

INVESTIGATION INTO ABDUCTIONS OF AMERICAN CHILDREN TO SAUDI ARABIA

HEARINGS

BEFORE THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

JUNE 12; OCTOBER 2 AND 3; AND DECEMBER 4 AND 11, 2002

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CONTENTS

	Page
Hearing held on:	
June 12, 2002	1
October 2, 2002	389
October 3, 2002	709
December 4, 2002	1249
December 11, 2002	1473
Statement of:	
Horan, Hume, former U.S. Ambassador to Saudi Arabia (1987–88); Daniel Pipes, director, Middle East Form; Doug Bandow, senior fellow, Cato Institute; Dianne Andruch, Deputy Assistant Secretary for Overseas Citizen Services, Department of State; and Ryan Crocker, Deputy Assistant Secretary for Near Eastern Affairs, Department of State	141
Mabus, Raymond, former U.S. Ambassador to Saudi Arabia; Ryan Crocker, Deputy Assistant Secretary of State, Bureau of Near Eastern Affairs; and Dianne Andruch, Deputy Assistant Secretary of State, Bureau of Consular Affairs	775
McClain, Margaret, mother of Heidi Al-Omary; Patricia Roush, mother of Alia and Aisha Ghashayan; Michael Petruzzello, Qorvis Communications; Jack Deschauer, Patton Boggs LLP; James P. Gallagher, the Gallagher Group; Mort Rosenberg, Congressional Research Service; and Maureen Mahoney, Latham & Watkins	1495
Petruzzello, Michael, managing partner, Qorvis Communications, public relations firm for the Government of Saudi Arabia; Michael Rives, father of Lilly and Sami Rives; Maureen Dabbagh, mother of Nadia Dabbagh; Margaret McClain, mother of Heidi Al-Omary; and Joanna Stephenson Tonetti, mother of Rosemary, Sarah, and Abdulaziz Al-Arifi	719
Roush, Pat, mother of Alia and Aisha Ghashayan	816
Roush, Patricia, mother of Alia and Aisha Ghashayan; Dria Davis, accompanied by her mother, Miriam Hernandez-Davis; and Ethel Stowers, mother of Monica Stowers, and grandmother of Rasheed and Amjad Radwan	41
Roush, Patricia, mother of Alia and Aisha Ghashayan; Margaret McClain, mother of Heidi Al-Omary; Michael Petruzzello, Qorvis Communications; Jack Deschauer, Patton Boggs LLP; Jamie Gallagher, the Gallagher Group; and Eileen Denza, visiting professor of law, University College London	1285
Seramur, Samiah, accompanied by her daughter, Maha Al-Rehaili; and Debra Docekal, accompanied by her son, Ramie Basrawi	412
Tonetti, Joanna Stephenson, mother of Rosemary, Sarah, and Abdulaziz Al-Arifi; Margaret McClain, mother of Heide Al-Omary; Maureen Dabbagh, mother of Nadia Dabbagh; and Michael Rives, father of Lilly and Sami Rives	427
Letters, statements, etc., submitted for the record by:	
Bandow, Doug, senior fellow, Cato Institute, prepared statement of	157
Burton, Hon. Dan, a Representative in Congress from the State of Indiana:	
Exhibit 11	1588
Exhibit 12	121
Exhibit 18	1593
Exhibit 23	126
Exhibit 25	1581
Exhibit 27	1599
Letter dated December 10, 2002	1612

IV

	Page
Letters, statements, etc., submitted for the record by—Continued	
Burton, Hon. Dan, a Representative in Congress from the State of Indiana—Continued	
Prepared statements of.....	6, 397, 714, 1258, 1480
Clay, Hon. Wm. Lacy, a Representative in Congress from the State of Missouri, prepared statement of	30
Crocker, Ryan, Deputy Assistant Secretary for Near Eastern Affairs, Department of State, prepared statements of.....	166, 779
Cummings, Hon. Elijah E., a Representative in Congress from the State of Maryland, prepared statements of	22, 409, 1666
Dabbagh, Maureen, mother of Nadia Dabbagh, prepared statement of	475
Davis, Dria:	
Phone call transcript	111
Prepared statement of	113
Deschauer, Jack, Patton Boggs LLP; James P. Gallagher, the Gallagher Group, prepared statements of.....	1508, 1516
Hernandez-Davis, Miriam, mother of Dria Davis, prepared statement of	104
Lincoln, Hon. Blanche, a Senator in Congress from the State of Arkansas, prepared statement of	1266
Mahoney, Maureen, Latham & Watkins, prepared statement of	1548
Maloney, Hon. Carolyn B., a Representative in Congress from the State of New York:	
Article dated March 15, 2002	36
Article dated December 4, 2002	1274
Prepared statement of	1277
McClain, Margaret, mother of Heide Al-Omary:	
Exhibits	822
Prepared statements of	442, 1318, 1498
Morella, Hon. Constance A., a Representative in Congress from the State of Maryland, prepared statement of	39
Ose, Hon. Doug, a Representative in Congress from the State of California:	
Exhibit 18	129
Exhibit 21	132
Prepared statement of	20
Pipes, Daniel, director, Middle East Form, prepared statement of	146
Petruzzello, Michael, managing partner, Qorvis Communications, public relations firm for the Government of Saudi Arabia, prepared statement of	721
Rives, Michael, father of Lilly and Sami Rives, prepared statement of	466
Rosenberg, Mort, Congressional Research Service, prepared statement of	1521
Roush, Patricia, mother of Alia and Aisha Gheshayan, prepared statements of.....	48, 1295
Schrock, Hon. Edward L., a Representative in Congress from the State of Virginia, Wall Street Journal article dated December 21, 2001	25
Seramur, Samiah:	
Exhibits	1016
Prepared statement of	414
Shays, Hon. Christopher, a Representative in Congress from the State of Connecticut, exhibit 4	197
Stowers, Ethel, mother of Monica Stowers, and grandmother of Rasheed and Amjad Radwan, prepared statement of	86
Tonetti, Joanna Stephenson, mother of Rosemary, Sarah, and Abdulaziz Al-Arifi, prepared statement of	430
Towns, Hon. Edolphus, a Representative in Congress from the State of New York, prepared statement of	205
Watson, Hon. Diane E., a Representative in Congress from the State of California, prepared statement of	404
Waxman, Hon. Henry A., a Representative in Congress from the State of California, prepared statement of	14

**SHOULD THE UNITED STATES DO MORE TO
HELP U.S. CITIZENS HELD AGAINST THEIR
WILL IN SAUDI ARABIA?**

WEDNESDAY, JUNE 12, 2002

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 10:06 a.m., in room 2154, Rayburn House Office Building, Hon. Dan Burton (chairman of the committee) presiding.

Present: Representatives Burton, Gilman, Morella, Shays, Mr. Davis of Virginia, Ose, Mrs. Jo Ann Davis of Virginia, Weldon, Schrock, Duncan, Sullivan, Waxman, Maloney, Norton, Cummings, Tierney, Schakowsky, and Clay.

Staff present: Kevin Binger, staff director; James C. Wilson, chief counsel; David A. Kass, deputy chief counsel; S. Elizabeth Clay and Caroline Katzin, professional staff members; Allyson Blandford, staff assistant; Robert A. Briggs, chief clerk; Robin Butler, office manager; Elizabeth Crane, deputy communications director; Joshua E. Gillespie, deputy chief clerk; Nicholis Mutton, assistant to chief counsel; Leneal Scott, computer systems manager; Corinne Zaccagnini, systems administrator; David Rapallo, minority counsel; Ellen Rayner, minority chief clerk; and Jean Gosa and Earley Green, minority assistant clerks.

Mr. BURTON. If everybody will take their seats. Good morning. A quorum being present, the Committee on Government Reform will come to order. I ask unanimous consent that all Members and witnesses written and opening statements be included in the record. Without objection, so ordered. I ask unanimous consent to include in the record a letter to the committee from former Ambassador Raymond Mabus, and without objection, so ordered.

I ask unanimous consent that all the written questions submitted to witnesses and answers provided by witnesses after the conclusion of this hearing be included in the record. Without objection so ordered. I ask unanimous consent that a set of exhibits relating to this hearing, which have been shared with the minority staff prior to the hearing be included in the record and without objection so ordered.

Mr. WAXMAN. Mr. Chairman.

Mr. BURTON. Yes, sir.

Mr. WAXMAN. May I just make a request. There are some exhibits that have been furnished to us and we don't think we're going to have any objection to making it a part of the record, but we

would like to have a chance to review them because we haven't had a chance at the staff level. So if you can just withhold those requests until the end of this hearing, we'll get an answer to you.

Mr. BURTON. OK. That is fine. I ask unanimous consent that all articles, exhibits and extraneous or tabular material referred to be included in the record, and without objection, so ordered.

What is happening in the Middle East right now is critically important. We have strategic interests. We have economic interests, and we have military interests. So it is imperative that we win the war on terrorism, and to do that, we have to have strong allies in that region. We need access to airfields and military bases there. It is also imperative that we preserve the flow of oil from the Middle East. We get about 55, 56 percent of our oil from that area. Our economy depends on that stable supply of oil and that can't be ignored. Our commitment to Israel's security is another important strategic interest. It's a commitment that we must keep. Managing our relationships in the Middle East is one of the most difficult challenges faced by every administration. It has been a problem for every President and every Secretary of State since World War II.

With all of these massive strategic interests hanging in the balance, it is no wonder that sometimes the problems of average everyday people get swept aside. Humphrey Bogart once said, and I usually don't quote movies in this hearing, but this is one of my favorite movies, *Casa Blanca*. Humphrey Bogart once said, "the problems of two little people don't amount to a hill of beans in this world." Great statement.

Sometimes that is just the way it is, and there is nothing you can do about it, but there are also times when we have to set aside all of those big global issues and do the right thing by the people we're elected to serve. There are times when someone has to say, time out. Let us stop and take a good hard look at what we're doing. And that is the purpose of this hearing. We need to take a timeout and take a hard look, a good hard look at our relationship with Saudi Arabia. The specific problem that I'm talking about is that Saudi men who kidnap their American children and take them away to Saudi Arabia must be taken to task.

We've seen cases where three men have violated court orders, taken their children away against their will and kept them away from their mothers for years, if not decades. Despite the fact that arrest warrants have been issued for some kidnaps, the Saudi Government has refused to lift a finger to help us solve these cases. In fact, the Saudi Government has created a safe haven for these child abductors in a country where women and children are treated like property. Maybe the saddest thing of all is that our government, our State Department, has done very little to help bring these children home. And one of the cases we're going to talk about today, a mother went to the U.S. Embassy in Riyadh.

After her two children, she was trying to rescue them from their abusive father. And the Embassy kicked them out and after she was kicked out, she was arrested and put into prison in Saudi Arabia. I don't understand that.

One of the reasons I decided to hold this hearing is that I was so appalled at the lack of effort we've made to take the Saudis to task for letting these things happen. We have a lot at stake with

Saudi Arabia. We need their cooperation. But at what price? If we're not willing to stand up and fight for American citizens whose children have been kidnapped, then what kind of priorities do we have?

Today we're going to hear the stories of three mothers who had their children snatched away from them. Three things stand out in each of these stories: One, the brutal treatment of women in Saudi Arabia; two, the incredible courage of these women who did everything they could to rescue their children; and three, the total lack of effort by our State Department to challenge the Saudi Government.

These stories are also powerful, that I'd like to talk about each one of them in detail. But I'm not going to do that, because I can't tell their stories nearly as well as they can. But I do want to mention a few key facts. Pat Roush has been living this nightmare for 16 years. In those 16 years, she has seen her two daughters one time for 2 hours. Her ex-husband came to the United States in 1986, kidnapped their two young daughters in violation of a court custody order and took them to Saudi Arabia. An arrest warrant was issued here in the United States, but the Saudi Government did absolutely nothing.

The year before that when Pat went to Saudi Arabia to try to salvage their marriage, her husband beat her so badly that two of her ribs were broken, and the Saudi police didn't do anything then either.

Over the last 16 years, U.S. Ambassadors have come and gone in Riyadh. Some have tried to help and some have not, but it is clear that the Saudis were never told by senior officials that this was a problem that was going to affect the relationship between our two countries. In 1986, the U.S. Ambassador was told by his boss that he had to maintain impartiality in the Roush case. Why? Pat Roush's husband broke the law. An arrest warrant was issued. Why should we maintain impartiality? To me that attitude goes right to the heart of this problem.

Ambassador Mabus deserves special credit in this case. In 1996 he started a new policy. No one from this man's family was allowed to get a visa to come to the United States. This was a big influential family. When they couldn't get visas to come to the United States, it caused a big problem for them.

Unfortunately, after a year, Ambassador Mabus returned to the United States and his policy was discontinued. If this policy had been kept in place, it might very well have put the pressure on them to return these children to their mother. I'm very disappointed that didn't happen. We were told just this week that Pat's youngest daughter, Aisha, who is now 19, was recently forced into a marriage with a Saudi man. Pat's older daughter, Alia, was forced to marry one of her cousins a year ago.

Now, let me say a few words about Monica Stowers. In 1985 she went to Saudi Arabia with her husband and two young children. When she arrived, she realized for the first time that her husband had a second wife and another child. She didn't know about that. Their marriage fell apart after 6 months. Her husband divorced her and had her deported without her children.

In 1990, Monica heard that her ex-husband was abusing her children. She went back to Saudi Arabia. She took her children and went to the U.S. Embassy to ask for help. Did they put her on the next plane to America? No. At the end of the day, they told Monica that she had to leave the Embassy. She pleaded with them not to kick her out. She told them that she would be arrested for overstaying her visa, but the consul general had the marine guards carry them out. Sure enough, she was arrested and put in jail and her children were taken from her once again.

Can you imagine that, an American citizen is in a crisis, a mother and her young children, and the Embassy staff tell their Marines to drag them out of the Embassy so they can be arrested? That actually happened. Monica is not here today. For most of the last 12 years, she has stayed in Saudi Arabia to protect her children. She can leave any time she wants, but her husband refuses to allow their daughter to go. Her ex-husband tried to force her daughter into a marriage when she was only 12 years old, and Monica will not abandon her. While Monica can't be here to testify, her mother Ethel Stowers is here to speak on her behalf and we're very glad to have her here.

The third story we're going to hear about today is about Miriam Hernandez-Davis and her daughter, Dria. They're both here to testify today. The reason they can both be here today is not because anybody in the U.S. Government came to their rescue. The reason that Miriam's daughter is here today is that Miriam was able to scrape together \$180,000 to pay two men to smuggle Dria out of Saudi Arabia.

Even though Miriam's husband kidnapped her daughter in 1997 and even though the FBI issued an international warrant for his arrest, she got almost no help from the State Department or our Embassy.

The courage of these women, Pat Roush, Monica Stowers and Miriam Hernandez, and their kids, is just incredible to me. You've all endured terrible pain as a result of what has happened, and it is a real honor to have all of you here today.

These are not isolated incidents. These are three examples of a much bigger problem. The State Department has a list of 46 recent cases involving as many as 92 U.S. citizens who have been held against their will in Saudi Arabia. The root cause of this problem is the Saudi Government. They have refused to respect U.S. law and U.S. arrest warrants. The law in Saudi Arabia lets Saudi men keep American women and children in Saudi Arabia even when they are in violation of court orders, even when arrest warrants have been issued and even when they have abused their wives and their children, and that is just wrong.

We can't let this go on. Our relationship with Saudi Arabia is important, but this just can't be allowed to continue. The only way we're going to resolve this problem and get these kids home again is by elevating this issue, letting the American people and people throughout the world know about it. This has to be raised with the Saudis at the highest levels. The Saudis have to be made to understand that if they let this go on, their relationship with us is going to suffer, and I don't think that has happened yet.

I am preparing a letter to the President, and I'm going to ask all of my colleagues on the committee to sign it. We're going to ask the President to raise this issue with Crown Prince Abdullah to try to get it resolved.

Just a couple months ago, President Bush raised the case of Lori Berenson with the President of Peru. Lori Berenson was twice convicted of terrorist activities in that country. Surely the Roush family and the Stowers family deserve at least as much. We in Congress have to do our part as well. We've got to continue to hold hearings like this and write letters and do whatever we can to keep the pressure on.

My colleague, Mr. Lantos, who I'm sure will be here in a few moments, held hearings and had Pat Roush testify way back in 1987, 15 years ago. He deserves a lot of credit for constantly pushing human rights issues, and we all need to keep doing it. I want to thank Pat Roush and Ethel Stowers and Miriam and Dria Hernandez for being here today, and I want to tell you how much I really admire you and your tenacity.

I also want to thank our witnesses on the second panel, Diane Andruch and Ryan Crocker from the State Department; former U.S. Ambassador Hume Horan; Daniel Pipes from the Middle East Form; and Doug Bandow from the Cato Institute. We look forward to hearing from all of you as well.

One final issue. More than 2 months ago, I wrote the State Department and requested documents on these three cases. Getting those documents has been very difficult and painfully slow. There is a stack of documents several feet high that are still in the Embassy in Riyadh. They haven't even been sent to Washington yet. We received some documents from the State Department here in Washington, but they still have documents here that haven't been provided to us. And these documents that we have received have redactions. They crossed things out that simply aren't acceptable. We need that information. I think the legislative affairs office at the State Department has been trying hard to get these documents, and I appreciate that, but the bureaucracy at the State Department is so bad that 2 months have gone by and we only have a small fraction of the documents in these cases.

[The prepared statement of Hon. Dan Burton follows:]

**Opening Statement
Chairman Dan Burton
Committee on Government Reform
“Should the United States Do More to Help U.S. Citizens
Held Against Their Will in Saudi Arabia?”
June 12, 2002**

What’s happening in the Middle East right now is critically important. We have strategic interests. We have economic interests. We have military interests.

It’s imperative that we win the war on terrorism. To do that, we have to have strong allies in that region. We need access to air fields and military bases there.

It’s also imperative that we preserve the flow of oil from the Middle East. Our economy depends on a stable supply of oil. That can’t be ignored.

Our commitment to Israel’s security is another important strategic interest. It’s a commitment that we have to keep.

Managing our relationships in the Middle East is one of the most difficult challenges faced by every administration. It’s been a problem for every President and every Secretary of State since World War II. With all of these massive strategic interests hanging in the balance, it’s no wonder that sometimes the problems of average, everyday people get swept aside. Humphrey Bogart once said, “The problems of two little people don’t amount to a hill of beans in this world.” Sometimes that’s just the way it is, and there’s nothing you can do about it.

But there are also times when we have to set aside all of those big, global issues and do the right thing by the people we’re elected to serve. There are times when someone has to say, “Time Out -- let’s stop and take a good hard look at what we’re doing.”

That’s the purpose of this hearing. We need to take a time out and take a good hard look at our relationship with Saudi Arabia.

The specific problem that I'm talking about is Saudi men who kidnap their American children and take them away to Saudi Arabia. We've seen cases where these men have violated court orders, taken their children away against their will, and kept them away from their mothers for years, if not decades. Despite the fact that arrest warrants have been issued for some kidnappings, the Saudi government has refused to lift a finger to resolve these cases. In fact, the Saudi government has created a safe haven for these child abductors in a country where women and children are treated like property.

Maybe the saddest thing of all is that our government -- our State Department -- has done very little to help bring these children home. In one of the cases we're going to talk about today, a mother went to the U.S. Embassy in Riyadh with her two children -- she was trying to rescue them from their abusive father -- and the Embassy kicked them out. After she was kicked out, she was arrested and put in prison. I don't understand that.

One of the reasons I decided to hold this hearing is that I was so appalled at the lack of effort we've made to take the Saudis to task for letting these things happen. We have a lot at stake with Saudi Arabia. We need their cooperation. But at what price? If we're not willing to stand up and fight for American citizens whose children have been kidnapped, what kind of priorities do we have?

Today, we're going to hear the stories of three mothers who had their children snatched away from them. Three things stand out in each of these stories -- the brutal treatment of women in Saudi Arabia, the incredible courage of these women who did everything they could to rescue their children, and the total lack of effort by our State Department to challenge the Saudi government.

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salvage their marriage, her husband beat her so badly that two of her ribs were broken. The Saudi police didn't do anything then either.

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Monica is not here today. For most of the last twelve years, she has stayed in Saudi Arabia to protect her children. She can leave any time she wants, but her husband refuses to allow their daughter to go. Her ex-husband tried to force her daughter into a marriage when she was only twelve years old, and Monica won't abandon her. While Monica can't be here today to testify, her mother Ethel Stowers is here to speak on her behalf, and we're very glad to have her here.

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We can't let this go on. Our relationship with Saudi Arabia is important, but this just can't be allowed to continue. The only way we are going to resolve this problem and get these kids home again is by elevating this issue. This has to be raised with the Saudis at the highest levels. The Saudis have to be made to understand that if they let this go on, their relationship with us is going to suffer. I don't think that's happened yet.

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We in Congress have to do our part as well. We've got to continue to hold hearings like this and write letters and do whatever we can to keep the pressure on. My colleague, Mr. Lantos held a hearing and had Pat Roush testify way back in 1987. He deserves a lot of credit for constantly pushing human rights issues, and we all need to keep doing it.

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I also want to thank our witnesses on the second panel:

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Former U.S. Ambassador Hume Horan;
Daniel Pipes from the Middle East Forum; and
Doug Bandow from the Cato Institute.

We look forward to hearing from all of you as well.

One final issue: More than two months ago, I wrote to the State Department and requested documents on all three of these cases. Getting those documents has been painfully slow. There is a stack of documents several feet high that are still at the Embassy in Riyadh. They haven't even been sent to Washington yet. We've received some documents from the State Department here in Washington, but they still have documents here that they haven't provided to us. The documents we have received have redactions that aren't acceptable. I think that the legislative affairs office at State has been trying hard to get us these documents, and I appreciate that. But the bureaucracy at the State Department is so bad that two months have gone by and we only have a small fraction of the documents. I'm going to issue a subpoena today to make sure that all of those documents are produced to us, without redactions.

I now yield to Mr. Waxman for his opening statement.

Mr. BURTON. I'm going to issue a subpoena today to make sure all of these documents are produced to us, and without redactions. And with that, Mr. Waxman, thanks for being patient and I yield to you.

Mr. WAXMAN. Thank you, Mr. Chairman, for calling this hearing. I think it is an important one, and I want to commend you for bringing the witnesses before us today. The United States and Saudi Arabia have sharply different values. We are a pluralistic democracy. They are a monarchy without elected representative, institutions or political parties. We embrace religious freedom. They rule through religious police. Economically, diplomatically and socially, the Saudi Arabian Government has long promoted policies that challenge American beliefs and undermine the basic human rights of their own people. And as this hearing will show, even some of our people.

In no area are these distinctions more important than in the treatment of women. Although women in Saudi Arabia make up half the population, they can't vote. They can't even drive cars. They are entirely excluded from certain professions and they are required to be shrouded in a black abaya when they appear in public. Saudi women cannot apply for identity cards, receive medical treatment or leave the country without permission from their nearest male relative.

In many areas of the country, women cannot even leave their homes without being escorted by a male relative. The injustice of such discrimination is only exacerbated by the serious cases of abuse that it facilitates.

Today, the committee will learn the devastating impact these misguided policies have had on American women who have been trapped in Saudi Arabia by fathers and husbands, who have used these laws to refuse their release.

We will hear today from Alexandria Davis, who was kidnapped by her father when she was 11 years old and forced to live in Saudi Arabia for 2 years. We will hear from Pat Roush, who has been fighting for 16 years to get her daughters back after they were kidnapped by their father and taken to Saudi Arabia. We will also hear from Ethel Stowers, who will tell us about her daughter, Monica's efforts, to get her children Rasheed and Amjad out of Saudi Arabia. Their stories are chilling, and their tragedy is compounded by the fact that there are dozens of other American families facing a similar situation. The U.S. Government must do more to intervene on behalf of its citizens. We must hold the Saudi Government accountable for these irresponsible policies that are shielding kidnapers, abusive fathers and husbands from prosecution.

Mr. Chairman, I know we're going to hear from people who will say there are marital problems whenever you have marriages from parties from different nationalities. Well, most countries abide by international agreements that don't let one parent or the other just simply kidnap the children. Saudi Arabia is not willing to abide by these international agreements and to enter into the treaties with us and other countries. We will hear that this is their own internal decisionmaking in Saudi Arabia, and it is not our business to tell them how to run their affairs.

Perhaps that is true, but the United States is fighting in Afghanistan at the present time to—and we fought in part to bring down a regime that discriminated against women. In fact, First Lady Laura Bush commended the fact that in Afghanistan, women were not going to be oppressed any longer. Well, we need the First Lady and the American Government to stand up for the human right of women all over the world, and in Saudi Arabia, the problems we're seeing with American citizens are compounded by the Saudi treatment of women as chattel, as property and not as human beings.

I think we have to speak out for human rights for all people wherever they may be, but we certainly have to go to bat for our American citizens who are being treated in the most inhumane way when it comes to holding their families together. If we are pro-human rights, if we are profamily, the U.S. Government needs to do more and I thank you very much for holding this hearing.

Mr. BURTON. Thank you, Mr. Waxman.

[The prepared statement of Hon. Henry A. Waxman follows:]

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Statement of the Honorable Henry A. Waxman
Ranking Minority Member
Committee on Government Reform
Hearing on "Should the United States Do More To Help U.S. Citizens
Held Against Their Will in Saudi Arabia?"

June 12, 2002

Mr. Chairman, thank you for holding this hearing today.

The United States and Saudi Arabia have sharply different values. We are a pluralistic democracy; they are a monarchy without elected representative institutions or political parties. We embrace religious freedom; they rule through religious police. Economically, diplomatically, and socially, the Saudi Arabian government has long promoted policies that challenge American beliefs and undermine the basic human rights of their own people.

In no other area are these distinctions more apparent than the treatment of women. Although women in Saudi Arabia make up half the population, they cannot vote, they cannot drive cars, they are entirely excluded from certain professions, and they are required to be shrouded in a black abaya when they appear in public.

Saudi women cannot apply for identity cards, receive medical treatment, or leave the country without permission from their nearest male relative. In many areas of the country women cannot even leave their homes without being escorted by a male relative.

The injustice of such discrimination is only exacerbated by the serious cases of abuse that it facilitates. Today, the Committee will learn the devastating impact these misguided policies have had on American women who have been trapped in Saudi Arabia by fathers and husbands who have used these laws to refuse their release.

We will hear today from Alexandria Davis, who was kidnaped by her father when she was eleven years old and forced to live in Saudi Arabia for two years. We will hear from Pat Roush, who has been fighting for sixteen years to get her daughters back after they were kidnaped by their father and taken to Saudi Arabia. We will also hear from Ethel Stowers, who will tell us about her daughter Monica's efforts to get her children, Rasheed and Amjad, out of Saudi Arabia.

-over-

Their stories are chilling, and their tragedy is compounded by the fact that there are dozens of other American families facing a similar situation. The United States government must do more to intervene on behalf of its citizens. We must hold the Saudi government accountable for these irresponsible policies that are shielding kidnapers, abusive fathers, and husbands from prosecution.

I thank the witnesses for coming today and I look forward to their testimony.

Mr. BURTON. Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman. I want to thank you for conducting this important hearing. In the aftermath of September 11th, President Bush offered a potent challenge to world leaders that exhibited a dose of moral clarity that is too often absent from diplomatic discourse between our Nation and its foes and allies alike. And the President said, "you are either with us or against us."

The President's statement represented a moment of truth not only for the leaders of the world, but for the future course of our foreign policy. While continuing to pursue our national interest in conjunction with our close allies, our Nation can no longer afford to ignore the often tremendous gulf between our values and those of our allies in the war on terrorism. It was also vividly illustrated in the hearing that I presided over in the Subcommittee on the Middle East and South Asia and our International Relations Committee on June 22, entitled, "the Future of U.S.-Saudi Relations." The U.S.-Saudi relationship has always been a complex one, grounded in common interests stemming from the geopolitical realities of the Persian Gulf region. However, if we're to remain true to the words of our President, we must no longer avoid the conclusion that American and Saudi values are often at odds. It may be prudent to ask what it is about the values of the Saudi Government that has imparted to their citizens that gives rise to support for the ideologies undergirding terrorism. To understand this phenomenon most accurately, it is essential to consider Saudi's denial of political, of civil and religious rights to its own population. The lack of transparency in its justice system, and its poor human rights record. Not only do Saudis suffer at the hands of their own government, but so do American citizens in Saudi Arabia as well, and our government has done much too little to address this problem until now.

We're here today to examine whether our Nation should do more to help our citizens who have been held against their will in Saudi Arabia. This hearing is particularly relevant to us today. If we shy away from addressing this issue directly with the Saudi authorities, as issue that centers around something as fundamental as the rights of American citizens, we'll not be able to handle the even more difficult issues at the core of our war against terrorism, when American and Saudi interests come into conflict—as they undoubtedly will.

Our government must do much more to ensure the rights of our American citizens who happen to be in Saudi Arabia. We've consistently failed to hold these Saudi authorities accountable for their own laws which result in blatant infringements upon the rights of American nationals. As the testimony today will illustrate, American citizens are being held against their will in Saudi Arabia, and often in violation of our laws against child abductions. Even if our legal standards are not recognized by the Saudi authorities, it is essential that our diplomatic engagement with Saudi Arabia reflect a genuine concern for the welfare of our citizens who happen to be held in Saudi Arabia.

Why is it that until now our government has failed to apply sufficient diplomatic pressure on their Saudi counterparts to ensure the

release of our Americans? As Members of Congress, it should be our primary goal to defend the rights of American citizens whether they be in the United States or abroad, demanding an effective and unapologetic response to those Nations that seek to deny these rights.

Mr. Chairman, may this hearing serve as a wakeup call to those who seek to downplay the harm to our citizens. May it highlight the results of our Nation's failure, our unwillingness to address difficulties in our U.S.-Saudi relationship. If, as the President said, states are either with us or against us in our war on terrorism, it is essential, too, that we hold to account even our allies for their divergence from the clear moral path that has been so clearly laid before us. Terrorism and the propagation of hatred must be condemned at all levels, and basic human rights must be observed if our mission to rid the world of evil terrorist ideologies is to be true to its goals. Most importantly, we must be prepared to address all of the difficult issues in our relationships with the Saudis if we're truly able to count Saudi Arabia as an ally in our war against terrorism, and to this end, our Nation must ensure that the rights of our citizens in Saudi are guaranteed.

I look forward to hearing from the parents who are willing to come before our committee today and to examine their testimony, and then we look forward to hearing from the administration officials with regard to their response. Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Mr. Gilman.

Ms. Schakowsky.

Ms. SCHAKOWSKY. Mr. Chairman, I thank you so much for convening this hearing, and I thank these witnesses so much for their courage and their persistence in coming forward today. I want to say to you, I know this hearing is about you. We do want to hear from you, but it is important that all of us who are speaking now are supporting you and saying very publicly that we support your efforts and that we cried when this happened to you. So I also thank you for your patience in listening to our statements.

Year after year, the U.S. Government has reported severe human rights abuse against women in Saudi Arabia, and some of these abuses have even been experienced by the U.S. citizens. The State Department's country reports on human rights practices stated that in Saudi Arabia, "women of many nationalities were detained for actions such as riding in a taxi with a man who was not their relative, appearing with their heads uncovered in shopping malls and eating in restaurants with males who were not their relatives. Many such prisoners were held for days, sometimes weeks, without officials notifying their families or in case of foreigners, their Embassies." I am a strong supporter of defending women's rights in Afghanistan, and I'm proud to say that these rights are finally being recognized. The women there are currently involved in the decisionmaking process to help shape the new Government of Afghanistan, to make sure that women of Afghanistan will never again be treated like second-class citizens. If such change can happen in a war-torn country like Afghanistan, it baffles me that Saudi Arabia refuses to reform its laws on women's rights and join the rest of the world in the 21st century.

What has happened to Ms. Roush, Ms. Stowers, Ms. Davis and her mother is a tragedy. These women have been physically and emotionally battered and have had their children stolen by their husbands. I'm aware that under Saudi law, the husband has complete control over his wife and children, deciding on how they live, whom they see and even when they are allowed to leave the country. We simply cannot ignore these violations against the basic rights of both Saudi and American women.

The Saudi Government has been an ally of the United States for a number of years, but we must give the cases of these women and others the attention they deserve. I understand that according to the Department of State, we are very limited in what we can do to force the Saudi Government to allow these women to leave with their children. However, this is not an excuse to ignore the situation and do everything we can. I'm eager to hear from the witnesses that are with us today, and I look forward to working toward a solution that will be in the best interest of the children and families involved in these and all similar cases. Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Ms. Schakowsky.

Mr. Ose.

Mr. OSE. Thank you, Mr. Chairman. I don't have a long statement. I want to welcome Ms. Roush to the witness table today. I came to this hearing today having read the testimony—I would like to find in the course of our hearing today the name, the person who told the Marines to take American citizens out of the American Embassy and place them outside of where they could be arrested. I want the name of that person. Mr. Chairman, I will be back to you with requests for subpoenas to have these people come to our committee and explain their actions in light of the consequences that they knew would occur when these people were removed from the Embassy, having shown valid American passports to have the American authorities forcibly remove American citizens from American soil in this manner.

I have to tell you, I stayed up late last night wondering why in blazes did I come to Congress? Why did I come to Congress? Did I come to Congress so some bureaucrat could take American citizens, refuse to help them, evict them from an American Embassy, from American soil, knowing that the consequence of doing that would be their arrest and the loss of their children?

I have to tell you, Ms. Roush and I have spoken before. I have communicated with the State Department for the past few years about her case in particular. A woman named Mary Ryan, who is the Assistant Secretary of something or another having to do with the Near East. These are American citizens. Now, if we can send our young people over to the Middle East to protect them from Saddam Hussein or whatever, or if we can send them to Afghanistan to establish the rights of the people of Afghanistan, then we can darn well take the time to bring in front of this body and in front of this committee the people who are making the decisions that say, well, no, you're less—you don't even have the rights of an American convicted of a crime in these countries. So at the risk of belaboring the subject, I'm going to stop, Mr. Chairman, but I'm

coming back, and we're going to find these names and I'm going to ask you to bring those people in front of this committee. Because they need to tell the American people what happened, why they did this. This is unbelievable. I yield back.

[The prepared statement of Hon. Doug Ose follows:]

**STATEMENT OF CONGRESSMAN DOUG OSE
COMMITTEE ON GOVERNMENT REFORM**

**“Should the United States Do More to Help U.S. Citizens Held Against
Their Will in Saudi Arabia?”**

June 12, 2002

I'd like to thank the Chairman and Committee for holding this hearing today. I would also like to recognize a constituent of mine, Pat Roush, for her testimony before this committee today.

Despite an increasingly high level of Congressional and public concern regarding the tragedy of international parental child abduction and wrongful retention of American children abroad, the plight of American children persists.

The State Department reports 1,000 international parental abductions of children annually. Between 1973 and 1991, about 4,000 American children were reported to the U.S. State Department as abducted by a parent and taken across an international border. In fact, estimates of the actual total exceed 10,000 American children.

We are all too familiar with cases of abducted children. It is time for our foreign counterparts to take notice of the 10,000 American children who have been abducted overseas. This is a non-partisan issue that none of us can afford to ignore.

I look forward to the testimony at this hearing today and that we can increase the public awareness to this problem. It is time for the American people to focus our collective attention on the American children who are missing worldwide.

Mr. BURTON. I can assure you that the subpoena that we're going to be issuing right after this hearing will cover all of these documents, and we will get the names of those people, and I'll certainly let you know as soon as I get all that information.

Mr. Cummings.

Mr. CUMMINGS. Thank you very much. Mr. Chairman, today we meet to bring attention and focus on the problem of American children who live with their Saudi fathers and who, because of Saudi law, are not free to leave Saudi Arabia. These cases predominantly involve fathers who abduct children and take them into Saudi Arabia in order to take advantage of a legal system that gives mothers, especially non-Muslim mothers, few rights.

Specifically, we need to determine if the U.S. Government has done enough to aid U.S. citizens who have been held against their will in Saudi Arabia. Many of our U.S. citizens like the witnesses before our committee today, have tried unsuccessfully to get their children back from Saudi Arabia by going through the State Department, by employing Saudi lawyers and by working with the U.S. Congress. My heart goes out to them. The State Department has treated these cases as custody dispute issues.

However, the real question becomes which country's law has the domain over such custody disputes? Will it be American laws or Saudi law in customs? I agree with former Ambassador Raymond Mabus, when he stated in a letter to this committee that the Roush case and the similar cases should be about protecting American citizens and the court orders of American courts. Many have said the United States has failed to uphold the American and international abduction or kidnapping laws. It has been argued that cases such as the ones before us are merely child custody issues. While that is true, these cases should also be considered as parental kidnapping or child abduction cases.

This morning I saw a report about the subject of today's hearing on one of the morning talk programs. I believe that shining the spotlight on parental abductions of American children to Saudi Arabia by this committee and the media will bring this issue to the forefront and persuade the State Department to reevaluate its policies. I look forward to hearing from today's witnesses who will present their stories about trying to get their children out of Saudi Arabia. Thank you again, Mr. Chairman, for shining the spotlight on this issue and I yield back.

Mr. BURTON. Thank you, Mr. Cummings.

[The prepared statement of Hon. Elijah E. Cummings follows:]

**Statement of Congressman Elijah E. Cummings
Government Reform Committee
"Should the United States Do More To Help U.S. Citizens Held Against Their Will
In Saudi Arabia?"**

June 12, 2002

Thank you, Mr. Chairman.

Today we meet to bring attention and focus on the problem of American children who live with their Saudi fathers and who, because of Saudi law, are not free to leave Saudi Arabia. These cases predominately involve fathers who abduct children and take them to Saudi Arabia in order to take advantage of a legal system that gives mothers, especially non-Muslim mothers, few rights. Specifically, we need to determine if the United States government has done enough to aid U.S. citizens who have been held against their will in Saudi Arabia.

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Raymond Mabus, when he stated in a letter to this Committee that, "the Roush case and similar cases should be about protecting American citizens and the court orders of American courts." Many have said the United States has failed to uphold the American and international abduction or kidnaping laws.

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I look forward to hearing from today's witnesses, who will present their stories about trying to get their children out of Saudi Arabia. Thank you for joining us today.

Mr. BURTON. Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman. I agree with everything everybody said here, especially Mr. Ose. I couldn't have said it better. I'd probably have made a fool of myself if I'd said it, because this sort of thing really angers me. I am here mainly because of the article the chairman sent us yesterday that appeared in the Wall Street Journal on December 21st about Ms. Roush and her two daughters, and I was absolutely outraged that this is allowed to happen and continues to be allowed to happen.

[The information referred to follows:]

REVIEW & OUTLOOK

Saudi Christmas

If you're a politician or diplomat who has anything to do with Saudi Arabia, Pat Roush can be a pain in the keister. But if your two daughters were stuck in Saudi Arabia—where you'd seen them only once in the past 16 years—you might figure that the only chance they have is a mother's love so strong that it refuses to take no for an answer. This Christmas Eve, as the rest of America goes to bed with dreams of sugar plums, the only visions dancing in Patricia Roush's head will be of her daughters Alia and Aisha clad from head to toe in the black *abaya*.

When Khalid al-Gheshayan kidnapped his daughters from a Chicago suburb in 1986 in defiance of a U.S. court order, the girls looked much like they do in this picture; Alia was seven years old and Aisha three. Today they are grown women. There is a frightful symmetry here, for at a time that we rightly celebrate the liberation of Afghan women from the Taliban yoke, two adult U.S. citizens remain trapped in a country where they could leave if they were men but as women require the written permission of a husband or father.

Already Alia, now 23, has been married off to a man Ms. Roush says is a cousin of her ex-husband. Aisha, now 19, may be next. Years back, in a circular titled "Marriage to Saudis," the U.S. Embassy in Riyadh spelled out the life for a girl raised in Saudi Arabia, where she is "a statutory second class citizen . . . whose word is worth only half of a man's."

The State Department bristles at any suggestion that it does not care. But the parameters within which it works are defined by Saudi law. As one unclassified cable puts it, the embassy was directed to remain "impartial." Ray Mabus, U.S. ambassador to Saudi Arabia from 1994 to 1996, says that he doesn't want to criticize State but adds that diplomats have a tendency to feel they should be working on the "big stuff." "I just think that looking out for the freedom of U.S. citizens is big stuff too," says Mr. Mabus, who got the Saudis' attention when he put a freeze on U.S. visas for anyone with the same surname as Ms. Roush's fugitive ex, Mr. al-Gheshayan.

So what does Pat Roush want? She wants our embassy to issue passports for her daughters; she wants the Saudis to issue exit visas; and she wants her daughters to come to America, where they can

decide where they want to live without the proverbial gun to their heads. Now, there is an argument that this is something that ought to be deferred until after the war. But given past Saudi actions and the preponderance of Saudis among the Sept. 11 hijackers, surely this Christmas, with these women, offers the perfect moment and occasion to demonstrate that things have changed.

Among Islamic extremists, Saddam Hussein and Osama bin Laden have become folk heroes for their defiance of American ideals and might. In his own way, Khalid al-Gheshayan has done the same. Only, it's his daughters—American citizens both—who are paying the price.



Pat Roush and her daughters, Alia and Aisha, in 1984.



Our enemies the Saudis

Fifteen of the 19 September 11 hijackers were Saudis. Perhaps as many as 80 percent of the prisoners held at Guantánamo are Saudis. Osama bin Laden is a Saudi, and al Qaeda was supported by large contributions from Saudis, including members of the Saudi royal family. The Saudis' cooperation with our efforts to track down the financing of al Qaeda appears to be somewhere between minimal and zero. They got us to let members of the bin Laden family scamper out of the United States on a private jet shortly after September 11. They refuse to provide—as almost every other country has—manifests of plane passengers flying to the United States.

Such behavior is nothing new. The Saudis stymied the FBI investigation of the 1996 Khobar Towers bombing. The Saudis refused a U.S. request in 1996 that they take custody of bin Laden; he went to Afghanistan instead. They refused in 1995 to hand over Imad Mughniyah, believed responsible for the bombing of a Marine barracks in Lebanon in 1983. Far from aiding our efforts against terrorism, the Saudis have worked against them—to protect the terrorists in their own ranks. Also, the Saudis have praised suicide bombings and raised money for the families of Palestinian suicide bombers. Government-controlled Saudi media have frequently spread the vilest kinds of anti-U.S. and anti-Jewish propaganda.

Such has been the behavior of those the State Department has long referred to as “our friends the Saudis.” It would be more accurate to call them our enemies the Saudis.

Freedom? Zero for seven. The Saudis run a totalitarian society. Not one of the seven freedoms identified by President Bush in his State of the Union speech—the rule of law, limits on the power of the state, respect for women, private property, free speech, equal justice, religious tolerance—is honored by the Saudis. There is no free speech and no freedom of religion (during the Gulf War the Saudis did not allow President Bush to conduct a religious service on Saudi soil), and women are restricted and physically assaulted by religious police who prowl the streets (and, by some accounts, would not allow teenage girls to leave a burning school, lest they not be properly clad; 15 girls died).

But the Saudis are not content to run a totalitarian society at home; they are trying to export their totalitarian Wahhabi Islam around the world. Since the Gulf War, the Saudis have financed Wahhabi clerics and Wahhabi-run mosques and schools in Afghanistan, Pakistan, Indonesia, Western Europe, and the United States. The results can be seen on the Edgware



Crown Prince Abdullah (above) has taken over from ailing King Fahd.

They are effectively waging war against us.

mellifluous advice of Saudi Ambassador Prince Bandar? What has he done to stop al Qaeda or the propagation of totalitarian Wahhabi Islam? Because we depend on Saudi military bases? Despite Pentagon denials, it seems we are wisely dispersing our forces in the gulf.

It may not be prudent yet to speak the truth out loud, that the Saudis are our enemies. But they should know that it is increasingly apparent to the American people that they are effectively waging war against us. And they should know that we have the capacity to destroy their military, presumably in a matter of hours. The Saudis' eastern provinces, with their oil, could be given to their Shiite Muslim majority, now oppressed by the Sunni Muslim Saudi rulers. The holy cities of Mecca and Medina could be returned to the custody of the Hashemites (Jordan's King Abdullah's family), who unlike the Saudis are direct descendants of the prophet Mohammed. Let the Saudis have the sands of central Arabia and their bank accounts in Switzerland, hotel suites in London, and villas on the Riviera.

President Bush has said that we must have regime change in Iraq to be safe from terrorism. It is increasingly clear that we must have regime change in Saudi-ruled Arabia as well. ■

Road in London or Leesburg Pike in Northern Virginia: Journalists have no trouble finding young people spouting the most vituperative anti-U.S. and anti-Jewish propaganda and swearing that they would fight for Islam against the United States. The Saudis are waging war against us, financing the spread of the idea that our free society must be overthrown and totalitarian Wahhabi Islam must be imposed by force.

So why do some still call the Saudis our friends? Because they have the power to keep oil prices down? That leverage is being reduced by increased oil production by our friends Russia and Mexico. Because they are anti-Communist? Communism is no longer a threat. Because they are used to heeding the

FOREIGN POLICY ■ Their Men in Riyadh

Ex-U.S. ambassadors who stick with the Saudis

ROD DREHER

It's good to be the U.S. ambassador to Saudi Arabia—on, more precisely, it's good to have been Washington's man in Riyadh. No other posting pays such rich dividends as the one left in Riyadh and the influence it exerts on the public and private advocate of Saudi interests.

The number of ex-U.S. ambassadors to Riyadh who now push a pro-Saudi line is startling. Walter L. Corder runs the American Mission in Riyadh. Corder, who has been in Saudi Arabia since 1967, is the only man to have been appointed by the Saudis. Richard Murphy holds influence as a pro-Saudi voice at the Council on Foreign Relations. Chas. W. Freeman Jr. now runs the robustly pro-Arab firm that runs the oil company's Saudi firm that runs up joint international business ventures. And lower-level diplomats with Riyadh experience on their resumes can be found throughout U.S. foreign posts.

Perhaps the most colorful Saudi ambassador to the United States, makes no bones about how it works. The Washington Post has quoted Bandar as observing, "If the reputation . . . builds up, it's because of the fact that we have here offices, and it's surprising how much better friends you have who are just coming into office."

Not everyone feels all warm and fuzzy about this. "I think it's a disgrace," says a former State Department official, "that people who appear on television, they write op-ed pieces. The Saudis are a major source of the problems we face with terrorism. That would be far more obvious to people than the fact that we have a number of former diplomats effectively working for this foreign government."

Home Horan is a retired career diplo-

mat whose service includes two stints in Riyadh. He says, "There have been some people who have been in Riyadh, Saudi people, and they work as advisers and consultants. Prince Bandar is very good about massaging and promoting relationships like that. Money works wonders, and if you've got an awful lot of money, you can get a lot of things done. I see how some Americans literally in front of a foreign consulate, just because he's called a prince."

An academic passion for sunny Arab lands accounts for someone like Wichita State's Rod Dreher, who was dispatched to Riyadh from Georgia who was designated Clinton's second term. Fowler, a wily country boy who used to campaign on his rural background, seems to have had a similar passion.

"The Saudis are intelligent and quick," Fowler said in a recent interview, "and I enjoyed spending many hours drinking tea in the desert with them late into the night. They want to hear about your country. They would tell me a story about their father raising camels, and I would tell them one about my father raising cows."

Bandar, who was named from Saudi Arabia, he landed several consulting contracts with international firms doing business in the region, and accepted the chairmanship of the Middle East Institute. This is a think-tank model entity that has been in existence since the 1950s. It is a significant Saudi deal-maker in Arab countries. Saudi Crown Prince Abdullah is listed among a handful of "beneficiaries" on the institute's list of recipients for the most visible pro-Saudi spokesmen in the media. He has let fly with observations of the sort guaranteed to make Prince Bandar smile.

In an October 3 New Yorker appearance, Fowler said he had been in Saudi Arabia since 1974. He said he had been instrumental in getting Saudi oilmen to let the U.S. military use its own bases in the kingdom for an attack on al-Qaeda and the Taliban.

"Well, I think I can endorse that the cooperation by the Saudis with the U.S. military was a major factor in the success of the operation," Fowler said. "The day was done." Mrs. Fowler arrived in Riyadh immediately after the 1994 Khobar Towers bombing and he should know as well as anybody how

the chips fall where they may. [Fowler] has been very friendly to the Saudis, and would be a good ambassador. He's got Fowler that this thing has gone on so long, allowing my oldest daughter, Alia, to be sold in an arranged marriage last June. She's now pregnant." Fowler has been writing in the Washington Post weekly. At the time, Fowler had a phone and e-mail through his Washington office were unsuccessful.)

Mrs. Roush intends to lambaste Fowler and some of his diplomatic pretensions in a column in the Washington House Column Reform Oversight Committee, which is looking into Saudi treatment of American citizens living there. She and others believe it's time for Congress to investigate the role of the Saudis in the 1994 Khobar Towers bombing, and whether that affects the performance of America's ambassador while in office.

The Middle East expert, Daniel Pipes of the Middle East Forum, says he would split their contacts to make a small fortune as business consultants. "I don't know of any other posting that works so consistently for turning diplomats into mediocrity," Pipes says. "It's very hard to do in Saudi Arabia. It's very hard to do in Saudi Arabia because they know what they're headed for and they don't want to spoil it. It's hard to be confident that our diplomats are representing us."

At the first of ambassadors it sends to Riyadh (the current ambassador, Robert Jordan, is a Texas corporate lawyer). Though career diplomats may be just as pro-Saudi in their post-diplomatic lives as in their official lives, there are some interesting particular risks about sending amateurs in to deal with the al-Saudi family, who are flatterers non-parent. Says Horan, "The great failing in the past has been that we've had a lot of people who are not Saudis."

Especially when the ambassador spends his time not keeping an eye on terrorism, or trying to help fellow Americans abused by the Saudi system, but floundering in the Saudi culture, not talking to the Saudis, not talking to the Saudis, not talking to the Saudis, not talking to the Saudis. "I made friends for life there," Fowler has said of Saudi Arabia. Exactly. That's the problem.

is stone-walled U.S. investigations trying to figure out who killed al-Qaeda in a December 10 CNN appearance, Fowler contradicted Ken Adelman, the former arms-control official, who said finding of any Osama bin Laden bin Laden. "Osama bin Laden is a very generous in their funding of Islamic cause and schools," replied Fowler, "but I'm afraid Mr. Adelman will not be able to produce any evidence of anti-Americanism coming out of Osama bin Laden's mouth." This is a very interestingly. It is a very interestingly. It is a very interestingly.

or disagree with the most conservative form of Islam. Wahhabism, it does reach tolerance for Jews and Christians—newspapers, interest in the arts, and so on. But it is not an American whose Saudi husband kidnapped their two daughters in Chicago and has been holding them in Saudi Arabia for the past 16 years.

She blames Fowler's merger in Saudi Arabia for the loss of her girls. Years of negotiations between American diplomats—particularly Amb. Ray McManis and the Saudis, she says, had brought her daughters to the brink of release. Fowler, she says, "The day was done." Mrs. Roush says, "but [Fowler] told my secretary in 1997 that it was dead, and I could either take a visit with the girl, or let



Room ambassadors White Fowler and Prince Bandar by Immael Feldman

Mr. SCHROCK. I'm anxious to hear what these four ladies have to say, but I'm particularly interested in hearing the next panel. They are the ones whose feet need to be put in the fire and held in the fire until they do something about it. You know, the Crown Prince of Saudi Arabia doesn't mind coming sit in the Oval Office telling our President what he wants him to do. I think it's maybe time for the man in the Oval Office to call him and say we want our kids back and we want them back right now. And I think the sooner we do that, the sooner these subpoenas are done—I just hope this committee doesn't adjourn today and just ignore this, because although I've only been here 17 months, I don't want to come back in 4 or 5 years and have these same witnesses appearing before us.

We need to get something done and get it done right now. This is unacceptable and our State Department better get off the dime and get something done before this gets even worse, or somebody is going to have to be held accountable, and it is us here who have to do that. Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Mr. Schrock.

Ms. Norton.

Ms. NORTON. May I begin by thanking you, Mr. Chairman, for wonderful leadership and making the American people and the Congress understand that this is a problem and that this is a problem that we can do something about. It is a problem that occasionally one hears some interested journalist get ahold of and gives us snippets and bits of, but a problem upon which there has been no concerted attention, and I thank you for your work in bringing this kind of attention to this problem.

The fact that we have a close relationship with a country should not mean that country is free from just and justifiable criticism, and Saudi Arabia has been an ally in many respects, but in many respects and increasingly, Saudi Arabia doesn't act like an ally. To be an ally, it seems to me, you have to walk like an ally, talk like an ally and act like an ally, and when it comes to the heartache that Saudi Arabia has brought to these mothers and their children not only is Saudi Arabia not an ally, it is not a friend.

Certainly the country should not be immune to criticism, and we ought to call this issue what it is. This is a human rights issue, and this is a horrible violation of human rights. If it were done by a country that we did not have friendly relationships with, we'd be up and down screaming about kidnapping and outrageous behavior toward mothers and their children. We cannot allow a double standard to develop just because we're dealing with Saudi Arabia.

Saudi Arabia is very adamant in sticking to its own standards, and it seems to me we are in violation of our standards and of our laws when we allow this to go on. And, Mr. Chairman, by bringing this to public attention, I think you are doing something for the first time that may in fact change this horrific condition, and once again, I thank you, sir.

Mr. BURTON. Thank you, Ms. Norton.

Mr. Davis.

Mr. DAVIS OF VIRGINIA. Mr. Chairman, I applaud you for holding this hearing and shining some light on a very serious situation. You know, one of the main jobs of our Embassies, of our personnel

at the State Department is to protect our citizens and to uphold American law, and I think we've fallen short of this. I hope this hearing will give us a path where we can correct some of these egregious issues that have been raised over the years, and I applaud you for holding the hearings.

Mr. BURTON. Thank you, Mr. Davis.

Mr. Clay.

Mr. CLAY. Thank you, Mr. Chairman. I'm going to thank you also for conducting this hearing, and perhaps we can get to the bottom of some of these issues that we're going to hear more about today.

I would like to submit an opening statement to you. Thank you.
[The prepared statement of Hon. Wm. Lacy Clay follows:]

Statement of the Honorable William Lacy Clay
Before the
Government Reform Committee
Special Investigation Briefing
Wednesday, June 12, 2002

**“Should the United States Do More to Help U.S. Citizens Held
against Their Will in Saudi Arabia?”**

Mr. Chairman, There is no doubt that the people of the United States and the Kingdom of Saudi Arabia have enjoyed a special long term relationship. The Saudi people have been an essential trading partner and military ally with the United States government for many years.

The question that faces us today is how do we resolve our differences regarding particular domestic situations. I'm not sure that there is enough time today to adequately answer every detail of this important question, however I would suggest that we continue to engage the Saudi government on this pressing and important issue. Second, I suggest that we look for new ways to promote cooperation and reconcile differences between our two systems of law. Finally, I believe that we should encourage the U.S. Commission of International Religious Freedom to add Saudi Arabia to its list of countries that are suppressor of human rights.

Finally, there will always be differences between our two cultures, but it is important to recognize and realize that in our society the family represents the very foundation of democratic

values. As long as I am a member of this distinguished body I will continue to stand-up, and speak-up for the rights of mothers and their children to be united.

Mr. Chairman, I ask unanimous consent to submit my remarks to the record.

Mr. BURTON. Without objection, so ordered.

Mr. Duncan.

Mr. DUNCAN. Thank you very much, Mr. Chairman, and I'm not going to make a full statement. I'll simply say as Mr. Schrock did that I agree with everything that you said and that others have said thus far, and I thank you for calling this hearing. I would like to read something that was in last week's U.S. News and World Report, a column written by Michael Barone entitled, "Our Enemies, The Saudis." He said "15 of the 19 September 11th hijackers were Saudis. Perhaps as many as 80 percent of the prisoners held at Guantanamo are Saudis. Osama bin Laden is a Saudi and Al Qaeda was supported by large contributions from Saudis including members from the Saudi royal family. The Saudi's cooperation with our efforts to track down the financing of Al Qaeda appears to be somewhere between minimal and zero . . ." And it goes on with many, many examples of things that the Saudis have done or not done that they should have done, and he ends up by saying they are effectively waging war against us.

Now, that is a very strong column by Michael Barone in last week's U.S. News and World Report, but there is this clamor in some corridors here to go to war against Iraq, with which I disagree, and I'm not saying we should go to war against Saudi Arabia. In fact, I wouldn't have written a column as strong as Michael Barone did, but I think it points out what many people have already mentioned, that this relationship with the Saudis is becoming very, very troublesome to this country, and the witnesses that are here today are the prime examples of these problems that have developed and are continuing. And so I think this is a very important hearing, and I thank you for calling the hearing.

Mr. BURTON. Thank you, Judge Duncan.

Mrs. Maloney.

Mrs. MALONEY. Thank you, Chairman Burton, for calling what is a critically important hearing on an issue that is truly gender apartheid. And as we listen to the testimony of our distinguished guests here, we cannot really divorce the policies of Saudi Arabia from the policies that are in front of us. What they are going to be talking about are family disputes, but the values in Saudi Arabia are really very different from any other western country. The government restricts freedom of speech, the press, assembly, association, religion and movement.

And just to give an example, a few months ago there was a fire in a girl's religious school in Saudi Arabia, and the girls fled. Many of them did not have the abaya or the head dress to cover themselves. The religious police forced them back into the burning building to get the proper head dress, and some of them died. I believe this demonstrates the state of human rights that is really despicable in Saudi Arabia, and they practice gender apartheid.

There are many places where women cannot go to eat. They can't go to lunch counters. They can't have identity cards. They can't vote and they can't drive. They are excluded from professions, and they are required to cover themselves, be shrouded with the abaya when they appear in public.

And so when you talk about custody cases, which I'm sure we'll hear from our panel today, you can't divorce—these are not simply

custody cases. This is a human rights violation. They don't follow the laws and human rights of other countries, and in many ways, practice violence against women.

Recently along with Congressman Fossella, we did a letter to Secretary O'Neill, really calling on them to freeze the Saudi Arabian money here in the United States as we did with Iraqi money during the war, and this was based on their television broadcasts where they were literally appealing to their population to raise money for terrorist families, those who were giving their lives to murder innocent people in Israel. And I feel that you have to hold the country accountable to their actions, and I feel that—I hope that not only that most Members of Congress will join us in this important letter, that we take steps to hold them responsible for really collecting blood money to give to terrorist families.

But I appreciate the efforts of our country to be helpful to American citizens who have suffered under this same type of gender apartheid that women suffer under every day in Saudi Arabia, and I look forward to the testimony.

Mr. BURTON. Thank you, Mrs. Maloney.

Mrs. Davis.

Mrs. JO ANN DAVIS OF VIRGINIA. Thank you, Mr. Chairman. For the sake of time, I don't have a formal statement, but I will say that as a woman and as a mother, I'm outraged to hear what happened in our own Embassy, having a Marine escort their women and children out knowing they would be arrested, and I just certainly hope we on this committee do everything we can to correct the errors—potential errors that were made by our U.S. Embassy and that this does not happen to American citizens, and I thank you, Mr. Chairman.

Mr. BURTON. Thank you, Mrs. Davis.

We now have a new member of the committee, and I want to welcome him to the committee, Congressman John Sullivan of Oklahoma. He was elected in a special election in January to replace our old buddy, Steve Largent, I think who is running for Governor out there. So we want to welcome you and we're looking forward to working with you and I ask unanimous consent that Mr. Sullivan be appointed to the Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations, and the Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, and I also ask unanimous consent that Congressman Dan Miller be removed from the Subcommittee on Government Efficiency, Financial Management and Intergovernmental Affairs, and with that, welcome to the committee and you're recognized.

Mr. SULLIVAN. Thank you, Mr. Chairman. I appreciate that, and I'm eager to hear your testimony, and I admire your courage for being here today. I have three kids, and I can just—I think it would be very difficult to be separated from them. As a new member of this committee and in the process of learning about these issues, I must say I was shocked to learn of not only the number of U.S. citizens detained against their will in Saudi Arabia, but the freedoms and liberties that are not allowed even though they are U.S. citizens.

Not only do we have children being detained who are American citizens with no intervention from the U.S. Government on their behalf, we also have a complacent Federal Government allowing them to languish in these situations with years with no help. These children may be abused or subjected to restrictive religious practices or to a religion they do not claim. Their rights are null and void, especially for women and children.

This is unconscionable that our government is not doing more to protect them. As a representative of the First District of Oklahoma, I speak for my constituents. Any of my constituents who would learn of such inaction by their own government for their safety would be appalled. My questions are their questions, such as why are there up to 92 U.S. citizens being held against their will in Saudi Arabia, and why is our government doing nothing? Why are we not doing a better job, at least checking to see that these children are being abused? Children cannot seek refuge in the U.S. Embassy without being returned to their Saudi parents.

It is estimated that as many as half of the Al Qaeda and Taliban detainees at Guantanamo Bay are Saudi. A poll conducted by the Saudi Government estimated that 95 percent of Saudi men between the ages of 25 and 41 sympathize with Osama bin Laden. The Saudi Government refuses to fully cooperate in the investigation of many bombings. Religious freedom is forbidden by law, and women have few rights in Saudi Arabia. The U.S. Commission on International Religious Freedom has recommended that Saudi Arabia be named a country of particular concern, placing it in a category with North Korea, Iran, Iraq and Sudan. State-owned media outlets are often full of anti-American and anti-Semitic propaganda. Calling the Saudi Government an ally is close to the old cliché, "with friends like this, who needs enemies?"

We have sold out rights of a few for the safety of many, bartering away their rights in order to placate this government under the guise of making allies in the war against terrorism.

If that is the case, we have started down the very slippery slope that allows anybody's rights to be rescinded for the good of the many, and our basis of freedom is and will be dually eroded. Certainly we must have allies, all of which we may not like, but we must decide where the line begins and ends in this regard, and does that line include advocating for each and every American citizen or not? And if not, why?

Although the State Department conveniently defines these situations as private custody disputes, any time the rights of U.S. citizens are abridged, we must act. This level of complacency is not acceptable. I look forward to hearing the testimony and finding out what both the executive and collective branches can do to ensure the safe return of all U.S. citizens from any and all countries from which they desire to leave in order to return home to the United States. Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Mr. Sullivan.

Mrs. Maloney has something she'd like to put in the record.

Mrs. MALONEY. I request unanimous consent to put in the record an article about the 15 girls who died in a school when the religious police would not permit them to leave, one of the police said, "it is sinful to approach them." And I would like to put this in the

record and just briefly add that we will hear from our witnesses today about terrible discrimination and their custody suits, and we as a government must hold the Saudi Government accountable for these irresponsible acts of shielding kidnappers and abusive fathers and husbands from prosecution.

And I, again, thank the chairman for having this meeting.

Mr. BURTON. Thank you, Mrs. Maloney. We will without objection put this in the record.

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15 girls die as zealots 'drive them into blaze'

(Filed: 15/03/2002)

SAUDI Arabia's religious police are reported to have forced schoolgirls back into a blazing building because they were not wearing Islamic headscarves and black robes.

Saudi newspapers said scuffles broke out between firemen and members of the Commission for the Promotion of Virtue and Prevention of Vice who tried to keep the girls inside a burning school in Mecca.

Fifteen girls were killed as they stampeded to escape from the blazing building in the Muslim holy city. Saudi media and families of the victims have been angry over the deaths of the girls in the fire that gutted the school.

The resulting public criticism of the religious police, or mutaween, is highly unusual.

The English-language Saudi Gazette, in a front-page report yesterday quoted witnesses as saying that members of the religious police stopped men who tried to help the girls escape from the building, saying: "It is sinful to approach them."

A civil defence officer told an Arabic-language newspaper, al-Eqtisadiyah, that he saw three members of the religious police "beating young girls to prevent them from leaving the school because they were not wearing the abaya".

He added: "We told them that the situation was very critical and did not allow for such behaviour. But they shouted at us and refused to move away from the gates."

The father of one of the dead girls alleged that the school watchman refused to open the gate to let the girls out.

"Lives could have been saved had they not been stopped by members of the Commission for Promotion of Virtue and Prevention of Vice," the Saudi Gazette said.

—External links

► [Saudi Arabia: women's rights - Amnesty International](#)

► [Islam - Saudi Arabia Information Resource](#)

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The much-feared mutaween roam the streets of the conservative kingdom wielding sticks to enforce dress codes and sex segregation and to ensure that Islamic prayers are performed on time.

Those who refuse to obey the orders of the religious police are usually beaten and sometimes jailed.

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Mr. BURTON. Mrs. Morella.

Mrs. MORELLA. Thank you, Mr. Chairman, for the courtesy of allowing me to make a very brief opening statement. Thank you for having this very important hearing. In 1991, a powerful movie entitled, "Not Without My Daughter" awakened many American's eyes to the harsh realities and inequities of life in Iran, especially for women. This film was based on a book by Betty Mahmoody, an American housewife who risked torture and death to escape from Iran with her young daughter, Mahtob in 1986.

Sadly, there are three individuals gathered here today who could tell harrowing tales of their experience with Saudi Arabian inequity and whose stories would be equally powerful if made into movies, rather unbelievable. The events of September 11 and the discovery that 15 of the 19 hijackers were from Saudi Arabia and that many Al Qaeda operatives are Saudi-born have led much of the American public and many U.S. officials to probe deeper into our relationship with Saudi Arabia. And not only are many U.S. officials looking more closely at the U.S.-Saudi relationship, but many are also looking closely at the conditions inside Saudi Arabia.

Just the other day I chaired a congressional human rights caucus hearing on the role of women in Saudi Arabia and mention was certainly made of the young women who were burned to death. The U.S. Commission on International Religious Freedom has recommended that Saudi Arabia be named a country of particular concern, placing it in a category with North Korea, Iran, Iraq and Sudan. And as Chairman Burton pointed out in his testimony, one particularly unjust aspect of our relationship with Saudi Arabia is that U.S. citizens can be held against their will with the full blessing of the Saudi Government, and often in violation of U.S. law.

And while some noble individuals within the State Department have tried to remedy the problem, the United States has, in many cases, subverted attempts to reunite families. In addition, the Saudi Arabian Government has done little to rectify any disputes between families.

The three witnesses on the first panel that you've assembled, Mr. Chairman, will give more details about their tragic plights in trying to reunite with family members. I only hope that their words which have, for many years fallen on deaf ears, will finally be heard by the United States and Saudi Governments. I yield back the balance of my time, and again, thank you, Mr. Chairman.

Mr. BURTON. Thank you, Mrs. Morella.

[The prepared statement of Hon. Constance A. Morella follows:]

Amatene Myelle 6.12.02

Saudi Arabia Remarks

In 1991, a powerful movie titled “Not Without My Daughter” awakened many American’s eyes to the harsh realities and inequities of life in Iran, especially for women. This film was based on a book by Betty Mahmoody, an American housewife who risked torture and death to escape from Iran with her young daughter, Mahtob, in 1986. Sadly, we have three individuals gathered here today who could tell harrowing tales of their experience with Saudi Arabian inequities and whose stories would be equally powerful if made into movies.

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I yield back the balance of my time.

Mr. BURTON. Mr. Shays.

Mr. SHAYS. No statement, Mr. Chairman.

Excuse me, Mr. Chairman, I just want to thank you for having this hearing, but I don't have a statement.

Mr. BURTON. Thank you, Mr. Shays. I'd just like to say to the witnesses, one of the reasons that we have everyone make opening statements is it sends a very clear message to the Saudi Government that this is not just the chairman's position or the ranking member's position, but the entire membership of the committee, and I believe the entire membership of the Congress.

So if the Saudi Government is paying any attention to what is going on today, this isn't just me or Mr. Waxman; this is the attitude of the U.S. Congress, in my opinion, and I think if you talk to all 435 Members, you'd get the same answer, that we want American laws recognized, and we want the Saudi Government to work with us and comply and not to allow kidnappers to take these kids out of the country and never return them and to treat the mothers like dirt. And if they don't get that message today, I presume they never will, but we are looking forward to hearing your testimony.

With that, we swear in our witnesses so that we have everything on the record and under oath. So would you please rise and raise your hands.

[Witnesses sworn.]

Mr. BURTON. Our first panel is Pat Roush, Ethel Stowers, Miriam Hernandez-Davis and Dria Davis. We welcome you here. We'll start off now with Ms. Roush first. Ms. Roush, you're welcome to make an opening statement.

STATEMENTS OF PATRICIA ROUSH, MOTHER OF ALIA AND AISHA GHESHAYAN; DRIA DAVIS, ACCOMPANIED BY HER MOTHER, MIRIAM HERNANDEZ-DAVIS; AND ETHEL STOWERS, MOTHER OF MONICA STOWERS, AND GRAND-MOTHER OF RASHEED AND AMJAD RADWAN

Ms. ROUSH. Good morning, Chairman Burton, and members of the committee. I'm pleased to participate in this panel and present you with my testimony. Terrorism takes on many forms, and for 16½ years, my two American daughters, Alia and Aisha Gheshtayan and I, have been victims of the worst emotional, psychological and spiritual terrorism possible. We have been separated from each other by two systems of evil that have broken the moral law that governs all human beings.

My daughters have been taken hostage by a medieval totalitarian system, and the central authority of our government, the U.S. Department of State, has done everything to enable that system to destroy the lives of my beloved daughters and shatter my family.

I have previously testified before the House International Relations Committee in 1987, Subcommittee for the Near East, concerning violations of human rights of American citizens by the Saudi Arabian Government. The honorable Tom Lantos was Chair, and his very powerful words addressing Assistant Secretary of State Marion Creekmore continue to remain with me. "Is this the image that you want to portray of the United States, that of the impotent

giant that cannot get back two little innocent children from Saudi Arabia?"

Secretary Creekmore's response was, I don't think the withholding of visas to the United States for Saudis is the proper way to resolve this.

By way of background, for the last 16 years, I have tirelessly pioneered the issue of American children kidnapped and taken abroad. My relentless efforts over the years led to the creation of the Office of Children's Issues at the State Department in 1987, and to the enactment of the International Parental Kidnapping Act in 1993. The Hague Treaty on the Civil Aspects of International Child Abduction was signed in 1987 by the United States because of the high profile of my case in the Congress and the press.

The Office of Children's Issues unfortunately has never been what it was intended to be, which is a place of authority that U.S. citizens can turn to for assistance when their children are abducted to a foreign country. Instead, it is merely another file and data collecting agency of the Federal Government.

Working to free my daughters has become a mission-impossible assignment that I have accepted as part of my daily life. Before my two daughters were kidnapped, my 7-year-old would sing with such delight, "Tomorrow, tomorrow, I love you tomorrow. It is only a day away." This was her favorite song from the movie Annie about a little girl who was lost and found. But the happy ending from the Hollywood movie never materialized for my little girls, and as the Arabic folk expression states, 20 years will soon be tomorrow, became their reality.

The girls are now women, ages 23 and 19. They were kidnapped and taken to the kingdom of Saudi Arabia by their Saudi national father in 1986. They were 3 and 7 at the time. This is a father they hardly knew and feared, who had a documented history of a severe mental illness with a paranoid and violent ideation. He has been their master for almost 17 years. They fear him and have learned to submit and suffocate themselves to his demands.

Saudi Arabia has violated my human rights and the human rights and Constitutional rights afforded to my daughters as American citizens. The U.S. State Department is an accessory and active conspirator in the denial of these rights. The U.S. Government receives benefits from the Saudi Arabian Government in various forms, which induces to violate these rights. Everyone is entitled to freedom from fear. The U.S. State Department and the Kingdom of Saudi Arabia have both intentionally used their great power to create fear to intimidate and threaten my daughters and me. My daughters are victims of forced religious conversion as outlined in the International Religious Freedom Act.

My Christian daughters were forced to convert to Islam, and as you know, religious choice is not an option in the Kingdom of Saudi Arabia. They could be put to death if they even spoke the name of Jesus. This is also an act of ethnocide. My daughters have had their culture and society taken away and been denied their heritage. Do they know that their mother's family has been on the U.S. soil since 1711 and fought in all the wars to keep America free? Do they even know what freedom is? My daughters have been stolen and kept in captivity for 16 years incommunicado with the entire

western world. They have no knowledge of the rest of the world except by way of Saudi Arabian censored television and the males that are their masters. They are denied the rule of law, denial of due process. Saudi Arabia is a totalitarian state where my daughters are locked up, wrapped up and shut up.

This is a cover picture from National Geographic magazine showing that well-known photograph of a young green-eyed Afghan girl on the cover 20 years ago, now wearing the dreaded burqa. The caption says, found. And this is a picture of what my daughters are wearing today, basic black from head to toe. They have no choice. The Saudi Religious Police can arrest, imprison or kill them for not wearing this garb. This little insert picture of my little girls in the white dresses with puffed sleeves is 17 years old. It is the last picture I have of them.

Underneath the picture it also says, “found.” Yes, we found them, but they were never lost. We always knew just where they were but couldn’t save them from their destiny which is no different from the destiny of this poor Afghan woman. They are also condemned to a life behind a veil without any rights, the life of silence, submission and servitude. They are treated as Saudi women, not American women living in Saudi Arabia. The Saudi Government doesn’t even recognize their American citizenship. They are the property of their husbands. They can be put to death by these men if the men so choose to dispose of them. It is called honor killing, and the price of honor in Saudi Arabia for women is quite steep.

The State Department called me yesterday to—yesterday was my 56th birthday. My girls were kidnapped when I was 39. The State Department called me on my 56th birthday to tell me that my youngest daughter Aisha was sold to a man that she hardly knew. This selling of my youngest daughter was in retaliation because their father and the Saudi Government knew about this hearing.

President Bush has created a special White House liaison for Afghan women’s rights, but there is no one in the entire U.S. Government working for my daughter’s rights, an American woman locked up in Saudi Arabia. No, I am told that there is nothing the U.S. Government can do for them, because under Saudi law, their father, and now their husbands, have total power and control over them.

And even Allah, himself cannot help them. Contrary to the statements appearing in the Saudi-owned press, Asharq Al Awsat, listed on the official Web site of the Saudi Embassy, SaudiEmbassy.net, which recently published a very biased, slanderous article about me concocted by the Saudi Government and Gheshayan. These are American women not “Saudi daughters.” The Saudi Government continues infantile employs to place this ordeal and my daughters in the middle of an international chess match.

The playing field is far from even, and they have a great advantage, the physical possession of my daughters and my unborn grandchild, yes, I found out by reading this Saudi-owned newspaper that I will be a grandmother. I have no knowledge of the well-being or status of my daughters, none. And the little bit of information I have gotten over the years has been second-hand. National Review Magazine posed the question to Prince Abdullah in

April when he was in Crawford with the President. The caption over their little pound puppy photo read "hey Abdullah, how are the girls?" I wish I knew how they are.

The State Department claims that when these child victims of international parental abduction become 18 years of age, the interest of the State Department doesn't end. The concerns of these now adult American citizens are undertaken by the Office of American Citizens Services until the American parent no longer requests intervention.

My daughters are 23 and 19 years of age and know one has seen either of them since they turned 18. When they were children, the State Department only saw them three times in 14 years. If they were prisoners in a Riyadh jail, the State Department, the Embassy would have seen them more times then because they were upheld by their Saudi Arabian father.

Is this how the State Department shows their concern for American citizens? In fact, the State Department staff have admitted—I'm sorry. In 1986, just 10 months after the girls were kidnapped, the Riyadh Governors' office and the American Embassy worked out a deal to have the girls released. This was due to the tremendous pressure in the U.S. Senate organized by former U.S. Senator, Allan Dixon of Illinois. The Governor of Riyadh's office was going to allow the girls to leave the kingdom and his representative Saleh Hejeilan was making all the arrangements. He only requested the presence of the then U.S. Ambassador to Saudi Arabia, Walter Cutler at the meeting in the Governors office.

I was in constant communication with the DCM of the mission, Edward Walker. He told me, Pat, the Embassy telexed us twice this week. They will not allow the Ambassador to go into the meeting. I have telexes from the State Department to the Embassy telling them to remain, "impartial and neutral." Hejeilan then told me your government doesn't want you. Your State Department will not help you. You will see your children if and when we decide. He then videotaped my young daughters like prisoners on display, all within the presence of the American Council general, who remained silent.

He later told me that my 8-year-old daughter, Alia, was forced to say on tape that she hated her mother and the United States. Her eyes had a wild glazed look and she looked terrorized. The Saudis then began to systematically put me through a 16-year torture with one lie and broken promise after the other. They delighted in this sadistic game and used their control over the lives of my daughters to taunt me. Another time Hejeilan told me you are being punished for going to the politicians and the press.

In 1995, U.S. Ambassador to Saudi Arabia, Raymond Mabus began a campaign to help me. He is a true hero, a man of integrity who stood up to the Saudis and got me into the kingdom to see my girls. He went to every Saudi prince, including Crown Prince Abdullah for the release of my daughters. I was only able to see the girls once for 2 hours, but they told me they loved me and asked me to take them out of there. They were 16 and 13 at the time, terribly emotionally abused by their father. The Saudis wouldn't allow me to see them again, and I spent 21 days of heart wrenching pain inside a hotel room in Riyadh. But Ray Mabus

called me in the hotel room and he said, Pat you go home and remember that there are people in this Embassy who care about you and your girls. I will do everything to get your daughters back to California.

He held up the visas to the United States of my ex-husband's family, which is a very effective tool. He received a diplomatic note from Prince Saud bin Faisal, Saudi foreign minister allowing the girls to come home for the summer of 1996. Mabus also got a quid pro quo from Crown Prince Abdullah, the release of the girls for the saving the life of one of his generals, a relative of Gheshtayan who needed treatment for cancer.

It was finished, a done deal. But it wasn't finished yet. Mabus told me he was going to resign as Ambassador for personal reasons. I was in agony. I knew what would happen. Mabus reassured me and said Pat, don't worry. I have made believers out of these guys at the Embassy. I will fully brief the incoming Ambassador, who is also a political appointee. Nothing is going to happen, Pat. We are at the finish line. I wish I could be here when they come home, but I have to go back to Mississippi.

In August 1996, Wyche Fowler, Jr., the new political appointee arrived in Riyadh as U.S. Ambassador. Ray Mabus fully briefed him on the urgency of the situation. I sent him a long detailed fax concerning the background of—and what Mabus had accomplished and what we needed to do. No response. I called Fowler and asked if he had received my faxes. He denied receiving them. I explained that we needed his help. Ray Mabus was on the verge of getting my girls out of Saudi Arabia and it was up to him to just make the contact for us.

It was finished, all wrapped up. We had the promise of the Crown Prince. My girls could come home. He said to me Ms. Roush, I am in the middle of an Iraqi war here and I don't have the time right now to deal with this. I am aware of your situation and you are not doing any bit one good by cross-examining me. He dismissed me like an impertinent school girl who was way out of line by even speaking to him. He lifted the visa censorship of the Gheshtayan family, the only effective tool I had to persuade the Gheshtayan family to return my girls.

No, Wyche Fowler had other things to do which didn't include the release of my girls. The Glasgow Evening Times quoted that this 55-year-old married, newly assigned U.S. Ambassador was having an affair with a 24-year-old Scottish woman he had met on a plane that summer. All he had to do was go back to the Crown Prince and finish the deal Mabus had set up. He told my lawyer, "the deal is dead. Pat Roush can either come here and see her daughters another time or she can let the chips fall where they will."

My attorney said to Fowler that means the girls are forgotten then. Why not do what Ray Mabus did? And Fowler replied why not get Ray Mabus then. You seem to get my name in the papers. The ball is in your court. The Saudis trust me. Take it or leave it. Wyche Fowler was in Saudi Arabia for 6 years. He lobbied hard for that job and made a lot of money. He is now the grand statesman about town, the Mideast expert and chairman of the board of the Mideast Institute. He gives speeches, goes to dinner parties and I

am sure has many Saudi friends. He appears on television as an expert on Saudi Arabia.

His wife divorced him after that Scottish-girl incident. He should be held responsible for what he did to my family. He is a criminal and condemned my daughters. He is responsible for the marriages of both of my daughters. If he had done the right thing in 1996, they would have never been married. He has cost us 7 more years of hell. It would have been so easy for him to finish the job Mabus started. What was the downside for him? The Bible states that the measure you give is the measure you shall receive and you shall be known as you are known.

Both of Gheshayan's parents came into the United States for medical treatment from American doctors and nurses when they became ill. They used U.S. medical technology to try to save their lives, and in the meantime, kept my daughters away from me without so much as a phone call. I would call their house to speak with my girls and they would hang up on me. They came in with diplomatic passports, accompanied by their international criminal son who broke U.S. law, even after there were U.S. State and Federal warrants issued for his arrest.

He was allowed to enter the United States on a diplomatic passport with his father. They made a mockery of U.S. law. If Members of Congress are so concerned about the human rights and fair treatment of Saudi al Qaeda killer prisoners held in Cuba and even make special trips to inspect that facility at Guantanamo, why aren't they outraged about what has happened to my daughters? Why don't they make an exchange? My innocent daughters for the Saudi al Qaeda killers? If President Bush can advocate for the release of Lori Berenson, an American woman jailed in Peru for suspected terrorism, why can't he pick up the phone and call Crown Prince Abdullah and ask that my innocent daughters be allowed to come home?

My daughters are forced to live in a society where 15 young Saudi school girls were burned alive because they were wearing the wrong clothing. The religious police forced them back into an inferno. My daughters could have been in that fire. This is a recent story in the Italian press about a little girl with an Italian mother and an Algerian father who was taken to the Italian Embassy in Algiers by her mother for asylum. The child remained inside the Italian Embassy for 2 years while the Italian Government negotiated for her release with the Algerian authorities. She was just taken back to Italy on an Italian military aircraft.

That is how much her government cared about her. I am asking for your help and the help of the entire U.S. Congress to free my daughter and Alia's baby. The State Department must issue a Demarche to the Saudi Arabian authorities to have my family returned to America immediately. This is a moral decision of conscience.

As Moses pleaded with the obdurate heart of the Egyptian pharaoh for the release of his people, I am beseeching you, let my family go. Saudi foreign minister Prince Saud bin Faisal is coming into town today or tomorrow. It would be a great opportunity for Members to approach him, a telephone call from him can release my daughters tonight. I am now authoring a book entitled, "At Any

Price, How America Betrayed My Kidnapped Daughter for Saudi Oil," available in February 2003. Remember there are no hopeless situations. There are only men who have grown hopeless about them. Thank you.

Mr. BURTON. Thank you, Ms. Roush.

[The prepared statement of Ms. Roush follows:]

STATEMENT OF PATRICIA M. ROUSH

BEFORE THE COMMITTEE ON GOVERNMENT REFORM

U.S. HOUSE OF REPRESENTATIVES

107th Congress, 2nd Session

Washington, D.C.

June 12, 2002

INTRODUCTION

Good morning, Chairman Burton and Members of the Committee. I am pleased to participate in this panel and present you with my testimony regarding my sixteen and one half year struggle to free my two daughters, Alia and Aisha Gheshayan, from the kingdom of Saudi Arabia.

I have previously testified before the House International Relations Committee in 1987-Sub Committee for the Near East concerning violations of human rights of American citizens by the Saudi Arabian government. The Honorable Tom Lantos was Chair and his very powerful words addressing Assistant Secretary of State Marion Creekmore continue to remain with me. "Is this the image that you want to portray of the United States? That of the impotent giant that cannot get back two little innocent children from Saudi Arabia?" Secretary Creekmore's response was, "I don't think the withholding of visas to the United States for Saudis is the proper way to resolve this." Several men that testified before that committee have received huge payoffs from the Saudi government – some as high as \$25,000,000. I didn't want any blood money, just my little girls. But I never got them back and unlike the men at the hearing who were paid off by the Saudis, my family and I were forced to pay the price – in sacrifice, tears and degradation at the hands of the Saudis and the U.S. Department of State.

By way of background, for the last sixteen years I have tirelessly pioneered the issue of American children kidnapped and taken abroad. My relentless efforts over the years led to the creation of the Office of Children's Issues at the State Department intended to advocate on behalf of the littlest American citizens snatched to foreign countries, and to enactment of the International Parental Kidnapping Act in 1993. The Hague Treaty on the Civil Aspects of International Child Abduction was signed in 1987 by the United States because of the high profile of my case in the Congress and the press. The Office of Children's Issues, unfortunately, has never been what it was intended to be, which is a place of authority that U.S. citizens can turn to for assistance in having their children returned from foreign countries. Instead, it is merely another file collecting agency of the federal government

However, this forum is not about child abduction. The kidnapping of American children and taking them inside the borders of foreign nations, outside of the jurisdiction of U.S. courts is a tragedy and heinous crime but the retention, detention, exploitation, abuse, and loss of American lives in foreign countries due to the lack of intervention of the U.S. government is a crime against humanity and God.

Working to free my daughters has become a 'Mission Impossible' assignment that I have accepted as part of my daily life. I have been successful in convincing Members of Congress to object to Senatorial Confirmation of certain U.S. ambassadors to Saudi Arabia and alter Arms Packages to Saudi Arabia because of my daughters' kidnappings. I have had hand delivered letters to three U.S. Presidents in the Oval Office, lobbied four State Departments, and appeared on countless television and radio programs. A tremendous amount of print media has covered my story. I have traveled and spoken to countless people in all walks of life all over the world to try to get my daughters released from Saudi Arabia and am authoring a book about my story which will be available early next year.

Before my two daughters were kidnapped my seven year old would sing with such delight, "Tomorrow, tomorrow, I love you tomorrow. It's only a day away..." This was her favor song from the movie, 'Annie', about a little girl who was lost and found. But the happy ending from the Hollywood movie never materialized for my little girls and as the Arabic folk expression states, "Twenty years will soon be tomorrow" became their reality.

The girls are now women – ages twenty-three and nineteen. They were kidnapped and taken to the kingdom of Saudi Arabia by their Saudi National father in 1986. They were three and seven at the time. This is the father they hardly knew and feared who had a documented history of a severe mental illness with a paranoid and violent ideation.

His status was well known to the U.S./Saudi officials, but for the last sixteen plus years two American citizens, my daughters, have spent their childhood – and now their early adulthood – captive in Saudi Arabia without so much as a protest from the U.S. government. They languish in a medieval, madness filled with superstition and religious fanaticism. The country is ruled by a single family of corrupt, degenerative, greedy princes with an insatiable appetite for more and more and more. 'The Prize' is of course, the oil, and the stakes are high. High enough for the government of the United States to sacrifice any ideals and scruples they might have to keep this totalitarian regime operating.

My daughters have become victims of the endless gamesmanship between U.S. diplomats and the Saudi family princes. Ties between the U.S. and Saudi Arabia are long and deep rooted, cemented by long-standing military and economic interests. The U.S. is the leading supplier of defense equipment and services to the kingdom. Billions of dollars of U.S. merchandise are exported to Saudi Arabia each year. And in turn Saudi exports to the U.S. last year totaled more than fourteen billion dollars. Vast amounts of seemingly unlimited money and deals have made the U.S./Saudi 'special relationship' an unflappable phenomenon. An unsinkable ship that everyone from entrepreneurs to U.S. Presidents has wanted to jump on. Despite the facts of September 11, 2001, the U.S. government still soft pedals the Saudi regime, makes excuses for them and does "business as usual".

"The United States closes its mouth, its eyes, its ears. It's a shame on the Administration that they are not helping this lady. When it comes to the Saudi-American relationship, the White House should be called the 'White Tent.'" (Former Saudi diplomat Mohammed Al-Khilewi who defected from the Saudi Mission to the United States in 1994.)

Saudi Arabia has violated my human rights and the human rights and Constitutional rights afforded to my daughters as American citizens. The U.S. State Department is an accessory and active conspirator in the denial of these rights. The U.S. government receives benefits from the Saudi Arabia government in various forms which induce it to violate these rights.

Everyone is entitled to freedom from fear. The U.S. State Department and the Kingdom of Saudi Arabia have both intentionally used their great power to create fear to intimate and threaten me and my daughters as I shall explain in this testimony.

My daughters are victims of forced religious conversion as outlined in the International Religious Freedom Act, which has a special section that was written expressively because of my daughters' situation in Saudi Arabia. A member of the State Department finally admitted this victimization during a recent briefing concerning my case. My Christian daughters were forced to convert to Islam and as you know, religious choice is not an option in the kingdom of Saudi Arabia. They could be put to death if they even spoke the name of Jesus.

This is also an act of ethnocide. My daughters have had their culture taken away and been denied their heritage. Do they know that their mother's family has been on U.S. soil since 1711 and fought in all the wars to keep America free? Do they even know what freedom is?

My daughters have been stolen and kept in captivity for sixteen years – incommunicado with the entire world. They have no knowledge of the rest of the world except by way of Saudi Arabian censored television and the males that are their masters. They are denied the rule of law – denial of due process. Saudi Arabia is a totalitarian state where my daughters are locked up, wrapped up and shut up. This is a cover picture from National Geographic Magazine showing that well known photograph of a young, green eyed Afghan girl on the cover twenty years ago...now wearing the dreaded burqa. The caption says, 'Found'.

And this is a picture of what my daughters are wearing – basic black from head to toe – they have no choice. The Saudi religious police can arrest, imprison or kill them for not wearing this garb. This little insert picture of my girls in the white dresses with puff sleeves is seventeen years old. It is the last picture I have of them. Underneath the picture it also says, 'Found'. Yes, we found them. But they were never lost. We always knew just where they were but couldn't save them from their destiny which is no different from the destiny of this poor Afghan woman. They also are condemned to a life behind a veil without any rights - a life of silence, submission and servitude. They are treated as Saudi women not American women living in Saudi Arabia. The Saudi government doesn't even recognize their American citizenship. They are the property of their father and husband. They can be put to death by these men if the men so choose to dispose of them. It is called 'honor killing' and the price of honor for a Saudi woman is quite steep. President Bush has created a special White House liason for Afghan women's rights but there is no one in the entire U.S. government working for my daughters' rights as American women locked up in Saudi Arabia. No, I am told that there is nothing the U.S. government can do for them because under Saudi law there father and now there husband have total power and control over them and even Allah, himself cannot help them!!!!

My family and I are also victims of extortion. We have been forced to spend hundreds of thousands of dollars in attempts to rescue my daughters from Saudi Arabia. This is not to mention the countless other ways my income has been depleted over the years such as lost time from work, airline tickets, huge phone bills, attorneys' fees, detectives' fees, years and years of sacrifice of money and time and the life saving of my sick, elderly mother who spent her last dollar to get her beloved granddaughters out of that desert. She never lived to see that day and died in poverty because of this. While Saudi princes, their retainers and their American counter parts lavished themselves in money and riches, my mother and I have lived from hand to mouth all these years. I sacrificed my life to get my daughters back. She sacrificed her life savings and her home in her old age. She begged the Saudis for a crumb and they took delight in emotionally

torturing a sick, old grandmother. They forced me to spend money to recover what is manifestly mine, my flesh and blood - my bone of my bone and blood of my blood.

Contrary to the statements appearing in the Saudi owned press, Asharq Al Awsat, listed on the official website of the Saudi Embassy (saudiembassy.net) which recently published a very biased, slanderous article about me concocted by the Saudi government and Ghashayan, these are American women not, "Saudi daughters". This paper is available in forty two Arab countries. They have now made my plight an issue between the West and the Arab world. Ghashayan and I are on the front page with the headline caption:

THE AMERICAN CONGRESS HOLDS SPECIAL HEARING REGARDING SAUDI WHOSE WIFE CLAIMS HE HAS KIDNAPPED HIS TWO DAUGHTERS

GHASHAYAN FAMILY CLAIMS THAT ALIA AND AISHA WOULD LIKE TO LIVE WITH THEIR FATHER IN RIYADH AND THEY REFUSE TO LIVE WITH THEIR MOTHER

Do they have a choice? Are they free to leave of their own volition? What are the consequences for them if they even mentioned my name or America?

Where was the Ghashayan family and Mr. Ghashayan when I was left to support and care for my infant and toddler baby girls – these so called 'Saudi daughters'? Where was the Ghashayan family, Mr. Ghashayan and the Saudi princes when I worked, went to nursing school, got up in the middle of the night, changed diapers, and cared for my babies? I was all alone, abandoned to fend for all of us with full responsibility to come up with our next meal and a roof over our heads.

The article ends with the statement: "Khalid Ghashayan and his family do not understand why American Embassy employees call them every three months and don't understand that those two daughters are Saudi daughters and that the Embassy should not approach them as Americans living in their country. They should not be stated as missing for several years because they are Saudis not Americans.

The American Embassy doesn't call them every three months to be sure – every six years is more like it. However, the Saud government continues to use infantile ploys to place this ordeal and my daughters in the middle of an international chess match. The State Department, in its refusal to back me up and make this a State-to-State issue with the Saudis, has forced me, a private citizen, a mother, to stand up to the Saudi government all alone. I started out by asking my government to help me get my internationally kidnapped children back and now I am fighting the whole Arab world and the United States government to save my adult daughters from a life sentence in Saudi Arabia.

The playing field is far from even and they have the great advantage – physical possession of my daughters and my unborn grandchild. I found out by reading this Saudi owned newspaper that I will be a grandmother. I have no knowledge of the well being or status of my daughters – none. And the little bit of information I have gotten over the years has been second

hand. National Review Magazine posed the question to Crown Prince Abdullah in April when he was in Crawford with the President. The caption over their little Pound Puppy photo read, "Hey Abdullah. How are the girls?" I wish I knew how they are.

Last June I found out that my daughter, Alia, was married by a telephone call from American Citizens Services, Mr. Bill McCollough. He said, "Ms. Roush, Ambassador Bill Burns (Assistant Secretary Near Eastern Bureau) is unable to meet with you and by the way, I have some news that you are not going to like very much - your oldest daughter was married a few days ago." I cried out in agony. This was one of my worst nightmares. The State Department waited so long and wouldn't help us - wouldn't hear our pleas and Alia grew up. She went from one male master controller to another. The State Department and American Embassy tell me they have no information about my daughters but they managed to know about this. They manage to know what they want to know when they want to know it but I never know anything. And haven't for sixteen years. Its like I have been erased from their lives. And now it is extending to the next generation. I won't be able to be with Alia during the birth of her baby. I won't hold that baby in my arms and the baby won't know that I am Alia's mother, her grandmother. They not only destroyed my mother's twilight years but took away my motherhood, my children's mother, my grandmotherhood and my grandchildren's relationship to their grandmother. The Saudi government and the State Department have wiped us all out.

A daughter's wedding day is supposed to be one of the most wonderful days for her mother to share with her. Every mother dreams of seeing her little girl grow up and wear that beautiful, white dress - all aglow with the man she loves. It begins the journey of hope for a happy, blessed, adult, new life for her daughter and the husband. It's a spiritual rite of passage that contains the seeds of the next generation.

My daughter couldn't even call me on her wedding day and tell me about it. That family even denied us that. I didn't know who my beloved Alia married. Who is this man? How old is he? Is he a member of the fanatic religious police? Did her father sell her to someone who will beat her and rape her night after night forcing her to become nothing but a brood mare?

I got no answers for quite awhile and several months passed by before I found out that her father had sold her to his favorite cousin's son. He kept her in his family so his influence would be a continued presence for her until her death. I know nothing more than this. I am not allowed to have any information about my daughters unless I read about it the Saudi press.

Last Fall I asked the Senate Foreign Relations Committee to get a clear promise from incoming U.S. Ambassador to Saudi Arabia, Robert Jordan, a Bush appointee, that he would work for the release and repatriation of my daughters and allow me to immediately fly to Riyadh to meet with Alia and her new husband along with my Aisha.

I received no response from him but Karen Sasahara at the Saudi Desk yelled at me, "We cannot get you into Saudi Arabia to see your children. You are so negative!" She was referring to the offer Ghesayan made to me at the meeting he had last August with the consul of the U.S. Embassy. He offered me a one hour visit with Aisha. He said I could come to Riyadh and have lunch with him and Aisha at the Marriot Hotel for one hour -- no pictures, of course, and then

leave. I could not meet Alia because her husband was now in charge of her. When I told Sasahara that this was not acceptable, she accused me of being negative and uncooperative.

After sixteen years Gheshayan allowed me a five minute telephone call with nineteen year old Aisha last September. She told me, "Hello, Mom. I love you. I love you. Come to Riyadh."

When a member of the press questioned an officer at American Citizens Services about this impassioned plea from my daughter he was told, "That's a lie. Her daughter doesn't speak enough English for her to tell her mother those things." They also informed the press that the American embassy sees my daughters regularly and makes sure they are well cared for.

Behind closed doors members of the State Department confessed that they haven't seen my daughters in years. They have no idea where they are or how they are. As for Aisha's English, her father was watching CNN when the call was made. Maybe she hears enough English from the television. Maybe she remembers that one night we had together when I kept telling her, "I love you. I love you."

She committed the expression to memory and probably told herself if I ever get another chance to speak to my mother, I will tell her this. Actually at the end of that 120 minute meeting in Riyadh in 1995 as I was packing up their gifts that I brought them, Aisha ran up to me and threw her arms around me and said, "I love you. I love you." She wouldn't let me go. She was waiting to tell me that again; however, her father never gave her another chance to speak to me again and I never got to Riyadh. Aisha and I are still waiting. The Saudis may have her body but not her heart and soul. I hope to God he has not sold her into some Saudi's bed. I was told by an anonymous source in the American Embassy that Gheshayan was very happy he found a rich man for Alia and is now actively looking for another rich one for Aisha. Gheshayan has five other children with his Saudi wife and is tired of dealing with the American embassy over Alia and Aisha.

Now I'd like to briefly describe the experience of what has happened, the role of the U.S. State Department, the U.S. Embassy in Riyadh, the Saud princes and their agents. I shall attempt to explain the course of events that has happened over the last sixteen years concerning my case and how the 'special relationship' between Saudi Arabia and the U.S. government has been the cause that still prevents my American born daughters, ages twenty-three and nineteen, from being returned to me.

LIFE WITH THE CHILDREN

In 1975 while I was a young college student living in San Francisco I met a Saudi Arabian national, Khalid Gheshayan, who was sent to the U.S. by the Saudi Ministry of the Interior and sponsored by the Saudi Educational Mission in Houston, Texas. He was given an 'A1' visa which is a diplomatic visa by U.S. Immigration and Naturalization Service. At that time all the Saudi students were given a diplomatic visa in contrast to all other foreign students that were and are issued 'F1', student visas. This was the beginning of the preferential treatment he would be receiving from the U.S. government.

Gheshayan came from a prominent Saudi family from the Najd region of the Arabian desert. His grandfather allegedly rode on camels with Ibn Saud and his father worked for Prince Faisal bin Abdul Azziz who became King Faisal. After the King was killed by a deranged relative, Gheshayan's father came to the U.S. for heart surgery at the Cleveland Clinic the same year that Gheshayan and I met – 1975. Many Saudis come to that facility and they have built a special wing in that hospital for their sole use.

In 1978 Gheshayan's family returned again to the U.S. for one year – staying in San Francisco. I met them and knew all of them well. Gheshayan and I were married in 1978. I had graduated from the university receiving a degree in anthropology. He was in and out of school with a lack of scholarship, severe drinking problem and difficulty focusing with personality changes.

His parents weren't too concerned about any of this. Money came in to him from the Saudi Mission in Houston even if he didn't attend school. His father and other relatives also gave him money. I thought that if only I could help him stop drinking, he would turn his life around. I became a co-dependent and tried to change him. That was a mistake in judgment I would regret deeply for the rest of my life.

I pleaded with him to stop drinking and took him to an alcoholic inpatient treatment center at a local hospital. It was a twenty-eight day program and he left after a week. He was in and out of facilities for psychiatric and alcoholic problems. Let me read to you a few excerpts from one of the over one hundred pages of medical records from his file:

This is the first Mary's Help Hospital admission for this 30-year-old Arabic student with a history of alcoholism over the past five years since he came to the U.S. as a student. He has multiple family problems associated with his drinking...Patient was treated with detoxification followed by rehabilitation...He is not an active participant in the program with active denial and he started to have hallucinations and feelings of persecution and was evaluated by Dr. David Glass, who felt that patient was presenting with a probable paranoid schizophrenia and felt that he would attempt to reach his prior psychiatrist regarding appropriate medications. Prior to the initiations of any neuroleptic medication, the patient felt there was no benefit to the hospitalization and felt he should leave.

Discharge Diagnosis: Acute and chronic alcoholism
 Alcoholic hepatitis
 Paranoid schizophrenia

Clinical Impression: Patient with a psychotic disorder, most likely paranoid schizophrenia state. He is coherent, but there is some feeling of paranoia and suspiciousness

Patient has been unable to straighten out his life in any organized way in the time that he has spend in this country. He has apparently been on student status, but

has not managed to obtain a degree or even pursue a course. He apparently spends most of his time watching television.

After the girls were kidnapped I quickly sent these records to the State Department in Washington, the U.S. Embassy in Riyadh and the Saudi authorities in Riyadh. They were all well aware of the dangerous nature of this man and his control over the girls.

I took care of Alia. I worked and tried to help Gheshayan straighten out his life. He continued to drink and was abusive to me. He got into petty fights and a DUI. I couldn't take it any longer and asked him leave the house. He was deported by INS three weeks after Alia was born. He had gotten into a car accident, was drunk and assaulted the other driver. His visa was expired and the San Francisco police turned him over to Immigration. He went back to Saudi Arabia, then returned to British Columbia, Canada where he got into more trouble and then entered the U.S. again when Alia was seven months old. Alia and I were peaceful when he was gone. He came back into our lives and quickly destroyed all that.

One night I was holding Alia and he came home drunk and pushed me with the baby in my arms against the wall, pulled the telephone cord out of the wall and stammered out the door to the local bar. I had had enough and made him move out of the house.

He went back to Saudi Arabia and I filed for divorce in 1981. Alia was two years old. I was struggling to make ends meet. He threatened that if I divorced him, he would cause trouble for me. Finally he came back to San Francisco with his father and they begged me to take him back. He said he wasn't drinking any more and was in business with his father who was in the process of going into the importation business. They came in with their Brooks Brothers suits and I weakened. I took him back. I will regret that for the rest of my life.

I gave birth to Aisha in July 1982. He cut back on his drinking and there were no more problems with fighting and the police but he was never there for us. He left us when Aisha was four months old. Now I had two little girls to take care. I loved the children so much. We were everything to each other. I was glad he was out of our lives and continued to work for my goal of financial stability for the support of my daughters. I enrolled in a three year nursing diploma program at St. Luke's Hospital School of Nursing in San Francisco. My degree in anthropology wouldn't bring in enough money to support us and I had to do something to care for the girls.

I went to school, worked, studied and took care of my daughters. Gheshayan was gone – living in the kingdom in his father's villa with servants. I was quite frankly glad he was not around. There was always an aura of evil whenever he was present. I couldn't put my finger on it for a long time – but it was evil. I was yet to discover just how much evil he could conjure up.

He finally got a job – Saudi style. Some relative made a call for a desk job with many tea breaks. Actually, the whole job was a tea break. But he told me he was working and not drinking and I was glad for him. He started to send me a little money each month and told me he had really changed. I didn't divorce him because I didn't have the money for an attorney but was happy that I could just continue with school and take care of the girls. It wasn't an easy life. I would wake the girls at five in the morning so I could take them to the baby sitter and get to the

hospital for clinicals by seven. They were just little children. We would all sleep in the same bed at night...cuddling each other. The girls and me. I had one more year of school when Gheshayan offered us trip to the kingdom during the summer break. I had never been there. He made all kinds of promises. The girls and I went in June 1984. He was civil and his family was friendly with me. He took us around the Riyadh area and then to London before we came back to the United States so I could finish school. We were gone for six weeks.

Upon my arrival in San Francisco I suddenly I got very sick just before school started in September 1984. It was Hepatitis. I had gotten it in the kingdom. I was weak and could hardly walk. I had the kids, the school and a job. Gheshayan did not support us. I was extremely ill and finally had to drop out of school just before the semester ended. I was only six months away from graduation. I didn't know what to do. I needed time and money to recuperate and I needed help with the girls. They were only five and two at that time.

Gheshayan called and asked me to go back to Saudi Arabia. I had nothing, couldn't care for the girls and couldn't work. The bills were coming in. Since he had been so decent on the summer trip, I thought he had genuinely changed. That was the dual personality with the soft, sweet aspect that could turn into a seven headed dragon in an instant. The girls and I put our things in storage and went to Saudi Arabia in January 1985. We lived out in the desert – on a piece of land his father owned. I was isolated. The girls and I clung to each other. Alia couldn't go to the American school because her father was a Saudi – against the law. She was supposed to be in Kindergarten. She missed a few months in the travel move and I was concerned for her. I had no choice but put her in an Egyptian school. One day she came home and told me a boy had threatened her with a piece of jagged glass. There was no discipline and order at the school and I became afraid for her. I recuperated and got stronger. We were so outside of everything – so removed from the American or expat community. We didn't even have a phone. I had to wear the black abaya and put the shayla over my face. I was forbidden to drive. Taxis were not safe – women are raped and killed if they dare enter these traps. We were miserable. I wanted to come home. The children wanted to come home.

One night I was talking to Gheshayan about coming home and he suddenly jumped up, ran after me and chased me into the bedroom. He closed the door and threw me on the floor and began to kick me in the chest with his feet. I was screaming for him to stop and Alia was screaming on the other side of the door, "Mommy, Mommy."

After what seemed an eternity he finally stopped and I couldn't breathe. I had a pain in my chest and couldn't raise my arms up without severe pain. I asked him to take me to the hospital. I thought my lungs were punctured. He told me, "I can kill you and throw you out into the desert and no one would even know."

He was right. I was in the middle of the Arabian desert with a madman and he could do anything he wanted to me. There was no one to help me. Alia clung to me and was crying, "Mommy, Mommy, are you all right? What did you do to my Mommy?" He told me he would take me to the hospital and, "If you tell anyone what happened, I'll kill you."

I had a cardiac contusion, fractured breastbone and several broken ribs. I told one of the German doctors working at the hospital that I had been beaten by my husband and the doctor pretended that he didn't hear me. He couldn't do anything to help me. He was a foreigner and under Saudi law had no power. He probably saw Saudi women coming into that emergency department all the times with broken bones. In fact, I met an American doctor at the King Fahad hospital who told me he treated many Saudi women after being beaten by their husbands—very common. Her husband has the right to beat her. It's the law. Gheshayan had a right to beat me or kill me. As he told me, "You are an American and I am a Saudi. Who are they going to believe?"

I went home with the children and him. I secretly called the American Embassy from a pay phone and they told me, "If he doesn't sign your exit visa, you will never leave and your children certainly wouldn't be able to leave with you, even if by some chance you get out." I was afraid for all of us. The girls and I huddled together. One night we were in the car with him in downtown Riyadh. The girls were in the back seat and I was in the passenger seat covered in black. Alia made a sigh and Gheshayan suddenly turned around and slapped her right across the face. She was six years old. She screamed, "Mommy, help." I opened the car door, got out and pulled both girls out of the back seat. We started to walk down the dark, dirt streets – no sidewalks.

I had no money, no passports, no friends, and was in imminent danger of being killed at any time. He pulled up along side of us in the car and said, "Get in. Where do you think you are going?" We got in the back seat and then he turned around and said to Alia, "And she stays here."

Alia screamed again and said, "Oh no. No." I held her and Aisha in my arms. We were terrified.

So for the next several months I did what he said and submitted to him. I convinced him to come back to the States and get the scholarship back. He liked that idea but he wouldn't give me the money to leave. I convinced him to take me to the American embassy and they gave me a repatriation loan to get out. They told me he must sign my exit visa and the exit visa for the girls or we wouldn't be able to get through airport security. They couldn't help us. The girls and I left Riyadh in May 1985.

We went to Chicago instead of San Francisco because I needed help from my family. We were so glad to get out of Saudi Arabia but were without any money or resources. I stayed with relatives, filed for divorce and went back to nursing school. After I got on my feet again, I got an apartment and sent for our things from San Francisco. I was one semester from graduating from nursing school and we would be financially all right in just a few short months. I was planning on buying a house after graduation. We were free and started to be happy in our new lives together. We were in my old childhood neighborhood with my family. Alia was attending the same school my mother and I attended. We felt safe at last.

My divorce was final, I was awarded sole custody of my daughters and Gheshayan was out of our lives forever. So we thought.

Just as everything was looking so good, he showed up, hired a private detective to find us, paid an attorney to overturn my divorce and custody degree. He followed me in a rented car, stalked me night and day, tried to get Alia out of her school and called me constantly. I went to the police and tried to get a restraining order and they told me he hadn't broken any laws and there was nothing they could do.

He convinced me he was in Chicago to stay and only wanted to see the girls. He said, "Pat, I only want to see my children. If I was going to take them, I would have never allowed you to leave Saudi Arabia with them. I just want live here and go back to school. I would never do that to you." After two months of this, I believed him and allowed him to see the girls on a weekend visit. He took them. It was Super Bowl Sunday - January 26, 1986 the Chicago Bears were at New Orleans. I knew how much he hated living in Saudi Arabia and I believed him. I don't know why.

I called the State Department – Office of Overseas Citizens Emergency and they told me, "You will never see your children again. They are gone. There is nothing we can do." I called Ghesayan in Arabia and he told me, "Come here and do exactly what I want or you will never see them again. The United States cannot help you now. The embassy cannot help you. Go ahead and get Reagan. Alia and Aisha are never allowed to leave Saudi Arabia again."

If I had gone back to Saudi Arabia, he would have killed me but first he would have broken every bone in my body and mutilated me. Or he would have locked me up in a room all alone with only enough to keep me barely alive before he finally beat me to death. One of the punishments in Saudi Arabia for women who disobeys is 'the woman's room'. They lock up a woman in a dark, isolated room and give her only enough food for a slim existence. She is kept there until she goes mad. This was the beginning of my two decade nightmare.

LIFE WITHOUT MY CHILDREN

Two months after the kidnapping I contacted U.S. Senator Alan Dixon's office in Chicago and began working with his assistant, Sarah Pang. We worked on this tirelessly. Sarah and I never stopped. We talked on the phone four times per day. I didn't work for one year after he took my girls. I was on the phone begging people to help me. I spent money on detectives and phone calls and airline tickets. My mother helped with the finances. I couldn't breathe, couldn't sleep, couldn't eat. I called Riyadh – the embassy – they told me there was nothing they could do. They couldn't get involved. I called Ghesayan and as soon as the family heard my voice on the phone, they hung up. I would hear the sounds of my daughters' voices in the background and his mother would hang up the phone. Ghesayan told me, "Alia only stays alone in the room and cries for you. We took her to the doctor and he said that she is not allowed to talk to you."

This was the man diagnosed by the American doctors with paranoid schizophrenia who was now in control of my little girls lives. He was the custodial parent. He ruled them – this

woman hater was the master of two young females. Their fate was in his hands. I don't know how I survived that or the next sixteen years. Or what is worse how they survived.

Sarah Pang and I were very effective as a team and we got full briefings to Vice President George Bush just four months after the kidnapping. I wrote to every Member of Congress asking for their support and letters came pouring into the Saudi Embassy for the return of the girls. Prince Bandar had only been Saudi Ambassador to the U.S. a short time then and he was quite concerned about this matter.

Senator Dixon brought up my name on the floor of the Senate every chance he got. He asked that arms packages to the Saudis be delayed until the girls were returned. He spoke with Prince Bandar and Bandar told him he would recommend that the girls be brought home.

There was movement in Riyadh by the Saudi Foreign Ministry and they made inquiries to the U.S. Embassy. I would like to read a letter dated June 3, 1986 from Edward S. Walker, Jr, Charge d' Affaires:

Dear Ms. Roush:

Ambassador Cutler is away from Saudi Arabia at present. I wanted to take this opportunity to let you know the current situation regarding the children.

We have been in touch with Senator Dixon's office and, as you may have learned from the Senator's staff, the Saudi Ministry of Foreign Affairs (MFA) answered our initial diplomatic note concerning you and your children with a request for more information. We supplied the information concerning your ex-husband's whereabouts in a follow up diplomatic note on May 19th, and repeated our interest in seeing the children. We will continue to press for your rights and to raise the issue for the children's custody.

Everyone concerned with your case is heartened by the conversation Senator Dixon had with the Saudi Ambassador in Washington. We hope the Prince's recommendation to the Saudi authorities will lead to the outcome you desire. We all wanted to hear something before May 28 because the MFA, as practically every other Saudi ministry, has shut down until June 14 when the post-Ramadan Eid holiday is over. We hope that the Saudi authorities will take some action on Prince Bandar's recommendation immediately after the holiday.

We are all very much aware of your acute distress in the present circumstances. I sincerely hope that when we next contact you it will be to inform you of some positive developments in the case.

Sincerely,
Edward S. Walker, Jr.
Charge d' Affaires, a.i.

The Embassy in Riyadh was very excited about what was happening. This was never done before. Bandar recommended that the girls be released and it looked like they were coming home.

The response from the Governor of Riyadh, Prince Salman, was that I had to go to Saudi Arabia to the Islamic court. I found this out on the day I took the State Nursing Board Examinations. I had miraculously graduated amongst all this trauma. How could I go to Saudi Arabia and fight for my daughters in an Islamic court?

There was no place at the State Department for me to call for counsel except the Saudi Desk. The man heading the Desk at that time was David Ostroff. He kept referring to the Saudis as 'their clients'. I said what about me and my daughters? What are we? He said, "We must look at this from the Saudis' point of view." He advised me that the Islamic courts were very fair and that it was a good idea for me to go there. He sent me a list of Saudi attorneys that could represent me in such a court.

I told him I didn't have a chance in an Islamic court as an American, Christian woman. I called one of the attorneys on the list, Saleh Hejeilan, for advise. I didn't know his background. He told me he was in the 'court' of Prince Salman and that he would do this 'for humanitarian reasons'. He didn't want any money but just wanted to help. I later called the consul general of the Embassy who informed me Hejeilan likes to get involved with things concerning the embassy and is very well connected. His brother is the Minister of Health. Hejeilan later 'defended' the two British nurses who were accused of murdering an Australian nurse in the kingdom. He is the dealmaker – par excellence. He would become my nemesis along with Bandar and Salman.

Hejeilan knew about all the action in Washington concerning my case. He knew about the Congressional interest and the arms packages, etc. He and Salman were looking for a way to solve this and satisfy the Gheshayan family. Finally, they thought of a way. He proposed that the girls be allowed to attend boarding school in London since they were English speakers. That way they would be out of Saudi jurisdiction and we could easily get the children from England. This was an easy and doable solution to this quite simple problem. Everyone would be happy. Maybe not Gheshayan.

He wanted to represent the Embassy and proposed a meeting to be held in Prince Salman's office. He requested that U.S. Ambassador Walter Cutler be present at this meeting to finalize the arrangements for the sending of the girls to London. The others set to attend were Prince Salman, Gheshayan and of course, Hejeilan. It would be a simple agreement. Everything was in place. I was in constant communication with Edward Walker. We spoke several times per week. We were all very excited about getting the girls back.

Then in October 1986 I called Walker to make sure everything was in place and he told me, "Pat, we telexed Washington twice this week and they will not allow the Ambassador to go into that meeting." I said, "What do you mean? Why not?" He repeated that he didn't know why. I told him to tell Ambassador Cutler not to tell the Saudis (Hejeilan) and that I would talk

to Senator Dixon as soon as possible and get back to him. Please don't tell Hejeilan. He promised he would tell Cutler.

It was a Saturday and I called Sarah Pang at home. We tried to find Dixon on the golf course. About an hour later, Walker called me back. Cutler had told Hejeilan. That was it! It was finished! A few days later Hejeilan called me and told me, "Your State Department won't help you. Your own government doesn't want you. You will see your children if and when WE decide."

He proceeded to bring a video crew into Gheshayan's villa and invite the Consul General Richard LaRoche of the American Embassy who was accompanied by the Syrian foreign service national that worked for the Embassy, Mazen Shaban. Mr. LaRoche called me after the taping and said that Hejeilan tried to get the girls to say negative things about their mother and the United States. The girls began to cry and wouldn't cooperate and then Gheshayan took them into the back room and scared them. When they came back, they did as they were told. The girls looked drugged and Aisha who was four was taught to say that Gheshayan's mother was her mother. Alia said, "My Mommy doesn't love me or my sister. I am not going anywhere without my Daddy." Of course, Gheshayan was sitting right beside her. I was sent a copy of this tape and it has caused me a great deal of pain for many years. It is not unlike the tapes made by Terry Anderson or other hostages except these were little girls.

I have included for the record copies of several unclassified cables obtained from my FOIA. These include the cables that were sent to the Embassy in Riyadh from the State Department in October 1986 ordering them not to go into that meeting as well as inquiries from the Embassy to the State Department as to their position in this matter. I would like to read a few excerpts:

October 1986
From American Embassy-Riyadh
To SecState-Washington

Embassy appreciates prompt response to Riyadh Reftel. We will of course adhere to the guidance provided. We would like, however, to seek clarification of a few points.

First of all, there is no judicial proceeding underway or anticipated in the case of Patricia Roush and her former husband Al-Gheshayan. We understand that the lawyer, Salah Al-Hejeilan, while not representing Mrs. Roush, has agreed to take up the case on humanitarian grounds to explore the possibility of an out of court settlement in Mrs. Roush's favor. It is the view of legal experts here that if the case were taken to court under Sharia law it would be most unlikely that a resolution could be reached to the mother's satisfaction. Accordingly, we have been trying to work through direct contact with key Saudi officials and the good offices of Mr. Al-Hejeilan to seek an out of court-accommodation whereby the children would be reunited with their mother. It was in this capacity that Saleh Al-Hejeilan had planned to represent our interests.

This brings us to the second point for clarification. It had been our impression and, indeed, we had been operating on the assumption that it was our duty to protect the welfare of U.S. citizens. As the Department is aware, Mrs. Roush's former husband allegedly abducted the two children from the United States and a felony warrant was issued for his arrest. He is not a U.S. citizen and according to official documents provided to us by Mrs. Roush he has a long history of alcoholism, psychiatric problems, criminal activity and failure at U.S. educational institutions. Under the circumstances we felt that the interests of Mrs. Roush and her children were our primary concern, and that it was our responsibility to do whatever we could, regardless of the odds against us, to help her regain custody of her two children.

According to the guidance in State Reftel, we gather that we are enjoined from taking the posture we had adopted in favor of reunification of the children with their mother and must remain neutral between parents regardless of their citizenship and previous records. If our understanding is correct, then we must immediately inform Mrs. Roush and Saleh Al-Hejeilan that we must remain impartial under instructions from the Department.

