorities and require-
4 ments to impose sanctions under this title shall not
5 include the authority or requirement to impose sanc-
6 tions on the importation of goods.

7 (2) GOOD DEFINED.—In this subsection, the
8 term “good” means any article, natural or man-
9 made substance, material, supply or manufactured
10 product, including inspection and test equipment
11 and excluding technical data.

12 **SEC. 207. IMPLEMENTATION; REGULATIONS; PENALTIES.**

13 (a) IMPLEMENTATION.—The President may exercise
14 all authorities provided to the President under sections
15 203 and 205 of the International Emergency Economic
16 Powers Act (50 U.S.C. 1702 and 1704) to carry out this
17 title.

18 (b) REGULATIONS.—The President shall issue such
19 regulations, licenses, and orders as are necessary to carry
20 out this title.

21 (c) PENALTIES.—A person that violates, attempts to
22 violate, conspires to violate, or causes a violation of this
23 title or any regulation, license, or order issued to carry
24 out this title shall be subject to the penalties set forth in
25 subsections (b) and (c) of section 206 of the International

1 Emergency Economic Powers Act (50 U.S.C. 1705) to the
2 same extent as a person that commits an unlawful act de-
3 scribed in subsection (a) of that section.

4 **SEC. 208. TERMINATION.**

5 The requirement to impose sanctions under this title
6 shall terminate on December 31, 2026.

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

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

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

14 (1) the United States Government should—

15 (A) expand efforts to address Libya’s hu-
16 manitarian crisis, which has been exacerbated
17 by the conflict and the COVID–19 pandemic;

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

22 (C) leverage diplomatic relations with the
23 conflict parties, the United Nations, and the
24 European Union to ensure the release of vul-
25 nerable migrants and refugees from detention

1 centers and ensure their voluntary safe passage;
2 and

3 (D) expand efforts to document and pub-
4 licize violations of human rights and inter-
5 national humanitarian law and hold perpetra-
6 tors accountable; and

7 (2) humanitarian assistance to address the cri-
8 sis in Libya should be targeted toward those most
9 in need and delivered through partners that uphold
10 internationally recognized humanitarian principles.

11 (b) ASSISTANCE AUTHORIZED.—

12 (1) IN GENERAL.—The Administrator of the
13 United States Agency for International Develop-
14 ment, in coordination with the Secretary of State, is
15 authorized to provide humanitarian assistance to in-
16 dividuals and communities in Libya.

17 (2) INCLUDED ASSISTANCE.—Assistance au-
18 thorized by paragraph (1) shall include the following
19 to affected communities, including refugee and mi-
20 grant populations:

21 (A) Urgently needed health assistance, in-
22 cluding logistical and technical assistance to
23 hospitals, ambulances, and health clinics to sup-
24 port an effective COVID–19 response and edu-

1 cational resources to increase COVID–19 vac-
2 eine acceptance.

3 (B) Resources and training to increase
4 communication and education to help commu-
5 nities slow the spread of COVID–19 and to in-
6 crease future vaccine acceptance.

7 (C) Public health commodities and serv-
8 ices, including medicines and basic medical sup-
9 plies and equipment.

10 (D) Protection assistance for vulnerable
11 populations, including women, children, refu-
12 gees, and migrants.

13 (E) Other assistance, including food, shel-
14 ter, water, sanitation, and hygiene (WASH), as
15 needed.

16 (F) Technical assistance to ensure health,
17 food, and commodities are appropriately se-
18 lected, procured, targeted, and distributed.

19 (c) STRATEGY.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of State,
21 in coordination with the Administrator of the United
22 States Agency for International Development, shall submit
23 to the appropriate congressional committees a strategy on
24 the following:

1 (1) How the United States Government, work-
2 ing with relevant foreign governments and multilat-
3 eral organizations, plans to address the humani-
4 tarian situation in Libya.

5 (2) How to leverage diplomatic and assistance
6 tools as well as strategic burden-sharing with inter-
7 national partners to improve the humanitarian situa-
8 tion in Libya.

9 (3) How to confront humanitarian access chal-
10 lenges, which have been compounded by COVID–19,
11 and ensure the delivery of humanitarian aid.

12 (4) How to ensure protection for vulnerable ref-
13 ugees and migrants.

14 (5) How to address tragic and persistent deaths
15 of migrants and refugees at sea and human traf-
16 ficking.

17 (6) How the United States will engage in diplo-
18 matic efforts to ensure support from international
19 donors, including foreign governments and multilat-
20 eral organizations.

