AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

117th Congress, 2d Session – – – – – – – – – – – – – – House Document 117–95

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO LIBYA

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

NOTIFICATION THAT THE NATIONAL EMERGENCY WITH RESPECT TO LIBYA, THAT WAS DECLARED IN EXECUTIVE ORDER 13566 OF FEBRUARY 25, 2011, IS TO CONTINUE IN EFFECT BEYOND FEBRUARY 25, 2022, PURSUANT TO 50 U.S.C. 1622(d); PUBLIC LAW 94–412, SEC. 202(d); (90 STAT. 1257)



FEBRUARY 25, 2022.—Referred to the Committee on Foreign Affairs and ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

29–011 WASHINGTON : 2022

THE WHITE HOUSE,
Washington, February 22, 2022.

Hon. NANCY PELOSI,
Speaker of the House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Libya declared in Executive Order 13566 of February 25, 2011, and expanded in Executive Order 13726 of April 19, 2016, is to continue in effect beyond February 25, 2022.

Libyans confront ongoing instability originating from actions Colonel Muammar Qadhafi, his government, and close associates took against the people of Libya in 2011. Civil conflict in Libya will continue until Libyans resolve their political divisions and foreign military intervention ends. Because many of these divisions relate to access to resources, a serious risk remains that, if not protected, Libyan state assets will be misappropriated by parties determined to undermine the ongoing United Nations peace process, including former members of the Qadhafi government, members of the Qadhafi family, or Qadhafi's close associates. The diversion of these resources could prolong and deepen the current instability in Libya, which benefits ISIS and other terrorist groups that pose a serious threat to the national security of the United States and the security of regional partners. We run the risk of military escalation if sanctions do not remain in effect, particularly since those who reject dialogue and obstruct and undermine Libya's democratic transition remain interested in exploiting the wealth of the Libyan people to advance their narrow self-interest and perpetuate conflict in the country.

The situation in Libya continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, and we need to protect against the diversion of assets or other abuse by persons hindering Libyan national reconciliation, including Qadhafi's family and associates.

Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13566 with respect to Libya.

Sincerely,

JOSEPH R. BIDEN, Jr.

NOTICE

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO LIBYA

On February 25, 2011, by Executive Order 13566, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of Colonel Muammar Qadhafi, his government, and close associates, which took extreme measures against the people of Libya, including by using weapons of war, mercenaries, and wanton violence against unarmed civilians. In addition, there was a serious risk that Libyan state assets would be misappropriated by Qadhafi, members of his government, members of his family, or his close associates if those assets were not protected. The foregoing circumstances, the prolonged attacks, and the increased numbers of Libyans seeking refuge in other countries from the attacks caused a deterioration in the security of Libya and posed a serious risk to its stability.

On April 19, 2016, the President signed Executive Order 13726, which expanded the scope of the national emergency declared in Executive Order 13566. The President found that the ongoing violence in Libya, including attacks by armed groups against Libyan state facilities, foreign missions in Libya, and critical infrastructure, as well as human rights abuses, violations of the arms embargo imposed by United Nations Security Council Resolution 1970 (2011), and misappropriation of Libya's natural resources threaten the peace, security, stability, sovereignty, democratic transition, and territorial integrity of Libya, and thereby constitute an unusual and extraordinary threat to the national security and foreign policy of the United States.

The situation in Libya continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, and measures are needed to protect against the diversion of assets or other abuses by members of Qadhafi's family, their associates, and other persons hindering Libyan national reconciliation.

For this reason, the national emergency declared on February 25, 2011, and expanded on April 19, 2016, must continue in effect beyond February 25, 2022. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13566.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, *February 22, 2022.*

○