We would appreciate any further guidance CA, H, and L/M might have in these matters.

Cutler

October 1986

From: American Embassy Riyadh

To: SecState WashDC

The attorney who is willing to assist Mrs. Roush, Salah Al-Hejeilan, will shortly open negotiations with Al-Gheshayan to reach an agreement providing for the shared custody of the Al-Gheshayan children. He considers it essential to the success of these negotiation that he represent the embassy rather than Mrs. Roush. To demonstrate this, he has requested appointment by simple exchange of letters as 'honorary legal advisor' to the embassy.

Al-Hejeilan has asked for an appointment of indefinite duration, terminable upon notice by either party, and not limited to the Al-Gheshayan case. Al-Hejeilan would provide legal advice gratis. The embassy, in return, would agree not to make unreasonable demands for service, and would permit Al-Hejeilan to describe himself as legal advisor to the embassy for purposes of professional listing. Al-Hejeilan has already entered into an agreement on similar terms with the British ambassador.

Al-Hejeilan is a noted local attorney whose services could benefit the embassy greatly in the future. We had previously sought to put a Saudi attorney on retainer

to assist in matters like the Roush case but could not budget the fees. This therefore, is an ideal arrangement from our perspective.

The embassy requests the Department's concurrence in the appointment of Salah Al-Hejeilan as 'honorary legal advisor' to the embassy. In view of the critical posture of the Al-Gheshayan case. The Department's quickest response would be appreciated.

Cutler

But the State Department in Washington was not interested in the psychiatric records of Gheshayan, the dangerous position the girls were placed in, the interest of Congress, the work of Edward S. Walker, Jr., DCM of the Embassy and the others at the Embassy that were trying to get the girls out as quickly as possible before it was too late. Nor were they interested in the urgency of getting the girls away from a paranoid schizophrenic before he harmed these girls. The embassy stated, "we had been operating on the assumption that it was our duty to protect the welfare of U.S. citizens" and realized the situation on the ground in the country with the endangered children. The Department was interested solely in the 'legality' of the matter and responded with the following cable to the Embassy:

Oct86
Fm Secstate WashDC
To Amembassy Riyadh Immediate

1. Department is of the view that it is improper to use an attorney on behalf of the USG in Judicial proceedings in which the USG is not a party to the suit. If Salah AlHejeilan should represent Mrs. Patricia Roush in legal proceedings to determine the custody of her two children, Alia and Aisha AlGheshayan, Dept would have no objection to him pointing out that the Embassy has a strong interest in resolving the case. But Embassy must be aware that Salah Al-Hejeilan cannot represent himself as the Embassy's attorney in this private legal matter.
2. Conoff may wish to refer to 7 fam 143 which sets forth, in general terms, the role of Conoffs in child custody cases. Of particular significance is the last sentence which states, "At all times, consular officers must attempt to maintain impartiality, regardless of the perceived relative merits of the case, and should avoid attempting to influence either parent in a child custody case."
3. With respect to Al-Hejeilan's appointment as the embassy legal advisor, there is no such formal title as "embassy legal advisor" and we advise against entering into an agreement where U.S. would permit an attorney to use such a title. (FYI: The title is often used informally by attorneys whom we hire to provide legal advice to embassies and Dept does not police such informal use.) Embassy should be aware that foreign attorneys can be

hired and compensated for legal guidance for specific cases and not put on retainer. 'Where there is recurring need for legal counsel, foreign attorneys are paid on hourly basis. If embassy is interested in hiring an attorney, we strongly urge you to consult with Dept (L/M) for parameters on the legal appointment'
Schultz

This stance by the Department was firm despite several other cables from the embassy asking for the ability to go ahead with the proposal made by Hejeilan. Again, the State Department said, "No."

Oct86

Fm SecState

To AmEmbassy-Riyadh Immediate

...Under no circumstance would the Department advocate the taking of sides in a child custody dispute, regardless of the nationality of the parents, nor would we be in favor of conoffs judging the merits of any child custody dispute (see 7 Fam 181). Should embassy desire us to reiterate above to Ms. Roush, we would be happy to do so.

Embassy has remarked in Reftel (A) that the attorney, Salah AlHejeilan, had requested appointment as legal advisor to the embassy to : "explore the possibility of an out-of-court settlement in Mrs. Roush's favor." Dept wishes to reiterate that Al-Hejeilan may not represent the embassy in any fashion. Whether formally or informally, in the child custody cases of Alia and Aisha Al-Gheshayan. To Reiterate point set forth in Reftel(B), we would have no objection to Mr. AlHejeilan informing appropriate parties that the embassy has a strong interest in resolving the case. . . Indeed in all child custody cases, a consular officer's primary interest is in the protection and the welfare of the children, while recognizing the implicit legal limitations.

FYI: Embassy may be assured that this cable represents the views of CA,L/M and H.

Whitehead

"Indeed in all child custody cases, a consular officer's primary interest is in the protection and the welfare of the children, while recognizing the implicit legal limitations." The State Department in Washington sent the Embassy direct quotes from the policy book to stop the Embassy from saving two little girls from a life of misery. Some bureaucrat from consular affairs or the legal department in Washington sent this order to the people of the embassy who were trying to negotiate for the lives of my children. They tied their hands and caused the Saudis to realize that the U.S. government did not care enough about these kids to send their ambassador into a meeting to make the agreement for the girls to leave. Some nameless, faceless government servant destroyed the lives of my little daughters. I don't even know the name of this person. Do they know what they did? Do they care? How many more lives have they destroyed through

this policy. This legality. When will the State Department stop making draconian policy decisions and realize that they are dealing with human lives?

The embassy realized who Hejeilan was and the significant role he could play in this matter. They had wanted a legal advisor and were told there were no funds. Now Hejeilan appeared in my case and wanted to represent the embassy without payment. The British Embassy had this arrangement with him. Just as Consul General Richard LaRoche had told me, Hejeilan was connected and connected to the man who could get the girls out – Prince Salman, one of the Sudari Seven – powerful sons of Ibn Saud. He wanted to deal and the State Department said – no, it is not legal. But the contraction is they are saying in the cables “their primary interest is in the protection and the welfare of the children” knowing full well that in ordering the embassy to pull back they have just signed these girls’ death certificates – a living death – a life sentence in Saudi Arabia.

The paradoxical irony is that in February 1995 I was told by Gretchen Welch, Consul General, U.S. Embassy-Riyadh, “Saleh Al-Hejeilan, is the attorney for the embassy and handles all of our legal matters in the kingdom.” But in 1986 when the lives of my innocent daughters were at stake, the embassy was ordered to stay away from Hejeilan. He could not be the attorney for the embassy as he suggested and negotiate an out of court deal for my daughters to leave Saudi Arabia.

THE NEXT FIFTEEN YEARS

That was the first year without my daughters. After that betrayal and the tape sent by Hejeilan the tauntings by Hejeilan continued. He took great glee in putting me on a string and dangling the carrot of my daughters in front of me. He did this to my elderly mother through telephone calls. He even allowed me to speak to my daughters once shortly after January 1987. The girls were told to tell me they hated me. Aisha was four and Alia was eight. I could hear Gheshayan in the background telling them to say evil things to me. These were not the words of my daughters but of a twisted, sick mind. Hejeilan orchestrated this phone conversation and taped it and even bragged about it. This would begin a long history of Hejeilan working for Prince Salman to emotionally and psychologically torture me. One time he told me, “You are being punished for going to the press and the politicians for help.” He owns property not far from Washington in Great Falls, VA and comes here each year around August-September. He goes to Walter Reed Hospital each year for a full physical examination. I thought that facility was reserved for U.S. military and their families. But of course, it wouldn’t be the first time the Saudis were able to bend the rules nor the first or last time the U.S. government would bend the rules for them.

In 1987 I worked very hard with Senator Dixon and Sarah Pang to try to reverse the decisions made by the State Department and Saudi government in 1986. It was over as far and they were all concerned. But that didn’t stop me from trying. I was nearly out of my mind by this time but kept pushing forward. Senator Dixon and I had our first press conference in Washington on the first anniversary of the kidnapping. He met with several members of the Saudi Embassy including Rehab Mahsoud who is number two there now. The Saudi Embassy’s

long time attorney, Fred Dutton, was also there as was Undersecretary of State Ed Derwinski, an old friend of Dixon's from Illinois politics.

Dixon asked them to please cooperate and return the girls on a humanitarian basis between friends. He brought up Gheshtayan's background. The Saudis and Dutton told the senator that even if Gheshtayan was found to be unfit as a father (very unlikely in Saudi society) the girls would never, never be allowed to come back to their mother. They would be given to another male member of their family. They belonged to that family. Case closed. Dixon was furious. He told them he would bring this matter up every chance that he could in the U.S. Senate and whenever there was a forum or deal concerning the Saudis, he would shine a light on this matter. The Saudis stormed out and Alan Dixon was at war with them. He brought the case up all the time and tried hard for two years - arms packages, press conferences, floor of the U.S. Senate. He co-sponsored the signing of the Hague Treaty in 1987 because of my situation.

I told Sarah we needed to make this crime a federal felony offense and extradite these criminals back to the U.S. to stand trial. We needed to send a strong message to foreign countries that the United States would not stand by and allow its children to be taken away by foreign nationals. She spoke to Dixon and he started working on what would become the International Parental Kidnapping Act. I also told Sarah that we needed a special office at the State Department that we could turn to for help. In October 1987 Senator Dixon and I and a few other parents met at the State Department. They were forced to open the Office of Children's Issues. A new U.S. Ambassador to Saudi Arabia was confirmed, Hume Horan, an Arab scholar and foreign service diplomat who spoke fluent Arabic. Dixon asked to meet with him before he flew to Riyadh. He was most agreeable to try to help within the constraints placed upon him by the Department. He even called me on Christmas Day 1987 and said he was watching the movie, "Miracle on 34th Street" and thought about me and my girls. Just wanted to wish me a 'Merry Christmas'.

The Saudis continued to rebuff any efforts and I was beyond grief. Congresswoman Lynn Martin of Rockford, Illinois took up my cause and hand delivered several letters from me to George Bush over the years. He didn't want to get involved. Senator Dixon's office began a 'Dear Colleague' letter to King Fahad asking for the girls to be released. It was signed by fifty four U.S. Senators and delivered to the King's palace in March 1988. This was the same time that the U.S. found out that the Saudis had clandestinely purchased silkworm missiles from China a few years before. Human Horan was sent in to confront them on this matter and they shortly after that asked him to leave, non persona gratis.

I would like to read a short excerpt from The Washington Post: Marriage of Convenience by David Ottaway and Robert Kaiser that explains this event:

A Secret Deal

Secrecy is a regular feature of Saudi-American interactions. It was an important part of the worst moment in the relationship between the 1973 oil embargo and Sept. 11. Once again, Bandar was the central actor. Though the Saudis were easily America's biggest customer for armaments, they resented the process they had to

go through to acquire the most advanced U.S. systems. Twice they survived showdown votes in Congress when friends of Israel opposed the sale of advanced aircraft to them. And on other occasions administrations had to evade congressional opposition to sell weapons to Riyadh. The United States refused to sell some kinds of advanced weapons to the Saudis, including missiles. So the Saudis bought from other countries, too, including Britain, France and -- in one deal that caught the United States by surprise -- China. In secret talks that began in China in 1985, Bandar negotiated a billion-dollar purchase of Chinese CSS2-class missiles with a range of about 1,500 miles, or enough to reach Turkey and Israel from Saudi territory. The United States -- and Israel -- failed to discover what was going on for two years. When intelligence agencies in both countries realized what had happened, they were livid.

The State Department instructed Hume Horan, the recently arrived U.S. ambassador in Riyadh, to see King Fahd in March 1988 to deliver a stern message expressing "surprise and disapproval of this action," as Horan recalled in an interview. Horan had served as the No. 2 man in the embassy from 1972 to 1977. He had wide-ranging contacts in Saudi society. He was known in the foreign service as America's best Arabic linguist and as a scholarly student of the Arab world. He was the son of an Iranian aristocrat who had been Iran's foreign minister and an American mother, a fact known to the Saudis, who have never liked the Iranians.

Horan said he knew the king would be offended by the verbal spanking he had been ordered to deliver, so he called Washington to confirm that officials there understood the import of their instructions. Yes, he was told -- deliver the message. He did so. When he returned to the embassy, he found a new telegram from Washington revoking his previous instructions -- which he had just carried out. "My goose was cooked," he recalled.

Bandar had persuaded senior officials of the Reagan administration not to deliver an official protest to Fahd. Bandar reassured the Americans that the missiles would be deployed in a way that made clear they were no threat to Israel. They had a conventional warhead and were intended to deter Iraq and Iran, Saudi's traditionally hostile neighbor, and would be used only in retaliation, the Saudis said.

The administration sent Philip Habib, a retired undersecretary of state then serving as a special Mideast peace envoy, to Riyadh to try to mend fences with Fahd. Habib brought Horan to his meeting with the king, a diplomatic mission that has never previously been described.

Fahd was clearly furious with the ambassador, Horan recounted, and asked Habib, in front of him, to have Horan replaced. When Habib raised the issue of the missiles, the king said angrily that he had told Horan "to keep his nose out of it." He complained to Habib about Horan's Iranian ancestry.

The Reagan administration decided to quickly replace Horan by bringing back his predecessor, Cutler, also a foreign service professional, but not an Arabic speaker and scholar like Horan. The decision was so quick that even before Horan could leave the country, the State Department asked him to seek Saudi approval for Cutler's reappointment as ambassador. This was a mission that humiliated Horan, as he makes clear nearly 14 years later. "They made us kowtow," he said. Successfully forcing the Americans to replace their ambassador gave the Saudis a palpable psychological edge in their dealings with the United States. "The American ambassador's influence ended in Riyadh," Horan said. Henceforth, Bandar dominated the relationship in Washington.

"Let's face it," said Edward S. Walker Jr., former assistant secretary of state for Near Eastern affairs, "we got a lot of money out of Saudi Arabia."

Thus began a new era in the 'special relationship' whereby the Saudis dictated what type of ambassador they wanted and no ambassador since Hume Horan has been an Arabic speaker. Now the Saudis insist that all ambassadors are political appointees from the administration. They don't want to deal with these mere foreign service types. They want a direct line to the president. And Bandar is unleashed in Washington. It is purported that he is allotted something like \$70,000,000 per year for lobbying.

So Hume Horan was out and the Saudis wanted Walter Cutler back for a second time. But why? I asked Senator Dixon to place an objection on the confirmation of Cutler. He did so. In the meantime, my old friend, Hejeilan, showed up once again in my life. He knew about the objection of Cutler by Dixon so he asked me to meet him in New York at his suite at the Waldorf Astoria. He then told me, "You know, Mrs. Roush, Prince Salman likes Walter Cutler very much and if Mr. Cutler is back in Riyadh, things could go very well for you. I would sponsor you into the kingdom and arrange to accompany you to all the important princes. Things would look very favorable for you concerning your daughters. But Walter Cutler must be in Riyadh."

After that meeting I flew to Washington to meet with Walter Cutler and Assistant Secretary of State Joan Clark. Several other members of the State Department were also in attendance. I told them about Hejeilan's new offer and asked Cutler if the objection were removed from his confirmation, and I was allowed into Saudi Arabia, would he go with me to the Saudi princes and ask them for the release of my daughters. He immediately turned to Joan Clark and asked, "Is this legal?" She assured him that it would be legal and I told him I wanted his assurances on this. He said yes, he would do it, if allowed back as ambassador.

Cutler then went to Dixon's office and asked Dixon to release the objection. He said, "I can't do anything for Pat Roush unless I am in the country." Dixon shook his hand and Cutler arrived in Riyadh in August 1988. He then never, never returned any of my calls, nor the calls of Senator Dixon. And Hejeilan then totally backed out of any promises he made to me. He told the embassy he wouldn't sponsor me into the kingdom and that was it.

Cutler got what he wanted. The State Department got what they wanted and the Saudis got what they wanted and I was betrayed and duped again by this very special relationship.

The Washington Post states:

Americans who have worked with the Saudis in official capacities often remain connected to them when they leave public office, from former president George H.W. Bush, who has given speeches for cash in Saudi Arabia since leaving office, to many previous ambassadors and military officers stationed in the kingdom. In some cases, these connections have been lucrative. . . . Walter Cutler, who served two tours as the U.S. ambassador in Saudi Arabia, now runs Meridian International Center in Washington, an organization that promotes international understanding through education and exchanges. Saudi donors have been "very supportive" of the center, Cutler said. Walker, the former assistant secretary of state for Near Eastern affairs, is president of the Middle East Institute in Washington, which promotes understanding with the Arab world. Its board chairman is former senator Wyche Fowler, ambassador to Riyadh in the second Clinton administration. Saudi contributions covered \$200,000 of the institute's \$1.5 million budget last year, Walker said.

Bandar has told associates that he makes a point of staying close to officials who have worked with Saudi Arabia after they leave government service. "If the reputation then builds that the Saudis take care of friends when they leave office," Bandar once observed, according to a knowledgeable source, "you'd be surprised how much better friends you have who are just coming into office."

A perfect example of this would be Wyche Fowler, Jr. who succeeded Raymond Mabus as U.S. Ambassador to Saudi Arabia in 1996. I will discuss this matter in a short time.

But first let's go back to October 1988. After this last experience I was totally exhausted and spiritually, mentally, emotionally and physically drained. I could hardly go on. I asked the State Department for at least a visit with my daughters. I have not seen them for almost three years.

They sent a letter to the Saudi embassy and the Saudi response was, "...it was not in the best interest of the children to see their mother." By this time Gheshtayan had remarried, had another child with his Saudi wife, and forced my Christian daughters to convert to Islam.

As sited from another unclassified cable, "Alia has become a very good moslem. She loves to study the Koran and pray. He is taking her to Mekkah to perform Umra." Gheshtayan hadn't changed though. I had asked an associate who was on a business trip to Saudi Arabia to try to arrange to see my daughters through the embassy. This of course, was denied but he did meet with Gheshtayan and an embassy consular officer. During this meeting Gheshtayan became agitated and said, "...the meddling into his private life had to stop. He said if it didn't, he would send someone to kill Ms. Roush." This is taken as a direct quote from an unclassified cable -- October 86. (Copies are submitted for the record)

After that threat and the refusal of the Saudi Embassy to issue me a visa to visit my daughters, I became very distraught. I had nowhere to turn. I moved back to California. I hired teams to covertly take the children out of Saudi Arabia but they failed and lost all my money and the life savings of my mother.

Then the invasion of Kuwait happened. I called the Embassy and they said my daughters were not in the least bit of jeopardy. Riyadh was safe. I was hearing the weather report in Riyadh every night on the news and seeing big holes where scud missiles were landing where my children lived, people were putting gas masks on and we sent the biggest deployment of troops since WWII and the embassy told me my daughters were safe. They did nothing to even help me get into Saudi Arabia to see them. We were defending the Saudis from Iraq, Americans were being killed and yet the State Department told me I could not see my American children.

I lived in absolute hell for the next few years. I had no contact with my daughters and no one saw them. I never had a photograph or a telephone call. Finally in September 1994 I called the State Department and told them I absolutely had to see my daughters. This was not human. It had been ten years.

There was a newly appointed U.S. Ambassador – Raymond Mabus – former governor of Mississippi and political appointee of the Clinton administration. He became very interested in my case and went back to Salman to ask that I be granted a visit with my daughters. They called Gheshayan into Salman's office and according to the consular office at the embassy, he was extremely agitated and excited. He would not sign the non objection letter allowing me to enter the kingdom until Salman leaned on him quite hard. I was given a two month visa signed by Bandar and was told that I would be able to see my daughters every day for as long as I wished. When in fact I was able to see my daughters for a total of 120 minutes and I was in Saudi Arabia for twenty one days.

Of course, Hejeilan came back into the picture. He organized the whole thing like a Cecil B. DeMille production. I was escorted to the Intercontinental Hotel by four members of the American Embassy. Someone from Hejeilan's office was present. Gheshayan and his brother brought the girls. They both searched the room for cameras and took my four cameras away. I was told that if I ever took a picture of them, I would never be able to see them again. After a long protest by me to see the girls without Gheshayan and his brother in the room with us, they left in the room and stood guard right outside the small room off the lobby of the hotel. Mazen Shaban, the Syrian FSN from the American embassy who was present for the Hejeilan taping years before translated for Aisha.

The girls were dressed in black from head to toe. Where were my little girls? I didn't recognize them. They were thirteen and sixteen. The last time I saw them was ten years before when they were three and seven. The Consul General brought them into the room and I just threw my arms around them and kissed them and kept telling them I loved them. At first they just stood there with tears running down their faces like little toy soldiers taught not to show emotion. Little did I know that even though I was told I would see them everyday, the girls were told that this would be the one and only time they would see me. These girls were kidnapped from their mother, forced to stay in this desert with a man and family they feared, and then after

ten years are told that they will be allowed to see the mother that they were torn away from, but only for two hours.

Then they will never see their mother again.

This is not even human. Even Saudi princes have mothers. Even the State Department legal officers have mothers. I sat on the sofa with Alia on my left and Aisha on my right. Mazen sat on a chair to the left. He translated everything I said into Arabic. I told them I had been trying to get them out from the beginning. Alia said, "My father told us that you left us here." I told her, "But you know that is not true. You remember what happened, Alia. He took you from me and he almost killed me. You remember." She nodded her head, yes.

"But how can we leave? I don't have a passport and my father will never let us leave?"

"Alia, I am working with the American ambassador and I will get you out. Don't worry. You will get out of here. I will never stop until you are free."

She was not convinced that I could do that but she wanted to leave. "They never let me do anything. They watch me all the time," she said. "No one comes to the house unless they are family."

Then suddenly Gheshayan's brother unexpectedly walked into the room. Alia's dark eyes flashed and her muscles tensed as she stared at her uncle. He sat down and tried to make conversation with me. The girls gazed downward and made no eye contact with him. A posture of submission took over them. When he left, I placed a small silver bracelet with garnets (Navajo jewelry that was one of my favorite pieces) on Aisha's wrist. "Wear this and remember me."

The girls had told their father they wanted me to bring them Levi jeans from the United States and I brought them Levi 501s and of course, a photo album with our pictures together for them to keep. I hoped that their father would not take it away from them. I gave Alia a copy of her favorite childhood song, 'Tomorrow, Tomorrow, I love You Tomorrow. It's only A Day Away.'

Then Gheshayan's brother came back in and said it was late and they had to leave. I told the girls I would see them tomorrow. Aisha threw her arms around my waist and wouldn't let me go – "I love you. I love you. Bukra, inshallah." (I will see you tomorrow, God willing.) Alia, was trying to be brave with no tears but at the last minute, she broke down and said, "Mamma. Mamma. Don't leave us here. Mamma take us with you. They said we will never see you again. No, Mamma."

I said it wasn't true and I had an order from the emir that I could see them everyday. Don't worry. I would see them tomorrow. I would have the American embassy call their father for the time and place. Don't worry, Alia.

They then placed the black veils over their faces and walked out into the lobby of the hotel. I stood at the doorway and blew them kisses. My last image of them is Aisha standing in

that lobby with that black abaya around her little body and the black shayla over her face waving to me while I blew her a kiss. Alia was trying to be brave, as usual, and she wouldn't look back but couldn't help it and at the end, she suddenly turned around to catch one last look at her mother. She waved at me under the veil. I never saw them again.

I didn't sleep that night and went to the American Embassy early the next morning. Gheshayan called while I was there He yelled at the officer and said I could not see them again because I talked about the United States with the girls. It was impossible for me to see them again.

Ray Mabus was not in Riyadh. He was traveling about the kingdom on official business. I was stuck in the Sheraton for twenty-one days. I went to the Governor's Office accompanied by Mazen Shaban and Myles Webber, consular officer. This is Prince Salman, Hejeilan's boss. He refused to see me. Instead the Deputy Governor Bolead who knew this whole affair very well, met with us. Mazen clued me in, "Pat, ask for everything you want now. Don't delay. Now is your chance."

With Mazen and Myles on each side of me I sat in this huge majlis, sipping Arabic coffee with the scent of incense everywhere. I asked this servant of Salman for the release of my daughters. I asked that they be allowed to leave Saudi Arabia with me.

He said, "No. It is not possible."

We then left and went outside the enormous wooden doors of the palace into the concrete parking lot known by the Americans and expats as 'headchoppers square. This is where the public executions take place every Friday. You can see the bullet holes and places on the ground where the blood has been cleaned up. I went back to the Sheraton.

Ray Mabus had a meeting arranged with Gheshayan at Prince Salman's office. He brought the deputy chief of the mission and the chief political officer with him. Gheshayan kept them waiting for over one hour. He walked in and immediately insulted Mabus. Mabus asked that the girls be allowed to leave with me. He said he would give Gheshayan his word as U.S. ambassador that the girls could return back to Saudi Arabia. He would arrange for all international warrants for Gheshayan to be dropped. He would issue visas for him and his family to enter the United States anytime and come up with a document where this could all be settled quite amicably. Gheshayan called Mabus a liar and insulted him further. He walked out of the meeting.

Ray Mabus called me after the meeting. He said, "Gheshayan blames you for everything, Pat. He said it is all your fault. Pat, this guy is the meanest man in the world. I offered him a good deal and he called me a liar. I gave him my word."

I told Mabus I was leaving. I couldn't take it anymore. I was there almost one month. Ray Mabus told me, "Don't worry, Pat. I will do everything I can to get your little girls out of Saudi Arabia. I will go to all the major Saudi princes until I get the answer we want. Just

remember that this embassy cares about you and your girls. Go home and rest easy now. I will get your daughters back for you.”

He kept his word. He did everything he said he would do. He went to many of the most powerful Saudi princes including: Minister of Foreign Affairs: Prince Saud bin Faisal; Minister of the Interior: Prince Naif bin Abdullah Azziz; Governor of Riyadh: Prince Salman bin Abdullah Azziz; Saudi Ambassador to the United States: Prince Bandar bin Sultan and Crown Prince Abdullah.

He brought the matter up at every meeting with these princes. They were not opposed to the idea of the return of my daughters when it was presented with authority. Mabus told me he had met with Foreign Minister Prince Saud bin Faisal and Faisal requested a diplomatic note on this matter. Mabus had that note delivered to the prince's office by 5 p.m. that same night. He did this with authority and got results.

Prince Saud sent Mabus a diplomatic note in response. It stated that the daughters of Patricia Roush could go to the United States to visit their mother in the summer of 1996. This was the first time we had something in writing from the Saudis. I was thrilled with this news.

Mabus called me one day and said, “Pat, I have some good news for you. I went to see Saud al Faisal yesterday and I asked him for an update about your case. And he said that Prince Naif is bringing her husband in. He said we are going to convince him of this. He said you have made a good proposal, a genuine proposal and we're trying to implement it. We think this is the way to go. He said I brought it up with Prince Naif and he is calling Gheshayan in to take this proposal. It should this week and we will let you know.”

In another call Ray Mabus told me: “I had a long talk with Bandar about your case. He said this is a very reasonable thing. Why won't this guy do it? And then I told him that Barbara Walters is about to do this thing. And he said, 'I know that too. I was at a party with Barbara Walters and she said they were going to do it.' He said this is a very reasonable thing.”

Unfortunately, shortly after that conversation Barbara Walters had with Bandar concerning the airing of my interview with her, 20/20 dropped the piece altogether. Bandar's arms are long.

Concerning Prince Naif who is the Minister of the Interior and in control of the Saudi secret police, Ray Mabus got his absolute support as he relayed to me in another telephone conversation:

“I have seen the Minister of the Interior and he is aware of this. I just sent a cable down. He said, 'I'm very hopeful that we are going to be able work something out. It seems we have a very reasonable solution.' The Ministry of the Interior and the Ministry of Foreign Affairs are really working together on this. Saud al Faisal seems to be very serious and the Minister of the Interior knew all about it. I went back. I had two meetings there. And I had custody matters for him and he's blown me off on every one of them but not this one. He said we are not

going to do that. 'This one,' he said, 'this one we are going to try to work this one out.' I told him, I said this one is personal. I want you to do this one for me. This is it."

I asked Mabus to hold the visas to the United States of the entire Gheshtayan family. He did this and it was a very effective weapon to use to pressure them to release my daughters. The family was livid. Gheshtayan was on everyone's blacklist. This is an important family with access to the crown prince and they come to the United States often for a variety of reasons from Disneyland to military missions to health care. They were all angry at Gheshtayan for causing them this trouble with the American Embassy.

While this was going on it was discovered that Gheshtayan's mother and brother (the same one that accompanied him to the hotel that night I saw my daughters) had squeezed through this visa hold and entered the United States. Mabus called me and told me was sorry that this oversight had happened and that he gave strict orders that the next time someone in the visa section allows a mistake like this to happen and someone else with the name Gheshtayan gets into the United States, they will be fired.

At first the embassy was questioning Mabus' authority to do this. They had never been able to fight back before and they weren't used to it. Mabus told me, "I told them to do it because the ambassador said so. That's why."

And they loved it. For the first time these consular employees had leverage and it felt good. I was totally heartened by all this. I couldn't believe it was happening. It appeared that my daughters would be released imminently Mabus was heartened and the embassy was heartened. Mabus told me that he had the full blessing of the State Department to do this. They certainly did not stop him. But he was a political appointee and used his independence to get results. He was a hero. I believe the Saudis respected him, also. He was certainly not a "yes" man and the Saudis can appreciate that.

The situation was heating up and two important players in the Gheshtayan family were asking for visas. One was a lieutenant colonel in the Saudi Air Force who wanted to lead a training mission into the United States and the other was a retired general in the Saudi National Guard which is controlled by the crown prince. The general had cancer and wanted to go to Houston for treatment. Mabus said no to both of them.

The general went to the crown prince for assistance. Mabus was called in. The general, crown prince and Ray Mabus were all sitting there. Mabus told me:

"The crown prince said here he is. He needs a visa. He has cancer and if he doesn't get to go, he will die. And I said well, I'll be happy to give him a visa but let me tell you why I held it up. And I went through this thing. And the crown prince is an interesting guy because the thing that matters to him most is honor and justice. I looked at him and I said, I met this guy, Khalid Gheshtayan and he was rude to me. And now he will not see our people and he will not let the mother see these daughters even for the summer. And I said so I am stopping the

whole family from traveling. And the crown prince said you did exactly right. If this guy is rude to women, you did exactly right. He called Abdul Mohsen Al-Tuajery, who is his top aid over and talked to him. He appointed him to help get this done. I need your help your royal highness to get Khalid Gheshayan to sign these papers allowing the girls to go to their mother. And he said I will help you do this.”

It was a quid pro quo. Mabus saved the life of one of the crown prince’s generals in exchange for the freedom of my daughters. It was finished – a done deal. But it wasn’t done yet. Mabus told me he was going to resign as ambassador for personal reasons. I was in agony. I knew what would happen. Mabus reassured me and said, “Pat, don’t worry. I have made believers out of these guys at the embassy. I will fully brief the incoming ambassador who is also a political appointee. Nothing is going to happen. We are at the finish line. I wish I could be here when they come home, but I have to go back to Mississippi. I miss my girls.”

Two weeks later the Khobar Towers were blown up. Mabus was gone and Ted Katouf was the Charge. Richard Hermann was Consul General. They hardly spoke to me and the mood had changed. I called Dick Herman and asked why they didn’t go back to the point man from the crown prince’s office – the one the crown prince assigned to help Mabus with the final arrangements for the release of my daughters. He denied that he knew about this man. He said he didn’t know his name and I reminded him of the name. No answer. No action.

I called Mazen, he said, “Pat, you can’t believe what has happened here. That lieutenant colonel went to the Saudi general who went to the American general and they forced Dick to issue him a visa. It was a very big deal, Pat. Dick had to issue him that visa. He was under a tremendous amount of pressure.”

Of course, the general had been given a visa by Ray Mabus in exchange for the release of the girls. He went to Houston for cancer treatment and the girls remained in Riyadh with Gheshayan.

Finally, in August Wyche Fowler, Jr., the new political appointee arrived in Riyadh as U.S. ambassador. Ray Mabus fully briefed him on the urgency of the situation. I sent him a long, detailed fax concerning the background and what Mabus had accomplished and what we needed him to do. No response. I called the ambassador’s office. The secretaries knew me very well from the Mabus term. We were quite friendly. They confirmed that Fowler had received all my faxes and messages. One day I called and asked to speak with Fowler. The secretary said, “Pat he is not here but is in Jeddah at the consul. Can I put you through to his office?”

Fowler picked up the telephone and was surprised that I was on the line. I asked if he had received my faxes. He denied receiving them. I explained that we needed his help. Ray Mabus was on the verge of getting my girls out of Saudi Arabia and it was up to him to just make the contact for us. It was finished – all wrapped up. We had the promise of the crown prince. My girls could come home. He said to me, “Ms. Roush, I am in the middle of an Iraqi war here and don’t have time right now to deal with. I am aware of your situation and you are not doing one bit of good by cross examining me.”

He treated me like an impertinent schoolgirl who was way out of line by even speaking to him – the very distinguished U.S. ambassador to Saudi Arabia. He wished he'd never picked up that phone and now he was dismissing me. The idea of my daughters didn't interest him in the least. And I was soon to find out just what was interesting Mr. Fowler and it wasn't an Iraqi war.

Associated Press: July 3, 1997

The State Department is seeking clarification from former Senator Wyche Fowler about how much he is telling a young Scottish woman about his new role as U.S. ambassador to Saudi Arabia.

In a letter uncovered in a Scottish newspaper, Fowler, 55, tells his 24-year old pen pal that the Saudis are "elegant, candid and have a good sense of humor. We trade tales and laughs." U.S. officials confirmed the authenticity of the letter.

Fowler, who was posted to Saudi Arabia last August, says in the letter he has been "meeting influential Saudis, including the King, Crown Prince and his cabinet." He adds: "I've been working very hard."

State Department spokesman, Nicholas Burns said Friday that U.S. officials are seeking clarification about the matter from Fowler, a former Georgia senator. Other officials said they wonder how much Fowler shared with his friend about his work.

The friend is Josephine Morton, 24, a physiotherapist and sports shop manager, whose relationship with Fowler was first disclosed in November by the Glasgow Evening Times, which sent a copy to The Washington Post. The Scottish newspaper said they had met on an airplane last summer.

"I do hope we will see each other soon," the letter said. "I will work on it. I would love to see Scotland through your laughing eyes."

He said he will visit "when I have no agenda – such as asking permission to launch air strikes against other Islamic nations from Saudi territory."

That was an apparent reference to the Saudi refusal to allow use of their territory for air strikes against Iraq last summer.

Fowler, who is married, began the letter by saying, "It was wonderful to hear your voice last night – your accent being more lilting and lovelier than mine."

He met her in the Summer 1996 when he was just arriving in Saudi Arabia to take over as ambassador. He had time to cheat on his wife and write silly, ridiculous love letters to a girl half his age but not to merely go back to the crown prince and or call his assistant and iron out the

details of my daughters' release from the kingdom. He joked and laughed with these amusing princes but couldn't bring himself to say, "Hey about those Gheshayan sisters."

No. Wyche Fowler had other things to do which didn't include the release of my girls. The entire embassy changed towards me after he took over. He lifted the ban on visas for the Gheshayan family and they all got to come into the United States. It was party time and Fowler was in the middle of it all.

I was sick. I don't know how I managed to stay alive after that. I called Ray Mabus in Mississippi. He was going back to the White House to meet President Clinton in December 1996. He told me he would personally take a letter from me to Clinton. He delivered it and again spoke to Clinton about the dire straits my daughters were in. Clinton said he would appoint someone to look into it. Nothing happened.

In April 1997 The San Francisco Examiner Sunday Magazine featured a ten page story about me and ABC television was preparing to air a segment I taped for 20/20. Wyche Fowler was very aware of this press. He sent my former attorney, Michael Wildes of Wildes & Weinberg, a fax and then Mr. Wildes called Mr. Fowler.

Fowler claimed that he spend one hundred hours on my case and he got nowhere. He had exhausted every possibility except a deal Hejeilan was proposing for another 'visit' in the kingdom for me. There are no other legal avenues. He said, "If Pat Roush doesn't return here to see her children, she can let the chips fall where they may. I feel you're crossing the line, Mr. Wildes. The deal is dead. The deal is dead."

Michael Wildes said to Fowler, "That means the girls are forgotten, then. Why not do what Ray Mabus did?"

Fowler replied, "Why not get Ray Mabus then? You seem to get my name in the papers. The ball is in your court. The Saudis trust me, Mr. Wildes. Take it or leave it."

He then pulled Hejeilan out of the bag again and those two came up with a plan to try to shut me up. They offered me another two hour visit with my poor daughters in prison. After all I had been through for eleven years I was back to square one. I was so close - promises from the highest Saudi authorities and now this. I was numb.

Hejeilan, as usual, seized the moment. He couldn't pass up a chance to torture me. He was quiet when Ray Mabus was ambassador. Mabus didn't need him to do any dirty work for him. Mabus was a man of integrity and authority but he was gone now. Hejeilan was back to his old tricks. He had wined and dined all the U.S. ambassadors to Saudi Arabia that I had known and they have all been guests at his palace. He shuttled back and forth between Geneva, Switzerland, Nice, London, Paris, New York, Riyadh and of course his place out in Great Falls once per year so he could get a complete physical at Walter Reed Army Hospital. I know all these things because I was baited time after time by him and his office always let me know where I could find him. I have all the telephone numbers all over the world for this man.

He immediately dictated another supplicant letter for me to sign. He had bullied me into signing such dribble at other times when he promised to help me. He wanted me to grovel on my knees before him for my children. Let me read to you this last supplicant letter he faxed for me to sign.

May 1997

Dear Sheikh Salah:

I wish to express my heartfelt gratitude that you will be sponsoring, yet again as in 1995 a visit with my two daughters in Saudi Arabia. I recognize the continued high level of your assistance and support since the 1980's, including your undertaking once again to cover the cost of air fare and up to \$2,000 towards hot accommodations in connection with my visit.

I wish to assure you that I have only complimentary remarks to make about your involvement in this matter. I deeply appreciate the humanitarian and compassionate motivation on which you have come to my assistance. I shall during my visit abide by all Saudi Arabian rules and regulations and shall adhere to Saudi Arabian customs, religious practices and cultural sensitivities. I shall be guided in my actions and statements while in Saudi Arabia by the U.S. Embassy, by my lawyer Mr. Michael Wildes and by your law firm.

I look forward with great anticipation to seeing my daughters again and to sharing so many experiences with them, however short the time we can spend together.

I sent it back to him with the caption: Give this to the sheikh! I would not be duped or humiliated by Hejeilan, the Saudi princes he represented and the State Department again.

In the Fall of 1997 Fowler's confirmation hearing came up before the Senate Foreign Relations Committee. Fowler had not been confirmed because he went into the Post during a recess. It took over a year for the matter to be brought up before the Foreign Relations Committee in the Senate. I asked Diane Feinstein to object and she refused. Instead Fowler grandstanded with a pledge to help me. This was almost a year and a half after Mabus left.

This is an excerpt from the San Francisco Chronicle: September 27, 1997:

WOULD-BE AMBASSADOR TO SAUDIS PLEDGES AID IN CUSTODY DISPUTE

Nominee Fowler says he will help S.F. woman get back her daughters

President Clinton's nominee to be ambassador to Saudi Arabia has promised to help a San Francisco woman whose two daughters were abducted from the United States by their father, a Saudi national.

Wyche Fowler told the Senate Foreign Relations Committee in written testimony this week that he would “work for a long-term satisfactory solution to this case.”

Fowler’s promise came after Patricia Roush, opposing his nomination in a letter to Foreign Relations Committee Chairman Jesse Helms, criticized Fowler for failing to do enough to help her get her children returned to her.

In her letter to Helms, Roush charged that Fowler, who took the post in a congressional recess appointment in August 1996, had not helped her.

In her letter to Helms, Roush noted that former Ambassador Raymond Mabus had pressured her ex-husband to give up the children by refusing to grant visas to members of his family who wanted to visit the United States, but that Fowler had lifted the ban on the visas.

Fowler wrote the committee in response this week that withholding the visas would most likely do little to guarantee the return of the children.

In defense of his efforts to help Roush, Fowler said he had arranged for her to visit her daughters this year in Saudi Arabia at no cost to her.

Fowler of course made it through the Confirmation Hearing with flying colors. No problem. His colleagues in the Senate knew ol’ Wyche and they weren’t going to turn him down.

Wyche Fowler was in Saudi Arabia for six years. He lobbied hard for that job and made a lot of money. He is now the grand statesman about town – the Mid East expert and Chairman of the Board of the Mid East Institute. He gives speeches, goes to dinner parties and I am sure has many Saudi friends. His wife divorced him after that Scottish girl incident. He should be held responsible for what he did. He is a criminal and condemned my daughters to that dismal desert. It would have so easy for him to finish the job Mabus started. What was the downside for him? He could have gotten them out without offending any Saudis. Mabus had set it up. He chose not to do it. I do hope that there will be a forum where he will be held accountable here on earth for what he did. I know that when he stands before God he will not have his Saudi friends with him. The Bible states that the measure you give is the measure you shall receive and you shall be known as you are known. Mr. Fowler will be held accountable for the loss of my daughters and the marriage of my daughter, Alia.

The Saudis still maintain an arrogant attitude and dismiss the whole incident as stated in the Saudi-owned English language newspaper, The Arab News:

THE ARAB NEWS
March 15, 2001

CONGRESS TO TAKE UP CASE AGAINST SAUDI

RIYADH – The US Congress is expected to look into an accusation tabled by an American woman against a Saudi man named Khaled Al-Ghashyan next month. Ghashyan has been accused by his American wife, Patricia, of kidnapping their two daughters 16 years ago, Asharq Al-Awsat Arabic daily reported. The family Ghashyan, who is now staying in Riyadh, expressed their surprise over the matter being taken to the Congress. “Why do they want now to exacerbate the issue? His daughters have grown up and one of them is already married.” the family said. – Abdul Rahman Mansour

What they are saying is: This is a fine, outstanding Saudi family with Saudi daughters, one of whom is married and pregnant. This is an old matter that was never an issue to begin with. Why does this American woman want to still make trouble for this nice family? Leave us allow.

Both of Ghashyan’s parents came into the United States for medical treatment from American doctors and nurses when they became ill. They used U.S. medical technology to try to save their lives and in the meantime kept my daughters away from me without so much as a phone call. I would call their house to speak with my girls and they would hang up on me. They came in with Diplomatic Passports accompanied by their international criminal son who broke U.S. law. But he was also given a Diplomatic Passport and the green light by INS. They made a mockery of U.S. law and the State Department spokesman, Nicholas Burns, was vehemently denied this happened when questioned UPI and ABC news at a press conference.

The attitude of the State Department hasn’t changed in sixteen years. They still refer to my daughters as Saudi citizens. They say there is nothing they can do under Saudi law about this situation and they will not make this a State-to-State issue. They still reference the Children’s Issues Department when this matter comes up. This is not a child custody case. My daughters are adult women – American citizens living in Saudi Arabia with no rights afforded them under the Constitution. Now I have an American citizen grandchild. What is to become of my family?

If Members of Congress are so concerned about the human rights and fair treatment of Saudi Al-Qaida prisoners held in Cuba and even make special trips to inspect that facility at Guantanamo, why aren’t they outraged about what has happened to my daughters? Why don’t they make an exchange - innocent daughters for the Saudi Al-Qaida killers.

Fifteen young Saudi schoolgirls were burned alive because they were wearing the wrong clothing. The religious police forced them back into an inferno. My daughters could have been in that fire.

I was one of the lucky ones - I out of Saudi Arabia with my life even though they came back and stole my daughters. Over the years I have heard of many American women who married Saudis, were physically beaten, went to the U.S. embassy and were turned out into the streets back to their abusers-only to sadistically beaten again. These women are trapped inside that desert. The State Department has no idea of what happened to them and has not questioned the Saudi authorities about their whereabouts. The chances are high that they were killed. The State Department should be held responsible and accountable for these lives and the lives of

every American citizen in jeopardy inside Saudi Arabia – child or adult. I was told by my former husband/abuser, “I could kill you and throw you out into the desert. Who would know?” It is time now for a full investigation to be opened concerning the turning away of American women and children by the U.S. embassy under orders from the State Department. If they are refused asylum, they have no choice but to be subject to Saudi law which will not protect them. A man owns his wife and children and can do anything he wants to them – including kill them. This is the reality of life in Saudi Arabia. The present policy must be changed.

There was a recent story in the Italian press about a little girl with an Italian mother and Algerian father who was taken to the Italian Embassy in Algiers by her mother for asylum. The child remained inside the Italian Embassy for two years while the Italian government negotiated for her release with the Algerian authorities. She was just taken back to Italy on an Italian military aircraft. That is how much her government cared about her. I have pleaded for the release of my daughters for over sixteen years and the American Embassy, under orders from the State Department was told ‘remain neutral’. They call it a ‘child custody case’, a ‘private family matter’ and they wash their hands of it.

I am asking for your help and the help of the entire U.S. Congress to free my daughters and Alia’s baby. The State Department must issue a Demarche to the Saudi Arabian authorities to have my family returned to America immediately. Gheshayan successfully sold my daughter, Alia, to a rich Saudi who impregnated her and now has put my daughter, Aisha, on the chopping block. She is now up for sale to the highest bidder. We don’t have any more time to waste.

This is a moral decision of conscience. As Moses pleaded with the obdurate heart of the Egyptian Pharaoh for freedom for his people, I am beseeching you, let my family go. There are no hopeless situations; there are only men who have grown hopeless about them.

Thank you.

Mr. BURTON. Gosh, it's hard to believe those kinds of things happen, especially with the government we have and the State Department people who are here will carry the message back very loud and clear, and we will write a letter; I will author a letter to the President asking him to impose a limitation on passports for anybody that is involved in any kind of a kidnapping, like the one you involved, and I want you to draft that letter today. And we'll get as many Members to sign it and we'll see if we can't go back to what Mr. Mabus did and impose every kind of block that we can to keep Saudis out of this country if they're involved in any kind of activity like that.

Mr. OSE. Mr. Chairman, if I may.

Mr. BURTON. OK, Mr. Ose, go ahead.

Mr. OSE. Ms. Davis has a son also in Saudi Arabia, if I recall correctly from the testimony. There were two testimonies that I read last night, one involving Ms. Roush's daughters and another involving a son and a daughter of an American citizen. I would hope that the letter we are going to draft will address both those situations. As memory serves, both children are—in the second case are now in the United States. But this should be very focused on the Saudi—

Mr. BURTON. We'll be very focused on these individuals. But we want the letter to encompass others who are not here to be able to speak for themselves who—we have something like 92 people that we know of right now. We haven't gotten all the documents from the Saudi Embassy over there, our Embassy in Saudi Arabia, but there are 92 people that we believe are being held along with the ones we are talking about today.

We have a tape of Monica Stowers that was prepared at the U.S. Embassy in Riyadh a couple of weeks ago. The tape arrived in the United States yesterday but we received it just 25 minutes before the hearing because the State Department wanted to watch it and copy it before they gave it to us. I don't know why they wanted to do that. We could let them have a copy after we saw it. But nevertheless, they wanted to see it first. I presume they may have wanted to censor it so Congress couldn't see everything. Nevertheless, we got it. Therefore, we haven't had a chance to review it fully. It's 25 minutes long and all of it is highly relevant and deeply moving. We're going to play the first 10 minutes of it and while the hearing is going on, we'll see if there are some other segments that are very important that we should play. So will you play the first 10 minutes? And I want all the members of the committee and everybody in the audience to pay particular attention to this.

I know it is a lengthy hearing. We are hearing a lot of testimony from the witnesses, but this is a very special case and we're going beyond our normal 5 minutes testimony because we think it is so special. So will you roll the tape.

[Portion of videotape played.]

Mr. BURTON. We're going to review the last 15 minutes of this, but I think we all have a pretty good idea of the tragedy that occurred. I can't believe this. I cannot believe this. I just—who is the next witness? Mrs. Stowers, Mrs. Stowers, do you want to make your statement now and then we'll go to questions after we hear from Ms. Hernandez-Davis. Mrs. Stowers, you are recognized to

make a statement if you like. Do you want to make a statement or do you think you can?

Mrs. STOWERS. I came here today to plead for my daughter and my granddaughter's life. My granddaughter's father has threatened to destroy her as soon as he can get Monica out of the country. He wants to have her—he wants to kill her because she won't marry anybody that he chooses for her at age 12, he tried to marry her. Well, he did marry her off to an older man, a terrorist. And she ran away. But he keeps chiding with Monica that as soon as she leaves Saudi Arabia to come to the United States for treatment—my daughter has cancer—that he will destroy Amjad because she disobeyed him. We haven't been able to get any help for her, Monica and my granddaughter. She's at the mercy of people that hate us and want to kill us. I'm sorry.

Mr. BURTON. No, that's fine.

Mrs. STOWERS. I'm just so upset about this whole thing. Our family has been totally destroyed by the Radwan family in Saudi Arabia, by the children's own father. They have been beaten and raped and my grandson went to the police in Riyadh and asked them for help. He asked them to please get his father to stop the rape and the beatings. His answer was, you have to learn how to obey your father. They stripped his shirt off, threw him on the ground and beat him and kept him in jail for 2 days.

And then when he was sent home, his father beat him again and threatened to kill him. Rasheed has had two mental breakdowns and he finally escaped from Saudi Arabia and he lived with me in Houston. The horrible nightmares that Rasheed had, he couldn't function as a normal human being. In the middle of the night, he had these horrible nightmares. But he was able to get some treatment and he did finish high school, and one semester at the University of Houston. He had to go back to Saudi Arabia. He had to try to take care of his mother because she was so sick. She's been destroyed by this.

This whole thing. She tries to protect her daughter and she would die for her daughter. We have begged the State Department, our Senators and our Congress for help. We got nothing but silence. There was nothing they could do. Why is it that the Saudis can ask for the U.S. Army to protect them, but they can't protect our children? They can't help our children. Can anyone tell me why they can't do something for our children? Please. Help our children.

My daughter, I think she said it all on this tape. She needs to come to the States to get cancer treatment. I wouldn't have recognized her out on the street she's so sick.

Mr. BURTON. Ms Stowers.

Mrs. STOWERS. But she will not leave her daughter.

Mr. BURTON. Well, Ms. Stowers, Ms. Stowers, can you hear me.

Mrs. STOWERS. But I'm pleading with someone to help us please.

Mr. BURTON. Can you hear me. Can you hear me now? We will convey your feelings in correspondence and directly with the President. We'll try to get information to him today. I'm supposed to be

down at the White House at 4. I'm going to have a letter prepared covering these issues and I will give it to him today and we will not let this rest. We will continue to push, I promise you, as long as I'm chairman, we'll do everything we can to get this resolved.
[The prepared statement of Mrs. Stowers follows:]

**Recovering My Children Kidnapped in Saudi Arabia:
Dealing with the U.S. Embassy and Saudi Authorities**
Statement by Monica Stowers
June 11, 2002

I am the mother of two children, Rasheed and Amjad Radwan, who were kidnapped from me by their Saudi father, Nizar Rasheed Radwan, in 1985. My son was seven and my daughter was a year and a half. (I had met Nizar at the University of Dallas in 1975. He did not tell me about his wife and son that he had left behind in Saudi Arabia.) I went to a Saudi court in Riyadh, but they ruled that because I was a woman, a non-Muslim, and an American, I could not have custody. *The only assistance the U. S. embassy offered was a list of lawyers.* They did not understand that there are no divorce/child custody lawyers in the traditional western sense. Sharia laws are clear cut. I was at a great disadvantage with no one to translate the proceedings for me. Visitation was left up solely to the father's discretion! Of course he would not let me see them. I was without financial support and living at my ex-husband's mother's house. The in-laws tried to have me put in a home for indigent women and began harassing me. I felt unsafe. I decided I could get more done going back home, so I left Saudi Arabia. That turned out to be a big mistake. *I was to learn the hard way that I could not return to Saudi Arabia without my ex-husband's permission!*

I went to Washington to the offices of my senators (whom, I was told, do not meet with their constituents) and congressman, the State Department, and the National Center for Missing and Exploited Children. No real help is offered. Saudi Arabia is not a signatory to the Hague Convention. I went to the Saudi embassy. I was met in the lobby by an employee (my problem did not even warrant an office visit for them). "Why don't you go to your government for help?" he said with a smirk on his face. He knew what I was beginning to realize: the U.S. government did not care! I felt like Jimmy Stewart in Mr. Smith Goes to Washington. I was going to have to fend for myself.

In 1987 my ex-husband got me a visa. I had to see my children at a Saudi police station. My daughter did not know I was her mother. She was being told that her Palestinian stepmother was her mother. My son told me about sexual abuse he had endured from his older step-brother, Ahmed Radwan, and an uncle, Sami Kurdi. My son had also been put in jail on the military base where his father worked and been beaten. He was only eight. My daughter told me of her stepmother beating her and not letting her bathe more than once a week. The embassy was aware of the problems and would not help me get my children out. My visitor's visa expired, and with nowhere to go, I had to leave.

November 1990 my ex-husband gets me a visitor's visa. My son was in the hospital getting his appendix out. I was determined no matter what not to leave even though the embassy offered me no help in staying. I had nowhere to live and no income. My son met me at the airport. I did not recognize him. My son had written a letter to the U.S. government asking for help for himself and his sister. He had a dream of the America he remembered.

I went to my daughter's school wearing an abaya (black cloak that Saudi women wear) and covered my face. I entered the courtyard and saw my daughter. She recognized me by my shoes and followed me out. All three of us went to the embassy and refused to leave.

Karla Reed and Frederick Pauleski took turns alternately coaxing and threatening us. Some of the things they told me (and other things I heard in later dealings with the embassy):

- Reed, "This is not a hotel. You will have to leave."
- Reed, "The embassy is not on U.S. territory. This is Saudi territory, and you cannot claim asylum here. The Saudis can come in and take you."
- Reed, "You have to leave Saudi Arabia. Your visa has expired, and you will make it impossible for other American mothers to see their children." (Incredibly she took the Saudi point of view.)
- The U.S. military stationed in Saudi Arabia signed an agreement with the Saudi government agreeing not to help mothers escape with their children.
- Pauleski called up my ex-husband and told him where we were! "He's a reasonable guy. I am sure he will come to some kind of agreement with you." (He did not seem to believe that my ex could have me arrested.)
- Reed, "If you don't leave, we will have you forcefully removed."
- Pauleski, "I'm in trouble for letting you in."

I told Reed that if she threw us out, my ex-husband would have me arrested and thrown in jail. She thought I was exaggerating.

What followed was a nightmare.

Pauleski entered with two marines. He grabbed my son's arm and tried to pull him off the couch. "Ouch!" my son cried out. Pauleski looked embarrassed. "Don't touch him," I said. I took out our three passports and held them in front of me like a shield. "You will remember what your government did to you when you went to them for help," I said to my children. One of the marines apologized, "I'm sorry ma'am. I'm just doing my job." "It's not your fault," I replied. The other marine scooped up my daughter, who was cowering next to me, and walked outside with her. My son and I had no choice but to follow. I had to support Rasheed as he walked. *It was the longest walk I ever took.* We were deposited outside the gate, where Saudi security was posted. "Ma'am, you risk further arrest if you stay here," the marine advised me. An embassy van drove us to my ex mother-in-law's house.

The next day my ex locked Amjad, my daughter, up in his house. My son and I went into hiding. The Gulf War brought us some a brief respite because the Saudi authorities were preoccupied.

June 12 I was arrested and my son and I were taken in a paddy wagon to the Aruba police station where I was booked and sent on to the Batha Women's Prison. I was not allowed to make a phone call. My son walked with me to the street where the paddy wagon was waiting for me for the second ride. He collapsed on the ground and held onto my legs, "Oh Mom, save me!" I told him to go to the house of a princess I was tutoring and tell her what had happened to me. I never thought I would see him again.

The State Department called my mom in Houston and told her I was in prison. She yelled at them, "Why don't you help her!" She was told that I had broken the law and not left when my visa had expired. *The State Department took the position that I could have avoided prison by leaving my children behind in Saudi Arabia, and it was my fault for breaking the "law."*

The princess got me out after I spent three days in prison. Her mother was able to sponsor me after the Saudi government did an "investigation" on me. *I had to depend on pure luck for my sponsorship and the connections of a princess who needed me to tutor her family. Previously the Saudi government had refused to let anyone sponsor me, even though I had an offer to do so from the traffic police chief. The embassy did nothing to help me stay. Reed visited me at the women's prison on her way to the men's prison to see an American who had been selling drugs. I was on the same level as the drug dealer!*

In 1995 my son has a nervous breakdown and is admitted to King Fahd Hospital. He is diagnosed with a "conversion reaction."

In 1996 Rasheed is able to escape to Bahrain after paying "someone" \$20,000. He flies out of Bahrain and has a layover in New York. Two places he has heard about and goes to visit are Harlem and the World Trade Center. He could not believe the magnificence of the World Trade Center. He later told me he went up to one of the towers to touch it and cried. To him it symbolized all that was great about America. *He was home!*

My ex marries off my daughter to a Muslim fanatic. *She is twelve years old.* She had also flunked grade six at the Saudi school she was attending. Her "husband" brings her to my apartment for a visit. She refuses to leave. He reports this to my ex. When he leaves, we collect a few things and escape. We go into hiding. My daughter and I go to the embassy and write out a statement asking for help. We get none. Sally Bumbrey, consul at the U.S. embassy, lets us stay at her house overnight, but tells us she is in trouble for letting us stay, so we have to leave. I did not want my daughter to experience the marines again. We stay at an abandoned school. My daughter locks herself in a room during the day while I go to work.

My ex enlists the aid of a criminal gang to take Amjad from me. He is finally able to grab her and lock her in his house after beating me. She tries to jump off his roof and kill herself. I call my sponsor and the embassy. The Governor of Riyadh instructs the police to call Nizar to come out of his house with Amjad, which he finally does. We all go to the

police station to make an appointment to go to court the next day. My daughter goes in the car with her father and arrives before he does. While he is in the bathroom, **she escapes from the courthouse, runs to the street and catches a cab, laying down in the back seat.** She goes to my school and waits for me come home.

My ex complains to the Saudi authorities that my school is teaching Christianity to students and it is closed down.

My daughter confides in me that her stepbrother, Ahmed Radwan, had sex with her "from behind."

My ex goes to a Prince Ahmed at the Governor of Riyadh's office, who issues an order that I must give Amjad back to her father or I will be deported. I refuse. Amjad and I must meet with Saad Al Gamdi from the Ministry of Interior. My daughter and I tell him we will not obey the order. For some reason we do not hear from anyone again.

My daughter made two attempts to escape from Saudi Arabia but was caught both times.

Meanwhile my son in the U. S. becomes dependent on drugs and self-destructive behavior. I was diagnosed with cancer. My son returned to Saudi Arabia. He is depressed with the memories of this place. I had a radical hysterectomy. My daughter is now 19 and has not been to formal school since grade 6. Her "husband" divorced her and married his cousin.

What will happen to my children if I pass on? I shudder to think about it.

On September 11 my son rushed home from work and banged on the door. "Mom, haven't you heard what happened? A plane had crashed into the World Trade Center!" We sat in front of the TV for 12 hours in a trance. How angry I was to see that happen. ***It made me recall the anger I felt in the past when I went to the visa section of the U.S. embassy in Riyadh and saw all those Saudis in line for visas – the line stretched around the building at the beginning of summer. They could easily go, but my children, American citizens both, were denied that right.***

When an American citizen comes to any U.S. embassy in dire straits, they should receive help getting out with their children. I can assure you that the Saudi government does not hesitate to help Saudis take their children away from foreign spouses. The Saudi government even issues passports under a different name to Saudis unable to enter the U.S. I've been told by maids and drivers from the Philippines who work for the royal family that they were issued Saudi passports from their sponsors so that it would make it harder for them to run away when they traveled to the U.S. with the royal family. (Pat Roush's husband was not allowed to enter the U.S., so the Saudi government issued him a passport under another name so he

could bring his father for medical treatment. He was stupid enough to call Pat and brag about it.)

It is scandalous that American women are not allowed by the Saudi government to travel to Saudi Arabia to see their children unless their kidnapping Saudi ex-husbands get them a visa. This outrageous condition was forced upon American mothers without any objection from the State Department. Yet Saudis had carte- blanche access to U.S. soil. This is part of the "special relationship" that the U.S. government thinks it can't do without. The State Department also consistently took the position of a Saudi advocate by letting American citizens be victimized by a country with an abysmal human rights record. The human rights of American citizens were sacrificed to oil and military bases.

It is scandalous that even now American mothers are stuck in Saudi Arabia and cannot even leave by themselves if they want to. Debra Sultan was told by the embassy recently that since her Saudi husband was in possession of her passport, he would have to be the one to sign her out. There was nothing they could do! Any American working in Saudi Arabia has his passport confiscated by his Saudi sponsor. This is the law in Saudi Arabia. Yet U.S. passports are supposed to be kept in the possession of the carrier. Does the American government confiscate Saudi passports when Saudis work in the U.S.?

My son called the embassy last year to tell them that the mutawa'an, the fanatic Muslim police (like Taliban), wanted to put him in jail and whip him because I did not cover my hair like a Muslim. He was told not to call them until he got arrested!

The worst thing to have to deal with is the arrogant behavior and lack of imagination on the part of embassy consuls and other personnel. They did not seem to be aware when something really bad was happening. They were ignorant of the environment they worked in and most spoke no Arabic. Clerks from Syria, Jordan, Sudan and other countries were left to do important business at the ministries. They were too busy smoozing with big shots in the government or business, traveling, partying, and doing whatever it took to make their CV's look good. Many American expats I met over the years in Riyadh encountered the same arrogance and lack of help. Debra Sultan called the embassy during the Gulf War and told them her Saudi husband was beating her. The female embassy employee that took her call told her, "Did you know that you have interrupted my dinner?"

I have not been able to worship according to my faith, drive a car, rent an apartment in my name, ride a bike, and dozens of other things we take for granted in the U.S.

My father, Eddie Stowers, was a navy veteran from WWII. He was at Normandy and the Pacific theater of war. He was shocked to hear what the marines were asked to do to an American citizen at a U.S. embassy. He passed away in 1992. He never got to see his daughter. My mother is in her seventies. My aunt is in her seventies and wants to

see her niece and nephew. My sister is ailing, and her husband, a Vietnam veteran, needs a liver transplant. They all want us back safe and sound.

I am asking the American government to remember what it stands for, freedom and liberty to all its citizens. That's what we fought and died for throughout our history.

I am asking the U.S. government to put my daughter on a military transport plane and fly her out of here. No child should have to do such dangerous things as my children have had to do to return to their family and country. They are patriots who have suffered for their country no differently than a soldier does.

After twenty years of this problem I am still asking the U. S. government to help us.

Sincerely,

Monica Stowers

My Experiences Trying to Recover My Children Kidnapped in Saudi Arabia
by Monica Stowers
written June 6, 2002

- I meet a Saudi, Nizar Radwan, at the University of Dallas. He does not tell me about his wife and family in Saudi Arabia. We marry and I have a son, Rasheed, in 1976. Our daughter was born in 1983.
- Nizar tells me that all Saudi students used to come to the states on diplomat visas. Apparently it was some kind of "special relationship." He says that a Jewish congressman from New York objected to it, and that arrangement was withdrawn. He says that some Saudis committed crimes, including rape, but were only sent out of the country.
- In 1982 Nizar finishes his education. He has to get special permission for me to come; Saudis are not allowed to marry foreigners, he says.
- In 1983 I arrive in Riyadh, where he leaves me at his mother's house. I discover he has a wife and family already.
- I tell him I want to return to the U.S. He agrees. Incredibly, I could not even leave the country without his permission. The embassy confirms this.
- He says he is taking the children to the park. He never returns. I find myself alone at his mother's house surrounded by hostile relatives.
- I take him to court. The only help the American embassy offers me is a list of lawyers. This turned out to be useless because there are no divorce lawyers in Saudi Arabia. The courts in Saudi Arabia are Islamic Sharia of the very conservative Wahabi sect. The guidelines are clear. The court ruled that because I was a woman, a Christian, and I wanted to take my children to the U.S., Nizar got complete custody of them and could even determine when I could see them. The judge only asked him orally to let me see the children. My son was seven and my daughter was a year and a half.
- Nizar's family tries to get me into a home for indigent Saudi women.
- I get threatening phone calls and have trouble sleeping at night. I decide I could get more accomplished in the U.S. I left Saudi Arabia, which turned out to be a big mistake.
- I go to Washington to the offices of my senators and congressman, the State Department, and the National Center for Missing and Exploited Children. No real help is offered. Saudi Arabia is not a signatory to the Hague Convention. I go to the Saudi Embassy. I was met in the lobby by an employee. "Why don't you go to your government for help?" he said with a smirk on his face. He knew what I was beginning to realize; the U.S. government did not care! I was going to have to fend for myself.
- In 1987, my ex-husband gets me a visa. I am allowed several visits in a police station in Riyadh. My daughter does not know that I am her mother. She's been told her

Palestinian stepmother is her mother. She thinks I'm only Rasheed's mother. My visa expires, and I have to go.

- In 1990 my ex-husband gets me another one month visa in exchange for giving him a good reference to a Colonel Swartzlander, who had interviewed him for a job as a translator for the U.S. military. I call the colonel and tell him my situation. "I don't want to hire him. He's a jerk!" he says. "If you don't hire him, I won't be able to see my children." Swartzlander hired him. My son is in the hospital getting his appendix out.
- In November 1990 my son met me at the airport. I did not recognize him. He was fourteen years old. Later he tells me about an uncle, Sami Kurdi, and his older step-brother, Ahmed Radwan, who had sex with him. He had also been thrown in jail at the military base my ex-husband had been living at and had been beaten. I decided I would stay and get my children out somehow.
- I called the U.S. embassy and spoke to Frederick Pauleski. I asked him if American citizens could claim sanctuary at the U.S. embassy. He said he thought so, but he was not sure. "You're not thinking about doing something crazy?" "In my situation you do what you have to do."
- I went to my daughter's school wearing an abaya (black cloak) and covered my face like Saudi women do. I went inside the courtyard of the school and saw my daughter. She recognized me by my shoes and followed me out. We went to the embassy with my son.
- Pauleski let me in very reluctantly when he saw the hand luggage. We sat on a couch and refused to leave the embassy. It was after 9:00 a.m. A barrage of coaxing, pleading, and then threatening by Pauleski began. He said he was in trouble for letting us in the embassy. "Believe me, I'm in more trouble than you!" was my response.
- He left the room and Karla Reed came in. "This is not a hotel. We have nowhere for you to stay," she said in a not so pleasant tone. "I'm claiming sanctuary on U.S. territory." I remembered from a civics class that invading an embassy is the same as invading that embassy's country. "People are mistaken if they think this is U.S. soil. This is Saudi soil and the Saudis can come in here whenever they please." (More of that "special relationship" I thought.) ***Later I heard that the U.S. government had to sign an agreement that it would not use the U.S. military stationed in Saudi Arabia to help mothers escape with their children.*** Karla became more and more aggressive. "I've been in contact with Washington, and I can have you removed." I told her I was not going anywhere. She left in a huff.
- Pauleski returned. He informed me that he had called my ex-husband and told him where the children were! "He's a reasonable guy. I'm sure he will come to some kind of agreement with you." "I can't believe you did that. Now he will go to the authorities and I'll be arrested," I said. I pointed out the shabby clothes my daughter was wearing and showed him the bread she had in her bag for lunch. ***This is something I was to encounter over and over again as I had to deal with the embassy and its rotating personnel over the years: the arrogance of consuls and vice consuls I had to go to for help; their ignorance of the environment they were working in (all the ones I dealt with in the early and mid - 1990's spoke no Arabic and Syrian***

clerks were doing any government business that had to be done in English for them); and the utter lack of imagination on their part that something really bad was happening. They were too busy smoozing with big shots and business interests, partying, traveling, and doing whatever it took to make their CV's look good. Many American expats I met over the years encountered the same arrogance and lack of help. (I had to laugh as I was reading an autobiography written by Kirk Douglas, a movie actor, talking about this same kind of arrogance and ignorance personnel at an embassy in Europe displayed to him! This is no coincidence! Another American mother in the same situation as I, Debra Sultan, told me she called up the embassy and told them her Saudi husband had beaten her and kicked her out of her house, and she was told the embassy is not a hotel!)

- Other exchanges - Karla, "If you don't leave, you will make it hard for other American mothers to visit their children. The Saudi government will remember all the trouble you made and not give them visas." I could not believe that a U.S. official could sympathize with the Saudi stance against an American mother whose children were stolen from her. I was just seen as a troublesome woman who would not go away! "Which American women are you talking about? Is it Pat Roush, Khristine Uhlman, Joy King, Vickie Melko, Laura Phillips? I know them all. None of them would object to me being here." The embassy let me call my mom. I told her what I was doing. Around noon I got a call from Pat Roush, God bless her soul. "Don't you leave there, Monica. You make a stand for all of us," she said. I intended on doing just that.
- For hours I had to endure this. Around 5:00 p.m. the embassy started closing down, and people were going home. Karla returned. "I will put you in an embassy car with the flags flying on it, and it will take you wherever you want to go," she said. "I don't have anywhere to go. If you put me outside the embassy gates, I will be arrested and thrown in jail and I will never see my children again," I told her. "Oh, you're just exaggerating. I'm sure nothing will happen to you." "Can you put that in writing? Can you guarantee that?" I asked her. "I can't guarantee anything. You could go outside and be hit by a car. There is no guarantee on anything," was her observation. I had trouble seeing the connection. "Since you can't guarantee anything, I'm not going anywhere." Karla was really ticked off. "OK, that's it!" She left the room, and I could hear her over the intercom calling for security.
- Pauleski entered with two marines. My children and I witnessed the following like a bad dream: Pauleski grabbed my son by his left arm and tried to pull him off the couch. "Ouch," my son cried out. "Don't touch him," I said. Pauleski looked embarrassed. I took out our three U.S. passports and held them out in front of me like a shield. The black marine apologized, "I'm sorry ma'am, I'm just doing my job." "It's not your fault," I said. The other marine was looking us over trying to decide how to handle it. Rasheed, my son, started to moan and shake. "Mom, let's just get out of here." He started crying. My daughter tried to hide her body behind mine and held onto my arm. "You remember this day when you went to your country for help, and what they did to us. We're American citizens and we claim sanctuary in this embassy." I held the passports in front of me. The other marine moved swiftly and

scooped up Amjad, my daughter, and carried her out of the room. My son and I had no choice but to follow. I could barely walk. I had to support Rasheed as he walked. *It was the longest walk I ever took*: down the corridor, outside the building, and outside the gate, which was closed behind us. The Saudi police who are on duty outside the embassy looked at the curious sight of a mother and two children clinging on to each other. All three of us were crying. The marines looked at us from behind the gate. The black marine spoke, "Ma'am, you risk further arrest if you remain here." "Thank you," I answered. (My father, Eddie Stowers, a WWII navy veteran who had been at Normandy and the Pacific theater of war, was particularly disturbed to hear about the Marines being asked to do something like this!)

- The embassy van pulled up, and we got in. Pauleski tried to get into the front seat. I told him if he got in, I was getting out. He got out. We had nowhere to go. We were dropped off at my ex-mother-in-law's house.
- My ex-husband, Nizar, took Amjad and locked her up in his house. My son and I went into hiding. Nizar went to the authorities and told them to arrest me. He made out a big file on me at the police calling me a prostitute. My son and I stayed at several locations. Nizar actually brought the police to our house one night, but luckily we had just turned off all the lights and gone to bed. We looked through the peephole and saw them and did not answer. The Gulf War started and the authorities became preoccupied. Nizar took his family, including my daughter, out of Riyadh. My son and I remained. Scuds fell on Riyadh; the first one was a few blocks from the house we were staying in. At one point we heard that the U.S. embassy was evacuating citizens. They did not call me about it, though they had my number.
- After the war, Nizar told my son (through relatives) that he would not fight me anymore. It was my daughter's birthday and he would meet us with her at Pizza Hut. I was desperate to see her. As we ordered, the manager told me someone outside wanted to see me. I went out to find the police waiting with mutawaa (religious police). I ran inside and tried to use the phone. The mutawaa slammed the phone down and told me "Later." I was put into a paddy wagon. My son came with me.
- I was taken down to the Aruba police station. This was June 12, 1991. They would not let me make a phone call from there, either. My son asked them, "Where are you taking my mother?" "To a place where women go." It was night. My son followed me outside, where another paddy wagon was waiting for me. My son had trouble walking. He was dazed and I had to shake him. His legs buckled and he sank to the ground. "Mom, save me," he cried. "Listen, Rasheed. Call Princess Noura (I had met her at a school I had found employment in.) Tell her what is happening to me." (Noura's mother was Fahada bint Abdullah, daughter of Crown Prince Abdullah). Rasheed watched as they drove me away. I never thought I'd see him again.
- I was taken to the women's prison in Batha. I spent three days there. I could not make a call until the third day. Karla Reed came to see me on the third day. *She offered no help at all* and said she was on her way to see an American man in the men's prison who had been arrested for selling drugs. (I was in the same category as the drug dealer.) The State Department did call my mother in Houston and tell her I was in

jail. She screamed at them, "Why don't you help her?" All she was told was that I had broken the law and not left when my visa ran out!

- Saturday afternoon a car from Princess Fahada bint Abdullah arrives to pick me up. My son remembered where her daughter's house was and had told her what had happened to me.
- Princess Noura, Fahada's daughter, gave me a paper with her stamp on it asking authorities not to arrest me because my residency permit was being processed.
- The next few years there is nothing my ex could do because I was under the sponsorship of the daughter of the Crown Prince.
- My son is doing poorly in school. In the religion class they teach him things like the Jews are cursed and you should never make peace with them; just kill them. He is also taught that non-Muslims have freckles because they eat pork, the genie lives in the drain in the bathroom, and non-Muslims are here in Saudi Arabia to do the work for Muslims.
- 1995 My son, Rasheed, has a nervous breakdown. He is admitted to King Fahd Hospital where he is diagnosed as having a "conversion reaction."
- 1996/1997 My son was able to escape from Saudi Arabia through Bahrain. How he did I prefer not to say to protect those that helped.
- That same year I go on vacation to Houston. When I called my daughter, she informs me that her father had married her off. She was 12 years old! She was no longer going to school. She had been in grade six and had flunked.
- I return to Riyadh. Her "husband" brings her to my apartment for a visit. He looked like one of those radical clerics. His name was Ismail Mohammad Myajan (03-898-4674). He lived in Dhahran. I was heartbroken. We could not hope to get any sympathy from him. When he was ready to leave with her, she refused to go. He was in a panic and did not know what to do. He left and informed Nizar.
- Now we had to make our move. My daughter and I got together some things and left the apartment. We stayed for over a month at the house of someone I knew who was traveling. Then we went to live at an abandoned school for several months. During this time my daughter would lock herself up while I went to work and be alone all day. She was unable to attend school. Her father got one of his wives to go to her school and get her file. Without it she could not enroll in any school. Also, the Saudi government does not allow Saudi citizens to go to schools for foreign students, so she was not allowed to go to my school by law! While she was living with me she confided in me that her stepbrother, Ahmed Radwan, had intercourse with her "from behind."
- The American embassy was aware of all that was happening to us. My daughter and I went to the embassy for help. We wrote out a statement, but nothing came of it. We also stayed at the house of Sallybeth Bumbrey, consul and first secretary at the embassy, but she tells us she will be in a lot of trouble if we do not leave. I did not want my daughter to experience the marines again.
- My ex-husband is able to get my daughter back after beating me up. I call the police, my sponsor, and the American embassy. I tell them to do something before my ex-

husband kills Amjad. I refuse to leave from the front gate of my ex-husband's house. I can hear my daughter screaming from inside the house. (Later she told me her father beat her badly. She tried to jump off the roof, but her father grabbed her.) My sponsor informs the governor of Riyadh's office. The police cannot use force unless they get permission from the governor of Riyadh. They call Nizar inside the house and tell him to come out. By this time two embassy personnel arrive just in time to see Nizar come out of his house with my daughter. They go with me to the police station. The police chief tells me there is nothing they can do to Nizar. "According to the religion, a father can beat his children," said the police chief at the Aruba station. We are given a court date for the next day, and Amjad is sent home with her father and "husband." At the embassy I have heated conversations to personnel there about why they can't help Amjad. It is déjà vu all over again. "If you don't help me get her out, I will never see her again." The most they can come up with is that they can prevent Nizar's relatives from traveling to the states. (Later we learn that Samir Radwan, Nizar's brother, went to the U.S. without any problem as a Saudi government representative.)

- Amjad goes to court in her father's car. I go separately with the embassy. Amjad arrived at the court and went in with her father while her "husband" went to park the car. Nizar (her father) had to go to the bathroom. While he was there, my daughter ran out of the court building and hailed a cab. She laid down in the back seat and saw her father as he rushed out and looked up and down the street for her. She managed to escape. Amjad came to my school, and we were reunited. We moved to another location.
- My ex-husband finds out where my school has moved to and complains to the government that the school is teaching Christianity to students. The government closes the school down. Then he convinces a gang of several brothers who are involved in crime as a way of life to take my daughter away from me. (A "friend" who overheard my ex talking informs us of this.) My school was able to reopen, and the gang follows us around in a Chevy Caprice. I got most of the license plate number (---909). From another sympathetic Saudi we learn that the police apprehended them.
- My ex-husband goes to the governor of Riyadh's office and speaks to a Prince Ahmed. Prince Ahmed issues an order that I must hand over my daughter to her father or I'll be arrested and deported. A lot of pressure is put on my sponsor, Princess Fahada. I am informed through an employee of hers that I have to give my daughter back to her father. I refuse and send her a letter back, "I refuse to send my daughter back to a house where she is beaten, sexually abused, not attending school, and married off to someone she does not even know. You are asking too much from a mother."
- We are told we will have to meet with a representative of the governor's office, Saad Al Gamdi (1-411-5050 or pager 19445816). He threatened us that if Amjad did not go to her father, I would be deported. It was an order from Prince Ahmed. I asked for a copy of the order. He had a big file on me and showed me an official-looking document in Arabic. He would not give me a copy. "It is not allowed." I told him they would have to put me in jail first. He could see that the meeting was not having

the desired effect of intimidating me, so he left. We did not hear anything more after that.

- My daughter made two attempts to escape Saudi Arabia through Bahrain with some sympathetic Saudis. She was caught both times.

During the last three years my son returned to Saudi Arabia. He had become dependent on drugs and was involved in self-destructive behavior. I was diagnosed with cancer of the cervix and had to have a radical hysterectomy. My daughter is now 19 and has a not been to formal school since grade 6. Her "husband" divorced her and married his cousin.

What will happen to my children if I pass on? I shudder to think about it.

My ex-husband has a brother, Samir Radwan. He had two children by an American, Wonna Akawa. He kidnapped her two children. Her daughter, Talida, saved her money and was able to escape from her father (who also beat her severely to pray like a Muslim). She got out when her father took her and his new family to Egypt on a holiday. Her younger brother, Fahd, remained with his father several more years. For some unexplained reason his father sent him home to his mother in San Antonio. Fahd told his mother what had happened to him; his father had had sex with him. Fahd had then threatened to kill his father's new family. The new wife was too scared to keep Fahd in the house with her, so the father sent him to live with Wonna, his mother. Fahd is now in the Austin State Mental Hospital. My son, Rasheed, and his cousin, Fahd, did not fare well with the abuse from their fathers, who are brothers. I am watching my daughter closely.

I asked Wonna Akawa, Fahd's mother, to make some kind of statement for this hearing. She said she put her faith in Jehovah God, not in governments, and it was Jehovah God that had returned her kidnapped children to her. She may have something there.

My children and I have all been in jail in Saudi Arabia. We are patriots of our country, and the U.S. government should be ashamed of turning its back on us.

I am asking the U.S. government to let my daughter get on a U.S. transport plane and be flown out of Riyadh. No one in the Saudi government will help my daughter on humanitarian grounds, because it goes against the Muslim religion.

When my son escaped from Saudi Arabia, he had a layover in New York. There were two places he had heard about and wanted to see: Harlem and the World Trade Center. "Mom, I went up to the base of the World Trade Center, and I had to touch it. I could not believe it was real." He cried. To him it represented what was great about America.

On September 11, my son, now in Saudi Arabia, rushed home from work and banged on the door, "Mom, haven't you heard what happened? A plane has crashed into the World Trade Center!" We sat in front of the TV for 12 hours in a trance. How angry I was to see

that happen. It could have been prevented. *It made me recall the anger I felt in the past when I went to the visa section of the U.S. embassy in Riyadh and saw all those Saudis in line for visas - the line stretched around the building at the beginning of summer. They could easily go, but my children, American citizens both, were denied that right.*

When an American citizen comes to any U.S. embassy in dire straights, they should receive help getting out with their children. I can assure you that the Saudi government does not hesitate at all to help Saudis take their children away from foreign spouses. The Saudi government even issues passports under a different name to Saudis unable to enter the U.S. Why aren't we fingerprinting them and developing a database? It is very careless not to. I've been told by maids and drivers from the Philippines working for the royal family that they were issued Saudi passports from their sponsors so that it would be harder for them to run away when they traveled to the U.S. with the royal family. (Pat Roush's ex-husband was not allowed to enter the U.S., so the Saudi government issued him a passport under another name so he could bring his father to the U.S. for medical treatment. Pat's ex-husband was stupid enough to call Pat and brag about it.)

It is scandalous that American mothers were not allowed to travel to Saudi Arabia to see their children unless their kidnapping Saudi ex-husbands got them a visa. The American government valued their "special relationship" with Saudi Arabia over the human rights of its own citizens.

It is disgraceful that even now American mothers are stuck in Saudi Arabia and cannot leave when they want to. (ex. Debra Sultan in Riyadh.)

I am asking the American government to remember what it stands for, human rights, and they should not forget this in exchange for perks from countries who have abysmal human rights records.

My father passed away in 1992. He never got to see his granddaughter. My mother is in her seventies. My sister is ailing. They want us back safe and sound. After almost twenty years of this, I am still asking: Please help us!

Sincerely,

Monica Stowers

Mr. BURTON. We'll now go to Ms. Hernandez-Davis for your testimony.

Ms. HERNANDEZ-DAVIS. Good morning, Chairman Burton, members of the committee. Thank you.

Yes. Thank you for the opportunity to participate in this panel, present you with my devastating experience trying to rescue my daughter out of captivity in Saudi Arabia. My daughter, formerly known as Yasmin and now known as Dria, was taken against her will to Saudi Arabia at the age of 11 and forced to live there until she was rescued 2 years later. She endured a great deal of physical emotional abuse and religious persecution by her Saudi father and his family. She is, to my knowledge, the only American child kidnapped to Saudi Arabia that has escaped. The Saudi Government as well as the American government, the State Department and the American Embassy, never helped me with my daughter's release.

Dria was one more case, one more file, one more American child taken to Saudi Arabia never to be seen again. While held against her will in Saudi Arabia, my daughter was beaten to say she was Muslim. She was scared into thinking that she and her Christian family would burn in the flames of hell. Because she would not conform and pray, she had to eat on the floor. Dria was neglected and unattended because she would not say she was Muslim. My daughter's spirit was stronger than her Saudi father and family expected. Every night she prayed a simple prayer her grandmother taught her in Spanish and she hung on to her faith.

The American Embassy in Riyadh warned me that if I reported the abuse, it would only get worse. It is common practice for Saudi fathers to beat or mistreat their children and their wives. While in Saudi Arabia, Dria's letters, cards, pictures that she had of her family, friends and of me were taken by her father and destroyed. During her many hidden telephone calls to the United States, Dria told me that she was scared she could not picture my face anymore. She was forgetting what I looked like.

She sounded more and more depressed and told me she would rather die than to continue to live in Saudi Arabia. Her situation was deteriorating and no one was helping. I was naive in thinking that my country would help protect its citizens. Dria was an American citizen whose rights had been clearly violated. My protest in front of the White House and foreign Embassies, with parents of other missing children, letter writing campaigns addressing foreign officials, communications with the State Department, and American Embassy in Riyadh did nothing to elicit response that could help me with the release of my daughter. It took a year to plan Dria's escape from Saudi Arabia.

My mother and I had to sell our home, furniture, empty our savings account in order to finance Dria's escape from hell. This extremely brave 12-year-old knew that her life was in danger if caught. Knew that she would be beaten to death by her father if the plan failed. But she did whatever she had to do in order to escape. All that mattered to her was getting home, getting her life back. How did this devastating experience begin?

In 1984, I married what seemed to be a very nice, chivalrous young man, a graduate of the University of Miami that was born

and raised in Saudi Arabia. Khalid Shalhoub had been living in the United States for 8 years and was very Americanized. He intended to continue to live in the United States once we married. I lived in Saudi Arabia for a year and a half. It was meant to be temporary, but my Saudi husband changed his mind once we were there and wanted to make the stay permanent. He went from being very Americanized and liberal while living in the United States to joining in on the hate rhetoric for Israel and the Jews prevailing the Middle East.

He even went so far as to argue that the Holocaust never existed; it was conjured up by the Jews to gain sympathy. While in Saudi, I was shocked to see how women were treated. Women in Saudi Arabia are treated as second class citizens and as a possession of their father or husband. They have no rights. And they have little or inferior education. Their marriages are arranged and they may be forced to marry as young as age 12. They are forced to wear black abayas and cover head to toe. Their religious police have the right to use whips or stones to beat women in public who they think are not properly dressed or attracting attention.

Women are not allowed in certain places of business or in certain restaurants in Saudi Arabia. Women can't play sports, go for a walk, read a magazine about what's going on in the world because of the extreme censorship of materials, magazines, news, etc. Living in Saudi Arabia poisoned my marriage with Khalid. I managed to return to the United States when I was pregnant with Dria knowing that if I mentioned divorce in Saudi Arabia, I would not be allowed to leave.

I was stunned to find out the men had to give their wives, daughters, sisters written permission to leave the country or to travel, no matter how old they are. Khalid and I were divorced in Miami when Dria was 2 years old. Khalid felt humiliated by the divorce because it was I, the woman, who initiated the divorce, not he. In Saudi Arabia, it is customary that men divorce their wives, or just take on another wife. As a result, he vowed that he would make me pay for what I had done to him. He would take our daughter to Saudi Arabia and never allow me to see her again.

Although I had custody of Dria and was raising her with little or no help from Khalid, the family court in Miami awarded him unrestricted travel when Dria was 6. The family court judge was well aware of Khalid's threats and was not concerned with the fact that I had no recourse if Khalid chose to take Dria to Saudi and keep her there.

Khalid began to take Dria on trips to London when she was 8 years old. London was his place of residence at the time. He enjoyed the freedom and lack of restrictions that he could not have in Saudi Arabia. Every time he took her on a trip, I worried and prayed that he would bring her back.

The day I dreaded finally arrived when Khalid called me from Saudi Arabia in August 1997 and told me I had a few minutes to talk to my daughter. He did not know how long he would keep Dria or if I would ever see her again. I briefly spoke to my daughter who had no clue what was going on. And I got to say that I loved her.

I pleaded with him to meet me in Europe so that we could discuss his decision. We were both parents and needed to do what was

best for Dria. He laughed in an evil way and hung up. It took the FBI about a month to write a report. I even had to show them a copy of the Federal law that Khalid had broken. It took the U.S. attorneys office 1 year to prosecute Khalid and charge him with the international kidnapping. I was a relentless nag that did not give up. It seemed that the issue of kidnapping a child by a parent was completely acceptable, and an issue that most officials were not interested in dealing with.

The prosecutor that handled my case told me they did not want to take on these types of cases to the Grand Jury because they don't make an arrest, and these type of cases hurt their department statistically.

The State Department's Office of Children's Issues' role in the kidnapping of my daughter was to keep a file on the case, send me a packet on international abductions and recommend to the American Embassy in Riyadh to conduct a welfare and whereabouts visit. Letters to officials should have been written on her behalf but were not. I also asked the State Department to give me a list of other parents' names and contact numbers whose children had also been kidnapped to Saudi Arabia. And if that was not possible, I asked them to give out my name and phone number to those parents. For some reason, the State Department did not want to see parents uniting in a common cause.

The first and only welfare and whereabouts visit that the American Embassy conducted on my daughter took place in a hotel lobby in Riyadh and was controlled by Khalid. He initially agreed to the visit by the American Embassy consul because he wanted to be in good standing with them in case he wanted to travel to the United States. He did not know yet that he could be arrested. Dria was threatened by her father to act and say certain things or a beating would follow if she did not comply. The American Embassy should have negotiated with Khalid during this meeting or even pressured him. Khalid's travel restrictions hurt him and he could have—this could have been a negotiating point. He loved to travel throughout Europe for pleasure and for business. The Saudi Arabian Government does not issue tourist visas and does not admit mothers seeking to visit their abducted children unless the Saudi father provides a letter of no objection.

By some miracle and constant pressure from Congressman Diaz-Balart's office, the Saudi Embassy issued me a visa in February 1989 without the consent of my former husband. My passport, however, indicated that he was sponsoring me, even though he was unaware of this consent. I had to travel with my uncle as my male chaperone. Once in Saudi Arabia, I was naive to think the American Embassy would help Dria and me leave the country. After all, the American Embassy had a copy of my daughter's passport on file, documentation showing that I had custody and that my former husband had broken State and Federal laws when he kidnapped her.

Everyone at the Embassy and State Department was aware that Dria's case was different. She was almost 12, had been raised in the United States and was set in her religion, was very happy in school and terribly wanted to go home. Her rights were clearly violated. She wanted her life back. I asked Sally Beth Brumbrey, the

consul and first secretary at the time, to help me bring my daughter home. I asked the following questions: If Dria could get to the Embassy on her own, would I be able to take her home? If Dria and I were able to meet anywhere in the country or close to the Bahrain border, would the American Embassy help us get through? If Dria and I were able to go to the U.S. military base in Saudi Arabia, would the military help us get out?

I posed many different scenarios that would lead to getting my daughter out of Saudi. I was simply told the American Embassy and its officials were guests in Saudi Arabia and no one could risk doing anything of that nature. Sally Beth Brumbrey, I learned, was leaving Riyadh shortly for a new position in Australia and could not afford to risk her job. Other consul associated offered no help. During my 1-month stay in Saudi Arabia, Khalid agreed to let me see my daughter under strict supervision five times. I was threatened not to hug her, whisper or show any emotion that would suggest I wanted her home with me.

Khalid went on to threaten me that in Saudi Arabia he was the law. He would choose whether or not I would see my daughter again. I understood that she could never leave the country even as adult woman. Luckily, my daughter and I were able to speak in Spanish, accomplished much in those short five meetings. But I could not describe in words how hard it was to leave my daughter in Saudi Arabia and hear her beg me to take her. She cried and told me, "mom, don't leave me here, I want to come home. I miss Abuela. I want to be with you, mom. I can't stay here 1 more day. Please don't leave me."

All I could say and had time to say was to be patient and strong. The same way that I sneaked in to see you and let you know that I have not abandoned you or given up, I'll find a way to get you out I am not going to leave you here, I promise. I wanted to protect her from everything she was going through, the pain she was enduring, but I couldn't and my government was not helping us. Dria has been home safely for 3 years. She was diagnosed with posttraumatic stress when she came home and still has trouble sleeping. We fear that Khalid, who is currently being represented by several attorneys in the United States, will get his charges dropped and come after us. The number of cases of children and women kidnapped and kept hostage in Saudi Arabia is now too alarming to ignore. American citizens, especially our young citizens of the future, need to be protected at all costs. Thank you.

Mr. BURTON. These are all heart rending stories.

[The prepared statement of Ms. Hernandez-Davis follows:]

STATEMENT OF MIRIAM HERNANDEZ-DAVIS
JUNE 12, 2002

Good Morning Chairman Burton and Members of the Committee. Thank you for the opportunity to participate in this panel and present you with my devastating experience in trying to rescue my daughter out of captivity in Saudi Arabia

My daughter, formerly known as Yasmeen, and now known as Dria, was taken against her will to Saudi Arabia at the age of 11 and forced to live there until she was rescued two years later. She endured a great deal of physical, emotional abuse and religious persecution by her Saudi father and his family.

She is to my knowledge the only American child kidnapped to Saudi Arabia that has escaped.

The Saudi Government as well as the American Government, the State Department and American Embassy, never helped me with my daughter's release. Dria was one more case, one more file, one more American child taken to Saudi Arabia never to be seen again.

While held against her will in Saudi Arabia, my daughter was beaten to say she was a Muslim. She was scared into thinking that she and her Christian family would burn in the flames in hell. Because she would not conform and pray, she had to eat on the floor. Dria was neglected and unattended because she would not say she was Muslim. My daughter's spirit was stronger than her Saudi father and family expected. Every night she prayed a simple prayer that her grandmother taught her in Spanish and she hung on to her faith.

The American Embassy in Riyadh warned me that if I reported the abuse, it would only get worse; it is common practice for Saudi fathers to beat or mistreat their children and or wives.

While in Saudi Arabia, Dria's letters, cards, pictures that she had of her family, friends and me were all taken by her father and destroyed. During her many hidden telephone calls to the United States, Dria told me that she was scared she could not picture my face anymore and was forgetting what I looked like. She sounded more and more depressed and told me that she would rather die than to continue to live in Saudi Arabia. Her situation was deteriorating and no one was helping.

I was naïve in thinking that my country would help protect its citizens. Dria was an American citizen whose rights had been clearly violated. My protests in front of the White House and foreign embassies with parents of other missing children, letter writing campaigns addressed to important officials, communications with the State Department and American Embassy in Riyadh did not elicit any response that could help with the release of my daughter.

It took a year to plan Dria's escape from Saudi Arabia. My mother and I had to sell our home, furniture and empty our savings account in order to finance Dria's escape from hell. This extremely brave 12 year old knew that her life was in danger if caught; knew that she would be beaten to death by her father if the plan failed but did whatever she had to in order to escape. All that mattered to her was getting home; getting her life back.

How did this devastating experience begin?

In 1984, I married what seemed to be at the time a very nice, chivalrous young man; a graduate of the University of Miami that was born and raised in Saudi Arabia. Khalid Shalhoub, had been living in the United States for eight years and was very "Americanized". His intended to continue to live in the United States once we married.

I lived in Saudi Arabia for a year and a half. It was meant to be temporary but my Saudi husband changed his mind once we were there and wanted to make the stay permanent. He went from being very "Americanized" and liberal while living in the United States to joining in on the hate rhetoric for Israel and the Jews that is prevalent in the Middle East. He even went so far as to argue that the Holocaust never existed-it was conjured up by the Jews to gain sympathy.

While in Saudi, I was shocked to see how women were treated. Women in Saudi Arabia are treated as second-class citizens and as the possession of their father or husband. They have no rights, and they have little or inferior education. Their marriages are arranged and they may be forced to marry as young as age 12. They are forced to wear black abayas and cover head to toe. The religious police have the right to use whips or stones to beat women in public who they think are not properly dressed, or are attracting attention. Women are not allowed in certain places of business or in certain restaurants in Saudi Arabia. Women can't play sports, go for a walk, or read about what is going on in the world because of the extreme censorship of materials, magazines, and news.

Living in Saudi Arabia poisoned my marriage with Khalid. I managed to return to the United States when I was pregnant with Dria, knowing then that if I mentioned divorce in Saudi Arabia, I would not be allowed to leave. I was stunned to find out that men had to give their wives, daughters, sisters, written permission to leave the country or to travel no matter how old they are.

Khalid and I were divorced in Miami when Dria was two years old. Khalid felt humiliated by the divorce because it was I, the woman who initiated the divorce and not he. In Saudi, it is customary that men divorce their wife or just take on another wife. As a result, he vowed that he would make me pay for what I had done to him. He would take our daughter to Saudi and never allow me to see again.

Although I had custody of Dria and was raising her with little no help from Khalid, The family court in Miami awarded him unrestricted travel with Dria at the age of 6. The family court judge was well aware of Khalid's threats and was not concerned with the fact that I had no recourse if Khalid chose to take Dria to Saudi and keep her there.

Khalid began to take Dria on trips to London when she was 8 years old. London was his place of residence at the time. He enjoyed the freedom and lack of restrictions that he could not have living in Saudi Arabia.

Every time he took her on a trip, I worried and prayed that he would bring her back. The day I dreaded finally arrived when Khalid called me from Saudi Arabia in August 1997 and told me that I had a few minutes to talk to my daughter. He did not know how long he would keep Dria there or if I would ever see her again. I briefly spoke to my daughter, who had no clue as to what was going on and did not get to say much but that I loved her. I pleaded with Khalid to meet me in Europe so that we could discuss his decision. We were both parents and needed to do what was best for Dria. He laughed in an evil way and hung up.

It took the FBI about one month to write a report. I even had to show them a copy of the federal law that Khalid had broken. It took the US attorney's office one year to prosecute Khalid and charge him with International Kidnapping. I was a relentless nag that did not give up. It seemed that the issue of kidnapping a child by a parent was completely acceptable and an issue that most officials were not interested in dealing with. The prosecutor that handled my case told me that they did not want to take on these types of cases to the Grand Jury because they don't make an arrest. These type of cases hurt their department statistically.

The State Department's Office of Children's Issues role in the kidnapping of my daughter was to keep a file on the case, send me a packet on International abductions and recommended to the American Embassy in Riyadh, Saudi Arabia to conduct a welfare and whereabouts' visit. Letters to officials should have been written on our behalf but were not. I also asked the State Department to give me a list of other parents names and contact number whose children have also been kidnapped to Saudi Arabia and if that was not possible, I asked that they give out my name and phone number to the list of parents they had. For some reason, the State Department did not want to see parents uniting with a common cause.

The first and only welfare and whereabouts visit that the American conducted on my daughter took place in a hotel Lobby in Riyadh and was controlled by Khalid. He initially agreed to the visit by the American Embassy consul because he wanted to be in good standing with the American Embassy in case he wanted to travel to United States. He did not know yet that he could be arrested. Dria was threatened by her father to act and say certain things or a beating would follow if she did not comply.

The American Embassy should have negotiated with Khalid during this meeting or even pressured him. Khalid's travel restrictions hurt him and could have been a negotiating point. He loved to travel throughout Europe for pleasure and for business.

The Saudi Arabian government does not issue tourist visas and does not admit mothers seeking to visit their abducted children unless the Saudi father provides a letter of no

objection. By some miracle and constant pressure from Congressman Diaz-Balart's office, the Saudi Embassy issued me a visa in February 1989 without the consent of my former husband (my passport however, indicated that my former husband was sponsoring yet he was unaware and did not give consent). I had to travel with my uncle as my male chaperone.

Once in Saudi Arabia, I was naïve to think that the American Embassy would help Dria and me leave the country. After all, the American Embassy had a copy of my daughters passport on file, documentation showing that I had custody and that my former husband had broken state and federal laws when he kidnapped her.

Everyone at the American Embassy and State Department was aware that Dria's case was different. She was almost 12, had been raised in the United States, was set in her religion, was very happy in school and terribly wanted to go home. Her rights were clearly violated. She wanted her life back.

I asked SallyBeth Bumbrey, the Consul and First Secretary at the time, to help me bring my daughter home. I asked the following questions: "If Dria could get to the Embassy on her own, would I be able to take her home? If Dria and I were able to meet them anywhere in the country or close to the Bahrain border, would the American Embassy help us get through? If Dria and I were able to get to a United States military base in Saudi, would our military help us get out?"

I posed many different scenarios that would lead to getting my daughter out of the country. I was simply told that the American Embassy and its officials were guests in Saudi Arabia and no one could risk doing anything of that nature. SallyBeth Bumbrey, I learned was leaving Riyadh shortly for a new position in Australia and could not afford to risk her job. Other consular associates offered no help.

During my one-month stay in Saudi Arabia, Khalid agreed to let me see my daughter under strict supervision five times. I was threatened not to hug her, whisper, or show any emotion that would suggest I wanted her home with me. Khalid went on to threaten me that in Saudi Arabia he was the law and he would choose whether or not I would ever see my daughter again. I understood that she could never leave the country, even as an adult woman. Luckily, My daughter and I were able to speak in Spanish and accomplish much in those five short meetings. I can not describe in words how hard it was to leave my daughter in Saudi Arabia and hear her beg me to take her. She cried and told me "MOM, DON'T LEAVE ME HERE, I WANT TO COME HOME. I MISS ABUELA. I WANT TO BE WITH YOU MOM". I CANT STAY HERE ONE MORE DAY. PLEASE DON'T LEAVE ME.

All I could say and had time to say was, "be patient and be strong. The same way that I sneaked in to see you and let you know that I had not abandoned you or given up, I'll find a way to get you out. I'm not going to leave you here, I promise".

I wanted to protect her from everything she was going through, the pain she was enduring but I couldn't and my government was not helping us.

Dria has been back home safely for 3 years. She was diagnosed with post traumatic stress when she came home and she still has trouble sleeping. We fear that Khalid, who is currently being represented by several attorneys in the United States, will get charges dropped and come after us.

The number of cases of children and women kidnapped and kept hostage in Saudi Arabia is now too alarming to ignore. American citizens, especially our young citizens of the future need to be protected at all costs.

Mr. BURTON. Would you like to make a statement now that you're back?

Ms. DRIA DAVIS. Yes.

Mr. BURTON. Well, we'll recognize you and you can tell us what you went through in trying to get out of Saudi Arabia. Would you pull the mic close to you. Would you also tell us how you were able to get her out or would you rather not? I mean, is that—if that is going to endanger somebody else maybe we shouldn't know. Maybe it shouldn't be made public.

Ms. HERNANDEZ-DAVIS. No. Some of it has been published and you know, the generality of it. Whenever she was able to call me, we had many, many plans for about a year. And if I could get to talk to her I could tell her OK leave. You have to leave at 2 a.m., try to get your dad's keys sneak out of the house. There'll be people waiting for you. There were many plans.

Mr. BURTON. You did that in Spanish.

Ms. HERNANDEZ-DAVIS. Yes, because they were taping our conversation.

Mr. BURTON. He didn't speak Spanish?

Ms. HERNANDEZ-DAVIS. No. And one of those occasions, one of those plans finally hit. I would get called sometimes, you know, she couldn't get out. No she couldn't get out and it was just heart-breaking. But on one occasion, I did get to speak to her and the plan was well on the way. Her father dropped her at her school and she had an abaya so that she could cover. What she was supposed to do was go into the school, act as if she was fumbling in her bookcase. Put on the abaya, pretend she was walking out past two security guards as if she left something in her dad's car. And she did just that. The security guard called her back but she just kept walking and she went toward a car that had a sign on it.

You know, they had a little red ribbon around the antenna. That was the car she was supposed to get into. And then they had to keep her from being caught for about 4 hours. In that 4-hour period if she was caught—she could have potentially been caught but she was very smart in calling the American—no, she called her father and told her father that she was at the American Embassy and she was not coming back. So while he called the American Embassy and figured out that she wasn't there, that covered the 4 hours that you know we needed to get her safely out, and she went to Bahrain, passed the border there, dressed as a woman, a Saudi woman, someone's wife, and they didn't question it. She was very tall at the time and they couldn't uncover her to make sure. And basically that is how she got out.

Mr. BURTON. And it cost you \$180,000?

Ms. HERNANDEZ-DAVIS. Yes.

Mr. BURTON. OK. You want to testify. Go ahead. Would you pull the mic a little closer? Thank you.

Ms. DRIA DAVIS. Good morning, Chairman Burton and members of the committee, my name is Alexandria Davis. I was formerly known as Yasmin Alexandria Shalhoub. My name no longer reflects my Saudi father's last name as a result of the nightmare I experienced when I was held against my will in Saudi Arabia from June 1997 to April 7, 1999. I changed my name to try to forget—to help me forget what I had to endure in Saudi Arabia, but it will

be with me until I die. At the time I was kidnapped, I was an 11-year-old living in Miami with my mother and grandmother.

I was attending Epiphany Catholic School in Miami and did what most girls do. I enjoyed swimming with my friends, jumping on the trampoline, rollerblading, taking care of my pets and I played soccer with a local YMCA team. I attended church on Sundays, as that was also part of my religious and schooling commitment. My father, Khalid Shalhoub and mother, Miriam Hernandez had divorced when I was 2 years old. It was my father's preference to reside in London and he visited me several times a year or I visited him in London during summer vacations. My father broke State and Federal laws in June 1997 when he lied to my mother about where he was taking me for the summer and unilaterally decided to take me to Saudi Arabia. He told me that I was only there to visit my family members.

However, toward the end of August, I started asking him about going home in order to begin my new school year. I started to realize that my father was lying to me and became scared. Scared that I would not see my family again and scared that this man I knew as my father began beating me every time I begged to go home and begged to speak to my mother. I started having nightmares that lasted the entire time I was there. In Saudi Arabia, I was not allowed to go outside not even to play. I was locked in the house alone while my Saudi family went out. I was constantly told by my father and his family that as a Christian, I was going to hell and burn in the flames of hell. I would wake up during the night with visions of my mother and family members burning and screaming for help.

I was not allowed to eat at the family table because I was Christian. Instead, my father and stepmother had me eat on the floor. I did not understand why I was treated so badly. All I know is that my father and his family hated Christians and hated my American mother for wanting a divorce. Even though phones were removed from the house, and special things were done so that I could not use the phone, I managed to dial internationally and reach my mother.

My phone calls were tapped by my father and stepmother and I was beaten every time they found out I made a secret phone call to the United States. All throughout this time, my mother was in constant contact with the State Department and the American Embassy. She even sent letters to as many officials she could reach. And even to the President and First Lady. Along with letters, she sent tapes of my conversations with my mother where I was describing the physical and emotional abuse I was undergoing.

There were times that I was scared to wake up in the morning because I knew I would get beaten. I would like to share some excerpts of the conversations I had with my mom that were taped and sent to the American Embassy in Riyadh and to numerous officials. No one paid any attention to my sufferings. Please play the tape.

[Tape played.]

[The information referred to follows:]

Dria Davis & Miriam Hernandez-Davis

Phone Call Transcript

Miriam: What happened?

Dria: What happen today was I told my dad I did not want to study chemistry with the teacher. I didn't need help. Then he started screaming at me, then he grabbed me [unintelligible] broke my clip right off my hair, and he and it broke into pieces.

Miriam: Why, did he hit you on the head?

Dria: Yes, and he hit me where the clip was and it was on my head it hurt so much that I couldn't breathe. I was crying so much I couldn't breathe. I couldn't let it out. He always hurts me. And then he pulled me by the hair and I could feel pieces of my hair it was falling off. I was scared, that I was going to go bald, because he was pulling me. And then he threw me on the floor. He kept kicking me and hitting me. And uh and then he carried me by my t-shirt and he push me back down. And I have a big, big, bruise on like the back of my arm.

Miriam: Uh huh.

Dria: And it's like blood and it's really big, big and then he broke my t-shirt. He tore it. And then Abeers (sp?) came and the teacher they stopped him. And then that's it. They just tried to calm me down.

Miriam: But, he just, he just goes, he goes crazy on you or something.

Dria: You should see the look in his eyes. I don't know what's wrong with him. I just can't stay here anymore with him.

Miriam: I know.

Dria: I would rather die then stay here.

Miriam: Be patient.

Dria: How can I be patient? It's almost three years.

Miriam: It has to work out right. Just can't be.

Dria: What if it works out wrong, and I am sixty?

Miriam: No it won't were working on it. Okay.

Dria: Okay.

Miriam: So

Mr. BURTON. Does that conclude your testimony, or do you have more?

Ms. DRIA DAVIS. Oh, I have more.

Mr. BURTON. Go ahead.

Ms. DRIA DAVIS. My father would call me names such as fatso, donkey, stupid bitch and tell me he wished I would die and burn in the flames of hell. I remember asking my mom if I could jump out of my father's car and run to a policeman for help or try to escape and take a taxi to the American Embassy. My mother warned me not to do that. She told me that not even the American Embassy would help. I could not understand why my country would let me down and not help me. I did not want to be there. I had no right to be there.

Yet, no one was willing to do anything about it. I was lucky that my grandmother was able to sell her house and give up everything she owned to raise \$200,000 for my escape. I was putting myself in danger knowing that if my father caught me escaping, he would beat me to death. I still risked it. I would have rather died than to have lived as a woman in Saudi Arabia.

I am 16 years old now, and just completed my sophomore year in high school. Sometimes I think that if I were not able to escape from Saudi Arabia, I would be in a forced marriage to a second cousin and with several children. Even though I have been back in the United States for 3 years now, I think about what happened to me all the time. I was one of the lucky ones, maybe the only American child that was able to escape from Saudi Arabia. All I want to do now is to find a way to help other American children and women that have been kidnapped to Saudi Arabia to get back home. Thank you.

[The prepared statement of Ms. Davis follows:]

My name is Alexandria Davis. I was formerly known as Yasmeeen Alexandria Shalhoub. My name no longer reflects my Saudi father's last name as the result of the nightmare I experienced when I was held against my will in Saudi Arabia from June 1997 to April 7th 1999. I changed my name to try to help me forget what I had to endure in Saudi Arabia but it will be with me until I die.

At the time when I was kidnapped, I was an 11 year old, living in Miami with my mother and grandmother. I was attending Epiphany Catholic School in Miami and did what most girls do, I enjoyed swimming with my friends, jumping on the trampoline, roller blading, taking care of my pets, and I played soccer with a local YMCA team. I attended church on Sundays as that was also part of my religious and schooling commitment

My father, Khalid Shalhoub and mother, Miriam Hernandez, had divorced when I was two years old. It was my father's preference to reside in London and he visited me several times a year or I visited him in London during summer vacations.

My father broke state and federal laws in June 1997 when he lied to mother about where he was taking me for the summer and unilaterally decided to take me to Saudi Arabia. He told me that I was only there to visit family members, however, towards the end of August, I started asking him about going home in order to begin my new school year.

I started to realize that my father was lying to me and became scared; scared that I would not see my family again and scared that this man I knew as my father began beating me every time I begged to go home or begged to speak to my mother.

I started having nightmares that lasted the entire time I was there. In Saudi Arabia, I was not allowed to go outside, not even to play. I was locked in the house alone while my Saudi family went out. I was constantly told by my father and his family that as a Christian I was going to hell and burn in the flames of hell. I would wake up during the night with visions of my mother and family members burning and screaming for help. I was not allowed to eat at the family table because I was Christian. Instead, my father and stepmother had me eat on the floor.

I did not understand why I was treated so badly. All I know is that my father and his family hated Christians and hated my American mother for wanting a divorce.

Even though phones were removed from the house and special things were done so that I could not use the phone, I managed to dial internationally and reach my mother. My phone calls were tapped by my father and stepmother and I was beaten every time they found out I made a secret call to the United States.

All throughout this time, my mother was in constant contact with the State Department and the American Embassy. She even sent letters to as many officials she could reach, and even to the President and First Lady. Along with letters, she sent tapes of my conversations with my mother where I was describing the physical and emotional abuse I

was undergoing. There were times that I was scared to wake up in the morning because I knew I would get beaten. I'd like to share some excerpts the conversations I had with my mom that were taped and sent to the American Embassy in Riyadh and to numerous officials. No one paid any attention to my suffering.

My father would call me names such as fatso, donkey, stupid bitch and tell me he wished I would die and burn in the flames of hell.

I remember asking my mom if I could jump out of my father's car and run to a policeman for help or take a taxi to the American Embassy. My mother warned me not to do that. She told me that not even the American Embassy would help. I could not understand why my country would let me down and not help me. I did not want to be there. I had no right to be there. Yet no one was willing to do anything about it.

I was lucky that my grandmother was able to sell her house and my family was able to raise \$200,000 for my escape. I was putting myself in danger knowing that if my father caught me escaping he would beat me to death, I still risked it. I would have rather died than to have lived as a woman in Saudi Arabia.

I am sixteen years old now and just completed my sophomore year in high school. Sometimes I think that if I were not able to escape from Saudi Arabia I would be in a forced marriage to a second cousin and with several children.

Even though I have been back in the United States for three years now, I think about what happened to me all the time. I was one of the lucky ones, maybe the only American child that was able to escape from Saudi Arabia.

All I want to do now is to find a way to help other American children and women that have been kidnapped to Saudi Arabia get back home.

Mr. BURTON. Well, all of your testimony has been heart rending. I'm sure everybody feels that way. I wish every Member of Congress were here to hear it instead of just those who are here right now. Let me ask you just a few questions.

Ms. Roush, you spent what, \$300,000 on unsuccessful attempts to get your girls out? Is that what you estimate?

Ms. ROUSH. The cost of mercenaries and all the other costs of flights and all the other—probably more than that.

Mr. BURTON. More than that. You've actually paid mercenaries to try to get them out?

Ms. ROUSH. I hired three teams of mercenaries.

Mr. BURTON. And they were unsuccessful.

Ms. ROUSH. Two men died trying to rescue my daughters just before the Gulf war.

Mr. BURTON. Tell me about that real quick. Two men who were trying rescue your daughters were killed.

Ms. ROUSH. Yes. I hired a detective from Boston. After all 3 years of the State Department failed, I hired a man from Boston who had good results in covert operations. And he was there for 2 years trying to figure out a way to get my daughters. One of his friends that worked for British intelligence was there and he was married to a woman from Pakistan and she worked at the Saudi school system. She was a teacher and she found my girls.

Alia was 10 at the time and she was trying to find out if the girls would leave with Mr. Ciriello, so she found Alia in the school and she said would you leave and go home with your mommy. Do you want to go home and be with your mommy? And Alia said yes, I want to go home and be with my mommy, but Allah will kill my whole family if I leave. So she wouldn't leave with Ed at the time and then he found another group of people that were going to take them out after the Gulf war started. And they were on their way to get the girls on January 18, 1991 and two of the men were killed. The Saudi police did not know what they were doing, but they were killed in a crossfire between the Saudi police and another vehicle. And then I hired two more teams and they just basically took my money and did nothing.

Mr. BURTON. Currently, does the State Department have a plan for getting your daughters out of Saudi Arabia?

Ms. ROUSH. The State Department never had a plan to get my daughters out of Saudi Arabia. Their plan was to "talk to the girls." They haven't even been able to talk to the girls. And then they told me, well, maybe we'll talk to the girls to see if they want to leave. Well, the girls can't tell them if they want to leave or not the girls are not free. They can be beaten. The girls have no freedom there to say their mind to speak the truth.

What I am asking is that the girls, the women be allowed to come to the United States. Their husbands can come if they like. I would like the marriage of my youngest daughter to be annulled. If my daughter Alia is pregnant or has a baby and if her husband loves her, he can live in the United States. They should be able to come here and decide where they want to live. They can go back to Saudi Arabia if they don't like it here. But in Saudi Arabia, they are not free to come here.

Mr. BURTON. And do you know when the last time the State Department saw your daughters?

Ms. ROUSH. The State Department, they saw Aisha. Gheshayan would never let them say Alia because Alia was the oldest and she wanted to come home. And Aisha wanted to come home, but she spoke no English. They saw Aisha I think in 1996.

Mr. BURTON. I know this is your opinion, but if your daughters met with the State Department and they told them that they wanted to live with you in the United States, do you have any idea what would happen based upon your experience?

Ms. ROUSH. They would meet with the American Embassy in Riyadh, and if they said—I mean, even if they went to the Embassy and they said, I want to come home, they would refer them to Saudi law. They would not issue them U.S. passports. I've asked Robert Jordan—

Mr. BURTON. Even though they are citizens?

Ms. ROUSH. Absolutely. They are under Saudi law. I've been told that by the Embassy. I said, why—Robert Jordan, who is the present U.S. Ambassador, I wrote to him all the time, please, please, please do this. I've written to all of them for 16 years, but recently Robert Jordan, and I said, why not just let me come into the country when Alia was first married last year and let me meet her husband and talk to them and work out a plan. Maybe you can go with me to some of the powerful princes and we can persuade them to let the girls leave. At least let me talk to the girls. No response. If the girls mentioned to the Embassy that they wanted to leave, they would be turned out, as Monica was, back to their Saudi masters.

Mr. BURTON. Now, Ms. Stowers, is there any plan that you know of by State Department to do something to help your granddaughters?

Ms. STOWERS. Amjad would be delighted to come home.

Mr. BURTON. But you know of nothing the State Department is doing to help?

Ms. STOWERS. I can't hear him.

Ms. ROUSH. Is the State Department doing anything to help Amjad?

Ms. STOWERS. Not anything at all.

Mr. BURTON. Well, let me just ask one more question then of Ms. Davis. The State Department told you then that they would not help your daughter get out of the country, as I understand it, when you talked to them?

Ms. HERNANDEZ-DAVIS. That's correct, and they had a copy of her passport on file at—

Mr. BURTON. And they knew that she had been kidnapped?

Ms. HERNANDEZ-DAVIS. Yes. They had all the documentation showing, and I was there myself. I'm an American. Here is my passport. You know that my daughter is an American citizen.

Mr. BURTON. Do they have the court orders and all of that, too?

Ms. HERNANDEZ-DAVIS. They had the court orders.

Mr. BURTON. And so they knew that she had been kidnapped?

Ms. HERNANDEZ-DAVIS. Exactly.

Mr. BURTON. And she was being held against her will, and they didn't do anything?

Ms. HERNANDEZ-DAVIS. Yes. And they knew of the situation.

Mr. BURTON. Now, what did they tell you? Did they tell you that—

Ms. HERNANDEZ-DAVIS. We're visitors here. We can't help you.

Mr. BURTON. They said they are visitors there?

Ms. HERNANDEZ-DAVIS. Yes. The American Embassy in Riyadh, they are just visitors, and I couldn't understand why I couldn't take my daughter. We were both American citizens.

Ms. ROUSH. They've told me we cannot tell the Saudi Government what to do.

Mr. BURTON. Mr. Ose, do you have any questions?

Mr. OSE. Yes, I do, Mr. Chairman. Ms. Roush, you have mentioned in your testimony that you got a phone call from the State Department yesterday advising you not to testify?

Ms. ROUSH. No. Advising me that my daughter Aisha was married in an arranged marriage recently.

Mr. OSE. Who at the State Department called you?

Ms. ROUSH. Her name is Kim Richter from American Citizen Services.

Mr. OSE. Kim Richter, R-I-C-H-T-E-R?

Ms. ROUSH. T-E-R, probably.

Mr. OSE. Has she got a phone number?

Ms. ROUSH. She's at the Office of American Citizen Services. I don't know that number offhand.

