

President Barack Obama

May 13, 2011

The White House

Washington, D.C.

RE: Col. Gaddafi, No. 2 terrorist killer of Americans

Dear President Obama:

We are writing to urgently request that you meet with the Families of Pan Am 103/Lockerbie and review with the National Security Council and other relevant advisors present U.S. policy of not targeting Gaddafi while providing minimal resources if not outright obstruction of the Pan Am 103 criminal investigation. Libya has acknowledged its responsibility for the second most deadly attack against American civilians by terrorism, i.e. the bombing of Pan Am 103 over Lockerbie Scotland on December 21, 1988 which murdered 270 including 189 Americans. But although Gaddafi has been the dictator of Libya for 42 years, he has so far escaped any personal responsibility.

However, since 2011, new evidence has emerged and new leads are readily available that point directly to Gaddafi's personal responsibility for the mass murder of our loved ones. This includes a recently signed, sworn statement by Mustafa Mohammed Abdul Jalil, the ex-Gaddafi Minister of Justice and now Chairman of the Libyan Transitional Council, claiming to have "proof that Gadaffi gave the order about Lockerbie." Copy Gaddafi's enclosed herewith.

To date, notwithstanding a statement by Secretary Clinton to the House Foreign Affairs Committee on March 1, 2011 that the U.S. would "move expeditiously" to prosecute Gaddafi and she would meet promptly with Attorney General Holder, no real renewed investigation is apparently underway. The White House, Justice Dept. and FBI officials have ignored our requests to meet, and the staffer on the National Security Council who briefed Pan Am 103 family members by conference call on apr 8, 2011, has not responded to our complaint that DOJ and DOS each point fingers at the other whenever asked why no witnesses are being questioned, except to say our concerns would be passed on. Copy of news report enclosed. FBI special agent Michael O'Callahan who reports he has been on this investigation for 8 years only returned our phone calls of several weeks ago yesterday, explaining that his voice mail had been unattended while he was on vacation.

The undersigned personally delivered to Secretary Clinton a letter dated February 28<sup>th</sup>, also copying Attorney General Holder and National Security Advisor Donilon laying out the new evidence, the new leads, the unique U.S. capabilities, and justifications for a Gaddafi criminal investigation and prosecution. We have also contacted the US Attorney in the Eastern District of New York who advised that any investigation would be handled by the Justice Department in Washington. Copy of Letter enclosed.

We have now had indirect contact with the potential witnesses against Gaddafi, but they indicate there have been no interviews conducted by the FBI of Mr. Jalil or other readily available defecting Gaddafi officials regarding the Pan Am 103 bombing. This includes Musa Kusa, the ex-intelligence chief and long

time chief Gaddafi hatchet man (as noted by ex-CIA Director George Tennant in his book confirming that he has American blood on his hands).

Instead of pursuing the Lockerbie bombing criminal investigation as promised by successive Attorneys General since 1989 as well as by Secretary Clinton in March, the U.S. Dept. of Treasury's Office of Foreign Assets Control (OFAC) incredibly lifted the financial and travel sanctions against Musa Kusa, without interrogating him (and promised to give the same "free pass" treatment for any other defecting Gaddafi official). Musa Kusa who has defected, traveled to London, was not detained, was allowed to attend a conference on Libya in the Gulf over the objection of the Transitional National Council (who wants him for the torture and killing of thousands of Libyans under Gaddafi) after he promised to return to the UK. He has now conveniently disappeared! Copy of OFAC announcement enclosed.

The promise of full cooperation with the criminal investigation of the Pan Am 103 was also made a condition for lifting of UN Security Council sanctions and the Libyan government issued a formal pledge to do so in 2003. This promise turned out to be hollow, as the George W. Bush Administration and the Tony Blair UK Government promptly ignored their pledge to pursue the criminal investigation and the State and Justice Departments declined to press the Gaddafi regime to allow US agents to gather evidence or question witnesses in Libya and/or follow other normal criminal investigation techniques used to bring criminal or terrorist conspirators to justice. Copy of letter by Libya to UN enclosed, and letters of FOIPA103/Lockerbie to DOJ & President enclosed.

Col. Gaddafi continues to cling to power and is now reported to have amassed over \$7 billion in gold plus shiploads of US currency in Tripoli to support his murderous ways indefinitely. Sanctions, NATO air strikes, peaceful demonstrations, rebel fighter attacks, UN and Arab League resolutions have only hardened Gaddafi's resolve to slaughter his internal opponents with military force and perhaps renew to terror attacks against the West. A lengthy stalemate with more losses of blood and treasure is now in the offing unless Gaddafi is formally de-legitimized as the leader of Libya. Accordingly, we urge you to review and re-think the current U.S. policy that effectively eschews any serious criminal investigation, indictment, rendition, reprisal or other direct action targeting Col. Gaddafi.

Only the U.S. has the power, credibility and jurisdiction to prosecute Gaddafi for the mass murder of Pan Am 103. The International Criminal Court lacks jurisdiction to investigate or prosecute any crimes committed prior to its 2002 inception and the U.S. is not a signatory to the treaty establishing it. The UK and Scottish justice system have been hopelessly compromised by releasing to Libya the only person convicted of the Lockerbie bombing, Libyan intelligence agent Megrahi, on bogus medical grounds in 2009 (prompted by secret corporate lobbying by BP Oil and others whose Libyan oil contracts were threatened by Gaddafi unless Megrahi was returned to Libya).

### Conclusion

Solid legal and constitutional grounds, as well as moral and foreign policy reasons, justify the policy changes we are advocating (see Memorandum of Law enclosed). But we respectfully submit this really comes down to one fundamental issue: **Will you genuinely stand up for bringing Gaddafi and other foreign terrorist leaders to Justice for the mass murder of Americans and follow the dictates of U.S. and international anti-terrorism laws, backing up your stance with the full resources of the U.S. Government, or, will you forsake Justice for terrorist leaders like Gaddafi and his henchmen with de facto immunity and follow the counsel of those who would urge expediency in favor of other U.S. foreign policy and corporate interests?** The world at large, and terrorist leaders and their agents in Libya, Iran, and Pakistan in particular, will be carefully watching in what direction you take United States of America.

We pray for you to make decisions that protect American lives while upholding the ideals we all cherish.

Sincerely,

Paul Hudson

Victoria Cummock

Father of Melina

Widow of John

Enc.

Co-presidents, Families of Pan Am 103/Lockerbie

Cc: Secretary of State Hillary Clinton

Attorney General Eric Holder

National Security Advisor, Tom Donilon