

107TH CONGRESS
1ST SESSION

S. 244

To provide for United States policy toward Libya.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2001

Mrs. FEINSTEIN (for herself, Mr. HELMS, Mr. BROWNBACK, Mr. LEAHY, Mr. REID, Mr. NELSON of Nebraska, Mrs. CLINTON, Mr. DODD, Mr. BAUCUS, Mrs. BOXER, Mr. BYRD, and Mr. CARPER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide for United States policy toward 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.**

4 This Act may be cited as the “Justice for the Victims
5 of Pan Am 103 Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) 270 people, including 189 Americans, were
9 killed in the terrorist bombing of Pan Am Flight

1 103 over Lockerbie, Scotland on December 21,
2 1988;

3 (2) On January 31, 2001 the three judges of
4 the Scottish court meeting in the Netherlands to try
5 the two Libyan suspects in the bombing of Pan Am
6 103 found that “the conception, planning and execu-
7 tion of the plot which led to the planting of the ex-
8 plosive device was of Libyan origin”;

9 (3) The Court found conclusively that Abdel
10 Basset Ali Megrahi “caused an explosive device to
11 detonate on board Pan Am 103” and sentenced him
12 to a life term in prison;

13 (4) The Court accepted the evidence that Abdel
14 Basset Ali Megrahi was a member of the
15 Jamahiriyah Security Organization, one of the main
16 Libyan intelligence services;

17 (5) United Nations Security Council Resolu-
18 tions 731 and 748 of 1992 applied economic sanc-
19 tions against Libya until Libya extradited the Pan
20 Am 103 suspects and cooperated with the court,
21 and, although the United Nations has suspended the
22 sanctions, the Secretary-General’s report of June 30,
23 1999, which stated that Libya was cooperating with
24 the court did not recommend permanently dropping
25 the sanctions.

1 (6) The United Nations Security Council has
2 required Libya to pay compensation to the families
3 of the victims of Pan Am 103 if the suspects are
4 found guilty, and end support for international ter-
5 rorism before multilateral sanctions can be perma-
6 nently lifted;

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) GOVERNMENT OF LIBYA.—The term “Gov-
10 ernment of Libya” includes any agency or instru-
11 mentality of the Government of Libya.

12 (2) UNITED STATES ASSISTANCE.—The term
13 “United States assistance” means—

14 (A) any assistance under the Foreign As-
15 sistance Act of 1961 (including programs under
16 title IV of chapter 2, relating to the Overseas
17 Private Investment Corporation);

18 (B) sales, or financing on any terms, under
19 the Arms Export Control Act;

20 (C) the provision of agricultural commod-
21 ities under the Agricultural Trade Development
22 and Assistance Act of 1954; and

23 (D) financing under the Export-Import
24 Bank Act of 1945.

1 **SEC. 4. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) the Government of Libya and its leader,
4 Moammar Gaddafi, should be condemned, in the
5 strongest possible terms, for support of international
6 terrorism, including the bombing of Pan Am 103;

7 (2) the Government of Libya should imme-
8 diately make a full and complete public accounting
9 of and apology for the bombing of Pan Am 103 and
10 provide adequate and due compensation to the fami-
11 lies of the victims of Pan Am 103;

12 (3) the President, Secretary of State, and other
13 United States Government officials should encourage
14 other countries to maintain international sanctions
15 against Libya until Libya provides a full and com-
16 plete public accounting and apology and accepted
17 public responsibility for the bombing of Pan Am
18 103, pays compensation to the families of the vic-
19 tims of Pan Am 103, and ends support for inter-
20 national terrorism;

21 (4) the President should instruct the United
22 States Permanent Representative to the United Na-
23 tions to encourage the members of the United Na-
24 tions Security Council to maintain United Nations
25 sanctions against Libya until Libya provides a full
26 and complete public accounting and apology and ac-

1 cepted public responsibility for the bombing of Pan
2 Am 103, pays compensation to the families of the
3 victims of Pan Am 103, and ends support for inter-
4 national terrorism, and to oppose any efforts to lift
5 United Nations sanctions until these conditions are
6 met; and

7 (5) the President should consult fully with Con-
8 gress in considering policy toward Libya.

9 **SEC. 5. POLICY OF THE UNITED STATES TOWARD LIBYA.**

10 (a) IN GENERAL.—It shall be the policy of the United
11 States to oppose the removal of United Nations sanctions,
12 United States sanctions (including sanctions imposed pur-
13 suant to the authorities of law specified in subsection (b)),
14 the travel ban, and all other United States restrictions on
15 Libya until the conditions specified in section 7 have been
16 satisfied.

17 (b) COVERED SANCTIONS.—The authorities of law
18 specified in this subsection are the following:

19 (1) The International Security and Develop-
20 ment Cooperation Act of 1981 (Public Law 97–
21 113).

22 (2) The International Security and Develop-
23 ment Cooperation Act of 1985 (Public Law 99–83).

- 1 (4) The Government of Libya has taken real
- 2 and concrete steps to end support for international
- 3 terrorism.

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