Mr. OSE. American Citizen Services.

Ms. ROUSH. Ms. Andruch is here today and so is Mr. Crocker from the Near Eastern Bureau. They are from the department. They're right here sitting behind me.

Mr. OSE. We might have them—I'm not sure who is on the next panel.

Now, you mentioned in your testimony also Walter Cutler was aware of this situation?

Ms. ROUSH. Walter Cutler was the first U.S. Ambassador to Saudi Arabia. He was given orders by the Department of State not to get involved.

Mr. OSE. That was the cable he received back?

Ms. ROUSH. Yes. There's several of them.

Mr. OSE. Do you know who sent him that cable?

Ms. ROUSH. I have the cables in the office. They are signed by—oh, what is that—legal—the legal affairs, legislative affairs.

Mr. OSE. Was there a name on it?

Ms. ROUSH. No. I wish I knew. I've been trying to find that person's name for years. I'd like to track that person down.

Mr. OSE. Have you provided the committee with a copy of that cable?

Ms. ROUSH. Yes, sir.

Mr. OSE. And you mentioned a guy named Edward Walker?

Ms. ROUSH. Ed Walker was the deputy chief of the mission at the time they were taken.

Mr. OSE. In Riyadh?

Ms. ROUSH. He worked his way up to Ambassador to Egypt and Ambassador to United Arab Emirates. He was recently the Assistant Secretary of State for the Near Eastern Bureau. He retired last

year. He was a good guy. He tried to get the girls out. He was under Cutler's administration there.

Mr. OSE. So he's retired now?

Ms. ROUSH. Yes. He's now the president of the Mideast Institute here in Washington.

Mr. OSE. OK. Now, Ray Mabus was an ambassador?

Ms. ROUSH. Yes. He's a former Governor of Mississippi. He was Ambassador to Saudi Arabia from 1994 to 1996.

Mr. OSE. Now, his practice had been to constrain the visas offered to the Gheshayan family?

Ms. ROUSH. To the whole Gheshayan family which was very effective because it's a large wealthy family that comes to the United States all the time and—

Mr. OSE. Do they have business interests in the United States?

Ms. ROUSH. They have business interests. They have—

Mr. OSE. Such as?

Ms. ROUSH. They own a lot of things here I'm sure. I'm not sure all of the things that they own.

Mr. OSE. Is there any way to find a record of what they own or don't own? Because it would seem to me that if you have—your term was an active co-conspirator, and I think you—I think that is an accurate term. It would seem to me that under the law, if you have a violation of American statute and then you have people who actively worked to frustrate that, it would seem to me that some sort of financial sanction is possible.

Ms. ROUSH. I agree. My ex-husband himself does not own property or any holdings in American companies, but his family probably does. And as a matter of fact, he has a relative who works for the Saudi Arabian Embassy here in Washington.

Mr. OSE. American citizen or—

Ms. ROUSH. No. He's a Saudi citizen.

Mr. OSE. Now, you also mentioned Wyche Fowler, Jr.—

Ms. ROUSH. Yes.

Mr. OSE [continuing]. As the former Ambassador to Saudi Arabia.

Ms. ROUSH. Yes.

Mr. OSE. And that he had not been very helpful.

Ms. ROUSH. Mr. Fowler is a criminal. He's responsible for the loss of my daughters in 1996 when Ray Mabus had the deal down with the Crown Prince.

Mr. OSE. Now, one of the things that I find interesting in the information that I read was that a lot of the members of the State Department who retire end up being, if you will, employed as a consultant or otherwise—

Ms. ROUSH. That's correct.

Mr. OSE [continuing]. By some think tank or otherwise, and if you follow the money—

Ms. ROUSH. That's right.

Mr. OSE [continuing]. Through the funding for those think tanks, occasionally it comes directly from the Saudi Government. Is that—

Ms. ROUSH. That's correct. The Mideast Institute funds that. The Saudis fund it. They give large amounts. So does—Wyche Fowler now is the chairman of the board for the Mideast Institute. Walter

Cutler is President of the Meridian Institute here in Washington. They all come around and play man about town and appear on these TV shows as experts on the Middle East and Saudi Arabia, and they receive large contracts. There is a beautiful article in this week's National Review, June 17th's issue by Rod Dreher about the previous U.S. Ambassadors to Saudi Arabia and how they are friends of Saudi Arabia forever.

Mr. OSE. Mr. Chairman, are we going to have a second round of questions?

Mr. BURTON. Yes, if you would like.

Mr. Shays, did you have—excuse me. Did you have any more questions?

Mr. OSE. No. I'll be back on my second round.

Mr. BURTON. Mr. Shays, did you have some questions?

Mr. SHAYS. As you all have told what are almost unbelievable stories, I leaned over to Doug Ose and said, I pity the Congressman that hasn't been responsive, and then I found myself wanting to go and call up my office to make sure we don't have any cases like this. We've had cases in Romania and other places where we've gotten the police in Romania to cooperate and circle the home and find the children and help send them home, but it is very difficult in the circumstance that you're in to be able to have the government respond.

I want to ask Ms. Stowers is this the first time you saw that tape of your daughter? Can you hear me, Ms. Stowers? Is this the first time that you saw that tape?

Ms. ROUSH. I think she has a problem with hearing. The tape just arrived.

Mr. SHAYS. OK. So besides all of the emotional trauma that Ms. Stowers is going through, I believe that is the first time that she saw the pictures of her daughter.

Ms. Davis, I'm not clear as to how long you were in Saudi Arabia.

Ms. DRIA DAVIS. Almost 2 years.

Mr. SHAYS. I am also not clear as to how well you knew your father before you went to Saudi Arabia.

Ms. DRIA DAVIS. How what?

Mr. SHAYS. How well you knew him. How many years was he with you as a parent?

Ms. DRIA DAVIS. I only visited him during the summer vacations.

Mr. SHAYS. And you would, on previous occasions, be able to come home? I'm sorry. It is my fault. I need you to tell me how much contact you had with your dad before your mom and dad were separated. How old were you?

Ms. DRIA DAVIS. Two.

Mr. SHAYS. Two and from 2 on, then your relationship with your father was episodic. It was periodic. It was not constant.

Ms. DRIA DAVIS. It was just every summer and every summer when I would go visit his family in Saudi Arabia or London or we would travel, I would always be able to call my mom. There were never any problems until maybe his family pressured him when I turned 11 and when I went there, he just didn't let me back.

Mr. SHAYS. So you always felt that you could leave.

Ms. DRIA DAVIS. Right. And then 1 day he just took all my rights away, and he just told me that I could never see my mom again, that I had to go to school there, and everything just changed. And I didn't understand. I was little.

Mr. SHAYS. Well, you're a remarkable young lady, in my judgment, to be able to make a decision that you were going to take a particular stand, and one of the stands you took was that you were not going to profess to be part of the Muslim faith. Is that one of the stands you took?

Ms. DRIA DAVIS. Yeah.

Mr. SHAYS. Can you tell me other stands that you took while you were in Saudi Arabia, held captive by your dad?

Ms. DRIA DAVIS. Well, I didn't want to learn Arabic, and when he would give me a tutor every Saturday, I wouldn't see her. I wouldn't want to talk to her. I would just sit there. The tape that you guys heard was one of the days that I wasn't listening to the tutor and he got upset and he beat me, and if I didn't do as I was told, he would beat me. I wouldn't wear the veils, and he would beat me. I wouldn't pray. I wouldn't follow his religion, and I would call my mom and he would find out about it until I figured out how to dial with her calling card, because it would show up on his phone bill that I called.

So I would still do it and he would still beat me, but I had to do it, because I wanted to leave and I didn't care. Because nobody helped me. I had to help myself. Everybody let me down.

Mr. SHAYS. Did you have any friends in Saudi Arabia that you could share confidences with?

Ms. DRIA DAVIS. I only had one, and she went to my school. I had met her. Her mother was Egyptian. Her father was American, and she—like, I would talk to her and she would help me sometimes try and plot things, and her mom would talk to my mom and then deliver messages to me since my father wouldn't let me talk—or see my mom when she was there. Then when she transferred to a different school the following year, my father didn't let me talk to her. When she would call me, he would hang up on her and he would never tell me and when I would want to go hang out with her, he wouldn't let me. He wouldn't let her come over and sleep at the house or me go over there and visit her. And then I never heard from her.

Mr. SHAYS. Thank you, Mr. Chairman. My time is up now, but my second round I'd like to ask Ms. Roush some questions.

Mr. BURTON. Sure. Let me ask Miriam Davis, exhibit 12 is a cable. Do we have that exhibit? Can we put that up, exhibit 12? Exhibit 12 is a cable from Riyadh to Washington describing a visit an Embassy official had with you and your father while you were being held in Saudi Arabia. The State Department staffer says that you wanted to stay. Riyadh and that your father was clearly fond of you. Do you think that they didn't understand, and what did you have to say in front of your father to them? Did you tell them that you wanted to stay? Saudi Arabia?

[Exhibit 12 follows:]

UNCLAS RYADH 04368

(20)
Page 1 of 4

UNCLAS RYADH 04368
CLAN01:
ACTION: CONS
INFO: DCM AMB

H CB
Com
[SMB]
CB

DISSEMINATION: CONS
CHARGE: PRCG

APPROVED: CONS
DRAFTED: CONS
CLEARED: NCNE

VZCZCRH128
PP RUEHC RUEHJI RUQMDH
DE RUEHRH #4368/01 3151131
ZNR UUUUU ZZH
P 111131Z NOV 97
FM AMEMBASSY RIYADH
TO RUEHC/SECSTATE WASHDC PRIORITY 1603
INFO RUEHJI/AMCONSUL JEDDAH 8495
RUQMDH/AMCONSUL DHARRAN 3530
BT
UNCLAS SECTION 01 OF 02 RIYADH 004368

DEPT FOR CA/OCS/CI AND NEA/ARP

E.O. 12958: N/A
TAGS: KOCI, CASC, SA (SHALHOUB, YASMEEN)
SUBJECT: CHILD CUSTODY CASE OF YASMEEN SHALHOUB

REF: (A)RIYADH 04179, (B)STATE 175881, (C)RIYADH 03619

1. CONGRESSMAN LINCOLN DIAZ-BALART INTERESTED.

2. ON TUESDAY EVENING NOVEMBER 4 CONOFF AND CONSULAR FSN SPENT APPROXIMATELY ONE HOUR WITH KHALID SHALHOUB AND HIS DAUGHTER YASMEEN. AT THE REQUEST OF MR. SHALHOUB THIS INITIAL MEETING TOOK PLACE IN THE LOBBY OF A RIYADH HOTEL. THE ATMOSPHERE WAS OPEN AND CORDIAL, WITH MR. SHALHOUB CHATTING IN ARABIC WITH THE FSN WHILE CONOFF TALKED TO YASMEEN IN ENGLISH.

3. CONOFF WAS UNABLE TO DETERMINE THE EXTENT TO WHICH YASMEEN MAY HAVE BEEN "PREPPED" FOR THE CONSULAR ENCOUNTER. ELEVEN YEAR OLD YASMEEN SHALHOUB WAS COMFORTABLY DRESSED IN COMPLETELY WESTERN ATTIRE OF DARK LEGGINGS, AN OVERSIZE SHIRT, AND CHUNKY BOOTS. SHE CARRIED A SMALL PINK AND BLUE BACKPACK/PURSE IN WHICH SHE HAD HER APPOINTMENT BOOK (WHICH SHE UPDATED WITH HER SCHOOL SCHEDULE WHEN CONOFF FOCUSED ON MR. SHALHOUB). CONOFF BEGAN THE CONVERSATION BY ASKING YASMEEN HOW SHE HAD SPENT HER SUMMER HOLIDAYS. YASMEEN DISCUSSED HER HOLIDAYS IN LONDON, BELGIUM AND ITALY WITH HER FATHER, COMMENTING THAT SHE "HELPED HIM WITH HIS BUSINESS IN

UNCLAS RYADH 04368

Page 1 of 4

EXHIBIT
12

BRUSSELS." YASMEEN'S ASSISTANCE SEEMED TO HAVE INVOLVED BRING THE OFFICIAL TASTER FOR A LINE OF BELGIAN CHOCOLATES THAT KHALID SHALHOUB IS IMPORTING FOR A NEW GIFT/CHOCOLATE BOUTIQUE IN RIYADH(REF A). IN ITALY YASMEEN HELPED HER FATHER SELECT PURSES/BAGS WHICH ARE ALSO A PART OF HIS BUSINESS INTERESTS.

4. ASIDE FROM MR. SHALHOUB'S WORK IN EUROPE, IT APPEARS THAT FATHER AND DAUGHTER MAINLY VISITED TOURIST ATTRACTIONS AND ENJOYED THEIR TIME TOGETHER. IN RESPONSE TO A QUESTION REGARDING HER SCHOOL SCHEDULE IN RIYADH, YASMEEN STATED THAT FRENCH WAS HER LEAST FAVORITE SUBJECT. SHE ATTENDS A PRIVATE GIRLS SCHOOL IN RIYADH, WHERE ENGLISH IS THE LANGUAGE OF INSTRUCTION, ALTHOUGH ARABIC IS A REQUIRED COURSE. CONOFF UNDERSTANDS THAT IN ADDITION TO HER REGULAR CLASS WORK, YASMEEN IS PRIVATELY TUTORED IN ARABIC AS WELL AS OTHER SUBJECTS SHE IS STUDYING IN SCHOOL.

5. IN RESPONSE TO QUESTIONS REGARDING HOW SHE SPENT HER SPARE TIME, YASMEEN STATED THAT SHE AND A FRIEND ROLLER BLADE ON THE COMPOUND WHERE THE FRIEND LIVES. ASIDE FROM THAT EXERCISE YASMEEN SEEMS TO LEAD A FAIRLY SEDENTARY LIFE AT THE MOMENT. (NOTE: SPORTS AND PHYSICAL TRAINING ARE NOT PART OF A GIRLS CURRICULUM IN SAUDI ARABIA). YASMEEN STATED THAT HER FATHER WAS GOING TO BUY BICYCLES FOR THE FAMILY, AND THAT SHE AND HER FATHER WERE GOING TO TAKE UP SQUASH - ALTHOUGH SHE WAS VAGUE ON PRECISELY WHERE THIS COULD/WOULD BE DONE. WHILE YASMEEN DID NOT VOLUNTEER A GREAT DEAL OF INFORMATION, CONOFF'S OVERALL IMPRESSION WAS THAT YASMEEN ENJOYS BEING WITH HER FATHER BECAUSE HE SPENDS A CONSIDERABLE AMOUNT OF TIME WITH HER AND, CONOFF SURMISES, SPOILS HER. SHE MENTIONED THAT HE OFTEN FIXES BREAKFAST FOR HER AND THAT HE EITHER GIVES HER LUNCH MONEY OR PREPARES LUNCH FOR HER TO TAKE TO SCHOOL. YASMEEN ALSO CLAIMED THAT KHALID GIVES HER A CONSIDERABLE AMOUNT OF POCKET MONEY. CONTRARY TO WHAT MAY HAVE BEEN HER ROUTINE IN MIAMI WITH HER MOTHER AND GRANDMOTHER, YASMEEN SEEMED DELIGHTED THAT IN RIYADH SHE REGULARLY GOES TO DINNER AT PLACES SUCH AS FUDDRUCKERS, MCDONALD'S, AND OTHER FAMILY RESTAURANTS. YASMEEN SAID THAT SHE HAS DOZENS OF COUSINS IN RIYADH, MANY OF WHOM SHE SEES ON A WEEKLY BASIS. WHILE CONOFF DID NOT DIRECTLY ASK YASMEEN ABOUT HER RELATIONSHIP WITH HER STEP-MOTHER, MR. SHALHOUB'S WIFE, YASMEEN STATED THAT HER STEP-MOTHER SPEAKS LITTLE ENGLISH; BUT, SHE EXPRESSED GREAT SATISFACTION WITH HER TEN MONTH OLD STEP-SISTER, STATING THAT THE BABY "LOVES ME MOST OF ALL".

6. BOTH KHALID SHALHOUB AND YASMEEN MAINTAIN THAT STAYING IN RIYADH WAS YASMEEN'S CHOICE. MR. SHALHOUB ASSERTED THAT OVER A TWO WEEK PERIOD HE REGULARLY ASKED YASMEEN IF SHE WAS CERTAIN ABOUT WANTING TO REMAIN IN RIYADH FOR A WHILE. WHEN THE CHILD CONSISTENTLY REPLIED

IN THE AFFIRMATIVE, MR. SHALHOUB STATED THAT HE PRESENTED THE IDEA TO YASMEEN'S MOTHER, MIRIAM HERNANDEZ, WHO REJECTED THE SUGGESTION. (NOTE: AS CONOFF INDICATED IN REF A, MR. SHALHOUB REBUTS CHARGES OF ABDUCTION). MR. SHALHOUB REPEATEDLY STATED THAT HE WOULD SEND YASMEEN BACK TO HER MOTHER NEXT YEAR, AFTER SHE HAD AN OPPORTUNITY TO LEARN ABOUT HIS CULTURE AND LANGUAGE. KHALID SHALHOUB BOLSTERED THESE ARGUMENTS WITH ASSERTIONS THAT HE HAD WANTED TO RETAIN A TUTOR IN MIAMI TO GIVE YASMEEN LESSONS IN THE ARABIC LANGUAGE AND CULTURE. HOWEVER, HE STATED THAT MS. HERNANDEZ WAS UNWILLING TO MAKE TIME IN YASMEEN'S SCHEDULE FOR THE TUTOR. HE LIKEWISE ASSERTED THAT IN ORDER TO GIVE HIS DAUGHTER A WORLD VIEW, HE HAD WANTED HER TO ATTEND AN INTERNATIONAL SCHOOL IN MIAMI - RATHER THAN THE CATHOLIC SCHOOL THAT WAS MS. HERNANDEZ'S PREFERENCE.

7. KHALID SHALHOUB IS CLEARLY FOND OF HIS DAUGHTER, AND HE REPEATEDLY EXPRESSED A DESIRE TO ARRIVE AT A WORKABLE AND ENFORCEABLE AGREEMENT WITH HIS FORMER WIFE THAT WOULD PRESERVE HIS RIGHT TO SEE YASMEEN. IN ADDITION, HE WANTS AN ARRANGEMENT THAT WOULD COMPEL MS. HERNANDEZ TO COMPLY WITH ANY PREFERENCE YASMEEN EXPRESSED FOR REMAINING WITH HER FATHER. IN AN EFFORT TO BROADEN CONOFF'S VIEW OF THE DISPUTE OVER YASMEEN, MR. SHALHOUB SUBMITTED FOR THE RECORD COPIES OF VARIOUS DOCUMENTS PERTAINING TO THE DIVORCE PROCEEDINGS BROUGHT AGAINST HIM BY MIRIAM HERNANDEZ.

8. MS. HERNANDEZ TELEPHONED THE EMBASSY TO INQUIRE ABOUT THE RESULTS OF THE MEETING. SHE DECLARED THAT SHE HAD TWICE TELEPHONED MR. SHALHOUB'S RESIDENCE IN RIYADH AND ASKED TO SPEAK TO YASMEEN, PROMPTING KHALID SHALHOUB TO HANG UP ON HER. AS PREVIOUSLY REPORTED, MR. SHALHOUB STATED THAT HE DID NOT WANT DIRECT CONTACT BETWEEN MOTHER AND DAUGHTER BECAUSE THE CHILD WAS UPSET FOLLOWING AN EARLIER CONVERSATION WITH MS. HERNANDEZ. HE MAINTAINS THAT MS. HERNANDEZ DISTURBED THE CHILD BY DECLARING THAT YASMEEN'S GRANDMOTHER WAS DYING, THAT MS. HERNANDEZ WAS GIVING AWAY YASMEEN'S FAVORITE DOG, AND THAT MIRIAM HERNANDEZ HAD BROKEN HER ARM. FOR HER PART, MS. HERNANDEZ ALLEGES THAT KHALID DOES NOT WANT HER TO SPEAK TO YASMEEN BECAUSE THE CHILD WANTS TO RETURN TO THE UNITED STATES. YASMEEN REPEATEDLY STATED THAT SHE LOVES HER MOTHER, AND THAT SHE WANTS MIRIAM HERNANDEZ TO COME TO RIYADH. KHALID SHALHOUB REITERATED THAT HE WOULD SPONSOR A VISIT TO SAUDI ARABIA BY HIS FORMER WIFE. MS. HERNANDEZ SEEMS INCREDULOUS ABOUT KHALID SHALHOUB'S REAL INTENTIONS.

9. POST WILL CONTINUE TO MONITOR THE WELFARE OF YASMEEN, AND WILL REMAIN IN CONTACT WITH KHALID SHALHOUB, WHO CURRENTLY SEEMS OPEN TO NEGOTIATING THE RETURN OF YASMEEN TO HER MOTHER. IN FACT, MS. HERNANDEZ TOLD CONOFF THAT

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RIYADH 04368

Page 4 of 4

MR. SHALHOUB HAD AGREED TO DISCUSS THE MATTER WITH
YASMEEN'S PSYCHIATRIST IN MIAMI. KHALID SHALHOUB HAS
ALSO ALLEGEDLY SAID THAT HE WILL SEND YASMEEN HOME IF MS.
HERNANDEZ AGREES TO DROP CHARGES AGAINST HIM.

FWLER
BT
#4368
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RIYADH 04368

Page 4 of 4

Ms. DRIA DAVIS. No. Those words never came out of my mouth.

Mr. BURTON. What did you say? Tell us a little about that conversation.

Ms. DRIA DAVIS. They asked me questions that had nothing to do with anything, like if I ate breakfast in the morning or if, you know, what I did on my summer vacations. They asked me stupid questions that had nothing to do with anything. So they didn't really do anything, and whenever I would try and contact them, the most they would offer me is to talk to my father, but they didn't understand that if they talked to my father, my father would kill me.

Mr. BURTON. You couldn't tell them that while you were——

Ms. DRIA DAVIS. I couldn't say anything. All of the visits that happened were with him.

Mr. BURTON. Didn't they understand the culture over there and the possibilities of harm to——

Ms. DRIA DAVIS. I guess not. I mean——

Mr. BURTON. That is amazing to me the people who work at the Embassy do not understand the culture.

Ms. DRIA DAVIS. Yeah. Well, my father was in the room with me. Like, he was watching every word I said. I couldn't say anything.

Mr. BURTON. Did you go to the State Department for help, Miriam, to—well, you did ask the State Department to get your daughter out and they just said they couldn't, that they were guests in the country.

Ms. HERNANDEZ-DAVIS. They just said that they would ask the American Embassy in Riyadh to conduct a welfare and whereabouts visit.

Mr. BURTON. Yeah. Now, exhibit 23, which I won't—you can put that up there, but I'm not sure anybody can read it; the print is so small but it says exhibit 23 is an e-mail from a State Department official in Riyadh, and he says that he's irritated that Dria did not tell him about the abuse she was suffering while she was in Saudi Arabia. Do you have any comments about that other than she was afraid to say something?

[Exhibit 23 follows:]

(62)

o: Exchange@GATEWAYSVR1@Servers [] pcm:GOVDOS/CBPCA/ST
 c:
 cc:
 rom: [] POL@RIYAD_EMBA
 bject: Religion - For the Record
 ate: Wednesday, February 9, 2000 6:12:30 GMT
 ttach:
 ertify: N
 riority: Normal
 efer until:
 xpires:
 orwarded by:

I have to respond to [] comment about Yasmeen Shalhoub aka
 ria Davis. For the record, I spoke to her on several occasions here in
 iyadh and I specifically asked her if her father mistreated her or hit her.
 er response was that he did call her names, most often "fatso", but that the
 nly time he "hit" her was with a pencil after she stood in front of the tv
 locking his view. According to her, this occurred one time.

In any event, it bothers me greatly to see this amazing little story
 ome up when there was NO mention from the girl herself while I spoke to her
 n Riyadh. Nor was there ever any mention by her or her mother that the
 ather was attempting to "convert" her. Clarification on conversion - A child
 orn of a Saudi father is considered Muslim, regardless of the mother's
 eligion and while in this country Yasmeen/Dria would have been considered
 uslim in public but any acts of "forced conversion", in the sense of making
 er pray or yelling at her/ beating her for her mother's religion, were never
 old to us. Last thought on this - she also spoke to one of the FBI guys here
 y the name of []. He is now in the [] field office. [] may
 ant to speak with him as well.



Ms. HERNANDEZ-DAVIS. And I don't know what they are referring to or what occasion. Maybe—are they referring to that one and only welfare and whereabouts visit that we did?

Mr. BURTON. I don't know. I don't know. It just says that he expressed some irritation that your daughter didn't tell him about the abuse that she was under. Was that because you were afraid? When you were talking to the State Department official, did you tell them about the abuse at all, that your father was beating you or any of the things that happened?

Ms. HERNANDEZ-DAVIS. Were you allowed to talk to the State Department official, that meeting at the hotel?

Ms. DRIA DAVIS. No. My father was watching me.

Mr. BURTON. So you were afraid to say something?

Ms. DRIA DAVIS. Yeah.

Mr. BURTON. I think that is something we really ought to make sure is clear on the record and that—

Ms. DRIA DAVIS. If the State Department wanted to ask a question to somebody, I mean, they can't do it in front of a father. Obviously I'm complaining about my father, and then they're going to sit there, you know, and—

Mr. BURTON. And he's going to take you home, and then you're going to be in big trouble.

Ms. DRIA DAVIS. Exactly and that was even if I didn't say anything.

Mr. BURTON. He would beat you anyhow?

Ms. DRIA DAVIS. Yeah, just for no reason.

Mr. BURTON. Well, I think that we ought to make sure and talk to the State Department officials on the next panel and ask them if the people who are working in the Embassies around the world, especially Saudi Arabia, if they are conversant with the culture of those countries. And if they are, then they ought to know that the people in question aren't going to be able to say to a clerk or a bureaucrat there that they are being beaten by somebody that has kidnapped them and taken them out of the country, out of the United States or away from their parents.

Ms. HERNANDEZ-DAVIS. But they can only conduct those visits if the father consents.

Mr. BURTON. And he has to be there?

Ms. HERNANDEZ-DAVIS. He has to be there and he controlled the whole meeting.

Mr. BURTON. Well, then we ought to find out how the State Department people are educated as far as working in these countries.

Ms. ROUSH. Because they have to get the father's permission. That is the whole point. They ask the father, the kidnapper, if they can talk to the children. In my case, the father never let them do it, and they never pursued it.

Ms. HERNANDEZ-DAVIS. I think a strong point would be that the visa—the pressuring of the Saudis—

Mr. BURTON. With the visas?

Ms. HERNANDEZ-DAVIS. With the visas and putting travel restrictions, that—

Ms. ROUSH. And selected visa restrictions of Saudi Arabians coming into this country.

Mr. BURTON. Well, we'll pursue that.

Mr. Ose.

Mr. OSE. Thank you, Mr. Chairman. Ms. Hernandez-Davis, I am looking at exhibit 18. I am looking at exhibit 18, and I'm fascinated by it. It's a letter from the kingdom of Saudi Arabia to the Ambassador at the Embassy of the United States of America. To summarize, my goodness, Saudis—it's an after-the-fact letter pointing out—or alleging that Yasmin had been kidnapped at her school door and was transported with the knowledge of the U.S. Embassy in Riyadh to the United States of America by means of U.S. military aircraft, where she was handed to the U.S. Air Force, who then handed her to her mother. The Saudis are objecting to this. Such action boldly violates the diplomatic norms and traditions. We see the only way to return things into their right path is by working diligently to ensure a prompt return of the Saudi citizen, that be Yasmin, to her family and country, the kingdom of Saudi Arabia.

Are you aware of this letter?

[Exhibit 18 follows:]

Kingdom of Saudi Arabia
Ministry of Foreign Affairs

Number: 97/20/49035
Date: 29/10/1420
(October 9, 1999)

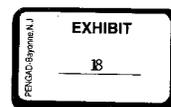
The Ministry of Foreign Affairs of the Kingdom Saudi Arabia presents its compliment to the Embassy of the United States of America.

The Ministry would like to draw the attention of the Embassy to the complaint presented by the Saudi citizen/ Khalid Bin Abdulaziz Bin Shalhoob, in which he pointed to that his daughter (Yasmin) was kidnapped at her school door and was transported with the knowledge of the US Embassy in Riyadh to the United States of America by means of a US military aircraft where she was handed to the USAF who then handed her to her mother. This was all done by means of a secret plan known only to the Head of the Mission and to the Counsel General at the American Embassy in the Kingdom.

(Yasmin) daughter of the Saudi citizen who called her father after her arrival in the US immediately related these informations.

While we express our great amazement with this totally refused action by an Embassy of a foreign country with which we share the strongest and closest relations; we denounce this method in dealing with our citizens. Such action boldly violates the diplomatic norms and traditions. We see the only way to return things into their right path is by working diligently to insure prompt return of the Saudi citizen (Yasmin) to her family and country the Kingdom of Saudi Arabia.

The Ministry avails itself of this opportunity to renew its highest consideration.





المملكة العربية السعودية
وزارة الخارجية

تهدي وزارة خارجية المملكة العربية السعودية أطيب تحياتها إلى سفارة الولايات المتحدة الأمريكية بالرياض. وتود الوزارة أن تسترعي انتباه السفارة إلى الشكوى المقدمة من المواطن السعودي/خالد بن عبدالعزيز بن شلهوب والتي أشار فيها إلى تعرض أبنته (ياسمين) للخطف عند باب مدرستها وتم نقلها بعلم السفارة الأمريكية في الرياض إلى الولايات المتحدة الأمريكية باستخدام طائرة عسكرية أمريكية حيث جرى تسليمها بعد ذلك إلى القوات الجوية الأمريكية التي سلمتها لوالدتها ، وقد تم ذلك كله من خلال خطة سرية محكمة لا يعلم بها سوى رئيس البعثة والقنصل العام بالسفارة الأمريكية في المملكة.

هذا وقد جرى الإدلاء بهذه المعلومات على لسان ابنة المواطن السعودي (ياسمين) والتي اتصلت بأبيها عقب وصولها للولايات المتحدة الأمريكية مباشرة.

وفي الوقت الذي نعير فيه عن دهشتنا البالغة لهذا التصرف المرفوض تماما من قبل سفارة دولة أجنبية تربطنا بها أوثق العلاقات وأمتها ، فإننا لا نملك إلا أن نستنكر هذا الأسلوب في التعامل مع مواطنينا حيث أن ما حصل أمر يدخل في إطار المخالفة الصريحة للأعراف والتقاليد الدبلوماسية. ونرى أن السبيل الوحيد الذي يعيد الأمور إلى نصابها يكمن في العمل بكل الجدية من أجل تأمين الإعادة السريعة للمواطنة السعودية (ياسمين) إلى ذويها وبلادها المملكة العربية السعودية.

وتنتهز الوزارة هذه المناسبة لتعرب للسفارة عن أطيب تمنياتها ،،،



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٢٠/٩٧

تاريخ: ١٤٢٠/١٠/٢٩ الموافق: ١٤٩٠/١٠/٢٩ المرفقات: ١٩

Ms. HERNANDEZ-DAVIS. We saw it last night, and we were laughing for about 10 minutes. As a result of this letter, that the kingdom of Saudi Arabia is asking our government to return her.

Mr. OSE. Dated October 9, 1999.

Ms. HERNANDEZ-DAVIS. Yeah. And I think that our Embassy—our government should have said something a little bit stronger, not apologize.

Mr. OSE. Did we respond? Do you know if we had a response to this? What exhibit is—

Mr. BURTON. 18.

Mr. OSE. We're looking at exhibit 18, Mr. Chairman, which is apparently the request or demand, however you wish to interpret it, of the kingdom of Saudi Arabia for the return of this young woman to Saudi Arabia.

Mr. BURTON. Do you have the response from the State Department?

Mr. OSE. And on exhibit 21—

Mr. BURTON. Let me see 21.

[Exhibit 21 follows.]

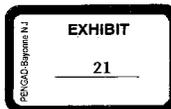
(44)

No. 1371

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Kingdom of Saudi Arabia and has the honor to refer to the Ministry's Note of 29/10/1420 (October 9, 1999), Number 97/20/49035. The Ministry's note refers to a complaint presented by a Saudi citizen, Mr. Khalid bin Abdulaziz bin Shalhoob, in which he alleges that the American Embassy planned and executed the kidnapping of his daughter, Yasmin Shalhoob, in Riyadh and her subsequent transportation to the United States by a U.S. Air Force aircraft. The father claims that his daughter has given him this account of her removal from Saudi Arabia.

The Embassy has the honor to inform the Ministry that Mr. Shalhoob's allegation of Embassy complicity in the kidnapping of Yasmin Shalhoob is totally false. At no time prior to her disappearance from the Kingdom around April 6, 1999 did Embassy officers, whether in the Consular section or in any other section, have any knowledge of plans to arrange her transportation to the United States. Nor did the Embassy in any way support, assist, or facilitate her removal.

The Embassy wishes to state that it does not approve of illegal, indeed criminal behavior, under any circumstances. It was wrong for Mr. Khalid Shalhoob to kidnap Yasmin from the United States in 1994 in direct violation of an American court order awarding custody



of Yasmin to her mother. If Mr. Shalhoob's account is true, it would also be wrong for Yasmin to have been kidnapped in Riyadh to be brought to the United States.

The Embassy works hard with the Ministry of Foreign Affairs to bring parents to cooperate together to resolve the tragic cases of children of dual Saudi and American nationality separated from one parent or the other, but at all times the Embassy and its officers work within the framework of American and Saudi law.

Mr. Shalhoob alleges that a U.S. military aircraft was used to transport his daughter to the United States. The Embassy has the honor to state that very strict regulations apply to the use of such aircraft for personal transportation anywhere in the world. To transport Yasmin Shalhoob would represent a very serious and illegal violation of United States Air Force regulations. Immediately on receipt of the Ministry's Note, the Embassy initiated an investigation by the U.S. Air Force of any misuse of flights between Saudi Arabia and the United States, or to intervening points in Europe, as claimed by Mr. Shalhoob. The results of that investigation will be communicated to the Ministry as soon as they are received.

The Embassy has the honor to state also that Mr. Shalhoob was neither in communication with the Embassy before nor after the transportation of his daughter to the United States. Nonetheless, the Embassy would be pleased to receive any specific information he may have

regarding the flights cited above that would assist our investigation.

The Embassy of the United States of America avails itself of this opportunity to renew to the Royal Ministry of Foreign Affairs of the Kingdom of Saudi Arabia the assurances of its highest consideration.

Embassy of the United States of America,

Riyadh, October 26, 1999.



APPROVED: AMBUT
DRAFTED: 1
CLEARED: 1

Mr. OSE [continuing]. Is our response.

Ms. HERNANDEZ-DAVIS. There's a response from our—

Mr. OSE. "The Embassy has the honor to, in the ministry, that Mr. Shalhoob's allegation of Embassy complicity in the kidnapping of Yasmin Shalhoob is totally false. The Embassy wishes to state that it does not approve of illegal, indeed criminal behavior, under any circumstances." My goodness, here is an interesting—it was wrong for Mr. Khalid Shalhoob to kidnap Yasmin from the United States in 1994 in direct violation of American court order awaiting custody—awarding custody of Yasmin to her mother. So there's clearly—

Ms. HERNANDEZ-DAVIS. But they are saying it's also wrong for Yasmin to have been kidnapped and brought to the United States. I don't understand that. And it's not wrong that she—

Mr. OSE. Apparently, Mr. Chairman, I'm not as good a wordsmith apparently as some of our esteemed colleagues at the State Department, but clearly in their letter, they recognize that Yasmin was taken, kidnapped from the United States, and then they say it's—

Mr. BURTON. Then they say it's wrong for her to be kidnapped back, yeah.

Mr. OSE. I don't understand. I mean, I'm going to be very interested in the next panel. I want to highlight one thing, Mr. Chairman. We are, in fact, not toothless in this manner. The Transportation Security Act that we passed last fall requires foreign airline carriers to submit manifests of passengers on the foreign carriers that are coming to the United States, and if it does not, the Transportation Security Act allows Customs to decline landing rights to those airlines. Of the entire pool, about 95 percent are complying with that requirement. Saudi airlines is not. Customs has a role here. There's a certain process to go through, but I would hope that—

Mr. BURTON. Let's draft a letter to Customs saying if they don't comply with the law, that they should be denied landing rights.

Mr. OSE. Turn the planes back.

Mr. BURTON. Why don't we draft a letter to that effect, get that signed, get it sent out. Get a response from—

Mr. OSE. Section 111 of TSA, I have it right here, Mr. Chairman. I yield back the balance of my time.

I do have more questions. I hope we have another round.

Mr. BURTON. Why don't you continue. There's three of us here and we'll let you go for another 5 minutes.

Mr. OSE. My friend from Connecticut is telling me be patient here.

Ms. Stowers, in your testimony, you talk about having asked the U.S. Government for help. I'm curious if you know who specifically was asked for assistance. What elected official or State Department official was asked for help?

Ms. ROUSH. She can't hear you.

Mr. OSE. OK. Is the clerk here? Take that down to her and ask her to read it and respond. While we're waiting on that, Mr. Chairman, if I could, Ms. Davis, who at the State Department did you specifically ask for help?

Ms. HERNANDEZ-DAVIS. The person in charge of the children's issue, the Middle East section was Steve Sena.

Mr. OSE. Steve.

Ms. HERNANDEZ-DAVIS. Sena.

Mr. OSE. How do you spell that.

Ms. HERNANDEZ-DAVIS. S-E-N-A.

Mr. OSE. Sena. Now, you also indicated that you talked to people at the FBI—

Ms. HERNANDEZ-DAVIS. Yes.

Mr. OSE [continuing]. About this issue?

Do you recall—

Ms. HERNANDEZ-DAVIS. They wouldn't prosecute. They wouldn't even write a report, because it was a parental kidnapping.

Mr. OSE. Who did you speak with at the FBI?

Ms. HERNANDEZ-DAVIS. I don't remember right now. I can't recall the name. I'll—

Mr. OSE. Do you have it?

Ms. HERNANDEZ-DAVIS. I'll get it to you.

Mr. OSE. If you would.

Who at the U.S. attorney's office did you speak with?

Ms. HERNANDEZ-DAVIS. They've changed. I'll have to get back to you.

Mr. OSE. If you could get that out of your records, too.

And, who is it that told you that they couldn't get involved because getting involved and failing hurts the department statistically?

Ms. HERNANDEZ-DAVIS. The U.S. attorney's office. They did not want to prosecute Khalid for international parental kidnapping.

Mr. OSE. Because it hurt them statistically?

Ms. HERNANDEZ-DAVIS. Yes.

Mr. OSE. What did they mean?

Ms. HERNANDEZ-DAVIS. Because they could not catch the felon. They couldn't prosecute him. They couldn't bring him in. He was in Saudi Arabia.

Mr. OSE. They couldn't put a notch on their belt that they had gotten this guy?

Ms. HERNANDEZ-DAVIS. Right.

Mr. OSE. So they washed their hands of it?

Ms. HERNANDEZ-DAVIS. Exactly.

Mr. OSE. Now, you also asked a series of questions, can you help me get my daughter home? Can you—what about this? What if this scenario prevailed? What if that scenario prevailed?

Ms. HERNANDEZ-DAVIS. They had—right. I got, well, you have diplomatic immunity, don't you? Can we ride in your car to the airport? Can you, you know, drive us to Bahrain? It's only 3 hours away.

Mr. OSE. Who did you ask those questions? To whom—

Ms. HERNANDEZ-DAVIS. Sally Beth Brumbrey was the counsel in charge.

Mr. OSE. Mary Beth Brumbrey?

Ms. HERNANDEZ-DAVIS. Sally Beth.

Mr. OSE. OK. Do you know where Sally Beth Brumbrey is currently stationed?

Ms. HERNANDEZ-DAVIS. She was leaving Saudi Arabia to Australia, a post there.

Mr. OSE. Thank you, Mr. Chairman.

Mr. BURTON. Mr. Shays.

Mr. SHAYS. Thank you, Mr. Chairman. Mr. Chairman, I have to acknowledge, I wrestle with the fact that a country, Saudi Arabia, can't admit that 15 of the 19 terrorists on September 11th were citizens of their country, and I also wrestle with the fact that somehow human rights don't seem to matter if abuse is based on religious faith.

So I carry with me two pretty strong biases, and I wrestle with the fact that somehow we seem as a government, the administration perhaps, our State Department definitely, and Congress by the mere fact that all of us are just kind of getting into this issue because of your initiative, are wrestling with what for you—is it Ms. Roush?

Ms. ROUSH. Roush.

Mr. SHAYS. Ms. Roush that you have been dealing with this for 16 years.

Ms. ROUSH. Yes, sir.

Mr. SHAYS. And I just want to say to on behalf of—on whatever extent I can extend my apology to you as an official of government, I apologize to you.

Ms. ROUSH. Thank you so much.

Mr. SHAYS. And I thank you, Mr. Chairman, for giving us the opportunity to have to confront this issue. I would like to know specifically—and let me tell you what is of interest to me, because I think you take away your message. There is a bit of bitterness that I understand, but I just want to say it, because I'm not interested in this part of it. I don't care if a—frankly, in terms of this issue, whether a former Embassy—Ambassador had an affair. What I do care about, though, is that your government has been totally non-responsive to you, and I want to help undo that. I am concerned, though, after 16 years, your daughters will not know you. I don't even know if they speak English. Do you know if they speak English?

Ms. ROUSH. This is what the State Department tells me. Last September I was able to speak to Aisha. This is only 10 months ago.

Mr. SHAYS. And she is how old?

Ms. ROUSH. 19. And she speaks very little English.

Mr. SHAYS. And she is the married child?

Ms. ROUSH. Well, they're both married. She was just married recently. And her father gave his cell phone number—

Mr. SHAYS. She's not with the child. Your older child has a child?

Ms. ROUSH. I don't know. I read that she was pregnant.

Mr. SHAYS. I'm sorry. OK.

Ms. ROUSH. I have no information about my daughters.

Mr. SHAYS. I'm sorry. I interrupted you.

Ms. ROUSH. I spoke to my daughter Aisha. Their father gave the Embassy his cell phone number, and I spoke to her once last September. And she said, hello, Mom, hello, Mom, in English. I love you, Mom. Ta ala hena Riyadh, come to Riyadh, Mom. I love you. I love you. The father took the phone away from her, and he said,

that is it. She's not allowed to talk to you anymore, and then he proceeded to marry her off. She's just a kid.

Mr. SHAYS. The challenge you now have is that this may be—your daughter may—if she is pregnant, hopefully gives a successful birth to a child, then she has an additional attachment to—

Ms. ROUSH. That's right. She's put in the middle like I was put in the middle. They're going to be forced—they've impregnated my daughters, and now they're going to force my daughters—they've done this with other women in the Middle East, American women. They did it in Yemen with two sisters from Britain, where they impregnate these women, and then they say, OK, you can go back to England or back to the States, but your children have to stay here because they're Saudi citizens. No. I'm not going to accept that. My daughters did not choose to be impregnated. My daughters have to come home. Love transcends everything.

Mr. SHAYS. Let me ask you this. They were again how old when they were—since you really had much interaction with your children, how old were they?

Ms. ROUSH. I saw my children for 2 hours in 16½ years.

Mr. SHAYS. I just want to know when they were—I know you said this once, and I apologize. I can mix up—

Ms. ROUSH. I saw them in 1995.

Mr. SHAYS. I don't care right now when you saw. I wanted to know when you were their mother with them 100 percent of the time.

Ms. ROUSH. 16½ years ago.

Mr. SHAYS. I understand. And how old was that, 16½ years? Do the math for me, please. How old were they?

Ms. ROUSH. They were 7 and 3-1/2. You know what Aisha told me in Riyadh in 1995? This is the one who was 3-1/2. You know what she told me? She spoke no English. I had a translator. She was 13. She said, I don't remember you, but I love you. How can you put any amount of time? Do you know what it's like to be a mother?

Mr. SHAYS. I guess what I'm trying to ask is—

Ms. ROUSH. You can't ruin that love.

Mr. SHAYS. I guess what I'm trying to ask, and you obviously wrestle with this, after 16 years, 16½ years, when they are placed—let's just say you get what you want, they're put in a neutral place.

Ms. ROUSH. Yes.

Mr. SHAYS. After 16½ years, do you have the confidence that they would say, I want to come back to the United States; I want to be with you?

Ms. ROUSH. They said it after 10 years, and they will say it after 16½ years, and they will say it after 60 years. I'm their mom. Aisha said—she was 3½ when she was taken—I don't remember you, but I love you, and she threw her arms around me. And then after—last September, I love you, I love you, come here, Mom. I'm the mom.

Mr. SHAYS. Do you have any sense that the 7-year-old helped her younger sister of 3½ understand how she was taken away? The 7-year-old would remember that.

Ms. ROUSH. I asked Alia that when I saw her, and I said, do you remember what happened? And she said, he told us you left us here, and I said, but you know that is not true, Alia. And she shook her head and she said yes. She remembered how she was taken.

Mr. SHAYS. OK. So let me get to the issue of what—and this may seem silly that I'm asking, but I want it to be part of the record, continuing with what the chairman has asked you. I want to know specifically what our government right now is doing to help you. I want to know—

Ms. ROUSH. They're doing everything they can to deflect and they would hope that I would go away back to Sacramento and leave them alone.

Mr. SHAYS. But you're not going to do that.

Ms. ROUSH. No.

Mr. SHAYS. OK. We know that. That we hope won't happen, and that's good that it won't happen. So what specifically is the government doing? Tell me, even if it's as puny as you can think of, tell me the best thing right now that the government of the United States, your government, is doing to help bring your daughters back home.

Ms. ROUSH. Nothing. Nothing.

Mr. SHAYS. What is the best that you can say that Congress is doing right now?

Ms. ROUSH. They're having this hearing.

Mr. SHAYS. Well, there's a lot more we can do with it, Mr. Chairman.

Mr. BURTON. It seems to me that one of the things that could be done would be to have these ladies and their children come back to the United States. They're American citizens. They have the right to choose. They should have the right to choose whether they want to come back, and—with their children. And then when they're in the United States, if they choose to go back to Saudi Arabia, then they can make that decision as free American citizens. And it seems to me the State Department ought to be working toward that end, just to bring them back here and let them decide. If they, at this point after 16 years, want to stay as their mother says, then they should be able to stay, and if they want to go back, they will have that—they ought to have that right to choose, but for the State Department to do nothing for 16 years because they're on—they're guests on Saudi soil—I mean, the American Embassy any place in the world is American soil.

Ms. ROUSH. Not in Saudi Arabia.

Mr. BURTON. Well, it's American soil whether they want to admit it or not. It's American soil, and if our Embassy people say we're guests here and—the Saudis are not allowed to come into an Embassy, nor is any other government allowed to come into the Embassy of our country without permission, because it's American soil.

Mr. SHAYS. Nor can we go in theirs.

Mr. BURTON. Nor can we go in theirs here in the United States, and so for U.S. Embassy over there to say that they're guests and that they can't do anything is just not accurate. They may be—the Saudi Government could kick us out. They could tell us—our officials to leave, but they know full well there would be retaliation

if that ever happened because their Embassy is here in the United States.

Ms. ROUSH. They did it to Hume Horan, who is sitting right behind me.

Mr. BURTON. They did it to what?

Ms. ROUSH. Ambassador Hume Horan, who's sitting right behind me.

Mr. BURTON. That's right. They can tell them to leave.

Ms. ROUSH. They asked him to leave, yeah.

Mr. BURTON. They can tell them to leave, but if you have a President and a government that is going to stand by you and if you have a State Department that is going to stand by you, I think that we could face them down on this issue. We're the biggest and the strongest country in the world, and they have an awful lot of investments here and they have a lot more to lose by not dealing with us than us dealing with them. In any event, do you have any more questions?

Well, I want to get to the State Department as soon as possible. Do you have more questions, Chris, Mr. Shays?

Mr. SHAYS. I may.

Mr. BURTON. OK. Go ahead.

Mr. OSE. Thank you, Mr. Chairman. Ms. Stowers, I—Ms. Roush, would you tap her, the question I gave her there, could she answer that, please?

Ms. STOWERS. OK. Phil Gramm from Texas, Bill Archer and Tom DeLay made a speech in Houston, and we went to that one and begged him for help, but he wasn't interested. He said that wasn't his job to interfere with custody battles. It was not part of his job. That's basically what we got from each Senator or Congressman that we talked to. They have each one said that was not part of their job, is to interfere in domestic problems.

Mr. OSE. Ms. Roush, in your testimony I believe you indicate that the State Department considers your—on page 34 of your testimony, the State Department still refers to your daughters as Saudi citizens?

Ms. ROUSH. Yes, sir, yes. And they've told me repeatedly that let's look at it from a Saudi's point of view, and they refer to the Saudis as their clients.

Mr. OSE. OK. Those are the two questions I had, Mr. Chairman. Thank you.

Mr. BURTON. Thank you.

Mr. Shays.

Mr. SHAYS. Mr. Chairman, it is somewhat open-ended, but I'd just be interested. Is there any question that we should have asked you that you want to put on the record?

Ms. ROUSH. Who are you addressing—

Mr. SHAYS. Any of you here. Is there any question that you wish we had asked that we didn't ask that you would like to put on the record?

OK. Thank you, Mr. Chairman. I guess I would just like to say thank you, but I would like to say to any of the panelists, besides this committee taking on this task, if you don't feel that your individual Congressman or woman is responding to this issue and you

would like to ask us to take on this case, my office would be happy to do that.

Ms. ROUSH. Thank you.

Mr. SHAYS. And I would like to thank Ms. Davis for being here, and I'd like to say that I am very impressed by your strength of character.

Ms. DRIA DAVIS. Thank you.

Mr. SHAYS. And obviously by the two mothers that are here and their extraordinary strength of character, and by the grandmother. Thank you, Mr. Chairman.

Mr. BURTON. Well, I want to thank you very much. You're welcome to stay and listen to the State Department. We're going to be asking them questions here in just a minute. Don't give up. We're going to hang tough and see if we can't do something to help you out.

We'll now ask the State Department officials to come. We have testimony from the second witness panel, Hume Horan, Daniel Pipes, Doug Bandow, Ryan Crocker and Dianne Andruch. Did I pronounce that right, Dianne Andruch? Is that right?

Would you please approach the table? We need to swear you in. Are you all there? Who are we missing?

Mr. PIPES. Ambassador Horan went outside.

Mr. BURTON. Would you raise your right hands.

[Witnesses sworn.]

Mr. BURTON. We'll start with—just go right down the line. Ambassador Horan, do you have a comment you would like to make or statement?

STATEMENTS OF HUME HORAN, FORMER U.S. AMBASSADOR TO SAUDI ARABIA (1987-88); DANIEL PIPES, DIRECTOR, MIDDLE EAST FORM; DOUG BANDOW, SENIOR FELLOW, CATO INSTITUTE; DIANNE ANDRUCH, DEPUTY ASSISTANT SECRETARY FOR OVERSEAS CITIZEN SERVICES, DEPARTMENT OF STATE; AND RYAN CROCKER, DEPUTY ASSISTANT SECRETARY FOR NEAR EASTERN AFFAIRS, DEPARTMENT OF STATE

Mr. HORAN. Mr. Chairman, I do not have a prepared statement, but I'll make some brief comments with your permission and that of the members of the committee. My name is Hume Horan. Born in D.C., resident in D.C. I joined the Foreign Service in 1960. Retired in 1998. I've had 10 assignments overseas, all of them in Africa and the Arab world. I was a Deputy Assistant Secretary for Consular Affairs back in Washington. Also taught African and Middle Eastern history at Howard University and at Georgetown. I served two times as our Ambassador twice in Saudi Arabia. I was our deputy chief of mission for 5 years from 1972 to 1977, and then I served as our Ambassador in Riyadh from August 1987 till March 1988.

The committee asks a number of questions. Have we done enough? Do our consuls do enough to protect American citizens in Saudi Arabia? As a former Deputy Assistant Secretary in the State Department in consular work, the first responsibility of an Embassy overseas is the protection and welfare of American citizens. Everything else comes second.

I have seen our consuls show courage, imagination and extraordinary devotion in order to helping out their American citizens in distress. In Saudi Arabia, I've seen our consuls do extremely good work for Americans who were jailed for a number of supposed crimes, sometimes contract disputes. Sometimes really much more serious crimes, being accused of manslaughter or worse, and the Embassy managed to get these people around the cape.

Family abduction cases are harder. The Shari'ah law under which Saudi Arabia runs its personal status affairs gives virtually total dictatorial power to a husband, and this is made even harder in the case of VIP families. The Saudis simply shrug their shoulders and say oh, well, our law, that is God's law, is on our side and we've got the people. So buzz off. This was certainly my experience when after meeting with Senator Dixon here in Washington before I went out to Saudi Arabia as our Ambassador, I made my first business call on the Governor of Riyadh, Prince Salman, a very powerful man, a full brother of the king. When I asked for the appointment, Prince Salman said, you know, what do you want to see me about? I said there are a number of issues, including the issue of Ms. Roush. He said—or his assistant said, well, we'll see Ambassador Horan, but if he's going to raise the Roush case, he will not see him, just will not see him.

I had a number of issues to talk with the prince, so I went to see him, and at the end of the meeting I said, now, your Royal Highness, you know, there is one issue that you did not want me to talk about, but it's very much on both of our minds, and you're going to be hearing more on this question because it is a very important one to the Embassy.

The question of should these matters be raised to a State-to-State level, it is extremely important that they are, because my strong feeling is that this issue is stuck at a level much higher than that of an ambassador in Saudi Arabia.

There's very little that an ambassador can do. If they're just going to brush you off saying, please, you know, buzz off. I think Ambassador Mabus had a tremendous good idea, withholding visas. And I know this is against visa regulations and all of that, but all around the world, consuls are using their visa power in imaginative and creative ways in order to make life better for American citizens. I can cite examples where Americans who are unjustly held were sprung because an imaginative and courageous consul used his diplomacy in order to get that to happen.

What kind of pressures can we exert on the Saudi Government? The point of Saudi Arabian airlines not providing manifests for its flight, that is astonishing. I thought this has been—from what I read, I thought it had been done for all airlines. The issue of visas is a very good issue also.

Finally, it really astonishes me that the father of Ms. Roush's children could come to the United States. The fact that he has a diplomatic visa or a diplomatic passport doesn't entitle him to anything whatsoever, absolutely zero under American law, just the kind of politeness that we should accord to all foreign visitors in our country.

Should this issue be a factor in evaluating our current relations with Saudi Arabia? Of course it should be. We give respect to for-

eign nationals visiting our country. We have a right to expect that they should treat our citizens with equal respect. Our relations with Saudi Arabia should be based on considerably more than they sell oil and they recycle petro dollars and we provide arms and a shoulder to cry on in a very, very dangerous part of the world. It is a matter of mutual respect, and I think in the case of these tragic stories that we have been hearing this morning, the issue of respect for American citizens has been very deficient.

I would be very glad to answer questions insofar as I'm able, Mr. Chairman. Thank you very much.

Mr. BURTON. Well, I will have some questions since you were a former Ambassador and State Department official, so we will have some questions for you.

Dr. Pipes.

Mr. PIPES. Thank you, Mr. Chairman. This is the Government Reform Committee, and I think we should look at the U.S. Government performance. I have prepared a fairly lengthy testimony, and I will attempt to summarize it. I will argue that the key question is why the State Department and other agencies of the U.S. Government have done so little to support the right of U.S. nationals abducted to Saudi Arabia. I shall try to account for this hesitance by noting that it fits into a much larger pattern of caution and even obsequiousness that has, for decades, characterized Washington's relations with Riyadh. Over and over again, the U.S. Government has made unwanted and unnecessary concessions to the kingdom of Saudi Arabia.

One can see this obviously in the case of children that we've been discussing and hearing this morning, but there are many other cases. Let me quickly mention three very important cases. There is the case of the status of American women in Saudi Arabia. It has been the practice now for a decade to have female military personnel of the United States who are offbase to wear abayas, the head-to-foot black covering, to have to sit in the back of cars and to have to be escorted by male military personnel. This is against everything we stand for. I'm happy to report that just a month ago on May 14th, this House voted unanimously to end—to prohibit the Pentagon from formally or informally urging servicewomen to wear abayas, but here we have a problem. For 10 years, American servicewomen were subjected to a regiment that is unique to Saudi Arabia.

A second example having to do with women is that just 2 months ago, Crown Prince Abdullah was traveling to Crawford, TX. He insisted, or his entourage insisted that no female air traffic controllers be in control of the plane. Not only did the U.S. Government concede this point, but hid it afterwards.

A second question has to do with Christians. The practice——

Mr. BURTON. Excuse me. They hid it afterwards, you say?

Mr. PIPES. Yes. When queried about this manner, both the FAA and the State Department joined with the Saudi foreign minister in flat out denying that the Saudis ever asked for exclusively male controllers.

Mr. BURTON. Do you have documented evidence?

Mr. PIPES. Yes, I do.

Mr. BURTON. We'd like to have that.

Mr. PIPES. The quick evidence would be Dallas Morning News, April 27, 2002.

The second issue would be the practice of Christianity in Saudi Arabia. We've had many examples where American officials have acquiesced to the Saudi demand that there be no formal public practice of Christianity. The most spectacular case was just over 10 years ago when first President Bush was told by the Saudis he could not say grace before the Thanksgiving meal at the—~~the~~ Thanksgiving meal he was to have with the American troops building up for the war with Iraq on Saudi soil, and so the President went to international waters and had Thanksgiving meal there.

More dramatically, we see that the U.S. Embassy in Saudi Arabia has generally acquiesced to the Saudi demands that there be no public display of any Christian practice.

Third point would be Jews. Jews are systematically excluded or have been on occasion systematically excluded by the U.S. Government from working in Saudi Arabia. I have a long quote from a former Service officer about how this is done. A "J" is put in front of certain people's names not to go to Saudi Arabia. There is the case of a contractor for the Defense Department that explicitly said that no Jews or Jewish-named personnel would be sent as part of a team to Saudi Arabia. The U.S. Government—the Defense Department was breaking U.S. Government laws in not sending Jews to Saudi Arabia. There are many other such cases. I won't give you the details now.

My conclusion is that one sees here a pattern that is unique in American foreign policy, where the United States—the representatives of the U.S. Government are not willing to stand up for American interests, and while there can be explanations on the ground level having to do with oil and the like, I think the explanation lies elsewhere. One finds over and over again that Americans in position of authority are imposing—are acquiescing or even preemptively acquiescing to what they imagine the Saudis would like.

An answer to why this is happening can be found in a statement by the current Saudi Ambassador to the United States, Prince Bandar bin Sultan. He said the following, and this was quoted in the Washington Post of February 11, 2002. He boasts of his success cultivating powerful Americans who deal with Saudi Arabia. If the reputation then builds that the Saudis take care of friends when they leave office, you'd be surprised how much better friends you have who are just coming into office." The heart of the problem is a very human one. Americans in the position of authority bend the rules and break with standard practice out of personal greed. One finds over and over again that old Saudi hands are doing very well once they leave office. Over and over again Ambassadors—and I give names in my testimony—are now in positions of authority. Two—three of the individuals mentioned here are in my testimony, Walter Cutler, Edward Walker, Wyche Fowler. And former Ambassador Horan has noted this pattern. Others have noted it.

I would argue to you, sir, that the roth in the executive branch renders it quite incapable of dealing with the kingdom of Saudi Arabia in the farsighted and disinterested manner that U.S. foreign policy requires. That leaves the responsibility with you, with

Congress, to fix things. The massive preemptive cringe of American officials requires your urgent attention.

Without going into detail here, I suggest that steps be taken to ensure that the Saudi revolving door syndrome documented by me in this presentation, this testimony, be made illegal. Only this way can U.S. citizens regain confidence in those of their officials who deal with one of the world's most important States. Thank you.

[The prepared statement of Mr. Pipes follows:]

Ending the Weakness of U.S. Policy toward Saudi Arabia

Testimony submitted by

Daniel Pipes

Hearing on "Should the United States Do More to Help U.S. Citizens Held against Their Will in Saudi Arabia?"

Committee on Government Reform

House of Representatives

Rayburn House Office Building 2154

June 12, 2002

The title of today's hearing – "Should the United States Do More to Help U.S. Citizens Held against Their Will in Saudi Arabia?" – is simple to answer: Yes, the U.S. government should do more. More complex and even mysterious is to explain why through many administrations, Democratic and Republican alike, the State Department and other agencies have done so little to support the rights of U.S. nationals abducted to Saudi Arabia.

I shall try to account for this hesitance by noting that it fits into a much larger pattern of caution and even obsequiousness that has for decades characterized Washington's relations with Riyadh. Over and over again, the U.S. government has made unwonted and unnecessary concessions to the Kingdom of Saudi Arabia (KSA). I shall document this claim and then conclude with an explanation of it and a policy recommendation.

Small Scale Obsequiousness

U.S. government acceptance of Saudi norms is particularly worrisome as concerns the treatment of women, practicing Christians, and Jews; I shall also touch on some other issues.

Women: The U.S. government has a pattern of accepting an unequal treatment of women in connection with Saudi Arabia that it would otherwise never countenance. Here are two current examples:

Starting in 1991, the U.S. military

required its female personnel based in Saudi Arabia to wear black, head-to-foot *abayas*. (It bears noting that Saudi Arabia is the only country in the world where U.S. military personnel are expected to wear a religiously-mandated garment.) Further, the women had to ride in the back seat of vehicles and be accompanied by a man when off base.

In 1995, Lt. Col. Martha McSally, the highest-ranking female fighter pilot in the Air Force, initiated an effort within the system to end this discriminatory treatment. As she put it, "I'm able to be in leadership positions and fly combat sorties into enemy territory, yet when I leave the base, I hand over the keys to my subordinate men, sit in the back, and put on a Muslim outfit that is very demeaning and humiliating."¹ Not succeeding at this, she went public with a law suit at the beginning of 2002. Her complaint points to the violation of her free speech, the separation of church and state, and gender discrimination (male military personnel do not have any parallel requirements imposed on them; indeed, they are specifically forbidden from wearing Saudi clothing).²

Right after McSally filed her law suit, the Department of Defense responded by formally changing its policy on *abayas*; and shortly after, it rescinded the policies on the other two issues

¹ Fox News, 1 March 2002.

² CNN, 25 April 2002

(sitting in the back of a vehicle, male escort). Yet these were largely cosmetic changes, as women were still “strongly encouraged” to follow the old rules due to “host nation sensitivity.” In particular, the U.S. government continued to purchase and issue *abayas*. McSally concluded that the military’s continuing strong recommendation that women wear *abayas* amounted to a continuation of the old situation, as women who did not wear the Saudi garb would suffer in their careers, so she continued with her suit.

On 14 May 2002, I am pleased to remind you, this House voted unanimously in favor of a bill that prohibits the Pentagon from “formally or informally” urging servicewomen to wear *abayas*. The bill you passed would also forbid the Pentagon from buying *abayas* for servicewomen. Unfortunately, your colleagues in the Senate have not yet acted on this measure.

The second example concerns Crown Prince Abdullah of Saudi Arabia. As he was about to travel across Texas to visit President Bush in late April 2002, his entourage demanded that only male air-traffic controllers handle the royal plane. According to an executive of the firm that runs the Waco airport that serves the president’s ranch in Crawford, “an advance group of Saudi Arabians went in and talked to the airport manager and told him they did not want any females on the ramp and also said there should not be any females talking to the airplane.” The airport complied but, the executive went on, but “I had never had a request like this and thought it was odd.”³ The Saudis’ demand for male-only air-traffic controllers was then passed along to the next three FAA stations controlling the crown prince’s airplane, which also complied.

Adding insult to injury, when queried about this matter, both the Federal Aviation Administration and the State Department joined the Saudi foreign minister in flat-out denying that the Saudis ever asked for exclusively male controllers. It would seem that their covering up for the Saudis has higher priority than telling the truth.

It bears noting that the Executive

Branch’s weak policy vis-à-vis women’s rights in these and other issues arguably has an impact on private institutions as well. These tend to take their cue from the government and also discriminate against women: U.S. businessmen and diplomats in the Saudi capital, reports *USA Today*,

say the biggest U.S. companies in Saudi Arabia—ExxonMobil, ChevronTexaco and Boeing—do not employ any women. Several other U.S. companies, including Citibank, Saks Fifth Avenue, Philip Morris and Procter & Gamble, have women on their payroll, but they work in offices segregated from men, as is the [Saudi] custom. The Saudis do not disclose employment practices of the more than 100 U.S. companies operating in Saudi Arabia, but American businessmen say that to their knowledge, all the companies follow Saudi mores so they don’t jeopardize their investments.

One Western diplomat in Riyadh complains that American businessmen use empty excuses, such as there being no place for the women to sit or go to the toilet, and concludes that “It’s just like it was in South Africa.”⁴ For change to ensue, the U.S. government will likely have to lead the way.

Christians: In Saudi Arabia, the U.S. government submits to restrictions on Christian practices that it would find totally unacceptable anywhere else in the world. Perhaps the most dramatic single episode took place in November 1990, when the then-President George Bush went to the Persian Gulf region with his wife and top congressional leaders at Thanksgiving time to visit the 400,000 troops gathering in Saudi Arabia to protect that country against Iraq. But because the president intended to say grace before beginning the festive Thanksgiving dinner, Saudi authorities nixed his eating this meal on their territory. As a result, the presidential party had to celebrate the holiday on the U.S.S. Durham, an amphibious cargo ship sitting in international

³ The Dallas Morning News, 27 April 2002.

⁴ *USA Today*, 13 May 2002.

waters.

A few weeks later, American troops were not permitted to hold formal Christmas services at their bases located on Saudi soil; all allowed to them were “C-word morale services” held in places where they would be invisible to the outside world, such as tents and mess halls; the key assumption was that no Saudi was to be made to suffer the knowledge that Christians were at prayer.

But at least the soldiers in 1990-91 could hold services, a privilege not normally accorded Americans living in Saudi Arabia on official business. Timothy Hunter, a State Department employee based in Saudi Arabia during 1992-95, was assigned the job of “monitoring and coordinating the ‘Tuesday Lecture’ at the Jeddah consulate general—really the Catholic catacomb.” (Services in Jeddah, he explains, took place on Tuesday, not Sunday, due to the paucity of clergy and their need to be in other locations on Sundays.) In an article in the *Middle East Quarterly*, Hunter details the methods he was told to use to discourage Catholic worshippers and the even worse options faced by Protestants:

When Catholic Americans sought permission to worship, I was to receive their telephone inquiries and deflect them by pretending not to know about the “Tuesday Lecture.” Only if a person kept calling back and insisting that such a group existed was I to meet with him and get a sense of his trustworthiness. ... In my time, we never actually admitted anyone. ... My personal dealings were limited to Catholics. I later learned that others—Protestants, Mormons, and Jews—were denied any sanctuary on the consulate grounds. ... Non-Catholic Americans were directed to the British Consulate, which both sponsored other religious services and admitted much larger numbers of Catholics. But the U.K. services were full, leaving most American worshippers only the option of holding services on Saudi territory, thereby exposing themselves to potentially violent attack from the *Mutawa* [the feared Saudi

religious police].⁵

Jews: With Jews, the issue is not freedom of religious practice in Saudi Arabia, it is simply gaining entry to the kingdom. In many instances over many years, agencies of the U.S. government have excluded Jewish Americans from positions in Saudi Arabia.

The U.S. government has systematically acquiesced to Saudi demands and agreed not to send Jewish nationals to Saudi Arabia. Here again, we have the invaluable testimony of Timothy Hunter, who explains that the U.S. government refuses to send American citizens who are Jewish to work in Saudi Arabia as a resident. Yes, select senior U.S. diplomats who are Jewish are allowed briefly to visit the country on official business, “no low or mid-level Jewish American diplomat was permitted to be stationed/reside in KSA” during Hunter’s three years’ experience. He writes:

when (1993) I worked in the Washington, D.C. State Department administrative office of the “Near East and South Asia Bureau,” it was the duty of the foreign service director of personnel to screen all Foreign Service officers applying for service in KSA and to “tick” Jewish officers’ names using the letter “J” next to the names so that selection panels would not select Jewish diplomats for service in KSA.

I was instructed that there was a diplomatic protocol between the USA and KSA going back “many years” in which the two governments agreed that no Jewish American U.S. diplomats would be allowed to be stationed in KSA. The KSA government had expressed its opposition to the stationing of U.S. diplomats who were Jewish because it believed all Jewish people, irrespective of nationality, can be considered Israeli spies. I was told that the U.S. government had not disputed the KSA government’s assertion. I

⁵ Timothy N. Hunter, “Appeasing the Saudis,” *Middle East Quarterly*, March 1996.

explained to the State Department's Office of the Inspector General that the existence of such a protocol was an indication of illegal activity since no treaty provision may be executed without the concurrence of the U.S. Senate.⁶

On occasion, the consequences of this governmental boycott of Jews has come to light. In the 1970s, the U.S. Army Corps of Engineers admitted excluding Jewish personnel from its projects in Saudi Arabia. More recently, to prepare its defense in a case brought against it by the Boeing Corporation, the U.S. government hired a Virginia-based contractor, CACI Inc-Commercial, to send a team to microfilm documents in Saudi Arabia over a period of several months. At a November 1991 meeting called by the Air Force, Col. Michael J. Hoover, the chief trial attorney for the Air Force Materiel Command, informed representatives of the Justice Department and CACI-Commercial that Jews or people with Jewish surnames could not go to Saudi Arabia as part of the microfilming team. On this basis, David Andrew (the senior CACI-Commercial employee involved in the microfilming project) drafted and Jane Hadden Alpers (Office of Litigation Support, Civil Division, Justice Department, the case manager involved in the microfilming project) edited an "operations plan" in which the "Screening/Selection Process" included the following text:

No Jews or Jewish surnamed personnel will be sent as part of the Document Acquisition Team because of the cultural differences between Moslems and Jews in the Region. ... No Israeli stamped passport, as per Saudi rules.

As the Justice Department and CACI-Commercial hired the team to go to Saudi Arabia, "At least one U.S. person was refused a place on the team based on religion or national origin."

After hearing a complaint from the Anti-

Defamation League, the Office of Antiboycott Compliance at the Department of Commerce conducted a probe lasting (the unusually long period of) one and a half years. The office reached a settlement on February 27, 1997, in which CACI Inc.-Commercial and the key individuals in each institution (Hoover, Alpers, Andrew) agreed to settle the allegations against them and (according to news accounts) were assessed suspended fines. Hoover also received a letter of reprimand. For their part, the Air Force and the Department of Justice "agreed to institute measures to prevent a similar event from happening again."⁷ To all this, the *New York Daily News* acerbically commented, "The Air Force and Justice apologized and promised to abide by the law. That's comforting, since Justice is supposed to uphold the law."⁸

As in the case of women, where the government leads, private organizations follow, although excluding Jews is in blatant contravention of U.S. law, which states "that U.S. companies cannot rely on a country's customs or local preferences and stereotypes to justify discrimination against U.S. citizens."⁹

Before 1959, the Arabian American Oil Co. (ARAMCO) had an exemption from New York State's anti-discrimination law and was permitted to ask prospective employees if they were Jews, on the grounds that Saudi Arabia refused to admit Jews in the country. When this arrangement was challenged in 1959, the New York State Supreme Court derisively condemned this practice (instructing ARAMCO at one point, "Go elsewhere to serve your Arab master -- but not in New York State") and instructed the State Commission against Discrimination to enforce the ruling against ARAMCO.¹⁰

In 1982, two cardiovascular anesthesiologists (Lawrence Abrams and Stewart

⁷ Office of Antiboycott Compliance, Department of Commerce, "CACI /USAF/DOJ Hoover/Alpers/Andrew."

⁸ *New York Daily News*, 10 March 1997.

⁹ Jordan W. Cowman, "U.S. companies doing business abroad must follow U.S. and host country labor and employment laws," *New Jersey Law Journal*, 4 August 1997.

¹⁰ 19 Misc. 2d 205; 190 N.Y.S.2d 218; 1959 N.Y. Misc..

⁶ Letter to the author, 9 June 2002.

Linde) brought charges of discrimination against their employer, the Baylor College of Medicine, for excluding them from an exchange program with the King Faisal Hospital in Saudi Arabia due to their being Jewish. The case went to court, and in 1986 the United States Court of Appeals for the Fifth Circuit agreed with them, finding that “the college intentionally excluded Jews from its beneficial and educational rotation program at Faisal Hospital.” The court surmised that Baylor’s actions were motivated, at least in part, “by its desire not to ‘rock the boat’ of its lucrative Saudi contributors.” Worse, it found, both Jewish doctors were informed by Baylor officials that there were problems securing visas for Jews, yet “Baylor never attempted to substantiate that ‘problem,’” leading the court to question “the veracity of those assertions.”¹¹

Other issues: The abduction and retention of children against their will is the focus of today’s hearing, so I shall not belabor it here except to note, for the record, the case of Alia and Aisha al-Gheshayan, two girls born in the United States and abducted in 1986, at the ages of 7 and 3 respectively by their Saudi father, Khalid al-Gheshayan. In defiance of a U.S. court order, Gheshayan took them from their mother and sixteen years later, they still cannot leave Saudi Arabia. (Their mother, Pat Roush, has been allowed to visit with them for only a few minutes over all those years.) Alia has been married to her father’s cousin and Aisha is to be married shortly.¹² One U.S. ambassador to Saudi Arabia (Roy Mabus) made sincere and praiseworthy efforts to help end this case of paternal abduction, but otherwise, the record of U.S. diplomats is a sorry one.

Timothy Hunter – a rare source of information from inside the U.S. establishment in Saudi Arabia and someone subjected to severe reprisals for his whistle-blowing activities¹³ – has documented how the federal government appeases the Saudis by censoring mail:

¹¹ 805 F.2d 528; 1986 U.S. App.

¹² WorldNetDaily, 7 February 2002.

¹³ Oh him, see Martin Edwin Andersen, “Whistle-blowers keep the faith,” *Insight* 11 February 2002.

U.S. officials meticulously cooperate with Saudi censorship of international mail. Mail to U.S. military and official government personnel enters the kingdom on U.S. military craft, and American officials in Saudi Arabia follow Saudi wishes by seizing and disposing of Christmas trees and decorations and other symbols of the holiday. They seize and destroy Christmas cards sent to (the mostly non-official) Americans who receive their mail through a Saudi postal box, and even tear from the envelope U.S. stamps portraying religious scenes.

It hardly comes as a surprise, then, to hear from Ron Mayfield Jr., who worked in Saudi Arabia for eight years with the Army Corps of Engineers, ARAMCO, and Raytheon Corp, that while he was working at the last company, the mail censors confiscated a photo of his grandmother on her 95th birthday, given that this contravenes the (episodic) Saudi prohibition on pictures of women. More broadly, Mayfield recounts his experiences:

on my first tour of Saudi Arabia, working with the U.S. Army Corps of Engineers, Americans were ordered to remove all decals and photos of the American flag. ... With my last employer, providing defensive missiles to the Saudis, officers came through on an inspection and ordered removal of all family photos picturing wives and female children. ... Birthday celebrations under Wahhabi Islam are forbidden. Customs went through a friend’s wallet, confiscating a photo of his wife in hot pants.¹⁴

According to Hunter, the Jeddah office of what was then called the U.S. Information Service, an agency charged with presenting the official American point of view and refuting hostile accounts, was “almost completely staffed by non-U.S. citizens from the Middle East, many

¹⁴ *The Roanoke Times*, 17 February 2002.

of them not friendly to American values and policies.” He found that it “made no effort to counter the systematic, widespread falsehoods in the Saudi media about American society. In some instances, in fact, the USIS actually provided misinformation about U.S. society.” Further, the public library at USIS did not stock books critical of the kingdom or other topics the USIS staff considered “too sensitive” for Saudi society (such as family health issues).

The U.S. government’s weak policy can be seen in a range of other areas: it does not fight for U.S. scholars or media to get access to the kingdom; it does not challenge the Saudi refusal to allow American researchers to engage in archaeological excavations; and it provides inadequate assistance to those unfortunate Americans who get caught up in the Saudi legal system (for something as minor as a fender-bender).

In contrast – and this is a rich subject in its own right – the State Department and other agencies bend over backwards when Saudi nationals living in the United States get in trouble with the law (common charges include various forms of rowdiness, sexual harassment, and keeping slaves). In more than a few cases, the accused Saudis are granted diplomatic immunity to avoid prosecution, then whisked out of the country. Along similar lines, a planeload of bin Ladens was permitted to leave the United States right after September 11, 2001, and before law enforcement could question any of them.

In conclusion, it bears noting that although the above examples are limited to individuals and do not directly touch on high policy, they have more than symbolic importance because they set a tone that has potentially large implications. McSally, the fighter pilot, explains that putting her in an *abaya*, requiring that she be escorted, and placed in the back seat has a real psychological effect on military life at U.S. bases in Saudi Arabia, implying that women are inferior or even subservient to men.¹⁵ Is the U.S. government truly prepared to permit such a challenge to American ways by the Islamic mores

¹⁵ *The Washington Post*, 1 January 2002.

of Saudi Arabia?

Large Scale Obsequiousness

I have until now concentrated on the small-bore and the personal, but the same obsequiousness holds no less on the grander scale of international politics. Some examples:

- o The Saudi cutback on oil production and embargo in 1973-74 helped cause the worst economic decline since the Great Depression; it was met with appeasement and conciliation, without so much as a whisper of bolder action.

- o The assault on September 11, 2001, is basically Saudi in ideology, personnel, organization, and funding – but the U.S. government has not signaled a reassessment of policy toward Riyadh, much less raised the idea of suing the Saudis for punitive damages.

- o The Saudi authorities executed suspects accused of killing five Americans in Riyadh in 1995 before U.S. law enforcement officials could interrogate them, and they were also not forthcoming in investigating the murder a year later of American troops at the Khobar Towers. After 9/11, as one observer puts it, “The Saudis’ cooperation with our efforts to track down the financing of al Qaeda appears to be somewhere between minimal and zero.”¹⁶

- o The spread of militant Islam: “Saudi money – official or not – is behind much of the Islamic-extremist rhetoric and action in the world today,” notes Rep. Ben Gilman (R-N.Y.), chairman of the House International Relations Committee.¹⁷ In particular, the authorities have been lax about the funding of militant Islamic institutions in the United States. Only in March 2002, for example, did federal agents finally get around to raiding sixteen innocuous-looking Saudi-funded institutions such as the Graduate School of Islamic and Social Sciences of Leesburg, Virginia. This problem is widespread and not attended to, as a newspaper editorial from Canada suggests:

¹⁶ Michael Barone, *U.S. News & World Report*, 3 June 2002.

¹⁷ Associated Press, 22 May 2002.

many terrorists and terror recruits get their first taste of death-to-the-West Islamic extremism from a Wahhabi imam or centre director in Virginia or London or, presumably, Hamilton or Markham [towns in Canada], whose paycheque is drawn in the Saudi kingdom. It may not be necessary to add Saudi Arabia to the Axis of Evil, or to invade it. But it will be necessary to engage the Saudi spread of extremism if the war on terrorism is to be won.¹⁸

o Arab-Israeli conflict: The Bush administration has pretended that the Abdullah plan for solving this conflict is a serious proposition, when it is not just patently ridiculous (demanding that Israel retreat to its 1967 borders) but also offensive (clearly envisioning the demographic overwhelming of Israel). Instead of playing unconvincing diplomatic games with Riyadh, the administration should emphasize that the hateful rhetoric and subsidies for suicide bombers must come to an immediate end.

o According to long-standing American practice, insults and threats emanating from Riyadh are absorbed. Here is a famous case, dating the 1970s, when Henry Kissinger attended a state dinner in his honor hosted by King Faysal. The king told him

that Jews and Communists were working now in parallel, now together, to undermine the civilized world as we knew it. Oblivious to my ancestry—or delicately putting me into a special category—Faisal insisted that an end be put once and for all to the dual conspiracy of Jews and Communists. The Middle East outpost of that plot was the State of Israel, put there by Bolshevism for the principal purpose of dividing America from the Arabs.

Kissinger did not confront Faysal but did his best to avoid the whole issue by responding with a

question to the king about the palace artwork.¹⁹

More recently, Crown Prince Abdullah ibn Abdulaziz wrote a letter to President Bush in August 2001 stating that

a time comes when peoples and nations part. We are at a crossroads. It is time for the United States and Saudi Arabia to look at their separate interests. Those governments that don't feel the pulse of the people and respond to it will suffer the fate of the Shah of Iran.²⁰

This aggressive statement met not with reproach but with appeasement. This April found a leading Saudi figure warning that to survive, the kingdom would contemplate joining with America's worst enemies: if reason of state requires that "we move to the right of bin Laden, so be it; to the left of [Libya's ruler Muammar] Qaddafi, so be it; or fly to Baghdad and embrace Saddam like a brother, so be it."²¹ The statement appeared prominently in the U.S. press but had no visible policy repercussions.

o Contrarily, the usual U.S. concern with such matters as human rights and democracy wither when Saudi Arabia is involved. The kingdom's signed commitments to protect the rights of its subjects are virtually ignored as are such questions as the rule of law, freedom of speech and assembly, the right to travel, women's rights, and religious liberties.

Analysis and Recommendation

What lies behind this pattern of obsequiousness? Why does the U.S. government defer to the KSA in so many and unique ways? Or to put it more grandly, how come both sides seem to forget which of them is the great power and which the minor one?

"Oil" is likely to be the explanation, but it does not make sense. First, the U.S. government has never cringed before any other

¹⁹ Henry Kissinger, *Years of Upheaval* (Boston: Little, Brown, 1982), p. 661.

²⁰ *The Wall Street Journal*, 29 October 2001.

²¹ *The New York Times*, 25 April 2002.

¹⁸ *Edmonton Journal*, 31 May 2002.

major oil supplier as it does to Saudi Arabia. Second, U.S.-Saudi ties have been premised since 1945, when a dying Franklin D. Roosevelt met an aging King Ibn Saud, on an enduring bargain in which Riyadh provides oil and gas to the United States and Washington provides security to Saudi Arabia. Because this deal has even more importance for Saudis than Americans – survival versus energy supplies – oil cannot explain why the U.S. side has consistently acted as a supplicant. Third, as shown by repeated polling over the years, Americans dislike and distrust Saudi Arabia and have no taste for such concessions. A survey conducted by Fabrizio, McLaughlin & Associates last month found that many more Americans have a more negative opinion (49%) of Saudi Arabia than a positive one (32%); further, the country's standing has gone substantially down since 9/11²² – not the usual basis for an indulgent foreign policy.

A hint of the real explanation lies in the preemptive quality of some of the U.S. government measures. The requirement that female military personnel wear the *abaya* was imposed by Americans, not Saudis; the latter did not even raise the subject. Saudi law only requires Westerners to dress conservatively, not to wear Saudi garb (and indeed, non-military women working for the U.S. government in Saudi Arabia are not expected to wear an *abaya*). Likewise, the investigation of the Air Force-Justice-CACI directive excluding Jews from Saudi Arabia found “no evidence that the restriction was specifically requested by, was required by, or was even known by the Government of Saudi Arabia.”²³

The same behavior exists among private institutions. For example, it came out in the 1959 ARAMCO case that the oil company was not under any strictures from the Saudi government to exclude Jews from its payroll but did so as the result of what the court termed “informal statements of State Department underlings.”²⁴ Similarly, the judgment regarding Baylor College

²² “Saudi Arabia Image by Americans Very Negative; Advertising and Media Blitz Failing.”

²³ Office of Antiboycott Compliance, Department of Commerce, “CACI /USAF/DOJ Hoover/Alperson/Andrew,”

²⁴ 19 Misc. 2d 205; 190 N.Y.S.2d 218; 1959 N.Y. Misc..

of Medicine's exclusion of Jews found that no evidence to support the college's contention that Jewish doctors were unwelcome in Saudi Arabia “represented the actual position of the Saudi government.” Further, the court noted that Michael E. DeBakey, the school's renowned chancellor, failed formally to obtain “an authoritative statement of the position of the Saudis” until 1983, or more than a year after the doctors had initially filed suit. It concluded that there was “no evidence that Baylor even attempted to ascertain the official position of the Saudi government on this issue.”²⁵

In all four of these cases, one finds an over-eager American in a position of authority imposing regulations which he imagines the Saudis will approve of – without even checking with them. Why would such a pattern of behavior exist? What could prompt government or hospital officials to run out ahead of the Saudis themselves?

An answer can be found in a statement of the Saudi ambassador to the United States, Prince Bandar bin Sultan. He boasts of his success cultivating powerful Americans who deal with Saudi Arabia. “If the reputation then builds that the Saudis take care of friends when they leave office,” Bandar once observed, “you'd be surprised how much better friends you have who are just coming into office.”²⁶ This effective admission of bribery goes far to explain why the usual laws, regulations, and rights do not apply when Saudi Arabia is involved.

The heart of the problem is a very human one: Americans in positions of authority bend the rules and break with standard policy out of personal greed.

In this light, Timothy Hunter's report on the three main U.S. government goals in Saudi Arabia begins to make sense: strengthen the Saudi regime, cater to the Saud royal family, and facilitate U.S. exports. All of these fit the rubric of enhancing one's own appeal to the Saudis. So, too, does Hunter's comment that “the U.S. mission is so preoccupied with extraneous

²⁵ 805 F.2d 528; 1986 U.S. App.

²⁶ *The Washington Post*, 11 February 2002.

duties—entertainment packages for high-level visitors, liquor sales, and handling baggage for VIP visitors” that it has scant time to devote to the proper concerns of an embassy. Likewise, his long list of high-profile ex-officials who visited Saudi Arabia during his sojourn (Jimmy Carter, George McGovern, Colin Powell, Mack McLarty, Richard Murphy) and “who were feted and presented with medals and gifts at closed ceremonies with the Saudi monarch” also fits the pattern.²⁷

Old Saudi hands accrue a great number of benefits:

Americans who have worked with the Saudis in official capacities often remain connected to them when they leave public office, from former president George H.W. Bush, who has given speeches for cash in Saudi Arabia since leaving office, to many previous ambassadors and military officers stationed in the kingdom. In some cases, these connections have been lucrative. Walter Cutler, who served two tours as the U.S. ambassador in Saudi Arabia, now runs Meridian International Center in Washington, an organization that promotes international understanding through education and exchanges. Saudi donors have been “very supportive” of the center, Cutler said. [Edward] Walker, the former assistant secretary of state for Near Eastern affairs, is president of the Middle East Institute in Washington, which promotes understanding with the Arab world. Its board chairman is former senator Wyche Fowler, ambassador to Riyadh in the second Clinton administration. Saudi contributions covered \$200,000 of the institute’s \$1.5 million budget last year, Walker said.²⁸

Hume Horan, who is also testifying today, is the great and noble exception to this pattern.

Although himself a former U.S. ambassador to the kingdom, he recently stated that

There have been some people who really do go on the Saudi payroll, and they work as advisers and consultants. Prince Bandar is very good about massaging and promoting relationships like that. Money works wonders, and if you’ve got an awful lot of it, and a royal title—well, it’s amusing to see how some Americans liquefy in front of a foreign potentate, just because he’s called a prince.

The article that quotes Horan looks at the post-ambassadorial careers of Americans posted in Riyadh and finds that “The number of ex-U.S. ambassadors to Riyadh who now push a pro-Saudi line is startling.” It correctly concludes that “No other posting pays such rich dividends once one has left it, provided one is willing to become a public and private advocate of Saudi interests.”²⁹

This rot in the Executive Branch renders it quite incapable of dealing with the Kingdom of Saudi Arabia in the farsighted and disinterested manner that U.S. foreign policy requires.

That leaves the responsibility with Congress to fix things. The massive pre-emptive bribing of American officials requires your urgent attention.

Without going into detail here, I suggest that steps be taken to insure that the Saudi revolving door syndrome documented here be made illegal. Only this way can U.S. citizens regain confidence in those of their officials who deal with one of the world’s more important states.

Daniel Pipes (www.DanielPipes.org) is director of the Middle East Forum.

²⁷ Hunter, “Appeasing the Saudis.”

²⁸ *The Washington Post*, 11 February 2002.

²⁹ Rod Dreher, “Their Men in Riyadh,” *National Review*, 17 June 2002.

Mr. BURTON. OK. Mr. Bandow.

Mr. BANDOW. Thank you, Mr. Chairman, and other members of the committee. I commend this committee for holding this hearing. Since others are addressing the specifics of children and other Americans being held against their will, I'd like to briefly put this issue in a larger context of U.S.-Saudi Arabian relations. It's very important for us to recognize that Saudi Arabia is a corrupt totalitarian regime, at sharp variance with America's most cherished values, including religious liberty. It has long leaned to the west, and for security reasons, the United States has long been very concerned about the stability of the regime and protecting it from potential invaders, most recently back in 1990 and 1991 with the war with Iraq.

Although the relationship between Riyadh and Washington is close, it's rarely been easy. For American administrations that loudly promote democracy, the alliance with Saudi Arabia is a deep embarrassment. One aspect, the concern of today's hearing, is the forcible detention of American women and children, essentially treated as property by the Saudi Government.

This attitude, alas, should come as no surprise given the general Saudi record on human rights. Saudi Arabia's an absolute monarchy and almost medieval theocracy, with power concentrated in the hands of senior royalty and wealth spread amongst all Saud princes. Political opposition and even criticism is forbidden. In practice, there are few procedural safeguards for anyone arrested or charged by the government or dealt with by the religious police. Women are covered, cloistered and confined, much like they were in Taliban-ruled Afghanistan. It's perhaps no surprise that such a regime has an unenviable reputation for corruption. More ugly, though, is the religious totalitarianism enforced by Riyadh. Indeed, in this way as well, Saudi Arabia follows much the same policies as did the Taliban which the United States worked so hard to overthrow.

Unfortunately, U.S. policies have helped identify Washington with the Saudi kleptocracy, but the Saudi ruling elite itself is paying for its repression. The long-term decline in energy prices has caused economic pain in Saudi Arabia, which has itself helped generate deep undertones of unrest, especially among the people who have no political outlet for their dissatisfaction. Unfortunately, this dissatisfaction has merged with criticism of the United States for a number of reasons, and because of that Saudi leaders have proven very weary of aiding the United States despite direct attacks on Americans. Cooperation, for example, after the 1996 bomb attack on Khobar Towers barracks was quite limited, very real concerns in the aftermath of September 11 in terms of aid and cracking down on Muslim charities that support terrorism as well as issues such as manifests from the Saudi airlines.

Riyadh's reluctance to risk popular displeasure by identifying with Washington merely continues and unfortunately is likely to encourage the growth of extremist sentiments. An unwillingness to support the United States on critical issues like this gives de facto sanction to the growth of such sentiments, including publications in the Saudi media, for example, the relatively recent article discussing Jews and the issue of Jewish blood—the blood that was

necessary for Jewish holy ceremonies. These sorts of things have appeared in Saudi publications that are absolutely devastating in terms of promoting the climate of hate that we see in the Middle East.

The problem runs even deeper of course, because the Saudi regime supports the extreme form of Wahhabism abroad as well as in Saudi Arabia itself. And this threat reaches well beyond the Middle East to countries like Indonesia, Malaysia and even the Philippines, where relatively secular tolerant societies, you know, face growing fanatical threats. One can, for example, look in the Moluccan Islands in Indonesia to see the dangers of fanatical jihad activities. The jihad militias, for example, are very involved in bloodshed there over the last 3 or 4 years.

Saudi Arabia's belated efforts to curb the clergy and scrutinize its educational system are welcome, but insufficient. And I think the U.S. Government puts up with this in many ways because of oil. Clearly oil is very critical.

So no one would care very much about what happened in Saudi Arabia, except for the fact that Saudi Arabia has oil. It's important, I would argue, however, that the U.S. Government, particularly the Congress, should recognize that the Saudis' trump hand is surprisingly weak, that the reserve figures that are cited in terms of Saudi Arabia overstate its relative influence, and that over time, Saudi Arabia's influence is going to fall. There are a lot of other producers out there, enormous potential new production to come on from Caspian Basin off of Africa and elsewhere.

Moreover, the Saudi regime itself is very limited in terms of its impact on prices. Even if that regime was overthrown, only a new regime's desire to keep all oil off the market would have a dramatic impact on prices, and price changes like that would help bring new sources of supply on, would cause other oil producers to produce much more, and over the long term we need to recognize that Saudi Arabia might be able to threaten our pocketbooks, but Saudi Arabia itself is not able to threaten America's survival.

Now, to mention Saudi Arabia's shortcomings and to suggest that it may not be as vital as it's continually noted makes policymakers both in Riyadh and in Washington nervous. There have been published reports denied by the Saudis that the Saudi policymakers are considering ending America's military presence, but the country that really needs to reassess the current relationship is the United States.

At the very least, Washington has to be willing to talk very tough about issues of terrorism and human rights with this regime, especially when the lives of Americans are at stake. Doing so might sour the U.S.-Saudi political relationship, and applying pressure through things such as visas might cause expressions of dissatisfaction from Riyadh.

But the U.S. Government has its primary responsibility to its own citizens, and it's falling down on that responsibility if it doesn't take action to apply pressure on issues like those being addressed by the committee today. Thank you very much.

Mr. BURTON. Thank you, Mr. Bandow.

[The prepared statement of Mr. Bandow follows:]

Testimony Before the House Government Reform Committee
 Hearing: "Should the United States Do More to Help U.S. Citizens
 Held Against Their Will in Saudi Arabia?"
 June 12, 2002
 by Doug Bandow

Thank you, Mr. Chairman and members of the Committee, for the opportunity to testify on the U.S. relationship with Saudi Arabia. Since others will be discussing the specifics of Americans held against their will, I will focus on putting this issue within the larger context of U.S.-Saudi relations.

Saudi Arabia is a corrupt totalitarian regime at sharp variance with America's most cherished values, including religious liberty. However, the House of Saud has long leaned towards the West. Saudi Arabia grew out of World War I and the defeat of the Ottoman Empire, an ally of the Central Powers, at the hands of Great Britain and various subject Arab peoples. Saudi Arabia would be unimportant but for the massive oil deposits sitting beneath its seemingly endless deserts. The advent of an activist Organization of Petroleum Exporting Countries (OPEC), led by Saudi Arabia, which supported the oil embargo of 1973-1974 against America a quarter century ago, helped raise oil prices and enrich the Saudi monarchy. Tensions with the West grew--for a time some analysts advocated invading the Persian Gulf to seize the oil. The latest round of worrying about Saudi stability has led some to recycle the idea.

However, most attention focused on defending the Gulf from other potential invaders--the Soviet Union during the Cold War, the Islamic revolutionaries who seized control of Iran in 1979, and finally Iraq's Saddam Hussein. What once seemed to be temporary arrangements in the face of Iraqi aggression now appears to be permanent. America has backed its military units in Turkey and carrier forces in the Persian Gulf with about 5000 air force personnel in Saudi Arabia as part of the Southern Watch command, comprising aircraft ranging from F-15s and F-16s to C-130s and KC-135s. Another 1300 military personnel and civilian contractors worked with Saudi National Guard.

Although the relationship between Riyadh and Washington is close, it has rarely been easy. For American administrations that loudly promote democracy, the alliance with Saudi Arabia has been a deep embarrassment. One aspect, the concern of today's hearing, is the forcible detention of American women and children, essentially treated as property by the Saudi government.

This attitude should come as no surprise, however, given the general Saudi record on human rights. Reports Human Rights Watch:

Freedom of expression and association were nonexistent rights, political parties and independent local media were not permitted, and even peaceful anti-government activities remained virtually unthinkable. Infringements on privacy, institutionalized gender discrimination, harsh restrictions on the exercise of religious freedom, and the use of capital and corporal punishment were also major features of the kingdom's human rights record.

Saudi Arabia is an absolute monarchy, an almost medieval theocracy, with power concentrated in the hands of senior royalty and wealth spread amongst some 7000 Al Saud princes (some estimates number all the royals at 30,000). Political opposition and even criticism are forbidden. In practice there are few procedural protections for anyone arrested or charged by the government; the semi-autonomous religious police, or Mutawaa'in, also intimidate and detain citizens and

foreigners alike. The government may invade homes and violate privacy whenever it chooses; travel is limited. Women are covered, cloistered, and confined, much like they were in Taliban-ruled Afghanistan. The Mutawaa'in's apparent refusal to allow schools girls to escape a fire with their heads uncovered led to several deaths.

The regime's apologists, such as Dr. Abdulrahman Al-Zamil, a member of the 120-member Shoura (Advisory) Council, consider the lack of popular accountability to be a virtue, arguing that this ensures selection "unrelated to the influence of special interest groups and financial contributions." But ultimate control rests with the 75,000-man National Guard (run by the Crown Prince), which is as large as the army, not a group of advisers. Command positions are reserved for the royal family.

It is perhaps no surprise that such a regime has an unenviable reputation for corruption, with prison occasionally used to resolve for Western business partners to resolve disputes. Indolence is even more widespread. For years every college graduate could expect a government position that provided a good salary for little work (and many tea breaks). More than a quarter of Saudi Arabia's nearly 23 million people are expatriates, many of whom are domestic workers. During the Gulf War many Saudis similarly expected others to do the dirty work, likening America's presence to hiring mercenaries.

Most ugly, though, is the religious totalitarianism enforced by Riyadh. Non-Muslim worship as well as proselytizing is prohibited for citizens and foreigners alike. According to former foreign service officer Tim Hunter, fired by the State Department for his criticism of its timidity in dealing with the Saudis, Christian clerics, if discovered, are arrested, beaten and brutalized, and eventually expelled from the country. Conversion means apostasy, which is punishable by death. Private devotion is theoretically allowed, but homes are raided if worshippers gather together. Christians have also been punished for blasphemy. In fact, Saudi Arabia follows much the same policies as did the Taliban (which Riyadh recognized and funded) before its ouster.

Unfortunately, U.S. policies have identified Washington with the Saudi kleptocracy. Americans are now paying for that association, which has made the U.S. a target of terrorists. Obviously, one must take Saudi terrorist Osama bin Laden's pronouncements with some skepticism, but a desire to end America's support for the corrupt regime in Riyadh and expel U.S. forces from the Gulf appears to be one of his main goals.

The Saudi ruling elite is also paying for its repression and links to Washington. With 70 percent of government revenues (and 40 percent of GDP) derived from oil sales, the long-term drop in energy prices has caused economic pain in Saudi Arabia; unemployment is now estimated at 15 percent overall, and 20 percent for those under 30. That has helped generate deep undertones of unrest, but the discontented feel helpless to promote political change. Criticism tends to be expressed through religious leaders. Observes Neil MacFarquhar of the New

York Times, "In another country Mr. bin Laden might have become an opposition politician rather than a holy warrior. But Saudi Arabia brooks no dissent."

Senior clerics live well on the government payroll and therefore lack credibility. Radical free-lancers have developed a widespread following: 15 of the 19 hijackers of September 11 were from Saudi Arabia. One Saudi businessman told the *Wall Street Journal*: "Many young people are disgruntled and disenchanting with our society's openness to the West and U.S. foreign policy. These people are frustrated and have nothing to do. They fall prey to people with agendas of their own. They are time bombs. They're like the Japanese kamikazi." With roughly half of the population under 15, the potential for further unrest is substantial.

Soaring dissatisfaction with the regime due to slumping revenues and a slowing economy has merged with criticism of America. Many Saudis are angry with U.S. support for the House of Saud; many students irrationally blame America for their economic problems. Additional irritants are Washington's support of Israel, attacks on Iraq, and air strikes in Afghanistan. Admiration for Saudi terrorist Osama bin Laden is evident even among those who dislike his austere Islamic vision.

And Saudi leaders have proved wary of aiding the U.S. despite direct attacks on Americans. The 1996 bomb attack on the Khobar Towers barracks in Dhahran killed 19 Americans and wounded another 372. It was the work of radical Islamists, who, like bin Laden, view Riyadh's alliance with America as a defilement of holy lands.

However, U.S. efforts to investigate the bombing were hamstrung by the Saudis, who refused to turn over relevant information and or to extradite any of the 13 Saudis indicted by an American grand jury.

In the same year, the Saudis refused, despite U.S. urging, to take custody of bin Laden from Sudan. In 1998 bin Laden and several other extremist Muslim leaders issued a manifesto calling for a holy war to drive the U.S. from Islamic lands. Even so, U.S. officials were unable "to get anything at all from King Fahd" to challenge bin Laden's financial network, charges a recent book by John O'Neill, a former FBI official involved with counter-terrorism who died in the attack on the World Trade Center, where he was security chief.

Riyadh's reluctance to risk popular displeasure by identifying with Washington continues, even after the deaths of three thousand Americans on September 11. Although the administration has publicly proclaimed its satisfaction with Saudi aid, privately White House aides are said to complain that Saudi officials have not been as cooperative as hoped.

Unfortunately, the refusal to aggressively defend cooperation with the West encourages the growth of extremist sentiments. Still, the lack of a public endorsement pales in comparison to Riyadh's support for the very Islamic fundamentalism that threatens to consume the regime in Riyadh as well as to murder more Americans in future terrorist attacks. Riyadh's prime strategy is to use money to buy off everyone. It long subsidized Arab governments and guerrilla

movements at war with Israel, and opposed the 1979 peace treaty between Egypt and Israel. The regime was, along with Pakistan, the primary financial backer of the Taliban in Afghanistan, which provided sanctuary for bin Laden and his training camps. It is widely believed that Saudi businessmen have made contributions to bin Laden in an attempt to purchase protection. There are serious charges of financial support from some of the Saudi royal family for bin Laden's al Qaeda network. David Wurmser, a Defense Department consultant, contends that al Qaeda has received support from some factions within the royal family as part of a dynastic struggle.

The problem runs even deeper. The Saudi state, run by royals who often flaunt their libertinism, enforces the extreme Wahhabi form of Islam at home and subsidizes its practice abroad. Within this sect, hostile to modernity and the West, political extremism and support for terrorism have flourished in Saudi Arabia itself. A similar phenomenon is evident in Pakistan, which has provided many foot soldiers for the Taliban and al Qaeda. Saudi subsidies have underwritten the fundamentalist academies known as madrasses in Pakistan, from which many graduates have joined the Taliban or al Qaeda. Wahhabism is even thought to dominate as many as 80 percent of the mosques in America.

Moreover, the threat now reaches beyond the Middle East to Indonesia, Malaysia, and even the Philippines. In all of these countries, fanatical extremism is undermining more tolerant, secular societies. For instance, inter-religious strife, fomented by the radical Laskar Jihad, has turned particularly bloody in Indonesia, with up to 10,000 dead alone in the Molucca islands as a result of Christian-Muslim strife.

At the same time, Riyadh has allowed an exodus of holy warriors abroad. According to a detailed *New York Times* investigation, activists who fought in other conflicts, ranging from Bosnia to Chechnya, also participated in four terrorist strikes against American targets prior to September 11. Riyadh, it seems, thought it safer for the regime for these people to direct their energies abroad.

Saudi Arabia's belated efforts to curb the clergy and scrutinize the education system are welcome, but insufficient. By any normal assessment, Americans should care little if the House of Saud fell, as have other illegitimate monarchies, such as Iran's Peacock throne. Except for one thing. Saudi Arabia has oil. For this reason Washington has long been hesitant to treat Saudi Arabia the way Washington treats most other nations.

Contrary to popular wisdom, however, the Saudis' trump hand is surprisingly weak. True, with 262 billion barrels in proven reserves, Saudi Arabia has about one quarter of the world's resources and 8.7 times America's supplies. Riyadh is not only the world's leading supplier, but as a low-cost producer can easily augment its daily exports, 9.1 million barrels a day last year.

However, the reserves figure vastly overstates the importance of Middle Eastern oil to the U.S. (and Western) economy. Saudi Arabia accounted for about 12.3 percent of production last year (and so far is closer to ten percent this year); Riyadh plus Kuwait and the various sheikhdoms came to 21.3 percent; OPEC produced 41.5 percent of the world's supplies. Were Saudi Arabia to fall, prices would rise substantially only if the conquerer, whether internal or external, held the oil off of the market, especially if the other Gulf states also collapsed. The result then would be severe economic pain in the short-term, though the Strategic Petroleum Reserve, which the President has vowed to fill, would help moderate prices.

Such a policy would, however, defeat the very purpose of conquest, even for a fundamentalist regime. After all, the Iranian revolution did not cause that nation to stop exporting oil; in fact, production increased every year from 1990 to 1998, and rose again in 2000. Even bin Laden has been quoted as calling oil the source of Arab power.

If a new Saudi regime did halt sales, the primary beneficiaries would be other oil producers, who would likely increase exports in response to the higher prices. A targeted boycott against only the U.S. would be ineffective, since oil is a uniform product available around the world. In fact, the embargo of 1973-74 had little impact on production; the global recession of 1975 caused a far more noticeable drop.

A new regime might decide to pump less oil in order to raise prices. Such a strategy would require international cooperation, yet the oil producers have long found it difficult to coordinate price hikes and limit cheating on agreed-upon quotas. Even if effective, restricting sales would have only a limited impact. A decade ago, when oil was selling for about \$20 a barrel, energy economist David Henderson, a professor at the Naval Postgraduate School, figured that the worst case of an Iraqi seizure of the Saudi oil fields would be about a 50 percent price increase, costing the U.S. economy about one half of one percent of GDP. Prices were running in the mid-20s last year, but fell below \$20 a barrel because of the slumping economy, before recovering some. Thus, the real price hike of a similar rise today would be lower, and would fall on an economy more than one-quarter larger.

In any case, the economic impact would diminish over time. Already Canada, Mexico, and Venezuela have production comparable to Saudi levels. Countries like Kuwait, Iran, Nigeria, Russia, the United Arab Emirates, and others could pump significantly more oil. As economist Susan Lee puts it, should Riyadh turn off the pumps, "the U.S. would find itself plenty of new best friends."

Sharply higher prices would bring forth new energy supplies elsewhere. Total proven world oil reserves were 660 billion barrels in 1980, 1,009 billion in 1990, and 1,046 billion at the end of 2000. Yet in the last decade alone the world's people consumed 250 billion barrels of oil. A combination of new discoveries and technological advances increased the amount of economically

recoverable oil. Reserves rose even as oil prices dropped: between 1980 and 1990, proven oil reserves jumped by 62 percent while prices for Middle Eastern petroleum were falling 43 percent. Prices eventually hit a dramatic low in 1998, down another 41 percent, before rising over the next two years.

America is dotted with high-cost wells that could be unplugged. The nation's outer continental shelf alone is thought to contain more than 30 billion barrels of oil, greater than our current proven reserves; since so little of the OCS, barely six percent, has been leased, those resources have not been proved. Barely 15,000 acres of the 19.6 million acre Arctic National Wildlife Reserve could contain a similar amount of oil (as well as supplies of natural gas). Even the modest estimate of five billion barrels of recoverable reserves at current prices would be a significant addition to current supplies.

Further, some 300 billion barrels of unrecovered oil, ten times our proven reserves and more than known Saudi resources, lie in beds of shale under the United States. They are not counted, however, because they are not currently worth developing. But as prices rise and new techniques are developed, they may become economically recoverable. Moreover, energy companies are looking for new oil deposits around the world, including the Caspian Basin, Russia, and West Africa. Estimates of as yet undiscovered potential recoverable oil range from one trillion to six trillion barrels. At current consumption rates the Energy Information Administration estimates that we have enough oil for another 230 years and "unconventional" sources, such as shale, that could last 580 years. And even these figures are based on existing prices and technologies. Higher prices would stimulate exploration, as well as production of alternative fuels and conservation, reducing oil consumption.

In short, an unfriendly Saudi Arabia might hurt America's pocketbook; it would not threaten America's survival. (Control of the Gulf by a hegemonic rival, notably the Soviet Union, would pose a significantly different, and greater, security threat, but that prospect disappeared with the end of the Cold War.)

Mentioning Saudi Arabia's shortcomings or suggesting that the regime's survival is not vital to America makes policymakers in Washington and Riyadh nervous. In particular, the House of Saud doesn't take criticism well. Last fall Crown Prince Abdullah denounced the U.S. media in a speech on state television, charging that it was damaging his nation's reputation and driving a wedge between his government and Washington. In the *Arab News* he blamed the American media campaign for expressing "its hatred toward the Islamic system." (His government also bought a four-page advertisement in several leading American newspapers extolling the accomplishments of King Fahd, "a doyen of world statesmen." More recently, it hired a new PR firm.)

In fact, published reports, denied by Riyadh, suggest that Saudi policymakers are considering ending America's military presence. In a letter to President Bush after the terrorist attacks, Crown Prince Abdullah suggested: "It is time for the U.S. and Saudi Arabia to look at their separate interests."

The country which should reassess the current Washington-Riyadh axis is the U.S. The American commitment to the Saudi royal family is a moral blemish and a practical danger. It has already drawn the U.S. into one conventional war and has helped make Americans targets of terrorism, which generated far more casualties in one day than did the Gulf War, Kosovo conflict, and Afghanistan campaign (so far) combined.

Over the long-term, the U.S. should reassess its military relationship with, and especially the stationing of American forces in, Saudi Arabia. That, however, is another subject for another hearing. At the very least, Washington should be willing to talk tough about terrorism and human rights, especially when the lives of Americans are at stake. Doing so might sour the U.S.-Saudi political relationship, but the relationship is already, if you'll pardon the expression, built on sand. As for economic ties, most particularly oil sales, they would continue unhindered: contrary to the apparent assumption of many Americans, the Saudis need us at least as much as we need them.

As for Saudi stability, the greatest threat comes from the regime's own failings. It is a ruthless kleptocracy in which an indolent few monopolize economic wealth and political power and allow no legal channel for dissent. Why should anyone support such a regime? Reform that generated support from the Saudi people would be best antidote to fears of revolution. In any case, there's no reason to believe that America's automatic, close embrace increases Saudi stability.

The Americans murdered last September and the Americans currently held in Saudi Arabia against their will provide at least 3000 reasons to change Washington's pusillanimous policy towards Riyadh. It is time to stop treating Saudi Arabia like an indispensable ally and more like a normal country--in this case, a totalitarian state which has routinely subsidized terrorist theologies and violated basic human rights.

Mr. BURTON. Ms. Andruch.

Ms. ANDRUCH. Mr. Chairman, I don't have a prepared statement at this time, but I'll be prepared to answer questions later.

Mr. BURTON. Now, your position with the State Department is what?

Ms. ANDRUCH. I'm in the Bureau of Consular Affairs, Deputy Assistant Secretary.

Mr. BURTON. You're Deputy Assistant Secretary for Consular Affairs?

Ms. ANDRUCH. Yes.

Mr. BURTON. Now, do you have some jurisdiction over the Middle East and Saudi Arabia and our Embassies over there?

Ms. ANDRUCH. Not specifically. My office deals with overseas citizens, wherever they are. So it's Americans abroad.

Mr. BURTON. OK. All right.

Mr. Crocker.

Mr. CROCKER. Thank you, Mr. Chairman. I'm Ryan Crocker, Deputy Assistant Secretary for Near Eastern Affairs.

You have my written statement, so I'll just make a couple of additional comments. The testimony we heard from the first panel this morning was, as you put it, wrenching. And everyone in this room could not help but be shaken by it. I know I was. Child abduction cases are among the most difficult and tragic citizen services cases we face anywhere in the world, and we face them throughout the world.

There are over 1,000 active cases now. That is why we have, in the Children Issues Office, a special unit for abductions in the Bureau of Consular Affairs, staffed now by 17 officers. Most of these cases are in western Europe, but Saudi Arabia, as we have indicated to the committee, the documents we've sent up, also has a substantial number of cases.

In Saudi Arabia, as is our policy globally, we deal with these cases within the framework of the laws of the country where our citizens are located. That's not unique to Saudi Arabia. That is our global practice. We work within the legal system of that State. This becomes, therefore, particularly difficult in the case of Saudi Arabia, because as, again, we have heard so eloquently expressed already, our legal system and the Saudi legal system simply do not mesh.

Ambassador Horan, our witnesses from the first panel have all made clear some of the basic issues here, that a child needs the permission of a father to travel, that a woman needs the permission of a father or husband or brother to travel. This is not applied to Americans married to Saudis only. That is Saudi law. That is how it applies to all Saudi citizens.

So we have been up against that challenge throughout, and it is—as the very sad record shows, it has not been something we have been able to move very far on. The Shari'ah law gives the father or the husband this right, and it does not give the Saudi state the right to override it. There is no legal lever that the Saudi Government can pull in these cases, whether it is an American or a straight Saudi citizen.

This does not mean that we have been inactive, Mr. Chairman. We have, in trying to gain access, in trying to—for ourselves in try-

ing to arrange meetings between mothers and their children and in talking to Saudi Government officials. We most recently had contact at a high level just within the last 2 weeks, when Assistant Secretary Burns was in the kingdom and raised these issues as a concern of the United States for its citizens. We're going to be pursuing that dialog, because we have heard and seen very graphically the dimension, the intensity of this problem and what it does to people's lives.

We will need to do that.

Mr. Chairman, in my view, within the context of our relationship as you sketched it out in your opening remarks, this is an important relationship to the United States. President Bush characterized it this way in April. Our partnership is important to both our nations, and it is important to the cause of peace and stability in the Middle East and in the world.

We have problems in this relationship. This is a graphic one, and we need to find ways to address it to bring some relief to people who have suffered for a very long time, 16½ years in the case of Mrs. Roush. All of us who heard that, no one can be insensitive to what that has done to her life, the lives of her children or the lives of our other witnesses.

Thank you, Mr. Chairman. I'm ready for your questions.

[The prepared statement of Mr. Crocker follows:]

STATEMENT OF
RYAN C. CROCKER
DEPUTY ASSISTANT SECRETARY FOR
NEAR EASTERN AFFAIRS

BEFORE THE
HOUSE COMMITTEE ON
GOVERNMENT REFORM

ASSISTING U.S. CITIZENS WHO ARE UNABLE TO
LEAVE SAUDI ARABIA

WEDNESDAY, JUNE 12, 2002

Mr. Chairman and members of the Committee, I am pleased to have the opportunity to discuss efforts by the United States Government, specifically the State Department, to assist Americans in the Kingdom of Saudi Arabia. My testimony today will address United States Government policy on the situation of American citizens who cannot leave Saudi Arabia for various reasons.

Let me begin by addressing our efforts to assist the victims of international parental child abduction around the world. This issue has long been a priority for the Department of State and is an important activity of State's Bureau of Consular Affairs. In 1994, the Bureau created the Office of

Children's Issues. The Abduction Unit of this office now employs 17 officers and staff devoted exclusively to working with parents to resolve the cases of their abducted children. The Office currently handles approximately 1,100 international parental child abduction cases, including abductions to and from the United States. While the majority of abduction cases involve children taken to Western countries, these cases are present throughout the world.

These cases are some of the most daunting we deal with as we protect American citizens around the world. Let me be perfectly clear: there are no easy answers. We understand the human tragedies involved for the parents as well as the children, and view continued engagement, no matter how disheartening and difficult, as a major priority.

The Office of Children's Issues in the Bureau of Consular Affairs receives daily requests for assistance from distressed parents whose children have been abducted from the United States or wrongfully retained outside the U.S. Our overall policy on this issue is to work within the legal structure of the country in which the child is located. We rely on different

tactics as each situation warrants, but this approach has not proved to be successful in obtaining the return of all abducted children.

In some cases the Hague Convention on the Civil Aspects of International Child Abduction, to which the United States became a party in 1988, provides a solution. The Hague Convention provides a civil mechanism for returning children who have been wrongfully removed from, or retained outside of, their country of habitual residence. The Office of Children's Issues acts as the Central Authority for administration of the Hague Convention in the United States, assists parents with the application process, and monitors the cases in the foreign court.

In some Hague signatory countries, we still have difficulty obtaining the return of American children, since some countries in Western Europe do not have adequate enforcement mechanisms to ensure that the orders of their own courts for the return of children under a Hague proceeding are enforced. We continue to discuss with these

governments means to improve enforcement of Hague decisions.

When a child has been taken to a country that is not a party to the Hague Convention, the Office of Children's Issues, in cooperation with our missions abroad, assists parents by confirming the location of children, verifying the well-being of the children, and providing general information, short of legal advice, which we are prohibited from giving, about child custody laws and procedures in the foreign country.

In these cases, the only remedy for American parents would be court action in the country in which the child is located, since a custody decree originating in the United States is not binding in a foreign country. We provide Americans with lists of foreign attorneys who may be able to assist in filing a custody proceeding in a foreign court. We have also published flyers on international parental child abductions to 33 countries, which are available on our website (<http://travel.state.gov>).

Our interest in these cases does not end on a child's 18th birthday. Necessary efforts to assure the well being of the

now-adult American citizens are undertaken by the Office of American Citizens Services in the Bureau of Consular Affairs until that adult American informs us that he or she does not require assistance.

We have concluded through our experiences with these tragic and unfortunate cases around the world that we must, to the greatest extent possible, work within the legal structure of the country involved to have the greatest chance of success.

Let me now turn to the United States' relationship with Saudi Arabia. This relationship is multi-faceted and complex. Energy was at the core of our relationship from the outset, more than half a century ago, and with 25 percent of the world's proven oil reserves in Saudi Arabia, energy remains a key element. The Gulf War strengthened our security ties, and Saudi Arabia plays an important role in our regional security strategy, as we saw most recently in Afghanistan.

More than 250 U.S. companies are active in Saudi Arabia in sectors such as services, defense, civil engineering, information technology and energy. The United States is the dominant supplier of goods to Saudi Arabia--U.S. exports in

2000 totaled \$6.2 billion; almost double that of Japan, the next largest supplier. In fact, Saudi Arabia vies with Israel as the largest destination for United States exports in the Middle East. Saudi Arabia has turned to the United States to help it with major initiatives in the areas of public works, energy, health and education.

As part of this relationship, since the 1970s, tens of thousands of Americans have worked in the Kingdom building the infrastructure of a modern state and developing the Kingdom's vast energy resources. Some 37,000 Americans currently reside in Saudi Arabia.

Tens of thousands of Saudis have studied in the United States and returned to the Kingdom. These U.S. graduates have formed the basis of the modern Saudi Arabia's governmental, business, and industrial base. Countless friendships and in some cases, marriages, and children have emerged from this interaction.

Notwithstanding our close security and commercial relationships, our two countries reflect very different cultural and legal traditions. It has been relatively easy for us to agree

on broad regional goals of stability and moderation. It has been far less easy for us to find a common basis on which to discuss human rights, in particular religious freedom and women's rights.

