

Congress of the United States

Washington, DC 20515

February 16, 2010

Dear Attorney General Holder:

We urge you to reconsider trying Khalid Sheikh Mohammed and four other 9/11 conspirators in federal civilian court in New York City or other alternate sites under consideration. This is a dangerous and expensive proposal that is opposed by a growing bipartisan coalition of federal, state, and local leaders, including New York City Mayor Michael Bloomberg and Police Commissioner Ray Kelly.

Last week, Mayor Bloomberg stated, "It would be great if the federal government could find a site that didn't cost a billion dollars, which using downtown [New York City] will. [The trial] is going to cost an awful lot of money and disturb an awful lot of people." We couldn't agree more with the mayor.

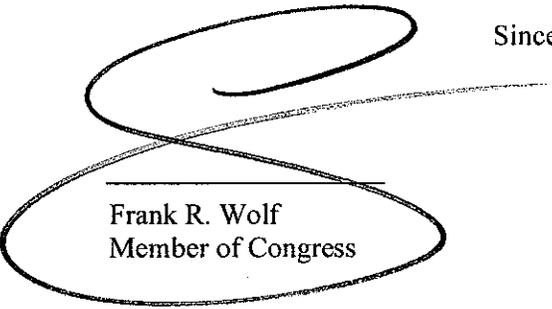
We believe your decision to try these detainees in New York City is neither in the best interest of the American people nor does it provide the most appropriate venue for the trial of Mohammed -- the admitted mastermind of the 9/11 attacks and murderer of journalist Daniel Pearl -- and his co-conspirators. We are deeply concerned that you never consulted with Commissioner Kelly or Members of Congress before declaring your intention to hold this trial in New York City. If you had, you would have found bipartisan concern with regard to the security and cost.

First, the security implications of holding such a trial in the heart of New York City, or any urban center, expose such areas to an unnecessary security threat. These detainees would not be transferred to a "supermax" facility, as the administration has wrongly implied, but to a less secure, local jail for years during this trial. This is the same local jail where Mahmud Salim, charged with participating in the 1998 U.S. Embassy bombings in East Africa, stabbed prison guard Louis Pepe in an escape attempt. Despite efforts to secure the jail and the courthouse, the continued danger of holding a high-profile terrorist in New York City for an extended period seems ill conceived in light of recent terrorist plots against American citizens. Furthermore, the director of the Federal Protective Service testified on November 18, 2009, that currently he does not have sufficient resources to fully secure key federal buildings that will be related to the planned trial.

Additionally, it is our understanding that this trial would cost taxpayers approximately \$250 million per year for the next 4-6 years -- a total of more than \$1 billion. This is fiscally reckless, especially considering that there are secure facilities at Guantanamo Bay and on military bases that have been constructed to accommodate such a trial. The trial would also place a dangerous strain on officers and deputies of the New York City Police Department and the U.S. Marshals Services, respectively, whose other important work could be compromised due to the extraordinary security measures that would be required for the trial.

We stand ready to work with you and the administration to support a military tribunal for Khalid Sheikh Mohammed and these co-conspirators. A military tribunal would enjoy wide support from Members of Congress and the American people while providing a fair and appropriate trial for these detainees.

Sincerely,



Frank R. Wolf
Member of Congress



Peter King
Member of Congress

David P. Roe

Phil Roe
Member of Congress

Jean Schmidt

Jean Schmidt
Member of Congress

John J. Duncan, Jr.

John J. Duncan, Jr.
Member of Congress

Harold Rogers

Harold Rogers
Member of Congress

Rodney Alexander

Rodney Alexander
Member of Congress

Bob Inglis

Bob Inglis
Member of Congress

Charles W. Dent

Charles W. Dent
Member of Congress

Todd Tiahrt

Todd Tiahrt
Member of Congress

Howard P. "Buck" McKeon

Howard "Buck" McKeon
Member of Congress

Michael T. McCaul

Michael T. McCaul
Member of Congress

Anh "Joseph" Cao

Anh "Joseph" Cao
Member of Congress

Jim Gerlach

Jim Gerlach
Member of Congress

Dan Burton

Dan Burton
Member of Congress

Todd Russell Platts

Todd Russell Platts
Member of Congress

Mike Castle

Michael N. Castle
Member of Congress

Pete Olson

Pete Olson
Member of Congress

Candice S. Miller

Candice Miller
Member of Congress

Spencer Bachus

Spencer Bachus
Member of Congress