

3 AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE

BOEHLERT OF NEW YORK, OR HIS

DESIGNEE, TO BE DEBATABLE FOR 20 MINUTES.

18

**AMENDMENT TO H.R. 4548, AS REPORTED
OFFERED BY MR. BOEHLERT**

At the end of title III (page 11, after line 8), insert
the following new section:

1 **SEC. 304. SENSE OF CONGRESS ON THE DISMANTLING AND**
2 **REMOVAL OF LIBYA'S WEAPONS OF MASS DE-**
3 **STRUCTION.**

4 (a) FINDINGS.—The Congress finds the following:

5 (1) Libya has been listed as a state sponsor of
6 terrorism by the Department of State each year
7 since 1979.

8 (2) A German court found the Libyan Govern-
9 ment guilty of the East Berlin La Belle disco bomb-
10 ing of 1986, in which two US servicemen were
11 killed.

12 (3) A Scottish court in January 2001 found a
13 former Libyan official guilty of the 1988 bombing of
14 Pan Am Flight 103.

15 (4) Libya received and deserved world's con-
16 demnations for these horrific acts against innocents.

17 (5) In March 2003, while Coalition Forces were
18 preparing to liberate Iraq, Libya quietly approached
19 members of the intelligence services of the United



1 States and United Kingdom and indicted a willing-
2 ness to discuss Libya's weapons of mass destruction
3 programs.

4 (6) On December 19, 2003, after nine months
5 of intense negotiations, Libya publicly announced
6 that it was prepared to eliminate all elements of its
7 clandestine nuclear and chemical weapons programs.

8 (7) The United States, the United Kingdom,
9 partners in the Proliferation Security Initiative and
10 key arms control agencies, including the Inter-
11 national Atomic Energy Agency (IAEA) and the Or-
12 ganization for the Prohibition of Chemical Weapons
13 (OPCW), have worked in a multilateral and con-
14 certed fashion with Libya in an effort to completely
15 dismantle Libya's weapons of mass destruction pro-
16 grams and the means to deliver them.

17 (8) Because of the hard work by the men and
18 women of the intelligence community, United States
19 policymakers were able to work successfully to con-
20 vince Libya to relinquish its WMD programs.

21 (9) On January 27, 2004, a cargo plane flew
22 from Libya to Knoxville, Tennessee, carrying 55,000
23 pounds of equipment and documents relating to
24 Libya's nuclear weapons and missile programs.



1 (10) Documents relating to those programs in-
2 dicate that Libya had purchased a virtual “turnkey
3 facility” to produce parts for gas centrifuges to-
4 gether with assistance to assemble and test these
5 centrifuges, and was otherwise attempting to develop
6 a large uranium enrichment plant which could have
7 produced enough fuel for several nuclear bombs a
8 year.

9 (11) On January 24, 2004, Libya announced
10 that it would accede to the Chemical Weapons Con-
11 vention (CWC).

12 (12) On March 4, 2004, Libya submitted its
13 Chemical Weapons Convention declaration, including
14 a full declaration of its chemical weapons, an inven-
15 tory of its production capacity, a description of any
16 industrial activity that could be involved in making
17 illegal weapons, and a plan for destroying any
18 banned materials.

19 (13) All of Libya’s known chemical munitions
20 have since been destroyed and the country’s stocks
21 of mustard gas have been consolidated within a sin-
22 gle secure facility under the supervision of the
23 OPCW.

24 (14) On May 6, 2004, a cargo ship departed
25 Libya for the United States carrying an additional



1 1,000 tons of weapons of mass destruction equip-
2 ment, including centrifuge parts and components
3 needed to enrich uranium, the Libyan uranium con-
4 version facility and all associated equipment, five
5 SCUD-C missiles and launchers, and two partial
6 missiles.

7 (15) In testimony before the Committee on
8 International Relations of the House of Representa-
9 tives on May 10, 2004, Assistant Secretary of State
10 for Verification and Compliance, Paula DeSutter, in-
11 dicated that Libya had signed the additional protocol
12 for the IAEA in Vienna and announced "the com-
13 plete dismantlement of Libya's longest range and
14 most sophisticated missiles and the elimination of all
15 of Libya's declared chemical munitions".

16 (16) International inspectors and monitors are
17 expected to remain on the ground with full coopera-
18 tion from Libya to ensure that Libya possesses no
19 biological weapons programs and that its weapons of
20 mass destruction programs have been fully disman-
21 tled and or converted to civilian use.

22 (17) The United States and Libya currently are
23 engaged in talks to enter a third phase of negotia-
24 tions focused on follow-up, verification, and long-
25 term monitoring to ensure that Libya's weapons of



1 mass destruction programs and the means to deliver
2 them have been completely dismantled, as well as
3 plans for the retraining of Libyan scientists and
4 technicians for peaceful work.

5 (18) Libya's cooperation with international in-
6 spectors and revelations about procurement net-
7 works have helped identify numerous black market
8 suppliers in an "international supermarket" for nu-
9 clear parts and weapons designs that also has aided
10 such countries as Iran, Syria, and North Korea.

11 (19) Other countries voluntarily have disman-
12 tled their weapons of mass destruction programs,
13 but Libya is the first and only country on the De-
14 partment of State's list of State Sponsors of Ter-
15 rorism to do so.

16 (20) Libya's decision to shed its pariah status
17 and divest itself of its weapons of mass destruction
18 programs can be directly attributed to the dem-
19 onstrated resolve of the United States in the global
20 war against terrorism, the liberation of Iraq by
21 United States Armed Forces and Coalition Forces,
22 and the adoption of policies in targeting and seizing
23 shipments of such weapons.

24 (21) It is appropriate to pursue a policy of cau-
25 tious and deliberate re-engagement with Libya based



1 upon verifiable results, but the United States should
2 not restore full diplomatic relations with Libya un-
3 less and until Libya has—

4 (A) agreed and submitted to comprehen-
5 sive monitoring of the full dismantling of its
6 weapons of mass destruction programs;

7 (B) severed all links to and support for
8 acts of international terrorism;

9 (C) ceased all support for insurgency
10 groups which have destabilized countries in Af-
11 rica;

12 (D) demonstrated respect for human rights
13 and the rule of law;

14 (E) implemented its pledge to cooperate in
15 the further investigation of the destruction of
16 Pan Am Flight 103; and

17 (F) settled all legal claims relating to past
18 acts of international terrorism, including but
19 not limited to the bombings of Pan Am Flight
20 103 and the La Belle Discotheque.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 (1) the world has been made safer with the dis-
24 mantling and removal of Libya's weapons of mass
25 destruction and the means to deliver them;



1 (2) this would not have been possible if not for
2 the demonstrated resolve of the United States in the
3 global war on terror and in the liberation of Iraq by
4 United States and Coalition Forces;

5 (3) the President should be commended for hav-
6 ing the courage to undertake those policies which
7 persuaded Libya to agree to relinquish such weap-
8 ons; and

9 (4) other countries such as Iran, Syria, and
10 North Korea, should follow Libya's example, and
11 voluntarily dismantle their weapons of mass destruc-
12 tion and submit their programs to international in-
13 spections.