Over the past several decades, our consular officers in the Kingdom have seen the following types of cases:

--Child custody disputes: the majority of these cases involve children born to American mothers and Saudi fathers who reside in Saudi Arabia. The parents may or may not have divorced, and the mother wishes to leave the Kingdom with her children.

--International parental child abduction: in these tragic cases, children have been abducted from the United States to Saudi Arabia by one of the parents. While most of the abducting parents are Saudi fathers, some are non-Saudis and some are female.

--U.S.-Saudi women wishing to depart Saudi Arabia: there are a few cases of dual U.S.-Saudi national women over 18 years of age who cannot leave Saudi Arabia without the permission of the Saudi father or husband.

--Commercial and criminal disputes: another category includes United States citizens involved in commercial disputes or criminal investigations in Saudi Arabia who have been prevented from departing the Kingdom during their legal difficulties.

Saudi Arabia's laws are based on Islamic law and the Koran is the country's constitution. Saudi Arabia is home to the two most sacred Islamic sites, and Islam is the only sanctioned religion for citizens. The state favors the practice of a very conservative form of Islam following the teachings of the 18th century religious scholar Mohammad Abdel Wahab. This interpretation of Islam combined with prevailing conservative social customs, has limited the role of women in society and made them subject to male control. Matters relating to the home—children and wives—are governed by Islamic law, and the government does not intervene.

Even though our own views of women and individual freedom differ so markedly from Saudi views, we have tried to find some common ground on which to address such painful issues as child custody.

To protect our citizens while traveling, living, or working in Saudi Arabia, we take the following approach: The United States Embassy in Riyadh is the focal point for assistance to and engagement with American citizens in Saudi Arabia. Two consulates in Jeddah and Dhahran work in conjunction with the Embassy on cases in the areas of Saudi Arabia under their responsibility.

The consular sections, in consultation with the United States Ambassador, the Consular Affairs Bureau, the Near East Affairs Bureau, and other offices and Agencies coordinate closely on cases related to American citizens. With 37,000 U.S. citizens in Saudi Arabia, including the many adults who have chosen to work in various sectors of the Saudi economy, this is a major task.

As is the case throughout the world, we have no higher priority than the safety and security of our citizens. I believe our record shows a consistent and sustained engagement on child custody cases in line with this priority. But as noted above, we operate in accordance with the laws of our two

governments, laws that do not mesh well on civil and social issues.

For example: we have acted on cases of U.S. citizens who cannot leave Saudi Arabia on a government-to-government basis. Unfortunately, those cases involving family issues and child custody are viewed by the Government of Saudi Arabia as family matters to be resolved in the Shari'a system of justice. Complicating our efforts to resolve these cases is the fact that dual nationality in Saudi Arabia is illegal, U.S. court orders are unenforceable, and women cannot transmit citizenship to their children under Saudi law.

International parental child abductions to Saudi Arabia are some of the most difficult cases to resolve. The Kingdom of Saudi Arabia is not a signatory to the Hague Convention on the Civil Aspects of International Child Abduction, to which the United States became a party in 1988. The Saudi Arabian Government does not consider it illegal for the children of Saudi citizens to be removed from the United States and taken to the Kingdom, regardless of their place of habitual residence or lack of consent by the other parent.

While arrest warrants have been issued in the United States against several Saudi abductors, the lack of an extradition treaty between the United States and Saudi Arabia has limited the effectiveness of criminal sanctions under the International Parental Kidnapping Crime Act of 1993.

In response to this situation, the State Department has taken specific direct actions to mitigate the worst aspects of this situation and has continued to engage the Saudi Government on the overall situation. On specific direct actions we have:

- Worked with the Saudi parent to permit voluntary access to their children in order to conduct welfare and whereabouts visits to ensure the well being of abducted U.S. citizen children. In cases where Saudi parents refuse to permit access to their children, we seek the support of Saudi officials and continue to press for access both directly with the family and through the Saudi Government. We have had some limited success in arranging visits by American citizen

parents with their children in Saudi Arabia, but such visits to date have admittedly been few.

-- Under Saudi law, all Saudi citizens and permanent residents -- including American citizens -- must obtain exit visas before departing the Kingdom. Women in Saudi Arabia may not obtain an exit visa without permission from their husband, father, or other male sponsor in the Kingdom. Children must have permission from their father. It is a crime in Saudi Arabia for women to remove their children from the country without the father's permission. In cases involving serious and substantiated abuse of an American woman or child, we have worked with Saudi Government officials to obtain permission from Saudi citizens for the wife and sometimes the children to depart the Kingdom. However, the Saudi government has never to our knowledge issued an exit visa to an American woman or child if the Saudi citizen

maintains his objections despite pressure from his government.

-- If a Saudi husband refuses to grant permission for his American wife to leave Saudi Arabia, the woman must obtain a divorce in Saudi court before she can legally depart the Kingdom. The U.S. Mission provides women with lists of Saudi attorneys specializing in family law, and monitors these court proceedings to ensure that the American women receive a fair hearing.

United States Ambassadors, as the President's representatives in Riyadh, have raised these cases with the Saudi Government. In all candor, these efforts have not produced a change in the overall situation. We have also raised the issue of child custody cases at the highest levels of the Saudi Government including most recently when Near East Affairs Assistant Secretary Bill Burns raised the matter with Saudi Arabia's Crown Prince Abdullah last week. We have carefully considered different tactics to address this issue

and to date have found that focus on a case-by-case basis has provided the only way to maintain channels of communication with the Saudi parent and Saudi officials, which have led to some welfare and whereabouts visits and occasional visits by the American parent to children in the Kingdom.

Let me briefly review other cases of U.S. citizens currently prevented from leaving the kingdom. There are currently two U.S. citizens in Saudi jails. One is being tried for murder and the other finishing a sentence for alcohol and drug possession and use. Some citizens have been involved in financial or commercial disputes, or have been part of criminal investigations conducted by the Saudi Government. The Embassy and consulates in Saudi Arabia, working with Saudi authorities or company representatives, have been able to resolve such incidents on a case-by-case basis in the past. We have not been contacted recently for assistance in any cases of this nature.

In closing, I would like to thank the Committee for its interest in this difficult issue. I would now be glad to take any questions.

Mr. BURTON. Let me just start by saying, Mr. Crocker, that, regardless of the rhetoric, it looks like we're an impotent giant. Impotent. I mean, when an American citizen is thrown out of an American Embassy, forced out by Marines, with her kids because we're concerned about relations with a foreign government, that makes us look weaker than you can imagine. Impotent. And I don't understand—you know, you're in charge of the area, as I understand it, that deals with this kind of a problem, is that right?

Mr. CROCKER. Yes, sir.

Mr. BURTON [continuing]. Why we have not recommended to our Embassies around the world, not just in Saudi Arabia and Riyadh, that we say, if you kidnap a child or if you restrict the rights of an American citizen, you're not going to get a visa and nobody in your family is.

Now in the Helms-Burton law, which I helped write—dealing with Cuba, if American property is confiscated by the Cuban Government, Castro, and they sell it and somebody in a foreign government or foreign entity is involved in that transaction, our government can keep them from getting a visa. Now how much more important is it where human life is concerned?

We're talking about property in the Helms-Burton law, and you're talking about kids who have been kept for 16 years? Women who have had them and their kids thrown out of our Embassy over there because we have to be concerned about their law? That is ridiculous. And that we're there as guests?

The Embassies are called American soil. Why in the world would we have Marines take American citizens outside and then have them arrested? And we're going to have a hearing and drag that woman in—not drag her in. I don't want to put that—we are going to subpoena her and have her come in to explain why she allowed that to happen.

Now let me ask you this. Would you consider recommending that visas be withheld where children are kidnapped or American women are being held against their will in a foreign country?

Mr. CROCKER. Mr. Chairman, there is already a provision in the Immigration and Nationality Act that deals with this issue, and I think I will ask my colleague—

Mr. BURTON. Well no, you didn't answer my question. Would you recommend that visas for the individual that's restricting these people, American citizens and whose involved in kidnapping, would you recommend as the head of that agency that they and their extended family be denied visas to come to the United States?

Mr. CROCKER. Sir, if I could just cite the provision.

Mr. BURTON. No. No, I'm asking you if you would make that recommendation.

Mr. CROCKER. The answer is yes, Mr. Chairman; and we have that in place.

Mr. BURTON. Then why has it not been applied to these people who testified earlier?

Mr. CROCKER. Well, in the case of—

Mr. BURTON. I mean, you—just a minute now. We had a fellow who was under indictment, was it? He was under indictment; and he came here under a diplomatic passport, according to the testimony, with his family, who was getting cancer treatment or health

treatment. And there was an outstanding warrant for his arrest, and we didn't do anything. Now we had to know he was in the country because he had to have a visa, even with a diplomatic passport, to come in. Why in the world wasn't he arrested?

Mr. CROCKER. Mr. Chairman, we are going through our records now on the Gheshtyan family and visa issuances. The husband has been in our visa lookout system as ineligible.

Mr. BURTON. For how long?

Mr. CROCKER. Since 1990. Is that correct? Since 1990.

Mr. BURTON. Well, when did he come into the country on a diplomatic—

Ms. ANDRUCH. May I add something from the Bureau of Consular Affairs? We—our automated—our computerized system for keeping track of visas issued came into place with Congress's help in 1990 after the blind sheik. Since then, we have no record that indicates that he got a visa under his name to come for medical treatments. We are continuing to look, however.

Mr. BURTON. No, he didn't come for medical treatment. He came with somebody.

Ms. ANDRUCH. With someone. But we don't have a record of his having been issued a visa. So this information was new to us.

Mr. BURTON. Well, let's say he got into the country then under a false visa. Do we have any way to check that?

Ms. ANDRUCH. We do, sir; and that's what we're looking through now. We need names.

Mr. BURTON. Well, I would like for you to check with the family involved and find out when he came into the country and cross-check, because we're also concerned about terrorists.

Ms. ANDRUCH. Of course.

Mr. BURTON. If he was able to get into this country on a phony visa with a diplomatic passport, then, golly—

Ms. ANDRUCH. No, we, too, are very much concerned; and we will check. We'll check and get the names. Any information that we have will help us look up those records in our system, and then we'll get back to you.

Mr. BURTON. OK. Well, I hope that there is a recommendation that goes out, and we're—I'm writing a letter to the President today, and it is going to be signed by a number of our members of our committee—all of them, if we can get to them—saying that we think that the passport should be or the visas should be restricted to anybody that is involved is keeping an American citizen in the country where they don't want to be and if they have been involved in kidnapping or keeping American children—

Now those children are children of American citizens, so they have American citizenship as well. And to keep the mother and the child from even coming to the United States is a violation of their Constitutional rights. So how can we make the Constitutional rights of an American citizen subservient to the Saudi Government and the Saudi rules? How can we do that? I don't understand that. Those are Constitutional rights.

You know, I guarantee, you know, you probably have heard the reputation of this committee under my chairmanship. This is not going to stop. I want this changed; and if I have to have 10 hearings doing this in the remainder of my time as chairman we're

going to do it. I mean, this has to be changed. Not only in Saudi Arabia but everywhere.

Let me ask you one more question, Mr. Pipes. My time has expired. And that is that I would like to have a list of all the violations that you were talking about in detail. Because those things need to be addressed. Especially in view of the fact that we had an exorbitant number of the terrorists that attacked us on September 11th coming from Saudi Arabia we need to have all that information that we can. Because it was not known to me as chairman of this committee, and I doubt if it was known to two of the other members of the committee.

Mr. Ose.

Mr. OSE. Thank you, Mr. Chairman.

Mr. Crocker, we have 92 instances, I think, of Americans in Saudi—that is the information the committee has—that are either being held in some form of restricted access or otherwise. Do you know of this information, Ms. Andruch?

Ms. ANDRUCH. Yes, sir. If you don't mind, I'll try to take that question. The numbers that you have, that is correct. The numbers will change periodically.

Those numbers include children that we are aware of who have been abducted or those children who have gone to live in Saudi Arabia; and then the parent, the mother in all of these cases, has returned to the United States and had to leave her children there because she was not able to leave with them.

Mr. OSE. Would you describe this particular situation as a crisis?

Ms. ANDRUCH. Yes, sir, I would.

Mr. OSE. Yet, following onto the chairman's comment and looking at the testimony that Mr. Crocker submitted, there doesn't seem to be a lot we're doing about it. I mean, your testimony indicates that—Mr. Crocker, on page 11—on specific direct actions we have, one, worked with the Saudi parent to permit voluntary access to their children. Well, of these 92 cases—let me go to 30,000 feet. How many cases other than these 92 has the State Department or the Embassy been involved in in terms of conducting a welfare and whereabouts visit?

Ms. ANDRUCH. I don't have numbers specific to Saudi Arabia on welfare and whereabouts visits.

If I could say—first, let me say that I do realize that almost anything I say and any answer I provide is not—is going to be insufficient, and it will be totally unable to address the tragedy that is facing these women here and others like them.

Mr. OSE. OK, well, let me just interject then. It's Mr. Crocker's testimony, so maybe I should direct the question to him. The testimony is, we've had some limited success in arranging visits by American citizen parents with their children in Saudi Arabia, but such visits to date have been admittedly few. That is at the bottom of page 11 and the top of page 12.

When you say such visits to date have admittedly been few, what do you mean?

Ms. ANDRUCH. I'll take that.

Mr. OSE. It's Mr. Crocker's testimony.

Ms. ANDRUCH. It is, sir, but we basically combined this. But it is something that consular officers generally do.

Mr. OSE. All right. Quantify the phrase "admittedly been few."

Ms. ANDRUCH. Again, and I am—because the visits are made with the permission of either the father or husband in adult cases when we try to do these visits, the male sponsor of these women or children, we aren't always successful; and that is—it's, unfortunately, why we have been so infrequently able to see Alia and Aisha.

Mr. BURTON. Would the gentleman yield real quickly?

You know, you say that you tried but you have been unsuccessful. But what kind of pressure has been exerted on the Saudi Government or these families of these people that have been involved in these kidnappings? What kind of pressure has been brought to bear to make things successful?

I mean, you take a ball bat and you hit somebody in the head, they get the message. To just say diplomatically—

I read this letter a while ago. Pardon me for interrupting. But I read this letter a while ago, and it sounded like a lot of mish-mash. You know, the honorable so and so and all this diplomatic language; and it didn't really say anything. It said one thing about this child being kidnapped from the United States, but it says, we are also investigating the kidnapping from your country back. How in the hell can there be a kidnapping from the United States, and then when the person goes and gets their child and brings it back that's a kidnapping? I mean, that's gobbledygook put in those diplomatic letters.

We need to have some teeth. You know, you're not coming into the United States to do business until you let those kids go and let those women go. You know, they get the message doing that.

Thank you for yielding.

Mr. OSE. My pleasure.

Mr. Crocker, at what level has this issue risen? To what level has this issue risen?

Mr. CROCKER. Well it's risen to the—let me say, the topmost levels of the Saudi Government.

Mr. OSE. How about on our side? Give me—just educate me a little. We've got Secretary of State Powell, and then we've got—we've got a bunch of people under him, and then we've got a bunch of people under them. Where are we on this? You know.

Mr. CROCKER. Well, on the Saudi side—

Mr. OSE. No, on the American side.

Mr. CROCKER [continuing]. We're at the top. On the American side, this most recent discussion was with Assistant Secretary William Burns.

Mr. OSE. William Burns. Now you say he's an Assistant Secretary. What do you mean? Does that mean like he is third level down, second level down? I always get confused. I mean, there's a lot more titles over there than there are my ability to comprehend so—

Mr. CROCKER. We have the Secretary, a Deputy Secretary, several Under Secretaries and then the Assistant Secretaries.

Mr. OSE. So you're talking fourth level down?

Mr. CROCKER. Yes, sir.

Mr. OSE. You've got Secretary Powell, then you've got a Deputy Secretary, then you've got, you say, Assistant Deputy Under Sec-

retaries and then you have Assistant Deputy Under Secretaries. You're losing me here, let me just tell you.

Mr. CROCKER. Secretary, Deputy Secretary, then several Under Secretaries and then Assistant Secretaries.

Mr. OSE. OK.

Mr. CROCKER. And—

Mr. OSE. Now, do you have any—and that is William Burns?

Mr. CROCKER. Yes, sir.

Mr. OSE. Do you have any idea when William Burns last talked about this matter with Secretary Powell?

Mr. CROCKER. I would have to take that—I assume it would be—it would have been after his trip to Saudi Arabia, when he raised it with the Saudis. But to be precise I'd have to go back and ask the question.

Mr. OSE. Well, my next question—I would like to know the answer to that question, if I could, Mr. Chairman. I'd also like to know how frequently this issue is on the agenda when the senior management over at the State Department gets together to talk about issues of concern to the interests of United States. It would seem to me that the children of the United States are an interest to the United States. Ms. Andruch just agreed or concurred in using the word "crisis" as it affects this particular situation. I'm just trying to figure out, you know, does crisis get to the second to the top level or the top level? I mean, I'm trying to figure out who it is I need to talk to to make something happen.

Mr. CROCKER. It is the No. 1 priority in the mission program plan, which is a document for each Embassy on the conduct of relations with the state which they are accredited, as Ambassador Horan noted. In terms of other interventions, again, we would have to go back and get you a precise answer.

Mr. OSE. I would appreciate that information.

Mr. CROCKER. Yes. So it's two questions.

Mr. OSE. Yes.

Now I want to go back to—I think it was Ms. Davis in the previous panel. We had a situation arise where the children of an American citizen, American citizens themselves, Marines, were ordered to basically physically remove them from an Embassy of the United States. Now if I'm correct in the testimony, there was a name attached to the person who perhaps gave that order, Carla Dunn. Is that correct? Carla Reid. Am I correct in understanding that Carla Reid was based in or posted at the American Embassy at the time those children and that parent were asked to leave the Embassy? Asked, whatever you want to say. Am I correct in my understanding of that?

Mr. CROCKER. That is correct.

Mr. OSE. Is Ms. Reid the person who directed the Marines to physically remove the American citizens from the American Embassy?

Mr. CROCKER. I could not say whether she made that determination herself or whether it came as a result of higher direction.

Mr. OSE. If I understand correctly, there was, in fact, a cable from the Embassy to the United States at the time of this situation; and a cable went back to the Embassy with the instructions to carry out the displacement. Are you aware of that?

Ms. ANDRUCH. I'm not aware of that, sir. I do know that there was a telegram reporting the incident a day after. I don't know that there was an exchange asking, you know, what to do and then a cable going back.

Mr. OSE. To whom would the telegram have gone from the Embassy to the United States, the initial telegram?

Ms. ANDRUCH. It came to the State Department, and it would have been addressed—it was addressed to the Bureau of Consular Affairs.

Mr. OSE. What does that mean? Give me a name. Would that be you?

Ms. ANDRUCH. That is me.

Mr. OSE. Are you the person who responded to the telegram?

Ms. ANDRUCH. No, sir, I wasn't. Because that was I think in 1990, so I wasn't here then.

Mr. OSE. Who was the person that responded to the telegram?

Ms. ANDRUCH. I don't know. I'll have to take that question.

If I could just say one thing, I don't know that the cable needed a response. My recollection was that it was a cable—a reporting cable. It wasn't one asking for direction. But I will look.

Mr. OSE. We will find the cable, and we will find the answer.

Ms. ANDRUCH. Yes, sir. I will provide the cable to you.

Mr. OSE. All right.

Mr. Chairman, I have exhausted my questions for the moment.

Mr. SHAYS [presiding]. Ambassador Horan, I apologize. You were speaking when I was meeting with the first panelists. I would like you to summarize your basic point, and then I want to ask a question after you summarize that.

Mr. HORAN. Under Shari'ah law it's very difficult for the Embassy to act on behalf of the kidnapped children. We can do a lot for Americans that are in trouble with Saudi commercial law and even actually sometimes in criminal law. But with the kidnapped children, the parents, the Saudi father hides behind Shari'ah law saying that is not Saudi law, this is God's law, you know. And then if the VIP families are concerned it becomes even harder. The Saudis say, we, you know, the law is on our side, and it's our law, and we've got the children, so it's too bad.

After speaking with Senator Dixon before I went out to Saudi Arabia, had a first introductory call on Prince Salman, the introductory call is just, you know, how are you, great to be here. Then I made—sometime later requested another meeting with Prince Salman, who is the Governor of Riyadh, a very powerful man and the full brother of the king. And his office said, well, if—Ambassador Horan, he'll be glad to talk to him. But if he wants to talk about the Roush case, you know, the prince is not going to see him.

So I said, well—I went ahead and saw the prince. Toward the end of my meeting I said, you know, your royal highness, there's one topic you did not want me to talk about, but you know it's very much on your mind and it's very much on our mind and you're going to hear more about that. Quite frankly, I found if you're dealing with a foreign government the way that you get them to know that you really mean something is you bore them with it. You ask them that question every time you see them, again and again and again. Finally, they get the point that, oh, here comes, you know,

the American Ambassador or whomever; and they're going to raise that boring point again. That's one of the ways you get the message across.

Another way is to, frankly, apply some pressure. Consuls can apply lots of pressure in different posts. In Saudi Arabia, it was a little harder. I think Ambassador Mabus' ploy about no visas was just a stroke of brilliance, and it's being done all over the world by imaginative and public-spirited consuls. Too bad that wasn't pursued.

The Saudis—not providing manifests for their passengers, that's something that—no landing rights, ways of responding to pressure.

I guess Ms. Roush was saying how—about the status of women. I once wrote an article saying how extraordinary it was that Secretary Powell gives us a stirring plea for our women in Afghanistan; and in the article I wrote that, goodness, you could have put Saudi Arabia in every single place where it says Afghanistan and it would read just as well.

The point that was made about Martha McSally, totally, 100 percent, on the button. Because I gave a TV interview once saying, having Martha McSally, a tri-athlete commissioned officer, having to wear an abaya is like asking an African American to sit in the back of the bus or asking an American of Jewish origin to wear a big yellow star on his uniform.

And we do bend over too far backward. During Desert Shield/Desert Storm, my son, who commanded a Marine reconnaissance platoon, told me how shocked he was that his chaplain had to remove the collar brass. He had a little cross on it. You know, he thought that was really unusual, and it really is.

Mr. SHAYS. I don't think of myself as having prejudice, but I find myself, as I said earlier, wrestling with a country that doesn't choose to acknowledge that 15 of the 19 terrorists of September 11th were from their country, Saudi Arabia. And I wrestle with the fact that, in general, we seem to allow human rights abuses. We tolerate them and don't speak out about them if they seem somehow connected to a faith. I know Members of Congress who are outraged at things that may happen in China and other places who simply ignore the abuses that take place in Saudi Arabia.

I am interested to know, as Ambassador, did you and your employees have free rein of the country? Could you travel anywhere you wanted like a diplomat in the United States could travel—from Saudi Arabia?

Mr. HORAN. Yes, sir. I traveled extensively in Saudi Arabia, but I was there as our No. 2 person from 1972 to 1977. The DCM, the Deputy Chief, tends to stay at home and sort of mind the store. As an ambassador, though, I really traveled a lot around the country; and it was one of the—you know, one of the duties.

Mr. SHAYS. Did you travel everywhere in the country or only some places?

Mr. HORAN. Well, I went down to the Asir, which is one of these disaffected areas. It was the last section of Saudi Arabia to become part of the kingdom, and quite a few of the terrorists came from there. I went to Yemen on a trip.

Mr. SHAYS. I'm not asking where you went. I'm asking if you were free to travel anywhere you wanted without limitation.

Mr. HORAN. Oh, I couldn't go to Mecca or Medina. Absolutely no. No, you just couldn't go there.

Mr. SHAYS. Is the Embassy within a compound of other Embassies or is it in—where commerce is and so on?

Mr. HORAN. They had set up a new diplomatic corridor that had been moved into just about the time that I arrived there, and it is—it looks like—I guess like a luxurious American suburb, but it's got a big wall around it, and it only had one access, a small narrow road controlled, of course, by Saudi security, and you really live in a highly isolated ghetto. Saudi Arabia is a country where foreigners, even those who speak Arabic, it's very easy to exclude them from a sense of association with society. Once you're living in that big compound, it is very easy just to sort of forget Saudi Arabia is there.

Mr. SHAYS. Now, explain to me—first off, I realize that I'm on a higher platform physically, and I realize that we're asking you questions, State in particular. But I don't look at my Federal Government—I heard these stories with shock, but I felt like I am part of the problem. So I want this understood when I ask questions of the State Department that in one sense I am—it's not like I'm passing judgment, but I'm just trying to understand how we sort all these kinds of challenges out.

I want to understand what restraints—this may seem obvious, but I want it for the record. What restraints do you feel diplomats have in a country like Saudi Arabia; and I'm going to ask you, Ambassador.

Mr. HORAN. I traveled around a lot. I speak Arabic. At the time, I spoke Arabic really quite well. I mean, I'd worked as an interpreter with President Johnson and with Vice President Rockefeller at times. And so I really traveled around. I saw as many people as I could. I'd walk through the marketplaces talking to people.

Mr. SHAYS. And that was when?

Mr. HORAN. That was 1987 and 1988.

Mr. SHAYS. That's a while ago.

Mr. HORAN. Yes. Before then, I had—in my 5 years in the 1970's I had a lot of contacts, I think, I mean really a lot. Because I had studied at Arab universities. I was pretty good in Arabic literature.

Mr. SHAYS. If you didn't like something that was done in that country, could you just speak out about it publicly? Could you call a press conference and say, you know, we have concerns about this?

Mr. HORAN. An Ambassador doesn't get his job done by doing a press conference in a country but by talking to the people who count.

Mr. SHAYS. I think that's a fair point.

Mr. HORAN. At one sort of modular sort of gathering of Ambassadors with the King I asked King Fasil, wouldn't it be a great idea for Saudi Arabia to send some of their bright young theology students to study in the United States like at Harvard Divinity School or at Princeton Theological Seminary? And I got kind of a roasting from the chief of protocol afterwards saying, you know, you were asking his majesty to conflate truth and falsehood. But, you know, I was trying to engage people in a kind of sincere and intellectual exchange; and, you know, sometimes it works.

But you can speak up to people and if they think that you're serious and well-intentioned, professional—

Mr. SHAYS. Your bottom line point is that any dialog that—any influence you have as a diplomat is going to be person to person, just trying to educate people. Maybe at an affair in the evening or cocktails you might have an opportunity to talk to someone, you might have a private meeting with someone, and you would share certain things you think would be helpful. Is that accurate?

Mr. HORAN. Sir, pretty accurate. You know—and in countries like Saudi Arabia it's very person to person.

Mr. SHAYS. I'd like to ask our next two witnesses, would you list to me what you think the vulnerabilities are with the United States being able to be more candid and more outspoken with the Saudi Government and, frankly, the Saudi people?

Mr. PIPES. Mr. Chairman, I don't think there are vulnerabilities. I think our problem is our preemptive cringe, our obsequiousness, our unwillingness to stand up for our rights.

I mean, consider the anecdote I told before. We had 400,000 troops in Saudi Arabia in late 1990. The President of the United States was going to have a Thanksgiving meal with them. He was told by the Saudis he could not say grace. He accepted that. I see no reason why he should have. I see no reason in all the other cases why we should be—

Mr. SHAYS. OK. Now you're telling me why you think that we could have and should have been more outspoken. I mean, that is kind of my style. Maybe I wouldn't make a good diplomat. But—and I don't mean have a press conference. I mean, just—my style would be to be a little more candid. But I'm asking you to think a little deeper than you're thinking. What then are the perceived challenges to being more outspoken?

By the way, Mr. Ose, do you mind if I keep continuing?

What do you think would be the most perceived reasons why we might not be outspoken?

Mr. PIPES. Well, Mr. Chairman, as I argued before, I believe the heart of the problem on the American side is a sense that if you please the Saudis they will reward you. It is a syndrome that is not unknown in domestic affairs called revolving door. The people who oversee the insurance companies that go work for the insurance companies, we have laws in effect—

Mr. SHAYS. So—but just to clarify this comment, please. The Saudis, they will reward you personally, not necessarily government.

Mr. PIPES. If you please the Saudi Government, they will reward you afterwards.

Mr. SHAYS. I want to know who—afterwards. You, the person?

Mr. PIPES. You, the person.

Mr. SHAYS. OK.

Mr. PIPES. Personal rewards.

Mr. SHAYS. OK. So really the question becomes, who do you—who are you working for?

Mr. PIPES. And who do you consult for? Who do you get non-profit funding for? It can take many different guises, but in the ultimate analysis it's all money.

Mr. SHAYS. OK. In your judgment—

Mr. PIPES. And the striking thing is to contrast the Saudi case with the other oil-rich countries of the region, say Kuwait, Qatar, UAE. They do not engage in this kind of policy, and we have a much more even keel and a much more normal relationship with them.

Mr. SHAYS. Are there studies that might show different government officials who worked in various Embassies and what they have done afterwards that would say, you know, there's a clear, unavoidable inference that if you're in Saudi Arabia and you play their game the way they want to play it that you have rewards afterwards? Are there studies that are done or is this based on—

Mr. PIPES. Not to the best of my knowledge, Mr. Chairman, but I think it would be a great idea for the Congressional Research Service to look into it if you would suggest it to them.

Mr. SHAYS. I'm not reluctant to suggest that.

Mr. BANDOW. Mr. Chairman.

Mr. SHAYS. Let me just do this, and then we'll come to you. Yes.

Mr. BANDOW. If I could just add very briefly—

Mr. SHAYS. It doesn't have to be brief.

Mr. BANDOW. OK. I think it's easy to merge both a perception of national interest and personal advantage. There certainly are concerns that are raised in terms of cooperation with the Saudi regime, particularly on energy oil matters, obviously, and on security and concerns about the stability of the regime which I suspect help cause the U.S. Government at times to walk far more gingerly and indeed to be utterly pusillanimous when it shouldn't.

I think we should have as an overall understanding the Saudis need us certainly as much as we need them. Indeed, I would argue they need us more. And our policy should recognize that. We should not act as if we are the supplicant and they have benefits to give to us but rather any kind of a cooperative relationship does run both ways. And they do need us to purchase their oil. They need many things from the United States.

Mr. SHAYS. I mean, there is logic for our wanting to have a good relationship with this government, but I'm struck by the fact that, you know, one issue is obviously oil and the disruption of oil. Another is its strategic location. And I'm just wondering all the ways that become restraints on the next group that I'll ask. And I realize you have limits to how you can respond, but there are restraints as to how you may choose to respond. So oil basis, what other big items are there?

Mr. BANDOW. I think a broad sense of stability of the regime, a fear of a change in the regime that would be unfavorable to the United States.

Mr. SHAYS. In other words, almost, in a sense, that a radical Muslim regime may not even care if market—in other words, they may not view the financial markets or even the selling of oil as being something that would be horrific if there was oil disruption or we, you know, claimed their assets and so on. That may just fit into their scheme as they choose to disrupt the world economy and go back a ways.

Mr. BANDOW. I think that's in the back of some people's minds. I think it's very unlikely. But I think that is—colors the judgment of some officials.

Mr. SHAYS. Do any of the first of the witnesses care—before I get Mr. Ose to respond to anything I have added, do you want to jump in, Ambassador?

Mr. HORAN. Just one. I mentioned to Dr. Pipes, when it came Christmas when I was Ambassador in Saudi Arabia, I said, let's have a big Christmas party for our American community here. And they said, oh, you know, this is going to be Shari'ah. And I said, no, it isn't. The Shari'ah stuff is out there. This is the American Embassy. We can have a real Christmas celebration. We had prayers and a 20-foot Christmas tree and punch and carols, and it was really great. The American Embassy really liked it.

And I thought this an idea—we respect our customs, you know, and they'll respect us if they say that we respect our customs. You have got to behave insofar as—you know, we are not going into Mecca, but this is the way we do things; and I think we ought to stand up for ourselves.

Mr. SHAYS. Mr. Pipes, I'm just going to ask you one question. If you were President of the United States—when the President came to visit our troops, was that pre the Gulf war or after the Gulf war?

Mr. PIPES. November 1990, 2 months before.

Mr. SHAYS. OK. Can you give a little slack here to suggest that, if you're President of the United States, you're not going to give anybody any excuse in the government to basically prevent you from doing what you think you need to do as Commander in Chief? Is there a little bit of play?

Mr. PIPES. Well, Mr. Chairman, these are judgment calls. But I gave as an example of something which is much more widespread. For example, a month later, in December 1990, the troops in Saudi Arabia—hundreds of thousands, half a million—were not permitted to have any public display of Christmas celebration.

Mr. SHAYS. You mean, public display within their own ranks?

Mr. PIPES. Within their own ranks.

Mr. SHAYS. It wasn't like they were going to go to some city in Saudi Arabia—

Mr. PIPES. Absolutely. They had what were called C word morale services—in other words, Christmas morale services. That was the term. These were in unmarked tents, unmarked mess halls and within that people could do things.

Mr. SHAYS. I might, if I were a soldier, be a little resentful of thinking I might be giving up my life for, obviously, our own national interest, the stability and concern that we didn't want Saddam Hussein to control 20 percent of the world's oil, potentially threatening another 40 percent.

Mr. PIPES. Absolutely not.

Mr. SHAYS. But, having said that, that would have taken—I would have sucked it in if I were one of the servicemen thinking I might end up dying in this land.

Mr. PIPES. If I could read you one more paragraph, this is the testimony of a former Foreign Service Officer in Jidda. He was given kind of informal duty of being in charge of what we call the Catholic catacomb. And he explained afterwards when Catholic Americans—this is official Americans, this is Americans on the Embassy staff, sought permission to worship on the Embassy

grounds I was to receive their telephone inquiries and deflect them by pretending not to know about the so-called Tuesday lectures.

By the way, the Sunday services took place in Jidda on Tuesday because the only priest—subterranean priest who could get there got there on Tuesday. So they're called Tuesday lectures. Only if a person kept calling back and insisted that such a group existed was I to meet with them and get a sense of his trustworthiness. This is on American territory, and this is part of the same phenomenon of throwing Mrs. Stowers out of the Embassy.

Mr. SHAYS. I'll just throw out a rhetorical question; and, Mr. Ose, you've got the floor as long as you want. I would just say that if we said to the Saudis that none of their citizens could practice their faith in public or in private or even in the Embassy, I would think they would be beyond outraged. And it is—I would love to at some time have a conversation with a Saudi diplomat in this country to have him explain to me the difference.

Mr. Ose, thank you for your patience.

Mr. OSE. Thank you, Mr. Chairman.

Ambassador Horan, we've heard some conversation—testimony today—excuse me—that we are guests of the Saudi, guests of the government, guests of—you know, guests. From your experience, now you were an ambassador—I mean, we're talking the top guy—right in Saudi Arabia. No. 1, the big cheese, you know, all that sort of thing, right?

Mr. HORAN. I didn't feel like it. Go ahead, yes.

Mr. OSE. You had moved to that position from a different position in another country?

Mr. HORAN. I had been our Ambassador in Sudan before I went to Saudi Arabia, sir.

Mr. OSE. OK. So, your two postings as Ambassador were in the Sudan and Saudi Arabia?

Mr. HORAN. Also in Cameroon.

Mr. OSE. And Cameroon.

Mr. HORAN. Yes.

Mr. OSE. Now, in any of those three countries, was the treatment of the property on which the Embassy sat different, one from the other?

Mr. HORAN. The Embassy is American soil.

Mr. OSE. Whether it's in Cameroon or Sudan or Saudi Arabia.

Mr. HORAN. Yes, it's American soil, just like the Congress is on American soil.

Mr. OSE. Is that the policy of the State Department that the Embassy in Cameroon is American soil?

Mr. HORAN. I believe so.

Mr. OSE. Is it the policy of the State Department that the Embassy in the Sudan is American soil?

Mr. HORAN. If it's different I'd stand to be corrected by my colleagues, but I spent 39 years in the business, and the Embassy was—you know, this is the USA.

Mr. OSE. So, it's the policy of the State Department that the Embassy in Saudi Arabia sits on American soil, also?

Mr. HORAN. Yes, sir.

Mr. OSE. So we're not guests?

Mr. HORAN. Yes.

Mr. OSE. In any true sense or Webster's dictionary sense?

Mr. HORAN. Well, you use the word "guests" it is American soil, but it's American soil and it is an enclave of America in Saudi Arabia; and, you know, our job is not to make friends necessarily, but our job is to get business done. And if you can do it politely and even ingratiatingly, OK. But, you know, it's American soil; and in that sense we are guests because we look to them for a lot of services and a lot of cooperation.

Mr. OSE. OK. Mr. Crocker, Ms. Andruch, if you'd offer any comment, I'd be curious. Is it the policy of the State Department of the United States that the Embassy grounds in Saudi Arabia are American soil, or is it the policy that they are not American soil?

Mr. CROCKER. Embassy grounds throughout the world are American soil. It's not just the policy of the State Department. That's international law.

Mr. OSE. OK. Is it the policy of the United—let me—I'm trying to figure out what was it that—what set of circumstances was it that created a situation where U.S. Marines were asked to remove U.S. citizens from U.S. soil? Is that the—is it the policy of the State Department that U.S. citizens may not take refuge in the Embassy in Saudi Arabia?

Mr. CROCKER. Let me speak to the general before we go to the specific. A U.S. Embassy anywhere, having the welfare of its citizens as the top priority, will do whatever it can to protect them. And if an American citizen under duress arrives at an American Embassy, the Ambassador—and I've been an ambassador three times—is going to make a determination as to whether having this person there is important for that person's well-being.

Mr. OSE. So, someone made a determination that Ms. Stowers and her children were not under duress? Is that what you're telling me?

Mr. CROCKER. For the specifics of this case, my colleague may be able to comment, or we'll need to get back to you.

Mr. OSE. Ms. Andruch.

Ms. ANDRUCH. I think it is a little bit both, sir. I'll make a comment, and then we will—this information, I hope, will become more clear when we get that telegram that I promised to deliver to you.

In hindsight, which is, of course, always 20/20, I wish we had done things differently. I understand, though, that the policy would be, as Ambassador Crocker said—I mean, a decision would have been made at the time based on circumstances then. I can't second-guess those. I, too—I wish I could go back in time and do things differently. All we can do at this point is look at what happened.

I can, though, say that I think, looking at the long term—and, again, I don't know—I'm not privy to the conversations that took place. But I'm quite sure that then, as now, consular officers and Embassy officers are looking for a solution to the problem. And I think they may have thought—and I'm just guessing—that having a family stay overnight was not going to solve the problem, even if they could have found accommodations for the family. Because the bottom line remained that, without the permission of the ex-husband, they would not be able to leave the country.

So, you know, is staying a week—a day or a week going to help? Are other Americans going to come and want to stay for a day or

a week? And even if we could accommodate them, how are we helping? And I think that may have been what they were thinking in making the decision that they made at that time.

Mr. OSE. I would like to know who made the determination that Ms. Stowers and her children should not be allowed to stay in the Embassy. I want to know which American official made the decision that these American citizens should not be allowed to stay on American soil. I don't think there's any—I mean, this was a woman and two young children who basically confronted three U.S. Marines—I mean, I would not do that unless I was under significant duress. And I don't—I have to say I'm at somewhat of a loss.

Maybe I'm missing something, but I would like to know. I would like to know which of our professional people ascertained that removing these American citizens from American soil was in their interest. So I'm looking forward to seeing these cables. I would like to know who had the authority and the jurisdiction at the time of the incident on the date which it occurred to make this decision and who made it.

And I want to followup on a couple of things. Is Carla Reid still with the State Department?

Ms. ANDRUCH. It's my understanding that she has retired. I don't know that for certain.

Mr. OSE. How about Frederick Moleski?

Ms. ANDRUCH. He is still in the Foreign Service, but I would have to find out where he is posted.

Mr. OSE. I would like to find out whether they are currently employed at the Department of State.

Now I do want to pay a compliment to the State Department. The State Department has posted on its Web site an advisory to Americans considering marriage to Saudis. What I don't understand is why that advisory has been taken off the Web site.

Ms. ANDRUCH. I was not aware that it was taken off the Web site. There's one on Islamic law that is on our Web site. It's at travel.state.gov.

Mr. OSE. Travel.state.gov. So this one that refers specifically to Saudi Arabia has or has it not been removed?

Ms. ANDRUCH. I don't know if it's on there right now.

Mr. OSE. Dr. Pipes.

Mr. PIPES. If my recollection is correct, it was taken down at the behest of an Islamic group in the United States.

Mr. OSE. It was taken down at the behest of an Islamic group in United States. Which Islamic group?

Mr. PIPES. I believe it was the Council on American-Islamic Relations.

Mr. OSE. With whom did they communicate their interest?

Mr. PIPES. They protested this document to the State Department, which proceeded to take it down.

Mr. OSE. Well, did they protest on the basis of inaccurate information?

Mr. PIPES. They said it was discriminatory. This is all from memory. It's a couple of years ago. I believe they said it was discriminatory.

Mr. OSE. Is there information in this material that's inaccurate?

Mr. PIPES. I don't think that was the point. I think it was that posting this about marriage to Saudis as opposed to, say, marriage to Canadians was discriminatory.

Mr. OSE. Have we had any protest about the postings on the Shari'ah?

Mr. PIPES. I'm not sure.

Ms. ANDRUCH. We have—in another part of our Web site we have fliers on international parental child abduction by country, and there is something there about Saudi Arabia. I have—

Mr. OSE. I presume it talks at that point a lot about the Hague Convention. The problem is that Saudi is not a—

Ms. ANDRUCH. No, sir. It's specific to Saudi Arabia, and I have copies of those if you want.

Mr. OSE. OK. Again, I want to go back to this. This was the information posted on the Web site. It does refer—I'll just read it. Saudi Arabia, the subtitle is Marriage to Saudis. And, it's rather lengthy. It's seven pages, single-spaced information. I am trying to figure out if we're trying to caution Americans to be very careful for all the obvious reasons here. I would just think that we'd leave it up—did the Council of Islamic Relations, is that an American group or is that a group of foreign citizens who are trying to advance American-Islamic relations?

Mr. PIPES. Both, sir. It was founded in—its founding meeting was in Philadelphia in 1993. It was tapped by the FBI. It's become apparent that the founding of this group was done by operatives of Hamas, the militant Islamic Palestinian group. But the Council of American-Islamic Relations portrays itself as an American group interested in American interests. However, it does have a very close connection to foreign terrorist entities, I might add, since the Hamas is declared a terrorist entity by the U.S. Government.

Mr. OSE. So, Americans considering marriage to a Saudi would go where to get some indication of the likely circumstances that they'd be living under?

Ms. ANDRUCH. I do have copies, as I said. One is the International Parental Child Abduction Islamic Family Law. That is on our Web site. As is another one entitled, Saudi Arabia International Parental Child Abduction, that gives that information.

Mr. OSE. But, you have taken down the information on the State Department Web site relating directly to marriage to Saudi?

Ms. ANDRUCH. I'll have to take that—I was—that must have been before my time. But I think that same information was incorporated in this.

Mr. OSE. On March 3, 2000, I submitted some questions to Chairman Rogers, Subcommittee on Commerce, Justice, State, in the process of doing appropriations hearings. I just want to ask you—question No. 7 hadn't changed. Why should the Congress of the United States provide any funding for a State Department desk that isn't to intervene on behalf of American children taken by a noncustodial parent to a foreign country? I don't think that question has changed.

I have to tell you, I don't know what your funding is now Mr. Crocker, Ms. Andruch, but you're not making—I mean, I'm appalled. I'm a Member of Congress asked to vote on the interests of the United States which I consider to be paramount, and I have to

tell you right now I'm about to go visit with Mr. Rogers again. Something's got to change here.

Mr. Chairman, I yield back to you.

Mr. SHAYS. I thank the gentleman.

I would like to ask, first, from either of our State Department witnesses, how is our conduct with Saudi Arabia different than our conduct in any other country? What makes it different?

Mr. CROCKER. Sir, are you referring to the whole conduct of relations?

Mr. SHAYS. A little louder, please. Yes. No, I just want to know how do we treat and what are the restraints on us dealing with Saudis that might be different in another country.

Mr. CROCKER. Effectively, and in broad terms, it would be about the same. We have a broad range of interests with the Saudis that may have us more involved in more different areas than with, say, other smaller countries. But—

Mr. SHAYS. Is it a fact, for instance, that Jewish—American Jews might not have the opportunity to serve as diplomats in Saudi Arabia?

Mr. CROCKER. No, that is not true, sir. I know of my personal knowledge a Jewish officer who recently returned from a tour of duty in Saudi Arabia.

Mr. SHAYS. Is it your testimony—I know we didn't swear people, but—we did? Is it your testimony, under oath, that we have no restraint on the number or people that would serve in Saudi Arabia, that there is no restraint—that if they're Jews they can serve there and we don't consider that a factor at all in the assignment to Saudi Arabia?

Mr. CROCKER. Well, what I know of my own personal knowledge is that a fairly senior officer has recently returned from a posting there.

Mr. SHAYS. OK. But that's not really all that I asked you. That part is—you've told me. I want to know if you have heard of or are aware of any decision on the part of the U.S. Government not to send an American citizen who happens to be a Jew to Saudi Arabia.

Mr. CROCKER. No, sir. I am not aware of any position or decision on the part of the State Department or the U.S. Government not to send people of the Jewish faith to Saudi Arabia.

Mr. SHAYS. Ambassador Horan, are you aware of that?

Mr. HORAN. That is my sense also, Mr. Chairman. I know of a number of Foreign Service Officers who are Jewish who have served in Saudi Arabia.

Mr. SHAYS. OK. So we're just going to put it to bed. That's not an issue. Is that the case, Mr. Crocker?

Mr. CROCKER. To the best of my knowledge, sir.

Mr. SHAYS. OK. Ms. Andruch. I'm sorry. I can't hear you.

Ms. ANDRUCH. I'm sorry. I agree. I don't think there is a policy against that.

Mr. SHAYS. I want to pursue, just briefly, a question that Doug Ose asked I think quite well; and that is I think what made me cringe the most, besides my own failure to get into this issue sooner, is to understand how if an American citizen comes to American territory, our Embassy, that they could be kicked out if they believe

that their life is threatened. And threatened can be, in fact, being held hostage. I just have to understand that a little better. And is this something that would happen at any Embassy around the world? Or is this more unique to Saudi Arabia?

Mr. CROCKER. I think the question can arise anywhere in the world. At two of the Embassies—

Mr. SHAYS. So when you heard this, you weren't surprised. Because this is common practice, Marines forcing Americans to leave an Embassy, whether they claim that they, you know, may be punished and they may be hurt.

Mr. CROCKER. I misunderstood your question, sir. I thought you were asking, do situations arise around the world in which Americans seek the protection of the Embassy?

Mr. SHAYS. And are thrown out. They were thrown out, correct?

Mr. CROCKER. Sir, I think that, given the significance of this event, the distance in time and some of the complexities, we are going to have to give you a written response on this case.

Mr. SHAYS. You're not willing to say on public record that they were thrown out of the Embassy at this time.

Mr. CROCKER. At this time, no, sir.

Mr. SHAYS. OK. And—

Mr. OSE. Would the gentleman yield for a minute. Would the Embassy or the Marine detachment there ordinarily write up a report on any such incident?

Mr. CROCKER. In my experience, the Marines would, whatever the rest of the Embassy—the Marines would do an incident report.

Mr. OSE. Who would have possession of that?

Mr. CROCKER. Probably would wind up with our Bureau of Diplomatic Security in Washington.

Mr. OSE. I thank the gentleman.

Mr. SHAYS. Mr. Crocker, I'd like you to read exhibit 4, response to the request of the case of Stowers, Radwan, the Shalhoub Davis case. It's exhibit 4. Would you look at exhibit 4? And I would ask Dr. Pipes or Mr. Bandow just to respond. Are you aware and how would you characterize what happened in the Embassy? It's on the second page.

Finally, at 7 p.m., after consultations between CG and the Embassy front officer, Marine security guards were asked to remove Ms. Stowers and her children from the premise.

Now, remove means, in my judgment, to be forced to leave, correct? We don't have to speak about a dispute about that. So you're covered. Somebody else has already acknowledged that. So are you comfortable acknowledging now, Mr. Crocker, they were kicked out? It's the State Department document.

[Exhibit 4 follows:]

Response to Questions on the Cases of Stowers/Radwan and Al-Shalhoob/Davis

1. Case of Stowers/Radwan: Ms. Stowers and Mr. Radwan met and married in Texas, where both their children were also born. After finishing school, Mr. Radwan returned to Saudi Arabia, where he obtained permission for his family to come and live with him. In 1985, after problems developed, Ms. Stowers told her husband she wanted to leave Saudi Arabia with her children. She actually filed for custody in Saudi Arabia, but lost her case. At some point thereafter, Ms. Stowers departed for the U.S.

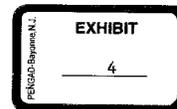
Monica Stowers returned to Saudi Arabia in November 1990 to visit her children. Embassy Riyadh facilitated issuance of her Saudi visa, met her at the airport, and, when she rejected the hotel accommodations made for her, took her to an in-law's house. She subsequently visited the Embassy twice and also called to discuss her case. At 9 a.m. on December 8, 1990, Ms. Stowers arrived at the Embassy with her luggage and her two children, Amjad and Rasheed. They were admitted to the Consular Section, whereupon Ms. Stowers demanded that something be done about her children's situation, alleging that they were abused by their stepmother.

The Consul General (CG) called the children's father, Nizar Radwan, to discuss the situation and request that Mr. Radwan consider letting his children return to the U.S. Mr. Radwan replied that he would let Rasheed depart, but not Amjad. Among other things, Mr. Radwan suggested that the U.S. was not a fit place to raise a young girl.

The CG told Mr. Radwan that she was considering raising the treatment of the children with the Deputy Governor of Riyadh. Mr. Radwan became upset, claimed he had spoken to his wife (the stepmother) about the abuse of Amjad, and asked for one week; if the situation did not improve for Amjad, her would place the children with their grandmother and provide funds for them. When Ms. Stowers said she did not believe his promise, he offered to sign a written guarantee. He later offered to let the children live with Ms. Stowers, in Saudi Arabia. In several phone calls throughout the day, Mr. Radwan told the CG and Ms. Stowers that he willing to "do anything" except allow his daughter to leave the Kingdom. He also gave assurances that he would not retaliate against Ms. Stowers.

Ms. Stowers subsequently demanded to speak with the Ambassador, who was unavailable, and the King, which was impossible. The CG agreed to try to get an appointment for Ms. Stowers and an Embassy representative with the Governor or Deputy Governor of Riyadh, but also stressed that Ms. Stowers and her children could not remain in the Embassy. The Deputy Governor's office was closed for the day (it was now about 3 p.m.), but the CG promised she would call again in the morning to make an appointment.

Ms. Stowers refused to believe she could not remain in the Embassy. She demanded a written guarantee from the CG that she would not be in danger if she left the Embassy,



which the CG could not provide, although the CG did point out that Mr. Radwan knew that the Embassy was involved and ready to go to the Deputy Governor if necessary to protect Ms. Stowers and her children.

Finally, at about 7 p.m., after consultations between the CG and the Embassy Front Office, Marine Security Guards (MSGs) were asked to remove Ms. Stowers and her children from the premises. One MSG picked up Amjad, carried her about three yards, and placed her outside the consular waiting room. Ms. Stowers and Rasheed followed. They were then driven to the grandmother's house in an Embassy car. The next morning, the Embassy verified that Ms. Stowers and her children were safe. Ms. Stowers declined the Embassy's offer to arrange a visit with the Deputy Governor of Riyadh, and said she was now willing to talk with her husband. She said she might accept his written guarantees to allow Rasheed to travel to the U.S. and for her to visit Amjad in the Kingdom each summer.

Follow-up: Subsequent reporting on this case indicates that Rasheed eventually left for the U.S. and then returned to the Kingdom. Amjad was married under Sharia law to a Saudi citizen, but ran away to her mother before she began living with her husband and is apparently no longer married to him. Ms. Stowers continues to live in the Kingdom, reportedly under the sponsorship of a Saudi princess. She and her two children visited Embassy Riyadh on April 16. They are presently living together in Riyadh and they have regular contact with Mr. Radwan. In economic and health terms they are doing well, although Ms. Stowers had some health problems last year. Nevertheless, they made it clear on April 16 that, were Amjad allowed to travel, they would prefer to return to the U.S.

2. Case of Al-Shalhoob/Davis: There is little additional information in our files to add to the Committee staff's understanding of the case. The Consul General (CG) and at least two other consular officers were involved in this case. Ms. Davis apparently did meet with consular officers to discuss her case; those officers carefully explained to her the limitations on the Embassy's ability to help her child depart the Kingdom if her Saudi father would not give his permission. As a side note, although the Embassy was not involved in the Saudi child's departure, we understand that the Saudi Government almost declared the CG persona non grata because of a belief that he had arranged for the girl to leave the Kingdom on a military flight. The Saudis have apparently never accepted our denial of USG involvement.

Ms. ANDRUCH. Mr. Shays.

Mr. SHAYS. Is this attached from the letter from you all? Did you send this to us, Ms. Andruch?

Ms. ANDRUCH. I think this was included in the documents that the State Department submitted. We haven't personally seen all of these documents, but I think—

Mr. SHAYS. Wasn't it a letter from you that submitted this?

Ms. ANDRUCH. No, sir. No, sir. But I take your point; and I think, yes, if Marines escorted an American out of the Embassy, they were asked to leave.

Mr. SHAYS. So is this a common practice? Does this happen often or, given that we're acknowledging they were forced—they were removed from the premise, how should I, as a Member of Congress, view this?

Ms. ANDRUCH. I would have to say it happens extremely rarely with American citizens. I, too, was shocked by the report.

Mr. SHAYS. Do we have any other knowledge of any other American citizen seeking refuge in an Embassy and our Embassies in Saudi Arabia being forced to be removed?

Ms. ANDRUCH. I don't know of any, no, sir.

Mr. SHAYS. OK. Let me just ask this line of questions to the Deputy Assistant Secretary.

This is to you, Secretary Crocker. I'm going to be asking you some questions about the State Department position, and I'm going to just follow script and make sure we have it pretty much according to how we've asked it. I'm going to ask you first, in the 16 years since the kidnapping, has the Roush case ever been raised with the Saudis by the Secretary of State, President or Vice President?

Mr. CROCKER. I'll have to take the question, sir.

Mr. SHAYS. OK. Did you realize that you were here to be able to testify on this issue, or were you just here—did you know Ms. Roush would be here?

Mr. CROCKER. Yes, I did, sir.

Mr. SHAYS. Did you happen to review papers to familiarize yourself with this case?

Mr. CROCKER. I did review papers, but a question like this which covers a 16-year period, I just would not be able to answer.

Mr. SHAYS. OK. So you're not going to be able to answer whether or not the Secretary of State, President or Vice President—admittedly, there have been many.

How about recently? Has Secretary Powell or the President or Vice President raised this as a concern?

Ms. ANDRUCH. I don't believe that it's been raised at that level, no, sir.

Mr. SHAYS. The State Department's persuasion in working with the Saudis—within the Saudi law for the past 16 years, you would acknowledge it hasn't worked, correct?

Mr. CROCKER. Very clearly, sir, it has not worked.

Mr. SHAYS. Will the U.S. Government raise the Roush case, and others like it, as a state-to-state issue between the United States and Saudi Arabia?

Mr. CROCKER. Yes, sir, we will. We have and we will continue to do so.

Mr. SHAYS. If the Saudi Government does not respond favorably, will we place pressure on the Saudi Government to force a resolution?

Mr. CROCKER. We will do everything we can that would advance the issue, the issue being access to and return of children.

Mr. SHAYS. Can you list out some of the ways that the U.S. Government could place pressure on the Saudi Government to force a resolution of this case?

Mr. CROCKER. I think the most effective way is to be clear, at senior levels of the Saudi Government, the depth of concern that is felt by the United States over this issue. Clearly, they are going to be aware of that from today's hearing.

Mr. SHAYS. Is it possible that we could use selected visas for official Saudi travel in the United States, deny or delay them? Is that a possibility?

Let me say it again. Could selected visas for official Saudi travel to the United States be denied or delayed? Is that an option?

Mr. CROCKER. For visa denial, there has to be a specific ground, under law.

Mr. SHAYS. In these cases, we are dealing with Saudi law which give Saudi men the power to hold children in the country against their will, correct?

Ms. ANDRUCH. Yes, sir, effectively yes.

Mr. SHAYS. As a result of these laws, dozens of Americans are being held against their will in Saudi Arabia. Shouldn't the U.S. Government hold the Saudi Government responsible for its laws?

Mr. CROCKER. The Saudi Government, like any government, is responsible for its laws. They have, as I noted earlier, a very different legal system.

Mr. SHAYS. What was our position with South Africa and apartheid?

Mr. CROCKER. We were strong opponents of apartheid.

Mr. SHAYS. And what steps did we take to deal with that issue?

Mr. CROCKER. I'm not—

Mr. SHAYS. Didn't we restrict how the government officials could travel because of those laws?

Ms. ANDRUCH. We did, sir, in that case, but it was hinged to, I believe, terrorism. So, I mean, it was hinged—there was a specific—there was a specific part of the law that allowed us to deny visas in those cases.

If we had something similar for officials of the Saudi Government that could, in fact—

Mr. SHAYS. Do you think that the witness that we heard on tape has been terrorized?

Ms. ANDRUCH. Yes, sir.

Mr. SHAYS. Yeah, so do I.

I realize you all are in a position where you're trying to make the government policy work the best you can. I realize that you all have superiors, and you're here to testify and give us honest answers. I think you've tried very hard to give us honest answers, but I think that we all know we're kind of playing out something where we all can't quite look at ourselves in the mirror and feel very proud.

And I'll just say we read a recent article about a young woman in Pakistan who was placed under arrest because she was pregnant by her brother-in-law, who raped her, and when she complained, she was held in prison, her child taken from her because of infidelity. And I find myself just unable to accept that; and we're going to have some real wrestling to do with some of these kinds of issues.

I see my colleague, Mr. Ose, is back. I need to leave. I don't know if he would like to take the Chair. And I would like to know, before I leave, is there any comment that any of you wish we had asked that we didn't ask, anything that you want to put on the record that you feel we need to put on the record?

Yes, Dr. Pipes.

Mr. PIPES. I've had a chance to look up Mr. Ose's question about the Web page. I've found the particulars. I had, actually, the wrong organization.

Mr. SHAYS. What I'm going to do is I'm going to let Mr. Ose sit down, and I'm going to stay while you give your answer.

Mr. OSE [presiding]. Dr. Pipes, continue please.

Mr. PIPES. It was the American Muslim Council which issued a press release on March 10, 2000, titled "AMC Expresses Satisfaction Over Change in U.S. Advisory on Marriage with Muslims."

"The American Muslim Council has expressed satisfaction over the positive changes brought about in the U.S. Department of State's Islamic family law brochure," and it goes on to give the particulars. It says that the State Department has removed the hurtful statements from its Web page that were derogatory and biased against Muslims.

Mr. OSE. Ambassador Crocker or Ms. Andruch, forgive me. Ms. Andruch, are you Ambassadorial rank?

Ms. ANDRUCH. No, sir, I'm not.

Mr. OSE. So I'm proper to say Ms. Andruch?

Ms. ANDRUCH. Yes.

Mr. OSE. And Ambassador Crocker. Are we, the United States, issuing visas to—excuse me. Are we issuing visas to Saudi citizens who are not diplomats today?

Mr. CROCKER. Yes, sir.

Mr. OSE. How many?

Ms. ANDRUCH. I'd have to get those numbers for you.

Mr. OSE. Is it hundreds or tens or thousands or—

Ms. ANDRUCH. Just visas in general to Saudi nationals, hundreds.

Mr. OSE. Are we issuing—when a Saudi diplomat comes to the United States, we issue that person a diplomatic visa. Is that correct?

Ms. ANDRUCH. That's correct.

Mr. OSE. How do we differentiate between those who are issued diplomatic visas and those who just get a regular visa?

Ms. ANDRUCH. We don't differentiate as far as the process. There is a process to check names and a system, a data base, in the United States, and a visa issued to that person for their intent—for the intent of their travel if there is no derogatory information in the system about them.

Mr. OSE. How many diplomatic visas have been issued to persons from Saudi Arabia?

Ms. ANDRUCH. I'd have to take that question, but I would say that it's more than the tens.

Mr. OSE. Is it inordinately high? I mean, is it as many as a country like Germany or France or China? I mean, they have a large—much larger—

Ms. ANDRUCH. Yeah. I don't know, sir. I think, though, that because we do tend to issue diplomatic passports fairly regularly, I think that there are probably—it would be—the country—they would certainly compare with a country like Germany.

Mr. OSE. Does the State Department track—when a diplomatic visa is issued, does the State Department track whether or not the person actually engages in diplomatic work?

Ms. ANDRUCH. If a diplomatic visa is issued for someone to work in the Embassy or consulate, yes. Very often a diplomatic visa may be for—to attend a meeting or something like that, and I'm not—I'm not sure that they actually check the attendance of the meeting. But very often there is State Department involvement in that particular meeting, so they would be aware of it.

Mr. OSE. Who makes the decisions on whether or not to issue diplomatic visas for that purpose?

Ms. ANDRUCH. That would be made at the Embassy by the officers there, again with coming back and checking the records in Washington, seeking advice, if necessary, depending again on the stated purpose of the travel.

Mr. OSE. So the Gheshayan family could go to the Embassy and seek a diplomatic visa, and it would be a judgment call at the Embassy?

Ms. ANDRUCH. In that particular case, because we know of them, if they came with a diplomatic passport and made applications for a visa, they would not be given a visa, because we now have a statute that would allow us to deny the visa based on the abduction of the child, or their—in the case of the more extended family, assistance in the abduction or retention of the child.

Mr. OSE. You're going to get back to us in terms of the number of diplomatic visas issued pursuant to diplomatic passports?

Ms. ANDRUCH. Yes, sir.

Mr. OSE. For Saudi citizens in the United States?

Ms. ANDRUCH. Yes, sir.

Mr. OSE. OK. We only have a few more questions.

I am a little bit curious. Ambassador Horan, how did you handle the issuance of diplomatic visas when you were the Ambassador?

Mr. HORAN. I've tried to remember. For a long time, the Saudis all got diplomatic visas. This goes back to the 1950's and 1960's, because they seemed to be, most of them, already connected to sort of royal-type families. And then the feeling was, they were so unsophisticated, coming to the States, they wanted to have the—what they thought was the additional protection of a diplomatic visa.

In point of fact, the diplomatic visa shouldn't do anything for you at all. It might get you a little bit more courtesy, but it doesn't entitle you to any kind of diplomatic privileges.

It was sometime—I'm trying to remember. It was toward the end of my tour or soon thereafter that the decision was made that this

practice of giving diplomatic visas—and to them, it is kind of a prestige thing; oh, I've got a diplomatic visa. Saudi Arabia was now kind of a grown-up country, thousands of students in the States; let's treat them like regular visa applicants.

But I don't know when happened.

Mr. OSE. The students get a regular visa, then?

Mr. HORAN. Students should be getting a regular student visa, yes. This is my understanding.

Mr. OSE. Is that still the case with Saudi students visiting the United States, they get a regular visa?

Ms. ANDRUCH. Yes, sir.

Mr. OSE. All right. Is the State Department willing to answer some written questions that we would then include in the hearing record?

Mr. CROCKER. Yes, sir.

Mr. OSE. We will be submitting those.

I'm going to ask unanimous consent that the set of exhibits prepared for this hearing be included in the record, and without objection, that's ordered.

The record will remain open pending the issuance of the questions to the witnesses and the answers having been received.

We do appreciate the witnesses taking time to come down here. This is a very difficult question that we're struggling with.

Dr. Pipes, you know, if I give you an opportunity to speak, I've got to give them all, so Ambassador Horan, here's your chance to offer one last comment.

Mr. HORAN. Not entirely germane, sir, but the State Department people do step up in order to help their fellow Americans. Our Deputy Chief of Mission in Guinea, Conakry, where I was last as a private citizen, there were two Americans that were really being pressured by the Guinean police. They were really facing some great hardships and even dangers. He and his wife took them into their house and kept them there for about 6 weeks, fed them until the Consul, working with the Guinean foreign ministry, managed to get them out, safe and sound.

So you do——

Mr. OSE. Is that contrary to Guinean law?

Mr. HORAN. Sorry, sir?

Mr. OSE. Was that contrary to the Guinean law? I can't imagine that being——

Mr. HORAN. The Guineans weren't very happy that the person was—these people who were being unjustly accused by Guinean law were sitting within the DCM's, the Deputy Chief of Mission residence.

But, you know, they understood it, and they knew that at least they were trying to squeeze these Americans improperly; and that the DCM and his wife kept them for going on 2 months. And I thought that was, you know, doing the right thing.

Mr. OSE. Dr. Pipes.

Mr. PIPES. Sir, at first, two points. First, a small one about the visas.

So far as I know, at this time there still is a Web page on the Riyadh Embassy, information about U.S. visa express. This permits Saudis and non-Saudi residents—residents, Saudi citizens—resi-

dents of Saudi Arabia who are not Saudi citizens, in other words, third party—third country. I'm not too good at this language. In other words, they can all apply for an expedited visa.

It's my understanding in the aftermath of September 11th this was shut down. I believe it is still up, and I would hope that you would look at it. This means that Saudis and others coming from Saudi Arabia can go through the system expedited without even showing up, having travel agents do the work.

Ms. ANDRUCH. No. That has been shut down.

Mr. PIPES. It's still there.

Ms. ANDRUCH. OK. We will look into that, but that is shut down, because now there's a waiting period, as well, for male applicants.

Mr. PIPES. Do make sure that it's clear.

Mr. OSE. Your second point?

Mr. PIPES. And the second point would be a more general one.

I think we have a culture here, a culture of obsequiousness that's very distinct to Saudi Arabia and, I think, requires your urgent attention to think through mechanisms to prevent the Saudi Government, in effect, from preemptively bribing our officials by keeping a lure out there for them, just as was done, say, with the insurance companies.

Mr. OSE. Thank you.

Mr. BANDOW.

Mr. BANDOW. Mr. Chairman, I think the Americans murdered last September and the Americans currently held in Saudi Arabia against their will provide us at least 3,000 reasons for the U.S. Government to take a much tougher policy toward Riyadh. It's time to stop treating Saudi Arabia like an indispensable ally and more like a regular country, in this case, a totalitarian state which routinely has subsidized terrorist theologies and violated basic human rights.

It's the U.S. Government's responsibility to its own citizens to take a much tougher stance toward this government.

Thank you.

Mr. OSE. Ms. Andruch.

Ms. ANDRUCH. I'd just like to again say that I think, you know—unfortunately, you know, employees of the State Department, who are public servants in the best cases and, unfortunately, often seen as difficult bureaucrats in the worst cases, we don't have a heartectomy when we come to our jobs, and we really do care about the work we do and the protection and welfare of American citizens being the No. 1 priority.

So to the extent that we can all work together to allow us to do a better job, working within our laws and the laws of the host country, we look forward to working with you. Thank you.

Mr. OSE. Ambassador Crocker.

Mr. CROCKER. Nothing further, sir.

Mr. OSE. I thank our witnesses for appearing today. We're adjourned.

[Whereupon, at 2:21 p.m., the committee was adjourned.]

[The prepared statement of Hon. Edolphus Towns, the complete set of exhibits, and additional information submitted for the hearing record follow:]

STATEMENT OF CONGRESSMAN ED TOWNS

Government Reform Committee Hearing

"Should the United States Do More To Help U.S. Citizens Held Against Their Will in Saudi Arabia?"

June 12, 2002

Thank you, Mr. Chairman for holding this important hearing. First, I would like to welcome our distinguished witnesses-- you have suffered more than most people will ever know. I thank you for coming and I thank you for sharing the pain and degradation that you have endured to no small extent at the hands of your own government. It is my hope that this hearing will assist in your efforts to change a misguided US Policy which could be best described as "benign neglect". Our government through the State Department has decided that we must respect the sovereignty of nations, yet we do not demand a reciprocal respect. I also would like to thank you for your testimony today because your tragic circumstances give us the opportunity to look more closely at the relationship between the US and Saudi Arabia as well as the relationship between the State Department and US citizens. I also believe that we must get the word out not only to rally support to change this absurd policy, but also to prevent others from falling victim to similar circumstances.

The policy of Saudi Arabia towards women is reprehensible. As the US prepared for war in Afghanistan in the fall, I think most of us remember the weeks long campaign exposing the treatment of women by the Taliban. The treatment of women in Saudi Arabia is no better. The Saudi regime's policy of refusing to recognize any rights of women does not just impact their own country. We are here today because children are stolen out of their broken homes and brought to Saudi Arabia to live a life directed by their kidnapper fathers.

Unfortunately, all of the blame for this situation cannot be left at the doorstep of the Saudis. The fact of the matter is that our own government must share in the blame for failing to continually recognize the kidnapping by fathers as anything more than a domestic dispute. This decision to avoid involvement may protect ambassadors' tenure but it does not serve the interests of the United States. We must stand up as a nation not only when it is safe and convenient but also when it is neither safe nor convenient. We must back up our citizens and take to task the Saudis and any government that is abusing our citizens. When an American citizen is arrested under questionable circumstances our Administration steps forward at the highest levels. I hope to hear today why the kidnapping of American citizens is a protected right for sovereign nations. I also look forward to hearing why the policy of withholding visas of relatives of these kidnappers -- a policy which had some success -- fell by the wayside with the change in US Ambassadors' to Saudi Arabia. What is the responsibility of the State Department to the American people? If the State Department refuses to advocate for our citizens overseas who will? Why hasn't the Administration raised this issue at the highest levels to the Saudi regime? Why does the US stand idly by when it comes to the Saudis treatment of women when the situation in Afghanistan was so urgent? What is this policy of "benign neglect" doing for the American people?

I urge the Administration to take the necessary steps to pressure the Saudis to change these policies and stand by American citizens who have broken no laws and committed no crimes, but whose only mistake is marrying the wrong person from a country who barely recognizes the ex-wife's existence.

Raymond E. Mabus, Jr.
121 Little Creek Road
Ridgeland, Mississippi 39157
Phone: (601) 605-9400 Facsimile: (601) 607-7104

May 31, 2002

Committee on Government Reform
2157 Rayburn House Office Building
Washington, DC 20515

VIA FACSIMILE: 202-225-3974

Dear Chairman Dan Burton:

I am writing concerning Pat Roush's efforts to regain custody of her two children from her ex-husband in Saudi Arabia. I was the United States Ambassador to the Kingdom of Saudi Arabia from 1994 to 1996.

As I understand the facts in this case, Pat Roush met her husband Khalid al-Gheshayan while he was in the United States studying. They were married in the United States, had two daughters in the United States and were divorced in the United States. As part of the divorce decree Pat was given custody and her ex-husband was given visitation rights. In 1986, when the girls were seven and three, Mr. Gheshayan, in violation of the United States court order, during one of his visitations, kidnapped the girls and took them to Saudi Arabia.

Since then, Pat Roush has seen her daughters only once and that was for only one hour during a visit she made while I was Ambassador which I and the Embassy helped arrange. The girls are now twenty-three and nineteen. The older daughter has been married to someone by her father.

This case has always seemed to me to be about American laws and not Saudi laws or customs. Mr. Gheshayan voluntarily put himself under American jurisdiction when he came here to study. He was married under American law; he was divorced under American law. The two girls are American citizens. He violated an American court order when he took them to Saudi Arabia. This is about protecting American citizens and the orders of an American court.

When Ms. Roush asked me for help, I did all that I could to secure her daughters' return to her since I believed that this is an important part of what an Ambassador should do. I raised this case at every level of the Saudi government including the Foreign Minister. At no time did I feel or was told that raising this issue in any way harmed or interfered with the United States-Saudi Arabia bilateral relationship. On the contrary, the Saudi officials with



whom I raised this issue were interested and helpful and tried to find a solution. In fact, due to my raising this issue, the Foreign Ministry sent a Diplomatic Note which said that they endorsed a compromise by which the girls would return to the United States in the summer and live in Saudi Arabia during the school year with the United States court order being adjusted accordingly.

Nothing that our embassy or the Saudi government did, however, moved Mr. Gheshayan one bit. The one time I met with him in the office of a ranking Saudi official, Mr. Gheshayan was incredibly rude to both the Saudi official and to me.

One tactic did get Mr. Gheshayan's attention. Since Saudi's usually have close ties to their extended families, I simply said that any Saudi with the same last name would not be issued a visa to visit the United States until Mr. Gheshayan returned the two girls. Visas are a privilege and not a right, and an exception to this was made in the case of health issues. Mr. Gheshayan called the Embassy several times saying that his family was putting pressure on him to return the children and that this was not fair. However, about two months after implementing this policy, I resigned as Ambassador and returned home as I had planned to do. I understand that the policy was not continued by the next Ambassador and Mr. Gheshayan has continued to refuse to return the girls or even allow Ms. Roush to visit.

While a case like this may not seem to be a big policy issue, it is everything to the people involved. I believe that one of the main jobs of the American government is to protect American citizens and to uphold American law. I have read that an unclassified cable sent from the State Department to our Embassy in Riyadh, presumably after my tenure, instructed our embassy to remain "impartial." How can our government remain impartial when two American citizens were taken and are being held in violation of our laws? Is this not exactly the type of situation where our government should be active and involved in trying to get them returned to their legal custodian, their mother?

I believe that this case and others like it should be raised by the very highest levels of our government to the very highest levels of the Saudi government. I have read that President Bush has raised the case of the American young woman in jail in South America after her conviction for pro-terrorist activities with the President of the country where she is being held. Surely this case where American laws were broken and two American girls are being kept from their mother and their home deserves the same action.

I do not for one minute believe that this would in any way threaten or harm our relationship with Saudi Arabia. Allies can and do raise issues like this all the time. The American government should stand up for American citizens and American laws.

Sincerely,



Ray Mabius

rem/sf

Child Custody and U.S. Citizen Departure Cases
Saudi Arabia

RIYADH

1) Roush - Parental Child Abduction (1986)

Children: Alia Al-Gheshayan
Aisha Al-Gheshayan

History: Abducted by the Saudi parent when they were 4 and 6 years old. Now both daughters are over 18 years. Since abduction took place, they were never permitted to leave Saudi Arabia. (We are uncertain as to whether they have desire to depart Saudi Arabia.) The Embassy has been involved in this case since it began in 1986. Both young women are living in Saudi Arabia as Saudi citizens. They are considered Saudi only under Saudi law as the children of a male Saudi citizen.

2) Al-Shalhoob - Parental Child Abduction (1997)

Child: Yasmeen Al-Shalhoob

History: Yasmeen was abducted by her Saudi father in early 1997. She escaped back to the U.S. in late 1998.

3) ██████████ - Parental Child Abduction (1994)

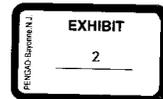
Child: ██████████

History: Abducted in 1994 by her Lebanese father, ██████████. Nimat resided with her father in Riyadh until he decided to send her to his sister in Sidon, Lebanon because the Embassy pressured him to let the mother see the daughter on regular basis. The State Department revoked the father's U.S. passport.

4) ██████████ - Adult U.S. Citizen with children unable to leave

Adult Involved: ██████████

History: ██████████ is married to a Saudi citizen. Although she is apparently free to leave the Kingdom by herself, her husband will not permit her to take the children. No recent action on the case by the State Department.



5) **Stowers - Adult U.S. Citizen with children unable to leave (1997)**

Adult Involved: Monica Stowers

History: Ms. Stowers went to Saudi Arabia to visit her son and daughter (Rasheed and Amjad Radwan) 5 years ago. Although Ms. Stowers is apparently free to leave the Kingdom on her own, her children's father will not allow her to take the children. She sought employment and has stayed by her children in Riyadh. No recent action on the case by the State Department.

6) ██████ - **Adult U.S. Citizen with children able to leave**

Adult Involved: ██████

History: ██████ has five children in current marriage with her Saudi husband and three from a previous marriage. Only the children from the previous marriage were permitted to leave Saudi Arabia. She is still married to her Saudi husband and lives in Riyadh, apparently is free to leave the Kingdom on her own. No recent action on the case by the State Department.

7) ██████ - **Parental Child Abduction (1997)**

Child: ██████

History: Abducted by Romanian-American mother, ██████. The State Department revoked the mother's U.S. passport and Saudi authorities subsequently deported her to Romania with her son. They then moved to the United Arab Emirates. Mother has refused welfare/whereabouts visits. Efforts underway to try to return mother and child to the U.S.

8) ██████ - **Parental Child Abduction (1998)**

Child: ██████

History: The Saudi father abducted his daughter, ██████ from the U.S. to live in Riyadh. They subsequently moved to Dhahran. Embassy has conducted welfare/whereabouts visit to ascertain the child's well being. Embassy and Department are pressing for permission for the mother to visit her children in the Kingdom.

13) ██████ - Both Adult U.S. Citizen and Children Unable to Leave**Adult Involved:** ██████ (AKA ██████)**Children:** ██████
██████
██████

History: Mother and children denied exit. Family resides in Jeddah. ██████ telephoned and visited the Consulate on several occasions after September 11. She claims that these tragic events have caused her husband to view her as an enemy against Islam. Although she is employed at a local school, ██████ is forbidden to participate in most functions outside the home. According to ██████ her marriage has been abusive for many years, including beatings, a broken arm several years ago, and threats against her life. She and the children were allowed exit in recent years, but much to her regret, she returned to the Kingdom. ██████ hopes to return to the U.S. from a third country. Her husband is employed with Saudi Airlines and she believes she and the children will be traveling in the future.

14) ██████ - Parental Child Abduction (2000)**Children:** ██████
██████
██████

History: Children abducted by the father in September 2000. The left-behind parent, ██████, apparently has both Saudi and U.S. citizenship. She was granted a divorce in an Indiana court but, as a Saudi citizen, her U.S. divorce is not recognized in Saudi Arabia. The abducting parent, ██████, filed a crimes-against-Islam charge against ██████ for having a child out of wedlock. If ██████ attempts to enter Saudi Arabia, which she can as a Saudi citizen, she will (1) require her ex-husband's permission to depart the country, if her husband has not obtained a divorce in Sharia court, and (2) could face the death penalty for apostasy. Consulate has denied welfare and whereabouts visits. The Saudi Government has never responded to diplomatic notes concerning this case. Consulate plans another request for a welfare and whereabouts visit in the near future.

15) ██████ - Parental Child Abduction (1998)**Child:** ██████

History: Abducted in July 1998 by Jordanian/American father. Last contact with ██████ directly was in spring 2001. This visit was discovered by a friend of his father's during a visit to the Consulate. The father was very upset, and confronted ██████. Contrary to his initial plan, ██████ chose not to depart for the U.S. from Jordan while on summer vacation. He says his father promised to send him to the U.S. for university studies the following year. Thus, ██████ decided to complete high school in

Saudi Arabia. As a non-Saudi male, [REDACTED] must depart the Kingdom upon completion of high school if he is to further his education. To remain in the Kingdom, he will need the sponsorship of an employer. Non-Saudi adult males cannot remain in the Kingdom under their father's sponsorship.

16) [REDACTED] - Parental Child Retention (1988)

Children: [REDACTED]
[REDACTED]

History: Children visited their father in Saudi Arabia in 1988, and were retained. The left-behind mother was able to exchange a letter with [REDACTED] in 1997, at which time her ex-husband demanded that she stop contacting the children directly. [REDACTED], the children's mother, agreed, in exchange for [REDACTED] promise of regular updates that ceased in 1999. Consulate received first request for a visit in April 2001, but the father refuses to allow any contact with the children, and asked that we stop interfering in his private life.

17) [REDACTED] - Parental Child Abduction (2001)

Child: [REDACTED]

History: Child was abducted from Dubai by her Brazilian-American father and now resides with her grandparents in Jeddah. The left-behind mother, [REDACTED] still resides in Dubai. [REDACTED] speaks to her daughter weekly, but declined an offer by the father's family of a financial settlement, sponsorship for Saudi residency. (This sponsorship with a maximum validity exit/re-entry would have allowed [REDACTED] to enter and exit the Kingdom freely, an unheard of offer in child custody disputes.). Welfare and whereabouts visits not requested since mother is aware she can enter KSA when she chooses, but has not done so. Last contact with [REDACTED] was in December 2001 when she was considering a trip to Jeddah. It is uncertain if she entered KSA, as she did not want the father's family to sponsor her, only the Consulate (which is not allowed to) and she wanted no contact with the father's family.

18) [REDACTED] - Parental Child Retention (1995)

Children: [REDACTED]
[REDACTED]

History: In 1995 divorce proceedings, parents shared joint custody, with primary physical custody awarded to the father. The father returned to Saudi Arabia in 1995, and retained the children there when they visited him for Christmas. The mother remained in regular phone contact with the children until 1996. Consulate made a welfare and whereabouts visit in 1996. No further contact with the children or the left-behind parent since then.

19) ██████ - Parental Access and Denial of Exit (1998)

Adult Involved: ██████

Children: ██████

History: The children may be living in Saudi Arabia with the consent of the mother; at one point four other children from this marriage resided with the mother in the U.S., though they have all now returned to the Kingdom. In 1998, ██████ came to the Kingdom to visit the above two children; her return to the U.S. was delayed when her husband delayed getting her an exit visa. She eventually left the Kingdom, but returned at some point. She informed the Consulate in April 2002 that she was now living in Jeddah and fighting efforts by her husband to divorce and deport her.

20) ██████ - Parental Child Custody and Retention (1994)

Child: ██████

History: The child's mother, ██████, departed Saudi Arabia in 1994 accompanied by her second Saudi husband, after he was released from a Saudi prison. ██████ gave her son to her ex-husband at the request of Saudi authorities, who threatened to remove the child from the home. Ambassador Mabus raised the issue with the Deputy Interior Minister and the Foreign Minister in 1994. Saudi officials saw the case as a custody issue under the jurisdiction of the Saudi courts. ██████ continues to reside in Saudi Arabia with his father who refuses to allow him to travel. Last contact by the Consulate was January 1997.

21) ██████ - Adult U.S. Citizen and Children Unable to Travel (1993)

Adult Involved: ██████

Children: ██████

██████ alleged to the Consulate in 1993 that her husband would not let her and their children leave the Kingdom. Later in the year her husband changed his mind and ██████ and her children left, only to return sometime thereafter. Consular officers last saw ██████ in the Consulate in 2000; she has not made any complaints or requests for assistance since 1993.

22) ██████ - Parental Child Abduction (1995)

Children: ██████

History: Although the children were abducted in 1995, the left-behind mother first contacted the Consulate for assistance in 2001. ██████████ had no contact with her three children for several years and had never before requested a visit. When contacted by the Consulate, the abducting father was very cooperative, allowed communication between children and mother, and provided contact information. The father later telephoned the Consulate when the children had not heard from their mother in awhile. ██████████ was informed and promised to make contact with her children, and we believe that has taken place.

23) ██████████ - **Adult U.S. Citizen Unable to Travel and Parental Child Retention** (1990)

Adult Involved: ██████████

Children: ██████████ and four siblings now over 18 years of age

History: Mother and eldest daughter eventually allowed exit sometime in 1993. Two sons currently in the US at university. The two youngest children, ██████████ and ██████████ were allowed to visit their mother for the first time in 2000. Welfare and whereabouts visit granted without difficulty with ██████████ and ██████████ in February 2002.

██████████ lived in KSA in 1979, and from 1983-1986. From 1986 through 1988, she and the children resided in Oregon with her parents, while ██████████ returned to Jeddah. In 1988, she reconciled with her husband, a manager with Saudia Airlines, and returned to Jeddah. Mother and eldest daughter departed Saudi Arabia at some point after April 1993. ██████████ filed for divorce in the U.S. in February 1996.

Between 1988 and their departure in 1993, ██████████ and her eldest daughter endured physical abuse (evidenced by photographs) and mental abuse. Her daughter was incarcerated in Mecca for several days in solitary confinement for misbehaving, and was allegedly sexually abused in 1992 while on a business trip with her father to London by her father's friend. According to the daughter, the father was present during the rape. Although the Consulate offered to go to authorities, ██████████ declined assistance. When ██████████ and her daughter were finally allowed to depart, four other children remained in the Kingdom. Last contact was in February 2002, when ██████████ and ██████████ (██████████ having granted a Privacy Act Waiver for her mother) visited the Consulate for a welfare and whereabouts visit. Two other siblings attend university in the US.

24) ██████████ - **Child Custody**

Children: ██████████
██████████
██████████

History: Mother granted exit visa; children denied. During summer of 1998, ██████████ returned to the U.S. leaving her three children behind in Saudi Arabia. ██████████ marriage began to disintegrate and she admits to an affair with another Saudi man. As far as we are aware, ██████████ is still married to her husband. Last contact by ██████████ was made in December 1999, at which time the consular section also spoke with ██████████. Consulate Casablanca contacted ██████████ and the children in August 2000 when all four were visiting Morocco. ██████████ reported that she had retained an attorney. Post has no further information on the children, and no requests for welfare and whereabouts have been received.

25) ██████████ - Child Custody (1992)

Children: ██████████
██████████
██████████

History: The children's mother, ██████████ was offered an exit visa, along with the youngest child, in February 2002. Two remaining children were denied exit. Consequently, ██████████ chose to remain in Saudi Arabia.

Active case since May 1992. Alleged continued physical and mental abuse. ██████████ was able to depart Saudi Arabia with her child in 1995, only to reconcile with her husband and returned to the Kingdom shortly thereafter. She attempted to flee in February 2000 at a cost of \$15,000 to her U.S. family members. She remained missing in Jeddah for 45 days, but eventually was forced to return to her husband. Consulate was not informed of her plan, but was advised that the \$15,000 was not recovered. In August 2001, ██████████ anticipated traveling on vacation with her husband and three children to a third country and planned to flee with the children from there. The Department arranged with her parents to have funds available at the US Consulate in the third country to pay airfare for ██████████ and the three children. Consulate Jeddah visited ██████████ at home and there manufactured and issued a passport for the youngest child. However, the vacation failed to materialize. Consulate Jeddah last had contact with ██████████ in February 2002. At that time, she informed the Consulate that she turned down her husband's offer to depart the Kingdom with the youngest child, ██████████, as she couldn't bear to leave the other two children behind. ██████████ parents requested, and received, a refund for the money they had deposited in trust for her at the consulate in the third country.

26) ██████████ - Child Custody and Parental Access (1994)

Children: ██████████
██████████
██████████

History: The children's mother, [REDACTED], has Saudi nationality and may enter the Kingdom freely. However, since she was not divorced in Sharia court, she is still legally married to her husband and would need his permission to leave the Kingdom. Children denied exit. Consulate requests for welfare and whereabouts visits have been denied.

[REDACTED] sent her children to live with the father in Saudi Arabia mid-1994. On two occasions, prior to 1996, post passed information to the mother concerning the children. At that time, the mother spoke occasionally with the children by telephone. Last contact was with the school in June 1997. The father does not allow contact between the Consulate and the children and/or their schools.

27) [REDACTED] - Parental Child Abduction (1996)

Child: [REDACTED]

History: The left-behind father, [REDACTED] is a Muslim male and may therefore enter Saudi Arabia on an Umrah visa. The mother, who took the child to the Kingdom in 1996, has sole custody by a U.S. court order. Welfare and whereabouts visits are conducted regularly by the Consulate. Last visit was February 2002.

28) [REDACTED] - Adult U.S. Citizen and Children Unable to Leave (1999)

Adult Involved: [REDACTED]

Children: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

History: [REDACTED] first contacted the Consulate in October 1999 after her husband allegedly beat and choked her. She was seeking our assistance in departing the country with her seven children. She was informed of our inability to secure exit visas and advised to go to the authorities; however, she declined to do so. The [REDACTED] reside in Abha. Consulate has not heard from [REDACTED] since 1999.

30) [REDACTED] - Parental Child Abduction (1994)

Children: [REDACTED]
[REDACTED]

History: Children abducted in 1994. Consulate conducted regular welfare and whereabouts visits 1995-1997. According to the grandfather, mother maintained regular contact via telephone with the

History: ██████ initially took the children to the U.S. 1981, via Kuwait with the assistance of the Embassy. In September 1981, her husband traveled to the US, abducted the children and brought them back to Dhahran. Following a 1982 divorce, ██████ returned to Saudi Arabia in 1983 to work as an engineer with a company. Soon thereafter, she was jailed for alleged fraudulent entry into KSA, but the charges were dropped. Saudi courts eventually allowed her visitation rights. She remained in KSA until 1984. Her ex-spouse was to pay the cost of his former wife's expenses to visit the children every two years or so. Post conducted several visits to ██████ and ██████. On December 4, 1996 ██████ and ██████ visited the Consulate. They both stressed their desire that ██████ should contact them directly at home.

38) ██████ - Parental Child Abduction (1996)

Child: ██████

History: Father abducted ██████ from Little Rock, AR in February 1996. The child's U.S. family requested visits, which the Consulate has carried out regularly following appeals to the government. In 1999, a long-running child custody dispute culminated in the first direct contact between the mother and her son and ex-husband. She was allowed a visa to attend the custody hearings, which she lost. During the past year, ██████'s American family was successful in obtaining limited visitation rights to ██████ by a Saudi court. In January 2002, post learned that the mother, father, and Saudi grandmother are negotiating to have ██████ visit the US over the summer.

39) ██████ - U.S. minor unable to leave (1992)

Child: ██████

History: ██████'s mother sent him to visit his Saudi father in 1992, and the father refused to allow the boy to return to the U.S. The Consulate visited with ██████ as he was growing up, in the company of his Saudi relatives. In the past two years, ██████ has begun visiting the Consulate himself. He obtained a U.S. passport, which he asked the Consul to keep. His mother sent him money through the Department during this time. ██████ drew several installments until the fund was finished. When he drew out the last installment, he said he and his father might have worked out a deal in which he would be allowed to visit the U.S. for the summer, returning to school in Saudi Arabia in the fall. However, post has not heard how plans have progressed. At the age of twenty-one, ██████ should be able to obtain his own Saudi passport and travel abroad if he wishes. He has not requested his U.S. passport.

40) ██████ - Adult U.S. Citizen, children unable to leave (1996)

Children: ██████
████████████████████
████████████████████

History: Mother first contacted Consulate in 1996 to report abuse. Asked for assistance in leaving without her children. Post worked with mother to provide passports for her and children, and arranged for a repatriation loan. Spouse signed the required documents for her exit permit, and gave her a letter saying she can visit the children any time, but daughter, then 12, threatened suicide if mother departed. After arranging for some counseling at Aramco, mother was finally repatriated in April, 1996. Files do not indicate current status of children, but their U.S. passports were given to the Consulate for safekeeping and remain in Consul's safe. Post has no record of any requests for visits to the children.

41) ██████████ - U.S. citizen minors unable to return (1994)

Children: ██████████
██████████

History: Mother initially took all four children to the U.S. in 1994 and did not return. In 1996, Consul learned that, having been granted custody, the mother had sent two children to KSA to visit, and the father had kept them. Consulate officials met father and children twice (1996 and 1999).

42) ██████████ - Parental Child Abduction (1994)

Children: ██████████
██████████

History: Department notified post in October 1994 of mother's claim that children had been abducted in 1992. When contacted, father claimed he had taken the children to KSA with the mother's consent. Consul visited the children at their home on the ARAMCO Dhahran compound on 20 November 1994. Father agreed to future consular visits at any time. The mother requested a visit in May 1996, but only gave her last name, delaying the process. Consul visited the children at their home on the ARAMCO compound in September 1996.

43) ██████████ - Adult U.S. citizen and children unable to leave (1995)

Children: Six, names not provided

History: Post notified in 1995 that mother was being kept in the family home and experiencing abuse. No record of contact with the mother after June 1996.

44) ██████████ - Adult U.S. Citizen with children, unable to leave (1995)

Child: Sukaynah

History: Mother requested Consulate assistance in leaving with her daughter in October 1995, citing abuse by her spouse. Consulate worked with mother's family in U.S. to arrange for a message

urging mother to return home due to a family emergency. Mother and child departed KSA but returned in January 1998.

45) ██████████ – Adult U.S. Citizen and children unable to leave (1998)

Children: ██████████
██████████
██████████
██████████

History: Post notified in 1998 that mother, a resident of KSA since 1984, was experiencing abuse. Post conducted a welfare/whereabouts check and maintained contact with mother for the next six months. Mother and four children departed for the U.S. in August 1998.

46) ██████████ – Adult U.S. Citizen and children unable to leave (2001)

Children: ██████████
██████████

History: Mother informed Consulate in December 2001 of her husband's intent to keep their two youngest children following a visit to KSA. Mother was estranged from her husband at the time, but had visited previously without problems. (Another son, ██████████ is a teenager and has chosen to live with his father.) Mother allowed ██████████ to decide for herself about remaining in KSA, but wanted ██████████ to return to the U.S. The boy has remained in KSA, and the mother has visited him. Her last visit, to post's knowledge, took place in March 2002.

Child Custody and U.S. Citizen Departure Cases
Saudi Arabia

(Cases in which Department records indicate the children are now over 18)

RIYADH

1) ██████ - Parental Child Abduction (1986)

Children: ██████ (over 18 years of age)
██████ (over 18 years of age)

JEDDAH

2) ██████ - Parental Child Abduction (1992)

Children: ██████
██████ (over 18 years of age)

3) ██████ - Parental Child Abduction (1998)

Child: ██████ (over 18 years of age)

4) ██████ - Parental Child Retention (1988)

Children: ██████ (over 18 years of age)
██████

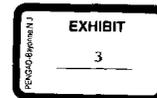
5) ██████

Adult Involved: ██████

Children: ██████ and four siblings now over 18 years of age

6) ██████ - Child Custody

Children: ██████
██████
██████ (over 18 years of age)



7) ██████████ Child Custody and Parental Access (1994)

Children: ██████████ (over 18 years of age)

██████████
██████████

8) ██████████ - Adult U.S. Citizen and Children Unable to Leave (1999)

Adult Involved: ██████████

Children: ██████████ (over 18 years of age)

██████████ (over 18 years of age)
██████████ (over 18 years of age)

██████████
██████████
██████████

9) ██████████ - Parental Child Retention (1992)

Children: ██████████ (over 18 years of age)

██████████ (over 18 years of age)
(and two siblings also over 18 years of age)

10) ██████████ - Children Unable to Leave (1997)

Children: ██████████

██████████
██████████ (over 18 years of age)

██████████
██████████ (over 18 years of age)

DHAHRAN:

11) ██████████ - Adult U.S. Citizen with children unable to leave (2001)

Children: eight children, age 11 – 23.

12) ██████████ Parental Child Abduction (1985)

Child: ██████████ (over 18 years of age)

13) ██████████ Adult U.S. Citizen with children unable to leave (1981)/parental child abduction

Children: ██████████ (over 18 years of age)

██████████ (over 18 years of age)

14) ██████████ U.S. minor unable to leave (1992)

Child: ██████████ (over 18 years of age)

15) ██████████ Adult U.S. Citizen, children unable to leave (1996)

Children: ██████████ (over 18 years of age)

██████████
██████████

16) ██████████ Parental Child Abduction (1994)

Children: ██████████ (over 18 years of age)

██████████

Response to Questions on the Cases of Stowers/Radwan and Al-Shalhoob/Davis

1. Case of Stowers/Radwan: Ms. Stowers and Mr. Radwan met and married in Texas, where both their children were also born. After finishing school, Mr. Radwan returned to Saudi Arabia, where he obtained permission for his family to come and live with him. In 1985, after problems developed, Ms. Stowers told her husband she wanted to leave Saudi Arabia with her children. She actually filed for custody in Saudi Arabia, but lost her case. At some point thereafter, Ms. Stowers departed for the U.S.

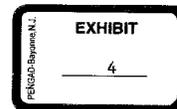
Monica Stowers returned to Saudi Arabia in November 1990 to visit her children. Embassy Riyadh facilitated issuance of her Saudi visa, met her at the airport, and, when she rejected the hotel accommodations made for her, took her to an in-law's house. She subsequently visited the Embassy twice and also called to discuss her case. At 9 a.m. on December 8, 1990, Ms. Stowers arrived at the Embassy with her luggage and her two children, Amjad and Rasheed. They were admitted to the Consular Section, whereupon Ms. Stowers demanded that something be done about her children's situation, alleging that they were abused by their stepmother.

The Consul General (CG) called the children's father, Nizar Radwan, to discuss the situation and request that Mr. Radwan consider letting his children return to the U.S. Mr. Radwan replied that he would let Rasheed depart, but not Amjad. Among other things, Mr. Radwan suggested that the U.S. was not a fit place to raise a young girl.

The CG told Mr. Radwan that she was considering raising the treatment of the children with the Deputy Governor of Riyadh. Mr. Radwan became upset, claimed he had spoken to his wife (the stepmother) about the abuse of Amjad, and asked for one week; if the situation did not improve for Amjad, her would place the children with their grandmother and provide funds for them. When Ms. Stowers said she did not believe his promise, he offered to sign a written guarantee. He later offered to let the children live with Ms. Stowers, in Saudi Arabia. In several phone calls throughout the day, Mr. Radwan told the CG and Ms. Stowers that he willing to "do anything" except allow his daughter to leave the Kingdom. He also gave assurances that he would not retaliate against Ms. Stowers.

Ms. Stowers subsequently demanded to speak with the Ambassador, who was unavailable, and the King, which was impossible. The CG agreed to try to get an appointment for Ms. Stowers and an Embassy representative with the Governor or Deputy Governor of Riyadh, but also stressed that Ms. Stowers and her children could not remain in the Embassy. The Deputy Governor's office was closed for the day (it was now about 3 p.m.), but the CG promised she would call again in the morning to make an appointment.

Ms. Stowers refused to believe she could not remain in the Embassy. She demanded a written guarantee from the CG that she would not be in danger if she left the Embassy,



which the CG could not provide, although the CG did point out that Mr. Radwan knew that the Embassy was involved and ready to go to the Deputy Governor if necessary to protect Ms. Stowers and her children.

Finally, at about 7 p.m., after consultations between the CG and the Embassy Front Office, Marine Security Guards (MSGs) were asked to remove Ms. Stowers and her children from the premises. One MSG picked up Amjad, carried her about three yards, and placed her outside the consular waiting room. Ms. Stowers and Rasheed followed. They were then driven to the grandmother's house in an Embassy car. The next morning, the Embassy verified that Ms. Stowers and her children were safe. Ms. Stowers declined the Embassy's offer to arrange a visit with the Deputy Governor of Riyadh, and said she was now willing to talk with her husband. She said she might accept his written guarantees to allow Rasheed to travel to the U.S. and for her to visit Amjad in the Kingdom each summer.

Follow-up: Subsequent reporting on this case indicates that Rasheed eventually left for the U.S. and then returned to the Kingdom. Amjad was married under Sharia law to a Saudi citizen, but ran away to her mother before she began living with her husband and is apparently no longer married to him. Ms. Stowers continues to live in the Kingdom, reportedly under the sponsorship of a Saudi princess. She and her two children visited Embassy Riyadh on April 16. They are presently living together in Riyadh and they have regular contact with Mr. Radwan. In economic and health terms they are doing well, although Ms. Stowers had some health problems last year. Nevertheless, they made it clear on April 16 that, were Amjad allowed to travel, they would prefer to return to the U.S.

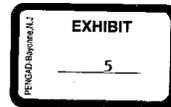
2. Case of Al-Shalhoob/Davis: There is little additional information in our files to add to the Committee staff's understanding of the case. The Consul General (CG) and at least two other consular officers were involved in this case. Ms. Davis apparently did meet with consular officers to discuss her case; those officers carefully explained to her the limitations on the Embassy's ability to help her child depart the Kingdom if her Saudi father would not give his permission. As a side note, although the Embassy was not involved in the Saudi child's departure, we understand that the Saudi Government almost declared the CG persona non grata because of a belief that he had arranged for the girl to leave the Kingdom on a military flight. The Saudis have apparently never accepted our denial of USG involvement.

International Parental Child Abduction

(The ten countries with the largest number of open cases)

<u>Country</u>	<u>Approximate Number of Open Cases</u>
United Kingdom/Ireland	170-180
Mexico	160-170
Germany	40-50
Canada	30-35
Jordan	30-35
Saudi Arabia	25-30
Lebanon	25-30
Philippines	25-30
Egypt	15-20
Israel	15-20

Note: Cases involving countries that are party to The Hague Convention on the Civil Aspects of International Child Abduction generally are much more quickly and satisfactorily resolved than cases involving countries that are not party to The Hague Convention.



International Parental Child AbductionSaudi Arabia and Others Countries
with a Significant Workload

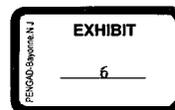
<u>Country</u>	<u>Active Cases</u>	<u>Inactive/Closed Cases</u>	<u>Total</u>
Mexico	167	302	469
Germany	45	169	214
U.K./Ireland	173	14	187
Canada	32	114	146
Israel	15	100	115
Jordan	30	46	76
Philippines	25	51	76
Lebanon	26	40	66
Saudi Arabia	28	31	59
Egypt	18	13	31

Comment: Totals for "active" cases often include "preliminary" cases, in which an abduction may have been confirmed but the left-behind parent has not yet taken necessary steps to recover the child. "Inactive" totals may include both returns and cases in which the left-behind parent has stopped working or communicating with the Department.

WHILE ALL INTERNATIONAL PARENTAL CHILD ABDUCTION CASES ARE UNIQUE, FOUR ACTIVE SAUDI CASES HAVE STRIKING SIMILARITIES TO THAT OF ALIA AND AISHA AL-GHESHEYAN.

CASE A: A FIVE-YEAR-OLD GIRL WAS ABDUCTED BY HER SAUDI FATHER IN AUGUST 1997 FOLLOWING A COURT-ORDERED VISITATION. STATE, FEDERAL AND INTERPOL ARREST WARRANTS WERE ISSUED FOR THE FATHER, AND HE WAS ENTERED INTO OUR VISA DATA BASE AS INELIGIBLE FOR A VISA. U.S. CONSULAR OFFICERS IN SAUDI ARABIA HAVE VISITED THE GIRL TWICE SINCE HER ABDUCTION AND ARE ATTEMPTING TO FACILITATE A VISIT BY HER AMERICAN CITIZEN MOTHER.

CASE B: A FIVE-YEAR-OLD BOY WAS ABDUCTED BY HIS SAUDI FATHER IN FEBRUARY 1996 FOLLOWING A COURT-ORDERED VISITATION. STATE AND FEDERAL ARREST WARRANTS WERE ISSUED AND THE STATE DEPARTMENT LISTED THE FATHER AS INELIGIBLE FOR A U.S. VISA. IN DECEMBER 1997 OUR EMBASSY IN RIYADH FORMALLY REQUESTED THE FATHER'S RENDITION TO THE UNITED STATES. WHEN THIS REQUEST WAS DENIED, THE BOY'S AMERICAN CITIZEN MOTHER FILED FOR CUSTODY IN A SAUDI COURT. THE COURT AWARDED CUSTODY OF THE BOY TO HIS FATHER BUT GRANTED THE MOTHER VISITATION RIGHTS. SHE WAS ABLE TO VISIT HER



SON DURING THE CUSTODY HEARING AND REMAINS IN FREQUENT TELEPHONE CONTACT WITH HIM.

CASE C: A BROTHER AND SISTER, CURRENTLY AGES 4 AND 2 YEARS, WERE BORN IN SAUDI ARABIA TO AN AMERICAN FATHER AND A SAUDI MOTHER. THE FAMILY MOVED TO THE UNITED STATES BUT VISITED SAUDI ARABIA IN THE SUMMER OF 2001. DURING THE VISIT, THE CHILDREN'S MOTHER TOLD HER HUSBAND THAT SHE INTENDED TO REMAIN IN SAUDI ARABIA WITH HER CHILDREN AND WOULD PREVENT HIM FROM OBTAINING A SAUDI VISA. THE FATHER HAS FILED FOR CUSTODY IN SAUDI ARABIA BUT DOES NOT EXPECT TO WIN, IN PART BECAUSE HE IS NO LONGER A PRACTICING MUSLIM. EMBASSY RIYADH IS IN THE PROCESS OF DETERMINING WHETHER FAMILY MEMBERS OF THE MOTHER MAY BE RENDERED INELIGIBLE FOR U.S. VISAS AS A RESULT OF ABETTING HER UNLAWFUL RETENTION OF THE CHILDREN IN SAUDI ARABIA. EMBASSY RIYADH ALSO IS ATTEMPTING TO ARRANGE FOR A CONSULAR OFFICER TO CONDUCT A WELFARE VISIT WITH THE GIRL AND BOY.

CASE D: THREE SIBLINGS, CURRENTLY 11, 10 AND 6 YEARS OLD, WERE ABDUCTED BY THEIR SAUDI FATHER IN AUGUST 2000 FOLLOWING A COURT-ORDERED VISITATION. THE FATHER FILED IN A SAUDI COURT FOR DIVORCE FROM THE CHILDREN'S MOTHER, WHO IS A NATURALIZED SAUDI CITIZEN AND THUS ABLE TO TRAVEL TO

SAUDI ARABIA WITHOUT A SAUDI VISA. HOWEVER, MOTHER HAS CHOSEN NOT TO TRAVEL TO SAUDI ARABIA TO CONTEST CUSTODY OF THE CHILDREN BECAUSE HER FORMER HUSBAND THREATENED HER AND HER ATTORNEYS. EMBASSY RIYADH HAS MADE NUMEROUS UNSUCCESSFUL ATTEMPTS TO CONDUCT WELFARE VISITS WITH THE CHILDREN. THESE EFFORTS CONTINUE.

No Visa for Khalid Al-Ghesheayn

KHALID AL-GHESHEYAN HAS NEITHER APPLIED FOR NOR BEEN ISSUED A U.S. VISA SINCE JANUARY 1986. OUR COMPUTERIZED SYSTEMS CONTINUE TO FLAG HIM AS INELIGIBLE FOR A VISA BECAUSE OF HIS REMOVAL OF ALIA AND AISHA TO SAUDI ARABIA.

Forced Religious Conversions

FOR A DETAILED DESCRIPTION OF RELIGIOUS PRACTICES IN SAUDI ARABIA I REFER THE COMMITTEE TO THE DEPARTMENT'S MOST RECENT REPORT ON INTERNATIONAL RELIGIOUS FREEDOM, PREPARED BY OUR BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.

THAT REPORT POINTS OUT THAT SAUDI ARABIA IS AN ISLAMIC MONARCHY WITHOUT LEGAL PROTECTION FOR FREEDOM OF RELIGION.

SAUDI ARABIA -- International Parental Child Abduction

DISCLAIMER: The information in this circular relating to the legal requirements of specific foreign countries is provided for general information only. Questions involving interpretation of specific foreign laws should be addressed to foreign legal counsel.

GENERAL INFORMATION: The Kingdom of Saudi Arabia is not a party to the Hague Convention on the Civil Aspects of International Child Abduction, nor are there any international or bilateral treaties in force between Saudi Arabia and the United States dealing with international parental child abduction. American citizens who travel to Saudi Arabia are subject to the jurisdiction of Saudi courts, as well as to the country's laws and regulations. This holds true for all legal matters including child custody. Parents planning to travel with their children to Saudi Arabia should bear this in mind.

CUSTODY DISPUTES: In Saudi Arabia, child custody is based on Islamic law. The primary concern of Saudi courts in deciding child custody cases is that the child be raised in accordance with the Islamic faith. Most custody disputes in Saudi Arabia are handled by the Islamic "Shari'a" courts. In rare cases, the Board of Grievances, a religious appeals court, has ruled on custody disputes.

Saudi courts generally do not award custody of children to non-Saudi women. If the mother is an Arab Muslim, judges will usually not grant her custody of children unless she is residing in Saudi Arabia, or the father is not a Muslim. All Saudi citizens are considered to be Muslim.

Since Saudi women are prohibited from marrying non-Muslims, custody disputes between a Saudi mother and American father would be heard by the Shari'a court, which would usually apply Islamic rules of custody and decide the case on its merits. If the mother wins custody, the father is usually granted visitation rights. According to Saudi law, a child whose mother is Saudi and father is non-Saudi is not granted Saudi citizenship. However, even if an American father wins custody of his children, he may still need permission from the Saudi mother to remove the children from Saudi Arabia.

Saudi courts hesitate to rule in a child custody case if both parents are non-Muslim. The court will refer the case to the family court in the country from which the parents came. Often, if pressured to address such a situation, the court will rule that both parents should be deported from Saudi Arabia to avoid complications and embarrassment.

Normally, under Shari'a law, a mother can maintain custody of her male children until the age of nine, and female children until age seven. In practice the courts favor keeping



children within a strict Islamic environment. Shari'a court judges have broad discretion in custody cases and often make exceptions to these general guidelines.

Even when a mother who is residing in Saudi Arabia is granted physical custody of children, the father maintains legal custody and has the right to determine where the children live and travel. In many cases, the father has been able to assume legal custody of children against the wishes of the mother when she is unable or unwilling to meet certain conditions set by law for her to maintain her custodial rights. For example, if the mother moves to another country, the father is entitled to have custody. A court can sever a mother's custody if it determines that the mother is incapable of safeguarding the child or of bringing the child up in accordance with the appropriate religious standards. The mother can lose custody by re-marrying a non-Muslim, or by residing in a home with non-relatives. Shari'a law allows custody of children to be awarded to the closest male relative of a Saudi father in the case of death or imprisonment of the father, even if the Saudi father has made clear his wish that the children's mother have full custody.

Persons who wish to pursue a child custody claim in a Saudi court should retain an attorney in Saudi Arabia. The U.S. Embassy in Riyadh and the Consulates General in Dhahran and Jeddah maintain lists of attorneys willing to represent American clients. U.S. government officials cannot recommend an attorney and make no claim as to the professional ability or integrity of the attorneys on these lists. The U.S. government does not pay legal expenses. A copy of these lists may be obtained by contacting the following offices. The work week in Saudi Arabia is Saturday through Wednesday.

U.S. Embassy Riyadh

P.O. Box 94309
Riyadh 11693
Phone: [966] (1) 488-3800
Fax: [966] (1) 488-7275

U.S. Consulate General Jeddah

P.O. Box 149
Jeddah
Phone: [966] (2) 667-0080
Fax: [966] (2) 669-3078 or 669-3098

U.S. Consulate General Dhahran

P.O. Box 39855
Doha-Dhahran 31942
Phone: [966] (3) 330-3200
Fax: [966] (3) 330-6816

U.S. Department of State

Office of Overseas Citizen Services
Washington, DC 20520

Phone: (202) 647-5226

Specific questions regarding child custody in Saudi Arabia should be addressed to a Saudi attorney or to the Embassy or one of the Consulates General of the Kingdom of Saudi Arabia at:

Embassy of the Kingdom of Saudi Arabia

601 New Hampshire Avenue, NW
Washington, DC 20037
Tel: (202) 342-3800

Saudi Consulate General in New York

866 United Nations Plaza
Suite 480
New York, NY 10017
Tel: (212) 752-2740

Saudi Consulate General in Houston

5718 Westheimer
Suite 1500
Houston, TX 77057
Tel: (713) 785-5577

Saudi Consulate General in Los Angeles

Sawtelle Courtyard Building
2045 Sawtelle Blvd.
Los Angeles, CA 90025
Tel: (310) 479-6000

ENFORCEMENT OF FOREIGN JUDGMENTS: Custody orders and judgments of foreign courts are generally not enforceable in Saudi Arabia. For example, an order from a U.S. court granting custody to an American parent will not be honored in Saudi Arabia. Courts in Saudi Arabia will not enforce U.S. court decrees ordering a parent in Saudi Arabia to pay child support.

VISITATION RIGHTS: Women entering Saudi Arabia with the intent of visiting their children may do so only with the written permission of the father of the children. The father must file a "statement of no objection" with the Saudi Ministry of Interior before the mother will be granted a visa to enter the Kingdom. This includes Muslim fathers who are non-Saudi nationals. If the father refuses to sponsor the mother, or to authorize a child's travel to another country, there is little that can be done to effect a visit. The U.S. Embassy and Consulates General are not able to help American parents to obtain visas to Saudi Arabia without a no-objection letter. Neither the U.S. State Department nor the U.S. Mission in Saudi Arabia may serve as a woman's sponsor. Women visitors are required to be met by their sponsor upon arrival in Saudi Arabia.

If a non-Saudi father wants to enter the Kingdom to visit his children, he can do so by applying for a Saudi visa with proof that his children are living in Saudi Arabia. Saudi authorities may consult with the mother if she is Saudi, who may be able to prevent issuance of the visa.

Some American Muslim parents have considered traveling to Saudi Arabia on *Umrah* (religious pilgrimage to Mecca) as a means to visit their children. However, issuance of an *Umrah* visa does not guarantee that a parent will be permitted to see his or her children once in the Kingdom. If a woman is not divorced, the Saudi Embassy has the right to ask for her husband's permission for another family member (e.g. son) to act as the mother's *Mahram*. If the mother is divorced, the Saudi Embassy will ask to see the divorce certificate before granting the *Umrah* visa. Women married to Saudis should keep in mind that even when they enter the Kingdom on an *Umrah* visa, they would need their Saudi husband's permission to depart the country.

Persons who obtain a visa for business or religious visits (*Hajj and Umrah*) with the intention of visiting their children may face legal penalties including detention and/or deportation. While visitor visas are issued for approved tour groups following organized itineraries, these visitors are not permitted to travel outside the set itinerary.

Before traveling to Saudi Arabia to visit their children, women should consider whether they obtained a complete Islamic declaration of divorce from the Shari'a court in Saudi Arabia. Secular, American divorce orders are not recognized by the Shari'a courts. Although an Islamic divorce can be obtained from several mosques within the U.S., it has been the experience of several divorced spouses in the U.S. that the Shari'a courts in Saudi Arabia will not recognize orders originating from an American mosque. The purpose of obtaining a Shari'a declaration is to establish the legal personal status of the mother prior to traveling to the Kingdom. If an American woman is considered to still be married, the "husband" can prohibit the woman from departing Saudi Arabia.

On rare occasions, Saudi families have paid for a non-Saudi mother to live in a neighboring country and visit her children in Saudi Arabia on a regular basis.

DUAL NATIONALITY: Dual nationality is not recognized under Saudi law. Children of Saudi fathers automatically acquire Saudi citizenship at birth, regardless of where the child was born. Saudi women cannot transmit citizenship; therefore, their children would acquire only the citizenship of the father. Saudis must enter and leave the country on Saudi passports even if they are entitled to hold the passport of another country.

TRAVEL RESTRICTIONS: Exit visas are required to leave Saudi Arabia. The U.S. Embassy or Consulates General cannot obtain exit visas for American citizens. Women must have permission from their husband or father to exit Saudi Arabia. The government of Saudi Arabia has been known to issue international arrest warrants against women who have taken their children from Saudi Arabia without the father's permission.

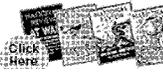
CRIMINAL REMEDIES: For information on possible criminal remedies, please contact your local law enforcement authorities or the nearest office of the Federal Bureau

of Investigation (FBI). Information is also available on the Internet at the web site of the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) at <http://www.ojjdp.ncjrs.org>.

For further information and/or assistance in either preventing or responding to an international parental child abduction, contact the Office of Children's Issues, U.S. Department of State at (202) 312-9700 or visit its web site on the Internet at <http://travel.state.gov>.

The State Department has general information about hiring a foreign attorney, service of process, enforcement of child support orders, and the international enforcement of judgments, which may supplement the country-specific information provided in this flyer. In addition, the State Department publishes Consular Information Sheets for every country in the world, providing information such as location of the U.S. Embassy, health conditions, political situations, and crime reports. When situations in a country are sufficiently serious, the State Department issues Public Announcements or Travel Warnings that may recommend U.S. citizens deter travel to that country. These documents are available on the Internet at <http://travel.state.gov> or by calling the State Department's Office of Overseas Citizen Services at (202) 647-5225.

Revised: 16-Jan-2002

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Kate O'Beirne

NR Washington Editor



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April 25, 2002 8:45 a.m.

One Question for Abdullah

An American-Saudi ordeal.

Pat Roush would be extremely grateful if President Bush would ask Crown Prince Abdullah how her kidnapped daughters are doing in Saudi Arabia when the two leaders meet in Crawford. In 1986, when Aisha was seven, and Alia was three, the American girls were abducted from their home in the Chicago suburbs by their Saudi father. Over the past 16 years, their mother has seen them once, in 1995, for two hours. "Don't leave me, Mama. Take me home," said her older daughter, Alia, who no longer spoke English, asked her mother, "How old am I?" Pat Roush has learned that Aisha, now 23, is married and expecting a baby, and last she heard their kidnapper was looking for "a rich husband" for 19-year-old Alia. Her mother doesn't know if her second daughter is yet married.

Although Pat Roush's relentless efforts over the years led to the creation of an office in the State Department intended to advocate on behalf of the littlest American citizens snatched to foreign countries, and to enactment of the International Parental Child Abduction Act in 1993, the years ticked by for her own daughters. "This is no longer a children's issue," Roush now explains. "My daughters are now American women being denied their birthright as U.S. citizens." Aisha and Alia would need a male relative's permission in order to be permitted to leave their Saudi prison. "[The Bush administration] is so concerned about Afghan women's rights," Roush told WorldNetDaily, "What about American women's rights?"

Since the girls were kidnapped, their father's

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Weekend

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- Document: The Homeland Plan** 6/07 10:00 a.m.
- Morse: Thank You, Bishop Zeimann** 6/07 9:45 a.m.
- Ballabon: Jews and Christians in America** 6/07 9:45 a.m.
- Paige: Shark Spin Soup** 6/07 9:45 a.m.
- Miller: Reorganization Man** 6/07 9:00 a.m.
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EXHIBIT

8



Improving Healthcare by Empowering Patients

Liz Kendall asks: Will giving patients more control over their medical treatment really improve their health? [Click here.](#)



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parents have both come to the U.S. for medical care. In 1988, the abductor himself traveled on a diplomatic passport to accompany his father, who worked for the royal family, for surgery at the Cleveland Clinic. Roush had warned the FBI to keep an eye on the clinic, where her former husband's father had previously been treated, but father and son returned to Saudi Arabia with no questions asked. No federal agency has provided meaningful help to this heartbroken mother, who accuses the State Department of sympathizing with the Saudi government rather than her and her American daughters over the years.

