



U.S. Department of Justice

Office of Legislative Affairs

Assistant Attorney General

Washington, D.C. 20530

AUG 24 2011

The Honorable Robert Menendez
United States Senate
Washington, D.C. 20510

Dear Senator Menendez:

This responds to your letter to Attorney General Eric Holder and Secretary of State Hillary Rodham Clinton, dated June 15, 2011, regarding the investigation into the 1988 bombing of Pan Am Flight 103 over Lockerbie, Scotland. The Department of Justice shares your interest in recent events in Libya that may reveal additional information about those involved in the bombing. We are sending an identical response to Senator Frank R. Lautenberg, who joined in your letter to us.

For over two decades, Department of Justice prosecutors and the Federal Bureau of Investigation (FBI) have pursued justice on behalf of the victims of the bombing of Pan Am Flight 103. The FBI and Scottish authorities conducted parallel criminal investigations that, in November 1991, resulted in both U.S. and Scottish criminal charges against Abdel Basset Mohamed al Megrahi and Lamin Khalifah Fhimah. The Department provided significant support, including evidence and witnesses, during the lengthy Scottish trial that took place in the Netherlands. On January 31, 2001, defendant Megrahi was convicted of the murder of 270 victims and sentenced to life in prison, with a minimum sentence of 27 years before he would be eligible for parole.

The Department worked closely with the Scottish Crown Office and the Lord Advocate's Department to defend against Megrahi's appeals of his criminal conviction. Those efforts were successful and Megrahi's conviction was upheld by the Scottish Court of Criminal Appeal. The Department also vigorously opposed Megrahi's return to Libya under any circumstances. Regrettably, despite opposition by the Department and the victims' families, the Scottish government granted Mr. Megrahi's application for compassionate release.

We are aware of recent media reports that a former Libyan justice minister, Mustapha Abdel-Jalil, claims to have documents and other evidence implicating Muammar Gaddafi in the bombing plot. According to these reports, Mr. Abdel-Jalil claims to have information based on conversations with Libyan officials who met with Megrahi while he was in prison in Scotland.

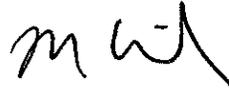
The Honorable Robert Menendez
Page Two

The Department shares your outrage that other individuals responsible for the murders may have escaped prosecution. The investigation into the bombing remains open and active. Indeed, the U.S. indictment against Megrahi and Fhimah remains pending.

As you likely know, the Department has a longstanding policy of not commenting on the specific investigative steps that are being taken in a particular case. However, the Department remains actively engaged in this investigation and will continue to follow any leads that could result in evidence to support a criminal prosecution.

We hope that this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matters.

Sincerely,

A handwritten signature in black ink, appearing to read 'm w', is positioned above the typed name of the sender.

Ronald Weich
Assistant Attorney General