21 (d) DIPLOMATIC ENGAGEMENT.—The Secretary of
22 State, in consultation with the Administrator of the
23 United States Agency for International Development, shall
24 work with relevant foreign governments and multilateral
25 organizations to coordinate a high-level donor summit and

1 carry out diplomatic engagement to advance the provision
2 of humanitarian assistance to the people of Libya and
3 international migrants and refugees in Libya and carry
4 out the strategy required under subsection (c).

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

- 8 (1) the Committee on Foreign Relations and
9 the Committee on Appropriations of the Senate; and
- 10 (2) the Committee on Foreign Affairs and the
11 Committee on Appropriations of the House of Rep-
12 resentatives.

13 **SEC. 302. SUPPORT FOR DEMOCRATIC GOVERNANCE, ELEC-**
14 **TIONS, AND DEMOCRATIC CIVIL SOCIETY.**

15 (a) IN GENERAL.—The Secretary of State, in coordi-
16 nation with the Administrator of the United States Agen-
17 cy for International Development, shall—

- 18 (1) work with the United Nations Support Mis-
19 sion in Libya to bolster Libyan efforts to prepare for
20 national elections;
- 21 (2) work to help the people of Libya and a fu-
22 ture Libyan government unify Libyan financial and
23 governing institutions to deliver tangible results that
24 improve the lives of the Libyan people;

1 (3) work to ensure transparent, credible, and
2 inclusive future referenda and elections in Libya, in-
3 cluding through supporting electoral security and
4 domestic and international election observation and
5 by providing related training and technical assist-
6 ance to institutions with election-related responsibil-
7 ities; and

8 (4) work with nongovernmental organizations—

9 (A) to strengthen democratic governance
10 and institutions to ensure that future elected
11 governments are able to deliver improvements
12 to the Libyan people, support decentralization,
13 and give the public a stronger voice in their
14 government;

15 (B) to increase public and stakeholder con-
16 fidence in Libya’s electoral system;

17 (C) to defend internationally recognized
18 human rights for the people of Libya, including
19 support for efforts to document crimes against
20 humanity and violations of human rights;

21 (D) to combat corruption and improve the
22 transparency and accountability of government
23 institutions; and

24 (E) to support the efforts of state and
25 independent media outlets to broadcast, dis-

1 tribute, and share accurate and reliable news
2 and information with the people of Libya.

3 (b) STRATEGY REQUIREMENT.—

4 (1) IN GENERAL.—Not later than 45 days after
5 the date of the enactment of this Act, the Secretary
6 of State, in coordination with the Administrator of
7 the United States Agency for International Develop-
8 ment, shall submit to the appropriate congressional
9 committees a strategy to carry out the activities de-
10 scribed in subsection (a). The strategy shall be up-
11 dated, including with benchmarks of progress made
12 to date, and resubmitted to the appropriate congres-
13 sional committees not later than 15 days after the
14 scheduling of credible presidential and parliamentary
15 elections in Libya.

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

19 (A) the Committee on Foreign Relations
20 and the Committee on Appropriations of the
21 Senate; and

22 (B) the Committee on Foreign Affairs and
23 the Committee on Appropriations of the House
24 of Representatives.

25 (c) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There is authorized to be
2 appropriated to the Secretary of State \$23,000,000
3 for each of fiscal years 2022 through 2026 to carry
4 out subsection (a).

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

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

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

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

21 (a) IN GENERAL.—The Secretary of the Treasury, in
22 consultation with the Secretary of State and the Adminis-
23 trator of the United States Agency for International De-
24 velopment, shall instruct the United States Executive Di-
25 rector at each international financial institution to use the

1 voice, vote, and influence of the United States to support
2 a Libyan-led process to develop a framework for the eco-
3 nomic recovery of Libya and improved public sector finan-
4 cial management, complementary to United Nations-led
5 peace efforts and in support of the future establishment
6 of democratic institutions and the rule of law in Libya.

7 (b) ADDITIONAL ELEMENTS.—The framework de-
8 scribed in subsection (a) shall include the following policy
9 proposals:

10 (1) To reunify the leadership and operations of
11 Libya’s key economic ministries and institutions.

12 (2) To improve the efficiency and reach of Lib-
13 yan government programs that support poverty alle-
14 viation and a social safety net.

15 (3) To assist in reconciling the public accounts
16 of national financial institutions and letters of credit
17 issued by private Libyan financial institutions.

18 (4) To restore the production and efficient
19 management of Libya’s oil industry, including re-
20 building any damaged energy infrastructure.

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 to minimize corruption
3 and ensure resources equitably serve the people of
4 Libya.

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

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 advance a co-
8 ordinated 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.

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