A single American diplomat, then U.S. ambassador to Saudi Arabia, Ray Mabus, was a "big hero" to Roush when he refused to grant visas to her husband's relatives unless her daughters were returned. But he left his post in 1996, before the girls were freed. His successor, former Senator Wyche Fowler, told Pat Roush he had no time to talk with her, and lifted a hold on the extended families' visas.

On Wednesday morning, Pat Roush signed a book contract which will enable her "to tell the world about the sweet deals and special relationship between the U.S. and Saudi Arabia" that have made her a stranger to her daughters. We wouldn't want to be undiplomatic, but maybe President Bush can gently ask the crown prince if 19-year-old Alia is married. Her mother would like to know.

- 6/07 9:00 a.m.
- Ledeer: [What's Up](#) 6/07 9:00 a.m.
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EXHIBIT

Wednesday, Dec. 12, 1990

Houston Chronicle

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9

U.S. Embassy sidesteps custody fight

Diplomats turn away American mom, kids seeking refuge from Saudi dad

By GEOFF DAVIDIAN
Houston Chronicle

A Houston woman who claims her son and daughter are abused by their Saudi Arabian father was turned away from the U.S. Embassy in Riyadh when she and the children sought refuge last week.

State Department officials said they could not interfere, because it is a domestic dispute and local law prevails.

Monica Radwan, 35, a Houston kindergarten teacher, said in a telephone interview from Riyadh that she went to the Saudi capital on Nov. 21 to see her daughter Amjad, 7, and son, Rasheed, 14.

Both were born in the United States and hold dual U.S.-Saudi citizenship, but live with their Muslim father, who was awarded custody in a 1984 divorce.

Radwan said she met her husband when they were students at the University of Dallas in Irving. "I didn't know he was already married," Radwan said. "He lied to me."

She said she moved to Saudi Arabia after her daughter was born. But after the divorce, her dual Saudi citizenship was revoked and she was thrown out of the country in 1984.

Radwan saw the children again during a visit in 1988, supervised by Saudi police. But she was not allowed to return until her son turned 14 this year and could sponsor her — a requirement before the Saudis grant a visa.

When she arrived in Riyadh last week, Radwan said she went to her daughter's school and found her bruised, scratched and "wearing the same underwear for two weeks." She said the child had not

bathed "for weeks."

Radwan, an American citizen, said she took the child to the U.S. Embassy Saturday, where a translator heard Amjad's story.

But instead of offering to harbor the family, Radwan said, U.S. officials refused to shelter them. She said a consular official called in Marine guards, who physically picked Amjad up and carried her off the premises, with her mother and brother following.

Now, Radwan said, her former husband has locked the daughter in his house and she has lost contact with the child. Rasheed, who is old enough to choose where he wants to live, confirmed his mother's story and said both children wanted to leave Saudi Arabia.

The children hold U.S. passports, but Radwan said she could not bring them back to the United States because the Saudis will not give them an exit visa.

Rasheed said in a telephone interview Monday that his father did not give the children enough money for lunch, that there was no food at home and that he was told that after school he was to stay away from the house until 6 p.m.

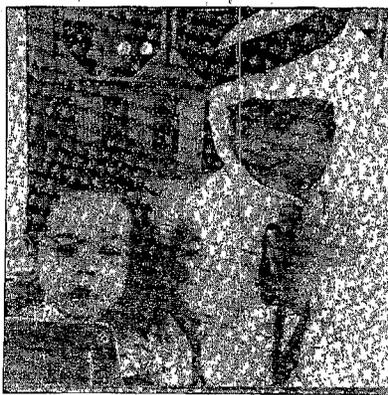
Radwan said the children's stepmother poured hot water on Amjad in the bath and rarely washed her clothes. "When I went to school, I looked in her lunch box and there was only a piece of bread," she said. Radwan's ex-husband could not be reached for comment.

In divorcees in the Middle East as well as most of Africa, male-dominated Muslim cultures almost always give custody of children to a Muslim man over a non-Muslim woman, said Layton Russell, chief of the Africa, Near East and East Asia Division of the State Department's Citizens Emergency Center. But in this case, as many, there is little the U.S. government can do, he said.

"When American citizens go abroad, they are subject to local laws," he said. "We cannot protect them from local law."

The State Department lists some 700 active cases of child custody disputes involving U.S. citizens and foreigners.

Nearly 230 are in the Near East, and 35 involve disputes between citizens of the U.S. and Saudi Arabia, said Nyda Novodvorsky, a spokeswoman for the State Department's Bureau of Consular Affairs. Many involve kidnappings.



Objects of their parents' custody battle, Rasheed Radwan, right, and his sister, Amjad, are shown in this 6-year-old photo taken in Saudi Arabia. The U.S. Embassy in Riyadh has tried to assist in the case since 1986, but last week the embassy expelled the children and their mother.

Since the government started keeping count, there have been more than 3,000 such complaints, according to the State Department.

"Once a child is taken to another country, the (U.S.) consul tries to locate and visit the child," Novodvorsky said. "But in all cases like this, it is a family dispute. If there is abuse, the U.S. consul would report it to the authorities."

She said Saudi Arabia was not a signatory to the Hague Convention that requires abducted children to be returned. Seventeen nations, including the United States, have signed the convention.

An embassy spokesman familiar with the Radwan case declined to comment, citing the family's right to privacy.

But Novodvorsky said that "our embassy in Saudi Arabia has been involved with that case since 1986 and has assisted in every appropriate way."

During a congressional hearing on the problems U.S. citizens have in Saudi Arabia, two women told of

their children being kidnapped by Saudi husbands.

"I have never heard such compelling testimony," said Rep. Larry Smith, D-Fla., adding that the Americans endured "degradation and abuse."

Smith and other members of the House Foreign Affairs subcommittee on Europe and the Middle East exchanged sharp words with State Department officials who defended the U.S. government's handling of the cases.

"It seems to be that your government doesn't have the guts to stand up" to the Saudis, Smith said to one of the witnesses.

Kristine Uhlman, 39, of Pittsburgh, Pa., a friend of Radwan's who testified at that hearing, said she cannot understand why the United States has 400,000 troops and billions of dollars committed to Saudi Arabia, a nation "which keeps a mother from her children."

"I think it's wrong for us to protect the Saudis," Uhlman said, "when the Saudis won't even let a mother see her children."

Eliau, Here Is My Story

I've never met Eliau Gonzalez. But as the daughter of a Cuban-American mother, I cannot help keeping his fate close to my heart. And as a child who was kidnapped by a father living in another land, perhaps my perspective is a little bit different from most.

I know my perspective is different from the one at the State Department. In its most recent report on Saudi Arabia, released in September, it declared that "there were no reports of the forced reli-

that I thought I was in hell, wishing for death. At the risk of being beaten, I managed to reach my mother with her telephone calling card.

All the while my mother was in constant contact with the U.S. embassy, which told her that there was nothing they could do because nothing my father did violated Saudi law. When I called the embassy myself, they even told me--an American citizen and a child--not to come to them for help, because they'd either show me out or call my father to come get me. Fortunately I escaped last April.

But I know there are others like me still behind, people without the \$180,000 my mother spent to get me out. I think of the daughters of Patricia Roush, who were taken from America to Saudi Arabia on Super Bowl Sunday in 1986 and have been there ever since. And since coming back I have learned of the International Religious Freedom Act, which was written with the Roush girls in mind but which is ignored by the same U.S. government that seems able to move heaven and earth to send Eliau Gonzalez back to Cuba.

I know religion can be a complicated thing, and that custody battles between families of different nationalities can be even more complicated. I even know how important Saudi Arabia is to the U.S. But I also know from bitter experience what it was like to have a State Department uninterested in pursuing cases like mine and a U.S. embassy that let down both my mother and me when we needed it most. Remember, my mother and I are both American citizens, and I was born here.

If we are going to have a law, shouldn't our State Department really try to honor it? And should we really let people hide behind the laws of places like Cuba and Saudi Arabia to violate our rights?

I was one of the lucky ones. As I child I can't do much. I do pray that the same government so uninterested in my family, American citizens all, will not create another victim by sending Eliau back before hearing his father speak in an American court free of Castro's pressure. But most of all, I believe I owe it to the other children left behind, girls like Alia and Aisha Roush, not to let the rest of us--especially our State Department--forget that they are still American citizens. Think about it. What if I had been your daughter?

Ms. Davis is back with her mother in Miami after being held from June 1997 to April 1999 in Saudi Arabia against both her will and American law.

Houses of Worship

By Dria Davis



gious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or the Government's refusal to allow such citizens to be returned to the United States." The State Department is required to report on this because of the International Religious Freedom Act of 1998. I might be only 13-years-old, but I know what the report says is not true. And I know it better than the State Department. Because I was one of those minors.

In June 1997, I was 11-years-old and went to Saudi Arabia to visit my father, Khalid A. Shalhoub. At the time, I lived with my mother and grandmother in Miami and attended Epiphany Catholic School. My father effectively became a kidnapper, violating state and federal laws by refusing to return me to my home and instead breaking all communications with my family--even to the point of tearing up any pictures or phone numbers I had of my mom.

During that time, I was told by family members and my father that I would go to hell and burn in the flames if I continued to say that I was Christian. I was beaten whenever I admitted to being a Christian. But I am a Christian and have always been a Christian. Because of this, I was not allowed to eat with the family at the table, and I was forced to pray as the Muslims do or I would be beaten. I remember having nightmares. I was told that I was going to die and burn because of my beliefs. I was also told that people in Saudi Arabia are killed if they are Christian.

My father would pull me by the hair, throw me on the floor and kick me until I could hardly breathe. He would repeatedly call me a "fatso," tell me I was "a bitch just like your mother" and tell me that he wished I would die and burn in the flames in hell. In fact, there were many nights

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CASE OF YASMEEN SHALHOUB

In 1997, 11 year-old Yasmeen Shalhoub, daughter of Miriam Hernandez, was taken by her father, Khalid Shalhoub, to Saudi Arabia during summer visitation. Ms. Hernandez sought the assistance of the State Department soon after. State and federal warrants were issued and an Interpol notice filed. The Embassy attempted to perform a w/w visit in October 1997, but Mr. Shalhoub declined the Embassy's request. He objected to the charges of kidnapping, claiming Yasmeen had asked to stay in Saudi Arabia. Mr. Shalhoub finally agreed to a consular visit in November 1997.

With the direct intercession of Congressman Diaz-Balart, Ms. Hernandez obtained an unsponsored Saudi visa. She arrived in Saudi Arabia in February 1998. Shortly after her arrival, Ms. Hernandez advised the Embassy that her ex-husband would not permit her to see Yasmeen. After lengthy conversations between the consular FSN and Mr. Shalhoub, he agreed to supervised visitation with Yasmeen. Before Ms. Hernandez departed Saudi Arabia in March 1998, she was able to see Yasmeen five times. Negotiations between the parents did not go as well, however. Despite prior assurances to the consular officer that he was willing to work out a written schedule for visitation, Mr. Shalhoub refused to make any commitments to his ex-wife.

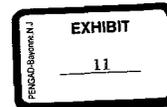
In July 1998, Ms. Hernandez informed the Embassy that Yasmeen was being beaten by her father and that she wanted desperately to return to the United States. The Embassy attempted unsuccessfully to perform a w/w visit. Ms. Hernandez pleaded with the consular officer in Riyadh to allow Yasmeen to go to the Embassy for help.

That same summer, it was learned that Mr. Shalhoub was taking Yasmeen to London for vacation. Ms. Hernandez quickly filed a Hague application. The British authorities raided the hotel at which Yasmeen was believed to be staying, but did not locate her there. Efforts to locate her through the British media were also unsuccessful.

In December 1998, Ms. Hernandez provided the Embassy a recording of a conversation with Yasmeen in Saudi Arabia, in which Yasmeen described abuse by her father and pleaded to be allowed to return to the United States. Ms. Hernandez again requested Embassy intervention. She also sought the assistance of Senator Graham, complaining to him that the Embassy refused to help her daughter. CI explained to Ms. Hernandez, as it had before, that the Embassy was unable to help her daughter escape Saudi Arabia. The Embassy could raise the abuse allegations with the Saudi authorities, but were concerned that doing so would only make the situation worse.

In April 1999, Embassy Riyadh was notified by Mr. Shalhoub that Yasmeen had been kidnapped from her school. Mr. Shalhoub accused the Embassy of abducting her. The Embassy contacted Ms. Hernandez to advise her Yasmeen was missing. Ms. Hernandez told the Embassy not to worry. When contacted by CI, Ms. Hernandez's husband concurred and declined USG assistance as unnecessary. The following day, Ms. Hernandez phoned Embassy Riyadh to say that Yasmeen was with her in Miami. No details were given regarding how she returned to the United States.

In October 1999, the Embassy received a diplomatic note accusing the USG of complicity in the kidnapping of Yasmeen Shalhoub. The Embassy by diplomatic note denied the charges and expressed hope that our two governments could discuss further this and similar situations.



UNCLAS RYADH 04368

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Page 1 of 4

UNCLAS RYADH 04368
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ACTION: CONS
INFO: DCM AMB

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DISSEMINATION: CONS
CHARGE: PRCG

APPROVED: CONS
DRAFTED: CONS
CLEARED: NCNE

VZCZCRH128
PP RUEHC RUEHJI RUQMDH
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P 111131Z NOV 97
FM AMEMBASSY RIYADH
TO RUEHC/SECSTATE WASHDC PRIORITY 1603
INFO RUEHJI/AMCONSUL JEDDAH 8495
RUQMDH/AMCONSUL DHARRAN 3530
BT
UNCLAS SECTION 01 OF 02 RIYADH 004368

DEPT FOR CA/OCS/CI AND NEA/ARP

E.O. 12958: N/A
TAGS: KOCI, CASC, SA (SHALHOUB, YASMEEN)
SUBJECT: CHILD CUSTODY CASE OF YASMEEN SHALHOUB

REF: (A)RIYADH 04179, (B)STATE 175881, (C)RIYADH 03619

1. CONGRESSMAN LINCOLN DIAZ-BALART INTERESTED.

2. ON TUESDAY EVENING NOVEMBER 4 CONOFF AND CONSULAR FSN SPENT APPROXIMATELY ONE HOUR WITH KHALID SHALHOUB AND HIS DAUGHTER YASMEEN. AT THE REQUEST OF MR. SHALHOUB THIS INITIAL MEETING TOOK PLACE IN THE LOBBY OF A RIYADH HOTEL. THE ATMOSPHERE WAS OPEN AND CORDIAL, WITH MR. SHALHOUB CHATTING IN ARABIC WITH THE FSN WHILE CONOFF TALKED TO YASMEEN IN ENGLISH.

3. CONOFF WAS UNABLE TO DETERMINE THE EXTENT TO WHICH YASMEEN MAY HAVE BEEN "PREPPED" FOR THE CONSULAR ENCOUNTER. ELEVEN YEAR OLD YASMEEN SHALHOUB WAS COMFORTABLY DRESSED IN COMPLETELY WESTERN ATTIRE OF DARK LEGGINGS, AN OVERSIZE SHIRT, AND CHUNKY BOOTS. SHE CARRIED A SMALL PINK AND BLUE BACKPACK/PURSE IN WHICH SHE HAD HER APPOINTMENT BOOK (WHICH SHE UPDATED WITH HER SCHOOL SCHEDULE WHEN CONOFF FOCUSED ON MR. SHALHOUB). CONOFF BEGAN THE CONVERSATION BY ASKING YASMEEN HOW SHE HAD SPENT HER SUMMER HOLIDAYS. YASMEEN DISCUSSED HER HOLIDAYS IN LONDON, BELGIUM AND ITALY WITH HER FATHER, COMMENTING THAT SHE "HELPED HIM WITH HIS BUSINESS IN

UNCLAS RYADH 04368

Page 1 of 4

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12

BRUSSELS." YASMEEN'S ASSISTANCE SEEMED TO HAVE INVOLVED BRING THE OFFICIAL TASTER FOR A LINE OF BELGIAN CHOCOLATES THAT KHALID SHALHOUB IS IMPORTING FOR A NEW GIFT/CHOCOLATE BOUTIQUE IN RIYADH(REF A). IN ITALY YASMEEN HELPED HER FATHER SELECT PURSES/BAGS WHICH ARE ALSO A PART OF HIS BUSINESS INTERESTS.

4. ASIDE FROM MR. SHALHOUB'S WORK IN EUROPE, IT APPEARS THAT FATHER AND DAUGHTER MAINLY VISITED TOURIST ATTRACTIONS AND ENJOYED THEIR TIME TOGETHER. IN RESPONSE TO A QUESTION REGARDING HER SCHOOL SCHEDULE IN RIYADH, YASMEEN STATED THAT FRENCH WAS HER LEAST FAVORITE SUBJECT. SHE ATTENDS A PRIVATE GIRLS SCHOOL IN RIYADH, WHERE ENGLISH IS THE LANGUAGE OF INSTRUCTION, ALTHOUGH ARABIC IS A REQUIRED COURSE. CONOFF UNDERSTANDS THAT IN ADDITION TO HER REGULAR CLASS WORK, YASMEEN IS PRIVATELY TUTORED IN ARABIC AS WELL AS OTHER SUBJECTS SHE IS STUDYING IN SCHOOL.

5. IN RESPONSE TO QUESTIONS REGARDING HOW SHE SPENT HER SPARE TIME, YASMEEN STATED THAT SHE AND A FRIEND ROLLER BLADE ON THE COMPOUND WHERE THE FRIEND LIVES. ASIDE FROM THAT EXERCISE YASMEEN SEEMS TO LEAD A FAIRLY SEDENTARY LIFE AT THE MOMENT. (NOTE: SPORTS AND PHYSICAL TRAINING ARE NOT PART OF A GIRLS CURRICULUM IN SAUDI ARABIA). YASMEEN STATED THAT HER FATHER WAS GOING TO BUY BICYCLES FOR THE FAMILY, AND THAT SHE AND HER FATHER WERE GOING TO TAKE UP SQUASH - ALTHOUGH SHE WAS VAGUE ON PRECISELY WHERE THIS COULD/WOULD BE DONE. WHILE YASMEEN DID NOT VOLUNTEER A GREAT DEAL OF INFORMATION, CONOFF'S OVERALL IMPRESSION WAS THAT YASMEEN ENJOYS BEING WITH HER FATHER BECAUSE HE SPENDS A CONSIDERABLE AMOUNT OF TIME WITH HER AND, CONOFF SURMISES, SPOILS HER. SHE MENTIONED THAT HE OFTEN FIXES BREAKFAST FOR HER AND THAT HE EITHER GIVES HER LUNCH MONEY OR PREPARES LUNCH FOR HER TO TAKE TO SCHOOL. YASMEEN ALSO CLAIMED THAT KHALID GIVES HER A CONSIDERABLE AMOUNT OF POCKET MONEY. CONTRARY TO WHAT MAY HAVE BEEN HER ROUTINE IN MIAMI WITH HER MOTHER AND GRANDMOTHER, YASMEEN SEEMED DELIGHTED THAT IN RIYADH SHE REGULARLY GOES TO DINNER AT PLACES SUCH AS FUDDRUCKERS, MCDONALD'S, AND OTHER FAMILY RESTAURANTS. YASMEEN SAID THAT SHE HAS DOZENS OF COUSINS IN RIYADH, MANY OF WHOM SHE SEES ON A WEEKLY BASIS. WHILE CONOFF DID NOT DIRECTLY ASK YASMEEN ABOUT HER RELATIONSHIP WITH HER STEP-MOTHER, MR. SHALHOUB'S WIFE, YASMEEN STATED THAT HER STEP-MOTHER SPEAKS LITTLE ENGLISH; BUT, SHE EXPRESSED GREAT SATISFACTION WITH HER TEN MONTH OLD STEP-SISTER, STATING THAT THE BABY "LOVES ME MOST OF ALL".

6. BOTH KHALID SHALHOUB AND YASMEEN MAINTAIN THAT STAYING IN RIYADH WAS YASMEEN'S CHOICE. MR. SHALHOUB ASSERTED THAT OVER A TWO WEEK PERIOD HE REGULARLY ASKED YASMEEN IF SHE WAS CERTAIN ABOUT WANTING TO REMAIN IN RIYADH FOR A WHILE. WHEN THE CHILD CONSISTENTLY REPLIED

IN THE AFFIRMATIVE, MR. SHALHOUB STATED THAT HE PRESENTED THE IDEA TO YASMEEN'S MOTHER, MIRIAM HERNANDEZ, WHO REJECTED THE SUGGESTION. (NOTE: AS CONOFF INDICATED IN REF A, MR. SHALHOUB REBUTS CHARGES OF ABDUCTION). MR. SHALHOUB REPEATEDLY STATED THAT HE WOULD SEND YASMEEN BACK TO HER MOTHER NEXT YEAR, AFTER SHE HAD AN OPPORTUNITY TO LEARN ABOUT HIS CULTURE AND LANGUAGE. KHALID SHALHOUB BOLSTERED THESE ARGUMENTS WITH ASSERTIONS THAT HE HAD WANTED TO RETAIN A TUTOR IN MIAMI TO GIVE YASMEEN LESSONS IN THE ARABIC LANGUAGE AND CULTURE. HOWEVER, HE STATED THAT MS. HERNANDEZ WAS UNWILLING TO MAKE TIME IN YASMEEN'S SCHEDULE FOR THE TUTOR. HE LIKEWISE ASSERTED THAT IN ORDER TO GIVE HIS DAUGHTER A WORLD VIEW, HE HAD WANTED HER TO ATTEND AN INTERNATIONAL SCHOOL IN MIAMI - RATHER THAN THE CATHOLIC SCHOOL THAT WAS MS. HERNANDEZ'S PREFERENCE.

7. KHALID SHALHOUB IS CLEARLY FOND OF HIS DAUGHTER, AND HE REPEATEDLY EXPRESSED A DESIRE TO ARRIVE AT A WORKABLE AND ENFORCEABLE AGREEMENT WITH HIS FORMER WIFE THAT WOULD PRESERVE HIS RIGHT TO SEE YASMEEN. IN ADDITION, HE WANTS AN ARRANGEMENT THAT WOULD COMPEL MS. HERNANDEZ TO COMPLY WITH ANY PREFERENCE YASMEEN EXPRESSED FOR REMAINING WITH HER FATHER. IN AN EFFORT TO BROADEN CONOFF'S VIEW OF THE DISPUTE OVER YASMEEN, MR. SHALHOUB SUBMITTED FOR THE RECORD COPIES OF VARIOUS DOCUMENTS PERTAINING TO THE DIVORCE PROCEEDINGS BROUGHT AGAINST HIM BY MIRIAM HERNANDEZ.

8. MS. HERNANDEZ TELEPHONED THE EMBASSY TO INQUIRE ABOUT THE RESULTS OF THE MEETING. SHE DECLARED THAT SHE HAD TWICE TELEPHONED MR. SHALHOUB'S RESIDENCE IN RIYADH AND ASKED TO SPEAK TO YASMEEN, PROMPTING KHALID SHALHOUB TO HANG UP ON HER. AS PREVIOUSLY REPORTED, MR. SHALHOUB STATED THAT HE DID NOT WANT DIRECT CONTACT BETWEEN MOTHER AND DAUGHTER BECAUSE THE CHILD WAS UPSET FOLLOWING AN EARLIER CONVERSATION WITH MS. HERNANDEZ. HE MAINTAINS THAT MS. HERNANDEZ DISTURBED THE CHILD BY DECLARING THAT YASMEEN'S GRANDMOTHER WAS DYING, THAT MS. HERNANDEZ WAS GIVING AWAY YASMEEN'S FAVORITE DOG, AND THAT MIRIAM HERNANDEZ HAD BROKEN HER ARM. FOR HER PART, MS. HERNANDEZ ALLEGES THAT KHALID DOES NOT WANT HER TO SPEAK TO YASMEEN BECAUSE THE CHILD WANTS TO RETURN TO THE UNITED STATES. YASMEEN REPEATEDLY STATED THAT SHE LOVES HER MOTHER, AND THAT SHE WANTS MIRIAM HERNANDEZ TO COME TO RIYADH. KHALID SHALHOUB REITERATED THAT HE WOULD SPONSOR A VISIT TO SAUDI ARABIA BY HIS FORMER WIFE. MS. HERNANDEZ SEEMS INCREDULOUS ABOUT KHALID SHALHOUB'S REAL INTENTIONS.

9. POST WILL CONTINUE TO MONITOR THE WELFARE OF YASMEEN, AND WILL REMAIN IN CONTACT WITH KHALID SHALHOUB, WHO CURRENTLY SEEMS OPEN TO NEGOTIATING THE RETURN OF YASMEEN TO HER MOTHER. IN FACT, MS. HERNANDEZ TOLD CONOFF THAT

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RIYADH 04368

Page 4 of 4

MR. SHALHOUB HAD AGREED TO DISCUSS THE MATTER WITH
YASMEEN'S PSYCHIATRIST IN MIAMI. KHALID SHALHOUB HAS
ALSO ALLEGEDLY SAID THAT HE WILL SEND YASMEEN HOME IF MS.
HERNANDEZ AGREES TO DROP CHARGES AGAINST HIM.

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RIYADH 04368

Page 4 of 4

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PAGE 01 OF 02 RIYADH 00791 091706Z
ACTION 005-03

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RIYADH 00791 091706Z

SHR3113

INFO LOG-00 AMAD-01 CA-07 UTD-00 H-01 TEDE-00 L-00
ADS-00 REA-00 NSCE-00 SAS-00 /009M
-----24C01 091707Z 749

P 091149Z MAR 98
FM AMEMBASSY RIYADH
TO SECSTATE WASHDC PRIORITY 2374
INFO AMCONSUL DHAHRAN
AMCONSUL JEDDAH

UNCLAS RIYADH 000791

DEPT FOR CA/OCS/CI AND NEW/HRP

E.O. 12958: N/A
TAGS: KOC1; CASC; SA (SHALHOUB; YASMEEN)
SUBJECT: CHILD CUSTODY CASE OF YASMEEN
SHALHOUB; VISIT OF MIRIAM HERNANDEZ

REF: 97 RIYADH 4368 AND PREVIOUS

1. CONGRESSMAN LINCOLN DIAZ-BELART INTERESTED.

2. SUMMARY: MS. MIRIAM HERNANDEZ, THE MOTHER OF YASMEEN SHALHOUB, DEPARTED RIYADH SUNDAY MARCH 1 FOLLOWING A SEVENTEEN DAY STAY, DURING WHICH SHE SAW HER DAUGHTER A TOTAL OF FIVE TIMES. MS. HERNANDEZ'S ARRIVAL IN RIYADH APPARENTLY SURPRISED HER FORMER HUSBAND, SAUDI NATIONAL

KHALID AL SHALHOUB, WHO ASSUMED THAT MS. HERNANDEZ AND HER UNCLE HAD BEEN SPONSORED BY THIS EMBASSY. MS. HERNANDEZ'S TRIP TO SAUDI ARABIA WAS A LIMITED SUCCESS IN THAT MR. AL SHALHOUB (RELUCTANTLY) ALLOWED HIS FORMER WIFE SOME SUPERVISED VISITATION WITH THEIR DAUGHTER. YASMEEN'S FATHER, WHO IS CHIEFING AT CHARGES THAT HE KIDNAPPED HIS DAUGHTER, SPoke GRADUALLY OF WANTING TO TURN THIS SITUATION INTO A MODEL OF HOW INTERNATIONAL CHILD CUSTODY DISPUTES CAN BE HANDLED. HOWEVER, IN THE FINAL ANALYSIS HE CONCLUDED THAT THE VISIT HAD A NEGATIVE IMPACT ON YASMEEN, AND HE REFUSED TO MAKE ANY COMMITMENTS ON WHEN (OR IF) HE WOULD RETURN YASMEEN TO HER MOTHER, PREFERRING TO SAY THAT MS. HERNANDEZ WOULD HEAR FROM HIS ATTORNEY. END SUMMARY

HERNANDEZ'S SURPRISE ARRIVAL

3. THE FEBRUARY 11, 1998 ARRIVAL IN RIYADH OF MIRIAM HERNANDEZ AND HER UNCLE, AURELIO CIFUENTES, JR., CAUGHT THE ATTENTION OF KHALID AL SHALHOUB WHO, SINCE LAST FALL, HAS REFUSED TO RETURN TELEPHONE CALLS TO THE CONSULAR SECTION. WHEN MS. HERNANDEZ FIRST APPEARED AT THE EMBASSY ON FEBRUARY 14, SHE HAD BEEN UNABLE TO CONTACT MR. AL SHALHOUB. SHE HAD USED THE DAYS FOLLOWING HER ARRIVAL TO RECONNOITER YASMEEN'S SCHOOL, IN THE HOPE OF CATCHING A GLIMPSE OF HER DAUGHTER ENTERING OR LEAVING THE PREMISES. MS. HERNANDEZ WAS EVENTUALLY ABLE TO ENTER THE SCHOOL GROUNDS, AND ENCOUNTERED THE PRINCIPAL AS SHE WAS SEARCHING FOR HER DAUGHTER. MS. HERNANDEZ STATED THAT SHE EXPLAINED HER SITUATION TO THE HEADMISTRESS, AND

SOLICITED HER HELP IN COMMUNICATING WITH YASMEEN'S FATHER. SHE ALSO LOCATED A SAUDI SCHOOL FRIEND IN RIYADH AND LIKEWISE ASKED HIM TO INTERVENE WITH KHALID AL SHALHOUB.

4. WHEN KHALID AL SHALHOUB TELEPHONED THE EMBASSY ON FEBRUARY 18 HE EXPRESSED SURPRISE THAT MS. HERNANDEZ WAS IN TOWN, AND WANTED TO KNOW WHY HE HAD NOT WARNED HIM

BEFORE "BRINGING" MIRIAM HERNANDEZ TO SAUDI ARABIA. CONSULAR FSM POINTED OUT THAT MR. AL SHALHOUB HAD CONVENIENTLY BEEN INCOMMUNICADO FOR SOME WEEKS, IN ADDITION TO HAVING PLACED A SPECIAL CODE ON HIS TELEPHONE THAT BLOCKS UNAUTHORIZED CALLERS. FOR THE RECORD MS. HERNANDEZ'S VISA INDICATED THAT SHE ENTERED SAUDI ARABIA UNDER THE SPONSORSHIP OF HER FORMER HUSBAND, AND HER UNCLE'S VISA WAS ISSUED TO VISIT KHALID AL SHALHOUB. ACCORDING TO MS. HERNANDEZ, THE OFFICE OF CONGRESSMAN DIAZ-BELART WAS INSTRUMENTAL IN NEGOTIATING THE VISAS WITH THE SAUDI EMBASSY.

5. KHALID AL SHALHOUB INDICATED DISPLEASURE WITH MS. HERNANDEZ'S SUDDEN APPEARANCE, AND FOLLOWING LENGTHY CONVERSATIONS WITH CONSULAR FSM AND CONOF, PROPOSED A TWO STAGED PROCESS LEADING TO REUNITING MOTHER AND DAUGHTER. HE FIRST WANTED A SATURDAY AFTERNOON FEBRUARY 21 MEETING WITH MS. HERNANDEZ, TOGETHER WITH CONOF AND FSM, AND THAT EVENING A DINNER WITH HIS FAMILY AND FRIENDS OF YASMEEN. AS USUAL IN THESE CASES THE VENUE FOR THE MEETING WAS AN ISSUE OF DISCUSSION. KHALID AL SHALHOUB REFUSED TO COME TO THE EMBASSY, AND CONOF SUMMARILY REJECTED THE FAVORED MEETING PLACE OF SAUDI

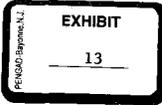
FATHERS - A HOTEL LOBBY. MR. AL SHALHOUB FINALLY OFFERED THE HOME OF HIS ELDER SISTER.

PARENTS DISCUSS YASMEEN'S FUTURE

6. THE AFTERNOON MEETING BETWEEN YASMEEN'S PARENTS TOOK PLACE IN AN ATMOSPHERE OF RELATIVE CORDIALITY AND INFORMALITY, WITH VARIOUS MALE MEMBERS OF MR. AL SHALHOUB'S FAMILY ROAMING IN AND OUT OF THE FORMAL SALON WHERE THE GROUP WAS SEATED. BOTH PARENTS AGREED THAT IT WAS NECESSARY TO PUT ASIDE THEIR SELFISH INTERESTS IN FAVOR OF WHAT WAS GOOD FOR YASMEEN. THAT WAS ABOUT THE ONLY COMMON GROUND THEY SHARED. YASMEEN'S PARENTS THEN STAKED OUT POSITIONS FROM WHICH NEITHER ONE BLEDGED. ALTHOUGH MS. HERNANDEZ ULTIMATELY DEMONSTRATED GREATER FLEXIBILITY AND ULTIMATELY RESIGNATION TO THE STATUS QUO, MS. HERNANDEZ WAS QUITE CLEAR THAT SHE WANTED HER DAUGHTER BACK, PREFERABLY IMMEDIATELY. RELYING UPON HIS ARGUMENT THAT YASMEEN WANTED TO REMAIN IN SAUDI ARABIA, MR. AL SHALHOUB ASSERTED HIS RIGHT AS A SAUDI FATHER TO KEEP HIS DAUGHTER WITH HIM IN ORDER FOR HER TO LEARN ARABIC AND UNDERSTAND SAUDI CULTURE. THIS HE STATED WAS NECESSARY TO CORRECT MISCONCEPTIONS AND STEREOTYPES ABOUT ARABS THAT HE CLAIMED YASMEEN HAD FORMED. THE MORE MS. HERNANDEZ INSISTED ON A DEFINITE TIME FOR HER DAUGHTER'S RETURN, THE MORE VAGUE KHALID AL SHALHOUB BECAME. BY THE END OF THE HOUR AND A HALF SESSION THE TIME HE WANTED YASMEEN TO REMAIN WITH HIM HAD LENGTHENED FROM A YEAR OR TWO OR PERHAPS THREE TO AN INDEFINITE PERIOD.

CONDITIONAL VISITATION

7. MR. AL SHALHOUB AGAIN PROCLAIMED HIS INTEREST IN BREAKING NEW GROUND FOR COOPERATION IN CHILD CUSTODY CASES. YET HE ATTEMPTED TO ESTABLISH LIMITS ON WHAT MS. HERNANDEZ COULD DISCUSS WITH HER DAUGHTER, CAUTIONING HER NOT TO SAY ANYTHING THAT WOULD DISTURB YASMEEN. FOR EXAMPLE NOT TO DISCUSS HER GRANDMOTHER'S FAILING HEALTH. MS. HERNANDEZ REFUSED TO ACCEPT HIS CONDITIONS, MAINTAINING THAT SHE WOULD BE HONEST WITH YASMEEN. KHALID AL SHALHOUB INITIALLY AGREED THAT MOTHER AND DAUGHTER COULD SEE ONE ANOTHER DAILY DURING MS. HERNANDEZ'S STAY IN RIYADH. WHILE MIRIAM HERNANDEZ WAS



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TELEGRAM

PAGE 07 OF 02 RIYADH 00791 091706Z

DISAPPOINTED TO HEAR THAT SHE WOULD NOT BE ALLOWED PRIVATE TIME WITH YASMEEN, SHE ACCEPTED THE PROMISE OF DAILY FIVE TO NINE IN THE EVENING VISITS WITH YASMEEN AT THE HOME OF MR. AL SHAHBOUB'S SISTER. (COMMENT: MR. AL SHAHBOUB CONSISTENTLY DISPLAYED A HIGH LEVEL OF PARANOIA ASSUMING THAT YASMEEN'S MOTHER, WITH PERHAPS THE EMBASSY'S HELP, WAS PLOTTING TO SNATCH THE CHILD).

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RIYADH 00791 091706Z

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THE JOURNEY AT THE HOME OF KHALID AL SHAHBOUB'S SISTER. (CONOFF UNDERSTANDS THAT MR. AL SHAHBOUB'S APARTMENT IS LOCATED IN THE SAME BUILDING AS HIS BUSINESS.) WHEN CONOFF EXPRESSED ANNOYANCE AT THE JAMES BOND-LIKE CHARGE AND WASTE OF TIME, MR. AL SHAHBOUB PROFESSED SHOCK THAT EMBASSY PERSONNEL WERE ACCOMPANYING MS. HERNANDEZ. OVER TEA AND PASTRIES MS. HERNANDEZ VISITED WITH YASMEEN AND ATTEMPTED TO EXTRACT FROM HER FORMER HUSBAND SOME COMMITMENTS REGARDING FUTURE TELEPHONE COMMUNICATION WITH HER DAUGHTER. CONTRARY TO A GAME PLAN THAT CONOFF HAD EARLIER IN THE WEEK DISCUSSED WITH HIM, MR. AL SHAHBOUB

A NOT SO PRIVATE REUNION

8. MS. HERNANDEZ AND HER DAUGHTER WERE REUNITED THE EVENING OF FEBRUARY 21. THE EVENT WAS CAREFULLY STRUCTURED TO ASSURE THAT MOTHER AND DAUGHTER WERE ALWAYS SURROUNDED BY FEMALE MEMBERS OF MR. AL SHAHBOUB'S FAMILY - INCLUDING THE AMERICAN WIFE OF ONE OF MR. AL SHAHBOUB'S BROTHERS. THE LADIES PRESENTED A UNIFIED FAMILY FRONT,

SEEKING TO ASSURE CONOFF THAT YASMEEN WAS HAPPY, WHILE ACCUSING MS. HERNANDEZ OF OVERREACTING BY HAVING COURT-ORDERED RESTRICTIONS IMPOSED ON MR. AL SHAHBOUB'S FREEDOM TO TRAVEL TO THE UNITED STATES. SHE HAS PLACED HIS NAME WITH INTERPOL AS WELL IN ORDER TO PRECLUDE BUSINESS-RELATED TRAVEL TO EUROPE. (NOTE: EVEN THOUGH KHALID AL SHAHBOUB SEVERELY RESENTS THE TRAVEL BAN, HE CLAIMS THAT HE COULD STILL, AND HAD ALREADY, TRAVELED ABROAD.)

SEEDS OF DISCONTENT PLANTED?

9. KHALID AL SHAHBOUB QUICKLY TIRED OF CHAPERONING MS. HERNANDEZ'S VISITS. HE TELEPHONED THE CONSULAR SECTION AND ANGRILY BAILED AGAINST MIRIAM HERNANDEZ FOR TRYING TO "BRAIN WASH" YASMEEN. HE WAS PARTICULARLY INCENSED THAT TWELVE YEAR OLD YASMEEN HE CLAIMED HAD BECOME EMBOLDENED ENOUGH TO TELL HIM THAT SHE HAD RIGHTS AS AN AMERICAN CITIZEN, AND THAT HE COULD NOT KEEP HER PRISONER IN SAUDI ARABIA. HIS PATERNAL SENSITIVITIES WERE FURTHER INJURED WHEN HE SAID, FOR THE FIRST TIME YASMEEN EXPRESSED HATRED FOR HIM. WHILE MS. HERNANDEZ DID NOT ACKNOWLEDGE PLANTING IDEAS IN YASMEEN'S HEAD, SHE DID EXPRESS SATISFACTION THAT SHE HAD BEEN ABLE TO TELL YASMEEN THAT HER GRANDMOTHER AND FRIENDS MISSED HER, AND THAT HER FATHER HAD PROHIBITED ALL COMMUNICATION BETWEEN THEM. THE FINAL STRAW FOR MR. AL SHAHBOUB CAME WHEN MS. HERNANDEZ GAVE YASMEEN HER AT&T CREDIT CARD NUMBER AND TOLD HER TO CALL HER GRANDMOTHER. ACCORDING TO YASMEEN'S FATHER, THE CHILD SURREPTITIOUSLY MADE SEVERAL TELEPHONE

CALLS TO FRIENDS IN THE U.S. BEFORE HE REALIZED WHAT SHE WAS DOING.

AL SHAHBOUB SAYS NO DEAL

10. IT WAS DUE SOLELY TO THE PERSUASIVE ARGUMENTS OF THE EXPERIENCED CONSULAR FSN THAT MR. AL SHAHBOUB RELENTED, FOR THE AIRPORT ON FEBRUARY 28. EVEN THIS SCENARIO APPEARS TO HAVE BEEN DELIBERATELY ORCHESTRATED TO FRUSTRATE AND UNDERMINE THE TOLERANCE AND PATIENCE OF ALL BUT THE MOST DETERMINED. CONOFF, FSN, MS. HERNANDEZ AND HER UNCLE APPEARED AT KHALID AL SHAHBOUB'S PLACE OF BUSINESS AT SIX PM, AS HE HAD DIRECTED, ONLY TO BE TOLD BY HIS STAFF THAT MR. AL SHAHBOUB HAD JUST LEFT. WHEN THE STORE CLOSED FOR PRAYER CALL, THE EMBASSY GROUP SPENT THIRTY MINUTES SITTING IN FRONT OF THE BOUTIQUE BEFORE A CAR APPEARED, AND THE DRIVER ANNOUNCED THAT HE HAD BEEN SENT BY MR. AL SHAHBOUB. THE EMBASSY VEHICLE FOLLOWED THE LUXURY CAR TWENTY MINUTES ACROSS TOWN, TERMINATING

REFUSED TO OUTLINE IN WRITING AN INFORMAL PROPOSAL FOR MS. HERNANDEZ TO VISIT HER DAUGHTER DURING THE SUMMER OF 1998. MR. AL SHAHBOUB'S ONLY RESPONSE WAS THAT MS. HERNANDEZ WOULD HEAR FROM HIS ATTORNEY.

11. COMMENT: DURING THE INITIAL MEETING MR. AL SHAHBOUB GAVE INDICATIONS THAT HE WAS WILLING TO ALLOW MS. HERNANDEZ VISITATION AS LONG AS SHE WISHED TO REMAIN IN RIYADH, AND HE WAS AMENABLE TO MAPPING OUT A PLAN FOR A POSSIBLE RETURN VISIT THIS SUMMER. AFTER FOUR SESSIONS, WHICH BECAME INCREASINGLY SHORT, HE TERMINATED THE ARRANGEMENTS, CAUSING MS. HERNANDEZ TO CANCEL A PLAN TO REMAIN IN RIYADH UNTIL MARCH 11. IN FRONT OF CONSULAR STAFF MIRIAM HERNANDEZ REMAINED CALM AND REASONABLE THROUGHOUT WHAT WAS ASSURELY A STRESSFUL ORDEAL, EVEN ON OCCASION OPINING THAT KHALID AL SHAHBOUB WOULD NEVER SEND YASMEEN BACK TO THE UNITED STATES. IN ORDER TO TEST THE LEVEL OF CONFIDENCE BETWEEN MR. AL SHAHBOUB AND THE EMBASSY, CONOFF WILL TRY TO ARRANGE A CONSULAR VISIT ON THE OCCASION OF YASMEEN'S BIRTHDAY IN APRIL. END COMMENT

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NOTE TO FILE 3/22/99

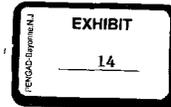
ON WEDNESDAY THE 17TH OF MARCH, I RECEIVED A CALL AT AROUND 5:30 FROM YASMEEN SHALHOUB, DAUGHTER OF MIRIAM HERNANDEZ, AND ONE OF RIYADH'S ACTIVE CHILD CUSTODY CASES.

YASMEEN REQUESTED THAT I HELP GET HER OUT OF THE COUNTRY AS SHE SAID HER FATHER "HURT HER ALL THE TIME AND THAT SHE WANTED TO GO HOME". SHE ALSO TOLD ME THAT SHE HAD JUST GOTTEN OFF OF THE PHONE WITH HER MOTHER AND THAT HER MOTHER HAD SUGGESTED SHE CALL ME.

YASMEEN ALSO STATED THAT SHE WAS GOING ON VACATION AS OF SUNDAY THE 21ST OF MARCH AND THAT SHE THOUGHT SHE WAS GOING TO DAMMAM BUT THAT SHE MIGHT BE GOING TO DUBAI AS WELL. I TOLD HER THAT IF THERE WAS ANY POSSIBILITY THAT SHE WOULD BE LEAVING KSA THAT SHE SHOULD CALL ME BACK WITH THAT INFO. SHE ASKED ME IF DUBAI WAS OUTSIDE OF SAUDI ARABIA. I TOLD HER YES AND THE FOLOWING:

- 1) IF SHE HAD THE OPPORTUNITY, SHE SHOULD GO TO THE AMERICAN CONSULATE IN DUBAI OR TO THE AMERICAN EMBASSY IN MANAMA IF THEY TOOK A TRIP TO BAHRAIN. I PROVIDED HER WITH TELEPHONE NUMBERS FOR EACH.
- 2) EVEN WITHOUT IDENTIFICATION ON HER, THAT THEY MAY BE ABLE TO HELP HER EXIT THE COUNTRY TO RETURN TO THE U.S. (SHE WAS CONCERNED THAT SHE HAD NO PPT TO SHOW THAT SHE WAS AN AMCIT)
- 3) THAT IF THERE IS NO POSSIBILITY TO GET TO THE CONSULATE THEN SHE SHOULD WAIT UNTIL ANOTHER TIME.
- 4) THAT WE WOULD ATTEMPT TO HELP HER AS MUCH AS POSSIBLE BUT THAT WE WOULD ONLY BE ALLOWED TO WORK WITHIN THE LAW. WE COULD NOT BREAK THAT LAW OF EITHER BAHRAIN OR UAE IN OPRDER TO GET HER OUT.
- 5) THAT IF SHE COULD NOT CALL ME THEN SHE SHOULD CALL HER MOTHER ON OR BEFORE SUNDAY TO TELL HER WHERE SHE MIGHT BE HEADED.

ON SUNDAY AFTER NOON, I RECEIVED A PHONE CALL FROM MIRIAM HERNANDEZ TELLING ME THAT YASMEEN HAD CALLED HER AND TOLD HER THEY WERE HEADING OUT ON VACATION THAT DAY. I REPEATED TO MIRIAM WHAT I HAD TOLD YASMEEN AND THAT WE WOULD HELP WITHIN THE BOUNDARIES OF THE LAW ONLY. I CALLED MANAMA AND DUBAI AND SPOKE TO BILL ROBERTS AND AUSTIN WIEHE, RESPECTIVELY AND APPRISED THEM OF THE SITUATION. I FAXED THEM A COPY OF YASMEEN'S PPT, THE MISSING FLYER THAT HAD BOTH HER AND HER FATHER'S INFO ON IT AS WELL AS MIRIAM HERNANDEZ'S TELEPHONE NUMBER. ALL AGREED TO CALL IF/WHEN ANYTHING HAPPENED ON THIS CASE.



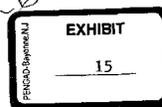
NOTE TO FILE 4/07/99

[] RECEIVED A PHONE CALL AT 3:40 P.M. YESTERDAY AFTERNOON FROM SUZANNE SHALHOUB, THE SISTER-IN-LAW OF YASMEEN'S FATHER AND AN AMERICAN CITIZEN LIVING IN RIYADH, ASKING IF THE EMBASSY HAD ANY INFORMATION REGARDING THE WHEREABOUTS OF YASMEEN SHALHOUB. ACCORDING TO SUZANNE, YASMEEN WAS DROPPED OFF IN FRONT OF SCHOOL BETWEEN 6:30 AND 7 AM BUT DID NOT MAKE IT INTO THE BUILDING. [] TOLD ME AS I WAS AT THE WINDOW AND ASKED ME IF I KNEW ANYTHING ABOUT YASMEEN. I DID NOT.

I IMMEDIATELY CALLED THE LEGATT'S OFFICE AND ATTEMPTED TO REACH [] TO INFORM/INQUIRE ABOUT THE CASE. [] INFORMED ME THAT [] WAS AT HOME AND I CALLED HIM THERE. I TOLD HIM WHAT I KNEW AND ASKED HIM IF HE KNEW ANYTHING ABOUT THE CASE. HE SAID NO. I THEN CALLED [] TO ASK FOR CLEARANCE TO HAND A PHOTO OF YASMEEN TO THE LOCAL GUARDS IN CASE SHE CAME TO ONE OF THE GATES. [] ASKED FOR ME TO COME UP AND DISCUSS SO I DID.

[] AND MYSELF DISCUSSED THE CHOICES AVAILABLE TO US IF YASMEEN DID SHOW UP. [] ASKED FOR AND RECEIVED A PHOTO OF YASMEEN FROM OUR FILES AND TOOK CARE OF DISTRIBUTION. I TOLD THEM THAT I WOULD KEEP THEM INFORMED AS I GOT INFORMATION.

AT 4:20 [] RECEIVED A TELEPHONE CALL FROM A WOMAN CLAIMING TO BE MIRIAM HERNANDEZ. I TOOK THE CALL AND, BASED ON THE SOUND OF THE WOMAN'S VOICE, I PROCEEDED TO SPEAK WITH HER AS IF SHE WAS MIRIAM HERNANDEZ. SHE WAS NOT. THE CALLER WAS SUZANNE SHALHOUB WHO WAS ATTEMPTING TO FIND OUT IF THE EMBASSY KNEW WHERE YASMEEN WAS OR WHO ACTUALLY TOOK HER. SHE ADMITTED THAT THE FAMILY WAS DESPERATE AND THAT THEY BELIEVED THAT THE EMBASSY WAS INVOLVED IN THE KIDNAPPING OF YASMEEN. FOR THE RECORD, THE CONSULAR SECTION HAS NO KNOWLEDGE OF WHO TOOK YASMEEN OR WHERE SHE IS/WAS IN THE PAST 24 HOURS. THE DISCUSSION WITH SUZANNE SHALHOUB LASTED A TOTAL OF 20 MINUTES. IN THE END, SUZANNE SAID THAT THE POLICE HAD BEEN NOTIFIED, IMMIGRATION HAD BEEN NOTIFIED AND THE FAMILY CLAIMS NOT TO CARE IF THE MOTHER HAD HER SNATCHED - ONLY THAT YASMEEN IS OK. THE SISTER-IN-LAW'S TEL. # IS 419-4632. YASMEEN'S FATHER HAS NOT AT ANY POINT CONTACTED THE CONSULAR SECTION TO LET US KNOW WHAT IS GOING ON.



YASMEEN SHALHOUB
ALC

(36)

H/clo

NOTE TO FILE 4/04/99

AT APPROXIMATELY 2 PM THIS AFTERNOON, I RECEIVED A TELEPHONE CALL FROM MIRIAM HERNANDEZ REGARDING THE WHEREABOUTS OF HER DAUGHTER, YASMEEN SHALHOUB.

YASMEEN HAD TELEPHONED HER MOTHER FROM RIYADH (YESTERDAY OR TODAY) AND HAD TOLD HER MOTHER THAT SHE HAD BEEN IN DUBAI, U.A.E., FOR VACATION WITH HER FATHER AND THAT SHE WAS UNABLE TO GET TO THE CONSULATE TO ATTEMPT AN ESCAPE. SHE ALSO MENTIONED THAT SHE WAS WITH HER FATHER AND HER STEPMOTHER AT ALL TIMES AND THE ONE CHANCE THAT SHE HAD WAS DURING A SHOPPING TRIP BUT THAT SHE WAS SCARED TO ATTEMPT IT.

MIRIAM HERNANDEZ THANKED ME FOR MY CONTACTING DUBAI AND MANAMA CONSULAR OFFICERS IN ORDER TO PREPARE THEM IF YASMEEN HAD SHOWN UP. SHE ALSO STATED THAT THERE WAS A POSSIBILITY THAT YASMEEN WOULD GO TO DUBAI AGAIN (SHE APPARENTLY WENT LAST SUMMER 1998) AND PERHAPS YASMEEN WOULD BE ABLE TO CALL FROM DUBAI AND LET HER MOTHER KNOW THAT SHE WAS THERE.

MIRIAM STATED THAT YASMEEN SAID THAT THEY HAD STAYED AT THE CROWN PLAZA HOTEL IN DUBAI. THE LEGATT'S OFFICE WAS INFORMED OF THIS DEVELOPMENT WITHIN 1 HOUR OF THE CALL.

[] c/clo

EXHIBIT
16

ACTION

UNCLASSIFIED
Department of State

INCOMING
TELEGRAM

PAGE 01 RIYADH 01136 141405Z SHC9202
ACTION OCS-03

INFO LOG-00 AMAD-01 CA-02 UTED-00 TEDE-00 L-00 ADS-00
NEA-00 NSCE-00 PPT-01 NFAT-00 SAS-00 /009W
-----BBAD21 141627Z /38

R 141352Z APR 99
FM AMEMBASSY RIYADH
TO SECSTATE WASHDC 7314
INFO AMCONSUL JEDDAH
AMCONSUL DHAHRAN

UNCLAS RIYADH 001136

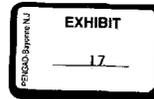
DEPT FOR CA/OCS/CI, NEA/ARP

E.O. 12958: N/A
TAGS: KOCI, CPAS, CASC, SA (SHALHOUB, YASMEEN)
SUBJECT: CHILD CUSTODY: YASMEEN SHALHOUB RETURNS TO U.S.

1. SUMMARY. YASMEEN SHALHOUB'S AUNT INFORMED POST APRIL 6 THAT YASMEEN HAD DISAPPEARED AFTER BEING DEPOSITED AT SCHOOL IN RIYADH THAT DAY. CONOFF REPORTED THIS NEWS TO CHILD'S MOTHER IN MIAMI APRIL 7. MOTHER APPEARED SURPRISINGLY UNCONCERNED AND INFORMED POST THE NEXT DAY THAT YASMEEN HAD JUST BEEN RETURNED TO HER IN MIAMI. END SUMMARY.
2. KHALID SHALHOUB'S SISTER-IN-LAW, SUZANNE SHALHOUB, INFORMED CONSULAR SECTION APRIL 6 THAT HER NIECE YASMEEN HAD DISAPPEARED AFTER BEING DROPPED OFF AT SCHOOL THAT MORNING. SHE SAID THE FAMILY WAS CONCERNED ABOUT YASMEEN'S WHEREABOUTS AND SUSPECTED EMBASSY MAY HAVE KIDNAPPED YASMEEN FOR PURPOSE OF RETURNING HER TO HER MOTHER, MIRIAM HERNANDEZ, IN MIAMI. CONOFF ASSURED MS. SHALHOUB THAT EMBASSY HAD NO PART IN THE DISAPPEARANCE AND REQUESTED THAT SHE HAVE YASMEEN'S FATHER, KHALID SHALHOUB, CALL POST TO CONFIRM THAT HIS DAUGHTER WAS MISSING. MR. SHALHOUB NEVER CALLED.
3. CONOFF TELEPHONED MIRIAM HERNANDEZ MORNING OF APRIL 7 TO INFORM HER OF REPORTED DISAPPEARANCE OF DAUGHTER. HERNANDEZ TOLD CONOFF "NOT TO WORRY" AND THAT SHE COULD NOT SAY ANYTHING ELSE. SHE THANKED CONOFF FOR INFORMATION AND PROMISED THAT SHE WOULD BE IN TOUCH.
4. MS. HERNANDEZ CALLED POST APRIL 8 AND LEFT MESSAGE WITH MARINE SECURITY GUARD THAT HER DAUGHTER HAD BEEN RETURNED TO HER IN MIAMI. WHEN CONOFF CALLED TO CONFIRM REPORT, HERNANDEZ TOLD CONOFF THAT YASMEEN ARRIVED IN MIAMI EVENING OF APRIL 7 AND THAT YASMEEN WAS WELL AND VERY HAPPY TO BE BACK HOME AFTER A SEPARATION OF ALMOST TWO YEARS. HERNANDEZ WAS UNWILLING TO DISCUSS DETAILS OF YASMEEN'S REMOVAL FROM SAUDI ARABIA. SHE THANKED CONOFF FOR POST'S CALL APRIL 7 AND ALL PREVIOUS LEGAL EFFORTS TO ASSIST IN YASMEEN'S RETURN.
5. CONOFF KEPT LEGATT INFORMED OF DEVELOPMENTS AS THEY OCCURRED. LEGATT HAS INFORMED CONOFF THAT AN ATTEMPT WILL BE MADE TO INTERVIEW HERNANDEZ IN MIAMI TO GATHER MORE INFORMATION ABOUT YASMEEN'S RETURN.

FOWLER

1999 APR 15 A 7:43
RECEIVED
CONSULAIR
DACA, AL



UNCLASSIFIED

Kingdom of Saudi Arabia
Ministry of Foreign Affairs

Number: 97/20/49035
Date: 29/10/1420
(October 9, 1999)

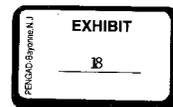
The Ministry of Foreign Affairs of the Kingdom Saudi Arabia presents its compliment to the Embassy of the United States of America.

The Ministry would like to draw the attention of the Embassy to the complaint presented by the Saudi citizen/ Khalid Bin Abdulaziz Bin Shalhoob, in which he pointed to that his daughter (Yasmin) was kidnapped at her school door and was transported with the knowledge of the US Embassy in Riyadh to the United States of America by means of a US military aircraft where she was handed to the USAF who then handed her to her mother. This was all done by means of a secret plan known only to the Head of the Mission and to the Counsel General at the American Embassy in the Kingdom.

(Yasmin) daughter of the Saudi citizen who called her father after her arrival in the US immediately related these informations.

While we express our great amazement with this totally refused action by an Embassy of a foreign country with which we share the strongest and closest relations; we denounce this method in dealing with our citizens. Such action boldly violates the diplomatic norms and traditions. We see the only way to return things into their right path is by working diligently to insure prompt return of the Saudi citizen (Yasmin) to her family and country the Kingdom of Saudi Arabia.

The Ministry avails itself of this opportunity to renew its highest consideration.





المملكة العربية السعودية
وزارة الخارجية

تهدي وزارة خارجية المملكة العربية السعودية أطيب تحياتها إلى سفارة الولايات المتحدة الأمريكية بالرياض. وتود الوزارة أن تسترعي انتباه السفارة إلى الشكوى المقدمة من المواطن السعودي/خالد بن عبدالعزيز بن شلهوب والتي أشار فيها إلى تعرض أبنته (ياسمين) للخطف عند باب مدرستها وتم نقلها بعلم السفارة الأمريكية في الرياض إلى الولايات المتحدة الأمريكية باستخدام طائرة عسكرية أمريكية حيث جرى تسليمها بعد ذلك إلى القوات الجوية الأمريكية التي سلمتها لوالدتها ، وقد تم ذلك كله من خلال خطة سرية محكمة لا يعلم بها سوى رئيس البعثة والقنصل العام بالسفارة الأمريكية في المملكة.

هذا وقد جرى الإدلاء بهذه المعلومات على لسان ابنة المواطن السعودي (ياسمين) والتي اتصلت بأبيها عقب وصولها للولايات المتحدة الأمريكية مباشرة.

وفي الوقت الذي نعبر فيه عن دهشتنا البالغة لهذا التصرف المرفوض تماما من قبل سفارة دولة أجنبية تربطنا بها أوثق العلاقات وأمتها ، فإننا لا نملك إلا أن نستنكر هذا الأسلوب في التعامل مع مواطنينا حيث أن ما حصل أمر يدخل في إطار المخالفة الصريحة للأعراف والتقاليد الدبلوماسية. ونرى أن السبيل الوحيد الذي يعيد الأمور إلى نصابها يكمن في العمل بكل الجدية من أجل تأمين الإعادة السريعة للمواطنة السعودية (ياسمين) إلى ذويها وبلادها المملكة العربية السعودية.

وتنتهز الوزارة هذه المناسبة لتعرب للسفارة عن أطيب تمنياتها ،،،



٤٩٠٣٥

٢٠/٩٧

تاريخ: ١٤٢٠/١٠/٢٩ الموافق: ١٤٩٠/١٠/٢٩ المرفقات: ١٩

To: [redacted]
Cc: [redacted]
Subject: RE: Child Custody - Saudi Arabia

Thank you for bringing this to our attention. It provides a wonderful opportunity for reiterating our concerns on this same issue (there is a lovely irony in their demand to return Yasmeeen). We are working on some language for a diplomatic note in reply agreeing that the kidnapping of children is reprehensible – something we have been saying for many years – and hoping that our governments may have the opportunity to sit down and discuss ways to prevent future such tragedies. I am sure there was no Embassy involvement in the reabduction/rescue, but we will be interested to know the results of the DAO query. I will let you know what we come up with on this end by way of reply. The desk has also been informed. Thanks.

-----Original Message-----
From: [redacted]
Sent: Monday, October 11, 1999 8:14 AM
To: [redacted]
Cc: [redacted]
Subject: Child Custody - Saudi Arabia

The attached is fyi.
<< File: shalhoub1099.doc >>

The Saudi MFA is quite upset as witnessed by a 30 minute diatribe I sat through on Wednesday afternoon after exchanging dipnotes on the visa reciprocity issue. The Saudi Director of Consular Affairs was quite animated during his monologue.

EXHIBIT
19

YASMEEN ALEXANDRIA SHALHOUB
October 20, 1999

I, Yasmeen A. Shalhoub was kidnaped by my father, Khalid A. Shalhoub. I was held against my will in Saudi Arabia from June 1997 until April 7th 1999.

At the time of the kidnaping I was 11 years old and residing with my mother, Miriam Hernandez and grandmother, Gloria Hernandez.. I was attending Epiphany Catholic School in Miami, Florida.

My father broke State and Federal Laws when he decided unilaterally to keep me in Saudi Arabia during what should have been summer visitation. My father lied to me and told me he would bring me back to the United States. Instead, he kept me in a country against my wishes and broke off all communication with my family in the United States instantaneously. My father went on to even tear any photographs, memories, and phone numbers that I had of my mother, grandmother, relatives and friends the United States.

I suffered great physical, emotional, and spiritual abuse during two years that I was kept against my will in Saudi Arabia. I did not speak Arabic, was taken to primitive country where women are totally oppressed. I was denied my rights and privileges under the Constitution of the United States as a United States citizen.

My mother was in constant contact with the Embassy in Saudi Arabia and even sent them tapes of my conversations with her that revealed the physical, emotional and spiritual abuse that I was experiencing. The personnel at the US Embassy in Riyadh were well aware of my situation through conversations with my mother and the content of these tapes where I pleaded repeatedly for help to get back home to the US. The US Embassy told my mother they could not help me. The US Embassy let me down.

I was persecuted for my religious beliefs in Saudi Arabia. I was told by family members and my father that I would go to hell and burn in the flames if I continued to say that I was Christian. I am Christian and have always been a Christian. However, while I was kept against my will in Saudi Arabia, I was beaten by my father whenever I admitted to being Christian or Catholic. I was not allowed to eat with the family at the table and I was forced to pray as the Moslems do or I would be beaten and scared to death. I remember having nightmares. I was told that I was going to die and burn because of my beliefs. I was also told that people in Saudi Arabia are killed if they are Christian.

Some examples of my father's abuse physical and emotional abuse included pulling me by the hair, throwing me on the floor and kicking me until I could not breath from pain. He would repeatedly call me a fatso, tell me I was a bitch just like my mother and tell me that he wished I would die and go to hell or that I die and burn in the flames in hell.



There were many nights that I wished I would die rather than endure the pain I was feeling. I was able to secretly communicate with my mother with her calling card at the risk of being beaten and that was of some comfort to me.

I was lucky to escape Saudi Arabia with the help of many people including my family in the United States. There are others like me. I want to do whatever I can to ensure that other children can return to the United States.

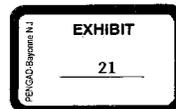
(44)

No. 1371

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Kingdom of Saudi Arabia and has the honor to refer to the Ministry's Note of 29/10/1420 (October 9, 1999), Number 97/20/49035. The Ministry's note refers to a complaint presented by a Saudi citizen, Mr. Khalid bin Abdulaziz bin Shalhoob, in which he alleges that the American Embassy planned and executed the kidnapping of his daughter, Yasmin Shalhoob, in Riyadh and her subsequent transportation to the United States by a U.S. Air Force aircraft. The father claims that his daughter has given him this account of her removal from Saudi Arabia.

The Embassy has the honor to inform the Ministry that Mr. Shalhoob's allegation of Embassy complicity in the kidnapping of Yasmin Shalhoob is totally false. At no time prior to her disappearance from the Kingdom around April 6, 1999 did Embassy officers, whether in the Consular section or in any other section, have any knowledge of plans to arrange her transportation to the United States. Nor did the Embassy in any way support, assist, or facilitate her removal.

The Embassy wishes to state that it does not approve of illegal, indeed criminal behavior, under any circumstances. It was wrong for Mr. Khalid Shalhoob to kidnap Yasmin from the United States in 1994 in direct violation of an American court order awarding custody



of Yasmin to her mother. If Mr. Shalhoob's account is true, it would also be wrong for Yasmin to have been kidnapped in Riyadh to be brought to the United States.

The Embassy works hard with the Ministry of Foreign Affairs to bring parents to cooperate together to resolve the tragic cases of children of dual Saudi and American nationality separated from one parent or the other, but at all times the Embassy and its officers work within the framework of American and Saudi law.

Mr. Shalhoob alleges that a U.S. military aircraft was used to transport his daughter to the United States. The Embassy has the honor to state that very strict regulations apply to the use of such aircraft for personal transportation anywhere in the world. To transport Yasmin Shalhoob would represent a very serious and illegal violation of United States Air Force regulations. Immediately on receipt of the Ministry's Note, the Embassy initiated an investigation by the U.S. Air Force of any misuse of flights between Saudi Arabia and the United States, or to intervening points in Europe, as claimed by Mr. Shalhoob. The results of that investigation will be communicated to the Ministry as soon as they are received.

The Embassy has the honor to state also that Mr. Shalhoob was neither in communication with the Embassy before nor after the transportation of his daughter to the United States. Nonetheless, the Embassy would be pleased to receive any specific information he may have

regarding the flights cited above that would assist our investigation.

The Embassy of the United States of America avails itself of this opportunity to renew to the Royal Ministry of Foreign Affairs of the Kingdom of Saudi Arabia the assurances of its highest consideration.

Embassy of the United States of America,

Riyadh, October 26, 1999.



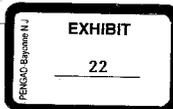
APPROVED: AMBUT
DRAFTED: 1
CLEARED: 1

Dear:

Dad,

I really hate you. I never want to see you or speak to you, I don't even want to know you because what you did to me is unacceptable. How could you do this to me? Don't call my house or bother me. My life is no longer any of your business. I hate you and nothing will ever change that. You are the worst father anyone could ever have. I am very happy here. I am finally back here, my wishes have come true and I am with my family again. Stop trying to get me back and don't do anything to my mom, don't harm anyone from my family. Just leave me and my family alone. What you are doing is pointless and I just wish you would realize how much you are hurting me and my family.

Yasmineen



(62)

o: Exchange@GATEWAYSVR1@Servers [] pcm:GOVDOS/CBPCA/ST
 c:
 cc:
 rom: [] POL@RIYAD_EMBA
 bject: Religion - For the Record
 ate: Wednesday, February 9, 2000 6:12:30 GMT
 ttach:
 ertify: N
 riority: Normal
 efer until:
 xpires:
 orwarded by:

I have to respond to [] comment about Yasmeen Shalhoub aka
 ria Davis. For the record, I spoke to her on several occasions here in
 iyadh and I specifically asked her if her father mistreated her or hit her.
 er response was that he did call her names, most often "fatso", but that the
 nly time he "hit" her was with a pencil after she stood in front of the tv
 locking his view. According to her, this occurred one time.

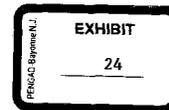
In any event, it bothers me greatly to see this amazing little story
 ome up when there was NO mention from the girl herself while I spoke to her
 n Riyadh. Nor was there ever any mention by her or her mother that the
 ather was attempting to "convert" her. Clarification on conversion - A child
 orn of a Saudi father is considered Muslim, regardless of the mother's
 eligion and while in this country Yasmeen/Dria would have been considered
 uslim in public but any acts of "forced conversion", in the sense of making
 er pray or yelling at her/ beating her for her mother's religion, were never
 old to us. Last thought on this - she also spoke to one of the FBI guys here
 y the name of []. He is now in the [] field office. [] may
 ant to speak with him as well.



(69)

H

No: 267



The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Kingdom of Saudi Arabia and has the honor to refer to the Ministry's Note Number 97/20/49035 of 29/10/1420 (October 9, 1999) and the Embassy's Note Number 1371 of October 26, 1999 (16/7/1420), which transmitted the Embassy's initial denial of the allegations made by Saudi citizen Mr. Khalid bin Abdulaziz bin Shalhoub concerning the disappearance of his daughter, Yasmeen Shalhoub.

The Embassy has the honor to report that it has concluded its investigation concerning Mr. Shalhoub's claim that Yasmeen Shalhoub was transported from the Kingdom of Saudi Arabia aboard a United States military aircraft. The Embassy has determined categorically that it is not possible that Yasmeen Shalhoub left the Kingdom of Saudi Arabia aboard a United States military aircraft. The Embassy states this following an extensive review of the flight manifests of the United States military aircraft departing the Kingdom of Saudi Arabia at the time of Yasmeen Shalhoub's travel from Saudi Arabia. The Embassy also notes that Yasmeen Shalhoub has made various statements to the press detailing how she traveled to the United States via regularly-scheduled commercial aircraft from a neighboring country.

The Embassy of the United States avails itself of this opportunity to renew to the Ministry of Foreign Affairs its assurances of its highest consideration.

Embassy of the United States of America

Riyadh, March 4, 2000





AFFIDAVIT

Kingdom of Saudi Arabia)
Riyadh Province)
Riyadh)
Embassy of the United)
States of America)

Sallybeth M. Bumbrey

Before me, _____ Vice Consul of the United States of America at Riyadh, Saudi Arabia, duly commissioned and qualified, personally appeared Monica Stowers

who being duly sworn, according to law, depose s and say s as follows:

I Monica Stowers
of Newton, Texas U.S.A. temporarily residing at Offal House School, Riyadh, Saudi Arabia do hereby declare that:
My visa (residential permit) has expired. My sponsor refuses to renew it. I am here now illegally. I will not leave Riyadh without my daughter, Amjad Radwan. Her father, Najim Radwan, does not want her. She is being living with a stepfather. He refuses to go with the man they have married her off to. She will run away from her father because of forced to go back.
We need help from the U.S. government. (cont.) →

Further deponent _____ saith not.

Monica Stowers
Signature of Affiant
Subscribed and sworn to before me,
this 31st day of May, 1997

(Signature of officer) Sallybeth M. Bumbrey
(Name and title of consular officer)
Sallybeth M. Bumbrey
Consul of the United States
of America

EXHIBIT
25

04/22/02 09:10 FAX 201390000

RAIRO 0-11-002

I've been in jail here before (1991) for refusing to leave my children. They are U.S. citizens, born in Houston, Texas. Their country should not turn its back on them.

My daughter and I are going all the way. I refuse to leave.

We want help. We need help

I want a written ^{Help us} response as to what you will do for me.

What will happen to my daughter when I don't come home one day because I've been arrested by the authorities? ^{My daughter stays alone all day at home while I work. She is afraid to go to school because her father will get her up.}

If you refuse to help us, I hold you, the U.S. government, responsible for what happens to my daughter. She could also be arrested for trying to leave the country on her own.

Monica Stowers

04/22/02 09:33 FAX 2813950933

ALIKO S. LI ONLY

FROM : CA/OCS

202 547 2636

1996-10-10

10:56

1745 P.02/02

G

UNCLASSIFIED

INCOMING TELEGRAM

Department of State

PAGE 01 RIYADH 04070 00630Z

0002323

RIYADH 04070 00630Z

0002323

ACTION FOR-01

NOT TRAVEL ABROAD WITHOUT HER FATHER'S CONSENT, WHICH MR. RADWAN HAS REFUSED TO GIVE. WE HAVE EXPLAINED TO MRS. STOWERS THAT WE CANNOT ASSIST HER AND HER DAUGHTER IN DEPARTING SAUDI ARABIA ILLEGITIMATELY OR ILLEGALLY.

INFO LOG-04 CASH-04 ANM-01 UTD-04 U-01 TETE-04 L-04
005-04 REA-04 OCS-02 SARD-04 SS-04 UO-03 /0111
CORRECTION 00630Z/30

WE RECENTLY LEARNED FROM MRS. STOWERS THAT ANJAD'S FATHER HAS ARRANGED A MARRIAGE BETWEEN ANJAD AND A 22 YEAR-OLD SAUDI MAN. WHILE THE EMBASSY IN NO WAY CONDONES SUCH A MARRIAGE, IT IS ALLOWED UNDER SAUDI LAW AND THE EMBASSY HAS NO LEGAL AUTHORITY TO PREVENT SUCH A MARRIAGE FROM OCCURRING.

P 00630Z OCT 90

FM AMEMBASSY RIYADH
TO SECRETARY WASHDC PRIORITY 0514

UNCLAS RIYADH 04070

H PASS

E.O. 12958: N/A

TAGS: CASH; SA

SUBJECT: CONGRESSIONAL INQUIRY ON CHILD CUSTODY CASE OF ANJAD RADWAN

TO: THE HONORABLE PHIL GRAMM
UNITED STATES SENATE
2225 BRYAN STREET SUITE 1500
DALLAS TEXAS 75201-3400
ATTENTION: SECURITY BLACK

DEAR SENATOR GRAMM:

I AM WRITING IN RESPONSE TO YOUR LETTER OF SEPTEMBER 14. RECEIVED IN OUR OFFICE ON SEPTEMBER 14. IN WHICH YOU INQUIRED ABOUT THE STATUS OF THE CASE OF ANJAD RADWAN, AN AMERICAN CITIZEN AND THE DAUGHTER OF YOUR CONSTITUENT RONICA STOWERS. ANJAD WAS ABDUCTED BY HER FATHER HIZER RADWAN, A SAUDI CITIZEN, FROM TEXAS IN 1986 AND BROUGHT TO SAUDI ARABIA.

PARENTAL CHILD ABDUCTION IS A TRAGEDY. WHEN THE PARTIES IN AN INTERCULTURAL MARRIAGE CANNOT AGREE ON WHERE TO RAISE THEIR CHILDREN, AND WHEN ONE PARENT TAKES A CHILD ACROSS INTERNATIONAL BORDERS, THE DIFFICULTIES ARE COMPOUNDED FOR EVERYONE INVOLVED. THE DEPARTMENT OF STATE AND THIS EMBASSY CONSIDERS THE WELFARE AND PROTECTION OF U.S. CITIZEN CHILDREN TAKEN OVERSEAS TO BE A VERY IMPORTANT AND SENSITIVE MATTER. THE EMBASSY HAS FOLLOWED THIS CASE SINCE 1985 AND WE HAVE ATTEMPTED TO PROVIDE MRS. STOWERS AND HER DAUGHTER WITH EVERY POSSIBLE ASSISTANCE AVAILABLE UNDER U.S. LAW.

WE HAVE INVESTIGATED MRS. STOWERS' ALLEGATIONS OF HER DAUGHTER'S ABUSE AT THE HANDS OF HER FATHER AND STEP-MOTHER. WHILE WE AGREE THAT ANJAD IS LIVING IN AN ENVIRONMENT THAT IS HARDLY IDEAL, WE HAVE NOT BEEN ABLE TO DISCOVER ANY SOLID EVIDENCE OF SERIOUS PHYSICAL ABUSE. NONETHELESS, WE HAVE OFFERED TO RAISE MRS. STOWERS' CONCERNS REGARDING ANJAD'S TREATMENT WITH SAUDI AUTHORITIES AND ASK THAT THEY INVESTIGATE POSSIBLE ABUSE. MRS. STOWERS HAS DECLINED OUR OFFER.

WITH REGARD TO MRS. STOWERS' REQUEST THAT THE EMBASSY ASSIST HER DAUGHTER IN DEPARTING SAUDI ARABIA, CONSULAR OFFICERS ARE RESTRICTED BY U.S. LAW, INTERNATIONAL CONVENTIONS AND LAWS IN FOREIGN COUNTRIES IN WHAT ACTIONS WE MAY LEGALLY TAKE IN SUCH CASES. FOR INSTANCE, CONSULAR OFFICERS HAVE NO LEGAL AUTHORITY TO TAKE PHYSICAL CUSTODY OF CHILDREN AND RETURN THEM TO THE REQUESTING PARENT. NOR CAN WE FORCE THE ABDUCTING PARENT TO CONSENT TO A VISIT BY THE OTHER PARENT. IF THE PARENTS CANNOT REACH AN AGREEMENT, THEY MUST TAKE THEIR DISPUTE TO COURT. COURTS IN FOREIGN COUNTRIES, LIKE U.S. COURTS, HAVE JURISDICTION OVER PEOPLE RESIDING IN THEIR TERRITORY, REGARDLESS OF THEIR CITIZENSHIP, AND THEY DECIDE CHILD CUSTODY CASES ON THE BASIS OF THEIR OWN DOMESTIC RELATIONS LAW.

WHILE ANJAD IS UNDEB AN AMERICAN CITIZEN, SHE IS ALSO A CITIZEN OF SAUDI ARABIA THROUGH HER FATHER. IN FACT, THE GOVERNMENT OF SAUDI ARABIA DOES NOT RECOGNIZE DUAL NATIONALITY AND CONSIDERS ANJAD ONLY TO BE A SAUDI CITIZEN, SINCE ANJAD IS LIVING IN SAUDI ARABIA. SHE IS THEREFORE SUBJECT TO SAUDI LAW. UNDER SAUDI LAW, A DAUGHTER MAY

I UNDERSTAND AND APPRECIATE HOW DIFFICULT THIS SITUATION IS FOR MRS. STOWERS AND HER DAUGHTER. PLEASE BE ASSURED THAT WE WILL CONTINUE TO MONITOR THIS CASE CLOSELY AND PROVIDE ANY ASSISTANCE THAT WE CAN UNDER U.S. LAWS AND REGULATIONS TO ASSIST MRS. STOWERS AND ANJAD. I HOPE THAT THE FOREGOING INFORMATION IS HELPFUL TO YOU IN RESPONDING TO YOUR CONSTITUENT. IF I CAN BE OF FURTHER ASSISTANCE TO YOU IN THIS OR ANY OTHER MATTER, PLEASE DO NOT HESITATE TO CONTACT ME.

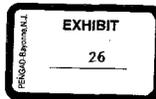
SINCERELY,
RICHARD C. HERMANN
CONSUL GENERAL

AMERICAN EMBASSY
RIYADH, SAUDI ARABIA

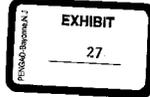
FWLER

Note: Please send the same copy to go after the

UNCLASSIFIED



November 10, 1997



Amjad turned this in to the Saudi government - it is what she wanted since no one would let her leave S.A. Rough translation follows.

in It May Concern,

Amjad Nizar Radwan, following from my Nizar Rasheed Radwan

divorce paper from Ismail in my hand before I see

2. I want to live in privacy with my mother, Monica Lynn Stowers, in her own house. My father should be responsible for that. My mother and I should have a normal life together, not as in the past when I had an abusive step-mother.

3. I should be allowed to go to school without any interference.

4. My father should not kidnap me again and take me off somewhere my mother doesn't know about, as he did for five years from 1985-1990, and as he did for two months in 1997.

5. My father shall not be physically abusive with me as he was in the past, kicking me on my head and in my stomach, and pulling my hair and throwing me on the ground.

6. My father shall not be verbally abusive with me, calling me a prostitute and a lesbian, or calling my mother a prostitute or "Kafir" as he has done in the past.

7. My father should respect the religion of my mother.

8. My half brother, Ahmed Nizar Radwan, is not allowed anywhere near my residence, as he has done unspeakable things to me when I lived in my father's house in the past.

9. My father shall not send men to my mother's residence to do her or me bodily harm, as he has done in the past. Any harm that comes to us when we walk outside the front door will be from Allah.

10. My father shall not make any trouble with the landlords of my mother's residence or go to my mother's place of employment and make trouble for her employer or her sponsor as he has done in the past.

11. My father will listen to my wishes when the time is right for me to marry.

04/22/02 09:17 FAX 2813950955

Kinko's_in_KATY

0000

12. Any issues that come up in the future should be worked out with my mother's involvement, not through physical violence and kidnapping on the part of my father.

13. My father should not go all around Riyadh, slandering me, my mother, or my true brother, ^{Rasheed Nizar Radwan} My personal life and that of my mother should be confidential.

Signed,

on this day, 1998

Monica Lynn Stowers (my wife)
Amjad Nizar Radwan (my daughter)
Nizar Hassan Radwan (my son)

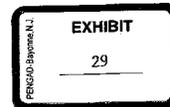
**Abduction of Alia and Aisha Al-Ghesheyhan to Saudi Arabia
Time-Line**

1985

Ms. Roush, who went to Saudi Arabia on a visit with her husband, Khalid Al-Ghesheyhan (a Saudi national), leaves Saudi Arabia with the girls with an Embassy repatriation loan. She shows embassy officials evidence of physical trauma and states that her husband beat her and broke several of her ribs all within sight of her girls. Mr. Al-Ghesheyhan is from an influential Saudi family.

1986

- Jan** Khalid Al-Ghesheyhan abducts his daughters, Alia and Aisha, from Cicero, Illinois to Saudi Arabia. A warrant for his arrest is issued by the Circuit Court of Cook County for child abduction. Embassy officials speak to Mr. Al-Ghesheyhan, who refuses to return the children or to allow a consular visit. He insists that future contacts with him in connection with the welfare of his daughters be made through the Saudi Ministry of Foreign Affairs (MFA). Embassy Riyadh sends a diplomatic note to the MFA. Consular officers speak to Roush and give her informational fliers and a list of attorneys in Saudi Arabia.
- Feb** Senator Dixon becomes actively involved in attempts to return the children to the U.S.
- Mar** After Mr. Al-Ghesheyhan refuses a request from the Embassy to visit the girls, the embassy sends a diplomatic note to the Saudi MFA requesting assistance in arranging a welfare and whereabouts visit. Several conversations are held between Embassy officials and Ms. Roush. Several letters are exchanged between DOS and various USG officials.
- Apr** Mr. Al-Ghesheyhan refuses request from the Embassy to visit the girls.
- July** Amb. Cutler meets with Prince Salman, Governor of Riyadh to appeal on humanitarian grounds for the return of the children. Cutler is advised that Ms. Roush should pursue the case in Shari'a court for resolution.



Nov With assistance from the Riyadh Governorate, a consular officer visits the children.

1987

- Mar U.S. District Court, Northern District of Illinois, issues UFAP warrant for Mr. Al-Ghesheyan. Department officials meet with Saudi Embassy officials to discuss the case.
- Apr Department officials continue meetings with Saudi Embassy officials.
- May Embassy Riyadh renews its efforts to meet with Saudi officials and members of the Al-Ghesheyan family. Amb. Cutler briefs the King's private secretary on the case. Cutler discusses the case with Prince Saud Al-Faisal, Saudi Foreign Minister. Embassy Consular Counselor meets with Deputy Governor Abdullah Blehad to ask the Emirate's help in arranging a visit with the children.
- Jun Hearings on custody cases in Saudi Arabia are held before the House Foreign Affairs Subcommittee on Europe and the Middle East. Ms. Roush testifies at the hearings.
- Jul With assistance from the Riyadh Governorate, consular officers visit the children for one hour.
- Sep J. Edward Fox, A/S for Legislative Affairs, writes several Senators and Members of Congress that based on meetings between high level Saudi officials and American diplomatic representatives, it has become clear that the Saudi government views child custody disputes as private matters between the parents of children, and the ability of the U.S. Government to intervene on behalf of Ms. Roush is limited.
- Oct Newly-arrived in Saudi Arabia, U.S. Amb. Hume Horan raises the Al-Ghesheyan case with Saudi Crown Prince Abdullah.
- Nov Amb. Horan meets with Riyadh Governor, Prince Salman Bin Abdulaziz. Consular Counselor meets the following day with the Deputy Governor who stresses the need for Ms. Roush to pursue the case in Saudi courts. Ms. Roush is upset that there is still discussion of a

legal solution and says she has no faith in the Shari'a court system. VP Bush meets with Crown Prince Abdullah in Washington and raises the Al-Ghesheyan case.

1988

- Jan An Embassy consular officer meets with Alia and Aisha and their father on January 10. Mr. Al-Ghesheyan says he would not agree to further visits because of the disturbances they caused his current household. He refuses requests for photographs of the children. Amb. Horan discusses case at length with Sen. Dixon.
- Mar A letter signed by 54 Senators is sent to King Fahd.
- Apr Embassy Riyadh sends demarche to Prince Salman, Governor of Riyadh. (Note: For unrelated reasons, King Fahd asks the US to replace Amb. Horan. This is the first time an American ambassador has been withdrawn at Saudi request since the countries established diplomatic relations in 1933.)
- May Ms. Roush tell DOS officials that Saudi attorney Saleh Al-Hejailan will sponsor her trip to Saudi Arabia and, upon her arrival in Saudi, serve Mr. Al-Ghesheyan with some unspecified order which would allow her to have custody of the children while in Saudi Arabia. Al-Hejailan would also arrange a meeting among Gov. Salman, Vice Governor Prince Satam, the Deputy Foreign Minister, Mr. Al-Ghesheyan, Ms. Roush, himself and a representative from the U.S. Embassy. Ms. Roush said that Al-Hejailan believes that this meeting would result in Mr. Al-Ghesheyan agreeing to allow exit visas for the children and that Ms. Roush would then be able to leave Saudi with the children. Ms. Roush is convinced that Al-Hejailan can make this happen if the Embassy will show its interest by attending the meeting. She suggests that Amb. Cutler attend the proposed meeting. Amb. Cutler indicated his willingness to attend the meeting. However, Amb. Cutler's confirmation was delayed. Dept. did not object to Charge Dunford attending the meeting and instructed the Embassy to contact Al-Hejailan to discuss the meeting. Ms. Roush says she does not want to stay anywhere during her visit except on an Embassy compound. Embassy and Department officials inform Ms. Roush that she cannot stay on an Embassy compound.

- Jun Ms. Roush is scheduled to travel to Saudi Arabia and meetings are arranged with high ranking Saudi officials. Ms. Roush cancels the trip citing security concerns and the fact that a visit with her daughters had not been guaranteed.
- Sep Ms. Roush files a claim for return of her children in Saudi court.
- Oct Embassy Riyadh assists Ms. Roush's American attorney, Franklin Scharf, to arrange a meeting with Mr. Al-Ghesheyan. The Embassy assists Scharf in arranging a visit by Ms. Roush to Saudi Arabia. Mr. Al-Ghesheyan refuses to permit the girls to travel to the U.S. or to grant permission for Ms. Roush to receive a Saudi visa. He says he will not do either until the criminal charges against him are dropped. Embassy of Saudi Arabia in Washington DC declines Ms. Roush's application for a visa because Mr. Al-Ghesheyan has not agreed to the visa.

1989

- Feb Embassy Riyadh's request for a welfare/whereabouts visit with the girls is refused. Amb. Cutler meets with Foreign Minister Saud on the Roush case.
- Oct Embassy Riyadh requests a welfare/whereabouts visit with the girls and is refused.
- Dec Embassy Riyadh requests a welfare/whereabouts visit with the girls and is refused.

1994

An Embassy consular officer is able to visit with Aisha only.

1995

- Jun Attorney Saleh Al-Hejailan sponsors Ms. Roush for a visit to Riyadh and pays for her trip. Mr. Al-Ghesheyan permits her to meet with her daughters -- for two hours in a hotel room without their father present and with an Embassy FSN translating. Mr. Al-Ghesheyan was in an adjoining hotel room. After the visit, Mr. Al-Ghesheyan refuses to permit another visit.

1996

- Jan The Saudi Foreign Ministry floats a proposal for shared custody under which the girls would spend the summer months in the U.S. with Ms. Roush and the remainder of the year in Saudi Arabia. In return, all arrest warrants against Mr. Al-Ghesheyan would be dropped. The Foreign Ministry recommends assigning an attorney to each side to begin talking about the details of a formal arrangement.
- Jan Neither Mr. Al-Ghesheyan nor Ms. Roush ever accept the above compromise.
- Apr Embassy officials meet many times with Mr. Al-Ghesheyan in attempts to persuade him to accept the compromise. Later, Mr. Al-Ghesheyan refuses any future contact with the Embassy. The Embassy institutes procedures to carefully screen visa requests from the Al-Ghesheyan family. When visas were requested, Embassy officers used the visa interview to raise the Roush case with family members. One family member, a Colonel in the Royal Saudi Air Force, recommends that a yearly visit might be possible if the right approach were made to Mr. Al-Ghesheyan. He says the Al-Ghesheyan family might be willing to finance Ms. Roush's travel and stay in Riyadh. He asks that Ms. Roush send a conciliatory letter to the family expressing regret for a number of "insulting" letters she had sent the family over the past year. During this time, the Consular Counselor in Riyadh is in weekly contact with Ms. Roush. Ms. Roush refuses the offer to send a conciliatory letter and accuses Embassy officials of siding with Mr. Al-Ghesheyan. Ms. Roush breaks off contact with Embassy Riyadh.
- Apr Amb. Mabus departs Saudi Arabia regretting that there was no resolution to the Roush case.
- May The Secretary meets with Saudi Ambassador, Prince Bandar, and discusses the Roush case.

1997

- May Amb. Fowler meets in Washington with Prince Bandar. Prince Bandar obtains written approval from Mr. Al-

Ghesheyan for Ms. Roush to visit the girls in Riyadh. Ms. Roush proposes a meeting in a third country, but Mr. Al-Ghesheyan refuses. The visit does not occur.

1997 to 2000

Embassy Riyadh works with attorney Saleh Al-Hejailan to convince Mr. Al-Ghesheyan to allow another visit by Ms. Roush. Amb. Fowler is personally involved in these efforts, which are not successful.

2000

Mar Ms. Roush renews her requests for the Department of State to facilitate a meeting among her daughters and her in Riyadh and to assist Alia and Aisha depart Saudi Arabia. The Department and Embassy Riyadh conclude that the necessary first step is to determine the wishes of Alia and Aisha, since both have reached their majority. Embassy Riyadh initiates contact with Mr. Al-Ghesheyan, to request his permission for a consular officer to visit his daughters and to allow Ms. Roush to meet them. Mr. Al-Ghesheyan refuses to execute the statement of "no objection" necessary for Ms. Roush's Saudi visa.

Sep Ms. Roush again requests State Department assistance in facilitating a visit to Saudi Arabia. Embassy Riyadh contacts attorney Al-Hejailan, who says he is willing to sponsor Ms. Roush for a visa but not to pay for her trip. Al-Hejailan states that Mr. Al-Ghesheyan's permission is necessary to enable Ms. Roush to actually see her daughters once she arrives in Riyadh.

Oct Amb. Fowler works with attorney Al-Hejailan to try to convince Mr. Al-Ghesheyan to allow Ms. Roush to visit her daughters. Although Amb. Fowler is hopeful, these efforts are not immediately successful.

2001

Mar Near Eastern Affairs A/S Edward Walker meets Saudi Ambassador Prince Bandar and asks his assistance in facilitating a visit with Alia and Aisha by a female U.S. consular officer in Riyadh.

Apr A/S Walker signs a letter to Prince Bandar renewing his request that Saudi authorities facilitate a visit with the Al-Ghesheyan sisters by a U.S. consul.

- Apr U.S. Charge d'Affaires in Riyadh, Charles Brayshaw, requests assistance from the Governor of Riyadh, Prince Salman, to facilitate a visit by a consular officer with Alia and Aisha. The Department provides talking points to reinforce Charge Brayshaw's efforts.
- Apr Undersecretary of State for Political Affairs Marc Grossman meets with the Foreign Affairs Advisor to Crown Prince Abdullah and requests his assistance in facilitating a consular visit with Alia and Aisha. The advisor states he will brief the Crown Prince on the case if Embassy Riyadh's efforts to engage the support of the Governor of Riyadh are not successful.
- May Embassy Riyadh sends a formal letter to the Governor of Riyadh, outlining the case and requesting his assistance in helping Ms. Roush reestablish contact with her daughters.
- Jun Consul General Thomas Furey meets with the Governor Salman and requests assistance in arranging a consular visit with Alia and Aisha. The Governor says he is prepared to give all possible assistance and designates the Deputy Governor to arrange the details. Consul General Furey meets with the Deputy Governor.
- Jun The Deputy Governor of Riyadh meets with Mr. Al-Ghesheyan and afterwards informs Embassy Riyadh that Mr. Al-Ghesheyan will permit a female consul to meet with Alia and Aisha.
- Jul The Deputy Governor of Riyadh informs Embassy Riyadh that Alia recently married a member of the Al-Ghesheyan extended family.
- Jul Ms. Roush informs Embassy Riyadh of her desire that, if a consul meets her daughters, the consul should:
- attempt to meet with the young women alone, without Mr. Al-Ghesheyan present
 - give her daughters Ms. Roush's phone number and e-mail address
 - try to take photographs of her daughters
 - Ask Mr. Al-Ghesheyan to allow Aisha to visit Ms. Roush in the U.S.
 - Ask Alia if she and her husband would meet Ms. Roush in Italy in October

- Aug Riyadh Charge Brayshaw and Consul Charles Glatz meet with Mr. Al-Ghesheyan to arrange details for a consular visit with Alia and Aisha. Consul Glatz provides Mr. Al-Ghesheyan with Ms. Roush's contact information and urges him to encourage his daughters to communicate directly with Ms. Roush by phone or e-mail. Mr. Al-Ghesheyan promises to consult with his daughters about their meeting with a consular officer. He extends an invitation to Ms. Roush to come to Riyadh for a one-hour meeting with Alia, Aisha and himself.
- Aug Mr. Al-Ghesheyan phones Embassy Riyadh and states that neither of his daughters wishes to meet with a consular officer. He says Aisha would like to see her mother if Ms. Roush would come to Riyadh. He says Aisha probably will phone Ms. Roush to reestablish contact with her.
- Aug Ms. Roush informs the Department of State and Embassy Riyadh that she would agree to travel to Saudi Arabia but only under specified conditions:
- she be able to meet with both daughters three hours a day for eight consecutive days
 - Mr. Al-Ghesheyan not be present at the meetings
 - she be able to take photographs of her daughters
 - she be escorted during her trip by a "third party," potentially her lawyer or a congressional staffer.
 - her travel expenses be assumed by the Department of State or some other organization
 - U.S. Ambassador to Saudi Arabia Robert Jordan accompany her to meetings with the Crown Prince, Minister of Foreign Affairs, and Interior Minister and support her positions at those meetings. These meetings must be confirmed before her travel.
- Sep Embassy Riyadh continues efforts to persuade Mr. Al-Ghesheyan to agree to a visit by a consular officer with Alia and Aisha.
- Sep Ms. Roush informs Embassy Riyadh she had spoken briefly on the phone with Aisha and Mr. Al-Ghesheyan.
- Oct Department of State instructs Embassy Riyadh to continue its efforts to arrange a direct meeting between a consular officer and Alia and Aisha. (The

Department thinks such a meeting is necessary to observe first hand the well-being of the two young women and to learn directly from them their desires regarding their future relationship with their mother. Embassy Riyadh also would like to obtain Privacy Act waivers from the sisters in order to keep Ms. Roush informed of their well-being. In the current absence of such waivers, the Department has instructed Embassy Riyadh to keep Ms. Roush informed of its efforts to meet with her daughters but to refrain from relaying second-hand information about them.)

OVERVIEW

This is a brief summary of the tragic, international kidnapping of Alia and Aisha Ghesheyhan to Saudi Arabia. They are two American women who were whisked away from the United States and their American mother when they were small children. They were illegally kidnapped from their custodial parent, and taken away by their Saudi Arabian father whom they hardly knew to a strange land with customs and a religion that were harsh and foreign. They were never allowed any communication with their American mother and family.

Although baptized Christians, they were forced into submission to practice a strict form of Islam from the fanatical Wahabi sect. Their father forced them to go to Mecca for the 'Haj' and to recite the Koran (attachment). They lived in the Saudi Arabian desert for almost sixteen years with their father who has been diagnosed by American doctors as a "paranoid schizophrenic". (Please note attached psychiatric records).

Alia and Aisha have been denied all their rights under the Constitution of the United States, and the U.S. State Department has continually referred to "Saudi family law and Islamic law" when asked to intervene on their behalf to the Saudi authorities. These women have been incommunicado with the entire Western world and forgotten by the land of their birth, America.

Now twenty-three and nineteen years of age, Alia and Aisha Ghesheyhan are living out a 'life sentence' in Saudi Arabia. They can never leave the Kingdom of Saudi Arabia without the permission of a male relative. Alia was sold into an arranged marriage in June 2001. Her father made a contract for her virginity with a relative who paid him for Alia's body. I received a phone call from the State Department on June 28, 2001 telling me that my daughter was married.

A daughter's Wedding Day is supposed to be a very happy occasion for her mother. I wasn't even told about it nor invited. My daughter was forbidden to call me and tell me she was married. I don't know how to contact her and the U.S. Embassy-Riyadh refused to assist me as does the State Department in Washington.

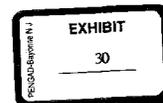
My daughter, Aisha, is nineteen years of age. The foreign service national who works at the U.S. Embassy-Riyadh, Mazen Shaban, told me that her father is actively seeking a rich man to sell her into another such marriage. He told me that Khalid Ghesheyhan has five other children with his Saudi wife and is "tired of Aisha".

I was able to obtain the mobile phone number of Khalid Ghesheyhan in September 2001 from the U.S. Embassy-Riyadh. I phoned him September 5, 2001 and he 'allowed' me to speak with Aisha. She hardly speaks English but joyfully bleated out the words, "Hello, Mom. I love you. I love you. Come to Riyadh. Mom, come here, please".

The phone was then taken away from her and her father has never allowed me to speak with her again nor has he given me the telephone number of my daughter, Alia.

I have struggled for sixteen years to tell the world about the abuse and mistreatment of my daughters abandoned in the Najd desert of Saudi Arabia. I have been forced to supplicate myself for so long and endured such cruelty and abuse from the U.S. State Department and the Saudi Arabian government, that it is a miracle I have not lost hope.

The stories appearing now in all forms of media about the cruel, sadistic treatment of women by the Taliban are no less than the punishment that my daughters have had to endure in Saudi Arabia. The subjugation of women in Saudi Arabia is well documented – sexual apartheid. Women are not allowed to drive cars or travel anywhere without permission from a man. In fact, my girls cannot leave their villa without the permission of a man. They must cover themselves in black from head to toe before leaving their residence.



No man can see them except their closest relatives. Saudi Islamic law forbids cinema, women in restaurants, public meetings. The religious police navigate the shopping malls and market places with large sticks to attack anyone who does not comply to their strict standards. Honor killings are not uncommon in Saudi Arabia, often with the girl's own father or brother taking her life for the slightest rumor or untruth about the girl's behavior.

I have worked tirelessly over the last sixteen years to have my daughters' chains cut. I have been very successful in having legislation passed and treaties signed. The U.S. signed the Hague Treaty on the Civil Aspects of International Child Abduction in 1987 due to my case. The Office of Children's Issues was created because of my lobbying and work with Senator Alan Dixon.

The International Parental Kidnapping Act was conceived by me and put into motion by Senator Dixon. Senator Diane Feinstein worked to have a special section concerning the retention of visas to the United States for an abductor's family due to my work with former U.S. Ambassador to Saudi Arabia, Raymond Mabus. The International Religious Freedom Act has a separation section concerning forced conversion of abducted minor children because of Alia and Aisha.

Senator Alan Dixon and I worked for four years to have the children released. We had negotiated a "done deal" with the Saudi Ambassador, Prince Bandar Bin Sultan. Ten months after the girls were kidnapped an arrangement was made to allow them to be "transferred to London to a boarding school". This would allow the girls to be placed outside of the jurisdiction of Saudi Arabia and to allow me to bring them home. It was agreed upon by the Saudis due to the extreme pressure in the U.S. Senate in 1986. Senator Dixon was asking that arms packages be held up until the girls were returned. Everything was in place. The Saudis only asked that the then U.S. Ambassador, Walter Cutler, attend a meeting with the Governor of Riyadh, Prince Salman.

At the eleventh hour the State Department refused to allow the Ambassador to go into that meeting and sent the Embassy in Riyadh strict instructions to "remain neutral". I have these unclassified cables and have included them for your review. The Saudis then told me, "Your government will not help you and your State Department doesn't want you. You will see your children if and when we decide". The Saudis then proceeded to video tape my daughters in their captor's home and sent that tape to the U.S. Embassy-Riyadh.

I then was never allowed any calls or contact with my daughters. Gheshayan told me on the telephone, "You are never allowed to see them again. Alia just stays in a room all day and cries for you".

I then hired three paramilitary teams to rescue my daughters. Two men were killed on January 18, 1991 trying to rescue my girls. (Please read, "Guns, Money & Tears"). I found out that Gheshayan and his father had entered the United States two years after the kidnapping of my daughters while I had U.S. Federal warrants in place, State of Illinois felony kidnapping warrants and Interpol Red Alert Notices for Gheshayan's arrest. He and his father were given Diplomatic Visas and entered through INS without any problems. The 'Special Relationship' between Saudi Arabia and the U.S. Government is used again and again against me and my daughters. The State Department refers to the Saudis as "their clients". They have used this term over and over again during my sixteen year ordeal. I have asked them, "If the Saudis are your clients, who am I?"

Finally, in 1995 U.S. Ambassador Ray Mabus received permission for me to visit my girls – ten years after they were stolen from me. They were thirteen and sixteen years of age – June 13, 1995. I went to Riyadh and was promised that I would be able to see them everyday for one month. Prince Bandar signed my visa. I was in a room off the lobby in the Intercontinental

Hotel when my daughters were brought in to see me. They were wearing long, black veils and stood at the door. I didn't recognize them but ran to them and threw my arms around them and kissed them and told them I loved them repeatedly.

Tears were streaming down their cheeks, their eyes were sad and downcast. They told me they loved me and begged me not leave without them. Their father told them they would never see me again. I was not allowed to even take a photograph. I was searched like a criminal and then my daughters were taken away again. I never saw them again nor spoke with them except for the brief conversation with my beloved Aisha in September.

After I left Riyadh in June 1995 Ray Mabus went to every major Saudi Prince asking for the release of my daughters. This list included: Prince Bandar, Saudi Ambassador to the United States, Prince Saud Bin Faisal, Minister of Foreign Affairs, Prince Naif, Minister of the Interior, Prince Salman, Governor of Riyadh, and Crown Prince Abdullah. Mr. Mabus successfully held up the visas to all members of Gheshtayan's family. He received a Diplomatic Note from the Minister of Foreign Affairs granting the release of my daughters. He received the permission of Crown Prince Abdullah for the release of the girls in May 1996. Mabus granted a visa to one of Gheshtayan's relatives who was suffering from cancer and sought treatment in Houston, Texas. The Crown Prince was grateful and granted the favor Mabus asked which was the children's freedom.

Unfortunately, Ray Mabus resigned as U.S. Ambassador just two weeks before the girls were to be released. He told me, "Don't worry, Pat. I have made believers out of the State Department and they will continue with everything I have in place".

As soon as Mabus was gone, the deal was gone. The incoming Ambassador was Wyche Fowler, Jr., a former U.S. Senator from Georgia, a Clinton appointee. He told my lawyer, Michael J. Wildes from Wildes & Weinberg, "Mr. Wildes, you are out of line here. The deal is dead. The Saudis trust me". Fowler never permitted the U.S. Embassy-Riyadh to continue with the final arrangements for the departure of my daughters. He should be held accountable for his actions. (I have included conversations with Ray Mabus on attachment).

Twenty-three U.S. Senators signed a letter to Colin Powell asking for his direct intervention in helping secure the release and repatriation of Alia and Aisha Gheshtayan to the United States. This letter was hand delivered to Secretary of State Powell in June 2001. There has been a brief response from the State Department legal advisor stating that the Embassy in Riyadh is trying to make a health and welfare visit with the girls.

The newly appointed U.S. Ambassador to Saudi Arabia, Robert Jordan, was questioned about the case at his Confirmation Hearing before the Senate Foreign Relations Committee in September. His verbal response was that he knew of the matter. His written response was that he would encourage a communication between me and the girls, and the girls would be given the telephone number of American Citizen Services.

What does a telephone number for American Citizen Services mean to two women locked up in a medieval madness?

Mr. Jordan, Assistant Secretary Bill Burns (Near East Bureau), Karen Sasahara (Saudi Desk) constantly ignore my letters, faxes, telephone calls. The State Department "Special Relationship" with the Saudis is now reported on daily by world media. The Saudi government and their public relations firms are doing an incredible amount of damage control - four page ads in The New York Times and Washington Post, depicting little Saudi girls looking through a microscope while the King looks on lovingly. Prince Bandar and Adel Jubair on making rare TV appearances and the Saudi Foreign Minister is in Washington almost every other week.

It would be so easy for our high level State Department officials to make the request that my two daughters be allowed to visit the United States. But my pleas are just ignored and these State Department officials such as Ms. Sasahara abuse me by telling me, "You are so negative!"

Now everyone is talking about "The War". Since September 11, some have suggested that "little matters" like the fate of my daughters can "wait" until "important" matters like the war are taken care of. I suggest that this is backwards: I suggest that if our government will not make the Saudis behave reasonable and humanely in a small matter – namely allowing a couple of young American women to return to the land of their birth, from which they were criminally abducted—they will hardly be successful in getting the Saudis to stop their support for terrorism. The same bigoted, fanatical, wahabi mindset that blew up the WTC has held my two daughters in prison for the last sixteen years.

President Bush has said the world must choose sides – for the terrorists, or against them. The Saudis can start to choose the right side by letting my daughters come home.

The release and repatriation of my American born daughters is not such a big favor to ask from our dear allies who are being so very cooperative and working so closely with high officials of the U.S. government. It is merely a favor from a friend.

Patricia Roush
Sacramento, California
415-786-8797
patroush@aol.com
www.patroush.com

International Crime Alert



Wanted by the U.S. Department of Justice

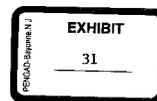
Khalid Bin Hamad Al GHESHIYAN

Description: Khalid Bin Hamad Al Gheshiyan was born in Riyadh, Saudi Arabia, on October 1st, 1949. He is one meter seventy centimeters in height and weighs about sixty-eight kilograms. He has black hair, brown eyes, and an appendectomy scar. He may be wearing a mustache. Al Gheshiyan has a history of alcohol abuse and has been diagnosed as suffering from paranoid schizophrenia. He was arrested in the U.S. numerous times for assault, public drunkenness, disturbing the peace, fraud, vandalism, driving while intoxicated, and other offences. Al Gheshiyan speaks Arabic and English. He has visited France and Britain in recent years.



Case Description: Chicago, Illinois, January 25th, 1986. Patricia Roush and her two daughters -- Alia, aged seven, and Aisha, aged three and a half -- visit the apartment of her ex-husband Khalid Bin Hamad Al Gheshiyan, a citizen of Saudi Arabia. Patricia had been awarded custody of the children by a U.S. court but agreed to permit their father to have the children for an overnight visit. He promised to return them to their mother the next day. Instead, he abducted the two girls and took them to Saudi Arabia.

On January 28th, 1986, an Illinois court issues a warrant for Al Gheshiyan's arrest on charges of child abduction. Two days later, a federal district court charges him with unlawful flight to avoid prosecution. If you have any information concerning Khalid Bin Hamad Al Gheshiyan, you should contact the nearest U.S. embassy or consulate. The U.S. guarantees that all reports will be investigated and all information will be kept confidential.



7/27/99 4:24 PM

JUSTICE

FAX NO. :9157234111

Jan. 16 2002 12:22PM P27

18 OCT '86

GOVS

8-10

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October 18, 1986

MEMORANDUM

TO: The Record
FROM: AMB - Walter L. Cutler WL
SUBJECT: Meeting with Prince Salman: Roush Case

EXHIBIT
32

During my meeting with Prince Salman October 14, I raised again the problem of the American-citizen children of Mrs. Roush now living in Riyadh with their father against Mrs. Roush's will.

I reminded Salman of our talk about this matter in July and said that I had hoped by now some resolution of the problem would have been found. Unfortunately, that was not the case, and Mrs. Roush remained adamant in her determination to have the children returned to the United States. She had contacted many members of Congress, some of whom had in turn come to us in support of her case. So far Mrs. Roush had not sought the support of the press, which of course would entail adverse publicity which neither of our countries wished to see. However, she had provided us with documentation showing that the children's father was subject to a warrant for his arrest in the United States, had repeatedly been in trouble with the U.S. law and had had recurring treatment for alcoholism and emotional disturbances. Meanwhile, the young Roush daughters remained in Riyadh, not speaking the local language and, apparently, not attending any school.

* I told Salman that U.S. laws and regulations prohibited me or the Embassy from becoming actively involved with one or the other party in a child custody case such as this. Nevertheless, we did have a responsibility for the welfare of U.S. citizens, and we therefore wished to be supportive of efforts that might be made to resolve this case. In this regard, Mrs. Roush had contacted lawyer Salah Al-Hejailan, who, while not agreeing to formally act on her behalf, had agreed to try to help on a humanitarian basis. Al-Hejailan had told me of his willingness to informally try and mediate this matter, and I had therefore agreed to mention his willingness to Governor Salman. Specifically, I suggested to Salman that he might request Al-Hejailan to undertake such an informal, out-of-court effort. I stipulated that, in accordance with our regulations, Al-Hejailan would not be acting or speaking for the Embassy.

Salman immediately reacted positively to this idea. He said he had known Al-Hejailan as a friend for many years, and that Al-Hejailan had undertaken such family mediation on a number of occasions. Salman said he would contact Al-Hejailan and ask him to do so in the Roush-Cheshayan case. Salman added that, should Al-Hejailan's

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Jan. 16 2002 12:23PM P28

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effort not be successful, he (Salman) still believed that the issue could be pursued in the Sharia courts.

NOTE: On October 15 I called Al-Hejailan to inform him of the results of my talk with Salman. Al-Hejailan said he was prepared to proceed as soon as he had heard from Salman, and that he would keep Mrs. Roush and us informed.

cc: DCM - Mr. Walker
CONS - Mr. La Roche ✓
NEA/ARP- Mr. Craig

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FMX NO. : 9167234111

Apr. 21 2002 10:56PM P7

April 1986

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Department of State

OUTGOING
TELEGRAM

PAGE 01 STATE 120033 6376

INFO LOG-06 ADS-09 H-03 MEA-07 L-03 CA-02 /019 R

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APPROVED BY: CA/OCS/CC/NEA/LE050128

P 190710Z APR 02

FM LEGATE WASHINGTON
TO AMEMBASSY RIYADH PRIORITY

UNCLAS STATE 120033

E.O. 12356: N/A
TOPIC: CASE: AL-GHESHAYAN, ALIA AND AISHA
SUBJECT: ABDUCTION OF ALIA AND AISHA AL-GHESHAYAN BY NON
CUSTODIAL PARENT

REF: TO RIYADH 3625 RI RIYADH 3047 AND PREVIOUS

1. DEPT APPRECIATES RECEIVING EMBASSY'S DETAILED REPORTING
ON EFFORTS TO ASSIST MS. PATRICIA M. ROUSH WHOSE DAUGHTERS
WERE ABDUCTED JANUARY 26 AND TAKEN TO SAUDI ARABIA. WE
ALSO RECEIVED CORRESPONDENCE FROM CONGRESSMAN WILLIAM O.
LIPINICK CONCERNING ALIA AND AISHA AL-GHESHAYAN.
FOLLOWING, FOR POST'S INFO, IS THE TEXT OF OUR LETTER TO
MR. LIPINICK:

2. "I AM REPLYING TO YOUR LETTER OF MARCH 14 ON BEHALF OF
MS. PATRICIA M. ROUSH WHOSE DAUGHTERS, ALIA AND AISHA
AL-GHESHAYAN, WERE ABDUCTED BY MS. ROUSH'S EX-HUSBAND,
KHALID AL-GHESHAYAN, ON JANUARY 26 AND TAKEN TO SAUDI
ARABIA.

3. WHILE WE CAN CERTAINLY UNDERSTAND MS. ROUSH'S DESIRE
TO HAVE ALIA AND AISHA RETURNED TO THE UNITED STATES, THE
NATURE AND TYPE OF ASSISTANCE WE CAN RENDER IN CHILD
CUSTODY MATTERS IS EXTREMELY LIMITED. FOR EXAMPLE, OUR

CONSULAR OFFICERS ABROAD CAN CONDUCT WELFARE CHECKS ON THE
PHYSICAL AND MENTAL WELL-BEING OF CHILDREN AND THEIR
SOCIAL ADAPTATION. HOWEVER, THEY CANNOT TAKE CUSTODY OF
THESE CHILDREN OR FORCE THEM TO BE RETURNED TO THE UNITED
STATES. NEITHER ARE THEY IN A POSITION TO ASSIST A PARENT
IN ACQUIRING PHYSICAL CUSTODY OF A CHILD ILLEGALLY OR BY
DECEPTION.

4. THE RESTRICTIONS ARE EVEN GREATER WHEN CHILDREN HAVE A
CLAIM TO THE CITIZENSHIP OF THE COUNTRY WHERE THEY HAVE
BEEN TAKEN. ALIA AND AISHA, WHO WERE BORN IN CALIFORNIA
ON JANUARY 5, 1979 AND JULY 1, 1982, RESPECTIVELY, ARE
ALSO CONSIDERED SAUDI CITIZENS BY VIRTUE OF THEIR FATHER'S
SAUDI NATIONALITY. DESPITE THESE LIMITATIONS, OFFICIALS
AT THE DEPARTMENT AND OUR EMBASSY AT RIYADH, SAUDI ARABIA
HAVE ATTEMPTED TO ASSIST MS. ROUSH IN EVERY WAY POSSIBLE
FROM THE OUTSET OF HER CHILDREN'S ABDUCTION.

5. YOU MAY BE INTERESTED IN KNOWING THAT MS. ROUSH
CONTACTED THE EMBASSY DIRECTLY ON JANUARY 27 TO NOTIFY OUR
CONSULAR OFFICIALS THAT MR. KHALID AL-GHESHAYAN HAD
ABDUCTED THEIR DAUGHTERS. DURING THE CONVERSATION, MS.
ROUSH REQUESTED THE EMBASSY'S ASSISTANCE IN EFFECTING
THEIR RETURN TO THE UNITED STATES. OUR CONSULAR OFFICIALS
DISCUSSED WITH MS. ROUSH THE EXTENT OF THE LIMITED
ASSISTANCE THEY COULD OFFER IN LIGHT OF SAUDI FAMILY
PRACTICES AND SUGGESTED THAT SHE RETAIN THE SERVICES OF AN
ATTORNEY IN SAUDI ARABIA TO REGAIN CUSTODY OF HER
CHILDREN.

6. ON JANUARY 28, THE EMBASSY CONTACTED MR. AL-GHESHAYAN

TO ASCERTAIN THE WELFARE OF ALIA AND AISHA AND TO FIND OUT
WHEN HEARDINGS WITH RESPECT TO HIS DAUGHTERS' RETURN TO THE
UNITED STATES. IT BECAME CLEAR DURING THE EMBASSY'S
DISCUSSIONS WITH MR. AL-GHESHAYAN THAT HE WAS NOT INCLINED
TO RETURN HIS DAUGHTERS TO THE UNITED STATES. WE
UNDERSTAND THAT UNDER SAUDI LAW CHILDREN MUST HAVE THEIR
FATHER'S PERMISSION TO TRAVEL BEFORE THE SAUDI GOVERNMENT
WILL RETURN THEM. WE IMMEDIATELY CONTACTED SAUDI ARABIA. THE
RESULTS OF THE EMBASSY'S CONVERSATION WITH MR.
AL-GHESHAYAN WERE CONVEYED TO MS. ROUSH ON FEBRUARY 3. ON
FEBRUARY 15, SHE CONTACTED THE EMBASSY AGAIN TO ALERT OUR
OFFICIALS THAT A WARRANT HAD BEEN ISSUED BY THE COOK
COUNTY CIRCUIT COURT FOR MR. AL-GHESHAYAN'S ARREST IN
CONNECTION WITH THE ABDUCTION OF ALIA AND AISHA.

7. DESPITE THE AMOUNT OF PRESSURE THAT MAY BE BROUGHT TO
BEAR ON MR. AL-GHESHAYAN, BASED ON PAST EXPERIENCE IN
DEALING WITH CHILD ABDUCTION CASES, WE ARE NOT HOPEFUL
THAT HE WILL HONOR MS. ROUSH'S REQUEST TO RETURN ALIA AND
AISHA. IN THE ABSENCE OF LEGAL PROCEEDINGS INITIATED IN
SAUDI ARABIA, IN THE EVENT MS. ROUSH HAS NOT RECEIVED THE
LIST OF ATTORNEYS FORWARDED TO HER SEVERAL WEEKS AGO, WE
HAVE ENCLOSED ANOTHER LIST FOR HER USE. THE ATTORNEY IN
SAUDI ARABIA SHOULD BE ABLE TO INFORM MS. ROUSH OF THE
PROCEDURES FOR INITIATING A LITIGATION IN SAUDI ARABIA, AND
WHAT EFFECT, IF ANY, U.S. COURT ORDERS GRANTING CUSTODY TO
ONE PARTY WOULD HAVE IN THE SAUDI JUDICIAL SYSTEM,
ASSUMING THAT BOTH PARTIES HAD BEEN GIVEN SUFFICIENT
NOTICE OF THE U.S. PROCEEDINGS AND AN OPPORTUNITY TO
PRESENT ARGUMENTS AND EVIDENCE IN THEIR BEHALF. MS. ROUSH
MIGHT ALSO ASCERTAIN WHETHER THERE EXIST ANY BASIS UNDER
SAUDI LAW FOR HAVING MR. AL-GHESHAYAN ARRESTED. AT
PRESENT OUR EMBASSY IN RIYADH IS ATTEMPTING TO ARRANGE A
PERSONAL VISIT WITH ALIA AND AISHA.

8. I REGRET THAT MY REPLY COULD NOT HAVE BEEN MORE
FAVORABLE. IF YOU HAVE FURTHER QUESTIONS, PLEASE DO NOT
HESITATE TO CONTACT TERESA HOBBSOON IN OUR OFFICE OF
CITIZENSHIP CONSULAR SERVICES AT (202) 647-6400.
SINCERELY,...

