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**House of Representatives**

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November 12, 2009

The Honorable Barack H. Obama  
The President  
The White House  
Washington DC 20500

Dear Mr. President:

As the author of the language that created the National Commission on Terrorism in 1998 and the ranking Republican on the House Appropriations subcommittee with oversight authority for the Justice Department, I remain deeply concerned about the administration's imminent release of as many as 26 Guantanamo Bay detainees to Yemen -- a growing haven for al Qaeda in the Persian Gulf. It is my understanding that you are also preparing to release several other detainees to another country that anyone with a basic understanding of world affairs would agree is unacceptable.

The American people have the right to know who these detainees are and what acts of terror they were engaged in. If the public had this information, they would never tolerate the release of these men back into unstable countries with a sizeable al Qaeda presence.

If the administration does not halt these pending releases immediately, it could be responsible for creating a new revolving door of terrorism that will cost American lives. The security of the American people could be at risk because of your administration's relentless pursuit of a campaign promise to close Guantanamo Bay by January 22, 2010.

Why has the administration made basic information about these dangerous detainees so highly classified that it cannot be shared with the American people or the media? I have reviewed the materials. These are dangerous individuals. To release committed al Qaeda terrorists back to Yemen under these conditions would be an act of gross malfeasance that undermines the safety of the American people.

Earlier this year, I offered an amendment to the fiscal year 2009 supplemental appropriations bill requiring the administration to provide unclassified fact sheets and threat analyses of any Guantanamo detainees scheduled for release. The American people have the right to this information, which has direct implications on the safety of our military and civilians. The amendment was defeated by a partisan vote thus allowing your administration to operate under a cloak of secrecy to empty Guantanamo Bay.

The Honorable Barack H. Obama  
November 12, 2009  
Page 2

You receive intelligence briefings daily and must know that Yemen is undoubtedly one of the most unstable countries in the world today -- and the country where al Qaeda has reconstituted its operations over the last year. The director of the National Counterterrorism Center, Michael Leiter, stated last month in a *Voice of America* interview, "In Yemen, we have witnessed the reemergence of al-Qaida in the Arabian Peninsula and the possibility that that will become the base of operations for al-Qaida." His sentiment is shared by United Nations sanctions coordinator Richard Barrett who indicated that few places in the world provide a more perfect safe haven to al Qaeda than Yemen.

Instances of former Guantanamo Bay detainees launching terrorist attacks from Yemen include one just a month ago. On October 13, Saudi police prevented an imminent suicide bomb attack as two al Qaeda terrorists slipped across the border from Yemen. Notably, one of the would-be suicide bombers, Yousef Mohammed al Shihri, was a former Guantanamo detainee released in 2007 to Saudi Arabia. He quickly left Saudi Arabia for dangerously unstable Yemen where he rejoined al Qaeda.

Just over a year ago, in September 2008, another former Guantanamo Bay detainee, Said Ali al Shihri, helped orchestrate the terrorist attack on the U.S. embassy in Sanaa, Yemen, killing 10 guards and civilians. Since that time, al Qaeda's posture in Yemen has grown stronger with the merger of the Saudi and Yemeni arms of al Qaeda into one group--al Qaeda in the Arabian Peninsula--with Yemen as its base for training and operations.

Yemen is also now home to radical cleric Anwar al-Aulaqi, who influenced alleged Fort Hood gunman Major Nidal M. Hasan. As you may recall, al-Aulaqi mentored two of the 9/11 hijackers before fleeing to Yemen in 2004. He is believed by U.S. intelligence to be a critical link in al Qaeda's efforts to radicalize Muslim Americans and incite domestic terrorist acts. According to one expert cited in a 2008 *Washington Post* article, "Aulaqi is 'a huge inspiration to home-grown terror cells in the U.K. and Europe.'"

As the facts surrounding the Fort Hood attack have emerged, it is becoming clear that anyone who is cited in the 9/11 Commission Report -- as al-Aulaqi was on page 221 -- as a "significant" contact for 9/11 terrorists Nawaf al-Hazmi and Khalid al-Mihdhar should be considered a "significant" connection to Hasan. Al-Aulaqi has subsequently praised Hasan's attack stating on his Web site: "Nidal Hassan is a hero... Nidal opened fire on soldiers who were on their way to be deployed to Iraq and Afghanistan. How can there be any dispute about the virtue of what he has done? In fact the only way a Muslim could Islamically justify serving as a soldier in the US army is if his intention is to follow the footsteps of men like Nidal," according to a translation.

