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April 12, 2004

The Honorable John Ashcroft
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Attorney General:

On March 15, 2004, the Federal Bureau of Investigation provided a classified briefing to staff of the Government Reform Committee regarding the departure of members of Osama bin Laden's family and the Saudi royal family following the September 11, 2001, attacks. This briefing addressed allegations made in an article in *Vanity Fair* last fall, which reported that the U.S. government allowed members of the bin Laden family and the Saudi royal family to leave the country in the weeks following September 11 without meaningful interviews.¹ This and other articles also reported that the U.S. government allowed private domestic flights to transport some of these individuals during the post-September 11 ban on private aviation.²

I am writing to urge that you disclose publicly the information provided to the Committee staff. Disclosure of this information would be helpful to members of Congress, the public, and especially the family members of September 11 victims seeking to resolve questions about how the U.S. government handled the investigation of the bin Laden and Saudi royal family members in the United States.

Some of the information in the briefing could help dispel doubts about aspects of the Administration's conduct. For example, I believe that information provided in the briefing could help allay concerns regarding the allegations that special flight privileges were provided to Saudi royalty during the ban on U.S. aviation.

At the same time, however, the briefing raised new questions about the decision by senior Administration officials to allow members of the bin Laden family and the

¹ *Saving the Saudis*, *Vanity Fair*, 162, 175 (Oct. 2003).

² *Id.* at 162, 164, 166; *Phantom Flight from Florida*, *Tampa Tribune* (Oct. 5, 2001).

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Saudi royal family to leave the country so soon after the September 11 attacks. To resolve these questions, I believe that Congress and the public should be told the identity of the individuals allowed to leave the country, and the responsible officials should explain the treatment these individuals received.

In particular, I am concerned about apparent disparities between the considerations provided to members of the bin Laden family and the Saudi royal family and the treatment that so many other Arabs and Arab-Americans received from our government. In the weeks and months following the September 11 attacks, federal law enforcement officials launched a virtual dragnet targeting foreign nationals from Arab nations. During this time, hundreds of Arabs — as well as some Arab-Americans — were held for days, weeks, and even months against their will, sometimes in solitary confinement.³

Against this backdrop, the treatment that members of the bin Laden family received from federal authorities is difficult to understand.

I understand the need to ensure that sensitive information is not disclosed. Based on the briefing my staff received, however, I believe you could make detailed additional information available to Congress and the public without compromising the ongoing investigation into the September 11 attacks.

Recent testimony by Richard Clarke, the Administration's former counterterrorism chief, has raised understandable doubts in the minds of many Americans about the Administration's conduct. Openness and disclosure of relevant information is the best way to address these concerns.

Sincerely,



Henry A. Waxman
Ranking Minority Member

cc: The Honorable Tom Davis

³ E.g., Human Rights Watch, *Presumption of Guilt: Human Rights Abuses of Post-September 11 Detainees* (Aug. 2002); *Held Without Charge; Material Witness Law Puts Detainees in Legal Limbo*, *Newsday* (Sept. 18, 2002); *Swept up in a Dragnet, Hundreds Sit in Custody and Ask 'Why'?*, *New York Times* (Nov. 25, 2001).