9. EMBASSY MAY WISH TO DRAW FROM ABOVE LANGUAGE IN
RESPONDING TO FUTURE INQUIRIES ON ALIA AND AISHA
AL-GHESHAYAN. SPIERS

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EXHIBIT
32

FROM : JUSTICE

FAX NO. : 9167234111

Jan. 16 2002 12:26PM P34

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PAGE 01 RIYADH 08705 011245Z
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FM AMEMBASSY RIYADH
TO SECSTATE WASHDC 1098

UNCLAS RIYADH 08705
FOR CA/OCS AND L/CA

E.O. 12356: N/A
TAGS: CASC, SA (AL-GHESHAYAN, ALIA AND AISHA)
SUBJECT: CHILD ABDUCTION CASE

REF: RIYADH 06350 AND PREVIOUS

1. SENATORS ALAN DIXON, RUDY BOSCHWITZ AND CONGRESSMAN WILLIAM D. LIPINSKI INTERESTED.

2. THE ATTORNEY WHO IS WILLING TO ASSIST MRS. ROUSH, SALAH AL-HEJAILAN, WILL SHORTLY OPEN NEGOTIATIONS WITH AL GHESHAYAN TO REACH AN AGREEMENT PROVIDING FOR THE SHARED CUSTODY OF THE AL GHESHAYAN CHILDREN. HE CONSIDERS IT ESSENTIAL TO THE SUCCESS OF THESE NEGOTIATIONS THAT HE REQUEST THE EMBASSY RATHER THAN MRS. ROUSH TO DEMONSTRATE THIS. HE HAS REQUESTED APPOINTMENT BY SIMPLE EXCHANGE OF LETTERS AS "HONORARY LEGAL ADVISOR" TO THE EMBASSY

3. AL-HEJAILAN HAS ASKED FOR AN APPOINTMENT OF INDEFINITE DURATION, TERMINABLE UPON NOTICE BY EITHER PARTY, AND NOT LIMITED TO THE AL GHESHAYAN CASE. AL-HEJAILAN WOULD PROVIDE LEGAL ADVICE GRATIS. THE EMBASSY, IN RETURN, WOULD AGREE NOT TO MAKE UNREASONABLE DEMANDS FOR SERVICE, AND WOULD PERMIT AL-HEJAILAN TO DESCRIBE HIMSELF AS LEGAL ADVISOR TO THE EMBASSY FOR PURPOSES OF PROFESSIONAL LISTING. AL-HEJAILAN HAS ALREADY ENTERED INTO AN AGREEMENT ON SIMILAR TERMS WITH THE BRITISH AMBASSADOR.

4. AL-HEJAILAN IS A NOTED LOCAL ATTORNEY WHOSE SERVICES COULD BENEFIT THE EMBASSY GREATLY IN THE FUTURE. WE HAD PREVIOUSLY SOUGHT TO PUT A SAUDI ATTORNEY ON RETAINER TO ASSIST IN MATTERS LIKE THE ROUSH CASE BUT COULD NOT BUDGET THE FEES. THIS, THEREFORE, IS AN IDEAL ARRANGEMENT FROM OUR PERSPECTIVE.

5. THE EMBASSY REQUESTS THE DEPARTMENT'S CONCURRENCE IN THE APPOINTMENT OF SALAH AL-HEJAILAN AS "HONORARY LEGAL ADVISOR" TO THE EMBASSY. IN VIEW OF THE CRITICAL POSTURE OF THE AL GHESHAYAN CASE THE DEPARTMENT'S QUICKEST RESPONSE WOULD BE APPRECIATED.

CUTLER

R EUR/NEA

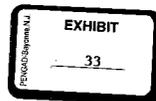
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FROM : JUSTICE

FAX NO. : 9167234111

Apr. 21 2002 10:55PM P4

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OCT 1986

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OUTGOING
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PAGE 01 STATE 314602
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INFO LOG-00 ADS-00 NEA-07 L-03 CA-02 /018 R

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APPROVED BY: CA/OCS/CCS/NEA/ERBOYSTER
CA/MMARINE (INFO), L/M/DGALLAGHER (SUBSTANCE), L/CA/MPICKERING
NEA/AR/DSHERMAN

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FM SECSTATE WASHDC
TO AMEMBASSY RIYADH IMMEDIATE

UNCLAS STATE 314602

E. O. 123587 N/A
CASC, SA AL-GHESHAYAN, ALIA AND AISHA
CHILD ABDUCTION CASE

REF: RIYADH 8705

1. DEPT IS OF THE VIEW THAT IT IS IMPROPER TO USE AN ATTORNEY ON BEHALF OF THE USG IN JUDICIAL PROCEEDINGS IN WHICH THE USG IS NOT A PARTY TO THE SUIT. IF SALAH ALHEJAILAN SHOULD REPRESENT MRS. PATRICIA ROUSH IN LEGAL PROCEEDINGS TO DETERMINE THE CUSTODY OF HER TWO CHILDREN, ALIA AND AISHA AL-GHESHAYAN, DEPT WOULD HAVE NO OBJECTION TO HIM POINTING OUT THAT THE EMBASSY HAS A STRONG INTEREST IN RESOLVING THE CASE, BUT EMBASSY MUST BE AWARE THAT SALAH AL-HEJAILAN CANNOT REPRESENT HIMSELF AS THE EMBASSY'S ATTORNEY IN THIS PRIVATE LEGAL MATTER.

2. CONOFF MAY WISH TO REFER TO 7 FAM 113 WHICH SETS FORTH, IN GENERAL TERMS, THE ROLE OF CONOFFS IN CHILD CUSTODY CASES. OF PARTICULAR SIGNIFICANCE IS THE LAST SENTENCE WHICH STATES: "AT ALL TIMES, CONSULAR OFFICERS MUST ATTEMPT TO MAINTAIN IMPARTIALITY, REGARDLESS OF THE PERCEIVED RELATIVE MERITS OF THE CASE, AND SHOULD AVOID ATTEMPTING TO INFLUENCE EITHER PARENT IN A CHILD CUSTODY CASE."

3. WITH RESPECT TO AL-HEJAILAN'S APPOINTMENT AS THE EMBASSY LEGAL ADVISER, THERE IS NO SUCH FORMAL TITLE AS "EMBASSY LEGAL ADVISER" AND WE ADVISE AGAINST ENTERING INTO AN AGREEMENT WHERE U.S. WOULD PERMIT AN ATTORNEY TO USE SUCH A TITLE. THE TITLE IS OFTEN USED INFORMALLY BY ATTORNEYS WHOM WE HIRE TO PROVIDE LEGAL ADVICE TO EMBASSIES AND DEPT DOES NOT POLICE SUCH INFORMAL USE. END FYI. EMBASSY SHOULD BE AWARE THAT FOREIGN ATTORNEYS CAN BE HIRED AND COMPENSATED FOR LEGAL GUIDANCE FOR SPECIFIC CASES AND NOT PUT ON RETAINER. WHERE THERE IS A RECURRING NEED FOR LEGAL COUNSEL, FOREIGN ATTORNEYS ARE PAID ON AN HOURLY BASIS. IF EMBASSY IS INTERESTED IN HIRING AN ATTORNEY, WE STRONGLY URGE YOU TO CONSULT WITH DEPT L/M FOR PARAMETERS ON THE LEGAL APPOINTMENT. SHULTZ

This is where they backed off & lost my girls. Wait make the deal

UNCLASSIFIED

EXHIBIT
34

FROM : JUSTICE

PRK NO. : 9167234111

Jan. 15 2002 12:24PM P31

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PAGE 01 RIYADH 09802 081433Z 0990
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O 081348Z OCT 86
FM AMEMBASSY RIYADH
TO SECSTATE WASHDC IMMEDIATE 1207

UNCLAS RIYADH #0302

E.O. 12356: N/A
TAGS: CASB, SA, TAL-GHESHAYAN, ALIA AND
ALISRAI

SUBJECT: CHILD ABDUCTION CASE

REF: (A) STATE 214682 (B) RIYADH 8305

1. SENATORS ALAN BROWN, RUDY BOSCHWITZ AND
CONGRESSMAN WILLIAM O. LIPINSKI INTERESTED.

2. EMBASSY APPRECIATES PROMPT RESPONSE TO
RIYADH REFTEL. WE WILL OF COURSE ADHERE TO
THE GUIDANCE PROVIDED. WE WOULD LIKE,
HOWEVER, TO SEEK CLARIFICATION ON A FEW
POINTS.

3. FIRST OF ALL, THERE IS NO JUDICIAL
PROCEEDING UNDERWAY OR ANTICIPATED IN THE
CASE OF PATRICIA ROUSH AND HER FORMER
HUSBAND AL-GHESHAYAN. WE UNDERSTAND THAT
THE LAWYER SALAH AL-HEJAILAN, WHILE NOT
REPRESENTING MRS. ROUSH, HAS AGREED TO TAKE
UP THE CASE ON HUMANITARIAN GROUNDS TO EX-
PLORE THE POSSIBILITY OF AN OUT OF COURT
SETTLEMENT IN MRS. ROUSH'S FAVOR. IT IS
THE VIEW OF LEGAL EXPERTS HERE THAT IF THE
CASE WERE TAKEN TO COURT UNDER SHARI'AH LAW
IT WOULD BE MOST UNLIKELY THAT A RESOLUTION
COULD BE REACHED TO THE WOMEN'S SATIS-
FACTION. ACCORDINGLY, WE HAVE BEEN TRYING
TO WORK THROUGH DIRECT CONTACT WITH REY
SAUDI OFFICIALS AND THE GOOD OFFICES OF MR.
AL-HEJAILAN TO SEEK AN OUT OF COURT
ACCOMMODATION WHEREBY THE CHILDREN WOULD BE
REUNITED WITH THEIR MOTHER. IT WAS IN THIS
CAPACITY THAT SALEH AL-HEJAILAN HAD PLANNED
TO REPRESENT OUR INTERESTS.

4. THIS BRINGS US TO THE SECOND POINT FOR
CLARIFICATION. IT HAD BEEN OUR IMPRESSION
AND, INDEED, WE HAD BEEN OPERATING ON THE
ASSUMPTION THAT IT WAS OUR DUTY TO PROTECT
THE WELFARE OF U.S. CITIZENS. AS THE
DEPARTMENT IS AWARE, MRS. ROUSH'S FORMER
HUSBAND ALLEGEDLY ABDUCTED THE TWO CHILDREN
FROM THE UNITED STATES AND A FELONY WARRANT
WAS ISSUED FOR HIS ARREST. HE IS NOT A
U.S. CITIZEN AND ACCORDING TO OFFICIAL
DOCUMENTS PROVIDED TO US BY MRS. ROUSH HE
HAS A LONG HISTORY OF ALCOHOLISM,
PSYCHIATRIC PROBLEMS, CRIMINAL ACTIVITY AND
FAILURE AT U.S. EDUCATIONAL INSTITUTIONS.
UNDER THE CIRCUMSTANCES WE FELT THAT THE
INTERESTS OF MRS. ROUSH AND HER CHILDREN
WERE OUR PRIMARY CONCERN, AND THAT IT WAS
OUR RESPONSIBILITY TO DO WHATEVER WE COULD,
REGARDLESS OF THE ODDS AGAINST US, TO HELP
HER REGAIN CUSTODY OF HER TWO CHILDREN.

5. ACCORDING TO THE GUIDANCE CONTAINED IN
STATE REFTEL, WE GATHER THAT WE ARE
REQUIRED FROM TAKING THE POSITIVE WE HAD
ADOPTED IN FAVOR OF REUNIFICATION OF THE
CHILDREN WITH THEIR MOTHER AND MUST REMAIN
NEUTRAL BETWEEN PARENTS REGARDLESS OF THEIR
CITIZENSHIP AND PREVIOUS RECORDS. IF OUR
UNDERSTANDING IS CORRECT, THEN WE MUST
IMMEDIATELY INFORM MRS. ROUSH AND SALEH
AL-HEJAILAN THAT WE MUST REMAIN IMPARTIAL
UNDER INSTRUCTIONS FROM THE DEPARTMENT.

6. WE WOULD APPRECIATE ANY FURTHER
GUIDANCE ON, R, AND LHM MIGHT HAVE IN THESE
MATTERS. CUTLER

cas/ret

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EXHIBIT
35

FROM : JUSTICE

FX NO. : 9167234111

Jan. 16 2002 12:25PM P32

OCT 1986

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Department of State

TELEGRAM

PAGE 01 STATE 328947

ORIGIN 005-06

INFO 100-00 ADS-00 NEA-07 1-03 CA-02 /018 R

DRAFTED BY: CA/OCS/CCS/NEA-TDS000000-58

APPROVED BY: CA-INCLARK

CA: MARIHE (INFO), CA/OCS:TADHAPP, CA/OCS/CCS:CADIFLAGIDO (PHONE),
L/C: DOKLASHER, L/CA: MPOKERING, NEA/ARP: DSHIERMAN, H: ROSTRITR
CA/OCS/CCS/NEA: E605010R

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FM SECSTATE WASHDC

TO AMEMBASSY RIYADH IMMEDIATE

UNCLAS STATE 328947

E.O. 12958: N/A
TAGS: CASO, SA (AL-GHESHAYAN, ALIA AND AISHAH)
SUBJECT: CHILD ABDUCTION CASES

REF: (U) RIYADH 0902 (U) STATE 314692 (U) RIYADH 0705

1. BY WAY OF BACKGROUND, AGRIEVED PARENTS OF AMNIC CHILDREN ABDUCTED IN OVERSEAS OR OF CHILDREN WHO HAVE NOT BEEN RETURNED FROM OVERSEAS ON A MUTUALLY AGREED DATE ARE ALWAYS INFORMED THAT THE DEPARTMENT'S PRIMARY CONCERN AND FOCUS IS ON THE WELFARE AND THE HEALTH OF THE VICTIM CHILDREN. WE WOULD HOPE THAT CONSULAR OFFICIALS OVERSEAS SHOULD STRESS THIS POINT IN THEIR DEALINGS WITH PARENTS AND OTHER INDIVIDUALS EXPRESSING AN INTEREST IN A CHILD CUSTODY CASE. THIS FOCUS DOES NOT CHANGE REGARDLESS OF THE LEVEL AND THE DEGREE OF ATTENTION A CASE MAY RECEIVE.

2. WHERE SOCIAL SERVICE AGENCIES, SELF-HELP GROUPS AND OTHER INSTITUTIONS EXIST TO PROFESSIONALLY ASSESS THE NEEDS OF THESE CHILDREN, PARTICULARLY WHERE ALLEGATIONS OF ABUSE ARE CONSIDERED, OUR PROTECTION AND WELFARE ROLE IS CONSIDERABLY NOT AS ACUTE. HOWEVER, WE RECOGNIZE THAT IN COUNTRIES, LIKE SAUDI ARABIA, WHERE THE SOCIAL, POLITICAL

AND LEGAL SYSTEM IS DIFFERENT FROM WESTERN SOCIETIES, CONSULS ARE LIKELY TO SPEND MORE TIME ASSESSING THE PSYCHOLOGICAL, SOCIAL AND EDUCATIONAL DEVELOPMENT OF AMNIC CHILDREN. NEVERTHELESS, THE NATURE OF CONSULAR ASSISTANCE DOES NOT CHANGE, I.E., LOCATING CHILDREN; MONITORING THEIR WELFARE AT THE REQUEST OF A PARENT AND CONTACTING LOCAL OFFICIALS, IF NECESSARY; MAKING AVAILABLE GENERAL INFORMATION ABOUT CHILD CUSTODY LAWS AND PROCEDURES; AND FURNISHING A LIST OF ATTORNEYS IN THE FOREIGN COUNTRY SHOULD THE PARENT DESIRE LEGAL ADVICE. UNDER NO CIRCUMSTANCES WOULD THE DEPARTMENT ADVOCATE THE TAKING OF SIDES IN A CHILD CUSTODY DISPUTE, REGARDLESS OF THE NATIONALITY OF THE PARENTS, NOR WOULD WE BE IN FAVOR OF CONGOFFS JUDGING THE MERITS OF ANY CHILD CUSTODY DISPUTE (SEE 7 FAM J01). SHOULD EMBASSY DESIRE US TO DELEGATE ABOVE TO MS. ROUSE, WE WOULD BE HAPPY TO DO SO.

3. EMBASSY HAS REMARKED IN REFTEL 01 THAT THE ATTORNEY, SAUD AL-NEJAILAN, HAD REQUESTED APPOINTMENT AS LEGAL ADVISER TO THE EMBASSY TO EXPLORE THE POSSIBILITY OF AN OUT-OF-COURT SETTLEMENT IN HIS, ROUSE'S FAVOR. DEPT WISHES TO REITERATE THAT AL-NEJAILAN MAY NOT REPRESENT THE EMBASSY IN ANY FASHION, EITHER FORMALLY OR INFORMALLY, IN THE CHILD CUSTODY CASES OF ALIA AND AISHAH AL-GHESHAYAN. TO REITERATE POINT SET FORTH IN REFTEL 01, WE WOULD HAVE NO OBJECTION TO MR. AL-NEJAILAN INFORMING APPROPRIATE PARTIES THAT THE EMBASSY HAS A STRONG INTEREST IN RESOLVING THE CASE. EMBASSY MAY BE ASSURED THAT WE DO NOT VIEW THIS POSITION AS INCONSISTENT WITH A CONGOFF'S

RESPONSIBILITY TO PROTECT THE WELFARE OF AMERICAN CITIZENS ABROAD. INDEED, IN ALL CHILD CUSTODY CASES, A CONSULAR OFFICER'S PRIMARY INTEREST IS IN THE PROTECTION AND THE WELFARE OF THE CHILDREN, WHILE RECOGNIZING IMPLICIT LEGAL LIMITATIONS.

4. MS. PATRICIA ROUSE HAS MADE FULLY AWARE OF CONGOFFS' LIMITATIONS IN EFFECTING THE RETURN OF HER CHILDREN TO THE U.S. DURING HER CONVERSATION WITH A DEPT OFFICIAL ON JANUARY 20TH. LIMITATIONS ALSO HAVE BEEN EXPLAINED TO INTERESTED CONGRESSIONAL OFFICES.

5. FYI, EMBASSY MAY BE ASSURED THAT THIS CABLE REPRESENTS THE VIEWS OF CA, L/M AND R. WHITEHEAD

*

UNCLASSIFIED

EXHIBIT
36

FROM : JUSTICE

FRX NO. : 9167234111

Jan. 16 2002 12:25PM P33

UNCLASSIFIED
Department of State

OUTGOING
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PAGE 01 STATE 327030 3565
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TO AMEMBASSY RIYADH PRIORITY

UNCLAS STATE 327830

E.O. 12356: N/A
TAGS: CASC, SA (AL-GHESHAYAN, ALIA AND AISHA)
SUBJECT: CHILD CUSTODY CASE

REF: (A) STATE 320947 (B) RIYADH 8982 (C) STATE 314882
(D) RIYADH 8702

1. DURING THE COURSE OF DEPOFF'S RECENT CONVERSATION WITH MS. SARAH PANG OF SENATOR DIXON'S OFFICE, MS. PANG REMARKED THAT ACCORDING TO MS. ROUSH THE EMBASSY, ACTING IN ACCORDANCE WITH THE DEPARTMENT'S GUIDANCE IN REFTEL (A), DECLINED TO ATTEND A MEETING TO DISCUSS THE CUSTODY OF THE AL-GHESHAYAN CHILDREN.
2. DEPT WISHES TO EMPHASIZE THAT CONSULAR OFFICERS ARE PERMITTED TO MONITOR CUSTODY HEARINGS, ALTHOUGH THEY MAY NOT ATTEMPT TO INFLUENCE THE DECISION OF ANY PROCEEDINGS. SEE 7 FAM 142.3 GENERALLY. IF EMBASSY OFFICIALS WERE REQUESTED TO ATTEND A MEETING PRESUMABLY IN THE CAPACITY OF AN IMPARTIAL OBSERVER, THE DEPT WOULD HAVE NO OBJECTION TO EMBASSY'S PRESENCE AT SUCH A MEETING.
3. YOUR ASSISTANCE IS APPRECIATED. SHULTZ

lost the children

UNCLASSIFIED



FROM : JUSTICE

FRAX NO. : 9167234111

Apr. 21 2002 10:53PM P2

UNCLASSIFIED
Department of State

OUTGOING
TELEGRAM

PAGE #1 STATE 135843 2598
ORIGIN OCS-26
INFO LOG-88 ADS-88 SS-88 N-88 NEA-88 L-88 AMAD-88
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INFO AMCONSUL JEDDAH
ANDCONSUL DHAHRAN

UNCLAS STATE 135803.
E.O. 12958: N/A
TAGS: CASC, SA AL-QHESHAYAN, AISHAH AL-QHESHARA AM, ALIA
SUBJECT: CHILD CUSTODY: MEETINGS WITH SAUDI OFFICIALS AND
SENATOR ALAN DIXON
REF: 85 RIYADH 10541 AND PREVIOUS

1. SUMMARY: BETWEEN APRIL 29 AND MAY 1, A SERIES OF MEETINGS TOOK PLACE WITH SAUDI EMBASSY OFFICIALS TO DISCUSS CONSULAR-RELATED PROBLEMS IN SAUDI ARABIA, IN PARTICULAR THE CHILD CUSTODY CASE OF AISHAH AND ALIA AL-QHESHARA AM, THE CHILDREN OF PATRICIA ROUSH. AT UNDER SECRETARY DENNIS H. DIXON'S REQUEST, SAUDI EMBASSY OFFICIALS MET WITH SENATOR ALAN J. DIXON. FOLLOWING THAT MEETING THE SENATOR'S STAFF REQUESTED THAT EMBASSY RIYADH RENEW ITS EFFORTS TO MEET WITH SAUDI OFFICIALS AND MEMBERS OF THE AL-QHESHARA FAMILY IN AN EFFORT TO OPEN COMMUNICATIONS BETWEEN THE PARTIES AND FACILITATE CONSULAR ACCESS TO THE CHILDREN. THIS IS AN ACTION MESSAGE; SEE PARAGRAPH 6. END SUMMARY.

2. ON APRIL 29, IN A MEETING WITH RIHAB MASOUD, SECOND SECRETARY, EMBASSY OF SAUDI ARABIA, UNDER SECRETARY DENNIS H. DIXON CONVEYED SENATOR ALAN DIXON'S INTERESTS IN MEETING WITH PRINCE BANDAR CONCERNING MS. ROUSH'S DAUGHTERS. MR. MASOUD, ALTHOUGH STATING THAT THE

RESOLUTION OF THE CASE WAS PROPERLY A MATTER FOR THE COURTS, UNDERTOOK TO FACILITATE THE REQUESTED MEETING. AN ONGOING DISCUSSION WITH THE UNDER SECRETARY'S SPECIAL ASSISTANT, SAUDI DESK OFFICER, AND CA/OCS DIVISION CHIEF FOCUSED ON CHILD CUSTODY ISSUES, BUT ALSO TOUCHED ON OTHER MATTERS OF CONCERN SUCH AS THE LEGAL PROBLEMS OF BUSINESSMEN WHICH ARE TO BE THE SUBJECT OF CONGRESSIONAL HEARINGS IN LATE MAY AND ENTRY AND EXIT VISA.

3. ON APRIL 30, ABEL SENBANG AND RIHAB MASOUD, RESPECTIVE-1 DCM AND SECOND SECRETARY OF THE EMBASSY OF SAUDI ARABIA, THE EMBASSY'S ATTORNEY FREDERICK G. DUTTON, THE SAUDI DESK OFFICER, AND CA/OCS DIVISION CHIEF MET WITH SENATOR ALAN DIXON AND MEMBERS OF HIS WASHINGTON AND CHICAGO STAFF. SENATOR DIXON MADE AN IMPASSIONED PLEA FOR THE RETURN OF ALIA AND AISHA TO THEIR MOTHER. HE STRONGLY ATTACKED THE SAUDIS FOR THEIR FAILURE TO TAKE ANY ACTION IN THIS CASE. HE ALSO QUESTIONED WHY THE SAUDI LEGAL SYSTEM WOULD SEEK TO PROTECT A PERSON WITH A LONG CRIMINAL RECORD IN THE U.S. AND HISTORY OF ABUSIVE TREATMENT OF HIS FAMILY AND GIVE NO HEED TO THE U.S. CUSTODY DECISION. HE VOWED THAT UNLESS THE SAUDIS RESOLVE THIS CASE IMMEDIATELY HE WILL MAKE THINGS AS UNPLEASANT FOR THE SAUDIS AS HE CAN. HE STATED THAT HE WILL RAISE THIS ISSUE

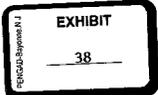
AND OTHER CONSULAR PROBLEMS IN SAUDI ARABIA AT EVERY POSSIBLE OPPORTUNITY AND IN EVERY POSSIBLE FORUM. HE SPECIFICALLY STATED HE WOULD CONDEMN THE SAUDIS WHEN HE APPEARS ON THE NATIONALLY-TELEVIEWED "OPRAH WINFREY SHOW" IN JUNE IF THE MATTER IS NOT RESOLVED BY THEN. HE ALSO ALLEGED THAT THE DEPARTMENT HAD ORDERED EMBASSY OFFICIALS TO STAY AWAY FROM A MEETING IN RIYADH MEANT TO RESOLVE THE CASE AND STATED HE WOULD CRITICIZE THE DEPARTMENT FOR HAVING "BOTCHED" THE CASE IN THIS FASHION.

4. CONTRARY TO THE ASSERTION OF SEN. DIXON, THE DEPARTMENT HAS NO OBJECTION TO THE AMBASSADOR OR OTHER EMBASSY OFFICIALS MEETING WITH SAUDI OFFICIALS OR INTERESTED PARTIES TO FACILITATE A RESOLUTION OF THIS CASE. IN A WORKING-LEVEL MEETING AFTER THE DEPARTURE OF THE SENATOR AND THE SAUDIS, DEPTOFFS TOOK THE OPPORTUNITY TO CLEAR UP MISCONCEPTIONS ABOUT THE INSTRUCTION GIVEN IN THIS CASE. DEPTOFFS READILY AGREED TO SUGGEST TO EMBASSY THAT EFFORTS AGAIN BE MADE TO MEET WITH PRINCE SALMAN, AND/OR OTHER INTERESTED OFFICIALS IN THE RIYADH GOVERNOR'S OFFICE, MR. ROUSH'S LEGAL REPRESENTATIVE, MR. AL-QHESHAYAN, AND, IF POSSIBLE, HIS FATHER TO DISCUSS THIS CASE, SEEK WAYS IN WHICH IT MIGHT BE EQUITABLY RESOLVED, AND OBTAIN BETTER AND MORE FREQUENT CONSULAR ACCESS TO AISHA AND ALIA.

5. ON MAY 1, PRINCE BANDAR RAISED THIS CASE IN DISCUSSIONS WITH ASSISTANT SECRETARY MURPHY AND PROMISED TO LOOK INTO IT.

6. THE EMBASSY IS REQUESTED TO ATTEMPT TO ARRANGE A MEETING WITH PRINCE SALMAN, MR. ROUSH'S LEGAL REPRESENTATIVE, MR. AL-QHESHAYAN, AND HIS FATHER AS OUTLINED IN PARAGRAPH 4. THE GUIDELINES IN 7 FAM CONTINUE TO PROHIBIT THE USE OF A FOREIGN SERVICE POST'S GOOD OFFICES IN OPENING LINES OF COMMUNICATION WITH A LEGAL TO A RESOLUTION OF CHILD CUSTODY DISPUTES. SEN. DIXON'S OFFICE FELT THAT HAVING MR. AL-QHESHAYAN'S FATHER PRESENT MIGHT EXERT AN UNSOLICITED INFLUENCE ON HIM. WE HOPE THAT ONE RESULT OF THE MEETING WILL BE PERMISSION FOR ANOTHER CONSULAR VISIT WITH THE CHILDREN. PLEASE REPORT ALL ACTION. DWB:LT

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Department of State

OUTGOING TELEGRAM 0-127
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PAGE 01 STATE 188340
ORIGIN NEA-07
INFO LOG-00 ADS-00 H-01 SSO-00 OCS-06 CA-02 T-01
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INFO AMCONSUL DHAKHAN PRIORITY
AMCONSUL JEDDAH PRIORITY

UNCLAS STATE 108340

E.O. 12958: N/A
TAGS: CASC, US, SA
SUBJECT: ROUSH CHILD CUSTODY CASE UPDATE

1. FOR POST'S INFORMATION, PATRICIA ROUSH REQUESTED DESK'S ASSISTANCE IN ARRANGING TWO MEETINGS WHILE SHE WAS IN WASHINGTON TO TESTIFY BEFORE THE HOUSE FOREIGN AFFAIRS SUBCOMMITTEE INVESTIGATING MISTREATMENT OF AMERICAN CITIZENS IN SAUDI ARABIA.
2. MRS. ROUSH FIRST MET WITH MOHAMED ABU AL-HMEYL, THE SAUDI EMBASSY'S CONSUL GENERAL, WHO SHE SAID WAS THE FIRST SAUDI EMBASSY OFFICIAL WHO AGREED TO RECEIVE HER IN SIXTEEN MONTHS.
3. MRS. ROUSH WAS ACCOMPANIED BY IRWIN PERINICK FROM UNDERSECRETARY DERWINSKI'S OFFICE, DAVID OSTROFF, NEA/ARP, AND THERESA HOBGOOD, CA/OCS.
4. THE MEETING LASTED ABOUT 15 MINUTES. MRS. ROUSH ASKED AL-HMEYL WHAT THE SAUDI EMBASSY WAS GOING TO PERSUADE AL-GESHAYAN TO RETURN THE GIRLS TO THE UNITED STATES. SHE ALSO ASKED WHY THE SAUDIS HAD ISSUED PASSPORTS TO THE GIRLS, WHO ARE AMERICAN CITIZENS.
5. DURING AL-HMEYL'S RESPONSE, WHICH WAS LITTLE MORE THAN THE STANDARD RESPONSES SHE HAS BEEN GETTING FOR MANY MONTHS, MRS. ROUSH BECAME AGITATED AND WALKED OUT.
6. THE NEXT AFTERNOON, MRS. ROUSH MET WITH NEA DAS MARION V. CREEKMORE, WHO RESTATED THE DEPARTMENT'S DEEP CONCERN FOR HER SITUATION, AND PROMISED THE DEPARTMENT WILL CONTINUE TO DO EVERYTHING IN OUR POWER TO HAVE HER CHILDREN RETURNED TO HER.) *absolutely a lie!*
7. MRS. ROUSH STATED THAT THE USG HAS THE POWER TO EXERT PRESSURE ON THE SAUDI GOVERNMENT WHICH, IN TURN, COULD FORCE AL-GESHAYAN TO RELEASE THE CHILDREN. SHE ASKED FOR FURTHER REPRESENTATION BY AMBASSADOR CULTER WITH THE SAUDI ARABIAN GOVERNMENT ON HER BEHALF. CREEKMORE SAID THAT THE DEPARTMENT WILL DO ALL IT CAN IN OUR ATTEMPTS TO HELP BRING THE CHILDREN HOME, BUT THAT MRS. ROUSH'S SUGGESTIONS THAT VISAS NOT BE ISSUED TO SAUDIS AND ALL FUTURE MILITARY SALES BE CUT WERE NOT THE WAY TO PERSUADE THE SAUDI GOVERNMENT TO ASSIST US IN REACHING OUR GOAL. WHITEHEAD

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EXHIBIT
39

FROM : JUSTICE

FAX NO. : 9167234111

Apr. 21 2002 10:57PM P8

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UNCLASSIFIED Department of State

TELEGRAM

Dec 87

PAGE 01 RIVADM 12176 021034Z
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TO DESTATE WASHDC 237P
INFO AMCDIGUL JEDDAH
AMCDIGUL DHAKHAH

UNCLAS RIYADH 12176

FOR CA/0CC

E.O. 12958: R/A
TAGS: CASC, SA, US HA QUESNAYAH, ALIJA AND AYDAP
SUBJECT: CHILD CUSTODY CASE; AMBASSADOR'S CALL ON
RIYADH GOVERNOR SALMAN

REF: RIYADH 12085 AND PREVIOUS

1. CONFIDENTIAL - ENTIRE TEXT.

2. AS ADDITIONAL ENHASSY COMMENT TO REFLECT WE WISH TO RECORD OUR MOTIVES FOR CONTINUING TO EXPLORE THE POSSIBILITY THAT MRS. ROUSH-SAMITA MIGHT MAKE USE OF THE SAUDI COURT SYSTEM IN ORDER TO GAIN ACCESS TO, IF NOT RECOVER, HER CHILDREN. FIRST OF ALL, WE CONTINUE TO BELIEVE IT IS IMPORTANT TO MAINTAIN MODERITY IN THE CASE. THERE SHOULD ALWAYS BE SOME CHANNEL, PRIVATE OR OFFICIAL WHICH REMAINS ACTIVE. MRS. ROUSH-SAMITA HAS CHOSEN HERSELF NOT TO EMPLOY AN ATTORNEY. ALONG WITH HER REPEATEDLY ASSURED COUNSEL SUGGESTING TO COME HERSELF TO SAUDI ARABIA, THIS EFFECTIVELY ELIMINATES ANY PRIVATE INITIATIVES INSIDE SAUDI ARABIA ITSELF AND WE ARE AWARE THAT MRS. ROUSH-SAMITA HAS WORKED UNCEASINGLY AT HOME TO MAKE HER CASE AND TO ENLIST THE SUPPORT OF OTHERS BOTH INSIDE AND OUTSIDE THE USG.

3. WE CONTINUE TO ENCOURAGE HER PRESENTATION OF HER ARGUMENTS TO A SAUDI COURT DIRECTLY AND IN PERSON FOR SEVERAL REASONS. APART FROM A RESOLUTION OF THE DISPUTE BETWEEN PARENTS, THERE IS NO ALTERNATIVE MECHANISM AVAILABLE IN THIS COUNTRY - AND WE BELIEVE THIS TO BE UNUSUALLY TRUE - WHERE A COTERMINENT MIGHT BE ARRANGED. WE DO NOT THINK IT POSSIBLE THAT ANY REPEAT ANY SAUDI OFFICIAL COULD INTERVENE ARBITRARILY, CONTRARY TO ALL LAW, CUSTOM, AND ISLAM, TO REMOVE THE CHILDREN FROM THEIR FATHER'S HOME AND RETURN THEM TO THEIR MOTHER. THIS IS A NOTION WHICH MRS. JOSH-SAMITA CONTINUES TO ENTERTAIN. AS LONG AS THE CHILDREN ARE PRESENT HERE, ONLY THE DECISION OF A COURT CAN BE EXPECTED TO ALTER THEIR STATUS WITH RESPECT TO CUSTODIAL AND VISITATION RIGHTS BY THE ABSENT PARENT.

4. MRS. ROUSH-SAMITA TAKES ADVANTAGE OF THE AVAILABLE LEGAL MECHANISM HERE, HELDING SHE NOW WE CAN EXPECT SUCH FURTHER COOPERATION FROM THE SAUDIS. (IT DOES NOT, UNFORTUNATELY, HELP TO POINT OUT THAT MR. AL QUESNAYAH SUGHT RELIEF IN OUR COURTS, THEN ABUSED HIS LEGAL RIGHTS AND VIOLATED OUR LAWS WHEN THE OUTCOME DID NOT SUIT HIM.) THE VERY FACT OF MRS. ROUSH-SAMITA'S CONSIDERING TO APPEAR BEFORE A SHARI'A JUDGE WOULD, WE BELIEVE, IN ITSELF SERVE AS A TESTAMENT OF HER EARNEST AND WEIGH IN HER FAVOR IN ANY DECISION OF THAT ADJUT.

5. WE CANNOT PREDICT THE DECISION OF A SAUDI COURT, BUT ONE POSSIBLE OUTCOME COULD AWARD VISITATION RIGHTS TO MRS. ROUSH-SAMITA, A COURTER CASE WHICH SHE IS

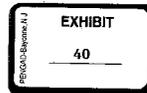
PROBABLY LOATHE TO CONSIDER. OR THE NEGATIVE SIDE, AS SHE HAS POINTED OUT, THE CHILDREN ALSO BE DEPRIVED OF ANY FURTHER ACCESS TO THE CHILDREN.

FINALLY, OVERCOMING HER RELUCTANCE TO TRAVEL TO SAUDI ARABIA WOULD BRING HER PHYSICALLY CLOSER TO THE CHILDREN. WE FIND IT HARD TO BELIEVE THAT SHE COULD COME TO SAUDI ARABIA WITHOUT BEING PERMITTED TO VISIT THE CHILDREN; WE EXPECT, IN FACT, THAT THE GOVERNORATE, WHILE NO DOUBT EMPHASIZING THE DOMESTIC NATURE OF THE DISPUTE, WOULD LEAD ALL HELP POSSIBLE HELP "UNOFFICIALLY" IN FACILITATING SUCH A VISIT.
KORAR

5/14/05
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encouraged me to go to Saudi court, knowing as a Western Christian woman I would lose

UNCLASSIFIED



Handwritten: MFA -

Kingdom of Saudi Arabia
Ministry of Foreign Affairs

Number: 97/20/1725/4
Date: 8/9/1416
(Jan. 28, 96)

The Ministry for Foreign Affairs in the Kingdom of Saudi Arabia presents its compliments to the Embassy of the United States of America in Riyadh.

The Ministry refers to the matter raised by HE Ambassador Raymond Mabus with HRH Minister of Foreign Affairs during their meeting on 26/6/1416 corresponding to 11/19/1995 regarding the case of the Saudi citizen Khaled Al Ghashyan. HE the Ambassador suggested that the divorce of Mr. Al Ghashyan, Mrs. Patricia Rosh would change the custody decision in a manner so that Mr. Al Ghashyan is no longer legally wanted. In return, Mr. Al Ghashyan will be officially required, as part of the custody decision or other official requirement, to allow his daughters to visit their mother in the US every year during summer time. In order to ensure commitment to this agreement two lawyers will be assigned to both sides to provide the necessary legal guaranties to solve this case.

The Ministry would like to advise the Embassy of its preliminary agreement to the suggestion on the condition that the guaranties are clear ones and are consolidated by the Embassy.

The Ministry avails itself of this opportunity to renew the assurances of its highest consideration.

EXHIBIT
41

FROM : JUSTICE

FAK NO. : 9167234111

Jan. 16 2002 12:15PM P13

Embassy of the United States of America



Riyadh, Saudi Arabia
May 20, 1997

Mr. Michael Wildes
Law Offices of Wildes & Weinberg
515 Madison Avenue
New York, New York 10022

Dear Mr. Wildes:

Further to our telephone conversation of May 19, your letter of May 14, 1997, and our previous correspondence concerning the efforts of your client, Ms. Patricia Roush, to regain legal custody of her daughters, Alia and Aisha.

In your letter, you again requested that I pursue what you describe as "the gentlemen's agreement" mentioned in the diplomatic note dated January 28, 1996 which this Embassy received from the Saudi Ministry of Foreign Affairs.

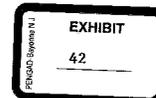
The Embassy staff and I have diligently pursued this approach with Saudi authorities. Mr. Gheshayan has refused to accept it. Mr. Gheshayan conveyed his refusal in two separate meetings with our consul general last year and most recently to Prince Bandar. In recent conversations with senior Saudi officials, as well as Attorney Salah Hejailan, all have confirmed to me that the Saudi government has no legal authority to force Mr. Gheshayan to accept your proposal if he does not wish to.

We sincerely believe that the only option for Ms. Roush to see her daughters is for her to accept Attorney Hejailan's offer to sponsor her to come to Riyadh to visit them. As I discussed with you on the phone, if both sides are determined to make such a visit a success, I believe it would help in building confidence and trust necessary to enable future visits here or in the United States.

I hope you will urge your client to visit her daughters at her earliest opportunity. Otherwise, there are no known legal remedies for our Government to pursue.

Sincerely,

Wyche Fowler, Jr.
Ambassador



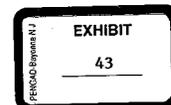
Question: What is the Department's position on the case of Alia and Aisha Al-Gheshayan, Saudi American dual citizens, who were parentally abducted by their Saudi father to Saudi Arabia in 1986? The young women's mother is American citizen Patricia Roush.

- **Answer:** The case of the Al-Gheshayan sisters and Mrs. Roush is one of the most difficult and frustrating child custody/parental abduction cases on which that the Department of State has worked. The Department readily acknowledges Mrs. Roush's pain and anguish over the years that she has been separated from her daughters. The girls are now adults. The Embassy will continue efforts to maintain communication between Mrs. Roush and her daughters.
- **If pressed:** We do not see the matter as amenable to government-to-government intervention. Neither the Saudi Government nor the U.S. Government can compel the parties to any given action. If confirmed, I can only promise to use my good offices to try to help improve communication between Mrs. Roush and her daughters.
- **Background:** Saudi law is such that Saudi authorities considered Alia and Aisha to be exclusively Saudi citizens. As such, they have needed the permission of their father to depart Saudi Arabia. (We understand that Alia has recently married and now would require her husband's permission to depart Saudi Arabia.) Their Saudi father has never given this permission.

Thus, the Department's role has been to attempt to maintain communication between the left-behind parent – Mrs. Roush – and her daughters. Given the antagonism between the parents, Mrs. Roush has had little contact with her daughters. She was able to visit with them on one occasion in Saudi Arabia in 1995.

Alia and Aisha are now over 18 years of age. Since they now are adults, the Department considers that its responsibility is to ensure their welfare rather than pursuing their situation as a child custody case. Most recently, the Embassy in Riyadh has been working to gain access to the young women, to speak with them privately to ascertain their current situation and their desires as to their future relationship with their mother. To date, despite high level Saudi Government cooperation in arranging an August meeting with the young women's Saudi father, an Embassy consular officer has not been able to meet with Alia and Aisha. The Department and the Embassy will continue these efforts. One positive development of the August meeting with the Saudi father is that we understand that Aisha and her mother have spoken on the telephone recently on at least two occasions.

Drafted:CONS
Cleared:CDA
CA/OCS:



United States Senate

WASHINGTON, DC 20510

June 7, 2001

The Honorable Colin L. Powell
Secretary of State
2200 C Street, NW
Washington, DC 20520

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2001 JUN 12 PM 1:55
LEGISLATIVE AFFAIRS

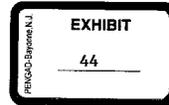
Dear Mr. Secretary:

We are writing to ask your personal involvement in recently renewed efforts by the Department of State to secure the repatriation of two young American women, Alia and Aisha Ghesayan, who have been held in Saudi Arabia since 1986. These two women, now 22 and 18 years old respectively, are native-born U.S. citizens who were abducted by their Saudi father in violation of American law.

During the 15 years the Ghesayan sisters have been held in Saudi Arabia, there has been only one brief meeting between the sisters and their American mother, Ms. Patricia Roush. At that meeting, when the sisters were teenagers, they tearfully begged their mother to bring them home. On one occasion in 1996, former Ambassador Raymond Mabus had secured in principle the sisters' release, but that effort failed when his tenure as ambassador ended. Since then, despite Ms. Roush's sustained endeavors, little has been done to resolve the situation.

If Ms. Roush's children had been male, as adults they now could have the opportunity to return to the United States on their own. As females, they may not ever do so without their father's (or, once they are married, their husband's) permission. For several years the United States has highlighted the treatment of women in foreign countries as part of our human rights policy. However much concern the United States shows - and properly so - when the rights of foreign women are violated on account of gender, we are sure you will agree that the government of the United States has a far greater duty when American citizens are subjected to such violations of their fundamental rights. Defending the rights of these young women simply is not a private matter but one that demands the government of the United States to do its sovereign duty to vindicate the rights of its citizens held contrary to our law in a foreign state.

Recently, in view of Aisha's having attained the age of majority, Ms. Roush contacted the Department's Bureau of Near Eastern Affairs to renew efforts to secure her daughters' release. In response, Ambassador Edward S. Walker, Jr., who until recently headed the Bureau, raised this matter with the Saudi Ambassador to the United States, Prince Bandar bin Sultan, as a state-to-state issue, not a child custody dispute as it had been treated in the past. We understand



that the Bureau is continuing the effort begun by Ambassador Walker, in whose opinion an initial step would be to arrange for personnel from the U.S. embassy in Riyadh to meet privately with Ms. Roush's daughters to ascertain their wishes. We agree with Ambassador Walker's assessment that such a meeting must be considered.

Mr. Secretary, we urge you, in the strongest possible terms, to intervene forcefully and in person with the Saudi authorities at the highest levels to secure the prompt release and repatriation of Alia and Aisha Ghesayan. We are fully aware of the importance Saudi Arabia occupies in American foreign policy. At the same time, these two young women should not be compelled to stay in Saudi Arabia against their will in violation of American law.

Thank you for your earliest attention to this matter.

Sincerely,



DON NICKLES



JOE LIEBERMAN



TRENT LOTT



TOM DASCHLE



LARRY CRAIG



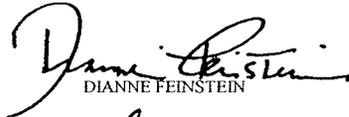
BYRON DORGAN



PATRICK LEAHY



BARBARA BOXER



DIANNE FEINSTEIN



EVAN BAYH



EDWARD M. KENNEDY



MIKE DEWINE

Charles Schumer
CHARLES SCHUMER

Arlen Specter Great American
Case
ARLEN SPECTER

Michael B. Enzi
MIKE ENZI

Russell Feingold
RUSSELL FEINGOLD

Dick Durbin
RICHARD DURBIN

Jeff Sessions
JEFF SESSIONS

Jon Corzine
JON CORZINE

Jim Jeffords
JAMES JEFFORDS

Robert Torricelli
ROBERT TORRICELLI

Bob Smith
BOB SMITH

Harry Reid
HARRY REID

INFORMATION MEMORANDUM
S/ES

UNCLASSIFIED

TO: The Secretary

FROM: CA - Mary A. Ryan
NEA - James A. Larocco, Acting

SUBJECT: The Roush Abduction Case and U.S.-Saudi Relations

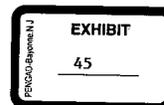
American Patricia Roush is lobbying the Department and Congress to include the repatriation of her daughters, who were abducted to Saudi Arabia by their father in 1986 when both were minors, as a central issue in U.S.-Saudi bilateral relations. The daughters, Alia and Aisha Al Gheslayan, both dual citizens, now are 22 and 19 years old. Alia, the eldest, recently married a Saudi national.

On June 7, 23 U.S. Senators signed a letter urging you "in the strongest possible terms, to intervene forcefully and in person with the Saudi authorities at the highest levels to secure the prompt release and repatriation of Alia and Aisha Gheslayan." This is unlikely to produce the desired result and could inhibit our access to the Gheslayans, undermining our efforts to resolve the case.

Since both young women are adults, Embassy Riyadh is attempting to arrange for a consular officer to meet privately with them to determine their welfare and desires regarding their future relationship with Ms. Roush. The Embassy also has encouraged the young women and their father to communicate directly with Ms. Roush. The father recently extended an invitation to Ms. Roush to meet with Aisha for several hours in Riyadh, in his presence.

Ms. Roush characterizes the Embassy's efforts as inadequate and her ex-husband's offer as unacceptable. She

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demands the return of her daughters to the United States and insists that this demand be addressed at a state-to-state level. We expect her to continue her efforts in as public a manner as possible.

Attachments:

- Tab 1 - June 7 Letter from 23 U.S. Senators
- Tab 2 - A/S Kelly Response to June 7 Letter

UNCLASSIFIED



United States Department of State
Washington, D.C. 20520
www.state.gov

MAY 13 2002

Dear Senator

This is in response to your letter to Secretary Powell of June 7, inquiring about the situation of Alia and Aisha Al-Gheshayan, two U.S. citizens in Saudi Arabia. Please be assured that the State Department and our Embassy in Riyadh have repeatedly raised this issue at senior levels of the Saudi Government.

The staff of our Embassy in Riyadh have been involved in this case since their father abducted these two girls in 1986, including conducting several visits to check on their welfare. Embassy staff have also negotiated with Mr. Al-Gheshayan to allow Ms. Roush several opportunities to visit her children, although unfortunately only one visit actually took place.

As Alia and Aisha are now adults, they are no longer subject to the original child custody order, and their wishes must be taken into account. Our Embassy is currently working to arrange a visit with both women to check on their welfare and ask whether they wish to return to the United States. However, as residents of Saudi Arabia, they are subject to Saudi law, and would not be allowed to leave without the permission of their father or husband. If we determine the women wish to return to the United States, we will approach the Saudi Government to seek permission for them to leave.

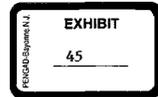
We hope this information is helpful. Please let us know if we can be of further assistance.

Sincerely,
Paul V. Kelly

Paul V. Kelly
Assistant Secretary
Legislative Affairs

The Honorable _____
United States Senate.

MAY 17 2002 09:16AM



UNCLASSIFIED
Department of State

INCOMING
TELEGRAM

2001

PAGE 01 OF 02 RIYADH 07055 00 OF 03 2513722
TION 005-03
INFO (06-00) AMAD-00 CA-01 VIED-00 TEDE-00 L-00
TEST-00 VO-03 REAT-00 SAS-00 /007W
R 251317Z JUN 01
FM AMEMBASSY RIYADH
TO SECSTATE WASHDC 5440
INFO AMEMBASSY MANAMA
AMCONSUL JEDDAR

SRC4126

RIYADH 07055 00 05 03 2513722

SRC8176

BOTH RECEIVE NOTIFICATION OF HER DESIRES. HE NOTED THAT, AT THE MOMENT, POST IS UNDER INSTRUCTIONS TO CONTACT AL GHUSAYAN IN VERY EARLY AUGUST WHEN THE FSW IS STILL ON LEAVE TO ARRANGE THE MEETING. UNLESS OTHERWISE INSTRUCTED, WE PLAN TO CONTACT AL GHUSAYAN ON SATURDAY, AUGUST 4, THE FIRST WORKING SATURDAY IN AUGUST.

UNCLAS RIYADH 002855

FOR CA/PCS/ACS/NE5A; CA/005/01; AND NEA/ARP

E.O. 12958: N/A
TAGS: CASC, K061, SA
SUBJECT: EMBASSY JULY 24 TELECON WITH PATRICIA ROUSH AND SUBSEQUENT FAX MESSAGE

REF: STATE 127723

1. THIS IS AN ACTION MESSAGE. PLEASE SEE PARAS 7 AND 9.

2. SUMMARY: ON JULY 24, 2001, MS. PATRICIA ROUSH CONTACTED EMBASSY RIYADH TO DISCUSS THE UPCOMING AUGUST CONSULAR VISIT WITH HER DAUGHTERS. POST REQUESTED THAT SHE ADVISE THE DEPARTMENT AS TO WHETHER SHE WISHES US

TO PROCEED WITH ARRANGING THE VISIT IN EARLY AUGUST OR POSTPONE IT UNTIL LATE AUGUST WHEN POST SENIOR SCS FSN *CONSULAR ASSISTANT WILL BE BACK FROM VACATION. MS. ROUSH PROVIDED POST WITH A FAX LETTER LISTING HER OBJECTIVES FOR THE CONSULAR VISIT. FAX TEXT IS REPEATED BELOW FOR DEPARTMENT INFORMATION. IN LIGHT OF MS. ROUSH'S REQUESTS, POST NEEDS ADDITIONAL DEPARTMENT GUIDANCE, BEYOND REFTEL, AS TO HOW TO CONDUCT THE CONSULAR VISIT. POST ALSO REQUESTS DEPARTMENT PROVIDE A STATUS REPORT AS TO ANY AND ALL OUTSTANDING U.S. AND INTERPOL WARRANTS ON KHALID AL GHUSAYAN FOR INTERNATIONAL CHILD ABDUCTION. END SUMMARY.

3. ON JULY 24, 2001, MS. PATRICIA ROUSH, MOTHER OF ALIA AND AISHA AL GHUSAYAN, CALLED THE EMBASSY RIYADH CONSULAR SECTION AND SPOKE WITH THE ACS CONOFF (AND ACTING CONSUL GENERAL). WHEN ADVISED THAT THE SENIOR SCS CONSULAR ASSISTANT IS ON ANNUAL LEAVE IN SYRIA UNTIL AUGUST 25, MS. ROUSH EXPRESSED DEEP DISAPPOINTMENT THAT THIS EMPLOYEE WILL BE UNAVAILABLE TO CONTACT KHALID AL GHUSAYAN TO MAKE THE ARRANGEMENTS FOR THE AUGUST VISIT WITH ALIA AND AISHA. SHE ALSO EXPRESSED THE STRONG VIEW THAT ONLY THIS INDIVIDUAL HAD THE NECESSARY PERSONAL RAPPORT TO SPEAK WITH AL GHUSAYAN.

4. CONOFF ACKNOWLEDGED THE VALUE OF THE FSW CONSULAR ASSISTANT'S LONG ESTABLISHED RAPPORT WITH AL GHUSAYAN BUT SAID THAT THE EMBASSY IS NOT SOCIALLY DEPENDENT ON HIM AND CAN EFFECTIVELY CONTACT AL GHUSAYAN AND EFFECT THE VISIT WITH MS. ROUSH'S DAUGHTERS. NONETHELESS,

CONOFF TOLD MS. ROUSH THAT IF SHE FIRMLY OPPOSES ARRANGING THE VISIT BEFORE THE FSW'S RETURN, THE EMBASSY WILL RESPECT HER WISH AND POSTPONE EFFORTS TO ESTABLISH THE APPOINTMENT FOR A FEMALE CONOFF TO MEET WITH ALIA AND AISHA UNTIL THE END OF AUGUST. IF THIS IS THE CASE, MS. ROUSH SHOULD SO ADVISE THE DEPARTMENT AND THE DEPARTMENT WOULD COMMUNICATE THIS TO POST. CONOFF EMPHASIZED THAT THE DEPARTMENT AND POST SHOULD

5. MS. ROUSH ALSO ASKED THE IDENTITY AND THE AGE OF THE FEMALE CONOFF WHO WOULD VISIT WITH ALIA AND AISHA. CONOFF ADVISED HER THAT THE CONOFF WOULD BE VICE CONSUL AND THAT SHE IS A MARRIED, EXPERIENCED OFFICER. MS. ROUSH SEEMED REASSURED WITH THIS ANSWER. SHE ASKED WHAT THE NATURE OF THE VISIT WOULD BE. CONOFF TOLD HER THAT IT WOULD BE A WELFARE AND WHEREABOUTS VISIT AND THAT WE WOULD ALSO ATTEMPT TO FIND OUT FROM ALIA AND AISHA WHAT TYPE OF RELATIONSHIP THEY WISHED TO HAVE WITH MS. ROUSH. MS. ROUSH ACCEPTED THIS EXPLANATION, BUT EMPHASIZED THE NEED FOR THE FEMALE CONOFF TO SPEAK ALONE WITH ALIA AND AISHA. CONOFF SAID HE WAS AWARE OF MS. ROUSH'S DESIRE ON THIS POINT AND HE WOULD CERTAINLY SEEK TO HAVE PRIVATE, ONE-ON-ONE CONVERSATIONS WITH HER DAUGHTERS. MS. ROUSH

ALSO REQUESTED PHOTOGRAPHS OF ALIA AND AISHA AND CONOFF SAID WE WOULD TRY TO GET HER SOME.

6. FOLLOWING THIS CONVERSATION, MS. ROUSH IMMEDIATELY SENT POST A FAX WITH HER PREFERENCES FOR THE MEETING WITH HER DAUGHTERS. TEXT FOLLOWS.

TEXT OF ROUSH FAX DATED JULY 23, 2001

JULY 23, 2001

HAZEN, FSN
UNITED STATES EMBASSY
RIYADH, SAUDI ARABIA

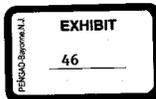
WHEN YOU MEET WITH MY DAUGHTERS IN AUGUST CAN YOU MAKE THE FOLLOWING REQUESTS:

1. TRY TO MEET WITH ALIA AND HER HUSBAND ALONE WITH KHALID PRESENT. IF THIS IS NOT POSSIBLE, TRY TO GET A PHONE NUMBER FOR HER HUSBAND OR HER VILLAGE SO YOU CAN SPEAK WITH THEM AT A LATER DATE AFTER THE KHALID/AISHA MEETING. SHE WILL NOT BE ABLE TO SPEAK FREELY WHEN KHALID IS PRESENT BECAUSE SHE HAS BEEN BRAINWASHED OVER ALL THESE YEARS AND EVEN THOUGH SHE IS OUT OF HIS HOUSE, HE STILL HAS A PSYCHOLOGICAL HOLD ON HER. SHE STILL HAS TO MAINTAIN A RELATIONSHIP WITH HIM AND THE FAMILY AND DOESN'T WANT TO SAY OR DO ANYTHING THAT WILL CAUSE DISHARMONY. IF SHE IS ALONE WITH HER HUSBAND, ESPECIALLY AFTER THE HONEYMOON, SHE MAY HAVE MORE POWER WITH THE HUSBAND. IF SHE HAS BEEN OUT OF THE KSA FOR TWO MONTHS IN EUROPE, SHE MAY BE VERY DISSATISFIED UPON HAVING TO RETURN THERE AND BE RESTRICTED AGAIN. DON'T FORCE! SHE HAS NEVER BEEN OUT OF SAUDI ARABIA SINCE SHE WAS SEVEN YEARS OLD. HER FREEDOM WILL BE A SHOCK TO HER!

2. TRY TO TAKE PHOTOGRAPHS OF ALIA AND HER HUSBAND AND OF AISHA. PLEASE SEND THEM TO ME.

3. GIVE ALIA MY TELEPHONE NUMBER: 415-356-6757
415-356-6757

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Department of State

TELEGRAM

PAGE 02 OF 02 RIYADH 02055 00 OF 03 251327Z
 EMAIL ADDRESS: PATROUSH@SIGMAOOL.COM
 MAILING (SIC) ADDRESS: 50 JUSTIN DRIVE,
 SAN FRANCISCO, CA
 94112

SHC8126

RIYADH 02055 00 OF 03 251327Z
 AND THEIR DESIRES CONCERNING THE RELATIONS THEY WISH TO
 MAINTAIN WITH HER, MOVING WELL BEYOND THESE POINTS
 WHICH WERE PRESENTED TO PRINCE SALMAN AND TRANSMITTED
 TO THE AL GHUSAYAN FAMILY COULD PROVOKE A STRONGLY
 NEGATIVE REACTION THAT, IN TURN, PROVOKES A SERIOUS
 SETBACK IN OUR EFFORTS ON BEHALF OF MS. ROUSH.

SHC8126

JULY 23, 2001
 PAGE TWO

4. TELL KHALID THE FOLLOWING:
 A. YOU WANT TO TAKE PICTURES OF AISHA.
 B. YOU WANT AISHA TO BE ABLE TO CALL ME AND EMAIL
 ME.
 C. YOU ARE REQUESTING THAT AISHA BE ALLOWED TO VISIT
 ME IN THE UNITED STATES AND KHALID MAY BRING HER HERE
 HIMSELF. I WILL REMOVE ALL WARRANTS FOR HIS ARREST
 BOTH IN THE UNITED STATES AND INTERNATIONALLY. HE WILL
 BE FREE TO TRAVEL. AISHA CAN RETURN WITH HIM TO KSA.

I JUST WANT HER TO MEET MY FAMILY.

5. TELL ALIA AND HER HUSBAND THAT I WILL BE IN ITALY
 IN THE MONTH OF OCTOBER THIS YEAR AND WOULD LIKE TO
 MEET THEM IN ITALY. ASK KHALID IF HE WOULD MEET ME IN
 ITALY WITH AISHA. I WILL TAKE THE WARRANTS OFF FOR HIS
 ARREST. HE WILL BE FREE TO TRAVEL. HE CAN HAVE THE
 SAUDI AUTHORITIES CHECK THE INTERNATIONAL COMPANIES. IF
 HE LIKES, TO BE SURE THAT HE IS CLEAR.

JUST TRY TO CONVINCE HIM. I AM SURE THAT HE RECEIVED A
 LOT OF MONEY FROM THE SOCCER PLAYER FOR ALIA. HE WANTS
 TO TRAVEL NOW. HE JUST MAY BE WILLING TO DEAL. HE IS
 GETTING OLDER AND TELL HIM THAT IF HE WAITS UNTIL AISHA
 IS MARRIED FOR THE WARRANTS TO BE LIFTED, IT WILL BE
 TOO LATE AND I MAY NOT BE WILLING TO DO THAT AFTER SHE
 IS MARRIED. CAN YOU TAKE A CELL PHONE WITH YOU WHEN
 YOU MEET THEM AND CALL ME FROM THE MEETING. IF
 GHUSAYAN WILL ALLOW THE CALL?

THANK YOU.

SINCERELY YOURS,

PATRICIA ROUSH

END TEXT

7. COMMENT: POST IS UNSURE IF MS. ROUSH CAN HAVE THE
 WARRANTS ON KHALID AL GHUSAYAN LIFTED. FROM PREVIOUS

CHILD CUSTODY CASES, WE ARE AWARE OF CASES IN WHICH THE
 LEFT BEHIND PARENT HAS WISHED TO DROP CHARGES, BUT THE
 LOCAL STATE DISTRICT ATTORNEY HAS DECLINED TO DO SO AS
 THE STATE HAS HAD AN INTEREST IN NOT SEEING ITS COURT
 ORDERS IGNORED WITH IMPUNITY. GIVEN THE AGES OF ALIA
 AND AISHA, POST IS UNCERTAIN IF AL GHUSAYAN IS STILL
 UNDER ANY STATE OR FEDERAL WARRANTS FOR INTERNATIONAL
 CHILD ABDUCTION OR ANY OTHER CHARGES. IT WOULD BE
 HELPFUL IF THE DEPARTMENT COULD ADVISE POST PRIOR TO
 THE MEETING AS TO THE STATUS OF THE WARRANTS FILED
 AGAINST AL GHUSAYAN.

8. AS DEPARTMENT WILL APPRECIATE THE OBJECTIVES LAID
 OUT FOR THE CONSULAR VISIT WITH MS. ROUSH'S DAUGHTERS
 GO WELL BEYOND THE TERMS OF THE ORIGINAL REQUEST MADE
 OR THIS VISIT AND SUPPORTED BY THE GOVERNOR OF RIYADH,
 PRINCE SALMAN BIN ABDULAZIZ, EMBASSY IS PREPARED TO
 PUSH THE ENVELOPE FOR THE SAKE OF SATISFYING MS. ROUSH'S

LEGITIMATE DESIRE TO LEARN OF HER DAUGHTERS' WELFARE

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AMEMBASSY RIYADH
 SECSTATE WASHDC IMMEDIATE
 INFO AMCONSUL JEDDAH

FOR CA/OCS/ACS/NESA, CA/OCS/CI, AND NEA/ARP

E.O. 12958: N/A

TAGS: CASC, KOIC, SA (AL GHUSHAYAN, ALIA) (AL
 GHUSHAYAN, AISHA)
 SUBJECT: W/W ALIA AND AISHA AL GHUSHAYAN, DAUGHTERS OF
 PATRICIA ROUSH

Ref: RIYADH 002055 AND PREVIOUS

1. Summary. On August 6, 2001, Embassy Riyadh consular staffers met with Khalid Al Ghushayan in the office of the Deputy Governor Abdullah Blehed. As the father, Al Ghushayan refused to permit a female conoff, with Embassy FSN translator, to meet privately with Aisha Al Ghushayan. He said that he will discuss with Alia as to whether she will meet with a female conoff, but that Alia's husband will have to give his permission. Al Ghushayan counter-proposed that Ms. Roush come to Saudi Arabia and that he would permit her to meet for Aisha for one hour but that he would have to be sitting in on that meeting. He said that if Ms. Roush came to Saudi Arabia, the husband would have to give her permission to meet with Alia. Al Ghushayan accepted Ms. Roush's U.S. telephone numbers and e-mail address and said he would discuss with his daughters whether or not they would contact their mother. He also provided consular staffers with his Saudi cell phone number and invited Ms. Roush to call him and discuss the situation. Because consular staffers did not meet with the daughters/ladies, we held Ms. Roush's letters and await instructions whether to send them to Al Ghushayan's post office box in Riyadh, as he proposed, for him to pass them to Alia and Aisha. Al Ghushayan ruled out photographs and any visits outside Saudi Arabia between Alia and



Aisha and Ms. Roush. Having met with Al Ghushayan and had a very frank exchange of views, post is optimistic that over time we can negotiate with him to gain contact with Alia and Aisha. End Summary.

2. On August 6, 2001, Embassy Riyadh ACS conoff (and Acting Consul General, Vice Consul, and ACS Consular Assistant met with Khalid Al Ghushayan, the father of Alia and Aisha Al Ghushayan, the daughters of American citizen Patricia Roush. The meeting took place in the office of the Riyadh Deputy Governor, Shaykh Abdullah Blehed. Blehed himself introduced Al Ghushayan to consular staffers and sat in on the first half hour of the meeting. He then left his private secretary, Abdulaziz M. Al Hussein to monitor the meeting and to represent the Governorate.

3. Consular staffers began the meeting by explaining that their primary purposes in wanting to meet with Alia and Aisha, per Department instructions, were:

- to reassure Ms. Roush as to her daughters' welfare;
- to find out something of their lives and activities to communicate to Ms. Roush; and
- to determine their desires regarding their future relationship with Ms. Roush, their mother.

4. Al Ghushayan disagreed with this frame of reference, noting that in his culture and his religion the father and the husband determine the activities of their daughters and wives. He also expressed anxiety that the Embassy will want to have a continuing role in his daughters' lives. CG told Al Ghushayan that if the left behind parent and the children are communicating directly, there is no need for the Embassy to exercise a welfare/whereabouts role.

5. CG noted that to achieve the fundamental objective of this welfare/whereabouts, consular staffers need to meet with Alia and Aisha, and, hopefully, Alia's husband privately. Al Ghushayan objected to such a meeting, saying that the Embassy would try to unduly and inappropriately influence her. We explained that by a private meeting, we meant that the Vice Consul would meet one-on-one with the young ladies with only a translator and Al Ghushayan could be in the same room at a distance, able to observe but unable to

overhear. Al Ghushayan also found this arrangement unacceptable although he said Alia's husband was the person to answer for her. Deputy Governor Blehed commented that he doubted that adult young women such as Alia and Aisha should not be overly influenced and should be able to speak for themselves, however, he did not intervene more forcefully. Al Ghushayan disagreed with Blehed, commenting that not even the King can tell him to violate Shari'a law in this regard. CG noted several times that only if we can talk directly and privately with Alia and Aisha can we report credibly to Ms. Roush as to the young ladies' desires for a future relationship with their mother.

6. Al Ghushayan counter-proposed that Ms. Roush come to Saudi Arabia and that he would allow her to meet for one hour with Aisha. He said that the husband would determine whether or not Ms. Roush could visit with Alia. Consular staffers agreed to report this offer to Ms. Roush and Al Ghushayan said that he would talk with both his daughters about the whole question of meeting with the Vice Consul, meeting with their mother, and contacts with their mother. He asked for and accepted Ms. Roush's San Francisco telephone numbers and her e-mail address, holding out the possibility that Alia and Aisha may contact their mother directly. In addition, he gave us his Saudi cell phone number (966-55-495-716) and invited Ms. Roush to call him and discuss the situation with him.

7. Al Ghushayan offered to receive the three letters Ms. Roush faxed to post (one each for Alia, Aisha, and Alia's husband), either directly or mailed to his post office box (P. O. Box 62374, Riyadh 11585, Saudi Arabia), and said he would pass them on. Consular staffers opted to consult with Ms. Roush as to whether to pass the letters to Al Ghushayan or to hold them for a possible future meeting with her daughters. Please advise.

8. Al Ghushayan ruled out photographing of Alia and Aisha. He declined to provide contact information for Alia and her husband. He said that it was quote impossible unquote for Aisha to travel to the U.S. and he said that it was equally impossible for Alia or Aisha to meet in a third country with their mother. Al Ghushayan also explained that raising the subject

of contacts with Ms. Roush would affect negatively Alia's new marriage. He said that her husband knew that Alia's mother is American, but he had been told that she had no contact with her mother. He said that he would first talk with Alia to see what to do about Ms. Roush's request for contacts before seeing if it was necessary to bring the husband into the picture.

9. It was a difficult and emotional meeting for Al Ghushayan. He swung between politeness and hostility, and made clear that he has no trust in Ms. Roush. At times, he was defiant, saying that no one would force him to do anything, that he had no regard for the U.S. and politics, and that he would act as he saw fit to protect his daughters. Consular staffers gently, repeatedly, and persistently over the two hour meeting prodded Al Ghushayan as to the need for private, one-on-one meetings with Alia and Aisha to elicit credible responses as to their desires for a future relationship with their mother. In our minds, the pot has been stirred and Al Ghushayan needs time to think through our position and his and to consult with Alia and Aisha. He said that he will respond further to us in the next few days. However, post would appreciate feedback from Ms. Roush as to her reaction to Al Ghushayan's counter proposal that she visit Saudi Arabia. The Mission has occasionally sponsored left behind parents to visit their Amcit children in the Kingdom and we would be willing to do so in this case. We understand that the Department (CA/OCS/CI) can direct left behind parents to private funding sources in the U.S. for grants to finance such visits. Please advise as soon as possible so that we can continue the dialog with Al Ghushayan.
Brayshaw##

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AMEMBASSY RIYADH
SECSTATE WASHDC IMMEDIATE
INFO AMCONSUL JEDDAH

FOR CA/OCS/ACS/NESA, CA/OCS/CI, AND NEA/ARP

E.O. 12958: N/A
TAGS: CASC, KOCI, SA (AL GHUSHAYAN, ALIA) (AL
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EXHIBIT
48

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4. Al Ghushayan disagreed with this frame of reference, noting that in his culture and his religion the father and the husband determine the activities of their daughters and wives. He also expressed anxiety that the Embassy will want to have a continuing role in his daughters' lives. CG told Al Ghushayan that if the left behind parent and the children are communicating directly, there is no need for the Embassy to exercise a welfare/whereabouts role.

5. CG noted that to achieve the fundamental objective of this welfare/whereabouts, consular staffers need to meet with Alia and Aisha, and, hopefully, Alia's husband privately. Al Ghushayan objected to such a meeting, saying that the Embassy would try to unduly and inappropriately influence her. We explained that by a private meeting, we meant that the Vice Consul would meet one-on-one with the young ladies with only a translator and Al Ghushayan could be in the same room at a distance, able to observe but unable to

overhear. Al Ghushayan also found this arrangement unacceptable although he said Alia's husband was the person to answer for her. Deputy Governor Blehed commented that he doubted that adult young women such as Alia and Aisha should not be overly influenced and should be able to speak for themselves, however, he did not intervene more forcefully. Al Ghushayan disagreed with Blehed, commenting that not even the King can tell him to violate Shari'a law in this regard. CG noted several times that only if we can talk directly and privately with Alia and Aisha can we report credibly to Ms. Roush as to the young ladies' desires for a future relationship with their mother.

6. Al Ghushayan counter-proposed that Ms. Roush come to Saudi Arabia and that he would allow her to meet for one hour with Aisha. He said that the husband would determine whether or not Ms. Roush could visit with Alia. Consular staffers agreed to report this offer to Ms. Roush and Al Ghushayan said that he would talk with both his daughters about the whole question of meeting with the Vice Consul, meeting with their mother, and contacts with their mother. He asked for and accepted Ms. Roush's San Francisco telephone numbers and her e-mail address, holding out the possibility that Alia and Aisha may contact their mother directly. In addition, he gave us his Saudi cell phone number (966-55-495-716) and invited Ms. Roush to call him and discuss the situation with him.

7. Al Ghushayan offered to receive the three letters Ms. Roush faxed to post (one each for Alia, Aisha, and Alia's husband), either directly or mailed to his post office box (P. O. Box 62374, Riyadh 11585, Saudi Arabia), and said he would pass them on. Consular staffers opted to consult with Ms. Roush as to whether to pass the letters to Al Ghushayan or to hold them for a possible future meeting with her daughters. Please advise.

8. Al Ghushayan ruled out photographing of Alia and Aisha. He declined to provide contact information for Alia and her husband. He said that it was quote impossible unquote for Aisha to travel to the U.S. and he said that it was equally impossible for Alia or Aisha to meet in a third country with their mother. Al Ghushayan also explained that raising the subject

of contacts with Ms. Roush would affect negatively Alia's new marriage. He said that her husband knew that Alia's mother is American, but he had been told that she had no contact with her mother. He said that he would first talk with Alia to see what to do about Ms. Roush's request for contacts before seeing if it was necessary to bring the husband into the picture.

9. It was a difficult and emotional meeting for Al Ghushayan. He swung between politeness and hostility, and made clear that he has no trust in Ms. Roush. At times, he was defiant, saying that no one would force him to do anything, that he had no regard for the U.S. and politics, and that he would act as he saw fit to protect his daughters. Consular staffers gently, repeatedly, and persistently over the two hour meeting prodded Al Ghushayan as to the need for private, one-on-one meetings with Alia and Aisha to elicit credible responses as to their desires for a future relationship with their mother. In our minds, the pot has been stirred and Al Ghushayan needs time to think through our position and his and to consult with Alia and Aisha. He said that he will respond further to us in the next few days. However, post would appreciate feedback from Ms. Roush as to her reaction to Al Ghushayan's counter proposal that she visit Saudi Arabia. The Mission has occasionally sponsored left behind parents to visit their Amcit children in the Kingdom and we would be willing to do so in this case. We understand that the Department (CA/OCS/CI) can direct left behind parents to private funding sources in the U.S. for grants to finance such visits. Please advise as soon as possible so that we can continue the dialog with Al Ghushayan.
Brayshaw##

ACTION

UNCLASSIFIED
Department of State

INCOMING
TELEGRAM



PAGE 01 RIYADH 02203 081206Z
ACTION OCS-03 SHC2037
INFO LOG-00 NP-00 CA-01 UTED-00 TEDE-00 NEA-00 TEST-00
NFAT-00 SAS-00 /004W
-----0F4933 081206Z /38

R 081205Z AUG 01
FM AMEMBASSY RIYADH
TO SECSTATE WASHDC 5582
INFO AMCONSUL JEDDAH

UNCLAS RIYADH 002203

FOR CA/OCS (ACS/NESA)] NEA/ARP () AND
CA/OCS/CI ()

E. O. 12958: N/A
TAGS: CASC, SA (AL GHUSHAYAN, ALIA) (AL GHUSHAYAN,
AISHA)
SUBJECT: WELFARE/WHEREABOUTS OF ALIA AND AISHA AL
GHUSHAYAN, DAUGHTERS OF PATRICIA ROUSH

REF: RIYADH 002184

1. ON AUGUST 7, 2001, KHALID AL GHUSHAYAN, FATHER OF
ANCITS ALIA AND AISHA AL GHUSHAYAN, CALLED EMBASSY
RIYADH AND SPOKE WITH ACS CONOFF. AL GHUSHAYAN ADVISED
CONOFF THAT HE HAD DISCUSSED WITH ALIA ABOUT MEETING
WITH A POST CONOFF. HE SAID THAT ALIA DID NOT WANT TO
MEET WITH A CONOFF BECAUSE QUOTE SHE WAS WORRIED THAT

IT WILL BE A PROBLEM FOR HER MARRIED LIFE UNQUOTE. AL
GHUSHAYAN ALSO SAID THAT ALIA HAD TOLD HIM THAT NOW
THAT THEY HAVE A TELEPHONE NUMBER IN THE UNITED STATES
FOR HER MOTHER, SHE (ALIA) QUOTE MAY CALL HER MOTHER IN
A FEW WEEKS' TIME UNQUOTE.

2. AL GHUSHAYAN SAID THAT HE WILL DISCUSS WITH AISHA A
MEETING AND CONTACTS WITH MS. ROUSH AS SOON AS IT IS
CONVENIENT AND WILL RELAY HER RESPONSE TO CONOFF.

3. CONOFF THANKED AL GHUSHAYAN FOR THIS MESSAGE.
HOWEVER, HE REMINDED AL GHUSHAYAN OF THE NECESSITY OF
PRIVATE CONVERSATIONS WITH ALIA AND AISHA TO ESTABLISH
WITH CREDIBILITY EXACTLY WHAT THEIR WISHES ARE
CONCERNING THEIR RELATIONSHIP WITH THEIR MOTHER AND
WHAT IS THEIR CURRENT SITUATION.
ROBERTS

081206Z
AUG 01 2001
RIYADH
OCS-03



415-786-8797

Roush Phone Call, August 7, 2001

Officers from our Embassy in Riyadh met yesterday with Khalid Al Ghashayan.

Is this a good time for me to provide you with information about that meeting?

- Meeting lasted two hours
- Took place in the Office of Deputy Governor of Riyadh, Abdullah Blehed
- Participants:

US:

FSN

Saudi:

Khalid Al Ghashayan
 Deputy Governor Abdullah Blehed (30 minutes)
 Abdulaziz M. Al Hussein (Private Secretary to Deputy Governor)

Opened the meeting by stating, the Embassy wanted a consular officer to meet with Alia and Aisha individually for three reasons:

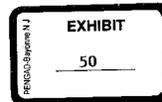
- To reassure the Embassy and you of your daughters' welfare
- To find out something of your daughters' lives and activities in order to communicate this to you.
- To determine from your daughters, themselves, their desires regarding their future relationship with you.

Good News and Bad News to report:

Good News

Al Ghashayan:

- Accepted your U.S. telephone number and e-mail address and said he would discuss with Alia and Aisha whether they should contact you.
- Provided his cell phone number (966-55-495-716) and invited you to call him to discuss the situation, including a visit with your daughters in Saudi Arabia.



- Said he would discuss with Alia and Aisha their meeting with a female US consular officer and FSN translator, as long as he is present also. (Said Alia's husband must agree to this. Husband also must agree to a private meeting between Alia and the female consul with neither man present.)
- Said he would contact the Embassy in a few days about a meeting between Aisha or Alia and a consular officer.
- Said he would agree to your coming to Saudi Arabia for a one-hour meeting with Aisha there. (He would be in the room.)

Bad News

Al Ghashayan:

- Refused to agree to Aisha meeting privately with the female consular officer and FSN translator (even if he were in the room and able to observe but not hear)
- Refused a request to that the consul take photographs of your daughters for you.
- Declined to provide contact information for Alia or her husband.
- Said it is "impossible" for Aisha to travel to the US to meet you.
- Said it is "impossible" for Alia or Aisha to travel to a third country to meet you.

Other Results:

Al Ghashayan:

- Said Alia's husband would have to decide if she could meet with you.
- Offered to receive the 3 letters you faxed to the Embassy for delivery to your daughters - either directly or by mail to
P.O. Box 62374
Riyadh 11585
Saudi Arabia

Instructions on this.) did not hand over the letters and asks for your

Embassy Comments

[] reports that over the two hour meet, embassy representatives persistently and repeatedly emphasized to Al Ghashayan the need for private one-on-one meetings with Alia and Aisha.

[] believes Al Ghashayan needs time to talk to your daughters about this and consider the situation.

I believe [] faxed to you the name of the person they believe is Alia's husband: Fahad Abdulmohsen Al Ghashayan.

Best way to send videotapes to the embassy for possible delivery to Alia and Aisha is through the diplomatic pouch. Use normal US postage and send to:

[]
Department of State
6300 Riyadh Place
Washington, DC 20521-6300

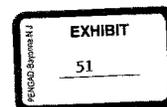
Question: What is the Department's position on the case of Alia and Aisha Al-Gheshayan, Saudi American dual citizens, who were parentally abducted by their Saudi father to Saudi Arabia in 1986? The young women's mother is American citizen Patricia Roush.

- **Answer:** The case of the Al-Gheshayan sisters and Mrs. Roush is one of the most difficult and frustrating child custody/parental abduction cases on which that the Department of State has worked. The Department readily acknowledges Mrs. Roush's pain and anguish over the years that she has been separated from her daughters. The girls are now adults. The Embassy will continue efforts to maintain communication between Mrs. Roush and her daughters.
- **If pressed:** We do not see the matter as amenable to government-to-government intervention. Neither the Saudi Government nor the U.S. Government can compel the parties to any given action. If confirmed, I can only promise to use my good offices to try to help improve communication between Mrs. Roush and her daughters.
- **Background:** Saudi law is such that Saudi authorities considered Alia and Aisha to be exclusively Saudi citizens. As such, they have needed the permission of their father to depart Saudi Arabia. (We understand that Alia has recently married and now would require her husband's permission to depart Saudi Arabia.) Their Saudi father has never given this permission.

Thus, the Department's role has been to attempt to maintain communication between the left-behind parent – Mrs. Roush – and her daughters. Given the antagonism between the parents, Mrs. Roush has had little contact with her daughters. She was able to visit with them on one occasion in Saudi Arabia in 1995.

Alia and Aisha are now over 18 years of age. Since they now are adults, the Department considers that its responsibility is to ensure their welfare rather than pursuing their situation as a child custody case. Most recently, the Embassy in Riyadh has been working to gain access to the young women, to speak with them privately to ascertain their current situation and their desires as to their future relationship with their mother. To date, despite high level Saudi Government cooperation in arranging an August meeting with the young women's Saudi father, an Embassy consular officer has not been able to meet with Alia and Aisha. The Department and the Embassy will continue these efforts. One positive development of the August meeting with the Saudi father is that we understand that Aisha and her mother have spoken on the telephone recently on at least two occasions.

Drafted:CONS
Cleared:CDA
CA/OCS:



Patricia Roush Chrono and Pre-2001 Background

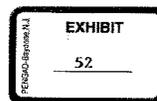
30 Oct 01: Riyadh . returns the 28 Oct phone call of Patricia Roush (PR) to Ambassador Jordan. PR politely tells she wants to talk to the Ambassador to get a progress report on what he has done to gain "release and repatriation" of her daughters. She says she resents the fact that the Ambassador's secretary referred her call to the consular section. PR emphasizes that her daughters' case is a state-to-state issue not a consular matter. advises her to inform the Ambassador of her views in writing, and she says she will.

29 Oct 01: Riyadh ACS tries unsuccessfully to locate a phone number for Alia's husband, Fahad Abdulmohsen Al-Ghesheyen, and asks NEA/ARP if they could contact Majed Al-Ghesheyen, an Administrative Attache with the Saudi Embassy in Washington, and determine if he can provide a phone number. Embassy Riyadh is attempting to talk directly with Alia to learn her desires regarding contact with her mother and to obtain her permission to conduct a welfare visit.

5 Oct 01: Department advises Riyadh to continue its efforts both to facilitate contact between PR and her daughters and to arrange a direct meeting between a consular officer and Alia and Aisha to determine their welfare. In response to Riyadh's concerns about the Privacy Act rights of the daughters, Department advises Riyadh to keep PR informed of its efforts to meet with her daughters but to avoid relaying second-hand information (from their father or Alia's husband) about their welfare and desires.

9 Sep 01: PR phones Riyadh consular section seeking confirmation of the identity of Alia's husband. (Post was told by an official in the office of the Governor of Riyadh that the husband is Fahad Al-Ghesheyen. PR said her ex-husband, Khalid Al-Ghesheyen, told her earlier that day that Fahad is not the husband but that a teacher who resides in Al-Kharj, 90 km from Riyadh is.) PR says she spoke briefly with Aisha but the conversation was too limited because of Aisha's poor command of English. PR says she asked Khalid to allow Aisha to come to the US to study. Riyadh notes to the Department that Khalid Al-Ghesheyen continues to deny consular officers direct access to his daughters, claiming neither want to meet with US officials.

14 Aug 01: PR writes a letter to NEA A/S Burns responding to phone briefings she had received for CA/OCS/ACS on 9 and 7 August. The 7 August briefing informed PR of a meeting the day before among Riyadh, Riyadh, and Khalid Al-Ghesheyen. The primary purpose of this meeting was to obtain Al-Ghesheyen's permission for a female consular officer to meet privately with Alia and Aisha to determine their welfare and their desires regarding their future relationship with their mother. also provided Al-Ghesheyen with PR's telephone number and e-mail address and urged him to encourage his daughters to communicate directly with their mother. Al-Ghesheyen promised to consult with his daughters and invited PR to Riyadh for a one-hour meeting that would include himself, PR and Aisha. The 9 August briefing informed PR of two phone calls Al-Ghesheyen made to. In the first call, Al-Ghesheyen reported that Alia did not want to meet with a female consular officer because "she is worried that it will be a problem for her married life." Alia said she may phone her mother. In the second call, Al-Ghesheyen reported that Aisha would like to see her mother if PR comes to Saudi Arabia. However, Aisha does not want to meet with a consular officer to discuss her life, her interests, or her activities because she finds such meetings stressful and unpleasant. Al-Ghesheyen said Aisha probably will call her mother and get to know her "step by step." Al-Ghesheyen said he had changed over the years and hoped PR had changed also.



In her letter to A/S Burns, PR requested a written report of Khalid Al-Ghesheyian's communications with Embassy Riyadh and the Department. She announced that she would accept telephone calls from the Department informing her of developments in her case "as long as a written report is also faxed" to her. She reported that she would be happy to travel to Saudi Arabia to visit her daughters, but only "under the following circumstances:"

- She be able to visit both daughters for three hours each day she is in Riyadh for a total of eight consecutive days.
- The visits with Alia and Aisha be private among her and her daughters, and that Khalid Al-Ghesheyian not be present.
- That she be free to take "unrestricted" photographs of her daughters.
- That Alia is welcome to bring her husband to some of the meetings.
- That she be able to meet with Ambassador Jordan and that he provide her support and accompany her to the offices of the Crown Prince, the Minister of Foreign Affairs and the Minister of the Interior. That Ambassador Jordan request these officials to "grant a visit to the US" by both Alia and Aisha and provide the young women "a guaranteed safe passage out of Saudi Arabia."
- That all expenses for her trip be paid for by either the National Center for Missing Children, the Department of State, or the Saudi government.
- That a "third person" escort her during her trip. This escort "could possibly be my attorney or staff personnel of a Senatorial or Congressional office."
- That her meetings with the three Saudi princes referred to above be confirmed before her arrival in Riyadh.

13 August 01: CA and NEA jointly inform the Secretary of PR's case, advising him that his direct personal intervention with the highest levels of the Saudi government to obtain the prompt repatriation of Alia and Aisha would be "unlikely to produce the desired result and could inhibit our access to the Ghesheyians, undermining our efforts to resolve the case."

7 Aug 01: NEA A/S William Burns signs a letter to PR assuring her of his ongoing interest in her case and of the Department's view that Embassy Riyadh is working to arrange a direct meeting with her daughters as a first step toward reuniting her with her daughters.

7 Aug 01: NEA provides PR to address of Embassy Riyadh so she can mail an audio tape to the Embassy for delivery to her daughters. Embassy Riyadh previously told PR that using Federal Express or other express mail would be the quickest way to get the tape to them.

23 Jul 01: PR sends fax to Embassy Riyadh requesting that if Post succeeds in arranging a meeting between a consular officer and her daughters, as the Embassy previously informed her it was attempting to do, that the consul be accompanied by a native Arabic speaker and:

- Try to meet with Alia and her husband alone, without Khalid being present
- Try to take photos of Alia and her husband and Aisha
- Give Alia PR's phone numbers
- Tell Khalid the following:
 - She wants to take photographs of Aisha
 - She wants Aisha to be able to make phone calls and send e-mails to PR.
 - She is requesting the Aisha be allowed to visit PR in the US

- PR will have the warrants for Khalid's arrest rescinded if he allows Aisha to come for a visit.

-- Tell Alia and her husband that PR will be in Italy in October and would like to meet them there.

14 Jul 01: PR phoned Embassy Riyadh which advised her that Alia recently married a well-known, talented and financially secure Saudi soccer player of the Al-Ghesheyan tribe.

13 Jul 01: H A/S Paul Kelly signs a letter to Senator Nickles informing him of the Department's, and Embassy Riyadh's continuing efforts in the case of PR's two daughters. This response was to a 7 June letter signed by 23 U.S. Senators urging the Secretary "in the strongest possible terms, to intervene forcefully and in person with the Saudi authorities at the highest levels to secure the prompt release and repatriation of Alia and Aisha Ghesheyan."

23 Jun 01: At the request of Embassy Riyadh, the Deputy Governor of Riyadh met with Khalid Al-Ghesheyan to facilitate a meeting between his daughters and a consular officer. Khalid reportedly told the Deputy Governor that he will allow a female consular officer to visit Alia and Aisha in August.

13 Jun 01: Riyadh [] meets with Riyadh Deputy Governor to solicit support in persuading Khalid Al-Ghesheyan to allow a consular visit with Alia and Aisha. The Governor had agreed to assist and nominated his deputy of act on his behalf in the matter.

12 Jun 01: Riyadh Consul General meets with Riyadh Governor, Prince Salman, to request support in persuading Khalid Al-Ghesheyan to allow a consular visit with Alia and Aisha. The Governor said he was prepared to provide assistance in any way possible to ensure a consul meets with the two young women. He said his deputy would oversee the details.

25 May 01: NEA [] returns phone call to PR placed earlier that day to NEA Acting A/S [] offers to update PR on recent efforts to assist her reestablish contact with her daughter. PR says the Department's actions have been so inadequate and inappropriate that she is planning a law suit against the Department and all Department officials involved in her case

6 May 01: Embassy Riyadh sends diplomatic note to Riyadh Governor Prince Salman outlining the Roush-Al Ghesheyan case and requesting his assistance in helping PR reestablish contact with her daughters.

25 Apr 01: P U/S Marc Grossman requests assistance from Adel al Jubeir, Foreign Affairs Advisor to Crown Prince Abdullah, to facilitate a consular visit with Alia and Aisha. Jubeir says he will look into the case and brief the Crown Prince if Embassy Riyadh's current efforts to engage Riyadh Governor Prince Salman are not successful.

19 Apr 01: Department provides Embassy Riyadh potential talking points to use in requesting assistance from Riyadh Governor Prince Salman to help PR reestablish contact with her daughters.

18 Apr 01: Riyadh _____ informs Department that, in addition to requesting assistance from the Governor of Riyadh in the Roush case, he will continue efforts to obtain assistance from Saleh Hejeilan, an attorney who was instrumental in arranging PR's 1995 trip to Saudi Arabia (when she visited Riyadh for nearly three weeks but was able to see her daughters for only two hours).

9 Apr 01: NEA A/S Edward Walker signs a letter to Saudi Ambassador Prince Bandar requesting his assistance in the case. The letter reads, in part: "Ms. Roush, as is natural for any mother, wishes to know about the welfare of her children and to assure herself that, as adults, they are able to make decisions about their lives of their own free will. The U.S. Embassy in Riyadh has tried recently to reestablish contact between the Embassy and the Ghesheyan family, so far to no avail. At this point our goal is simple: to have a US consular officer establish that they are well and receive their own statements concerning the relations they wish to maintain with their mother. . . . In my thirty-four years in the diplomatic service, this has been one of the most difficult and painful cases with which I have dealt. I would be deeply grateful if you could help us try to find some resolution of this case."

10 Mar 01: NEA A/S Walker meets Saudi Ambassador Prince Bandar and appeals for his assistance in arranging a consular meeting with Alia and Aisha to determine their welfare and their desires regarding their future relations with their mother.

10 Feb 01: Following PR's request for Department assistance in reestablishing communication with her daughters, the Department instructs Embassy Riyadh to seek appropriate permission for a consular officer to visit Alia and Aisha to assure the Department and PR of their well-being and, if appropriate, to inform them of PR's desire to resume communications with them. CA _____ signs a letter to PR informing her of this action.

26 Jan 01: CA A/S Mary Ryan provides the Secretary the following Information Memorandum on the Roush case.

UNCLASSIFIED

To: The Secretary
 FROM: CA - Mary A. Ryan
 SUBJECT: Patricia Roush Consular Case

Earlier this week, CA received a strongly worded letter from American citizen Patricia Roush in response to a front page story on International Parental Child Abduction (IPCA) that ran in the Washington Post last Christmas Eve. Ms. Roush, who has pressed for U.S. Government action to have her two daughters returned to the United States since their father abducted them to Saudi Arabia in 1986, occasionally publicly criticizes the Department. Ms. Roush also sent copies of the letter to the author of the December article, who has taken an active interest in IPCA issues (but not always a balanced view of Department

actions), as well as NEA Assistant Secretary Walker, who knows Ms. Roush and her case from a previous tour as DCM in Riyadh.

There is no action for you to take at this time, and CA will reply to Ms. Roush's letter. We simply wanted to ensure that you were aware of the case in the event that it garnered further media attention.

Ms. Roush has suffered a terrible tragedy. We have worked vigorously to assist her and to monitor the welfare of her daughters, and we will continue to do so. Regrettably and despite our most rigorous efforts, IPCA cases are not always resolved in a manner that the American left behind parent or we feel is just or correct. Nevertheless, we remain committed to seeking the best solutions possible.

I have also included a background paper on the case, should you have an interest in its history, and a copy of the letter.

Attachments:

Tab 1 - Background

Tab 2 - Ms. Roush's letter (not included)

Background

American citizen Patricia Roush continues to press for U. S. Government action to have her daughters, Alia and Aisha Al-Gheshayan, returned to the United States. In January 1986, the father of the then-minor girls removed them from the United States during a court-ordered visitation and took them to Saudi Arabia. Ms. Roush's recent appeals have included letters to Assistant Secretary for Near Eastern Affairs Edward Walker and CA Principal Deputy Assistant Secretary ()

The Department is acutely sensitive to Ms. Roush's heartbreak, and facilitating the return of abducted American children to the United States is one of the highest priorities of the Bureau of Consular Affairs. Saudi Arabia, however, is not a party to the Hague Convention on the Civil Aspects of International Parental Child Abduction, which provides a civil law mechanism for left behind parents to seek return of, or access to, a child taken abroad. A Saudi father can prevent his minor children or unmarried adult daughters from obtaining the required exit visa to depart the country. Visitors to Saudi Arabia must have a sponsor and prior permission to enter the country. Although our Embassy in Riyadh has an informal agreement with the Saudi government to facilitate visits by a left behind American citizen mother with her children in Saudi Arabia, approval for such visits first must be obtained from the Saudi father.

The Department and Embassy Riyadh have worked vigorously to monitor the welfare of Alia and Aisha Al-Gheshayan and provide assistance to Ms. Roush. Consular officers conducted welfare visits with the girls in November 1986 and July 1987, but Mr. Al-Gheshayan refused all Embassy Riyadh's subsequent requests until December 1994. The Embassy helped Ms. Roush schedule meetings with high-ranking Saudi officials in June 1988, but she canceled her planned travel, citing security concerns and the lack of a guaranteed visit with her daughters. After receiving Mr. Al-Gheshayan's concurrence in December 1994, the consular officer met with Aisha only. Mr. Al-Gheshayan informed the Consul that Alia refused to attend. In June 1995, Embassy Riyadh succeeded in arranging a visit by Ms. Roush with her daughters. Unfortunately, Mr. Al-Gheshayan permitted this visit to last only two hours.

The Embassy continued to work with the Saudi Foreign Ministry to persuade Mr. Al-Gheshayan to resolve the dispute over custody of the children. Ms. Roush is convinced that an agreement which would return the children to her was on the verge of completion in April 1996 when U.S. Ambassador Mabus resigned. Ambassador Mabus took a less optimistic view, reporting to the Department that it was with "deep regret that he would end his mission in Saudi Arabia with no resolution to the Roush custody case in sight." Ms. Roush became convinced that the deal collapsed due to the failure of incoming Ambassador Fowler.

The Embassy, in concert with the Saudi Foreign Ministry, persuaded Mr. Al-Gheshayan to agree in May 1997 to another visit by Ms. Roush with virtually no restrictions. Ms. Roush, however, then proposed meeting in a third country, which Mr. Al-Gheshayan refused. The visit did not occur.

Since 1997, Embassy Riyadh has been working with a Saudi attorney to convince Mr. Al-Gheshayan to allow another visit by Ms. Roush. These efforts have been unsuccessful to date. Embassy Riyadh will again request permission to conduct a consular visit with Alia and Aisha, both now adults, to determine their welfare and their desire to see Ms. Roush.

326



Embassy of the United States of America

Department of State
6300 Riyadh Place
Washington, DC 20521-6300

March 16, 2002

Ms. Patricia M. Roush
50 Justin Drive
San Francisco, CA 94112

Dear Ms. Roush:

I am replying to your October 30, letter concerning the long, unresolved situation of your daughters, Alia and Aisha. Let me begin by expressing my deepest empathy for the pain and suffering you have endured as a result of the parental abduction to Saudi Arabia of your daughters so many years ago.

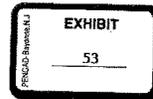
As I indicated during my confirmation hearings, I want to help. I have reviewed files available in the Embassy and would be happy to talk to you.

I would strongly encourage you to accept Mr. Al-Cheshayan's offer that you come to Saudi Arabia and meet with Alia and Aisha. When he met with consular officers in August, he indicated he would not object to your meeting with Aisha. If you come, the Embassy would of course work to arrange a meeting for you with Alia and her husband while you are in the Kingdom. I understand you have had some limited phone calls with your daughters in the past months, but this is of course no substitute for being with them.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert W. Jordan".

Robert W. Jordan
Ambassador



From: [redacted]
 Sent: Wednesday, April 17, 2002 9:56 AM
 To: [redacted]
 Subject: FW: Meeting with House Reform Committee Staff on Saudi ACS and Parental Child Abduction Cases

Forgive me. I should have kept you info'd on my messages to [redacted] I just got going too fast yesterday.

The report that Rasheed was back in the Kingdom surprised me, so I called [redacted] this morning. It turns out that 1) Rasheed is back in the Kingdom, 2) Ms. Stowers and her children are living together in Riyadh, and 3) all three came to the Embassy yesterday (April 16). They are doing okay, but made it very clear that they would return to the U.S. if Amjad were allowed to travel. Their 4/16 meeting with Conoffs was pretty emotional; Ms. Stowers had a cancer-related hysterectomy last year and, although apparently okay now, still needs tests. She is afraid that she will die in the next few years, leaving her children in the Kingdom. They are also concerned about elderly relatives in the U.S. who may never have contact with the children.

-----Original Message-----
 From: [redacted]
 Sent: Wednesday, April 17, 2002 2:54 AM
 To: [redacted] (CA/OCS/CJ)
 Subject: FW: Meeting with House Reform Committee Staff on Saudi ACS and Parental Child Abduction Cases

[redacted] this is the reply.

-----Original Message-----
 From: [redacted]
 Sent: Wednesday, April 17, 2002 8:20 AM
 To: [redacted]
 Subject: RE: Meeting with House Reform Committee Staff on Saudi ACS and Parental Child Abduction Cases

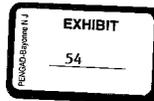
No, they not are living in hiding. The father knows where they are and they are on good terms with him on everything except letting Amjad leave the country. Rasheed said he meets his father every two to three days.

-----Original Message-----
 From: [redacted]
 Sent: Tuesday, April 16, 2002 5:45 PM
 To: [redacted]
 Subject: FW: Meeting with House Reform Committee Staff on Saudi ACS and Parental Child Abduction Cases

[redacted] pls call monica and clarify her housing situation. are they living in hiding?

-----Original Message-----
 From: [redacted]
 Sent: Tuesdav, April 16, 2002 4:30 PM
 To: [redacted]
 Subject: Hc: Meeting with House Reform Committee Staff on Saudi ACS and Parental Child Abduction Cases

Many thanks again,



to the Embassy.

CA/OCS/Ci

.....) CI

B 05/20

From:
To:
Cc:
Subject: RE: Monica Stowers Case
Date: Friday, February 13, 1998 5:28PM

cc

: Thanks for the update on the Stowers case. It seems she has managed to survive adequately for the interim. I just fear what may happen if her sponsorship is cancelled. It is unfortunate that she does not realize or accept the limitations you are faced with in regard to assisting her. I appreciate your keeping me informed on this case as things progress. Regards,

cc

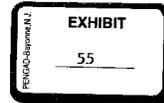
From:
To:
Cc:
Subject: Monica Stowers Case
Date: Friday, February 13, 1998 5:00PM
Priority: High

cc

Following a long absence Monica Stowers telephoned the office last Wednesday afternoon (2/11) with an update on her situation.

I offered to see if Amjad's father would agree to meet with us and her. Monica also requested help in making appointments with some Saudi officials in order to tell her side of the story. According to Ms. Stowers her former husband has seen the Crown Prince as well as officials such as the Governor of Riyadh and the Minister of the Interior.

This is an interim until we have enough for a front channel message. Regards,



UNCLASSIFIED
Department of State

INCOMING TELEGRAM

ACTION

PAGE 01 OF 02 RIYADH 00217 00 OF 02 190737Z
ACTION 0025-03

SH05086

RIYADH 00217 00 OF 02 190737Z-

SH05086

INFO LOG-00 AMAD-01 CA-02 OAS-00 UTD-00 TEDE-00 L-00
ADS-00 NCA-00 /000V
-----910256 190730Z /38

5. SHARIA COURT PROVED TO BE ANOTHER TIME CONSUMING INTERVIEW

P 190730Z JAN 57
FM AMEMBASSY RIYADH
TO SECSTATE WASHDC PRIORITY 7751
INFO AMCONSUL DEARBORN
AMCONSUL JEDDAH

UNCLAS RIYADH 00217

FOR CA/OCS/CI AND NEA/APP

E.O. 12958: N/A
TAGS: CASC, SA
SUBJECT: CHILD CUSTODY CASE: AMJAD RADWAN

REF: (A) RIYADH 00012 (B) " E-MAIL OF 1/7/97

1. SUMMARY. EARLIER THIS MONTH THE STOWERS/RADWAN CHILD CUSTODY DISPUTE BRIEFLY TURNED INTO A PUBLICLY-ENACTED DOMESTIC QUARREL WHICH HAD CONSULAR OFFICERS ACCOMPANYING MONICA STOWERS, THE MOTHER OF AMJAD RADWAN, FROM THE POLICE STATION TO THE SHARIA COURT. THE POLICE RETURNED AMJAD TO HER FATHER'S CUSTODY ON JANUARY 7. SEVERAL WEEKS AFTER MS. STOWERS HAD TAKEN UNOFFICIAL CUSTODY OF HER DAUGHTER, HOWEVER, LATER THE SAME DAY AMJAD ESCAPED FROM HER FATHER AND HUSBAND IN A CONGESTED SECTION OF RIYADH AND RETURNED TO THE

HOUSE WHERE HER MOTHER HAS BEEN "HIDING." END SUMMARY.
2. THIS PAST WEEK THE EMBASSY EXPERIENCED WHAT IS PROBABLY A BRIEF LULL IN THE ONGOING AND INCREASINGLY CONVOLUTED AMJAD RADWAN CASE. MONICA STOWERS IS NOW BATTLING ON TWO FRONTS TO KEEP HER DAUGHTER - SIMULTANEOUSLY LOOKING OVER HER SHOULDER AT AMJAD'S FATHER, WHILE DODGING INQUIRIES FROM AMJAD'S "HUSBAND", ISMAIL NARJAN, REGARDING AMJAD'S WHEREABOUTS.

3. MONICA STOWERS TELEPHONED CONOFF LATE IN THE EVENING OF JANUARY 6, FROM THE LOBBY OF A BUILDING ACROSS FROM THE HOME OF HER FORMER HUSBAND, NIZAR RADWAN. UNDER THE IMPRESSION THAT NIZAR WAS NOT IN RIYADH, MONICA AND HER DAUGHTER HAD GONE TO THE HOUSE TO COLLECT AMJAD'S CLOTHES. (AS REPORTED IN REFTEL A, MONICA TOOK UNOFFICIAL CUSTODY OF HER DAUGHTER IN DECEMBER WHEN SHE REFUSED TO SEND HER BACK TO HER FATHER.) MS. STOWERS TOLD CONOFF THAT RADWAN HAD RETURNED HOME AND VIOLENTLY EJECTED HER FROM THE PREMISES. HE THEN BARRICADED HIMSELF IN THE HOUSE WITH AMJAD WHO, ACCORDING TO MS. STOWERS, HAD BEEN SCREAMING FOR THIRTY MINUTES. MONICA TOLD CONOFF THAT THE SAUDI POLICE WERE ATTEMPTING TO OBTAIN AUTHORIZATION FROM THE GOVERNOR'S OFFICE TO FORCE NIZAR OUT OF THE HOUSE. THE CONSUL AND VICE CONSUL ARRIVED ON THE SCENE JUST AS AMJAD AND RADWAN EMERGED FROM THEIR HOME.

4. THE ENTIRE GROUP THEN PROCEEDED TO THE DISTRICT POLICE STATION WHERE CONOFFS REMAINED FOR SEVERAL HOURS. THE POLICE TOOK TESTIMONY FROM ALL CONCERNED (GIVING THE FATHER THE LION'S SHARE OF THE TIME), ALTHOUGH AMJAD WAS ACCORDED AN OPPORTUNITY TO CONFRONT HER FATHER. THIS WAS DECEIVED FROM SNATCHES OF CONVERSATION AND RAISED VOICES THAT CONOFFS, MS. STOWERS, AND AMJAD'S HUSBAND HEARD FROM BEHIND CLOSED DOORS AS THEY STRAINED TO LISTEN FROM THE CORRIDOR WHERE THEY HAD BEEN DELEGATED. OVER THE STRONG OBJECTIONS OF MONICA STOWERS,

THE POLICE RETURNED AMJAD TO HER FATHER'S CUSTODY AT 2:00 A.M. AND TOLD EVERYONE TO REASSEMBLE LATER THAT SAME MORNING AT 9:00 A.M. CONOFF AND CONSULAR FSN ARRIVED AT THE POLICE STATION LATER THAT MORNING TO FIND AMJAD, HER PARENTS, AND ISMAIL NARJAN AWAITING FORMAL INSTRUCTIONS FROM THE POLICE. MOST IMMEDIATELY, MONICA WAS ORDERED TO STAY AWAY FROM HER DAUGHTER UNTIL THE COURT REVIEWED THE CASE. THE POLICE ASSEMBLED THEIR FILE AND ORDERED THE PARTIES TO PROCEED TO THE SHARIA COURT.

RECORD. THE OUTCOME OF THE COURT SESSION WAS NOTHING MORE THAN NOTICE THAT THE MATTER WOULD BE RETURNED TO THE COURT WHICH HAD ORIGINALLY HEARD THE CASE.

6. THE RADWAN PARTY NEVER ARRIVED AT THE LOWER COURT. LATER THAT AFTERNOON A CONSULAR FSN TELEPHONED NIZAR RADWAN AND ASKED WHAT HAD HAPPENED. HE STATED THAT HIS DAUGHTER HAD SLIPPED AWAY FROM HIM IN THE CONGESTED AREA SURROUNDING THE HIGH COURT WHERE HE HAD GONE. UNKNOWN TO MR. RADWAN, MONICA STOWERS WAS LISTENING TO THE

CONVERSATION AS SHE SAT IN CONOFF'S OFFICE. MONICA IMMEDIATELY LEFT THE EMBASSY AND RETURNED HOME. THE FOLLOWING DAY (JANUARY 8), THE SUPERVISORY POLICE CAPTAIN CONTACTED THE CONSULAR SECTION AND ADVISED US THAT THE POLICE AND NIZAR KNEW THAT AMJAD HAD RETURNED TO HER MOTHER. THE CAPTAIN ALSO INDICATED THAT SINCE THE FATHER HAD NOT ASKED THE POLICE TO RETRIEVE HIS DAUGHTER, THEY WOULD TAKE NO FURTHER ACTION, ON THE CONDITION THAT THE EMBASSY NOT FACILITATE THE ILLEGAL DEPARTURE FROM SAUDI ARABIA OF MONICA AND HER DAUGHTER. CONSULAR FSN ASSURED THE POLICE THAT THE EMBASSY HAD NO SUCH INTENTION.

8. ISMAIL NARJAN HAD IN RECENT DAYS TO DISCUSS HIS CONCERNS WITH SECTION SEVERAL TIMES IN RECENT DAYS TO DISCUSS HIS CONCERNS WITH THE VICE CONSUL WHO OPENED A DIALOGUE WITH HIM AT THE POLICE STATION. ISMAIL HAS POINTED OUT THAT AMJAD IS HIS WIFE, AND THAT HE

COULD ASK THE POLICE TO RETRIEVE HER. HOWEVER, HE ALSO ACKNOWLEDGED THAT HE DOES NOT WANT TO BEGIN MARRIED LIFE ON A DISCORDANT NOTE. WE HAVE PASSED HIS MESSAGES AND TELEPHONE NUMBERS TO MONICA, WHO APPARENTLY HAS NOT RETURNED HIS CALLS.

9. ON THE MARGINS OF THIS DRAMA LINGER MRS. ETHEL STOWERS, MONICA'S MOTHER, AND RASHEED RADWAN, MONICA'S SON WHO ILLEGALLY LEFT SAUDI ARABIA APPROXIMATELY FOUR YEARS AGO. MONICA TELEPHONED HER MOTHER AND SON FROM THE EMBASSY FOLLOWING THE JANUARY 8 COURT APPEARANCE, AND SENT THEM BOTH INTO Hysteria WITH HER TEARFUL ACCOUNT OF HOW NIZAR RADWAN HAD "BEATEN" HER UP AND "MISTREATED" AMJAD. (COMMENT: WHILE MONICA HAD A BLOODY FINGER AND AMJAD TOLD CONOFF THAT HER FATHER HIT HER, NEITHER MOTHER NOR DAUGHTER DISPLAYED VISIBLE EVIDENCE OF HAVING BEEN BEATEN.) RASHEED IMMEDIATELY DECLARED HIS

EXHIBIT
56

UNCLASSIFIED

1900 Sullivan Ave., Daly City, Calif. 94015	NAME			GHESHAYAN, KHALID		
	MEDICAL RECORD NO.			10 53 20		
	DATE OF ADMISSION			DATE OF DISCHARGE		
	5/5/80			5/23/80		
DOCTOR(S)			MARTIN LORBER, M.D.			

cc: S.D. GLASS, M.D.

This is the first Mary's Help Hospital admission for this 30-year-old Arabic student with history of alcoholism over the past five years since he came to the U.S. as a student. He has had multiple family problems associated with his drinking along with his wife and their 16-month old daughter and he feels that this has been a primary contribution to his alcohol problem; however, he denies any history of seizure disorder, although he had been evaluated at French Hospital as an in-and-out patient for gastritis and hematemesis, felt to be secondary to alcoholism.

At the time of admission, he was normotensive, afebrile. He was a slightly cachectic, yet cooperative male who was oriented to time, name and place. General exam revealed no evidence of hepatic disease or cardiopulmonary problems or any neuropathy.

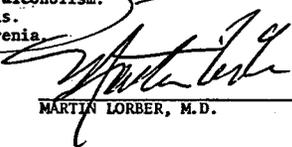
Laboratory during his hospitalization included a normal urinalysis, electrolyte panel, white count 10,500 with normal differential. Hemoglobin 15.6. Normal SMA 12 and slight elevation of SGOT to 48, however. He had a chest x-ray which was unremarkable and EKG which was also normal.

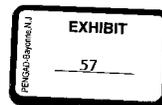
Patient was treated with detoxification followed by rehabilitation and repeat SGOT within normal values. He is not an active participant in the program with active denial and he started to have hallucinations and feelings of persecution and was evaluated by Dr. David Glass, who felt that patient was presenting with a probable paranoid schizophrenia and felt that he would attempt to reach his prior psychiatrist, Dr. Lasker, regarding appropriate medications. Prior to the initiation of any neuroleptic medication, the patient felt there was no benefit to the hospitalization and it was felt he should leave.

DISCHARGE DIAGNOSIS: Acute and chronic alcoholism.
Alcoholic hepatitis.
Paranoid schizophrenia.

PROGNOSIS: Poor.

ML:kk
D: 6/9/80
T: 6/11/80


MARTIN LORBER, M.D.



St. Mary's help hospital
 100 Sullivan Ave., Daly City, Calif. 94015

PAGE 2

NAME	GHESHAYAN, KHALID		ROOM NO.
MEDICAL RECORD NUMBER	10 53 20		
DATE OF ADMISSION	5/5/80	DATE OF CONSULTATION	5/22/80
DOCTOR(S)	MARTIN LORBER, M.D.		

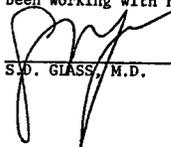
FINDINGS, DIAGNOSIS AND RECOMMENDATIONS:

Cognition, memory were grossly intact.

CLINICAL IMPRESSION: Patient with a psychotic disorder, most likely paranoid schizophrenic state. He is coherent, but there is some feeling of paranoia and suspiciousness.

Patient has been unable to straighten out his life in any organized way in the time that he has spent in this country. He has apparently been on student status, but has not managed to obtain a degree or even pursue a course. He apparently spends most of his time at home with his daughter watching television. He is isolated, although he claims to have many friends. There is no evidence, in asking him directly, that he has any recreational activities or any people that he relates to other than his wife.

RECOMMENDATIONS: Start patient on neuroleptic medication and to observe. I will try to contact his psychiatrist, Dr. Lasker, who has been working with him for four years, to get his impressions and opinions.


 S.D. GLASS, M.D.

SDG:kk
 D: 5/22/80
 T: 5/25/80

ACTION

UNCLASSIFIED
Department of State **ACTION COPY**

TELEGRAM

PAGE 01 RIYADH 11117 161513Z SHB3800

ACTION QCS-06

INFO LOG-00 ADS-00 AMAD-01 CA-02 L-03 NEA-00 /013W
-----2846E1 161514Z /38

R 161515Z DEC 90
FM AMEMBASSY RIYADH
TO SECSTATE WASHDC 6056

H CG

UNCLAS RIYADH 11117

FOR CA/OCS/CCS-CHILD CUSTODY UNIT

E. O. 12356: N/A
TAGS: CASC, SA RADWAN, RASHEED AND AMJAD
SUBJECT: CHILD CUSTODY CASE: REQUEST FROM MONICA
RADWAN

REF: STATE 418721

1. PER REFTEL, DRAFTED AND SIGNED LETTER FOR
MONICA RADWAN, TYPED ON EMBASSY LETTERHEAD, TEXT OF
WHICH FOLLOWS:

CG

DECEMBER 16, 1990

MS. MONICA RADWAN
RIYADH
SAUDI ARABIA

DEAR MS. RADWAN:

I AM WRITING THIS LETTER IN RESPONSE TO YOUR REQUEST
FOR AN ACCOUNT OF THE CONVERSATIONS HELD BETWEEN
ARABIC-SPEAKING MEMBERS OF THE AMERICAN EMBASSY STAFF
AND YOUR DAUGHTER, AMJAD RADWAN, ON DECEMBER 8, 1990.

TO THE BEST OF THEIR RECOLLECTION, THE STAFF REPORT
THAT AMJAD SAID VERY LITTLE DURING THE DAY SHE SPENT AT
THE AMERICAN EMBASSY. TO MANY QUESTIONS, SHE SIMPLY
NODDED OR DID NOT RESPOND. WHILE WATCHING CARTOONS ON
TV WITH ONE OF THE STAFF, SHE MENTIONED THAT HER MOMMY
HAD BOUGHT HER NEW SHOES. AT ANOTHER TIME, SHE ASKED
IF THE STAFF MEMBER LIVED AT THE EMBASSY AND COMMENTED
THAT IT WAS A NICE PLACE. AT ONE POINT, AMJAD SAID
THAT WHILE GIVING HER A BATH TWO YEARS AGO HER
STEPMOTHER USED A ROUGH THING TO RUB HER BODY WITH AND
IT HURT. SHE GAVE NO FURTHER DETAILS.
THE ABOVE ARE THE ONLY COMMENTS AND STATEMENTS MADE BY
AMJAD WHICH THE STAFF RECALL. THEY DID NOT KEEP NOTES
AND THEREFORE CANNOT PRODUCE DIRECT QUOTES.

I HOPE THIS LETTER IS RESPONSIVE TO YOUR REQUEST.

SINCERELY YOURS,

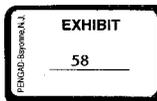
[Signature] - CG

2. THE LETTER, WITH AN ARABIC TRANSLATION BY OUR
CONSULAR STAFF, WILL BE DELIVERED TO MS. RADWAN AT OUR
NEXT MEETING, PROBABLY DEC. 17.

FREEMAN

CONSULAR AFFAIRS
1990 DEC 17 AM 6:22

UNCLASSIFIED



UNCLASSIFIED
Department of State *Be5* TELEGRAM

ACTION

PAGE 01 R:YADH 01787 08 OF 02 091426Z SHB5701
ACTION ~~01-01~~
INFO ICG-08 MMAD-01 OAS-08 UED-08 H-01 TCD-08 10-08
L-08 MDS-08 M-08 NEA-08 OCS-02 SS-08 /995W
-----888388 091427Z /38

O 091418Z MAY 97
FM AMEMBASSY RIYADH
TO SECSTATE WASHDC IMMEDIATE 9264
INFO AMCONSUL DHAHRAN
AMCONSUL JEDDAH

UNCLAS RIYADH 091787

FOR CA ASSISTANT SECRETARY MARY RYAN, NEA/P
A: CA/OCS/C1; CA/PA; NEA/ARP; PA;
R: AND S/S 1

E.O. 12958: N/A
TAGS: CASO; FOR; SA
SUBJECT: ROUSH-GHESHAYAN CHILD CUSTODY CASE; BANDAR OBTAINS
FATHER'S APPROVAL FOR PAT TO VISIT; URGENT NEED TO BRIEF
CONGRESS

REF: A) RIYADH 1776; B) RIYADH 1781

1. THIS IS AN ACTION MESSAGE. SEE PARA 7.
2. SUMMARY: PRINCE BANDAR HAS OBTAINED WRITTEN APPROVAL FROM KHALID GHESHAYAN FOR PAT ROUSH TO VISIT IMMEDIATELY THEIR TWO

END SUMMARY

3. BANDAR DELIVERS AS PROMISED: PRINCE BANDAR CALLED AMBASSADOR EVENING OF 5/8 TO REPORT THAT HE HAS OBTAINED A WRITTEN STATEMENT FROM KHALID GHESHAYAN AGREEING TO HIS FORMER WIFE, PAT ROUSH, VISITING THE IR DAUGHTERS IN RIYADH. BANDAR'S OFFICE SUBSEQUENTLY FAX'D TO THE AMBASSADOR THE ARABIC TEXT OF THE LETTER. THE FOLLOWING IS A TRANSLATION OF THE RELEVANT TEXT: QUOTE: WITH REGARD TO MY DIVORCED SPOUSE, PATRICIA ROUSH, AND HER DESIRE TO SEE MY DAUGHTERS IN THE EVENT OF HER COMING TO THE KINGDOM, I HAVE THE HONOR OF INFORMING YOUR HIGHNESS THAT I HAVE NO OBJECTION TO HER COMING HERE TO SEE THE GIRLS, AND THEREFORE I WANTED TO ADVISE YOUR HIGHNESS OF MY APPROVAL REGARDING THIS MATTER. SIGNED: KHALID BIN HANM BIN FAMD BIN GHESHAYAN. DATE: MAY 6, 1997. UNQUOTE.