The American people deserve a full accounting of al-Aulaqi's relationship with Hasan and his incitement of terrorism in Yemen. Since fleeing to Yemen in 2004, al-Aulaqi has taught his radical ideology at the Iman University in Sanaa, Yemen -- the same university attended by

The Honorable Barack H. Obama  
November 12, 2009  
Page 3

convicted terrorist John Walker Lindh. In 2002, the university was temporarily closed following a deadly attack by one of its students on three American citizens in Yemen. If al-Aulaqi were able to have this impact on a U.S. Army major at Walter Reed Army Medical Center and Fort Hood, what impact will he have on the newly freed detainees in Yemen?

Iman University's founder, Abd-al-Majid al Zindani, is a long-standing ally of Osama bin Laden and was designated by the U.S. Treasury Department in 2004 as a "specially designated global terrorist." However, the Yemeni government has refused to turn over Zindani to U.S. authorities amid speculation that President Salih is protecting him for political purposes. If the Yemeni government is obstructing the arrest of high-profile terrorist financiers like Zindani, how can we trust that they would even attempt to rehabilitate or monitor detainees released from Guantanamo Bay?

You were at Fort Hood on Tuesday for the memorial service. You saw the grief-stricken families of those who died. You saw the heartbreak of innocent children who will grow up without a parent, the gut-wrenching sorrow of spouses who are left to carry on alone, the tears of mothers and fathers, sisters and brothers, aunts and uncles of the fallen soldiers.

I raise these concerns directly with you because, according to everyone with whom I have spoken, detainee transfers and releases are being run directly out of the White House. Setting aside the obvious concerns about politicization of the National Security Council (NSC), it is clear that your consolidation of operational authority within the NSC could certainly be viewed as an attempt to thwart congressional oversight and exert greater political control over the process, as reflected in instructions not to inform Congress about the effort to release Uyghur detainees into the U.S. earlier this year.

In my May 1 letter to you -- to which I am still awaiting your response -- I expressed my ardent opposition to the transfer of any Uyghur detainees from Guantanamo Bay to northern Virginia. The planned-transfer was ultimately scrapped over congressional objections, including mine. It should be noted that according to the *New York Daily News*, the Dar al-Hijrah mosque where Major Hasan first encountered Anwar al-Aulaqi, "is directly across the street from a residence where a half-dozen Turkmen Muslims known as Uighurs were slated to be relocated from Guantanamo Bay, according to a law enforcement source. Lawmakers scuttled the plan." Had I not been informed about the NSC effort to release the Uyghur detainees into the U.S., your NSC would have completed the release without ever informing a member of Congress or the American people.

I raised these concerns as well in my November 2 letter to you. To date, I have not received a reply to either of these letters nor to my letters dated March 13, April 23, May 13, July 7, July 10, October 1, and November 2 to your attorney general on these matters. This is disappointing. Why is the administration not answering the legitimate questions of the American people?

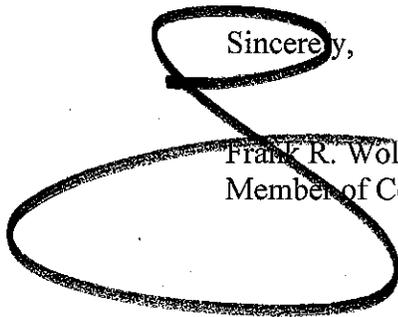
The Honorable Barack H. Obama  
November 12, 2009  
Page 4

In closing, I implore you to immediately halt the release of detainees to Yemen and other unstable countries. If the administration is intent, however, on proceeding with the release of detainees, it has an obligation to provide the American people with fact sheets and threat assessments for each and every detainee who leaves Guantanamo.

Best wishes.

Sincerely,

Frank R. Wolf  
Member of Congress



P. S.

Having personally read the case histories of some of these dangerous detainees, I believe there is overwhelming certainty that most will return to terrorist activity that could result in the death of more Americans. Please do not let this happen. Thank You.