RIYADH 01787 08 OF 02 091426Z SHB5701
BUT AT A MINIMUM, IT IS CRUCIAL TO BRIEF THESE THREE KEY SENATORS AND THEIR STAFFS. WE ALSO URGE THAT THE DEPARTMENT PUT SOMEONE ON CAMERA TO DEFEND OUR POSITION IF ANY NEWS PROGRAM REQUESTS THE APPEARANCE OF A DEPARTMENT OFFICIAL TO DISCUSS THE CASE. IT WOULD BE A MISTAKE TO REFUSE TO COMMENT ON THE CASE, ESPECIALLY SINCE WE NOW HAVE A DEAL BY WHICH PAT CAN VISIT HER DAUGHTERS WITH NO REAL FINANCIAL COST TO HERSELF.

6. ASIDE FROM DRAWING ON REFFELS, IT IS CRUCIAL FOR THE SENATORS AND THEIR STAFFS TO UNDERSTAND THE FOLLOWING KEY POINTS:

--THE EMBASSY HAS WORKED THIS CASE FOR OVER ELEVEN YEARS UNDER FOUR AMBASSADORS, THREE CHARGES, AND MANY EMBASSY OFFICERS WITH NUMEROUS SENIOR SAUDI OFFICIALS, INCLUDING PRINCE BANDAR, NO ONE DROPPED THE BALL IN PURSUING THIS CASE. IF THE CASE HAD BEEN SOLVABLE, IT WOULD HAVE BEEN RESOLVED IN ITS FIRST FEW YEARS.

--THERE IS NO LEGAL REMEDY UNDER THE SAUDI AND U.S. SYSTEMS WHICH WOULD COMPEL THE RETURN OF THE GIRLS TO THEIR MOTHER IN THE U.S. SAUDI LAW, WHICH IS FULLY BASED ON SHARIA LAW, GIVES

ANY SAUDI FATHER COMPLETE CONTROL OVER HIS CHILDREN. THE BEST THAT CAN BE ACHIEVED IS FOR COOPERATION BETWEEN THE TWO SIDES PERMITTING REGULAR VISITS BY THE MOTHER WITH HER DAUGHTERS IN SAUDI ARABIA. BOTH GIRLS ARE HAPPY WITH THEIR LIVES IN SAUDI ARABIA AND HAVE EXPRESSED NO INTEREST IN LEAVING THEIR FATHER AND RETURNING TO THE U.S.

--THE ELDEST DAUGHTER, ALIA, IS NOW 18 YEARS OLD AND IS AN ADULT UNDER U.S. LAW. AS INDICATED IN REFFELS, ALIA HAS BEEN THE MOST VOCAL OF THE TWO GIRLS IN STATING THAT SHE DOES NOT REPEAT WANT TO TRAVEL TO THE U.S., EITHER FOR A VISIT OR TO RESIDE WITH HER MOTHER.

--THE FATHER HAS NOW AGREED TO THE MOTHER VISITING BOTH DAUGHTERS IN RIYADH. THIS IS THE BEST DEAL POSSIBLE IN THE CASE. THE EMBASSY STANDS WILLING TO ASSIST PAT IN MAKING SUCH A VISIT POSSIBLE, AS WE DID IN 1995.

7. ACTION REQUESTED: POST IS FAXING OUR CHANGES IN CA/PA'S PROPOSED TALKING POINTS ON THE CASE. WE WOULD APPRECIATE RECEIVING A QUICK READ-OUT IF THE CASE DOES INDEED COME UP AT

NOON BRIEFING ON 5/9. WE WOULD ALSO APPRECIATE RECEIVING CONFIRMATION THAT DEPT. WILL BRIEF THE THREE KEY SENATORS OR THEIR STAFFS, AS WELL AS ANY OTHER INTERESTED MEMBERS OF THE FOREIGN RELATIONS COMMITTEE, ON THIS CASE PRIOR TO MS. ROUSH'S MAY 13 PRESS CONFERENCE.

FOWLER

C-C
DC

CS

CS

CS

UNCLASSIFIED





United States Department of State

Washington, D.C. 20520

Aisha and Alia Al-Geshayan

HCG
DC

Alia, born 1/5/79 in California, and Aisha, born 7/2/82, are the daughters of Khalid Al-Geshayan, a Saudi citizen, and Patricia Roush, a U.S. citizen. Their parents were divorced in Illinois on December 26, 1985. Ms. Roush was awarded custody of the two girls. During a period of visitation one month later, Mr. Al-Geshayan took them to Saudi Arabia. Criminal charges have been brought against Mr. Al-Geshayan and warrants have been issued for his arrest. The girls have now been in Saudi Arabia for over 11 years.

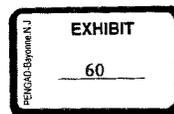
Over the years, there have been numerous attempts to have the girls returned to their mother. There have been efforts made by the Embassy in Riyadh, by senators and congressmen, the media and the Department. The end result is that the case is still unresolved.

After years of trying to see her daughters, Ms. Roush was able to travel to Saudi Arabia in June of 1995. She was there for about two weeks and was able to visit with her daughters for a total of two hours. It was a very emotional and difficult trip for her after all these years. Although she was her daughters when she first arrived there, Mr. Al-Geshayan refused to let her visit with them again. Since that time, the Department has had very little contact with Ms. Roush.

In his farewell call on the Saudi Foreign Minister Prince Saud Al-Faysal on April 2, 1995, Amb. Mabus raised the case of Aisha and Alia and voiced his disappointment that the case had not been resolved. The Minister expressed his regret that the case had not been resolved. The Minister stated that there are no provisions under Saudi law to take measures against the father. He concluded by saying that the father would be called in on a weekly basis to try and convince him to allow his daughters to visit their mother in the U.S.

On December 12, 1995, Saudi Ambassador to the U.S., Prince Bandar Bin Sultan met with Amb. Mabus in Riyadh. He mentioned that Mr. Al-Geshayan has an uncle who works with him at the Saudi Embassy in Washington, D.C. as a religious advisor. Amb. Bandar said he would put the uncle on the case to try and convince Mr. Al-Geshayan to allow the children to visit their mother. He felt they would do so safely and want to return to the familiarity of Saudi Arabia after having lived there so long.

In a mid March 1997 exchange of e-mails between OCS/CI and Riyadh, the consular section of the embassy stated they did not have any record of an agreement by Amb. Mabus and Prince Saud about the Saudi government calling in Mr. Al-Geshayan on a weekly basis. The source of that information is a classified cable from the embassy about Amb. Mabus' farewell meeting with Prince Saud. The consular section was not aware of that cable. In regards to the uncle who allegedly works at the Saudi Embassy in the U.S., there has not been any action on that front either.



H
E-3
E-5

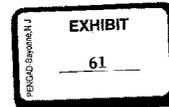
From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: Pat Housh
Date: Tuesday, March 18, 1997 12:55PM
Priority: High

30

Let me try my best to give you some additional information, which may be of some help:

--re the DipNote of January 1996, while I don't have a copy in front of me, I believe what MFA said was that they agreed in principle with Amb. Mabus' proposal that in exchange for charges against the Saudi father being dropped, that the two girls in question divide their time between the U.S. and Saudi Arabia, ect... The main problem as we found out was that while MFA told us this, they have no way of forcing the Saudi father to accept this proposal and they essentially told us that while they wanted some type of compromise, it was necessary for the father to agree. Thus, I spent the next year trying to meet the father with the help of intermediaries (sp?) such as a Saudi lawyer who in the past was involved with the Governor of Riyadh trying to get the Saudi father to accept some type of agreement. I met the father on two occasions--once at the lawyer's office. It was an acrimonious meeting. The second meeting was more friendly and occured over coffee at a local hotel with the younger daughter in question attending with her father; according to the father, the older daughter refused to come to meet me. After that second meeting, I looked for more opportunities to meet with other members of the Gheshayan family and I found several opportunities to meet relatives of the father when they submitted visa applications.

C-5
C-3



VS OFFICE Friday 02/21/97 09:31 am 1

Package Subject: Al-Geshayan case

Item Title: Al-Geshayan case

HCC

[redacted] Good morning. Thanks for copying me on your E-mail to [redacted] on the Geshayan-Roush case. I did not see [redacted] E-mail to [redacted] on the case. Please send all inquiries on this case to me since I'm really the only one of the officers still here who has dealt with this case, which I think is probably our oldest custody case--it passed ten years last year.

DC

Ironically, I was just getting ready to send you an E-mail for your info and ask you to contact Pat Roush. At the beginning of last week (I believe it was 2/16), Pat Roush, the mother of Alia and Aisha called [redacted], our senior ACS FSN who has dealt with this case for years and acted as the translator for Pat when she visited Riyadh in June 1995 to briefly see her daughters. Literally the first thing Pat told [redacted] on the phone was "don't tell [redacted] that I'm calling." She then proceeded to tell [redacted] that she urgently needed info on where her daughters lived in Riyadh and where they attended school. She then proceeded to tell [redacted] something to the effect that she had lined up some type of "commando" assistance to come to Riyadh to take the girls back to the U.S. She then demanded that [redacted] give her his home phone number so that she could stay in touch with him. [redacted] told Pat that he had only a party line in an apt. building and that he could not give her the number; he also told her that we've never known where the girls live with their Saudi father and where they attend school, all of which is true. The Saudi father has always suspected that Pat (or we) might try to abduct the girls; thus, he has been quite secretive over the years about where they live, ect...

My [redacted] and I think it would be useful if you would call Pat and try making the following points:

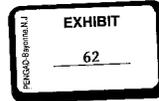
4/3/97
de [redacted]

--we honestly do not know where the girls and the father live, nor do we have any way of finding out.

--Pat should not be discussing such topics as abducting her daughters back on phone calls to Saudi Arabia, since it is widely assumed that most phone calls to foreign embassies, residences are monitored. I would not be surprised if senior FSNs at the Embassy also have their phones monitored.

--Pat risks getting [redacted] into trouble with Saudi authorities by attempting to pull him into such plans. While both [redacted] and I deeply sympathize with Pat in this mess, [redacted] is an embassy employee and he cannot be a part of any "illegal" attempt to snatch the girls.

--Finally (and this may be the most difficult point for Pat to understand) is that both [redacted] and I are absolutely convinced that neither of the girls would allow themselves to be "snatched" by anyone away from their father, with whom they have lived for over 10 years. While the girls, esp. the younger one, may be curious about their mother, neither one would willingly go with a stranger acting on behalf of their mother. Quite honestly, I don't think that either daughter, esp. the older one who reportedly remains very bitter against her mother, would want to go back to the U.S. without the clear approval of [redacted]



UNCLASSIFIED
Department of State

INCOMING
TELEGRAM

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ACTION

PAGE 01 RYADH 00515 120546Z
ACTION 005-03
INFO LOG-00 AMAD-01 CA-02 OAS-00 TEDE-00 I-00 ADS-00
NEA-00 NSCE-00 /000V
O 120545Z FEB 95
FM AMEMBASSY RYADH
TO SECSTATE WASHDC IMMEDIATE 3188
INFO AMCONSUL DHAHRAN
AMCONSUL JEDDAH

SH09727

RYADH 00515 120546Z
THE SAME GROUND HE HAD WITH PRINCE NAYIF, THE AMBASSADOR
SKETCHED THE OUTLINES OF A DEAL, INCLUDING ROUSH'S
WILLINGNESS TO DROP ALL PREVIOUS CHARGES AND TO GO TO
COURT TO ALLOW GRESHAYAN TO HAVE LEGAL CUSTODY,
PROVIDING THAT SHE WAS GUARANTEED U.S. VISITATION RIGHTS
WITH THE GIRLS IN THE SUMMER. THE AMBASSADOR FURTHER
NOTED THAT PRECEDENTS EXIST FOR U.S. COURTS SENDING
CHILDREN TO SAUDI ARABIA UNDER THE TERMS OF CUSTODY
AGREEMENTS.

SH09727

UNCLAS RYADH 00515

SENSITIVE

STATE FOR CA/DCS [] AND NEA/ARP [] c6

E.O. 12958: DECL: N/A
TAGS: OASD IGHESHAYAN, ALIA AND AISHA], SA
SUBJECT: MINISTER OF INTERIOR PRINCE NAYIF AND HIS AIDE
ON PAT ROUSH'S CHILD CUSTODY CASE

REF: 95 RYADH 5485

1. SENSITIVE BUT UNCLASSIFIED -- ENTIRE TEXT.
2. DURING HIS JANUARY 30 MEETING WITH MINISTER OF INTERIOR PRINCE NAYIF BIN ABD AL-AZIZ, THE AMBASSADOR RAISED THE ISSUE OF AMCAT MOTHER PATRICIA ROUSH WHOSE TWO DAUGHTERS WERE KIDNAPPED BY THEIR SAUDI FATHER, HAVING BEEN TOLD TWO DAYS PREVIOUS BY MINISTER OF FOREIGN AFFAIRS SAUD AL-FAYSAL THAT THE MATTER NOW RESTED WITH THE MINISTRY OF INTERIOR. THE AMBASSADOR NOTED THAT MS. ROUSH HAD SEEN HER TWO TEENAGE DAUGHTERS ONLY ONCE FOR A TOTAL OF TWO HOURS IN THE TEN YEARS SINCE THEIR SAUDI FATHER KHALID GRESHAYAN ABDUCTED THEM, AND HE EXPLAINED BRIEFLY HIS STANDING PROPOSAL TO SETTLE THE MATTER: MS. ROUSH WOULD AGREE TO DROP ALL CHARGES AGAINST THE FATHER, AND IN RETURN MR. GRESHAYAN WOULD PERMIT THE GIRLS TO VISIT THEIR MOTHER IN THE UNITED STATES EVERY SUMMER. THE AMBASSADOR OFFERED TO PUT THIS PROPOSAL IN WRITING AND DO "WHATEVER IT TAKES" TO SOLVE THE CASE.

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[Redacted area]

4. THE AMBASSADOR DID MEET WITH GENERAL RUBAYYAN ON FEBRUARY 5, AND DISCUSSED THE GRESHAYAN-ROUSH CASE IN GREATER DETAIL.

5. THE AMBASSADOR THANKED RUBAYYAN, NOTING THAT BOTH PARTIES HAD THINGS TO OFFER THE OTHER. AFTER COVERING

6. COMMENTING ON HOW DIFFICULT HE FOUND GRESHAYAN TO DEAL WITH, THE AMBASSADOR STATED THAT ONLY SAC PRESSURE COULD MAKE GRESHAYAN RELENT AND DEAL. HE JUST HARBORED TOO MUCH ANGER TOWARDS HIS FORMER SPOUSE. FINALLY, THE AMBASSADOR INDICATED THAT HE WAS PREPARED TO COMMIT THESE TERMS TO WRITING.

7. FOR HIS PART, RUBAYYAN ASSURED THE AMBASSADOR THAT THE SAC WOULD DO ITS BEST TO EXPEDITE MATTERS HE FURTHER PLEDGED TO KEEP THE EMBASSY INFORMED OF DEVELOPMENTS.

8. SUBSEQUENT TO THE AMBASSADORS' MEETINGS, THE EMBASSY RECEIVED A DIPLOMATIC NOTE FROM THE MINISTRY OF FOREIGN AFFAIRS DATED JANUARY 28 STATING THAT THE MINISTRY PRELIMINARILY AGREED TO THE AMBASSADOR'S PROPOSAL OUTLINED ABOVE "ON THE CONDITION THAT THE GUARANTEES ARE CLEAR ONES AND ARE CONSOLIDATED BY THE EMBASSY."

9. THE EMBASSY VIEWS THIS AS A SIGNIFICANT DEVELOPMENT AND WILL FOLLOW-UP CLOSELY ON THE MATTER WITH BOTH MINISTRIES. MABUS

UNCLASSIFIED

EXHIBIT
63

7751007
check on 2/11

Translation of a letter written by Rasheed Radwan (Child Custody Case).

Peace be upon you;

I am writing this letter while I am in the Kingdom of Saudi Arabia .

Your Highness president Bush; I am sending you my best regards while I am asking for your help. would you save me, I am still helpless in the elementary school.

My name is Rasheed Nizar Radwan. I lived in the U.S. peacefully with my parents. I was 6 years old when my father asked my mother to visit Saudi Arabia along with my 2 year old little sister and I. When we arrived in the Kingdom, my father cheated my mother and lied to her. He kidnapped me and my little sister and asked my mother to return to the U.S. He promised her to send us back to her soon. When she left to the U.S. he divorced her and asked the Saudi airport authorities not to allow us to leave the country. we lived with his second wife in miserable agony. She kept mistreating us, even the prisoners get better treatment. not a single word of love was directed to us, neither a compassion nor tenderness. We lived a terrible life. latter on bad thoughts started to come to my mind; my older half-brother guided me to bad deeds, stealing was one of them. He forced me into doing homosexuality with him, when I complained and reported that to father, my brother would discredit me and hit me. My mother would tell you the rest of the story.

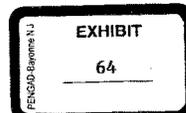
When I was in the U.S. I was doing fine at school, whereas now I am 3 years behind and I am 14 years old.

My father is neglecting me and my poor little sister. He does not think but of himself. He can not even support us. He does not know in what grade I am, or even how old I am. I am sure one day he will ask me about my name.

They are monsters, foes etc.

Please sve me, help me, get me out of here, let mother see me

(The letter is decorated with drawings of love of U.S. and the U.S flag. An arrow in a crying eye with tears coming out of it.



مئة : السلام وعليكم وبعد : أكتب الرسالة وأنا حالي في المملكة العربية السعودية

يا صاحب السعد الرئيس الأمريكي بوش لك أحمل وأطرب الزمان مني

إني أطلب النجدة منك عما يدرك فهل تغدني أنا طالب من الإثري

وأسمي رشيد نزار رضوان لقد عشت في الولايات المتحدة في الخفض والهن

عشت في ظل أهلي و عدا كبري ومارعري 6 سنوات طلبت أبي من أبي

أن أذهب أنا وأمي بسم الله وأختي الصغيرة التي بلغت من العمر ستان

زيارة للمنكة ولاكن خدع أمي وكذب عليها فخطفتني أنا وأختي

وقال لأبي أرجعي لي أمري كما بسرف أرجعهم الكبر و عدا ما ذهب

منحك عليها وطفها وادخل للطار السعود في عدم خروجي أنا وأختي

من المملكة وعشنا مع زوجة الثانية من عذاب شرر لم نرعت حتى غراباً

ألم لا يتعد به حتى أهل السجدة وأنا لم أحسن بأبي قلبه يجني

وأدبطني أو يقول كل كلمة حب و عشت حياة مؤلمة حتى أن

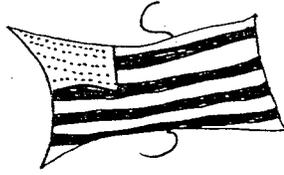
الشیطان غزني وأتبعته كلام أخي الكبر ما أئني وصحة حيث أكون

و لقد قارني وخطبني إلى السرف و عمل الناحية به وأنا أستكيت

كربني و صبريني بسم الله وسأ تقول بسم الله أمي الباقي وأحلف

I ♥

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A

والله اني لا كنت في U.S.A كنتة ناجح من الدراسة وأخفق من الأوائل
~~وهذا هو~~ تأخرت ثلاث سنوات من الدراسة وعربي حاله أعاسنة
 لتدركه اني انادعتي المسكية لا يفكر لاني نفسه ولا يستطيع ان يصرف
~~على~~ ولا يرى انما اى مرحلة من الدراسة وكلم عمري
 ريدوم من الايام سيسأل ويقول ما اسمك المهم وحوش أحرار
 فأرحوك أنفذي ساعري أخيري رع أي تربي !!!!!!

المترجم: --- Reshad Reelwan

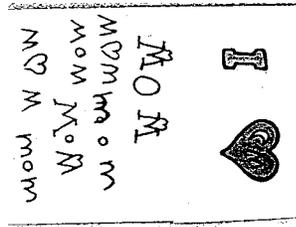


إلى ذى البرئيس بوش



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United States Department of State

Washington, D.C. 20520

May 31, 1990

Ms. Monica Radwan
6300 Rancheater #119
Houston, Texas 77036

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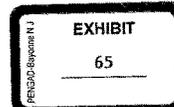
Dear Ms. Radwan:

I wish to report to you the details of consular visit with your son which was conducted on May 20, 1990 at his request.

A consular officer visited Rasheed at the Minhal Hotel for twenty minutes on May 20. Rasheed seemed to be in fine health and was again wearing a white thobe and glasses. He inquired about the consular officer's upcoming departure for Mexico and seemed agreeable to visits by other officers until her replacement arrives. Rasheed gave the consular officer a letter written in Arabic to be delivered to his mother. He asked if the consular officer had heard anything new from his mother.

Rasheed said he is doing fairly well in school, although not as well as he had when he lived at his father's house. He attributed this to the friends and play areas near his father's house. In contrast he said his grandmother did not allow his friends to visit nor allow him to visit them. He said a cousin of his asked him to go to a nearby amusement park on the last day of the recent Eid Al-Fitr holiday, but that neither his grandmother nor his father would provide him a way to get there.

Rasheed also said he saw his sister, Amjad, yesterday at his grandmother's house when his father brought her for a visit. She stayed for approximately fifteen minutes, although Rasheed saw her alone only for one or two minutes. When the consular officer asked about Amjad, Rasheed said she was "normal." She said she was doing "fine" in school, although Rasheed said she was too young to know or understand her grades. He later added that their father told Amjad at one point not to pick at a small scab on her right palm. While alone with Amjad for a minute, Rasheed asked how she received the scab. Amjad said it came from her step-mother. Their father then called Amjad back into another room; when she asked why she had to return, according to Rasheed, their father replied "because I said so."



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- 2 -

The American Embassy in Riyadh is forwarding Rasheed's letter to this office. I will forward the letter to you, along with the informal translation, as soon as it arrives in our office.

As I indicated in our telephone conversation yesterday, the Embassy also received a request from Rasheed on May 27, 1990, asking that you telephone him prior to your upcoming trip to Washington.

Sincerely,

Child Custody Unit
Office of Citizens Consular Services



United States Department of State

Washington, D.C. 20520

JUL 1 2002

Dear Mr. Chairman:

Thank you for your letter of June 21, 2002, in which you request that the Department provide answers to written questions for the record (QFRs) which are pertinent to testimony given by Departmental witnesses in the Committee's hearing on June 12, 2002. That hearing was entitled "Should the United States Do More to Help U.S. Citizens Held Against Their Will in Saudi Arabia."

The responses at the enclosure address the written QFRs.

We welcome the opportunity to present our views to the Committee on this important issue.

Sincerely

A handwritten signature in cursive script that reads "Paul V. Kelly".

Paul V. Kelly
Assistant Secretary
Legislative Affairs

Attachment: As stated.

The Honorable
Dan Burton, Chairman,
Committee on Government Reform,
House of Representatives.

Questions For The Record
House Government Reform committee Hearing
June 12, 2002

Question 1

Question:

It is my understanding that Assistant Secretary Burns raised the issue of Americans held against their will in Saudi Arabia with Crown Prince Abdullah during a meeting in Saudi Arabia. When exactly did Assistant Secretary Burns raise this issue?

- a. What exactly did Assistant Secretary Burns say to Crown Prince Abdullah?
- b. Did Assistant Secretary Burns raise these cases as a state-to-state issue, as opposed to a private or family issue?
- c. Did Assistant Secretary Burns suggest that the United States would hold the Government of Saudi Arabia responsible for the unjustified detention of American citizens in Saudi Arabia?
- d. Did Assistant Secretary Burns suggest that there would be retaliation against Saudi Arabia if the Saudi government did not permit Americans who wished to return to the United States to do so?
- e. Did Assistant Secretary Burns raise the Roush or Stowers cases specifically with Crown Prince Abdullah?
- f. What exactly did Crown Prince Abdullah say in response to Assistant Secretary Burns?

Answer:

Assistant Secretary Burns raised the issue of child custody cases with Crown Prince Abdullah on June 3. He did not raise specific cases, but instead, focused on the overall problem. Crown Prince Abdullah agreed that it was

a problem and that the problem should be resolved through efforts by the governments of the U.S. and Saudi Arabia working together for the sake of the children. Foreign Minister Saud Al-Faisal was present at the meeting and stated that both governments should work together to facilitate visitation. Assistant Secretary Burns underlined the seriousness of the issue and stressed the concern felt at the highest levels of the United States government. He used this opportunity to further our Embassy's engagement with the Government of Saudi Arabia to seek constructive solutions to these very difficult issues.

**Questions For The Record
House Government Reform Committee Hearing
June 12, 2002**

Question 2

Question:

At an International Relations Subcommittee hearing on June 18, 2002, Assistant Secretary Burns testified that Secretary Powell raised the issue of Americans held against their will in Saudi Arabia with Prince Saud during his recent visit to the United States. What exactly did Secretary Powell say to Prince Saud?

- a. Did Secretary Powell raise these cases as a state-to-state issue, as opposed to a private or family issue?
- b. Did Secretary Powell suggest that the United States would hold the Government of Saudi Arabia responsible for the unjustified detention of American citizens in Saudi Arabia?
- c. Did Secretary Powell suggest that there would be retaliation against Saudi Arabia if the Saudi government did not permit Americans who wished to return to the United States to do so?
- d. Did Secretary Powell raise the Roush or Stowers cases specifically with Prince Saud?
- e. What exactly did Prince Saud say in response to Secretary Powell?

Answer:

Secretary Powell raised the issue of child custody with Saudi Foreign Minister Prince Saud al-Faisal on June 14, stressing that this issue is a concern at the highest levels of the United States government. Secretary Powell

made clear this is a matter on which both governments must work. The Secretary did not raise the specific cases, rather, he underscored the importance we attach to this issue and his personal interest in it. Prince Saud reiterated his desire to work with the U.S. to facilitate contact between parents and their children.

Questions For The Record
House Government Reform Committee Hearing
June 12, 2002

Question 3

Question:

Did President Bush raise the issue of Americans held against their will in Saudi Arabia with Prince Saud during his recent visit to the United States? If not, why not?

Answer:

The focus of the discussion between President Bush and Saudi Foreign Minister Saud Al-Faisal was developments in the Middle East and how to bring an end to the deadly terrorist attacks disrupting efforts to resume a political process between Israel and the Palestinian Authority.

**Question for the Record
House Committee on Government Reform Hearing
June 12, 2002**

Question 4

Question:

Have the Roush or Stowers cases ever been specifically raised with the Saudi Government by any Vice President of the United States?

Answer:

The Department of State has no record of these cases ever being specifically raised by a President or Vice President of the United States. In 1987, then-Vice President Bush raised the issue of child custody problems in general with Crown Prince Abdullah during the latter's visit to Washington.

**Question for the Record
House Committee on Government Reform Hearing
June 12, 2002**

Question 5

Question:

Has the U.S. government ever, as a matter of principle, objected to the fact that under Saudi law, a U.S. citizen can be prevented from returning to the U.S. based on the arbitrary decision of a private Saudi citizen? If not, why not?

Answer:

Contemporary Department of State officials are aware of no instance in which the Department has, as a matter of principle, objected to specific Saudi laws or the interpretations of Islam on which they are based. The right of a Saudi father to insist that his minor children be brought up in a traditional Islamic society is codified under Islamic law and cultural practice. The right of a Saudi father or husband to prohibit female members of his household from departing the country is similarly contained in the Saudi interpretation of Islamic tradition.

Since Saudi laws are based on conservative Islamic traditions, many of those laws differ greatly from our own. Nevertheless, the Vienna Convention on Consular Relations (VCCR) obligates U.S. consular officials to respect the

laws of a host nation. Article 55(1) of the VCCR states specifically: "Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State. They also have a duty not to interfere in the internal affairs of that State."

Question for the Record
House Committee on Government Reform Hearing
June 12, 2002

Question 6

Question:

Assuming that the State Department was able to arrange a "welfare and whereabouts" visit with Alia and Aisha Ghesayan, would State Department personnel ask the Ghesayan sisters whether they wanted to return to the United States?

Answer:

Yes. The Department of State thinks a direct meeting between a US Embassy Riyadh consular officer and Alia and Aisha is necessary to observe first hand the well-being of the two young women and to learn directly from them whether they want to travel to the United States and desire additional contact with, or assistance from, the Embassy.

6a. Q: Does the State Department believe that the Ghesayan sisters are free to answer such a question free of coercion from their father or husbands?

A: The Department of State thinks it is reasonable to assume that the father or husbands of Alia and Aisha could influence what each sister told a US consular officer if any of those men were present during a meeting between the

sister and a consular officer. Consequently, the Department of State strongly prefers that any such meetings be allowed to occur privately between each sister and a female consular officer.

Question for the Record
House Committee on Government Reform Hearing
June 12, 2002

Question 7

Question:

Is it currently the policy of the US Embassy in Riyadh to force US citizens out of the Embassy if they would face arrest or physical abuse if forced out of the Embassy?

Answer:

US Embassy Riyadh, like all other diplomatic and consular posts throughout the world, follows and implements the guidance provided by Volume 7 of the Foreign Affairs Manual (7 FAM) when a US citizen requests refuge.

Section 144 of Volume 7 of the Foreign Affairs Manual provides the following guidance concerning requests from US citizens for refuge.

QUOTE:

Foreign Service posts may not offer refuge to persons involved in child custody disputes, except as provided in 2 FAM 229.1:

Refuge may be afforded to uninvited persons who are in danger of serious harm, as from mob violence, but only for the period during which active danger continues. With the concurrence of the Department, refuge shall be terminated on receipt of satisfactory assurances from the established national government that the refugee's personal safety is guaranteed against lawless or arbitrary actions and that the refugee will be accorded due process of law.

A consular officer could, for example, allow an American citizen who is fleeing attempted violence or a credible threat of violence from a spouse or parent to enter and remain at the post for a limited period of time until steps can be taken to arrange police protection, a restraining order, a safe haven elsewhere, or other suitable protection.

Refuge cannot be granted to prevent the execution of the laws or court orders of the host country, even when those laws or court orders may appear to be administered in a manner unfair to the interest of the U.S. citizen.

A parent cannot remain indefinitely at the post in order to prevent the other parent from taking the child or to avoid enforcement of a court order requiring the return of the child to the other parent.

END QUOTE.

Question 7a

Question:

If not, what would the Embassy do if a US citizen came to the Embassy alleging that she was being physically abused, and stating that she wanted to return to the U.S., despite the fact that she did not have permission to do so from her Saudi father?

Answer:

Faced with such a situation, Embassy Riyadh and all other Foreign Service posts would do everything in their authority to ensure the immediate physical safety and security of the American citizen while following the guidance of 7 FAM 144. Once the immediate physical safety of the individual was assured, Embassy officials would attempt to determine the credibility of the allegations of physical abuse. If the allegations were considered credible, the Embassy would bring the abuse to the attention of Saudi officials and seek their aggressive

intervention on behalf of the victim. If an unmarried female US citizen stated she wished to return to the United States, the Embassy would seek the cooperation of her Saudi father to approve the required exit permit and, if he refused, would request the assistance of Saudi officials to prevail on the father to grant the permit.

Questions For The Record
House Government Reform committee Hearing
June 12, 2002

Question 8

Question:

How many Saudi detainees from Guantanamo Bay have been returned to Saudi Arabia during 2002?

Answer:

The answer to this question is classified and is being provided under separate cover.

**QUESTIONS FOR THE RECORD
COMMITTEE HEARING
SHOULD THE UNITED STATES DO MORE TO HELP U.S. CITIZENS HELD
AGAINST THEIR WILL IN SAUDI ARABIA
JUNE 12, 2002**

*CA/OS
and NEA*

1. It is my understanding that Assistant Secretary Burns raised the issue of Americans held against their will in Saudi Arabia with Crown Prince Abdullah during a meeting in Saudi Arabia. When exactly did Assistant Secretary Burns raise this issue?
 - a. What exactly did Assistant Secretary Burns say to Crown Prince Abdullah?
 - b. Did Assistant Secretary Burns raise these cases as a state-to-state issue, as opposed to a private or family issue?
 - c. Did Assistant Secretary Burns suggest that the United States would hold the government of Saudi Arabia responsible for the unjustified detention of American citizens in Saudi Arabia?
 - d. Did Assistant Secretary Burns suggest that there would be retaliation against Saudi Arabia if the Saudi government did not permit Americans who wished to return to the United States to do so?
 - e. Did Assistant Secretary Burns raise the Roush or Stowers cases specifically with Crown Prince Abdullah?
 - f. What exactly did Crown Prince Abdullah say in response to Assistant Secretary Burns?

*CA/OS
and
NEA*

2. At an International Relations subcommittee hearing on June 18, 2002, Assistant Secretary Burns testified that Secretary Powell raised the issue of Americans held against their will in Saudi Arabia with Prince Saud during his recent visit to the United States. What exactly did Secretary Powell say to Prince Saud?
 - a. Did Secretary Powell raise these cases as a state-to-state issue, as opposed to a private or family issue?
 - b. Did Secretary Powell suggest that the United States would hold the government of Saudi Arabia responsible for the unjustified detention of American citizens in Saudi Arabia?
 - c. Did Secretary Powell suggest that there would be retaliation against Saudi Arabia if the Saudi government did not permit Americans who wished to return to the United States to do so?

d. Did Secretary Powell raise the Roush or Stowers cases specifically with Prince Saud?

e. What exactly did Prince Saud say in response to Secretary Powell?

NEA 3. Did President Bush raise the issue of Americans held against their will in Saudi Arabia with Prince Saud during his recent visit to the United States? If not, why not?

CA/OC5 4. Have the Roush or Stowers cases ever been specifically raised with the Saudi government by any President or Vice President of the United States?

CA/OC5 and NEA 5. Has the U.S. government ever, as a matter of principle, objected to the fact that under Saudi law, a U.S. citizen can be prevented from returning to the U.S. based on the arbitrary decision of a private Saudi citizen? If not, why not?

CA/OC5 6. Assuming that the State Department was able to arrange a "welfare and whereabouts" visit with Ahia and Aisha Gheshtayan, would State Department personnel ask the Gheshtayan sisters whether they wanted to return to the United States?

a. Does the State Department believe that the Gheshtayan sisters are free to answer such a question free of coercion from their father or husbands?

CA/OC5 and NEA 7. Is it currently the policy of the U.S. Embassy in Riyadh to force U.S. citizens out of the Embassy if they would face arrest or physical abuse if forced out of the Embassy?

a. If not, what would the Embassy do if a U.S. citizen came to the Embassy alleging that she was being physically abused, and stating that she wanted to return to the U.S., despite the fact that she did not have permission to do so from her Saudi father?

NEA and DOJ 8. How many Saudi detainees from Guantanamo Bay have been returned to Saudi Arabia during 2002?



United States Department of State

Washington, D.C. 20520

JUL - 2 2002

Dear Mr. Chairman:

This is in response to your letter of June 24 requesting the current contact information for the U.S. citizen parent or U.S. citizen next-of-kin for all the cases provided in the Committee's memorandum, with the exception of those individuals for whom the Committee already has such information. This information is being provided in accordance with 5 U.S.C. 552a(b)(9) which permits disclosure: "(9) to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee."

We are hereby providing you with the most current contact information available to us for those cases where the Department has records. Please note that, for some cases, our contacts with the parent or next-of-kin ceased once that individual had obtained custody of, or access to, their child(ren) and no longer sought our assistance. Wherever possible, we have indicated the date of our last contact with the parent or next-of-kin. In a few cases, we have requested the contact information from our posts in Saudi Arabia and will forward it to the Committee upon its receipt. We have conveyed to our posts the importance of providing a prompt response.

Some of the individuals listed are involved in on-going efforts to secure the return of, or access to, their children. We respectfully remind the Committee that release of the information beyond Committee members and staff could seriously jeopardize such efforts and possibly threaten the safety of the children involved.

Sincerely,

A handwritten signature in cursive script that reads "Paul V. Kelly".

Paul V. Kelly
Assistant Secretary
Legislative Affairs

Enclosure: As stated

The Honorable
Dan Burton, Chairman,
Committee on Government Reform,
House of Representatives.

Child Custody and U.S. Citizen Departure Cases
Saudi Arabia
(cases keyed to numbers from incoming inquiry)

RIYADH

3) Beydoun

Child's Name: Nimat (Namet) Beydoun
Last Contact Date: April 15, 2002
Recent Contact Information: Terri Dee Beydoun
4716 43rd Street
Lubbock, TX 79414
Tel: 806-7920-0757
Update: Namet visited her mother in Texas in March,
2002

4) Al-Zahrani

Contact Info: Terry Lynn Al-Zahrani
Riyadh Tel: 966-1-482-4833, 465-5855

6) Ricket

Contact Info: Debbie Ricket Sultan
Riyadh Tel: 966-1-231-5223
Father in U.S. Tel: 406-257-6669

7) Bodo

Child's Name: Samuel Bodo
Recent Contact Information: Andre Bodo
1717 SW Park Avenue
Portland, OR 97201
Tel: 503-226-0579
503-228-4767
Update: Father withdrew his request for access in
March, 2002. Samuel will be 18 in March, 2003.

9) Rives

Children's Names: Lily Rives

Sami Rives

Last Contact Date: June 19, 2002 (FBI); April 02, 2002
(Left Behind Parent)

Recent Contact Information: Michael E. Rives
5010 Coffeyville
Grand Prairie, TX 75052
Tel: 214-641-3600
214-777-5798 (w)

10) Al-Shengitti

Adult's Name: Michela Kynne Al-Shengitti
Recent Contact Information: 4805 Rosewood Drive
Glendale, AZ
Tel: 602-978-5913

Update: Mother escaped to Yemen. Embassy Sanaa
assisted her and her children in returning to the
U.S.

11) Qahtani

Adult's Name: Stacy Qahtani
Recent Contact Info: 1445 4th Street Drive NW, Apt #61,
Hickory, NC 28601
Tel: 828-345-0317

Update: Mother escaped to Bahrain with her son

JEDDAH

12) Al-Ajmi

Children's Names: Simone Nasir Al-Ajmi
Salmear Fahad
Last Contact Date: September 2000
Recent Contact Information: Mary Ordway
2145 26th Street Avenue North
St. Petersburg, FL 33713
Tel: 727-896-7078

Update: Recent attempts to reach Ms. Ordway were
unsuccessful. Her phone had been disconnected.

13) Alawi

Adult's Name: Janet Lea Alawi (Dirks)
Children's Names Huda Alawi
Ramzy Alawi
Raeid Alawi
Recent Contact Information: P.O. Box 167 cc 815
Jeddah 21231
Saudi Arabia
Phone: 966-02-655-8744
966-02-667-1617

14) Al-Arifi

Children's Names: Rosemary Helen Al-Arifi
Sarah Francis Al-Arifi
Abdlaziz Abdulla Al-Arifi
Recent Contact information: Joanna Stephenson
9580 E. Old Fort
Harrison Street
Terre Haute, IN 47803
Phone: 812-877-6199

15) Bashir

Child's Name: Marc Bashir
Recent Contact Information: Phyllis Wall
204 Beckner Road
Lexington, NC 27292
Phone: 336-798-5807
336-668-4126
Update: Marc turned 18 on March 7, 2002

16) Basrawi

Children's Names: Ramie Jihad Basrawi
Suzanne Jihad Basrawi
Recent Contact Information: Debbie Doeckel
417 West Wilson
Ottumwa, IA 52502
Phone: 514-682-8859
Update: Ramie turned 18 on August 17, 2001

17) Cordeiro

Children's Names: Aminah Cordeiro

Recent Contact Information: Unknown

18) **Al-Deni**

Children's Names: Faisal Al-Deni
Miriam Al-Deni
Last Contact Date: September 1999
Recent Contact Information: Unknown
Update: Miriam turned 18 on January 28, 2002. This case was closed in September, 1999. The parents agreed to visitation in England.

19) **Gadri**

Adult's Name: Jamela Antone
Children's Names: Areej Gadri
Isra Gadri
Recent Contact Information: Unknown

20) **Al-Ghamdi**

Child's Name: Ali Atef Al-Ghamdi
Recent Contact Information: Lujain Al-Iman
10 Barndesbury Hall
9-1 The Avenue NW 6746
London, Great Britian
Update: Case closed. Last contact with left-behind parent was in 1999. Letter to parent in 2000 was returned as undeliverable.

21) **Gusti**

Adult's Name: Jaclyn Winters
Children's Names: ThaLeeddah DaDon Winters
Anissa Marie Winters
Hana'a Winters
Recent Contact Information: Unknown

22) **Hakeem**

Children's Names: Shaher Mashoor Hakeem

Shada Mashoor Hakeem
Iyad Mahoor Hakeem
Last Contact Date: April 19, 2002
Recent Contact Information: Ruth Hakeem
1376 Genevieve Street
San Bernadino, CA 92405

23) Kalali

Adult's Name: Kristy Kalali-Thompson
Children's Names: Ahmad Nofal Kalali and four siblings
now over 18
Last Contact Date: May 13, 2002
Recent Contact Information: 211 SE 136th Street
Portland, OR 97233
Phones: 503-254-2561
503-653-3655

24) Kurdi/ Kattan

Children's Names: Michael Khalid Kurdi
Yasmin Khalid Kurdi
Noel Khalid Kurdi
Last Contact Date: April 16, 2002
Recent Contact Information: Paula Kurdi
1021 Springfield Ave.
Springfield, NJ 07904
Phone: 908-790-8720
Update: Noel is now in the U.S. with her mother.

25) Maghrabi

Children's Names: Jasmin Galal Maghrabi
Sami Galal Maghrabi
Rami Galal Maghrabi
Recent Contact Information: Davis and Nancy Green
(Parents of Debbie Maghrabi)
3256 South Cody Ct.
Lakwood, CO 80277
Phone: 303-989-9019

26) Al-Rehaili

Children's Names: Safiah Mubarak Al-Rehaili
Maha Mubarak Al-Rehaili

Faisal Mubarak Al-Rehaili

Last Contact Date: 1997

Recent Contact Information: None- Phone No Longer in Service

Update: Last contact attempted in 1999. Letter returned for insufficient address. No phone number available.

27) **Saulisbury**

Child's Names: Rackan (Rakan) Majid Saulisbury

Last Contact Date: October 12, 2001

Recent Contact Information: Darrell Saulisbury

P.O. Box 4031

Tustin, CA 92781

Phone: 1-800-260-4626

714-318-4001

Update: Contact info confirmed in October 2001. No further contact.

28) **Al-Shahrani**

Children's Names: Nora Al-Shahrani

Sarah Al-Shahrani

Amal Al-Shahrani

Abdulrahman Al-Shahrani

Adel Al-Shahrani

Bashyer Al-Shahrani

Recent Contact Information: Unknown

30) **Al-Shehri**

Children's Names: Rasmah Al-Shehri

Abdulrahman Al-Shehri

Last Contact Date: January 16, 2002

Recent Contact Information: Reyna Raney

Phone: 817-244-3251

817-560-7020

31) **Thaher**

Children's Names: Mahmoud Fuad Abdul-Rahim

Sayed Thaher

Abdelallah Fuad Thaher

Recent Contact Information: Unknown

32) Al-Turkistani

Adult's Name: Kelly Al- Turkistani
Child's Name: Summer Abdulahad
Recent Contact Information: Unknown

33) Zarie

Children's Names: Sarah Zarie
Hediya Zarie
Shayimah Zarie
Jumanah Zarie
Tasneem Zarie
Ubaid Zarie
Recent Contact Information: Unknown

DHAHRAN

34) Yami

Adult's Name: Noreh Salem Yami (Tammy Sue Blunt)
Recent Contact Information: Penny K. Blunt (sister)
10223 Lake Brauning
San Antonio, TX 78223
Tel: 210-633-9309
Update: Ms. Yami is now in the U.S.

35) Malhan

Adult's Name: Edith Malhan
Recent Contact Information: Edith Malhan
966-3-893-0684 (h)
966-3-860-5793 (w)
Update: Ms. Malham is a teacher in Saudi Arabia. As
of June, 2002, she was visiting in the U.S.

36) Al-Ajmi

Child's Name: Mishall Alil Ayidh Al-Ajmi
Recent Contact Information: Catherine Allen
2782 BW, Anklam

Tucson, AZ 85745
602-624-8134

Update: Case closed on May 11, 2000, after left-behind
parent failed to respond to attempted contacts

37) Uhlman/Ukayli

Adult's Name: Christine Uhlman
Children's Names: Maison Musafa Ukayli
Hani Mustafa Ukayli
Recent Contact Information: (520) 293-0140 - w

38) Al-Shabrami

Child's Name: Sa'ad Al-Shabrami
Last Contact Date: June 19, 2002
Recent Contact Information: Jennifer Martin Ajami
8334 Creek Front Drive
Cordova TN 38018
Update: Visit to the U.S. is being arranged, possibly
in August

39) Woodruff

Child's Name: Michael Woodruff
Last Contact Date: April 18, 2002
Recent Contact Information: Diane Woodruff
11545 24th Street Ave. Northeast
Seattle, WA 98125
Tel: 425-462-7322

40) Al-Moshkhesh

Children's Names: Nora Qasim Al-Moshkhesh
Mohammad Qasim Al-Moshkhesh
Bayder Qasim Al-Moshkhesh
Recent Contact Information: John Siegfried
1698 Starbrige
Las Vegas, Nevada 89122
Phone: 702-457-0950
702-898-2116

41) Al-Nofaily

Children's Names: Amina Al-Nofaily
 Yousef Al-Nofaily
 Last Contact Date: April 17, 2002
 Recent Contact Information: Peggy Booth Mohammed
 438 Green Street
 Winston Salem, NC 27101
 Tel: 336-723-1892
 336-682-3324

43) Qassim

Recent Contact Information: Contact Information
 Presently Not Available

44) Al-Hajji

Child's Name: Sukaynah Al-Hajji (Fatma Kay Netland)
 Last Contact Date: April 18, 2002
 Recent Contact Information: Mr & Mrs. James Netland
 3700 Virginia Ave.
 Wayzata, MN 55391
 Tel: 612-473-3180

 Mark Netland
 Tel: 206-643-8336

 Cathy Rossendahl
 Tel: 218-736-2940

 Patty Vining
 Tel: 203-968-8320

45) Al-Zahrani

Children's Names: Amirah Al-Zahrani
 Ahmed Al-Zahrani
 Aisha Al-Zahrani
 Nasser Al-Zahrani
 Recent Contact Information: John Good
 Rd. 7 Box 10
 Gibsunia, PA 15044
 Tel: 412-821-2447

46) Al-Saihati

Child's Name: Ali Al-Saihati

Recent Contact Information: Ralph Banks

Tel: 804-525-6646

376



United States Department of State

Washington, D.C. 20520

JUL - 2 2002

Dear Mr. Chairman:

Thank you for your letter of June 25, 2002, in which you request that the Department provide answers to written questions for the record (QFRs) which are pertinent to testimony given by Departmental witnesses in the Committee's hearing on June 12, 2002. That hearing was entitled "Should the United States Do More to Help U.S. Citizens Held Against Their Will in Saudi Arabia."

The responses at the enclosure address the written QFRs.

We welcome the opportunity to present our views to the Committee on this important issue.

Sincerely

A handwritten signature in cursive script that reads "Paul V. Kelly".

Paul V. Kelly
Assistant Secretary
Legislative Affairs

Attachment: As stated.

The Honorable
Dan Burton, Chairman,
Committee on Government Reform,
House of Representatives.

Question for the Record
House Committee on Government Reform Hearing
June 12, 2002

Question 1

Question:

What specific steps will the Department of State (DOS) take to resolve the illegal kidnapping of US citizens Alia and Aisha Geshayan? Please provide an estimated timetable to achieve each step.

Answer:

-- On June 5, 2002, the Embassy Riyadh American Citizen Services Officer, on behalf of the Charge d'Affaires, contacted Khalid Al Geshayan, the father of Alia and Aisha, and requested a meeting with him for the Charge. The Charge wished to discuss Al Geshayan's facilitation of an Embassy consular officer meeting individually with Alia and Aisha to monitor their well-being, determine their wishes regarding repatriation to the United States, learn what future contact with the US Embassy they want, and request that they formally waive a portion of their Privacy Act rights to allow the Department of State to provide information about them to their mother. Al Geshayan stated that both Alia and Aisha now are married and the US Embassy would have to talk with their respective husbands about any potential meeting with the two sisters. On June

10, 2002, the Deputy Chief of Mission and the Consul General met with Deputy Governor of Riyadh Al Bleheid and requested his assistance in obtaining the names of Aisha and Alia's husbands and their telephone numbers. Al Bleheid has not responded to this request and did not offer to approach the husbands on the Embassy's behalf. If the Embassy can identify the husbands, the Embassy will try to gain their consent to private meetings between a US consular officer and each of the two young women. Time frame: Cannot be predicted since the Governor's Office has not provided a response to the Embassy's requests.

-- Department of State will contact Dr. Majed H. N. Al-Ghesheyan, an administrative attache with the Saudi Embassy in Washington, D.C. and reportedly a relative of Khalid Al Ghesheyan, to request his assistance in identifying the husbands of Alia and Aisha and facilitating meetings between them and US Embassy Riyadh officers. In the past, he has declined to become involved in this matter. Time frame: The Department of State currently is working with Saudi officials in the United States to obtain contact information for the Ghesheyan sisters.

-- A US consular officer in Riyadh will meet directly with Alia and with Aisha, privately if possible, to observe first hand their well being and to learn directly from them their wishes. Time frame: Cannot be predicted. Meeting is contingent on the Embassy's ability to contact the young women and their agreement to such a meeting.

-- Presuming Alia and Aisha express a wish to travel to the United States, Embassy Riyadh officials will seek the cooperation of their husbands to approve the required exit permits and, if necessary, request assistance from the Governor of Riyadh or other appropriate Saudi officials to facilitate the issuance of exit permits. Time frame: Cannot be predicted -- contingent on preceding events.

-- Embassy Riyadh will issue new US passports to Alia and Aisha and, if necessary, coordinate travel arrangements for them. Time frame: If they apply, emergency passports can be issued almost immediately.

Question for the Record
House Committee on Government Reform Hearing
June 12, 2002

Question 2

Question:

Are there any other unresolved illegal kidnappings of U.S. citizens who are still residing in Saudi Arabia? If so, identify each U.S. citizen and the specific steps the Department of State intends to take to resolve the situation, including an estimated timetable to achieve each step.

Answer:

Department of State files include the following ten active parental child abduction cases in Saudi Arabia, involving twenty minor children who were either abducted to the Kingdom by one parent or retained there during a temporary visit from their place of habitual residence in the United States:

<u>Family Name</u>	<u>Children</u>
Al Arifi	Abdul-Aziz Abdullah, Rosemary Helen, Sarah Frances
Al Jarboa	Ryan
Al Nofaily	Amina, Yousuf
Al Omary	Machel Heidi
Al Shabrami	Hatam Saad
Basrawi	Ramie, Suzanne
Hakeem	Iyad Mashhoor, Shada Mashoor, Shaher Mashoor
Kamil	Omer, Zakirah
Kurdi	Michael, Yasmin
Rives	Lilly, Sami
Saulisbury	Rakan Majed

It is not possible to provide a specific timeline for the resolution of each case. Progress on an individual case is dependent upon a variety of factors, including decisions by the American parents, the willingness of Saudi parents to participate in resolving the case, and our ability to contact and engage Saudi officials. That is not to say that progress in these cases is not actively pursued. Every six months the left-behind parents in our parental child abduction cases in Saudi Arabia receive a report on developments and what, if anything, needs to be done to bring about progress.

The regular review of these cases and others worldwide by the Abduction Unit of the Office of Children's Issues is being expanded to include other Department offices that might provide ideas for resolving them. Our goal continues to be the resolution of each case in a manner which provides for the best interests of the children and as much to the satisfaction of the left-behind parent as possible. Where return of the children to the place of their pre-abduction habitual residence is not possible, we seek a resolution, which ensures that the left-behind parent maintains an active relationship with their children. Such a resolution would likely include the

assurance of regular contact and visitation, and
facilitation of travel and other arrangements.

Question for the Record
House Committee on Government Reform Hearing
June 12, 2002

Question 3

Question:

What is the name of the DOS policy official(s) who directed the U.S. marines to evict Monica Stowers and her children from the U.S. Embassy in Riyadh? Please provide a copy of each e-mail, cable or other written instruction for this directive.

Answer:

We are currently trying to contact officials who were present during the incident to better answer your question.

We will provide a follow up reply as soon as possible.

**Question for the Record
House Committee on Government Reform Hearing
June 12, 2002**

Question 4

Question:

Are there any other cases where US citizens in similar circumstances were evicted from the US embassy in Riyadh? If so, please identify every such eviction, including the date, circumstances, and any written instructions for such directives.

A: The Department of State and US Embassy Riyadh are not aware of another circumstance similar to that in which Ms. Stowers and her children were escorted from the Embassy. While the Embassy is not equipped to accommodate overnight lodging by private American citizens, our first concern in all circumstances where an American citizen fears for his or her physical safety is to provide for the physical security of that citizen by ensuring they are lodged in a safe location. Before escorting Ms. Stowers and her children from the Embassy, Embassy officers confirmed that the family would be afforded secure shelter at the residence of the children's grandmother. Embassy personnel drove Ms. Stowers and her children to the grandmother's home and the next day contacted Ms. Stowers to confirm that she was safe. Ms. Stowers stated at that time that she was

fine; she declined the Embassy's offer to arrange a meeting with the Governor's office in Riyadh and indicated she was willing to talk with her husband.

Volume 7 of the Foreign Affairs Manual, specifically 7 FAM 144, provides the following guidance concerning refuge, which Embassy officers in Riyadh and at all other diplomatic and consular posts around the world would attempt to implement upon receipt of a request for refuge such as that made by Ms. Stowers.

QUOTE:

Foreign Service posts may not offer refuge to persons involved in child custody disputes, except as provided in 2 FAM 229.1:

Refuge may be afforded to uninvited persons who are in danger of serious harm, as from mob violence, but only for the period during which active danger continues. With the concurrence of the Department, refuge shall be terminated on receipt of satisfactory assurances from the established national government that the

refugee's personal safety is guaranteed against lawless or arbitrary actions and that the refugee will be accorded due process of law.

A consular officer could, for example, allow an American citizen who is fleeing attempted violence or a credible threat of violence from a spouse or parent to enter and remain at the post for a limited period of time until steps can be taken to arrange police protection, a restraining order, a safe haven elsewhere, or other suitable protection.

Refuge cannot be granted to prevent the execution of the laws or court orders of the host country, even when those laws or court orders may appear to be administered in a manner unfair to the interest of the U.S. citizen.

A parent cannot remain indefinitely at the post in order to prevent the other parent from taking the child or to avoid enforcement of a court order requiring the return of the child to the other parent.

END QUOTE.

DAN BURTON, INDIANA,
 CHAIRMAN

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ONE HUNDRED SEVENTH CONGRESS

Congress of the United States

House of Representatives

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BERNARD SANDERS, VERMONT,
 INDEPENDENT

June 25, 2002

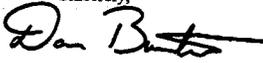
The Honorable Colin L. Powell
 Secretary of State
 2200 C Street, N.W.
 Washington, D.C. 20520

CH Wood

Dear Secretary Powell:

At the Committee's hearing of June 12, 2002, entitled "Should the United States Do More to Help U.S. Citizens Held Against Their Will in Saudi Arabia," the State Department witnesses, Deputy Assistant Secretaries Ryan Crocker and Dianne Andruch, agreed to answer written questions for the record. On June 21, 2002, I sent you a set of questions for the record. Attached are an additional set of questions for the record. Please have the appropriate State Department staff provide written answers to these questions by July 2, 2002.

I appreciate your cooperation with this request. If you have any questions about this matter, please have your staff contact the Committee's Deputy Chief Counsel, David A. Kass, at (202) 225-5074.

Sincerely,

 Dan Burton
 Chairman

cc: The Honorable Henry A. Waxman, Ranking Minority Member

**QUESTIONS FOR THE RECORD
COMMITTEE HEARING
SHOULD THE UNITED STATES DO MORE TO HELP U.S. CITIZENS HELD
AGAINST THEIR WILL IN SAUDI ARABIA
JUNE 12, 2002**

1. What specific steps will the Department of State (DOS) take to resolve the illegal kidnapping of US citizens Alia and Aisha Gheshayan? Please provide an estimated timetable to achieve each step.
2. Are there any other unresolved illegal kidnappings of US citizens who are still residing in Saudi Arabia? If so, please identify each US citizen and the specific steps DOS intends to take to resolve the situation, including an estimated timetable to achieve each step.
3. What is the name of the DOS policy official(s) who directed the US marines to evict Monica Stowers and her children from the US embassy in Riyadh? Please provide a copy of each e-mail, cable or other written instruction for this directive.
4. Are there any other cases where US citizens in similar circumstances were evicted from the US embassy in Riyadh? If so, please identify every such eviction, including the date, circumstances, and any written instructions for such directives.

AMERICANS KIDNAPPED TO SAUDI ARABIA: IS THE SAUDI GOVERNMENT RESPONSIBLE?

WEDNESDAY, OCTOBER 2, 2002

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 10:55 a.m., in room 2154, Rayburn House Office Building, Hon. Dan Burton (chairman of the committee) presiding.

Present: Representatives Burton, Gilman, Shays, Ose, Weldon, Duncan, Norton, Cummings, Kucinich, Watson, and Sanders.

Also present: Representatives Kerns and Berry.

Staff present: Kevin Binger, staff director; James C. Wilson, chief counsel; David A. Kass, deputy chief counsel; S. Elizabeth Clay and Caroline Katzin, professional staff members; Jason Foster and Randall Kaplan, counsels; Blain Rethmeier, communications director; Allyson Blandford, assistant to chief counsel; Robert A. Briggs, chief clerk; Robin Butler, office manager; Joshua E. Gillespie, deputy chief clerk; Nicholis Mutton, deputy communications director; Corinne Zaccagnini, systems administrator; Sarah Despres, minority counsel; Ellen Rayner, minority chief clerk; and Jean Gosa and Earley Green, minority assistant clerks.

Mr. BURTON. Good morning. A quorum being present, the Committee on Government Reform will come to order. There will be more Members showing up here in just a few minutes I hope. Here comes one of our fine Members right now.

Before we start this morning, I want to say a few words about a good friend of ours and our colleague, Patsy Mink. She was not only a valuable member of this committee, she was a very nice lady and she was well informed. She studied the issues and when she talked, people listened. She had a terrible problem. I think she developed chicken pox, which is unusual for older folks like us, and it turned into I guess pneumonia and other complications, and she passed away over the weekend. She was very well liked by Members on both sides of the aisle, and I think everybody on the committee held her in very high regard, and on behalf of the committee, I want to extend condolences to Ms. Mink and her family. This is a very difficult time for all of them, and we will be thinking of them and praying for them and Patsy as well.

Let me get some more formal things out of the way.

I ask unanimous consent that all Members' and witnesses' opening statements be included in the record.

Without objection, so ordered.

I ask unanimous consent that all written questions submitted to witnesses and answers provided by witnesses after the conclusion of this hearing be included in the record.

Without objection, so ordered.

I ask unanimous consent that a set of exhibits relating to this hearing which have been shared with the minority staff prior to the hearing be included in the record.

Without objection, so ordered.

I ask unanimous consent that all articles, exhibits, and extraneous or tabular material referred to be included in the record.

Without objection, so ordered.

I also ask unanimous consent that questioning for Panel III of this hearing proceed under clause 2(j)2 of House rule XI and committee rule 14 in which the chairman and ranking minority member allocate time to committee counsel as they deem appropriate for extended questioning, not to exceed 60 minutes, to be divided equally between the majority and minority.

Without objection, so ordered.

I ask unanimous consent that Congressman Kerns and Congressman Berry, who are not members of this committee, be permitted to participate in this hearing. I believe Congressman Kerns will be back, but he has another hearing, so he may or may not be here. He has some constituents who I think he holds in high regard and who he helped when we were in Riyadh who are here.

Today we are meeting once again to talk about Saudi Arabia and child abduction cases. The last time we held a hearing on this issue it was June. A lot has happened since then. I wish I could report that a lot of good things have happened, but unfortunately I can't.

When I first got involved in this issue and the committee did, all we wanted to do was to try to help American mothers be reunited with their kidnapped children. I was really hoping that the Saudis would work with us to try to fix these problems. Unfortunately, that did not happen, and the more time we spent looking at this issue, the worst things occurred.

On the positive side, President Bush and Secretary of State Colin Powell have started to step up to the plate. One of my biggest concerns has been that over the years the State Department hasn't done enough to help these families. Hopefully, that is going to change.

President Bush met with Prince Bandar and asked him to help resolve these cases. Unfortunately, Prince Bandar didn't pay much attention. I met with Secretary Powell, and he promised to raise the profile of this issue with the Saudis. He called me when one Saudi young lady was freed from Saudi Arabia—she was in Kuala Lumpur, and I think we are going to hear from them today—they were able to get her out. That was covered by 60 Minutes last weekend and we will be talking about that in a few minutes. We are very pleased that our State Department and Colin Powell did the right thing in that particular case.

When we traveled to Saudi Arabia, Ambassador Jordan pledged to us that no American who needs help will ever again be turned away from the U.S. Embassy. That hasn't been the case in the past. We have had Americans go to the U.S. Embassy and been

turned out on the street, the mother to be arrested and the children to be put through hell once again.

These are all good signs. I hope that by working together we can continue to keep the pressure on. We owe it to these families to keep this issue on the front burner and to not let it drift off into obscurity.

On the negative side, the Saudis have really dug in their feet. Today I understand they are meeting with some of our Senators to try to convince them they are doing the right thing and want to help, when in fact it is just the opposite.

The Saudis are not budging an inch. I led a delegation of Congressmen to Saudi Arabia in August, and I was hoping the Saudis would deal with us in good faith and help us to solve some of these cases. Instead, we got disinformation and PR stunts.

I will never forget sitting in a Starbucks restaurant in Riyadh with Amjad Radwan. She is an American citizen. She has been trying to get out of Saudi Arabia her whole life. She was one of the two children led to the front gate by our embassy officials and the marines, back when she was 12 years old, and her father ended up having her married off to somebody when she was 12. She rebelled against that and left, ran away, and now she has been married off again now that she is 19.

President Bush specifically talked to Prince Bandar about Amjad's case and my understanding was that Prince Bandar told the President he would help get it resolved. But in the weeks before we arrived, as I said, she was married off to a 42-year-old man, who has already married—she was taken from her home in the middle of the night, made to undergo painful surgery to reduce her weight. And it is true they gave her an exit visa and passport, but it is also true they put unbelievable pressure on her to stay.

When I talked to her, there were tears in her eyes. She was wearing her abayah. That means she was completely covered from head to toe, except for her eyes. All I could see was her eyes. She was crying, her hands were trembling, and she said over and over again, "I want to go to America, I want to be free," but then she would look at her new husband and say, "but not now."

And what about Pat Roush's two daughters, which we just referred to a moment ago? We told the Saudis that our delegation was going to make an official request when we got to Saudi Arabia, let the girls come to America to meet with their mother. The Saudi Government couldn't even wait for the official request to be made. Instead, on the day we arrived, they sent those two young women to London. They were surrounded by Saudi men and high-priced handlers, and it is impossible to tell if they were speaking their own minds. They were very possibly under a great deal of pressure.

The reason I say that is because we had a young woman testify in June named Dria Davis. She was kidnapped by her father and kept in Saudi Arabia. At one point, she was interviewed by one of our embassy officials. She told them that she was happy in Saudi Arabia and she did not want to leave.

Later, her mother helped her escape and she had a different story to tell, a very different story. She told us that she had to say those things when she was interviewed because she had been told by her father—and she was afraid that her father would beat her

or even kill her. She desperately wanted to leave, but she had been told in no uncertain terms what she had to say, and she said it, and couldn't speak freely.

By the same token, we can't tell if Pat Roush's daughters were speaking freely. Pat Roush never got a chance to talk to her daughters and ask them if they wanted to come to America. I think it is a real shame.

Maybe the Saudis think we are stupid. Maybe they think we don't recognize coercion when we see it. But this much is clear to me: The Saudis wanted to say and do all the right things in public, but behind the scenes, they did everything they could to undermine us.

They even tried to manufacture a story that—if you want to believe this—that I tried to bribe Amjad Radwan with \$1 million if she would come to the United States. First of all, I don't know where I would get that \$1 million. But it is really ridiculous. That is just inexcusable. I was a guest in their country and I reached out to them along with our CODEL to try to work with them. And I get falsely accused of offering a \$1 million bribe. That doesn't speak well of the Saudi rulers.

They also said that they went to the Saudi Foreign Ministry and said if they would offer them more money, she would stay. I will tell you, you don't say that to the Saudi rulers. You end up in the slammer, or getting whipped violently. So the whole story is ridiculous.

I want to play a short tape that I think demonstrates how hard it is to get straight answers about Amjad Radwan. This is from 60 Minutes last Sunday, and the Saudi's main spokesman, Adel Al-Jubeir, is being interviewed. I want you to watch what happens. He is asked a question about this.

[Tape played.]

Mr. BURTON. I just want you to pay attention to that. He said, we did something about it as soon as we found out about it. Immediately.

Well, I don't know what they think about time passing, but 1988 is not 2002. It is 14 years later, 14 years. She is 19. It is incredible that they would lie like that.

In addition to that, I have been watching television the last couple of weeks and they have had their mouthpieces on television all over this country, many of them American officials, American ambassadors that worked for us in Saudi Arabia that are now on the payroll of the Saudis. I want to read you something that Prince Bandar said, "the colorful Saudi Ambassador to the United States, makes no bones about how it works; that is, hiring Americans to speak for them and paying them very well."

The Washington Post quoted Bandar as observing, "If the reputation builds that the Saudis take care of friends that they leave office, you would be surprised how much better friends you have who are just coming into office."

What he is saying very clearly is that we know how to let these people who work for our embassies and who become our Ambassadors, we let them know when they come over there, if they are our buddies, when they leave they can get good fees, \$100,000, \$200,000, \$1 million a year, to be our spokesmen.

It is a pretty good deal. You go over there and work in the Saudi Embassy, and if you are a good boy or woman and you speak the line of the Saudi Government on all these issues, when you leave they will hire you and pay you a pretty good fee. If you don't believe it, just look at what has been on the television networks over the past few weeks. It is unfortunate.

What you saw just a minute ago on the 60 Minutes piece might have been surprising to 60 Minutes, but that is the kind of thing that has been coming from the Saudis the whole time we were looking into this.

Yesterday there was an article in the New York Times. Now, I wasn't a big close friend of the Clinton administration, as many people might know. We had a lot of investigations going on; Ms. Watson knows that and a lot of my Democrat friends like Mr. Waxman knows. But I want to quote two of President Clinton's top antiterrorism aides who just wrote a book, and I agree with what they said.

They said that Prince Bandar, the Saudi Ambassador to the United States, repeatedly lied to the Director of the FBI about the Khobar Tower bombing that killed 19 American servicemen when they were attacked by terrorists. That was their Ambassador to the United States. He lied about that to the FBI, according to Clinton administration terrorist officials.

What is to create any doubt about him and the Saudis lying about these poor women who have had their kids kidnapped and held by them in Saudi Arabia for 10, 15, 20 years, and to say they didn't know anything about it?

Now with these kidnapping cases, we have been given misinformation again. Saudi Arabia is supposed to our ally, and they are running commercials in Washington and running them in my district, saying they are one of our best friends and we can always count on them. And if you believe that, I have got a couple of bottles of salt you can eat.

Now, let's turn to today's hearing.

It is to their benefit that we have a base there, because they are in peril, just like a lot of other people over there. The Saudi family is in peril with some of the radicals in the Middle East, and they need us a lot more than we need them. We used to get about 50 to 60 percent of our oil from Saudi Arabia. Now we get 15 percent. They used to have a huge balance of payments surplus. Now they have a balance of payments deficit. So for us to kowtow to the Saudis, our State Department or anything else, is a terrible mistake, and I think Colin Powell understands that and he is doing the right thing. He helped us get one person out, and I know he will help us with others. And our Ambassador over there said very clearly that no American citizen is going to be denied sanctuary in an embassy or consulate in Saudi Arabia, and that is a giant step in the right direction, and I believe that is going to be our policy elsewhere.

But we must keep the Saudis under close scrutiny. We must not allow them to get away with this sort of thing. We must not allow them to violate U.S. law. If there is a court order giving custody to the mother, and they kidnap the child to leave this country and

take them over there, never to be seen by their parent again, then we need to keep the heat on them.

There's some legislative measures we are going to be talking about. I am going to have Democrat as well as Republican supporters on that, I believe Ms. Watson and I have talked about this and others, and that legislation, which I have also talked to Secretary Powell about, I think, will be very helpful in keeping the pressure on and stopping these sorts of things from happening in the future.

We are not requesting to stop on this. This isn't the last hearing or last thing that is going to be heard about it. I hope if our Saudi friends are paying attention, I want them to know, pardon my English, this ain't going to stop. You are either going to start observing U.S. law and treating Americans as they should be treated, or you are going to suffer the consequences in the public arena.

On September 12, Prince Bandar wrote a letter to the editor of the Wall Street Journal. In the very first paragraph, this is what he says: "some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true."

Today we are going to hear from several families. At the end of the day, everyone can make up their own minds about that statement he made.

Today we are going to hear from six families. I would love to spend a lot of time talking about each one of these cases, but they will tell their stories much better than I can. I do want to mention just a few points.

On our first panel, we are going to hear from Sam Seramur. Sam has her daughter Maha here today. They were separated for 8 years. Sam was reunited with her daughter not because she received any help from the Saudi Government. They were reunited because she staged what I can only describe as a heroic rescue while her ex-husband had the children on vacation in Malaysia, in Kuala Lumpur.

I want to play a short tape once again from 60 Minutes so everyone can see what it is like. I wish everyone in America could see this, so everyone can see what it is like for a mother and daughter to be reunited after the daughter being held in captivity in Saudi Arabia for 8 years. Would you play the tape, please.

[Tape played.]

Mr. BURTON. You know, when we were in Saudi Arabia, I talked to a number of women who were absolutely terrified—and my colleagues on the CODEL, the women were absolutely terrified they would be found to even talk to you as Congressmen. They told us horror stories that I can't repeat in some cases because I am afraid that their husbands might find out and do them bodily harm.

In this case that you just saw there, and that reunification, is something that should take place in I believe hundreds of families where the children are being held captive against their will in Saudi Arabia. Can you imagine the emotion that mothers are feeling? We are going to talk to some of them today whose children are over there and they haven't talked to them for years or even seen a picture or know what their health is. And they have legal custody here in the United States, and the kids were kidnapped? It is just unbelievable.

Let's get back to this case. Unfortunately, Sam still has two children she hasn't been able to get out. I want to ask a number of questions of her daughter Maha today, and want to find out what it is like for young women like Maha and Amjad when they are held in Saudi Arabia for years. I want it to be pointed out that there is coercion. In many, or all cases probably, they are not able to speak their minds. Is there physical abuse? All these issues are going to be discussed.

Finally I want to say a few words about Joanna Stephenson Tonetti from our home State of Indiana. I don't think Brian Kerns is here, but this is a case where she was awarded custody of her children in Indiana. A judge allowed their father to have unsupervised visits with the children. She was very concerned that he might take the kids to Saudi Arabia, so the father was ordered to stay in the United States and not to take the children out of the United States.

The judge in the case even contacted the Saudi Embassy to make sure that they knew that the Saudi father did not have custody of the children and that he was not allowed to leave the country or get passports for them.

So the father said OK, and everything was fine. He took the children immediately when he got them to the Saudi Embassy, got them passports, kidnapped them, took them to Saudi Arabia, and the mother hasn't seen them since. She hasn't even heard from them or about them for 2 years, until Brian Kerns, one of the colleagues on the CODEL with us, went to see the children and was able to take get them on the phone with their mother and take a few pictures. She was very happy to see the kids for the first time in 2 years.

The Saudi Government was complicitous in the kidnapping. I want you to hear that. You heard that the Saudis denied all this. They were involved in the kidnapping. They granted passports to these two kids after a U.S. judge called them or contacted them and told them the children were not to leave the country. So when they say that they are going to be helpful and they are not doing anything to impede bringing families back together or bringing kidnapped children home, it is just a bunch of bull, because here is a case very clearly where they were involved in the kidnapping.

Joanna, as I said, wasn't allowed to talk to her children for 2 years. Congressman Kerns was allowed to arrange for that when we were over there. Her daughter Rose is now 12, and I want to show you a little school project she did back in Indiana when she was 10, 2 years ago, before she was kidnapped. It is hard to read, so I will tell you what it says on each page.

It is entitled, "Proud to be an American" by Rose Al-Arifi.

you get to play in the snow.
 You get to dance and do gymnastics.
 You get to take ballet classes.
 You get to have a cat.
 The women can drive in America.

Now, Rose knew what life was like in Saudi Arabia and she didn't want to go. For 2 years she and her brother and sister have been held against their will in Saudi Arabia. They have not even

been allowed to talk to their mother. There is an arrest warrant out for her father for kidnapping.

Ms. Tonetti, we appreciate your being here today. She was contacted by our State Department and there was maybe some miscommunication there, so I don't want to say the State Department said the wrong thing, but the impression was that she might have a better chance of seeing the children if she didn't do anything publicly about this. So I want to tell her how brave she is to be here today. I am hoping that wasn't the message that was communicated by the State Department, and I don't believe it was. I think it was just a miscommunication.

But the one thing is this: We as Americans must not be intimidated by the Saudi Government, and people who have had their kids kidnapped or being held against their will in Saudi Arabia must not be intimidated by the Saudi Government. We need to keep putting pressure on them until they bring about some changes that will bring these families back together and bring these children back to America, who are American citizens. I am sorry we haven't been able to do much more to help you at this point, but we are going to keep trying.

This is my final point, and I want to apologize to my colleagues for talking so long today, so please forgive me for this. I see one of my colleagues on the CODEL is here and I know he wants to make a point too. The Saudis are engaged in a full-court press right now. They are spending millions on television ads telling us what great allies they are. We could save them a lot of money. If they want to get good publicity, all they have to do is do the right thing, help us resolve these cases, bring these kids home who were kidnapped by their fathers. There are arrest warrants issued for some of those guys. If they return the children to the United States, they will get good publicity, the kind they want, and they won't have to pay a penny for it.

They are also spending millions of dollars on high-priced lobbyists. I mentioned that before. Some of those are former Ambassadors, our Ambassadors to Riyadh. They have gone to work for the Saudis and they make a lot of money.

I have read to you what Prince Bandar said. I think that is just terrible.

I want to thank all of our witnesses today. We will get to them in just a minute. First I want to yield to my colleagues. Since I have a colleague here who was on the CODEL with us who saw firsthand the problems, let me yield to my colleague from Vermont.

[The prepared statement of Hon. Dan Burton follows:]

**Opening Statement
Chairman Dan Burton
Committee on Government Reform
“Americans Kidnapped to Saudi Arabia:
Is the Saudi Government Responsible?”
October 2, 2002**

Good Morning.

Today, we are meeting once again to talk about Saudi Arabia and child abduction cases. The last time we held a hearing on this issue, it was June. A lot's happened since then. I wish I could report that a lot of good things have happened. Unfortunately, I can't.

When I first got involved in this issue, all I wanted to do was try to help American mothers be reunited with their kidnapped children. I was really hoping that the Saudis would work with us to try to fix these problems. Unfortunately, that didn't happen. And the more time we spent looking at this issue, the worse it got.

On the positive side, the President and the Secretary of State have started to step up to the plate. One of my biggest concerns has been that, over the years, the State Department hasn't done enough to help these families. Hopefully, that's starting to change:

- I. President Bush met with Prince Bandar and asked him to help resolve these cases.
- II. I met with Secretary Powell, and he promised to raise the profile of this issue with the Saudis.
- III. When we traveled to Saudi Arabia, Ambassador Jordan pledged to us that no American who needs help will ever again be turned away from the U.S. Embassy.

These are all good signs. I hope that, by working together, we can continue to keep the pressure on. We owe it to these families to keep this issue on the front burner and not let it drift off into obscurity again.

On the negative side, the Saudis have really dug in their feet. They're not budging one inch. I led a delegation of Congressmen to Saudi Arabia in August. I was hoping that the Saudis would deal with us in good faith and help us solve these cases. Instead, we got disinformation and PR stunts.

I'll never forget sitting in a Starbucks restaurant in Riyadh with Amjad Radwan. She's an American citizen. She's been trying to get out of Saudi Arabia her whole life. She's 19 now. President Bush specifically talked to Prince Bandar about Amjad's case. My understanding was that Prince Bandar told the President they would help resolve it.

But in the weeks before we arrived, she was suddenly married off to a 42-year-old man. She was taken from her home in the middle of the night. She was made to undergo painful surgery to reduce her weight. It's true that they gave her an exit visa and a passport. It's also true that they put an unbelievable amount of pressure on her to stay.

There were tears in her eyes when we met. Her hands were trembling. She said over and over again, "I want to go to America. I want to be free." Then she would look over at her new husband and say, "but not now."

And what about Pat Roush's two daughters? We told the Saudis that our delegation was going to make an official request when we got to Saudi Arabia: let the girls come to America to meet with their mother. The Saudi government couldn't even wait for the official request to be made.

Instead, on the day we arrived, they sent those two young women to London. They were surrounded by Saudi men and high-priced handlers. It's impossible to tell if they were speaking their own minds. They were very possibly under a great deal of pressure.

We had a young woman testify in June named Dria Davis. She was kidnapped by her father and kept in Saudi Arabia. At one point, she was interviewed by one of our embassy officials. She told them that she was happy in Saudi Arabia and didn't want to leave.

Later, Dria Davis escaped, and she had a very different story to tell. She told us that she had to say those things when she was interviewed because she was afraid her father would beat her, or even kill her. She desperately wanted to leave, but she couldn't speak freely.

By the same token, we can't tell if Pat Roush's daughters were speaking freely. Pat Roush never got a chance to talk to her daughters and ask them if they want to come to America, and I think that's a real shame.

Maybe the Saudis think we're stupid. Maybe they think we don't recognize coercion when we see it. This much is very clear to me. The Saudis wanted to say and do all the right things in public. But behind the scenes, they did everything they could to undermine us.

They even tried to manufacture a story that I tried to bribe Amjad Radwan with one million dollars if she would come to the United States. That's just inexcusable. I was a guest in their country. I reached out to them to try to work with them. And I get falsely accused of offering a million-dollar bribe. That doesn't speak well of the Saudi rulers.

I want to play a short tape that I think demonstrates how hard it is to get straight answers about Amjad Radwan. This is from Sixty Minutes last Sunday. The Saudis' main spokesman, Adel Al-Jubeir, is being interviewed. Watch what happens.

That may have been surprising to Sixty Minutes, but that's the kind of thing that's been coming from the Saudis the whole time we've been looking into this.

Yesterday, there was an article in the New York Times. Two of President Clinton's top anti-terrorism aides just wrote a book. They said that Prince Bandar, the Saudi Ambassador to the United States, repeatedly lied to the Director of the FBI about the Khobar Tower bombing. 19 American servicemen died in that terrorist attack. According to these former Presidential advisors, the Saudi Ambassador misled us. Now, with these kidnapping cases, we're being given misinformation again. Saudi Arabia is supposed to be our ally. This just isn't acceptable.

Now, let's turn to today's hearing.

On September 12, Prince Bandar wrote a letter to the editor to the Wall Street Journal. In the very first paragraph, he says:

"Some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true."

Well, we're going to hear from several families today. At the end of the day, everyone can make up their own minds about that statement.

Today we're going to hear from six families. I'd love to spend a lot of time talking about each one of these cases, but they'll tell their stories much better than I can. I do want to mention just a few points.

On our first panel, we're going to hear from Sam Seramur. Sam has her daughter Maha here today. They were separated for eight years. Sam was reunited with her daughter not because she received any help from the Saudi government. They were reunited because she staged what I can only describe as a heroic rescue while her ex-husband had the children on vacation in Malaysia. I want to play a short tape from Sixty Minutes so everyone can see what it's like for a mother and daughter to be reunited after eight years.

Unfortunately, Sam still has two children she hasn't been able to get out. I want to ask a number of questions of Maha today. I want to find out what it's like for young women like Maha and Amjad when they're held in Saudi Arabia for years. Is there coercion? Are they free to speak their minds? Is there abuse? Those are all issues we're going to discuss.

Finally, I want to say a few words about Joanna Stephenson Tonetti, from my home state of Indiana. This was a case where she was awarded custody of her children. A judge allowed their father to have an unsupervised visit with them. The father had to stay in the United States. The judge even contacted the Saudi Embassy to make sure they knew that the Saudi father did not have custody of the children and wasn't allowed to get passports for them. But the father took those three children to the Saudi Embassy, got them passports, and kidnapped them to Saudi Arabia. The Saudi government was complicitous in the kidnapping. Joanna wasn't allowed to talk to her children for two years. When we were in Saudi Arabia in August, Congressman Kerns was able to arrange for Joanna to talk to her own children on the phone for the first time in two years.

Her daughter Rose is now 12. I want to show you a little school project she did back in Indiana when she was ten. It's hard to read so I'll just tell you what it says on each page.

Proud to be an American By Rose Al-Arifi

You get to play in the snow.

You get to dance and do gymnastics.

You get to take ballet classes.

You get to have a cat.

The women can drive in America.

Rose knew what life was like in Saudi Arabia, and she didn't want to go. For two years she and her brother and sister have been held against their will in Saudi Arabia. They're not even allowed to talk to their mother. There's an arrest warrant for their father for kidnapping. Mrs. Tonetti, thank you for being here. I'm sorry we haven't been able to do more to help you up to this point, but we're going to keep trying.

I want to make one final point. The Saudis are engaged in a full court press right now. They're spending millions and millions of dollars for TV ads to tell us what great allies they are. I could save them a lot of money. If they want to get good publicity, they should do the right thing. Help us resolve these cases. These children were kidnapped by their fathers. There are arrest warrants issued for some of them. If they return these children to the United States, they'll get all the good publicity they want, and they won't have to pay a penny for it.

They're also spending millions of dollars on high-priced lobbyists. It's been reported in the press that some of our former ambassadors to Riyadh have gone on to

work for the Saudis and make a lot of money. Listen to this quote from Prince Bandar in the Washington Post:

"If the reputation ... builds that the Saudis take care of friends when they leave office, you'd be surprised how much better friends you have who are just coming into office."

I think that's just terrible. That's something we're going to spend more time talking about tomorrow.

Thanks to all of our witnesses for being here today. We're looking forward to hearing each of your stories. I know they're heart-wrenching and difficult to tell.

I yield to Mr. Waxman for his opening statement.

Mr. SANDERS. Thank you, Mr. Chairman, and thank you very much, guests, for being with us today.

As the chairman indicated, I was on the trip with him to Saudi Arabia and I shared the concerns that he has raised and I applaud him for his leadership on this effort.

It seems to me, Mr. Chairman, that there are two fundamental issues as Americans that we should be raising in this process. That is that, first, currently as you know, U.S. citizens are required to relinquish their passports upon arrival in Saudi Arabia. Second, they must apply for exit visas from the Saudi Arabia Government when they want to return home to the United States.

Both of these practices contribute to the difficulties that American women who are married to and have children with Saudi men are experiencing today, and they have wider implications.

We are here today to discuss the Saudi Government's role in keeping U.S. citizens separated from their children, and I would like to broaden that discussion to determine what the United States can and should do to prevent this problem from occurring in the future. Officials in Saudi Arabia tell us that they want to be our allies, that they are our allies, and, if so, their policies which affect American citizens should reflect what allies do. Today, to that end, I make the following suggestions:

Our government should officially request that the Saudi Arabians end the policies that restrict freedom of movement for our citizens. Specifically, U.S. citizens should not be required to surrender their passports when they travel to Saudi Arabia and they should not need exit visas or the approval of the Saudi Government to return home to the United States.

These are two particular policies that play a role in the children custody and abduction cases that we are discussing today.

I want to thank you, Mr. Chairman, and thank our guests and our friends. We appreciate what you have gone through and your courage in the process.

Thank you, Mr. Chairman.

Mr. BURTON. Thank you very much, Mr. Sanders. Mr. Sanders, I think, very clearly points out this is a bipartisan effort. I think we will have very strong support on both sides of the aisle as well as our independents, and Ms. Watson, who is a Democrat. I think we will be able to get some positive things done.

Also on the trip was Mr. Ben Gilman, former chairman of the International Relations Committee. Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman. I know we want to get on to our witnesses today, but I want to commend you, Mr. Chairman, for your tireless heroic efforts on this issue. Had you not raised this initially, I think it would have just lain dormant.

Mr. Chairman, I know you speak from the heart on this matter, because we heard you speak about your own experiences. You also made known your commitment by—we recognized your commitment by watching you in action in Saudi Arabia when we met with the Foreign Minister and with other officials.

I want to let everyone know in this room that the Americans in trouble abroad will always have a strong advocate in our chairman, Mr. Burton. We had a great awakening to the problem when we went to Saudi Arabia and spoke firsthand with some of the families

there. The Saudi Government's Foreign Minister has made a start in his statements to our committee in appointing a commission to look into this.

Well, that is a first step. The American Embassy in Riyadh has certainly been energized by Ambassador Robert Jordan. We know that under Ambassador Jordan's watch, and we hope under the watch of all future Ambassadors, no American children will ever be turned away from our embassy in Saudi Arabia in their hour of need, as did occur in the past.

The key, it seems to me, is to find a way to work with the Saudi Government to minimize the number, hopefully down to total zero, of these incidents of retained or abducted children or situations where women cannot leave the country because they fear they will never again see their children.

We look forward to hearing our witnesses today, and we thank you, Mr. Chairman, again, for conducting this hearing and for looking into this abominable situation.

I yield back the balance of my time.

Mr. BURTON. Thank you, Chairman Gilman.

Ms. Watson.

Ms. WATSON. Thank you, Mr. Chairman.

This issue that the Chair has discussed and outlined so well is an issue that some people even here in our country and in the Saudi Government would like to dismiss as being peripheral: the holding of American citizens in Saudi Arabia against their will. Indeed, as we prepare for war in the Gulf, the plight of these few Americans might seem to pale in contrast to the dangers of war. But this issue cannot be brushed aside so easily.

Saudi Arabia and the United States have been allies for half a century. We have remained allies, despite the fact that our countries have very different cultures and political traditions. In Saudi, women are denied rights that they are both born with and rights that they are guaranteed by the universal declaration of human rights.

During the hearing I am sure we will hear that many of the American women trapped in Saudi Arabia are there by choice, but the reality is that in Saudi Arabia, for women, choice simply does not exist and neither does it exist for their children.

Our Nations, the United States and Saudi Arabia, are bound by shared strategic imperatives. I do not question the value of that relationship. But what concerns me and the rest of us are the moral imperatives that are pressing on this relationship.

We are not here to lecture to Saudi Arabia, but we are here to send a clear and unmistakable message to the Saudi Government: No matter who is in charge in Washington, DC, the American people cannot long tolerate a relationship that militates against the principles on which our Nation is founded.

If the Saudi Government does not solve its problems with providing basic human rights to many in its population, our strategic relationship will be severely strained.

So, Mr. Chairman, I look forward to hearing the testimony. I can't stay long. Like the rest of us, I am conflicted. But I certainly will be hear here to hear from these courageous people.

[The prepared statement of Hon. Diane E. Watson follows:]

MIS. W/18/18007

This issue that

Thank you Mr. Chairman. We are here today to discuss an issue which many people within the U.S. and Saudi governments would like to dismiss as being peripheral — the holding of American citizens in Saudi Arabia against their will. Indeed, as we prepare for war in the gulf, the plight of these few Americans might seem to pale in contrast to the dangers of war. But this issue cannot be brushed aside so easily.

Saudi Arabia and the United States have been allies for half a century. We have remained allies despite the fact that our countries have very different cultures and political traditions. In Saudi Arabia,

women are denied rights that they are born with, rights they are guaranteed by the Universal Declaration of Human Rights. During hearing I am sure we will hear that many of the American women trapped in Saudi Arabia are there “by choice.” But the reality is that in Saudi Arabia, for women, “choice” simply does not exist. *and neither does it for our children.*

Our nations, the U.S. and Saudi Arabia, are bound by shared strategic imperatives. I don’t question the value of that relationship. But what concerns me are the moral imperatives that are pressing on this relationship.

We are not here to lecture Saudi Arabia. But we are here to send a clear, unmistakable message to Saudi Government — no matter who is in charge in Washington D.C., the American people can not long tolerate a relationship that militates against the principles on which our nation is founded. If the Saudi government does not solve its problem with providing basic human rights to half its population, our strategic relationship will be in ~~serious danger~~ *severely strained*.

Mr. BURTON. Judge Duncan, I think you came next.

Mr. DUNCAN. Thank you, Mr. Chairman. Thank you for calling this hearing today and for your continued interest in this issue. I think it says a lot, Mr. Chairman, about your commitment to our country and our fellow citizens that you led a delegation of Members to Saudi Arabia to take a firsthand look at some of these cases that we heard about at our hearing in June. I happen also to have seen the 60 Minutes show, and I listened very closely to the statements you made on Sunday night on that show.

It is unbelievable to me that the Saudi Government keeps denying the fact that there are Americans who are trapped there in Saudi Arabia against their will. This committee heard from witnesses in the June hearing who have suffered tremendous heartache, abuse, and pain because the Saudi Government will not cooperate by letting their family members come home to the United States.

I think what we are hearing is that these stories of those witnesses is just the tip of the iceberg. As you just mentioned a few moments ago, there could possibly be hundreds more cases just like the ones that we have heard about.

If the Saudis really want to be our friends, their actions should match their words. Right now, Mr. Chairman, they do not, as you and some of my colleagues recently experienced firsthand.

In a Washington Times column entitled, "Arabian Nightmare," Joel Mowbray said the Saudi Government ought to free the 15 Americans held hostage, 1 for each of the 15 terrorists they sent us. Of course, as you mentioned, there are far more than 15 being held there.

I think this statement reflects what many Americans are feeling, and that is that our relationship with Saudi Arabia is becoming very, very troublesome to say the least. The witnesses that are here today are prime examples of these problems that continue to plague us.

I hope that these hearings will continue to bring light to these tragic situations and that they will result in effective actions by our State Department and the Saudi Government to let our people come home.

I want to thank you again, Mr. Chairman, for holding this hearing and thank the witnesses for being here today.

Mr. BURTON. Thank you, Judge Duncan, very much.

Mr. Cummings.

Mr. CUMMINGS. Thank you very much, Mr. Chairman.

Mr. Chairman, we meet again today to bring attention and focus to the problem of kidnapped American children living in Saudi Arabia. The committee has reviewed several cases involving U.S. citizens held against their will in Saudi Arabia. These children, because of Saudi law, are not free to leave Saudi Arabia, despite having American citizenship and a custody order from an American court giving the American parent custody.

The question of who retains custody of the children when a couple divorces is a serious issue. In the United States, custody cases are usually decided on the basis of the best interests of the child. However, Saudi law dictates that the father has legal responsibility and custody of his children.

Most custody cases in Saudi Arabia are handled by the Islamic courts. According to the State Department, when these courts decide custody cases, their primary concern is that the child is raised as a Muslim. Saudi courts generally do not award custody of children to women, especially nonSaudi women. Because Saudi Arabia is not a signatory to the Hague Convention, there are no legal standards governing the return of kidnapped children. Custody orders of foreign courts are generally not acknowledged nor enforceable in Saudi Arabia.

It has been argued that cases such as the ones before us are merely child custody issues. While that is true, these cases should also be considered as parental kidnapping or child abduction cases. I believe that shining the spotlight on parental abductions of American children to Saudi Arabia by this committee will bring this issue to the forefront and persuade the State Department to reevaluate its policies.

Many of our U.S. citizens, like the witnesses before our committee today, have tried unsuccessfully to have their children returned from Saudi Arabia. I look forward to hearing from the witnesses who will present their stories about their hardships in trying to secure the return of their children out of Saudi Arabia. I am also interested in hearing from the State Department officials.

Again, I thank you, Mr. Chairman, for holding the hearings, and I yield back.

Mr. BURTON. Thank you, Mr. Cummings.

[The prepared statement of Hon. Elijah E. Cummings follows:]



**Statement of Congressman Elijah E. Cummings
Government Reform Committee
“Americans Kidnapped in Saudi Arabia: Is the Saudi Government
Responsible?”**

October 2-3, 2002

Thank you, Mr. Chairman.

We meet again today to bring attention and focus to the problem of kidnapped American children living in Saudi Arabia. The Committee has reviewed several cases involving U.S. citizens held against their will in Saudi Arabia. These children, because of Saudi law, are not free to leave Saudi Arabia despite having American citizenship and a custody order from an American court giving their American parent custody.

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Thank you for joining us at this important hearing.

Mr. BURTON. I think Mr. Shays was next.

Mr. SHAYS. Mr. Chairman, thank you, No. 1, for holding this hearing. Thank you for going to Saudi Arabia to speak out for children that have basically been kidnapped. Thank you for your courage. I thank this committee for its courage to take on this issue. There have been a lot who have tried to discourage our confronting Saudi Arabia on a number of issues, and this is clearly one of them.

I thank our witnesses for their courage. And just to say that no one can know who will be in charge next year of this committee in terms of Republicans or Democrats, but I think our witnesses should feel fairly comfortable that this is a bipartisan effort and one which you started, Mr. Chairman, but one that will be carried out no matter which party is in power. This is just too important an issue.

I myself want to express my outrage that any American citizen, any American citizen, can walk into a U.S. Embassy and be thrown out and not allowed to stay in the protective custody of our embassy when their lives are threatened and when they have been held captive. I hope and pray we never see that happen again.

Mr. BURTON. Thank you, Mr. Shays.

Dr. Weldon.

Mr. WELDON. Thank you, Mr. Chairman. I will be brief, just to commend you for the work you are doing in this area.

I find it extremely troubling that Saudi Arabia is repeatedly described as being our ally, but yet their government pursues an agenda that I find extremely objectionable.

I know that some of these divorce cases are extremely complicated, but what I find extremely disturbing is in some of these cases, I think particularly one that I have read here, Michael Rives, the children are U.S. citizens, both under U.S. law and Saudi law, but yet the Saudi Government is refusing to cooperate with returning these children to their father.

I am also very disappointed that our own State Department is not taking more aggressive action. I again commend you for the work you have done in this arena.

Mr. BURTON. Thank you, Dr. Weldon.

Mr. Ose do you have a comment?

Mr. OSE. No, thank you.

Mr. BURTON. Thank you very much. I appreciate your being here. There will probably be other Members coming and going. We are at the end of our session and there is a lot going on around here today, so I want to apologize for more Members not being here. I do appreciate the ones who are here.

We will now hear from our witnesses. Our first panel consists of Samiah Seramur, Maha Al-Rehaili—you have to forgive me—Debra Docekal, and Ramie Basrawi. I am sorry about that. As we go through the committee hearing, I will get that down better.

Would you please stand so you can be sworn in.

[Witnesses sworn.]

Mr. BURTON. Let me start with Ms. Seramur. Can you pull the mic close to you and be sure you turn on? We ask our witnesses to try to keep their statements to 5 minutes, but we will allow you a little more time if you need it.

STATEMENTS OF SAMIAH SERAMUR, ACCOMPANIED BY HER DAUGHTER, MAHA AL-REHAILI; AND DEBRA DOCEKAL, ACCOMPANIED BY HER SON, RAMIE BASRAWI

Ms. SERAMUR. Mine is short.

Mr. Chairman, Members of Congress, last month I was graced by God to become one of the privileged few to ever see her American child again, after being held against her will in Saudi Arabia for over 8 years. No words can express how it feels to be able to touch my daughter again, watch her sleep, kiss her goodnight, or see her walking down the street with her head held high.

We thank the Committee on Government Reform for all its concerted efforts to assist American citizens overseas and especially for its efforts to make it possible to bring my American daughter, Maha, home. We also want to thank Colonel Norville DeAtkine, Ambassador Hume Horan, Admiral James Lyons, Secretary of State Powell, and President Bush for the initiatives taken toward resolving the issues pertaining to American citizens in Saudi Arabia.

Last but not least, my daughter Maha and I extend our greatest gratitude to all the Saudi Arabian citizens who risked their lives to assist us throughout all of these years in bringing her home.

We have been asked here today to testify. The core of my testimony is the protection of American citizens overseas, irrespective of political influence, age, or gender. I realize that today's hearing specifically addresses Saudi Arabia, and I am here to tell you the truth about my case, my daughter's heroic escape for freedom and our two heroes left behind.

For over 8 years I have been refused all but limited tape-recorded telephone contact with my three children. The U.S. Department of State attempted to conduct welfare visits, to no avail. Every time I officially requested a welfare visit, and the U.S. Department of State made attempts to visit my children, I was warned by my Saudi ex-husband and certain Saudi officials against getting the U.S. Government involved. When my children informed me that my son was beaten, I contacted the Department of State immediately. They informed me that since my son was alive, it was in his interests that I do not ask them to contact the local authorities to get involved, since the consequences may be even more severe for my son.

This past summer, some Saudi nationals contacted me, fearing for the safety of my children. I was able to establish secret contact with Maha June 17, using Microsoft Messenger. For over 1½ months my daughter and I planned her escape to freedom. On July 3rd, I requested the children's American passports to be expedited to me. I received them in America after August 18th. I notified the U.S. Department of State that Maha and her family were going on vacation to Malaysia and my children were begging me to meet them there, where they could return to America.

The U.S. Department of State warned me against going to Malaysia, stating that I may be accused of kidnapping and sent to prison. I was informed that I would be subject to Shariah law and that other countries such as Morocco or Bahrain would have been all right, but not Malaysia. They contacted me by telephone daily, warning me to reconsider my plans. I refused. They told me tens

of times that I should get an attorney and be prepared for a very long drawn-out Shariah court hearing. I was told numerous times I should have a lot of money and be prepared to pay for lodgings that they would suggest to me should we be prevented from leaving Malaysia.

Both the Department of State and the Malaysian Embassy official told me to inform my children about the fact that they could be returned to their abusive father and that our plans could have very serious consequences. I refused.

The Department of State told me on more than one occasion within a couple of weeks before my departure for Malaysia that they wanted to go meet with the children in Saudi Arabia. I told them that under no circumstances should they contact the children or attempt to contact them in Saudi Arabia on numerous occasions. The Department of State then asked to contact the Malaysian Government on numerous occasions and informed me if they could not contact the Malaysian Government before my daughter attempted her escape, that the escape would not be possible. I informed them on numerous occasions that they should under no circumstances contact either the Malaysian or the Saudi Governments.

I was asked for photos of the children for their passports three separate times, from two embassies and the Department of State. Correspondence was inaccurately forwarded to the parties concerned in Malaysia, to the point when I arrived they had none of the photos or e-mails detailing the abuse suffered by my children. My e-mails were often returned, bounced off the Department of State servers.

I was asked to come to the embassy in Malaysia on three occasions before my children arrived, only to be threatened again to reconsider my plans.

To sum it up, my daughter's heroic escape was one of the worst nightmares any mother could ever imagine, but we pulled through. Now it is time to look back and reflect. We beseech you to use the information from these hearings in a positive way to come up with a solution, a new system with uniform procedures, guidelines, progress reports, checks and balances, a supervisory interagency working group and accountability to protect not only American citizens in Saudi Arabia, but all over the world.

Page one of all U.S. passports reads "The Secretary of State of the United States of America hereby requests all whom it may concern to permit the citizen/national of the United States named herein to pass without delay or hinderance and in case of need to give all lawful aid and protection."

Perhaps it is time those words had meaning. I welcome your questions. We are here to speak the truth.

[The prepared statement of Ms. Seramur follows:]

**STATEMENT OF SAMIAH SERAMUR
BEFORE THE COMMITTEE ON GOVERNMENT REFORM
OCTOBER 2, 2002**

Mr. Chairman, Members of Congress, last month, I was graced by God to become one of the privileged few to ever see her American child again after being held against her will in Saudi Arabia for over eight years. No words can express how it feels to be able to touch my daughter again, watch her sleep, kiss her goodnight, or see her walking down the street with her head held high.

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Mr. BURTON. Well, thank you very much. It is nice to see that your beautiful daughter is here in the United States, safe with you. I can see you are both very happy about that. I think the one thing that you didn't mention and I normally don't do this, but I think to the people, 60 Minutes deserves a real pat on the back, too, for doing what they did. They pretty much guaranteed there wasn't going to be any backing out on this deal.

The admonishment that you just made to our State Department, we have State Department officials here today. I hope you all maybe get a copy, I will give you a copy of this tape so you can show it to the other officials, including Secretary of State Powell over there. There are some recommendations that were just made that ought to be looked at very seriously by the State Department to make sure this sort of thing doesn't happen in the future.

With that, Maha, would you like to say a few words? We would love to hear you comment, if you like. Would you rather wait until questions?

Ms. AL-REHAILI. I will wait until questions.

Mr. BURTON. OK. We have some questions as well for you.

Mr. BURTON. Ms. Docekal, excuse me for not knowing that better.

Ms. DOCEKAL. That is OK. I am just kind of writing about what happened. I came back to the USA in January 1988 with the intention of staying in America with my two children. I had their father's Saudi passport with me, so I thought he could not come to the United States, but he went to his government and told them my children and I were in a bad car accident and were almost to die, so they gave him a temporary passport, and he told me if he did not bring back our children to Saudi Arabia that he would go to prison for many years.

He said to me he would go back for 10 days and make arrangements to come back here and live in Des Moines, Iowa, where he could find a job and see the children. After a lot of thought, I let the children go back for the 10 days. The day he got back to Saudi Arabia, he called me and told me I would never see the kids again. After many phone calls to try to convince him to return the kids, on the last call he told me he was going to make my life a living hell. And he did.

For 14½ years I only got information from my children's grandfather, who always treated me good on the phone in the 4 years that I spent in Saudi Arabia. But I only got little information, how they are doing in school, what grade they were in. Basically little information was given, some due to the language barrier. I talked to my children about 5 years ago, and about a month and a half ago.

In 14½ years I got one letter from my son, 5 years ago, during the phone call when I gave him my address. He sent me some pictures and then they took my address from him, and their father called me and told me never to write letters to my children or call them, because if I did, he told me he would put a stop to it and make threats to me to stop all communication with my children and his father. If I did as he said, he would write and tell me about my children and send me pictures. I got one letter about my children and some pictures taken at the time. The rest of the letters

he sent were mean. And then he stopped all communications, so I knew nothing.

I got a phone call from my best friend in Saudi Arabia telling me—this was in August—that my ex-father-in-law died that day. So I called over to the grandfather's house to say sorry, and my daughter answered the phone. I was so happy, she talked little English and I talk little Arabic, so I told her I loved her and missed her and wanted to see her. She got my son and I talked to him for a long time. He knows English and he gave me his e-mail address and his mobile phone number.

He started calling me and I started calling him, and then we started talking on the computer hours at a time, and I encouraged him to talk to his father and ask him to let him come to see me. He said he was scared to ask him now since his grandfather just died. I told him it was the best time to ask him, because he is under a lot of pressure and not thinking right. And it worked, and my son came to me on August 22, 2002.

He left me as a small boy, 4½ years old, and came back to me as a 19-year-old man. But my 15-year-old daughter Susan is still stuck in Saudi Arabia, 14½ years and counting.

Mr. BURTON. These stories are all heart-rending. Would your son like to make a comment?

Mr. BASRAWI. No.

Mr. BURTON. Then we will go to questions.

Ms. SERAMUR, you had almost no contact with your children between 1994 and 2002; is that correct?

Ms. SERAMUR. Yes, that is correct.

Mr. BURTON. For 8 years. Can you tell us how your children were treated in Saudi Arabia?

Ms. SERAMUR. Well, I think Maha might be able to answer that a little bit better than myself.

Mr. BURTON. Sure.

Ms. SERAMUR. From what I understood, in 1997 there were some teachers in Saudi Arabia and they actually tried to inform me that my children were in trouble and they needed help, they didn't have the clothes that they needed, and that my ex-husband's new wife was treating my daughter very bad and didn't come to—I mean, she was living without a mother in effect, and my daughters were crying every day in school and the teachers were very concerned about them.

So they were trying to get a letter out from my daughter, which they did. They got a letter out, but the children are not treated well over there because—I mean, my son in particular, he is beaten, he is tied up, he is locked up in his room. He is actually in the street most of the time because the family does not live like a normal family.

So, perhaps I can stop at that and let Maha answer.

Mr. BURTON. Maha, why don't you tell us how you were treated and how your brother was treated? Maybe that would give us a better idea.

Ms. AL-REHAILI. We didn't live like a normal family.

Mr. BURTON. Can you pull the mic closer, please?

Ms. AL-REHAILI. We didn't live like a normal family. We didn't eat together. We communicated just a little bit to get around the

house. There was no emotions between us, no love, no affection. I didn't see my father a lot. He was always in his room watching TV. We didn't go out a lot together like a family. My brother was treated badly. He didn't have—his grades weren't that good in school, so my dad used to beat him a lot. My stepmother used to report to him everything we did, just to make him beat my brother or scream at us. We weren't allowed outside the house without permission. We would have a little bit of allowance. My dad wouldn't give us a lot of money. If he did, he would ask us why and what we wanted to do with the money.

I didn't have a lot of contact with my mother at that time, just some phone calls that were recorded. Even with my girlfriends, all the phone calls are recorded and taped. My dad listens to them. I don't know why. Especially for my brother, it is really hard since he is a boy. And my stepmother has 6 kids there, my stepsisters and my stepbrother. It is just not a normal life.

Mr. BURTON. Were you abused yourself?

Ms. REHAILI. Physically, no; but emotionally, yes.

Mr. BURTON. And your brother was beaten quite a bit?

Ms. REHAILI. Yes, he was tied up and beaten and locked up.

Mr. BURTON. Tied up and beaten?

Ms. REHAILI. Yes, and my dad would threaten him always.

Mr. BURTON. He wants to come to America as well?

Ms. REHAILI. Yes, he wants to.

Mr. BURTON. You just have the one brother? You just have the one brother?

Ms. AL-REHAILI. Yes.

Mr. BURTON. And you have another child?

Ms. AL-REHAILI. A sister.

Mr. BURTON. What about your sister, how is she treated.

Ms. AL-REHAILI. She's trying to adjust to the system over there. It's really hard. Over the past 8 years we just tried to get used to the system. We got used to it, just to go on and move on with our life, but we couldn't. We can't live over there.

Mr. BURTON. Does she want to come to America?

Ms. AL-REHAILI. She wants to come but she is afraid that she won't be accepted here.

Mr. BURTON. I am sure she will, and you will be as well.

How about you Mr. Basrawi? How were you treated?

Mr. BASRAWI. It was a bad life. No communication with anyone. You have to stay at home. You have to do what they want—the father ways.

Mr. BURTON. Were you physically abused?

Mr. BASRAWI. Huh?

Mr. BURTON. Were you beaten at all?

Mr. BASRAWI. Yeah. Locked in the room. They think this is the way raising of the children. Make them good in the future by beating and hitting and like that.

Mr. BURTON. Your sister, how is she treated?

Mr. BASRAWI. She treat bad, but no one loves me there. They hated me. I don't know why. But my sister—my grandmother love her; but me, no one loved me or anything. They always away from me. They don't understand with me. I don't know why.

And when he married—my father married my stepmother, she's so bad. She always makes problems with me every day about silly things.

Mr. BURTON. Your sister, did she want to come to America as well but she can't get out?

Mr. BASRAWI. She can't.

Mr. BURTON. Ms. Watson?

Ms. WATSON. It was mentioned about the heroic escape from Saudi Arabia. Can you describe, Mrs. Seramur, how you were aided at the U.S. Embassy? Were you aided? And were there any obstacles in the way for you? I'm a former Ambassador. I was in Micronesia and we had a couple of cases, similar; not kidnapping cases but people who wanted to reach America and were eligible, and we had to really help them every step of the way. So can you clarify for me what kind of help you got and what kind of help you didn't get?

Ms. SERAMUR. I have all the documentation here between myself and the Department of State and it is pretty heavy file—maybe 2 weeks that I was on a regular basis, we were sending e-mails back and forth. But when I first mentioned it to them that I was going to get my children, I was told to reconsider my plans because it wasn't Bahrain or Morocco, that Malaysia was a different kind of country. And they said, "we would be asking them to basically make an exception to two Malaysian laws. Our government can't ask for any more favors."

So actually I was discouraged from going over there to get my daughter from the time I mentioned it to the end. And even when I went to the embassy in Malaysia, I was told that—they said that it's irrelevant whether your daughter—whether your children are American citizens. I was told—I was screamed at and told that I didn't understand the seriousness of what I was going to do. And I was—they asked several times to contact the Malaysian Government and I said no, because I was afraid. They said the Malaysian Government and Saudi Government are good friends and therefore we have to contact them before so they don't tell the Saudi Government. I said well, if that's the case, then they're more likely to tell the Saudi Government. I mean, before they're good friends.

Ms. WATSON. Let me just interrupt you a minute. I am appalled at the treatment and the screaming and yelling at you, because it is the responsibility and the authority to assist any American citizen that comes to your embassy, and I don't care where it is. And so if you have that documented, I would like it to be given to the Chair because we need to question the State Department. As an ambassador, you're there to oversee what happens to Americans in the host country. And if they weren't helpful to you, I think they have violated their authority and we should followup on that.

Ms. SERAMUR. Excuse me ma'am. The Ambassador herself was fantastic. She helped me through—I mean from the time I met with her on the third occasion I went to the embassy, she was very, very nice, very understanding. It was not the Ambassador who had harassed me. It was the consular at that time. But then the Ambassador apologized for it, stating that he was new there and he had only been working for 1 year and this was all new to him. And

she said she was very sorry for what happened, and he felt sorry about it after.

Ms. WATSON. I hope he's no longer there.

Ms. SERAMUR. But it was really, really—they wanted to contact my children also in Saudi Arabia before it happened and they wanted to go to the house in Saudi Arabia to take pictures of my children, and it was just horrendous. I had told them on repeated times that they couldn't approach my children in any way because it was a life-threatening situation for them. So they kept asking me are you still going to go through with this? Are you still going through with this, to the point that the telephone harassment became so severe that emotionally I was trying to keep my daughter on—the Internet at night—strong and still going, because she wasn't eating, she wasn't drinking. And at the same time I had the State Department all day harassing me about what I was going to do.

So it got to the point where I had to tell them, please, no more telephone. If you want to say something, by e-mail only.

Ms. WATSON. The consuls that are located in the embassies are—they have the authority to give out visas etc. And sometimes they act independently. And I am pleased to know that the Ambassador herself followed protocol. And I would still like to get something in writing to the Chair, so there are implications and indications for our consuls that are located in the embassies, too. The final authority rests with the Ambassador.

Mr. BURTON. Thank you, Ms. Watson. What we would like to do is get the documentation that you have to us to make copies of it. We will. And then we will send a letter of inquiry to the State Department asking them about each one of these issues. To try to make sure that if there is a policy—I mean, if somebody who is a career diplomat over there said what you wanted was irrelevant, and you're an American citizen, if you got their name I sure would like to have it, and we will find out how relevant they are and bring that to the attention of the State Department, because that shouldn't happen, as Ms. Watson said. She knows. She was a former Ambassador herself.

Ms. SERAMUR. They kept insisting on interrogating my daughter or my children after I had already provided them with all of the evidence, which were written e-mail statements from my daughters, etc., but they still wanted to interrogate them.

Mr. BURTON. After they got out?

Ms. SERAMUR. During our escape. When we were at the embassy they insisted on interrogating them, and I said not unless you have a medical profession. And she refused to be interrogated until she was on a plane home.

Mr. BURTON. Let Maha speak for herself today.

Mr. SHAYS. The only question I have is tell me the most helpful thing our embassy did to help either family.

Ms. SERAMUR. They gave us a new passport.

Mr. SHAYS. And what was the most difficult—what was the most helpful thing the embassy did for you?

Ms. DOCEKAL. The only helpful thing they did for me was, well, I called David Kass because Ramie's father was only going to let him out of the country on that date, and if he didn't get out he

wasn't going to let him have another chance. And his passport, we didn't know where it was and he needed it that day.

And I called you, David—no, you called me, because I couldn't find your number—and told him the situation if he doesn't get the passport in his hand, and they said it was going to take 2 weeks and his flight was leaving before.

Mr. BURTON. This is David Kass. The good-looking guy with the beard.

Ms. DOCEKAL. He had called me the next day and Ramie got his passport 45 minutes before I left to New York to go pick him up, and he got it that day a few hours before he left Saudi Arabia to come to America. And I thank David Kass for it. But the State Department has done nothing. I feel like I have been alone. No help whatsoever.

Mr. SHAYS. Your testimony is they have really done nothing to help you.

Ms. DOCEKAL. I found out my kids were coming to the States about 5 years ago. And they told me if you ever find out from a friend your kids are coming into America, let us know. We will trace their passport. This is when it first happened.

Five years ago, I heard from a friend that they were coming to Disney World or Disneyland. I called them and said I think it's 90 percent true they are coming to the States. And the man in charge at that time of the kids overseas in Saudi Arabia, he told me that he would be breaking jihad's privacy act if he traced their passports; that he couldn't do it. And my kids did come to Los Angeles for a month-and-a-half. And in all reality, I think my government should have done something. I have rights over my kids, too. Could I not have broken his privacy act? But they were minors.

Mr. SHAYS. What was the most hurtful thing your government did? What was the most disappointing thing that your government didn't do or did?

Ms. DOCEKAL. I just feel like my government didn't help me in any way. They took these kids that are kidnapped—I call them kidnapped over there—and sweep them under the table and don't want to do anything for us.

Mr. SHAYS. Was there any one contact, one memorable moment that hurt you the most?

Ms. DOCEKAL. That one, when the guy told me he could not trace the passport because it was jihad's privacy act. That really hurt me because I'm their mother and they are minors.

Mr. SHAYS. What was the most hurtful experience you had with your own government?

Ms. SERAMUR. I was locked up and imprisoned in a room, and I broke through this cement wall in Saudi Arabia, in our villa. And I slowly hammered through the cement wall and got the telephone lines for the neighbors' villa which is connected to ours, and I put together my own telephone so that I could call over a period of several days, months, so I could call the American Embassy.

And I called the American Embassy and I told them I needed help. And they said, well, we're not a hotel. What do you expect us to do? But they said we can give you a list of attorneys if you can get down to the embassy.

Mr. SHAYS. Thank you. Thank you, Mr. Chairman.

Mr. BURTON. This is pretty damning on the State Department. I think one of the things that Ms. Watson just suggested is we ought to have some kind of a committee at the State Department that reviews these cases and that career diplomats over there who may have been—what do they call it when somebody has been in a country so long they become—they go native—where State Department officials go native and think that the government in question is more important than U.S. citizens. Maybe we ought to have a review panel to make sure that we set them straight and put the American citizens' interests first.

Ms. SERAMUR. The Saudi government says that it acts quickly to solve these cases once they learn about it. Is that true?

Ms. SERAMUR. No, it's not.

Mr. BURTON. You and Maha planned for Maha to escape for a—while she was on vacation with her father in Malaysia. Why did you wait until she was in Malaysia?

Ms. SERAMUR. Because we knew if she went to the American Embassy that there might not be any way they could assist us. U.S. Department of State told me that if—they said if it was any other country but Saudi Arabia it would be OK. So that's why when she—

Ms. AL-REHAILI. Well, in Saudi Arabia whatever your mother is—her nationality—you're Saudi because your father is Saudi. Over there I wasn't American; I was Saudi. Everybody would tell me that. And I knew if I went to the American Embassy they wouldn't help me. Everybody told me that.

Mr. BURTON. Well, if you're born of an American parent, whether you are in some other country or the United States, you're an American citizen. And our embassy should know that and should make sure that you're protected. And I think maybe we ought to admonish the State Department to make sure in the future that they help American citizens get back to the United States, as the passport says, if there's any way possible to do it.

Now I know that they run the risk of becoming persona non grata and that some of our embassy officials may be sent out of the country if they participate in helping. I think that's probably true in Saudi Arabia and Malaysia as well. But that's a risk our State Department should take. They should say, look, American citizens come first and I am here to help American citizens. And they help a person out of a country who is held against their will and they are excommunicated from that country and sent back to the United States, we ought to give them a medal. We ought to give them a raise, because they're protecting American citizens. And we ought to hold that country—we ought to hold that country responsible for the pain that they've been inflicting on American citizens.

And I hope the people here from the State Department are listening to that. Their responsibility first is to American citizens. And if it means they help an American citizen get out and they have to be punished for it by being kicked out of that country, then so be it. We'll find another job for them. Come see me. We'll see what we can do to help you.

The State Department had Maha take pictures of herself, brother, and sister so they could make passports for them. Could you ex-

plain the risks that she took and whether those pictures even ended up being used?

Ms. SERAMUR. Well, first I was asked by the embassy in Malta where I was for the photographs of all my children so they could be sent to Washington to have pictures for their passports made out of those photos. And it resulted in Washington or whoever the Maltese Embassy was communicating with, that the son of my son Faisal was a little bit to the side. So they said we really need a better photo, Faisal's photo is no good. So I said, OK, I will ask Maha to take another photo with his face facing more forward for you and closer to the camera.

So Maha risked her life taking better photographs of her brother, sneaking in, finding a digital camera, taking these photographs. And then when I sent the photos back to Malta, then I was contacted by the Department of State and they said we need photographs of all the children. And I said well, I sent them to the Maltese Embassy and they said they were forwarding them per your request. And they said we never received them, can you please send them yourself?

I sent them the same day, all the photographs again of my children. And then when I got to Malaysia, the first thing that the consul in Malaysia stated was that, well, where's all the information? I have nothing. I have no photographs of your children and I have no e-mails. And he asked me to go somehow find whatever I could find, because I didn't bring anything with me, it was too dangerous for me to be carting all those things around with me under the circumstances. I didn't want anybody to know what I was doing there. But I guess apparently the State Department told me that they had had the wrong e-mail address.

Mr. BURTON. You know, I can't believe that the State Department that works for the U.S. Government—I don't believe that's being inept; I think they just deliberately didn't send those pictures over there. You know, they set up every impediment they could possibly set up to keep you from getting your daughter back to the United States.

I think that's tragic. The State Department, there's going to be some heads rolling over there. Where are the State Department people here? Are you guys listening to this? Jesus Criminy.

Let me see, what do you have here? Do you have some questions that you would like to ask? Maha, the whole time you were gone, did you want to come back to the United States?

Ms. AL-REHAILI. Yes. All the time.

Mr. BURTON. While you were living in Saudi Arabia, were you free to tell your father that you wanted to come back to America?

Ms. AL-REHAILI. No. My sister once told him she wanted to come to America, and he locked up the doors, took away the phones, wouldn't let her out of the house.

Mr. BURTON. Put her in prison.

Ms. AL-REHAILI. Yes.

Mr. BURTON. Your mother said when you took pictures of your brother, you were endangering your life. Do you think your father would have hurt you if he had known you were taking the pictures and sent them to your mother?

Ms. AL-REHAILI. Yes, he would have.

Mr. BURTON. What do you think he would have done?

Ms. AL-REHAILI. What he always does. He takes away anything we like, the stereos, the phone. We can't see our friends. Just go to school and come back. Don't go anywhere. We were locked up in the house.

Mr. BURTON. Do you think that other young people, especially women being held in Saudi Arabia, are free to speak their minds?

Ms. AL-REHAILI. No, they're not.

Mr. BURTON. Especially if they want to come back to the United States, they're not able to say that?

Ms. AL-REHAILI. They're threatened.

Mr. BURTON. With physical harm.

Ms. AL-REHAILI. Physical harm, emotional.

Mr. BURTON. Ramie, how about you? If your sister said or you had said you wanted to come back to America, what kind of response would you have had from your father?

Mr. BASRAWI. My sister want to come here, she can't.

Mr. BURTON. If she said to your dad, I want to go to—

Mr. BASRAWI. I said that to him. He started to like cry and if you don't care, he start to scream many times.

Mr. BURTON. Did he physically abuse you, hit you ever?

Mr. BASRAWI. No. Just sometimes, not all the time.

Mr. BURTON. He did hit you sometimes?

Mr. BASRAWI. Yes.

Mr. BURTON. Does your mother have something she would like to say?

That's all you have to say?

Mr. BASRAWI. Yeah.

Ms. DOCEKAL. I do have something I want to say. I am able to talk to my daughter now through the help of Ramie, because he knows where she is at what time and she can answer the phone. So I talked to her 2 days ago.

Mr. BURTON. Does the father know about that?

Ms. DOCEKAL. No, and she don't want the father to know because she's scared. She wants to come back. So we have a certain time we call her where—she sits by the phone and waits. But you know, there's the language barrier between me and her. I can tell her I love her and miss her and want to see her all day, but I can't tell her my inner emotions of how I feel about her. And 2 days ago she gave me a kiss on the phone for the first time in 14½ years. She is scared to death. She don't go to her father and ask him anything. She has no rights. And like him, he stayed in his room the whole time. And now without him, she has nobody, and that's even harder on me. I want him here, but she also now lost the only thing she was secure with, her brother.

Mr. BURTON. Maha, right before you went to the U.S. Embassy in Malaysia, you recorded a statement saying if you were forced to go back to Saudi Arabia you would kill yourself. Can you explain why you felt so strongly about leaving?

Ms. AL-REHAILI. I was dreaming about it for the past 8 years. And I planned for this with my mom on the computer for a couple of months before. And I was really—I put all I had in it, and I risked my life in getting onto the computer every night and communicating with her, sending her pictures. And she called me at

my friend's house sometimes. And when you think about it for 8 years and you just have the chance to do it, you just do it.

Mr. BURTON. You were just depressed about not getting out.

Ms. AL-REHAILI. Yes.

Mr. BURTON. You know, I think I've already covered this, but I'll ask one more time. A lot of people have never been to Saudi Arabia and they don't understand how difficult it is for children or women to get out of Saudi Arabia. Can you explain just a little bit about why it's so difficult and why we ought to understand it better?

Ms. AL-REHAILI. How we can't get out of Saudi Arabia? We have to get permission from our guardian, father or husband. And my father wouldn't grant me that permission in any way.

Mr. BURTON. And if you ask, many times you're punished for that?

Ms. AL-REHAILI. Yes.

Mr. BURTON. Mr. Berry, do you have any questions?

Mr. BERRY. No, thank you, Mr. Chairman.

Mr. BURTON. I have to ask some other questions for the record, and if my colleagues want to ask questions all you have to do is let me know.

You lived in Saudi Arabia for several years. Can you—and you know how women are treated there. You know about the abaya and all that sort of thing. Can you tell us what your daughter Suzanne's life is like?

Ms. DOCEKAL. Ramie would probably know more what her life is like there, but my life was a living hell. You know, you come as an American. And when I met my husband, he fell in love with me as an American and treated me like an American. But when I went to Saudi Arabia everything changed. I was treated like an Arab woman and he started acting like an Arab man. And basically you are in prison in your home. You have no life. And like the lady you're talking about—and I won't mention her name—I know who you talked to in Saudi Arabia, and actually she's married to my ex-husband's cousin.

Mr. BURTON. Wait. Wait. Wait. I don't want you to go into any details. I don't want you to go into any details. And if that's known, I think she's told me—and I know about her physical condition—she might be in great physical jeopardy. Don't mention about any connection you have with her or anything, OK?

Ms. DOCEKAL. But it's no life for a girl there.

Mr. BURTON. Is that a live feed going out of here?

Ms. DOCEKAL. I would say in Saudi Arabia there is no life for the woman at all, or for the daughter. And the boys have a life. They're free. But for us, it's just like going and living in hell.

Mr. BURTON. Do you think your daughter or your other children can get out of Saudi Arabia now without the help of our government?

Ms. DOCEKAL. No.

Ms. SERAMUR. Yes.

Mr. BURTON. You think they can get out without the help of our government?

Ms. SERAMUR. They will risk their lives doing it, but I mean, if the governments don't help us, we don't have a choice.

Mr. BURTON. In other words, you're talking about finding a connection like you did with your daughter and literally smuggling them out.

Ms. SERAMUR. Well, I mean the Saudi citizens, they feel for the American citizens who are being abused over there without any support system. So it's the Saudi citizens, you know; some Saudi citizens were contacting me and trying to assist us.

Mr. BURTON. There are people in the country that want to help you.

Ms. SERAMUR. There are Saudi citizens who are trying to help these Americans out of the country.

Mr. BURTON. That's not unlike that movie, *Not Without My Daughter*. Did you see that movie? You remember there were people in Iran that helped get that child out of that country?

Ms. SERAMUR. Right.

Mr. BURTON. But our government has not been very helpful and you can't—you felt like you couldn't count on them?

Ms. SERAMUR. No.

Mr. BURTON. Is that what you felt, too?

Ms. DOCEKAL. No. I felt that way, too.

Mr. BURTON. I have some other questions—do you think that your daughter will ever be able to come back unless you find some other way to do it? Do you think your daughter will ever be able to come back with the help of our government being forceful and putting some pressure on the Saudis?

Ms. DOCEKAL. I don't think her dad will ever let her come back. He told me when she grew up someday like Ramie, he would tell her where I am. But the girls are too scared. And even Ramie when he came back, he said the same as her, I'll kill myself if I have to go back.

Mr. BURTON. I looked at women and children over there that had tears in their eyes and were trembling. I know what you're talking about.

Ms. DOCEKAL. So, no; I feel without either of us doing something on our own, I don't feel like if our American government doesn't do something, we won't get her out. Especially now that Ramie is here, that is going to make her dad more mad and retaliate.

Mr. BURTON. I hope—well, I hope that doesn't happen and I hope that our embassy people over there will do everything they can to help. You know, the one thing that our Ambassador promised me personally was that he would never turn away an American citizen from an embassy or consulate as long as he was the Ambassador. And if there is a threat to American citizens over there, they should know that commitment has been made by our Ambassador; that American citizens will be safe, have a safe haven in our embassy and consulate. And if there's anything different than that goes on, then there will be hell to pay about that. Once they get to that the embassy they're supposed to be protected.

Are there any other questions that we need to ask of this panel? We will have some other questions that we will submit to you that maybe you can answer in writing.

I want to tell you we really appreciate you being here today. We appreciate both the young people who are here today, and we are

very glad you're in America and you're free, and hopefully we'll be able to do something to help other people like you in the future.

Our next panel is Joanna Tonetti and Margaret McClain, Michael Rives, and Maureen Dabbagh. Would you please come forward and approach the witness table?

And I understand Representative Berry would like to introduce Mrs. McClain. So as soon as we swear them in, I'll let you do that. If you have any notes that you would like to give us, we'll copy them for you so we have a record and we can forward that to the State Department. If you have information you want to give us, we will followup with it.

Ms. Tonetti, Ms. McClain, Mr. Rives, and Ms. Dabbagh, would you please come forward? Sorry you had to wait so long but we want to make sure we cover this very thoroughly so we have all the answers. Would you please stand and raise your right hand?

[Witnesses sworn.]

Mr. BURTON. Ms. Tonetti, we'll start with you. Do you have a statement you would like to make? You need to pull the mic close and turn it on.

STATEMENTS OF JOANNA STEPHENSON TONETTI, MOTHER OF ROSEMARY, SARAH, AND ABDULAZIZ AL-ARIFI; MARGARET McCLAIN, MOTHER OF HEIDE AL-OMARY; MAUREEN DABBAGH, MOTHER OF NADIA DABBAGH; AND MICHAEL RIVES, FATHER OF LILLY AND SAMI RIVES

Ms. TONETTI. I would first like to thank Chairman Burton and Congressman Brian Kerns, who isn't here right now. I must say that I am extremely proud that these two distinguished members of the committee are from the great State of Indiana where I'm from. For 2 years I heard nothing from my three American children. That was until Congressman Kerns was able to facilitate the first and only contact I have had with my three children, at 6 in the morning.

My name is Joanna Stephenson Tonetti and I'm from Terre Haute. I am the mother of three children who were abducted by their noncustodial father to Saudi Arabia 2 years ago. My marriage to my ex-husband lasted 7 years, producing three beautiful children: Rosemary Helen who is now 12; Sarah Frances who is now 10; and Abdulazia who is now 7.

My ex-husband, Abdullah Al-Arifi, had been in America for approximately 18 years on various student visas at the time he stole my children. One year before he took the children, he left the country, at which time the INS barred him from returning into the country due to several serious violations of his visa. He was nonetheless allowed back into the country and once again given another visa to stay, and that summer he abducted my children.

Throughout the divorce, which lasted almost 2 years, I continuously voiced my concerns that my ex-husband would take my children. As a precautionary measure, the presiding judge ordered my ex-husband to turn over all passports for the children and ordered him not to have any new passports issued.

In a further measure to attempt to secure the safety of my American children, the judge gave notice to the Saudi Embassy they were not to issue new passports to my ex-husband. Copies of the

final divorce decree were mailed to the Saudi Embassy and all other Saudi offices in the United States. It is all too apparent that the Saudis disregarded the decree and court order and issued new passports to my ex-husband, making them knowing and willing accomplices in the abduction of three American citizens. Not only do the Saudis hide, harbor, and shelter criminals, they also aid and abet them.

For 18 years my ex-husband lived in the United States. He enjoyed our freedoms and our way of life. He openly expressed his love of this country and all that it stands for. He professed how much better our way of life was compared to Saudi Arabia's. He attended several universities during his 18-year stay, but was unable to attain a degree. Now he hides behind the laws of a country that he barely lived in during his adult life and openly disdained during his life in America.

Rosemary, Sarah and Z are beautiful American children. My oldest daughter was a terrific student and loved by everyone in her class. Excuse me if I cry. She loves to play tennis and softball and to swim. She was a Girl Scout and she's my best friend. I still receive phone calls from her friends wanting to know when she's coming home. Rose met Miss America during her third-grade year and it became her dream to someday become Miss America herself. Now that dream is locked behind veils and abayas.

Sarah played softball and was my bookworm. She was bright and funny and incredibly intelligent. She was also a Girl Scout and was very much loved by her classmates and teachers. She's the master of all things computer related, and managed to make me feel about 20 years older than I really was.

My baby is my son Z, and he is my little boy who loved to play football but could never figure out which direction to run. Parents would cringe when he took the field. He loved to fish and to swim and to play and anything involved hitting another player. Every night he would cuddle up in my arms and asked how many times I loved him. I knew this was a delay tactic to avoid going to bed, but I bought into it every time.

Now my arms are empty and no little boy counts my kisses or my love. No more Girl Scout meetings. No more tennis matches or softball games. Only memories of three lives lost behind a Saudi sword. The absence of my three children has left an incredible void in my heart and in my life. I miss the laughter, the kisses, and the feel of their arms around my neck.

One month before my children were taken from the only home they ever knew, I had reached the end of my rope. My ex-husband had drug me into court on almost a weekly basis. I had been to the edge emotionally and financially. On the way home from picking up the children from school, I broke down into tears. I couldn't take it anymore. I asked my children what they wanted, and my oldest daughter spoke up first. In a quiet voice she said the words I still hear today: "Oh, Mommy, please don't give up. Don't ever give up." Sarah then added, "Mom we want to stay with you." And my son just smiled at me with a smile that said more than words.

Ladies and gentlemen, it's hard not to give up. I have turned for help from every source I can think of. There is not one politician that I have not written and begged for help and in return received

silence. Up until a few months ago, nobody cared about my three American children, and I suppose when this is all over and dust settles things will go back to the way they were. You will all go home to your families and your lives, new causes will come along and thoughts of American children trapped in Saudi Arabia will fade.

So who will move a mountain for three children? Who will salvage their childhood when there's still time left? Who will bring them back to the only home they ever knew or wanted? Thank you.

[The prepared statement of Ms. Tonetti follows:]

Joanna Tonetti

I would first off like to thank Chairman Burton and Congressman Brian Kerns. I must say that I am extremely proud that these two distinguished members of the Committee on Government Reform are from the great State of Indiana. For two years I heard nothing from my three American children, that was until August 30th when Mr. Kerns was able to facilitate the first and only contact with my children since their abduction to Saudi Arabia on August 15, 2000.

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childhood while there is still time left? Who will bring them back to the only home that they ever knew or ever wanted.

Thank you.

Mr. BURTON. Representative Berry would like to introduce Ms. McClain. Mr. Berry.

Mr. BERRY. Thank you, Mr. Chairman, and I want to thank you for allowing me to address the committee in order to introduce a constituent of mine, Mrs. Margaret McClain. I also want to thank the committee and you for your leadership on this issue. The committee's efforts have gone a long way toward shedding light on this enormous problem.

The testimony we are hearing here today leaves no doubt as to how much of a problem it is and that something needs to be done about it. It saddens me a great deal that these hearings are again necessary, but I hope that what is said today is heard by both the Saudi Government and our own State Department.

This past July, Ms. McClain saw her daughter Heidi for the first time in 5 years. During those 5 years she fought tooth and nail with both the United States and Saudi Government to do whatever it took just to visit her daughter. Ms. McClain does not know when she will see Heidi again; which begs the question, at what point do we make the goal of her case not just visitation but the permanent return of Heidi to her mother?

Along with Ms. McClain, I too urge the State Department to shift its efforts from just locating abducted children to actually bringing them back home. As a father, I cannot begin to understand the grief that Margaret McClain has gone through. However, I do understand the determination she has and the lengths she will go to be with her daughter.

As part of the evidence submitted to the committee today, there is an account of Margaret McClain's brief visit with Heidi last July. After the visit, she was asked if everything she went through was worth seeing Heidi for just a short period of time. Unhesitatingly, she said yes.

Margaret McClain has demonstrated she will do whatever is necessary to be with her child and has shown admirable resolve in her fight to get her daughter back. We owe her our best efforts to bring Heidi back to the United States of America. And with that, I introduce to you Margaret McClain.

Ms. MCCLAIN. Thank you Mr. Berry.

Chairman Burton and members of the committee, I thank this committee for giving me the opportunity to speak for my daughter, Macheal Heidi Al-Omary, who has been a hostage in the Wahhabi Kingdom of Saudi Arabia for over 5 years. She was kidnapped in 1997 at the age of 5, and is now 10 years of age.

Last week our whole Nation cheered as a group of American and foreign children were rescued from the missionary school in the Ivory Coast. According to Fox News, on September 25, 2002, this rescue was a State Department operation. Yet apparently the Wahhabi terrorists who hold American children hostage in Saudi Arabia are the untouchables.

This situation must change. The kidnapping of American children to Saudi Arabia, contrary to what the State Department and Ari Fleischer at the White House have claimed, is not a private custody matter. It is Saudi Wahhabi terrorism, pure and simple, a jihad against defenseless American children.

These terrorist acts against our children are being committed with the full knowledge and even complicity of the Saudi Embassy in Washington, the Saudi consulates, the Saudi Royal Family, Saudi Arabian Airlines and Saudi government officials.

In December 1989, Abdulbaset Ahmed Mohammed Al-Omary and I were married in a civil ceremony. He was a citizen of Saudi Arabia but immediately began pressing me to sponsor him for a green card, which he easily obtained.

Our daughter had been born in Jonesboro, Arkansas in 1992. I became subject to mental and physical abuse, suffering several broken bones and a miscarriage due to Al-Omary's beatings. Meanwhile, he began to abuse Heidi as well. On one occasion I was getting ready to take my daughter to a day-care center when Al-Omary blocked me in and began karate kicking the car window next to Heidi. I feared he'd shatter the glass and blind his own child. He was totally out of control. And I determined that the only way to save my child's life and mine would be to get out of this marriage from hell.

In 1993, I finally found the courage to have this Wahhabi fanatic thrown out of my house. When it became clear that the marriage was doomed, I knew that Heidi would be kidnapped. I tried to protect my child by requesting supervised visitation, which was denied. Unfortunately, I had not been devious enough to tape-record conversations in which Al-Omary had flatly stated that he would not allow his child to grow up in the United States and that if I ever divorced him, I would never see her again.

In 1994, I wrote to the Embassy of Saudi Arabia and its consulates to notify them that I was Heidi's legal custodial parent, enclosing certified copies of Al-Omary's and my divorce decree in which Al-Omary agreed to all terms and accordingly affixed his signature.

I am including as an exhibit a photocopy of the notarized Arabic translation of these documents, authenticated by the State Department, bearing the signature of Madeleine Albright.

In my 1994 letter to the Saudi Government, I stated explicitly that Heidi did not have my permission to travel to Saudi Arabia, that she was not be issued travel documents of any kind in her name or in any alias, and that she not be included in the travel documents of any Saudi citizen. I have submitted both a copy of the 1994 letter with my notarized signature as well as registered mail receipts.

Then in 1995, becoming more desperate as the result of increasingly bizarre behavior and more threats by Al-Omary, I sent handwritten letters to the Saudi officials, this time to Ambassador Bandar bin Sultan at the Saudi Embassy and the CEO of Saudi Arabian Airlines. These letters along with registered mail receipts comprise exhibit No. 4.

I informed Saudi Airlines that a court decision precluded my ex-husband from taking my child out of the State of Arkansas without my permission and named one of their flight attendants, my ex-brother-in-law, Samir Jawdat, and Al-Omary's American wife, Jayne Brussell Smith, as potential co-conspirators.

Al-Omary's Saudi wife, Wafa Al-Dugail, had already been summarily sent home after Al-Omary's bigamy was exposed. Pursuant

to a 1995 court order Al-Omary asked the Saudi Government to provide documentation that they would recognize and enforce this court's jurisdiction with regard to legal custody. According to Al-Omary the Saudi Embassy refused because they did not recognize U.S. law.

To this day, the Government of Saudi Arabia has never answered any of my communications regarding their culpability in Heidi's kidnapping. Steeped in Wahhabi Islamocentrism, the Saudi Royals and the majority of their subjects truly believe that a female should not be able to travel, drive, go to school, marry, or make any major decisions without the permission of her closest male relative.

The Saudis have no intention of returning my child because I am a mere female, a mother, a Christian and an American. The Saudis practice sex discrimination, religious persecution, and discrimination based on national origin. While the Saudis and their lobbying groups in the United States, most notably the Council on American Islamic Relations, constantly cry discrimination, they themselves are the most flagrant violators of human rights on Earth. That is the same Islamic lobbying group that forced the State Department to take down its marriage-to-Saudis warning from the Web page and replace it with a kinder, gentler version, which I have included, thus placing thousands of American women in peril.

Meanwhile, the Saudis hypocritically sign all kinds of human rights treaties so they can retain their standing in the United Nations. They have, for example, signed the U.N. Convention on the Rights of the Child, which calls for the right of children not to be kidnapped; however, the Saudis always weasel out of their obligations under any treaties they have signed by adding a disclaimer that they will only honor those terms that conform to their version of Islam. Since the Saudis view children, especially girls, as property to be bought and sold, the United Nations treaties signed by the Saudis aren't worth the paper they're written on. The Saudis will never return any of these children voluntarily. They must be forced to do so by any means necessary, including covert rescues.

The Saudi Government, having been duly warned, not only issued travel documents to my child, but their government airline whisked her out of the United States. Employees of the Saudi Government, like Saudi Airlines flight attendant Samir Jawdat, were accomplices in the illegal removal of my child. A high-ranking official of the Saudi National Guard, Dr. Salman Al-Hedaithy, and his wife, Farida Al-Ghofaili Al-Hedaithy, gave aid and comfort to the terrorist kidnapper at their home in Fairfax, Virginia according to the last words I heard from my daughter.

Between 1994 and 97, Al-Omary and his American wife constantly harassed me and made threats to kidnap Heidi. On one occasion Jayne told me, "I will get custody of your child and I will be your worst nightmare." Al-Omary married Jayne so he could legally stay in the United States to finish his master's degree in computer science and so he would have someone to support him. Meanwhile, I had to go back to court on several occasions to try to collect over \$12,000 in child support, medical expenses, legal expenses, and repayment of a debt. Whatever income he had from his assistant directorship at the Islamic Center of Jonesboro was in cash

payments from the Saudi Government on which he never paid income taxes.

In addition to neglecting his own daughter for 5 years, Al-Omary left her for extended periods of time, and, according to Heidi, sexually molested her and allowed his friends at the Islamic Center of Jonesboro to molest her as well. I reported these events to Heidi's doctor and the authorities, but due to a lack of physical evidence, Al-Omary was merely questioned and released. It seems no one believed what a 3-year-old had to say. What that small child told me was so disgusting that no 3-year-old could have made it up.

On August 12, 1997, the evening Heidi was due back home from a visitation, Al-Omary left a chilling message on my answering machine. He stated that he and Heidi were in Saudi Arabia and that I would never see her again. He threatened dire consequences if I contacted the police or involved his wife Jayne or any of his accomplices at the mosque. I was sick to my stomach.

About an hour after I listened to the recording, Al-Omary phoned in person. This time he intimated he had people watching my every action to report back to him, and I believed him. He also stated that he could have me killed if he wished, and I believed that too. I begged to speak with my daughter and he relented, with the warning that I not upset her. Heidi came on the phone acting quite normal. She did not even know she had been kidnapped. I spoke to her for only about 10 seconds. My last question to her was, "Where are you sweetie?" before Al-Omary snatched the phone out of her hand, she was able to tell me that she was at her 5-year-old cousin Dima's house in Fairfax, Virginia. Her father, Suleiman Al-Hedaithy, a high-ranking official of the Saudi National Guard, was just finishing his Ph.D. Degree in computer science.

After hanging up, I reported the kidnapping to the Jonesboro police who checked out Jayne Brussell Smith's for the presence of my daughter. This woman knew for 2 days that a crime had been committed and didn't report it, yet no charges have ever been filed against her.

The following weeks Jayne kept in contact with her husband via e-mail, and, according to my private detective, even ran up thousands of dollars in charges on Al-Omary's credit card. The detective revealed that Al-Omary made several calls to the Islamic Center right after the kidnapping. We also learned that Al-Omary and Al-Hedaithy's wife probably posed as a couple, luring my daughter with promises of a trip to Disney World, and left from Orlando, Florida on one of the last flights of the season of Saudi Airlines.

Eleven calls from the Fairfax address to the Orlando Marriott Hotel switchboard were made the day after Heidi disappeared from Fairfax. Fairfax County Police did a search of the Al-Hedaithy home for the presence of my child. Sadly, too much time had passed.

And I include as exhibit A all the State, Federal and Interpol warrants issued again Al-Omary.

I began receiving e-mails from the kidnapper a few months after the crime. I have attached these illiterate documents as exhibit 9.

I turned the first one over to my FBI agent who merely said, "I will have to send this to our computer people in Washington." I never heard the outcome. Al-Omary's first e-mail warned me not to

try to trace it because he was using an untraceable account at hotmail.com. My private detective approached the Jonesboro police, who sought the assistance of the Sunnyvale, CA police. That is the headquarters of hotmail.com. And they were very cooperative in determining that the messages had come from a computer belonging to the ARAMCO Oil Co.

Concurrently, a friend of my son's with a computer science degree took about 5 minutes to establish the identity of the exact computer at ARAMCO's Dhahran headquarters that had sent the e-mail. So the untraceable message was easily traced, but not by the people who should have investigated: the FBI.

The Saudi Government certainly wasted its money on the education of Mr. Al-Omary. One would think that a so-called computer expert could indeed make their e-mails untraceable. He demanded Heidi's immunization records, ostensibly so he could enter her in school in Libya. I was not about to help a fugitive take my daughter to Libya. I told the State Department that Al-Omary was working in Dhahran at the ARAMCO Oil Co., yet still they could not locate him.

I was shocked on July 2002 to notice that ARAMCO was practically across the highway from the U.S. consulate there. Inquiries by the U.S. consulate to the Saudi Government yielded only lies from the Saudis. They couldn't locate Al-Omary either. What a crock. I don't for 1 second believe that the Saudi Government could not locate one of its own employees. In fact, history has proven that it is not wise to believe anything the Saudis say.

While I was making the rounds to get assistance in locating Heidi, my other daughter had the brilliant idea of calling directory assistance in Dhahran. Within minutes, she had Al-Omary's office number in her hands. Surely the U.S. consulate right across the road from ARAMCO knew that work numbers could be obtained in this way. I had wasted 2 years appealing to the State Department to locate my daughter. I can only conclude that they purposely did not want to find her.

I told them in 1997 of the ARAMCO e-mails. Yet even as late as May 1998, a State Department internal memo sent by Jeffrey Tunis to Heidi's case worker, Steve Sena, states emphatically that, "Al-Omary is not a Dhahran case. The last thing we heard about it was an e-mail on 12/14/97 from you, mentioning it." They knew in 1997 by their own admission where Al-Omary was. In a letter from former Ambassador Wyche Fowler to my Senator Tim Hutchinson, dated May 7, 1999, Fowler claims he has still not located Al-Omary, a full 2 years after I advised these people that the kidnaper was working at ARAMCO.

Fowler also brags about how he had, "raised child custody issues with the highest levels of the Saudi Government, including King Fahad and Crown Prince Abdullah." I guess that's why Pat Roush and her girls were railroaded and Monica Stowers was thrown out on the street.

Other parts of the file discuss the wording of replies to Senator Tim Hutchinson and Governor Huckabee of Arkansas, or talk brazenly about how the case worker avoided answering the officials' questions.

Exhibit 12 indicates that even in 1999, the State Department was still looking for Al-Omary in Riyadh, but they never checked with ARAMCO in Dhahran. In the same exhibit, Sena casts aspersions on my honesty, describing my information about Al-Omary's ARAMCO office phone number as "an assertion, an allegation." Of course, when they finally called the number, my 2-year-long assertions that Al-Omary was employed at ARAMCO proved to be correct and was confirmed by a concerned citizen whose anonymous e-mail to me is included as exhibit 13.

Exhibit 14 discusses how to get Senator Hutchinson off their backs as regards his demands that according to H.R. 4328, the kidnapers' accomplices' visas be withheld permanently.

Just prior to today's hearing, 2 years after the Senator's admonition that the State Department obey U.S. law, I was informed that State is now willing to enforce H.R. 4328. A very disturbing aspect of my State Department file is that State apparently has a mole working among missing children's organizations to spy on victimized parents and report our activities.

Exhibit 15, signed by Albright, says, "FYI, the State Department has heard from another source that Ms. McClain may be in the process of organizing a rescue attempt."

In the past, other parents have told me that State always alerted the Saudis to such plans. If the State and Justice Departments did their jobs, parents would not have to resort to extreme measures.

Exhibit 16 contains e-mails between Heidi's former case worker—who had wasted 2 years of my daughter's life—the mole and Anne McGaughey in reference to a letter to the editor I had written to *Insight Magazine*. My letter was in answer to Mary Ryan's whiny defense of her Department's less-than-stellar performance. Believe me, the day she was fired there was a cheer heard by God himself from all the parents Mary Ryan had sabotaged.

I am sorry to say this, and I wish to offend no other Americans who have incurred losses at the hands of the Saudi terrorists. The situation has improved after September 11th for parents like me. I have been able to travel into the pit of hell for a brief visit with Heidi, during which the kidnapper and his thugs abused me before I was even able to lay eyes on my child for the first time in 5 years.

I submit as exhibit 17 the whitewashed State Department report of my visit to Saudi Arabia. The report makes it sound as if my initial meeting with Al-Omary was brief and amicable in spite of the fact that the consular employee was in a conversation across the hotel lobby during the hour my ex-husband and his brothers verbally abused me. During the inquisition, the Al-Omary Jawdat clan made outlandish demands. He was more delusional than ever and obviously desperate to receive visas to countries with Interpol notices on file, including Sweden, where two of his brothers had citizenship.

The consular report hints that Heidi was shy, when in fact she is anorexic and desperately in need of psychological counseling. The report neglects to mention that my ex-husband violated every agreement he had made with the Consulate and the Emir of the Eastern Province, while I adhered to all the demands placed on me by Al-Omary and the Saudi Embassy. I was forced to fax the embassy a document stating that I would not harass him or any of

his family while in the kingdom nor that I would break any Saudi laws. Al-Omary's plan was to get my son and me on a plane to Riyadh away from consular witnesses.

I commend Anne O'Barr of the Dhahran Consulate for providing us with a body guard/driver, interpreter who checked for bombs every time we entered the armored vehicle. However the same official who wrote the report is a Muslim who doesn't care about my child's religious persecution as a baptized Christian. I was outraged when this State Department employee told me that I shouldn't worry about my daughter because she was with a good family. In my lexicon a good family does not kidnap, terrorize, starve and deny a little girl contact with her mother.

What Heidi is suffering today is nothing compared to what Al-Omary will do to her as she grows up. He once told me that when he'd get older, he'd look for a 9-year-old wife because his prophet had married a child of that age. In Al-Omary's twisted mind, it would be perfectly reasonable for him to sell my precious Heidi off to a man three times her age. By the family's own admission, Heidi went through a lot when they first stole her, as if it was my fault. Like the Saudi regime that won't take responsibility for its role in terrorism, the completely sociopathic Al-Omary is in denial about what he has done to Heidi.

When first in Saudi Arabia, she was apparently so disturbed that she played video games for 6 hours a day.

The consular report then gushes about what a nice, lenient father Al-Omary is. I wanted to throw up when I read this glowing recommendation of Al-Omary's fathering skills. I do not believe it is the State Department's business to defend foreign criminals; it is an insult to the mothers who have suffered almost as much as the children.

State Department reports must be read with some skepticism. Another illustration is State Department exhibit 2, presented before this committee only in June of this year. On the bottom of page 2, the date of Heidi's kidnapping is incorrectly listed as 1998, and the entry refers to my missing "children." The devil is in the details.

When I first saw my daughter again after all those years, I was shocked at how she looked and acted. Her behavior was bizarre and disturbing, to say the least. Heidi is now 10 years old, but has the social skills of a 2-year-old. She is extremely intelligent, but is one of the saddest little girls I have seen in my life. She doesn't smile, but of course, the al Qaeda-Wahhabi in Afghanistan beat people for smiling, singing, dancing, or anything else that is fun.

It took Heidi half an hour to come out from under a veil she was wearing. Meanwhile, when we spoke to her and asked her questions, she gyrated in a strange, spastic way and would only answer us in cat noises from under the veil. All I could see were bones sticking out in all directions.

Finally, when I did look into her eyes, I saw someone whose soul had been sucked right out of her body. I hold the Saudi Government and their Wahhabi fanaticism directly responsible. My child has known happiness and laughter and singing here in her own country. Do the Saudis imagine they can drive out all these happy memories? All they have created is a girl destined to become a

woman with lifelong emotional problems, longing forever for what was taken away from her.

I am tired of our government leaders telling the world that the Saudis are our allies against terrorism, or that Saudi Arabia is a moderate Arab state. I am here to set the record straight. Our leaders have not lived in a Wahhabi nightmare and seen its malevolence up close, as I have. The aim of Saudi Wahhabism is the same as it was during the middle ages, world domination.

I admit that the Office of Children's Issues has provided Heidi with better caseworkers over time. But there is no amount of backpeddling that can give my daughter back the 5 years she was without her mother. It is a shame that changes only occur when some legislator exerts pressure or when the Saudis blow up thousands of Americans.

This committee is interested in knowing what the State Department has done in trying to obtain the return of my child. The answer is simple: Nothing. They have never given me any hope at all that Heidi could be recovered, nor have they suggested other departments of the government that could help. They have, in fact, worked on my psyche to lower my expectations of a successful recovery. They were instrumental in arranging the visit with Heidi, again under a lot of pressure from my legislators. It helped that Senators Blanche Lincoln and Tim Hutchinson of Arkansas contacted the Emir of the Eastern Province and the CEO of ARAMCO, respectively. However, these Saudi governmental entities did nothing to protect my son and me while we were there, nor did they force Al-Omary to adhere to the terms we had agreed to.

Returning to whitewashes, in 1998, the GAO was conducting an audit of the Office of Children's Issues. Mr. Rolf Nilsson, a senior evaluator, attended the annual PARENT Conference in Washington to obtain input from victim parents. As a consequence, I compiled an informal survey and sent the results to Mr. Nilsson, but it was too late. When his boss, Boris Kachura, found out that Nilsson's report was going to be negative, Nilsson was reassigned. The result was another whitewash, enabling Madeleine Albright and her staff to look better and more productive than they actually were.

At the same PARENT Conference, State and Justice Department lawyer Mary Grotenrath was invited to explain Interpol procedures to the group. To our utter amazement and disgust, we all found out that a simple FBI UFAP warrant, or an international kidnapping warrant, offered no assurance that the fugitive could be arrested in a foreign country. Mary informed us that we all needed to go out and apply for provisional arrest requests whereby a Federal prosecutor had to agree to extradite should the fugitive be caught. None of our kids were listed with Interpol. That meant these criminals were able to move freely around the world, provided they stayed out of the United States.

This was valuable information, but the Justice Department did not like one of their employees doing something concrete to help a seeking parent. As a result, Mary was ordered not to attend our conference the following year. The State and Justice Departments should be the ones to give us that information as soon as a child is reported missing, give us the paperwork and place the kidnap-

pers in the Interpol system immediately, just as is now required for the NCIC system.

To this day, the Secretary of State must go hat in hand to OPEC and the Saudis to beg for oil output, or he must finesse the Saudis to, please, let him use their bases. At the same time, he is responsible for the Office of Children's Issues that is supposed to demand the return of American hostages.

Which do you think the Secretary of State wants more, the bases and oil, or the children? So if the Secretary of State's position on Saudi Arabia is not a conflict of interest, then I don't know what it is.

The kidnappings of Americans is terrorism, and this issue must be dealt with accordingly, perhaps under a department like Homeland Security. The security of American children is at risk. The counterterrorism legislation includes the conspiracy to kidnap Americans overseas as terrorist acts. Our children have indeed been taken overseas and the kidnapping conspiracies were hatched overseas. So what is the hold up in charging the criminals with terrorism, especially when the perpetrators are Wahhabi radicals?

I would like to categorize a series of crimes that Al-Omary and the Saudi Government were party to in his capacity as the assistant and/or acting director of the Islamic Center of Jonesboro.

Mr. BURTON. Ms. McClain, could we have the rest of that for the record? I think you have made a very, very strong point; and I am sorry to interrupt you, but I want to make sure we get to the questions. So if you are near the end, if you want to summarize, we would be glad to have you do that.

Ms. MCCLAIN. Let me just summarize my final information about the people that the Saudis hire to harass American mothers who have lost their children over there.

Ms. Gabbayh, Ms. Roush and myself went in protest to the Saudi embassy a couple of years ago. It was a peaceful protest. We went across the street to Hill & Knowlton, which is one of the big PR firms that the Saudis use in order to intimidate people like us. Those people had hacked into our e-mail. Those people had made veiled threats against us. We went into their offices. We found files about ourselves, and I am wondering what kind of a big threat we are to Hill & Knowlton because we are boycotting some of their companies they represent or because we are attacking the Saudis in some way.

We find this reprehensible, that other Americans would team up with the Saudis and become complicit in their kidnapping schemes.

Mr. BURTON. OK. Thank you very much, Ms. McClain.

[The prepared statement of Ms. McClain follows:]

442

Testimony to the Committee on Government Reform

"Americans Kidnapped to Saudi Arabia: Is the
Saudi Government Responsible?"

Submitted by
Margaret McClain
October 2-3, 2002

Chairman Burton and Members of the Committee!

I thank this Committee for giving me the opportunity to speak my daughter, Machael Heidi Al-Omary, who has been a hostage in the Wahhabi Kingdom of Saudi Arabia for over five years. She was kidnapped in 1997 at the age of five and is now ten years of age.

Last week, our whole nation cheered as a group of American and foreign children were rescued from a missionary school in the Ivory Coast. According to Fox News on September 25, 2002, this rescue was a State Department operation. Last year, both American and foreign missionaries were rescued from their Al-Qaeda captors in Afghanistan and from their Abu Sayyaf kidnapers in the Philippines. Only a few years ago, both the State Department and the Justice Departments spared no expense at repatriating Elian Gonzales to Cuba. Yet, apparently the Wahhabi terrorists who hold American children hostage in Saudi Arabia are The Untouchables. This situation must change. The kidnapping of American children to Saudi Arabia, contrary to what the State Department and Ari Fleischer at the White House have claimed, is not a private "custody matter." It is Saudi Wahhabi terrorism, pure and simple, committed solely in the interest of promulgating their brand of Islam. It is a **jihad** against defenseless American children. These terrorist acts against our children are being committed with the full knowledge and even complicity of the Saudi Embassy in Washington, the Saudi Consulates, the Saudi royal family, Saudi Arabian Airlines, and Saudi government officials.

In December of 1989, Abdulbaset Ahmed Mohammed Al-Omary and I were married in a civil ceremony. He was a citizen of Saudi Arabia, but immediately began pressing me to sponsor him for a Green Card, which he easily obtained. Our daughter, Machael Heidi Al-Omary, had been born in Jonesboro, Arkansas, in 1992. I became subject to mental and physical abuse, suffering several broken bones and a miscarriage due to Al-Omary's beatings. Meanwhile, he began to abuse Heidi as well. On one occasion, I was getting ready to take my daughter to her day care center, when Al-Omary blocked me in and began karate kicking the car window next to Heidi. I feared he'd shatter the glass and blind his own child. He was totally out of control, and I determined that the only way to save my child's life and mine would be to get out of this marriage from hell. In 1993, thanks to the Northeast Arkansas Council on Violence, I finally found the courage to have this Wahhabi fanatic thrown out of my house. This organization also helped me get an Order of Protection. (Exhibit #1)

When it became clear that the marriage was doomed, I knew that Heidi would be kidnapped. I tried to protect my child by requesting supervised visitation, which was denied. Unfortunately, I had not been devious enough to tape-record conversations in which Al-Omary had flatly stated that he "would not allow his child to grow up in the United States" and that if I ever divorced him, I "would never see her again." I turned to the Saudi Embassy for help. But the Saudi Embassy apparently does not frown upon criminal activity by the students under its control. In fact, I accuse the Saudi

Government directly of being an accomplice in the kidnapping of my child. In 1994, I wrote to the Embassy of Saudi Arabia and its Consulates in New York and Houston to notify them that I was Heidi's legal custodial parent, enclosing certified copies of Al-Omary's and my divorce decree. Exhibit #2 is a copy of our Custody and Divorce Decree, in which Al-Omary agreed to all terms and accordingly affixed his signature. For the Committee's purposes, I am including in Exhibit #2 a photocopy of the notarized Arabic translation of these documents, authenticated by the State Department, bearing the signature of Madeleine Albright, and certified by the Secretary of State of Arkansas. In my 1994 letter to the Saudi government, I stated explicitly that Heidi did not have my permission to travel to Saudi Arabia; that she was not to be issued travel documents of any kind in her name or any alias; and that she not be included in the travel documents of any Saudi citizen. In Exhibit #3, I have submitted both a copy of the 1994 letter, with my notarized signature, as well as Registered Mail Receipts. None of the recipients ever answered. Then in 1995, becoming more desperate as the result of increasingly bizarre behavior and more threats by Al-Omary, I sent hand-written letters to Saudi officials, this time to Ambassador Bandar bin Sultan at the Saudi Embassy and the CEO of Saudi Arabian Airlines. These letters, along with Registered Mail Receipts, comprise Exhibit #4. I informed Saudi Airlines that a court decision precluded my ex-husband from taking my child out of the State of Arkansas without my permission (Exhibit #5) and named one of their flight attendants (my ex-brother-in-law, SAMIR JAWDAT) and Al-Omary's American wife (JAYNE BRUSSELL SMITH) as potential co-conspirators. Al-Omary's Saudi wife (WAFAL-DUGAIL) had already been summarily sent home after Al-Omary's bigamy was exposed. Pursuant to a 1995 Court Order (Exhibit #5), Al-Omary asked the Saudi Government to provide documentation that they "would recognize and enforce this court's jurisdiction with regard to child custody." According to Al-Omary, the Saudi Embassy refused because they did not recognize U.S. law.

To this day, the government of Saudi Arabia has never answered any of my communications regarding their culpability in Heidi's kidnapping. Steeped in Wahhabi Islamocentrism, the Saudi royals and the majority of their subjects truly believe that a female should not be able to travel, drive, go to school, marry, or make any major decisions without the permission of her closest male relative. The Saudis have no intention of returning my child because I am a mere female, a mother, a Christian, and an American. The Saudis practice sex discrimination, religious persecution, and discrimination based on national origin. While the Saudis and their lobbying groups in the United States (most notably the Council on American Islamic Relations) constantly cry "discrimination," they themselves are the most flagrant violators of human rights on earth. CAIR is the same Islamic lobbying group that forced the State Department to take down its "Marriage to Saudis" warning from the web page and replace it with a kinder, gentler version. Exhibit #6 is the original. Meanwhile, the Saudis hypocritically sign all kinds of human rights treaties so that they can retain their standing in the United Nations. They have, for example, signed the UN Convention on the Rights of the Child, which calls for the right of children not to be kidnapped; however, the Saudis always weasel out of their obligations under any treaties they have signed by adding a disclaimer that they will only honor those terms that conform to their version of Islam. Since the Saudis view children, especially girls, as property to be bought and sold, the

United Nations treaties signed by the Saudis aren't worth the paper they're written on. The Saudis will never return any of these children voluntarily; they must be forced to do so by any means necessary, including covert rescues.

The Saudi government, having been duly warned, not only issued travel documents to my child, but their government airline whisked her out of the United States. Employees of the Saudi government, like Saudi Airlines flight attendant Samir Jawdat, were accomplices in the illegal removal of my child. A high-ranking official of the Saudi National Guard, Dr. Salman Al-Hedaithy, and his wife, Farida Al-Ghofaili Al-Hedaithy, gave aid and comfort to the terrorist kidnapper at their home in Fairfax, Virginia, according to the last words I heard from my daughter.

Before our divorce was final, Al-Omary returned to Saudi Arabia to marry his cousin, Wafa Al-Dugail. He brought her to the United States and lived in a bigamous relationship with her until our divorce became final in 1994. At that time, he married an American woman, Jayne Brussell Smith, from Jonesboro, Arkansas, who became an accessory to Heidi's kidnapping in 1997. Jayne, who was also abused by Al-Omary, according to her own admissions to me and reports from her relatives, nevertheless abandoned her own two boys and joined the fugitive only a few months after the kidnapping.

Between 1994 and 1997, Al-Omary and his American wife constantly harassed me and made threats to kidnap Heidi. On one occasion, Jayne told me: "I will get custody of your child!" and "I will be your worst nightmare!" Al-Omary married Jayne so that he could legally stay in the United States to finish his Master's Degree in Computer Science, and so that he would have someone to support him. Meanwhile, I had to go back to court on several occasions to try to collect over \$12,000 in child support, medical expenses for Heidi, legal expenses, and repayment of a debt; with 10% court-ordered interest over the last 5½ years, Al-Omary's debt is considerably higher. The documents in Exhibit #7 have been in the hands of the Arkansas Child Support Enforcement Office for several years. Yet Al-Omary seemed to have enough money to marry two other women at the same time, make frequent trips to Saudi Arabia and so-called Islamic conferences all over the country, purchase vehicles for his stepsons, and attend college full-time – all while not holding down a job. Whatever income he had from his Assistant Directorship at the Islamic Center of Jonesboro was in cash payments on which he never paid income taxes. In addition to neglecting his own daughter for five years, Al-Omary left her for extended periods of time, and according to Heidi, sexually molested her and allowed his friends at the Islamic Center of Jonesboro to molest her as well. I reported these events to Heidi's doctor and the authorities, but due to a lack of physical evidence, Al-Omary was merely questioned and released. It seems that no one believed what a three-year-old had to say. What that small child told me was something so disgusting that no three-year-old could have made it up.

On August 12, 1997, the evening Heidi was due back home from a visitation, Al-Omary left a chilling message on my answering machine. He stated that he and Heidi were in Saudi Arabia and that I would never see her again. He threatened dire

consequences if I contacted the police, or involved his wife Jayne or any of his accomplices at the mosque. I was sick to my stomach. About an hour after I listened to the recording, Al-Omary phoned in person. This time, he intimated that he had people watching my every action to report back to him, and I believed him. He also stated that he could have me killed if he wished, and I believed that too. I begged to speak with my daughter, and he relented with the warning that I not upset her. Heidi came on the phone, acting quite normal. She did not even know she'd been kidnapped. I spoke to her for only about ten seconds. My last question to her was, "Where are you, Sweetie?" Before Al-Omary snatched the phone out of her hand, she was able to tell me that she was at her five-year-old cousin Dima's house in Fairfax, Virginia. Her father, Suleiman Al-Hedaithy, a high-ranking official of the Saudi National Guard, was just finishing his Ph.D. degree in Computer Science. After hanging up, I reported the kidnapping to the Jonesboro Police, who checked out Jayne Brussell Smith's home for the presence of my daughter. I heard the exchange over the Police communication system. Jaynie was screaming at the top of her lungs, denying involvement. She told Sergeants Chambers and Roper that two days earlier, Al-Omary had taken Heidi to the Memphis Zoo and they hadn't returned yet. This woman knew for two days that a crime had been committed and didn't report it, yet no charges have ever been filed against her! In the following weeks, Jayne kept in contact with her husband via email, and according to my private detectives even ran up thousands of dollars in charges on Al-Omary's credit cards. The detective revealed that Al-Omary made several calls to the Islamic Center right after the kidnapping. We also learned that Al-Omary and Al-Hedaithy's wife probably posed as a couple, luring my daughter with promises of a trip to Disney World, and left from Orlando, Florida, on one of the last flights of the season of Saudi Airlines. Eleven calls from the Fairfax address to the Orlando Marriott Hotel switchboard were made the day after Heidi disappeared from Fairfax. I left for Fairfax the night I received Al-Omary's message, and the Fairfax County Police did a search of the Al-Hedaithy home for the presence of my child. Sadly, too much time had passed, and Heidi's innocent words had spooked the fugitive.

Back in Jonesboro, under pressure from Congressman Marion Berry, Jayne was questioned under a formal Prosecutor's Subpoena, but perjured herself when she maintained that her husband had "dumped" her and she'd had no contact with him since the day he left. The Federal Prosecutor, according to the Congressman's District Director, "believed her." I begged law enforcement, including my FBI agent Roy Christopher, to check out the computers that Jayne used, but this was never done. A short time after Jayne's deposition, she joined the criminal in Saudi Arabia. Thus, the Federal Prosecutor, as well as the FBI, failed my child miserably by letting the chief accomplice get away. To this day, Jayne is free to come and go into and out of the United States, visit her family in New Jersey and Arkansas, with no charges against her—no kidnapping charges, no accessory after the fact charges, no perjury charges, no flag on her passport by the State Department, not even a simple pickup order as a material witness in an international crime. Exhibit #8 consists of copies of state, federal, and Interpol warrants issued against Al-Omary.

I began receiving emails from the kidnapper a few months after the crime. I have attached these illiterate documents as Exhibit #9. I turned the first one over to my FBI agent, who merely said, "I'll have to send this to our computer people in Washington." I never heard the outcome. Al-Omary's first email warned me not to try to trace it because he was using an untraceable account at Hotmail.com. My private detective approached the Jonesboro Police, who sought the assistance of the Sunnyvale, California, Police. That is the headquarters of Hotmail.com, and they were very cooperative in determining that the messages had come from a computer belonging to the ARAMCO Oil Company. Concurrently, a friend of my son's with a Computer Science Degree took about five minutes to establish the identity of the exact computer at ARAMCO's Dhahran headquarters that had sent the emails. So the "untraceable" message was easily traced, but not by the people who should have investigated, the FBI. The Saudi Government certainly wasted its money on the education of Mr. Al-Omary! One would think that a so-called computer expert could indeed make his emails untraceable. He demanded Heidi's immunization records, ostensibly so that she could enter school in Libya! I was not about to help the fugitive take my daughter to Libya! However, I wish he had taken her there because Libya, unlike Saudi Arabia, would have given Al-Omary exactly what he deserved and returned my daughter forthwith. Libya's Marxist leader does not tolerate Wahhabi fundamentalists.

I told the State Department that Al-Omary was working in Dhahran at the ARAMCO Oil Company, yet still they could not locate him. I was shocked on my July 2002 visit to Saudi Arabia to notice that ARAMCO was practically across the highway from the U.S. Consulate there! Inquiries by the U.S. Consulate to the Saudi government yielded only lies from the Saudis. They couldn't locate Al-Omary either. What a crock! I don't for one second believe that the Saudi Government could not locate one of its own employees. In fact, history has proven that it is not wise to believe anything the Saudis say. While I was making the rounds to get assistance in locating Heidi, my other daughter had the brilliant idea of calling Directory Assistance in Dhahran; within minutes she had Al-Omary's office number in her hands. Surely the U.S. Consulate right across the road from ARAMCO knew that work numbers could be obtained in this way. I had wasted two years appealing to the State Department to locate my daughter. I can only conclude that they purposely did not want to find her. I told them in 1997 of the ARAMCO emails, yet even as late as May 1998, a State Department internal memo sent by Jeffrey Tunis to Heidi's caseworker Steve Sena states emphatically that "al omary is not a Dhahran case. The last thing we heard about it was an email on 12/14/97 from you mentioning it." (Exhibit #10). They knew in 1997 by their own admission where Al-Omary was. Heidi's file indicates the State Department's serious mishandling of my case, partly through incompetence, but also through deliberate sabotage of parents' efforts. The State Department has often been accused of "clientitis," the unwillingness to offend their Saudi clients in any way! The same memo mentions confirmation that Al-Omary was traveling back and forth to Bahrain, information I had given them from an eye-witness. It is maddening that he could easily have been apprehended in Bahrain back in early 1998. In a letter (Exhibit #11) from former Ambassador Wyche Fowler to my Senator Tim Hutchinson, dated May 7, 1999, Fowler claims he has still not located Al-Omary – a full two years after I advised his people that

the kidnapper was working at ARAMCO! Fowler also brags about how he had "raised child custody issues with the highest levels of the Saudi Government, including King Fahad and Crown Prince Abdullah." I guess that's why Pat Roush and her girls were railroaded, and Monica Stowers was thrown out on the street! Other parts of the file discuss the wording of replies to Senator Tim Hutchinson and Governor Huckabee of Arkansas, or talk brazenly about how the caseworker avoided answering the officials' questions. Exhibit #12 indicates that even in 1999, the State Department was still looking for Al-Omary in Riyadh, but they never checked with ARAMCO in Dhahran. In the same Exhibit, Sena casts aspersions on my honesty, describing my information about Al-Omary's ARAMCO office phone number as an "assertion" and allegation. Of course, when they finally called the number, my two-year-long "assertion" that Al-Omary was employed at ARAMCO proved to be correct and was confirmed by a concerned citizen, whose anonymous email to me is included as Exhibit #13 (heavily redacted to protect the citizen's identity.) Exhibit #14 discusses how to get Senator Hutchinson off their backs as regards his demands that according to HR 4328, the kidnapper's accomplices' visas be withheld permanently. Just prior to today's hearing, two years after the Senator's admonition that the State Department obey United States law, I was informed that State is now willing to enforce HR 4328. A very disturbing aspect of my State Department file is that State apparently has a mole working among missing children's organizations to spy on victimized parents and report our activities. This was thoroughly reported on by Tim Maier of *Insight Magazine*. Exhibit #15, signed by "Albright," says [and I quote]: "FYI -- The Department has heard from another source that Ms. McClain may be in the process of organizing a rescue attempt." In the past, other parents have told me that State always alerted the Saudis to such plans. If the State and Justice Departments did their jobs, parents would not have to resort to extreme measures. Exhibit #16 contains emails between Heidi's former caseworker, who had wasted two years of my daughter's life, the mole (name redacted), and Anne McGahuey in reference to a letter to the editor I had written to *Insight Magazine*. My letter was an answer to Mary Ryan's whiny defense of her department's less than stellar performance. Believe me, the day she was fired, there was a cheer heard by God himself from all the parents Mary Ryan had sabotaged.

As sorry as I am to say this, and I wish to offend no other Americans who have incurred losses at the hands of the Saudi terrorists, the situation has improved after 9-11 for parents like me. I've been able to travel into the pit of hell for a brief visit with Heidi, during which the kidnapper and his thugs abused me before I was even able to lay eyes on my child for the first time in five years. I submit as Exhibit #17 the white-washed State Department report of my visit to Saudi Arabia. The report makes it sound as if my initial meeting with Al-Omary was brief and amicable, in spite of the fact that the consular employee was in conversation across a hotel lobby during the hour my ex-husband and his brothers verbally abused me. During the inquisition the Al-Omary/Jawdat clan made outlandish demands. He was more delusional than ever and obviously desperate to receive visas to countries with Interpol notices on file, including Sweden, where two of his brothers hold citizenship. The Consular report hints that Heidi was shy, when in fact, she is anorexic and in desperate need of psychological counseling. The report neglects to mention that my ex-husband violated every

agreement he had made with the Consulate and the Emir of the Eastern Province, while I adhered to all the demands placed on me by Al-Omary and the Saudi Embassy. I was forced to fax the Embassy a document stating that I would not harass him or any of his family while in the Kingdom, nor that I would break any Saudi laws. Al-Omary's plan was to get my son and me on a plane to Riyadh, away from Consular witnesses. There he and his thugs could have assaulted us, had us arrested, or worse. I commend Anne O'Barr of the Dhahran Consulate for providing us with a bodyguard/driver who checked for bombs everytime we entered the armored vehicle. However, the same official who wrote the report is a Muslim who doesn't care about my child's religious persecution as a baptized Christian. I was outraged when this State Department employee told me that I shouldn't worry about my daughter because she was with a "good family"! In my lexicon a good family does not kidnap, terrorize, starve, and deny a little girl contact with her mother for no other reason than that the mother refuses to practice Wahhabism. What Heidi is suffering today is nothing compared to what Al-Omary will do to her as she grows up. He once told me that when he got older, he'd look for a nine-year-old wife because his prophet had married a child of that age. In Al-Omary's twisted mind, it would be perfectly reasonable for him to sell my precious Heidi off to a man three times her age.

By the family's own admission, Heidi "went through a lot" when they first stole her – as if it was my fault. Like the Saudi regime that won't take responsibility for its role in terrorism, the completely sociopathic Al-Omary is in denial about what he has done to Heidi. When first in Saudi Arabia, she was apparently so disturbed that she played video games for six hours a day! The Consular report then gushes about what a nice, lenient father Al-Omary is!! I wanted to throw up when I read this glowing recommendation of Al-Omary's fathering skills. I do not believe it is the State Department's business to defend foreign criminals; it is an insult to the mothers who have suffered almost as much as the children! State Department reports must be read with some skepticism. Another illustration is State Department Exhibit 2 (my Exhibit #18) presented before this Committee only in June of this year. On the bottom of page 2, the date of Heidi's kidnapping is incorrectly listed as 1998, and the entry refers to my missing "children." The devil is in the details.

When I first saw my daughter again after all those years, I was shocked at how she looked and acted. Her behavior was bizarre and disturbing, to say the least. Heidi is now ten years old, but has the social skills of a two-year-old. She is extremely intelligent, but is one of the saddest little girls I've seen in my life. She doesn't smile – but, of course, the Al-Qaeda in Afghanistan beat people for smiling, singing, dancing, or anything that was even slightly fun. It took Heidi half an hour to come out from under a veil she was wearing; meanwhile, when we spoke to her and asked her questions, she gyrated in a strange way and would only answer us in cat noises from under the veil. All I could see were the bones sticking out in all directions. Finally, when I did look into her eyes, I saw someone whose soul had been sucked right out of her body. I hold the Saudi government and their Wahhabi fanaticism directly responsible. My child has known happiness and laughter and singing here in her own country. Do the Saudis imagine they can drive out all these happy memories? All they have created is a girl

destined to become a woman with lifelong emotional problems, longing forever for what was taken away from her. I am tired of our government leaders telling the world that “the Saudis are our allies against terrorism” or that Saudi Arabia is “a moderate Arab state.” I am here to set the record straight. Our leaders have not lived in a Wahhabi nightmare and seen its malevolence up close, as I have. The aim of Saudi Wahhabism is the same as it was during the Middle Ages – world domination.

I admit that the Office of Children’s Issues has provided Heidi with better caseworkers over time. But there is no amount of back-peddling that can give my daughter back the five years she was without her mother. It is a shame that changes only occur when some legislator exerts pressure, or when the Saudis blow up thousands of Americans! This Committee is interested in knowing what the state Department has done “in trying to obtain the return” of my child. The answer is simple – Nothing! They have never given me any hope at all that Heidi could be recovered, nor have they suggested other departments of the government that could help. They have, in fact, worked on my psyche to lower my expectations of a successful recovery. They were instrumental in arranging the visit with Heidi, again under a lot of pressure from my legislators. It helped that Senators Blanche Lincoln and Tim Hutchinson of Arkansas contacted the Emir of the Eastern Province and the CEO of ARAMCO, respectively. However, these Saudi Governmental entities did nothing to protect my son and me while we were there, nor did they force Al-Omary to adhere to the terms we’d agreed to.

There is, however, one office in the State Department that I can’t praise enough, and that is the Voice of America. Within two days of receiving the information about Heidi’s kidnapping, they were beaming satellite PSAs into Europe and the Kingdom of Saudi Arabia in the appropriate languages.

Returning to whitewashes, in 1999 the GAO was conducting an of the Office of Children’s Issues. Mr. Rolf Nilsson, as Senior Evaluator, attended the annual P.A.R.E.N.T. conference in Washington to obtain input from victim parents. As a consequence, I compiled an informal survey and sent the results to Mr. Nilsson, but it was too late. When his boss, Boris Kachura, found out that Nilsson’s report was going to be negative, Nilsson was reassigned. The result was another whitewash, enabling Madeleine Albright and her staff to look better and more productive than they actually were. Exhibit #19 is a copy of my report to Mr. Nilsson, along with a copy of his business card.

At the same P.A.R.E.N.T. Conference, State Department lawyer Mary Grotenrath was invited to explain Interpol procedures to the group. Exhibit #20 is the agenda for that meeting. To our utter amazement and disgust, we all found out that a simple FBI UFAP Warrant or an International Kidnapping Warrant offered no assurance that the fugitive could be arrested in a foreign country. Mary informed us that we all needed to go out and apply for Provisional Arrest Requests, whereby a Federal prosecutor had to agree to extradite should the fugitive be caught. None of our kids were listed with Interpol! That meant these criminals were able to move freely around the world, provided they stay out of the U.S. This was valuable information, but the State

Department did not like one of their employees doing something concrete to help a seeking parent. As a result, Mary was ordered not to attend our conference the following year. The State and Justice Departments should be the ones to give us that information as soon as a child is reported missing, give us the paperwork, and place the kidnapers in the Interpol system immediately, just as it is now required to put a child into the NCIC system as soon as the child is reported missing. When a State Department employee wants to go the extra mile, the Department slaps them down.

To this day, the Secretary of State must go hat in hand to OPEC and the Saudis to beg for oil output, or he must finesse the Saudis to please let him use their bases. At the same time, he is responsible for the Office of Children's Issues that is supposed to demand the return of American hostages. Which do you think the Secretary of State wants more – the bases and oil? Or the children? To me, the answer has been obvious over the last five years. If the Secretary of State's position on Saudi Arabia isn't a conflict of interest, then I don't know what is. The kidnappings of Americans is terrorism, and this issue must be dealt with accordingly, perhaps under a department like Homeland Security. The security of American children is at risk. The counterterrorism legislation includes the conspiracy to kidnap Americans overseas as terrorist acts. Our children have indeed been taken overseas, and the kidnapping conspiracies were hatched overseas. So what is the holdup in charging the criminals with terrorism, especially when the perpetrators are Wahhabi radicals?

I'd like to catalogue a series of crimes that Al-Omary was party to in his capacity as the Assistant and/or Acting Director of the Islamic Center of Jonesboro.

Child Abduction: Al-Omary was responsible in assisting at least two other Saudi men in kidnapping American children. Let me explain. These men (Khaled Al-S. and Mohammed Al-O.) had married American women who already had small children with American fathers. Al-Omary confided that there was no way the American biological fathers would give permission for the mothers to take the children to Saudi Arabia, so he and his mosque "brothers" would remedy the situation. He said that they used a company in Ohio to obtain false documentation on the American children. This scam involved obtaining birth certificates that listed the Saudi men as fathers of the children. The children were given Islamic names, and Saudi Arabia allowed them into the Kingdom without question. One of the little girls was a blue-eyed blonde, with absolutely no resemblance to the Saudi stepfather. The Saudi authorities turned a blind eye to the kidnapping, as they have done so many times before and since. The natural fathers of all the children lived out of state and had little contact with their children, so it was easy for Al-Omary other mosque officials to dupe the fathers and abscond with the American children on fraudulently obtained Saudi passports. Another tactic used by Al-Omary and his accomplices was to obtain back-dated marriage licenses to make the out-of-wedlock children of Saudis appear to be born in wedlock. The Saudis and their American wives knew that they could be stoned or beheaded if their children were determined to be illegitimate, once they arrived in the Kingdom.

Terrorist Fund-Raising: As Assistant Director of the Islamic Center of Jonesboro, Al-Omary felt it his duty to propagate Islam far and wide. In fact, he attended many so-called "Islamic" conferences, most of which I was not privy to. He would disappear for weeks on end, and when I asked about his absences, I was always told that it was none of my business. I do know that he regularly attended a Kuwaiti gathering held each year in Washington, D.C., over the Thanksgiving weekend. I also saw with my own eyes several Taliban representatives walking across the Islamic Center of Jonesboro parking lot. When I asked what these men wanted, Al-Omary replied that they were raising money for Afghanistan. I recognized them instantly by their distinctive dress. In documents and literature left behind by Al-Omary when he moved out of my house, I found some interesting materials. I am providing Exhibit #21. The Members of the Committee will find photocopies of literature from the IIRO, the WAMY, ISNA, and the IARA, organizations that have been masquerading as Muslim charities for many years. Very disturbing to me are the cancelled checks written by my ex-husband to the IARA (Islamic African Relief Agency) which, according to Steven Emerson, is headquartered in the Sudan and is linked closely to the enslavement of Christian and animist Africans; my ex-husband's notations at the bottom of each check indicate that his donations were going to Afghanistan. There is a chapter of the IARA just a couple of hours away in Columbia, Missouri. I draw your attention to some very unsettling statements on the cover of a pamphlet from the World Assembly of Muslim Youth (WAMY) headquartered in Riyadh. Hidden in the small print among the nice fuzzy-wuzzy "Aims" of this "charity" is this incendiary goal statement: ***"Introducing Islam to the world using all available means."*** This is how the Saudis, in their own damning words, intend to deal with the rest of us. This is the kind of Wahhabi dogma promulgated by Saudi Government-sponsored mosques and so-called charities that leads directly to the enslavement of American children like Heidi and their forced conversion to Wahhabism. The IIRO, which is particularly virulent, has been banned from some countries, such as Kenya, for its role in the American Embassy bombing, according to Steven Emerson's remarks before Congress on October 10, 2001.

Exhibit #22, entirely in Arabic, was also among material Al-Omary had brought home from the Islamic Center. It looked innocuous enough, but I sent it to Steven Emerson's organization anyway. I thought it might be a list of mosque members and their addresses in Quincy, Massachusetts. When Emerson's people told me it was a book catalog from a publishing company, I apologized for wasting their time.

"No! No!" Emerson's assistant cried. "You don't understand what you've got here. It's a goldmine. These are not nice, peaceful prayer books. This catalog is a compendium of terror training manuals and the vilest kind of hate literature. We're working feverishly to get it translated for you before your testimony." I thanked her and marveled at how devious the man I'd married was and how I hadn't seen right what was before my eyes. I could not believe this garbage had been in my home all these years! Just like the 9-11 bombings, the kidnapping of our children is just another phase of the Saudi Wahhabi **jihād** on our country. An investigation into these kidnappings cannot be divorced from the war on terror, and the law enforcement tactics used to bring other terrorists to justice must be brought to bear against the Saudi Wahhabi kidnapers.

Even expatriate non-Wahhabi Saudis at the Saudi Institute have made the following accusation against their own government: "Saudi officials disseminate hate literature openly in the United States. Exhibit #23, an excerpt from the book **Forbidden Truth** by Jean-Charles Brisard and Guillaume Dasquie' establishes a direct link between IIRO and Osama bin Laden, the ARAMCO Oil Company and terrorism, and Saudi Government support of terrorism. Al-Omary's mosque literature includes IIRO tracts, directly from bin Laden's own organization.

Steven Emerson is well known for his video *Jihad in America*. When the film first aired on PBS, I watched in horror as I caught a glimpse of an individual who bore an uncanny resemblance to Al-Omary. I was aghast to think that my daughter had to go on court-ordered visitation with a possible terrorist, and I determined to find out whether he was the individual in the film. I wrote a letter to Mr. Emerson, who was kind enough to respond. Unfortunately, since the film was secretly made, Mr. Emerson was not able to get the names of the audience members. The camera pans across Al-Omary as he attends a 1989 terrorist conference in Kansas City. I asked myself if this is what all of his mysterious disappearances were about. I enter the video *Jihad in America* into evidence as Exhibit #24.

Bigamy and Polygamy: The Saudis claim that their citizens anywhere in the world are subject to Saudi Shariah law, but legally, Al-Omary was an American resident at the time he kidnapped my daughter in 1997. At the time Al-Omary received his immigrant visa, he swore before an INS officer in Memphis, Tennessee, that he was obtaining immigrant status in order to become an American citizen. He also swore to a number of other stipulations, two of which stand out in my mind: (1) that he did not belong to any organization that advocated the overthrow of the United States of America, and (2) that he neither believed in, practiced, nor planned to practice bigamy or polygamy while in the United States. Unbeknownst to me, Al-Omary intended to violate both of these stipulations, and did so with impunity. In an issue of the Arkansas State University student newspaper, *The Herald*, Al-Omary was interviewed at length about Islam. He took the opportunity to expound on one of his favorite topics, bigamy. In the undated article (Exhibit #25) entitled "Ramadan Celebration Just Part of Experiences of Jonesboro Muslim Community" by Dale Hill, Al-Omary complains (and I quote): "A friend...who recently moved here had to leave one of his wives behind." Of course, I was angry but amused at the same time because I knew that his "friend" was none other than the Al-Omary himself. Al-Omary flagrantly states his support of a reprehensible and illegal Wahhabi custom – that of marrying multiple wives. As a mosque official, Al-Omary reported directly to the Saudi Embassy and as a student, to the Saudi Mission in Houston. Therefore, any public statements made by Al-Omary advocating the violation of U.S. bigamy laws were made under the authority of the Saudi Government. In the same article, speaking for his employer, the Saudi Government, Al-Omary praises Osama bin Laden.

I will now shift gears and turn to the way the Saudis have operated here to intimidate the mothers of kidnapped American children. The ARAMCO Oil Company,

which hires international fugitives (I personally know at least three of them) has a huge U.S. complex in Houston, Texas. ARAMCO is in partnership with American oil companies, such as Texaco. At one point I registered Heidi with the missing children's non-profit group, Child Watch (Exhibit #26). They were in the process of using their contacts in Saudi Arabia to arrange a visit between Heidi and me until they found out that I was leading a boycott against Texaco because of its ARAMCO partnerships. Child Watch is sponsored by Texaco. According to information that appeared on Texaco's web page in 1998, the company "launched its Texaco Child Watch program...that provides investigative and financial assistance to parents searching for their missing children" – that is, unless the children happen to be in Saudi Arabia or the kidnapers happen to work for a Texaco partner like ARAMCO! Such non-profit organizations that practice discrimination should lose their NGO status.

In late August, 2002, the Saudis complained that new visa regulations were keeping 100 ARAMCO-sponsored students from coming to the United States. I certainly praise the State Department for taking this step, and I am also encouraged that the Justice Department has added Saudi Arabian nationals to the terrorism watch list, making Saudi nationals subject to fingerprinting and passport tracking. Alas, these steps are too little too late for my child. As long as ARAMCO hires international fugitives like my ex-husband, Abdulbaset Ahmed Mohammed Al-Omary, these U.S. visas should be denied forever because Saudi Arabia refuses to guarantee that any American children born to these students will not be kidnapped to the Kingdom. In fact, no Saudi students should be admitted to our shores until all the American children are returned. Furthermore, since the Kingdom does not issue tourist visas to Americans, the State Department should reciprocate, including the Saudi royals. I know from experience that even if the legal custodial parent sends all documentation to the Saudi Government, Prince Bandar and his family will just blatantly break American law by assisting the kidnapper in any way they can. When I engaged in a peaceful protest at the Saudi Embassy with two other mothers, we were called "whores" by Saudi Embassy employees. One Saudi official even tried to assault my friend until I stepped in. When he realized that I had about four inches and fifty pounds on him, he quickly changed his mind. In addition, there were too many witnesses. It is reprehensible that Saudi diplomats steal American children, then use profanities and violence on the mothers. For shame!

Then there is the matter of the Saudis' American mouthpieces here in Washington – the public relations giant, Hill and Knowlton, located across the street from the Saudi Embassy. After 9-11, Prince Bandar ran over to Hill and Knowlton and signed a \$77,000-a-month PR contract. This is only a drop in the bucket compared to the millions the Saudis are paying other PR firms like Qorvis Communications to resurrect their image. The Saudis are wasting their money because their reputation in American public opinion is "dead on arrival." I first became acquainted with H&K when I received a puzzling but ominous email from Jim Jennings, their Director of National Practices (Exhibit #27). Jennings didn't make any direct threats, but warned me about my group's boycott of Hill and Knowlton or any of their clients. Since I'd never heard of H&K, and since he neglected to identify his mystery client, I made some inquiries and

soon learned that they'd represented Texaco since the 1950s. Our parent group had initiated a Texaco boycott because of their partnerships with Saudi ARAMCO – partnerships like Star Enterprise (including Star Mart and Food Mart), Motiva Enterprises, TRMI (Texaco Refining and Marketing), and a host of other products and services. I can only assume Jennings was referring to the Texaco boycott. Well, I want Jim Jennings to know that to this day I continue my boycott of Texaco; let's call it a **Crusade** against the Saudis who are holding my child hostage and any of their business partners. Jennings' email also contained this blatant lie: "I have been with this firm for 25 years and do not remember a time when we have ever represented the Saudis." I doubt that the Director of National Practices would not be familiar with all his company's client lists. Let me refresh Mr. Jennings' memory -- H&K's client lists donated to Harvard Business School by names Saudi Arabia as a client as far back as 1966 (Exhibit #28). Let me remind this Committee that H&K is the same PR firm that engineered the perjury of Princess Nayirah before Congress; I think everyone in America recalls the completely fabricated tale of Iraqi soldiers throwing Kuwaiti babies out of their incubators. H&K's credibility is suspect. When my friends and I confronted Thomas Buckmaster at H&K's offices, shortly after receiving the threatening emails, the company continued their denials. Meanwhile, these "Torture Lobbyists" maintain files on my friends and me. I guess they think three American moms present a mortal danger to their oil company and Saudi clients. It is the Saudis and their hired guns at Hill and Knowlton who pose the greatest danger to our democracy. Unlike the Saudi Government, the victims of Saudi Wahhabi terrorism cannot afford to hire fancy PR firms. But no amount of money can buy the truth for the Saudis; only a lie needs to be bought.

CHRONOLOGY OF KIDNAPPING OF HEIDI AL-OMARY

Spring 1989: met Abdulbaset Ahmed Mohammed Al-Omary at Arkansas State University

December 1989: married Abdulbaset Ahmed Mohammed Al-Omary

1989-1992: increasing abuse, mental and physical, from Al-Omary

1991: became pregnant with our first child

July 11, 1992: gave birth to our first child, Machael Heidi Al-Omary, in Jonesboro, Arakansas

Late 1992 or early 1993: Al-Omary receives Green Card at Memphis office of the INS; swears under oath that (1) he intends to apply for U.S. citizenship; (2) that does not practice or believe in bigamy or polygamy; (3) that he does not advocate the overthrow of the U.S. government; and (4) that he is a member of no group that advocates the overthrow of the U.S. government.

June 1993: Al-Omary murders his unborn child, a boy, by administering a severe beating to me. Al-Omary endangers Heidi's life. I decide to join the Council on Violence Support group, and manage to get the courage to obtain an Order of Protection against Al-Omary

July 1993: Al-Omary is served papers and is forcibly removed from my home. He moves into the mosque temporarily.

August 1993: Divorce Proceedings Initiated and drag on for many months

Spring 1994: Al-Omary travels to Saudi Arabia for about a 3-month period to marry his cousin, Wafa Al-Dugail (at least, that is the name he gave the court.) We are not divorced yet, so he commits bigamy.

1994: Our divorce becomes final

late 1994: Al-Omary marries an American woman, Jayne Brussell Smith, who converts to Wahhabism. He now has two wives again.

Fall 1994: Heidi comes home from the mosque with bite marks on her buttocks; I take pictures, but the marks do not show up on photographs. She tells me the name of the adult male at the mosque who bit her.

December 1994: When I informed my lawyer that my child was being forced to go to visitation with a bigamist, Al-Omary became fearful he would be caught, and sent the Saudi wife home.

1994: I write registered letters to Saudi Embassy and Consulates in U.S. apprising them of the situation, Heidi's legal status as a U.S. citizen and my legal status as the Custodial Parent.

Christmas morning 1994: Heidi charges her father with sexual molestation. An Investigator from SCAN interviews Heidi and thinks she has enough evidence to take to police. He is questioned and released. Police do not believe my three-year-old, even though she has made these charges more than once to more than one person. A Psychologist expressed suspicions of sexual abuse as well.

1995: I write registered letters to Prince Bandar at the Saudi Embassy and the CEO of Saudi Arabian Airlines, advising them that they will be complicit in a felony if they in any way enable my child to be taken to Saudi Arabia illegally.

1995-1997: a never-ending struggle to try and collect child support from Al-Omary

August 12-13, 1997: While on visitation with her father, Heidi is kidnapped to Saudi Arabia.

August 1997: Jonesboro Police investigate, confront Al-Omary's wife who remains behind; Heidi entered in NCIC; FBI issues UFAP warrant and charges of International Kidnapping

1997-2002: I contact my legislators, Presidents, Secretaries of State, Secretary of Transportation Rodney Slater; various missing children's organizations, the United Nations, the Hague Court; present a speech in absentia to the European Human Rights Commission in Geneva. Attended and gave presentations at annual P.A.R.E.N.T. conferences and candlelight vigils at White House.

1999: After two years of telling State Department where the kidnapper worked, they finally contacted him to set up the first Welfare & Whereabouts Check on Heidi

1999-2001: Heidi was seen a couple more times at Welfare and Whereabouts Checks.

2001: I contacted the CEO of ARAMCO and let him know he had international fugitives working for him. My senator Tim Hutchinson faxed a letter a week to the ARAMCO headquarters pressing for a visit. Thereafter, Al-Omary became more amenable to a visit between my daughter and me. State Department got the Emir involved in negotiations.

July 2002: After several months of wrangling, I finally received a 3- day visa from the Saudi Embassy. My son Donnie and I visited Saudi Arabia, where Al-Omary

violated all terms of the agreement he had made between the Consulate, the Emir, and me. I adhered to all terms of the agreement. I had not seen, spoken to, received a phone call or letter from Heidi in 5 years.

August 2002: I was informed by the State Department that my case would be put on a high priority list, to be appealed to the highest levels of the Saudi Government.

September 2002: I was informed by the State Department that they would like a list from me of all the kidnapper's immediate relatives, as well as any other accomplices, so that US visas to them would now be frozen.

RECOMMENDATIONS OF MARGARET MCCLAIN

1. Saudi Royals have stated that the terrorists held at Guantanamo Bay, Cuba, are subject to Saudi Shariah law. Make it clear to the Saudis that American children are subject to American law. Have U.S. authorities determine which of the terrorists can be sent back to Saudi Arabia for trial and punishment, and negotiate a prisoner exchange – one American child for one Saudi terrorist.
2. Press Saudi Arabia to arrest and extradite all Saudi or non-Saudi kidnapers of American children to stand trial in the United States.
3. Withdraw all U.S. troops from Saudi Arabia, relocating them to Bahrain, Qatar, or other more cooperative nations in the war on terror.
4. Have the INS immediately stop issuing visas to all Saudi students, and revoke the visas of those currently in the United States, until Saudis return all American citizens kidnapped to the Kingdom.
5. In view of the danger posed by Saudi pilots to the lives of Americans and in view of the fact that Saudi pilots are flying American kidnapped children out of the United States, immediately revoke all visas for Saudi aeronautical students sponsored by Saudi Arabian Airlines.
6. Immediately revoke all student visas to aeronautical students sponsored by the Saudi Air Force or other branch of the Saudi military; accept no new visa applications.
7. Order the INS to hold up indefinitely the visas to the 100 ARAMCO-sponsored students and any future ARAMCO applicants for visas.
8. In view of the fact that Saudis refuse to issue tourist visas for Americans, especially mothers of kidnapped children, require the State Department to issue no tourist visas to any Saudis until the Saudis return their American hostages.
9. Revoke the tax-free status of all Saudi-built or Saudi-financed mosques and Islamic centers in the United States, in view of the fact that they are or have been complicit in the kidnappings of American citizens; the spread of Wahhabi propaganda and terrorism; and the forced religious conversion of American children.
10. Revoke the tax-free status of all Saudi-financed charities in the United States, in view of their political activities that fall under the terrorist statutes.

11. Immediately revoke the visas of all Saudi dependents of diplomats in the United States, including members of the Saudi royal family.
12. Increase purchases of petroleum products from Venezuela, Canada, Norway, and other non-Arab nations. The Province of Alberta, Canada, for example, according to the Province's Prime Minister, has 7 times the oil reserves of Saudi Arabia.
13. Pursuant to the Freedom from Religious Persecution Act, impose severe economic sanctions on Saudi Arabia, especially automobile and rice exports.
14. Press Saudi Arabia to allow religious freedom for all citizens and non-citizens in the kingdom.
15. Allow no educational, cultural, or economic exchange programs between Saudi Arabia and the United States.
16. Press Saudi Arabia to pay the United States reparations for the enslavement of American children, particularly females.
17. Press the United Nations to censure and condemn Saudi Arabia for its violation of the Convention on the Rights of the Child, in view of Saudi Arabia's long history of kidnapping, false imprisonment, and hostage-holding of American and other children.
18. Bring charges against Saudi Arabia before the World Court for crimes against humanity -- notably the kidnapping of American and other children, the enslavement and genocide of African children, and the enslavement of the entire population of Afghanistan through its funding of an army of Wahhabi thugs and the madrasas that educated these thugs.
19. Press Saudi Arabia to give American mothers unfettered access to their children in Saudi Arabia at times convenient to the mothers; press the Saudis to pay for all expenses related to these visits; drop the sponsorship and "letter of no objection" requirements for American mothers wanting to visit their children; provide protection for American mothers from their violent and abusive Saudi ex-husbands; require the Saudi ex-husbands to pay all back child support owed to the mothers under U.S. court orders.
20. Press Saudi Arabia to begin immediately forcing all Saudi kidnapers to take their American children to a U.S. Embassy or Consulate for regular Welfare and Whereabouts Checks.

21. Press Saudi Arabia to provide the addresses and phone numbers of their children and force the kidnapers to allow regular communication with the children.
22. Flag the U.S. passports of any and all American citizens married to, living with, or suspected of being accomplices of the Saudi kidnapers of American children. Order the detention of all such U.S. citizens when they re-enter the U.S. for questioning and/or arrest by the FBI. Seize any Saudi travel documents of such persons if they try to leave the U.S.
23. Bring charges against the American accomplices of the Saudi kidnapers.
24. Review the international parental kidnapping statutes, and amend the statutes to bring the penalties more in line with other kidnapping statutes. A 3-year prison term is just not a deterrent.
25. When an American child is internationally kidnapped, require local authorities to get the FBI involved immediately. In my case, it took 2 days for this to happen. By then my child was gone.
26. Require the FBI to bypass the Provisional Arrest Request requirements from local authorities, who are not always willing to guarantee the costs of extradition. Require the FBI to issue the Arrest request directly and not provisionally.
27. Require the FBI to issue immediately Interpol Arrest warrants, Red notices on the kidnapper, Red notices on the children so that they can be detained long enough for the mother to retrieve them, and Diffusions.
28. Press the Saudis to pay reparations to the mothers of kidnapped children for their expenses, pain and suffering, and punitive damages.
29. Provide government lawyers to all parents of children kidnapped to Saudi Arabia so that they can launch a class action lawsuit against the Kingdom for reparations and punitive damages.
30. Covert action ordered by the President

Mr. BURTON. Mr. Rives.

Mr. RIVES. Mr. Chairman and members, thank you for the opportunity to testify before you today regarding my children's illegal abduction and retention in Saudi Arabia. Along with me are my three other children, Ginger Ann McKay, Benjamin Michael Rives and Aaron Scott Rives, who have come here today to show support for me, as well as their love and concern for their brother and sister, Lilly Michelle Rives and Sami Michael Rives, who are being held in Saudi Arabia illegally by my ex-wife with the help of the Saudi Arabian Government.

Normally, I am a very private person and seldom ever share anything of a personal nature outside my immediate family. In fact, there have been only two times in my life important enough to share my personal feelings in a public forum: my father's eulogy and the discussion before you today, because I need your help to get Sami and Lilly out of Saudi Arabia and returned home to Texas, as ordered by the District Court in Dallas.

To begin, let me introduce my precious babies, Lilly and Sami.

Lilly is my treasure. She is my first daughter from scratch and she is only 4 years old. She has the sweetness of an angel, a giggle that can tickle your spine, and a look that can melt the coldest of hearts. Our relationship was such that we could communicate just by looking at each other. In just 6 days though, I am going to miss yet another one of her birthdays when she turns 5.

And Sami, he is my buddy. He is only 3 years old and has the perkiness of a puppy, always following me around and wanting to sit by me at all times. Right now, he likes Batman and farm animals and finds joy in the most unusual things. He loves the commercial for Mattress Giant and the game show, The Weakest Link. In fact, the only English he was speaking before he left a year ago was the end of that show's tag line. We'd go, "Sami, you are the weakest link," and he would go "Good-bye." It was so cute.

I cannot imagine any more wonderful children than Sami and Lilly, because they are just like their brothers and sister. As you can imagine, this has been a very tough time for us, continually wondering whether we will ever be able to see them again and now wondering whether we will be able to extract them from a country to which they don't belong.

Lilly and Sami are citizens of the United States of America and of the United States only. As you may know, under Saudi law, children take the nationality of their father, regardless of where they are born. Also under Saudi law, dual or multiple citizenships are not allowed. A person can be only Saudi or be only something else. Of course, the Saudi Government can bestow the nationality on those to whom they wish if that individual will also give up their previous nationality. This is what happened in my ex-wife's case and, God forbid, might be happening to Lilly and Sami right now.

My ex-wife is Syrian national by birth. She was a Syrian national at the time we married in 1996 and a Syrian national at the time of each of my children's birth.

However, 2 years ago, her father requested and got the Saudi Government to give the Saudi nationality to my ex-wife and to her sister because of his personal relationship with certain members of the royal family. As a result, she is no longer considered a Syrian

and, since our divorce, has been using the Saudi nationality solely as a tool to keep my children in Saudi Arabia.

Now she and her father appear to be in the process of getting the Saudi nationality for my children in order to keep them in Saudi Arabia and to take away their birthrights as Americans. If she succeeds, it will be particularly damaging to my daughter's rights and freedoms. She will automatically be limited to the type of education she can receive, the type of profession she can aspire to, and even to the person she may marry. A Saudi woman can marry only a Saudi man. Moreover, both Lilly and Sami will lose liberties we as Americans enjoy, most important of which is the freedom of religion.

To get them the Saudi nationality though, my ex-wife must request and obtain the direct involvement of the Saudi Government and the Saudi Government's complicity in violating not only my rights as Lilly and Sami's father under Saudi law, but also in violating the orders issued by the District Court having jurisdiction over my children.

Apparently, this is not a problem for the Saudi Government. In fact, that government has already taken direct action to camouflage my children's identities as Americans. This past June, that government, the Saudi Government, readily provided my ex-wife with Saudi passports for Lilly and Sami and took away their American passports. The Saudi Government did this with the full knowledge that Lilly, Sami and I are American nationals only, since this is clearly stated on my children's Saudi birth certificates, as well as their American birth certificates issued by the U.S. Embassy in Riyadh.

The Saudi Government also restricts my ability to see my children. For example, I cannot get a visa to Saudi Arabia unless my ex-wife agrees to my going over there. And, of course, her agreement depends more on how she feels about me than my rights to see my children or my children's rights to see me.

When my—in fact, that is the reason I filed for a divorce in the first place. When my ex-wife and children left for Saudi Arabia in July 2001, I believed their trip to be their usual vacation to visit her parents. Unlike before, though, I insisted I have a visa to Saudi for the length of their 2-month planned vacation in advance of their going. During the trip, I spoke with her frequently over the telephone and never had an indication of anything out of the ordinary.

Then the day after September 11, 2001, my ex-wife called to say that she planned to stay a little longer. At first, I didn't think anything about it, but I did remind her that my visa, coincidentally, had just expired and needed to be renewed. After several days of one delay after another, I told her flat out I had to have the visa. That is when she told me, no, and told me that she had her father stop his efforts to get one for me. She said she was having second thoughts about her life in the United States away from her family and that she didn't want me to come over there until I could guarantee that I would not take the children.

I told her I had a right to go over there and see my children, and that if she didn't get a visa for me, I would cutoff her credit cards and use the money to take legal action against her. Although her parents are very wealthy and were providing, and are continuing

to provide, for all their needs, she didn't like the idea of her extra money being cutoff. So on September 22, 2001, I got a voice mail that stated, in part, "You have gone too far. I am taking the children where you will never, ever find us, so don't bother looking."

According to the Saudi Arabian embassy in Washington, DC, at that time, there was nothing I could do to compel her to return the children nor any way I could get a visa to Saudi Arabia, even though we were still married. I requested assistance from my ex-wife's brothers and sister, but they refused to help.

At this point, I knew I had to have something legal in hand if I was ever to see my children again, and filed for divorce, on October 15 of last year.

On December 18, 2001, I got my first divorce by default from my ex-wife and was awarded custody of Lilly and Sami. Then I got in touch with the State Department. The State Department official with whom I dealt, Ms. Beth Payne, Office of Children's Issues, has been very helpful and outlined what the Department, FBI and INS could do to help encourage my ex-wife to return my children to the United States.

However, before any action could be implemented, my ex-wife filed a counter petition for divorce in April of this year in the Dallas District Court, and thereby, according to my lawyer, conceded to the jurisdiction of the Dallas court. I willingly agreed to reopen the case to let her have her day in court. But it soon became apparent that all she was doing was having her father try to break me financially.

They attempted one ploy after another to delay or prolong the process. Fortunately, the court saw through their actions and set the final trial date for July 29, 2002. At that time I got my second divorce and was once again awarded total custody of Lilly and Sami.

So after 9 months and over \$33,000 in legal fees, I got two divorces and twice received sole custody of my children. But what I didn't get were Lilly and Sami, or a way to get them out of Saudi Arabia.

Since that time, the State Department has made the decision to deny visas to the United States to my ex-wife's parents and siblings. In my situation, this may be an effective tool to encourage her to return my children, because her family, as I said, is wealthy and is held in high regard in Saudi society, the government and the business community and will likely need to come to the United States in the future.

Additionally, the FBI recently issued a warrant for my ex-wife's arrest and plans to forward it to Interpol, through which it will be enforced in countries that are signatories to the Hague Convention. Upon entry into such countries, my ex-wife would be arrested and the children returned to me. Unfortunately, countries in the Middle East will not honor this warrant. Finally, INS has suspended my ex-wife's Green Card.

All of this, though, even if it works, will take time, but as we have seen from the testimony to date, time is so precious. It has been over 1 year since I have seen Lilly and Sami, and there is no way I can have a relationship with them while they are in Saudi Arabia.

Until recently, I have been able to speak with them over the telephone, but they are taught to speak Arabic only, which I do not speak. So all we have been able to do is just listen to each other's voices. And now because of the actions I have taken, they have even stopped that.

Additionally, when I do go to Saudi Arabia, I will be extremely vulnerable because of the influence my ex-wife's father and brothers have and the ill will she and they now have toward me because of my actions to rescue my children. In fact, I just found out that my ex-wife has brought, or plans to bring, criminal charges against me in the Saudi court for crimes against Islam, accusing me of baptizing my children and taking them to church.

Also she tells me that her father has hired 24-hour armed security guards to keep me away from the children without her permission. As a result, once in the country, they could easily have me jailed or even killed and be completely justified in their actions.

Aside from the risks, though, involved in trying to see my children, I am more concerned about my children's future rights as citizens of the United States. As I have emphasized throughout this statement, the Saudi Government is stealing their rights from them as the U.S. State Department stands by helplessly and watches. Yet the Saudi Government has no legal basis to do anything in regard to my children's nationality or in preventing them from coming home.

Lilly and Sami are not Saudi nationals and never legally could be without my involvement. Therefore, I beseech you, Mr. Chairman, the committee and President Bush, to demand that Crown Prince Abdullah order the return of my children to the United States immediately. After all, the Saudis' argument in the past in regard to these custody issues was that it was a private matter about the children they considered to be Saudi nationals and that we should respect their laws. Well, in my case, they have no such argument because under their own law, my children are American nationals only, and I, as their father, and as stated in three court orders issued by the District Court in Dallas, have the sole right to decide where and with whom they should live.

Chairman Burton and members, let me conclude by saying that I was quite taken by the outrage that you all expressed during your hearing last June when you all heard about how the Saudis were trampling on the rights of American parents and their children who were illegally held in Saudi Arabia. I was equally impressed with the direct action you took to go to Saudi Arabia in August to work out a solution regarding our children. However, as you found out, the Saudis simply will not listen to what they are not made to hear.

Therefore, I believe that it is time for the United States to make the Saudis sit up and listen and let them know that we are serious about getting our American children home, instead of letting the Saudis continue to kick sand in our faces.

Thank you. This concludes my statement.

[The prepared statement of Mr. Rives follows:]

TESTIMONY
Before the Committee on Government Reform
House of Representatives

“Americans Kidnapped to Saudi Arabia: Is the Saudi Government Responsible?”

Statement of Michael E. Rives, Father of
Two Children Held Illegally in Saudi Arabia

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify before you today regarding my children’s abduction and illegal retention in Saudi Arabia. Along with me are my three other children—Ginger Ann McKay, Benjamin Michael Rives, and Aaron Scott Rives—who have also come here today to show their support for me and concern for their brother and sister—Lilly Michelle Rives and Sami Michael Rives—who are being held illegally in Saudi Arabia by my exwife with the help of the Saudi Arabian Government. Normally, I am a very private person and seldom share anything of a personal nature with those outside my immediate family—in fact, there have been only two occasions in my life that have been important enough for me share my personal feelings in a public forum—my father’s eulogy and my discussion before you today because I need your help and that of the Committee’s to get Lilly and Sami out of Saudi Arabia and returned safely to their home in Texas as ordered by the Federal District Court in Dallas.

To begin, let me introduce my precious babies: Lilly and Sami

Lilly is my treasure. She is my first daughter from scratch and is only 4 years old. She has the sweetness of an angel, a giggle that can tickle your spine, and a look that can melt the coldest of hearts. Our relationship was such that we could communicate just by looking at each other. In just 6 days though, I will miss yet, another one of her birthdays when she turns 5.

And Sami...he’s my buddy. He is only 3 years old and has the perkiness of a puppy, always following me around and insisting upon sitting next to me at all times. Right now, he likes Batman and farm animals and finds joy in the most unusual things. He loves the commercial for

Mattress Giant and the game show: The Weakest Link. In fact, the only English he was speaking before he left was the end of that show's tag line. We would tell him, "Sami, you are the weakest link." Then, he would say "good bye." It was soooooooo cute!

I cannot imagine any more wonderful children than Lilly and Sami, because they are just like their other brothers and sister. As you can imagine, this is been a very tough time for me...continually questioning whether I would ever see them again and now wondering whether I will ever be able to extract them from a Country to which they don't belong.

Lilly and Sami are citizens of the United States of America and of the United States, only! As you may know, under Saudi law, children take the nationality of their father--- regardless of where they are born. Also, under Saudi law, dual or multiple nationalities or citizenships are not allowed. A person can be only Saudi or be only something else. However, the Saudi Government can bestow the Saudi Nationality on those to whom they wish, if the individual will also give up their previous nationality. This is what happened in my wife's case, and God forbid, may be happening right now to Lilly and Sami. Specifically, my exwife is a Syrian National by birth and had the Syrian Nationality at the time of our marriage and also at the time of the birth of each of my children. However, about 2 years ago, her father requested and got the Saudi Government to give the Saudi Nationality to my ex-wife and to her sister because of the special relationship he has with certain members of the Royal Family. As a result, she no longer considered a Syrian National and, since our divorce, has been using the Saudi Nationality solely as a tool to hold my children in Saudi Arabia.

Now, she and her father appear to be in the process of getting the Saudi Nationality for my children in order to keep them in Saudi Arabia and to take away their birth right as Americans. If she succeeds, it will be particularly damaging to my daughter's rights and freedom--Lilly will automatically be limited in the type of education she can receive, the type of profession she can aspire to, and even to the person she may marry—as a Saudi woman, she can marry only a Saudi man. Moreover, both Lilly and Sami will lose the liberties we as Americans enjoy, most important of which is the freedom of religion.

To get them the Saudi Nationality though, my ex-wife must request and obtain the direct involvement of the Saudi Government and the Saudi Government's complicity in violating not only my rights as Lilly and Sami's father, under Saudi law, but also in violating the orders issued by the U.S. District Court having jurisdiction over the children.¹ Apparently, this is not a problem for the Saudi Government; in fact, that Government has already taken direct action to camouflage my children's identity as Americans. This past June, the Government readily provided my exwife Saudi passports for Lilly and Sami, and took away their American passports.² The Saudi Government did this with the full knowledge that Lilly, Sami, and I are American Nationals only, since this is clearly stated on my children's Saudi birth certificates,³ as well as their American birth certificates issued by the U.S. Embassy in Riyadh.

The Saudi Government also restricts my ability to see my children. For example, I cannot get a visa to Saudi Arabia unless my ex-wife agrees to my going over there. And of course, her agreement depends more on how she feels about me than it does on my rights see my children or their rights to see me. In fact, this is reason why I filed for the divorce in the first place last October. When my exwife and children left for Saudi Arabia in July 2001, I believed their trip to be their usual annual vacation to visit her parents. Unlike before though, I insisted that I have a visa to Saudi for the length of their planned 2-month stay, in advance of their going. During their trip, I spoke with my exwife frequently over the telephone and never had indication of anything out of the ordinary.

Then, the day after September 11, 2001, my exwife called to say that she planned on staying a little longer. At first, I didn't think anything of it, but I did remind her that my visa, "coincidentally," had just expired and needed to be renewed. After several days of one delay after another, I told her flat out that I had to have the visa. That's when she told me no, and told

¹ My ex-wife even conceded to this court's jurisdiction when she and her numerous lawyers filed a counter-petition for divorce last April. This action ended on July 29, 2002; with me obtain full and total custody of both Lilly and Sami.

² I have been unable to find out whether Lilly and Sami got separate passports or where placed on my exwife's passport as is often the case with mother's and minor children. Additionally, the Saudi Government has ignored two diplomatic requests from the U.S. Embassy in Riyadh to retrieve their American Passports.

³ Lilly and Sami were both born in Riyadh, Saudi Arabia. But, unlike the practice in the U.S., a person does not receive the Nationality by virtue of their birth in that country; in Saudi Arabia, the child takes the Nationality of their father, only.

me that she had her father to stop his efforts to get one for me. She said that she was having second thoughts about her life in the United States away from her family and that she didn't want me to come over there until I could guarantee her that I would not take the children home with me. I told her that I had a right to go over there to see my children and that if she didn't get a visa for me I would cut off her credit cards and used the money to take legal action against her. Although her parents are very wealthy and were providing and are continuing to provide for all of their needs, she didn't like the idea that her extra spending money would be cut off, so on September 22, 2001, I got a voice mail that stated in part, "... you've gone too far. I am taking the children to where you will never, ever find us, so don't bother looking!"

According to the Saudi Arabian Embassy in Washington, D.C. at that time, there was nothing that I could do to compel her to return the children nor anyway that I could get a visa to Saudi Arabia even though we were still married. I requested assistance from exwife's brothers and sister—but they refused to help.⁴ At this point, I knew I would need something legal, in hand, if I was ever to see my children again and filed for divorce on October 15, 2001. On December 18, 2001, I got my first divorce (by default) from my exwife and was awarded custody of the Lilly and Sami; then, got in touch with the U.S. State Department. The State Department official, with whom I dealt, Ms. Beth Payne, Office of Children's Issues, has been very helpful and outlined what the Department, FBI, and INS could do to help encourage my exwife to return my children to me in the United States.

However, before any action could be implemented, my exwife filed a counter-petition for divorce in April 2002 in the Dallas District Court and thereby, according to my lawyer, conceded to the jurisdiction of the Dallas Court. I willingly agreed to reopen the case so that she could have her "day in court." But, it soon became apparent that all she was doing was having her father try to break me financially. They attempted one ploy after another to delay or prolong the process. Fortunately, the court saw through her actions, especially after she defied a June 14, 2002, court order to appear in Dallas with the children, and set the final trial date for July 29, 2002. At that time, I got my second divorce and was once again awarded total custody of Lilly

and Sami. So, after 9 months and over \$33,000 in legal fees, I got 2 divorces and twice-received sole custody of my children; but what I didn't get, were Lilly and Sami, or a way to extract them from Saudi Arabia.

Since that time, the State Department has made the decision to deny visas to the United States to my exwife's parents and siblings. In my situation, this may be an effective tool to encourage her to return my children because her family is wealthy and held in high regard in Saudi society, the government, and the business community and will likely need to come to the United States in the future. Additionally, the FBI recently issued a warrant for my exwife's arrest and plans forwarded it to INTERPOL through which it will be enforced in countries that are signatories to the Hague Convention. Upon entry into such countries, my exwife would be arrested and the children returned to me. Unfortunately, countries in the Middle East will not honor this warrant. Finally, INS has suspended my exwife's Green Card.

All of this though—even if it works—will take time, but time is so precious! It has been over 1 year since I have seen Lilly and Sami and there is no way that I can ever have a relationship with them while they are in Saudi Arabia. Granted, I have been able to speak with them over the telephone, but they are being taught to speak Arabic, only—which I do not speak; so all we are able to do is to listen to each other's voices. Additionally, when I do go to Saudi Arabia, I will be extremely vulnerable because of the influence my ex-wife's father and brothers have and the ill will she and they now have towards me because of my actions to rescue my children. In fact, I just found out that my ex-wife has brought criminal charges against me in Saudi Court for crimes against Islam, accusing me of baptizing my children and taking them to church. Also, she tells me that her father has hired armed, 24-hour security guards to keep me away from the children without her permission. As a result, once in the country, they could easily have me jailed or even killed and be “completely” justified in their actions.

Aside from the risks involved in trying to see my children though, I am more concerned about my children's future rights as citizens of the United States. As I have emphasized throughout

⁴ They too told me that they did not want to take the chance that I would take the children home because 10 years ago my exwife willingly gave up two daughters—who were 4 and 6 years old at the time of her divorce from their

this statement, the Saudi Government is stealing their rights from them as the U.S. State Department stands by helplessly and watches. Yet the Saudi Government has no legal basis to do anything in regard to my children's nationality or in preventing them from coming home. Sami and Lilly are not Saudi National and never legally could be without my involvement. Therefore, I beseech you—Mr. Chairman—the Committee, and President Bush to demand that Crown Prince Abdullah order the return of my children to the United States, immediately! After all, the Saudi's argument in the past in regard to these custody issues was that it was a "private" matter about the children they considered to be Saudi National and that we should respect their laws. Well, in my case they have no such argument because under their own law, my children are American National only, and I, as their father—and as also stated in 3 court orders issued by the Federal District Court in Dallas—have the sole right to decide where and with whom they should live.

Chairman Burton and members of the committee, let me conclude by saying that I was quite taken by the outrage y'all expressed during your hearing this past June, when y'all heard about how the Saudi's were trampling on the rights of American parents and their children, who were being held illegally in Saudi Arabia. I was equally impressed with the action you took to go to Saudi in August to try to work out a solution with them regarding our children. However, as you found out, the Saudi's simply will not listen to what they ARE NOT made to hear. Therefore, I believe that it is time for the United States to make the Saudi's sit up and listen...and to show them that we ARE serious about getting our American children home; instead of letting the Saudi's continue to "kick sand in our faces!"

Thank you. This concludes my statement.

Syrian father--and has since regretted it.

Mr. BURTON. Let me just correct you on one point, and that is, our State Department can do something about it. The problem is they haven't because they haven't really wanted to. We just have to keep pressure on them.

I do believe that Secretary Powell is moving in the right direction, and I think the President is, and we will just have to keep making sure they head in that direction.

The problem is we have this darned war staring us in the face. Hopefully, that will not be a very big impediment.

Ms. Dabbagh.

Ms. DABBAGH. Congressman Burton and members for Government Reform, I come before you today as yet another parent whose child has been abducted to Saudi Arabia. My child is not Saudi. My ex-husband is not a Saudi either.

I have a U.S. custody order. I have an Islamic custody order from Syria, quite a feat for an American Christian woman. Our FBI has issued a Federal warrant for the arrest of Mohamad Hisham. Syria, likewise, has issued warrant for his arrest for kidnapping my daughter. Our Congress and our U.S. Senate passed the first and only Sense of Congress and Sense of the Senate resolution asking that Saudi Arabia and Syria return Nadia to the United States. Yet, all efforts have failed to produce even the most meager results.

Nadia is now 12 years old. I kissed her good-bye just before her third birthday on November 3, 1992, for a court-ordered, unsupervised visitation, knowing that I would never see her again. You see, my ex had promised to kidnap her, but the courts didn't find my testimony credible.

The night before Nadia was to go visit her father, I sat by her bed watching her sleep. As the clock quickly ticked off the minutes that I had left with her, I knew when morning came, she would be gone forever. It was the longest night of my life, and the torturous hours were witness to my fear.

As I watched Nadia sleep, I told myself to memorize every detail of her chubby little cheeks. I caressed the dimples on the back of her hand and brushed a wisp of hair from her eyes. She slept the sound sleep of the innocent. I choked back tears so that my grief would not awaken her. I sat remembering our conversation the day before.

It was the start of the holiday season. My curious toddler asked what a Christmas tree was in the department store. The lights and brightly colored ornaments held her gaze. I explained to her that we would have a Christmas tree like that and that her grandmother and aunts and uncles and cousins would all be together, and we would eat all our favorite foods. She turned her little face toward me and, smiling, said, "I want to eat hamburgers under the Christmas tree."

Ladies and gentlemen, Christmas never came to our house that year and Nadia never ate hamburgers under the Christmas tree. Where Nadia was taken, they don't have stockings hanging on the fireplace and no Christmas trees to eat hamburgers under. There are no Easter parades and no tooth fairies. Her magical world of childhood was left behind when she was kidnapped. She even left her favorite blanket behind, the one she cuddled with at night. I dared not wash it after she was taken for fear I would lose the

faint scent of her that still lingered on the beloved Kool-Aid stained “blankie.”

While it would take more than a year for Interpol to determine that Nadia had been taken to Saudi Arabia, the information provided no relief. Efforts to bring Nadia home were met with disappointment after disappointment.

I continue to worry about Nadia. I have not seen her since she left the United States nearly a decade ago. I have not had a phone call with her or a photo or a letter. There has been absolutely no communication of any kind, either directly or indirectly.

I worry about Nadia because no one has seen her. My ex-husband had threatened to kill her. I worry about Nadia because my ex-husband had revealed to me that his family had arranged her marriage to a cousin in Syria when she was only 9 weeks old. My ex-husband’s mother married at the age of 13 and his sister married at the age of 14. Nadia is now 12, and my fears increase with each passing year.

Things are different for Nadia and me since that fateful day in 1992. She was ripped from everything that had served to identify who she was. This tiny child of just 2 years old was taken from her mother, her relatives and her community. She was not allowed to take her pet bird, Chiquita, that she loved. She would be forced to leave behind her toys, her friends and her language. Even trips to Taco Bell for her favorite food would be denied her now, and she would never again feed the ducks in the small pond behind our house. For me, I would continue to be a parent, but my role would be redefined in a most drastic way.

For 10 years I have been a left-behind parent. I am a parent that does not tuck a child in bed at night. My arms are empty and my heart aches. I do not get annual school photos of Nadia. Instead, I get computer-age enhanced photos periodically, showing what she might look like today. I do not throw Nadia birthday parties, celebrating each year as she grows. Instead, I receive condolence cards from various missing children’s organizations on her birthday.

I do not walk into Wal-Mart stores to do back-to-school shopping. When I go to Wal-Mart, I silently gaze up at the wall of missing children’s posters and note that Nadia’s is still hanging there. Through the years, I have not saved money for her college education. Instead, every available dollar was used to pay for lawyers, investigators, long distance telephone calls and overseas travel expenses. I have spent \$200,000 trying to bring her home.

I come before Congress today pleading that Nadia be returned. Nadia was sexually abused by her father and underwent investigation by Social Services at the time he fled the country with the tiny toddler. He was under investigation by the Secret Service for laundering money for arms.

I request that the Saudis would immediately provide American authorities with specific details and the history of recent travel to Saudi Arabia, including when she entered the country, if she has left, where she stayed and all other information. While they may very well consider a man with my ex-husband’s background an asset and may wish to continue providing him sanctuary, my child is young and not capable of providing the Saudis with any particu-

lar contribution that would support their efforts to destroy international threads of cooperation.

Saudi Arabia became a signatory to the United Nations Convention on the Rights of the Child January 26, 1996. Their obligation under this treaty in regards to Nadia are as follows:

Article 2: State parties shall respect and ensure the rights set forth in the present convention to each child within their jurisdiction without discrimination of any kind, irrespective of that child's or his or her parents' or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, birth or other status.

State parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions or belief of the child's parent, legal guardian or family members.

State parties undertake to respect the right of a child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

State parties shall ensure that a child not be separated from his or her parents against their will.

State parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis.

Saudi Arabia has not facilitated any action, program or laws that would effectively address their obligation under the child's rights treaties. Their blatant disregard for international law, Islamic law and basic human compassion is well documented, and a reputation earned long before they began the practice of killing females before burying them instead of burying them alive. Their barbaric culture has long been under fire by human rights groups worldwide.

My ex-husband found a haven where he can continue practicing his debauchery without fear of reprisal. He can continue to sexually abuse toddlers without fear of persecution. He can continue to support and be part of extremist religious factions that support jihad. He can continue to disregard any law, whether it be civil, religious or moral, in this desert kingdom that spends more time, energy and effort on covering up the truth of their decadence than they do at attempting to provide remedies.

For the Saudis, the ideology that they are a privileged people and exempt from all accountability continues to cause havoc, chaos and harm. They have disenfranchised themselves as part of the international community of human rights, while at the same time demanding that they be recognized as world partners in improving the lives of humankind. They are bullies. They have not been able to fool the world into believing otherwise by sending their expensive public relations experts to spin half-truths, lies and cover-ups.

My child is not a Saudi.

Ladies and gentlemen of this Congress, I conclude my address by stating, Nadia means hope. It is hope that fuels my efforts to free Nadia. Perhaps 1 day, if it is God's will, Nadia and I will eat hamburgers under the Christmas tree.

[The prepared statement of Ms. Dabbagh follows:]

Prepared Statement of Maureen Dabbagh
Before the Committee on Government Reform
U.S. House of Representatives
107th Congress, 2nd Session
Washington, D.C.
October 2, 2002

Congressman Burton and members of the Committee on Government Reform, I come before you today as yet another parent whose child has been parentally kidnapped and taken to Saudi Arabia. In 1988 I married Mohamad Hisham Dabbagh, a Syrian attending college in Florida. We married only months after meeting, and with my understanding that we were in agreement regarding issues of children, religion, domicile and our future goals. We had our daughter, Nadia Dabbagh in 1990. She was healthy and beautiful and everything I could have wished for.

The numerous conversations regarding our compatibility and agreements on family issues was quickly dismissed by Hisham shortly after our wedding. I quickly learned that my husband had intentionally deceived me in an effort to heighten his chances at marriage. He revealed to me that he needed to obtain American citizenship in order to secure an American passport. It is important to understand that he did not want to be an American citizen. He openly expressed his disdain for America. He only wanted the passport as he stated it afforded him the ability to travel without restriction. The conflicts within the family had grown to physical abuse against Nadia and me. I was broken hearted to learn that the man I had fallen in love with and married had deliberately put into place deceptions aimed at forwarding his own goals at my expense. We lived together only three years before I initiated divorce proceedings.

The courts granted my request for a divorce on the grounds of extreme cruelty in 1992. I was given sole custody of Nadia and Hisham was restricted from visiting or even knowing where we lived as a result of his death threats and physical violence.

Months after the court decision, I finally felt free. Nadia and I enjoyed life without fear of violence or harm. She thrived and no longer ran to me, grabbing my legs when she would hear Hisham come home from work. Our peace and joy did not last long. Hisham filed a motion for another trial in court and wanted custody. A new judge would preside over this case and had determined that Hisham should be granted a temporary, unsupervised, out of state, visitation of Nadia until she could make her ruling. I had revealed to the court that Hisham had threatened to abduct Nadia and begged that they not force two-year old Nadia to go to Florida to visit her father unsupervised. The court did not change its decision. I said good-bye to Nadia on November 3, 1992. I knew I would never see her again.

It took more than a year before INTERPOL determined where Nadia had been taken. They found that she had entered the Kingdom of Saudi Arabia. I had not sat idle while authorities were looking for Nadia. I traveled to Syria and availed myself to the Islamic courts in Damascus, requesting custody and did receive it. You see, Syria would not recognize my American custody order. This is quit a feat for an American Christian woman. I also learned that Hisham was being investigated for laundering money for arms when Secret service came to my home to debrief me.

Nadia is not a Saudi and neither was Hisham. He was Syrian and Nadia was solely an American citizen, as her birth had never been registered in Syria. Still, Hisham was able to secure a fraudulent Syrian passport for her and they lived in the Kingdom. Since I had been able to successfully litigate in the Islamic court in Syria and obtain an Islamic custody order, I had thought it would be easy to have Nadia returned. After all, she was not a Saudi and I had an Islamic custody order.

My personal experience in working with Saudi authorities has not been successful. A Saudi embassy diplomat told me that they did not recognize my American custody order nor did they recognize the Islamic custody order. I was told I would have to litigate my case once again in the Saudi Islamic court. I did not pursue that advice for several reasons. Firstly, I was financially not able after litigating in the USA and Syria. Secondly, I had no confidence in litigating in Saudi because they did not recognize Sharia law.

The Saudis told me that the American warrant for the arrest of Mohamad Hisham Dabbagh would not be acknowledged and neither would the warrant issued for his arrest from Syria. Both countries have issued the warrants for kidnapping Nadia.

American officials have worked diligently to secure Saudi cooperation in the hopes that contact could be made with Nadia and to secure her return. The efforts of various State Department offices and branches have included:

- Requests and confirmation on Nadia's whereabouts
- Request and information on Mohammed Hisham Dabbagh
- Requests for a welfare check on Nadia

I have requested an entrance visa into Saudi Arabia for the purposes of attempting to contact Nadia. The Saudi's refused my request.

The U.S. Department of Justice also responded aggressively to the kidnapping of Nadia. And approached the Saudi's with the following requests:

- Warrant for international parental kidnapping was issued for the arrest of Mohamad Hisham Dabbagh
- Extradition of Mohamad Hisham Dabbagh
- INTERPOL request for whereabouts and welfare on Nadia in the Kingdom
- Voice of America place Hisham and Nadia on their International Crime Alert

Still, the Saudi's remained uncooperative.

Our Congress also stepped in on Nadia's behalf and aggressively addressed her abduction with the following:

- Congressman Lampson sponsored a congressional resolution that was passed, calling for Saudi Arabia to return Nadia to me.

Still Saudi remained uncooperative.

Missing children's intervened with various efforts slated at bringing Nadia home:

- Missing children's posters were created and distributed by:
Child Watch of North America
National Center for Missing and Exploited Children
Vanished Children's Alliance
Committee for Missing Children
Child Quest International
And others..

- Letters were written to various agencies requesting assistance and support

Still the Saudi's remained uncooperative.

Then, the international community got involved.

- SOS of France, a missing children's organization funded by the French Ministry of Justice arranged meetings with dignitaries, wrote letters and lobbied for Nadia's return
- SOS in Switzerland featured Nadia on their web pages and wrote letters of support
- Reunite, a government funded agency in the UK attempted to lend support.
- German, Brazilian and French media reported on Nadia's plight.

But the Saudi's would not respond. Then the public began to cry out. People I did not know and had never met.

- Mass letters were sent to legislators bringing attention to Nadia's plight
- Letters of support came to my home
- Web sites created with Nadia's picture on it
- Even a song was produced and is now available for sale by a recording artist in Florida

Yet, the Saudi's remain unmoved. My own efforts include a long list of both subtle and aggressive endeavors:

- Protesting in front of the Saudi embassy
- Organizing a candle light vigil in front of the White House for three consecutive years with parents and supporters from around the nation and the world.
- Writing a book on how to recover a child
- Hunger strike
- More than 100 media interviews
- Extensive travel to the Middle East to litigate and locate for Nadia's return

Still, nothing I did whether directly related to Nadia's abduction or indirectly, Nothing changed.

Furthermore, Saudi Arabia is in violation of the United Nations Convention on the Rights of the Child. Saudi Arabia is a signatory to this international treaty addressing the rights of children. This treaty also addresses issues of parental abduction and the transfer of children over international borders. It obligates signatories at the highest level to respond to cases of abduction and provide remedy by allowing entrance into and out of the country for purposes of family reunification. It states that a child has a right to know their parents and family and where they come from. But this treaty has also failed in providing relief in my case.

- My child is growing up in a country that still believes in child brides.
- My child is growing up in a country where slavery continues.
- My child is growing up in a country where female circumcision is legal.
- My daughter is growing up in a country where arranged marriages are the norm.
- My daughter is growing up in a country where women are so fearful of not being virgins when they marry that they go to Europe to have surgery that would remove any trace of their fornication.
- My child is living in a country where the sodomy of little boys and homosexuality I seen as an acceptable alternative to touching a woman that is not one's wife.
- My child is living in a country where a man can have up to four wives at a time.
- My child is living in a country where state of the art drug rehab clinics hide the drug abuse problem there.
- My child is living in a land where public beheadings and mutilations are a way of law.

The effects of such a society and culture on a human being can clearly be seen in the conduct of Saudi officials themselves. They appear to lack any sense of natural compassion. In fact, while the Saudi's routinely refer to Allah as the most compassionate, It appears that compassion is a virtue the Saudi's believe is possessed only by a god.

What excuse will the Saudi government give for not returning my child?
 What excuse will they give for not allowing me the opportunity to even visit with my child?
 What excuse will the Saudi's give for not returning Mohamad Hisham Dabbagh to the USA to stand trial for his crimes?

Will they say Nadia is not in the Kingdom and therefore, there is nothing they can do? Certainly, this had been a pattern for years. Nadia is routinely in the Kingdom on visas that the Saudi's provided. When a government inquiry is made regarding Nadia, she is moved into Syria. My child is shuffled back and forth. She is currently in Riyadh. Will the Saudi's respond to American officials be that she is not there?

My brother fought in the Gulf war. He put his life on the line for the Saudis. In return, his niece was taken from him. My government has done all it can do. There is nothing more that my

government can do short of ordering a covert operation to forcibly rescue Nadia.

To Saudi officials, I say this " My government is watching. My government is learning. The U.S. Department of Justice has funded research on abductors most likely to succeed. Their findings along with recommendations to family court judges are now finding their way into the hands of judges across the country. I have made it my personal crusade to prevent the abduction of American children abroad through early identification of abduction risk and provide testimony in courts across the land. Recommendations by the American Bar Association, Center on Children and the law in cases that present a strong showing for the likelihood to abduct include sole custody orders as well as limiting the high risk parent to supervised visitation. At this time, several Arab Muslim fathers have been placed, by order of the court, under armed guard supervision. I know for a fact that these fathers have called their embassy in the USA complaining. Still, the children are safe and the embassies know that I will fight for each child that is at risk.

Saudi's refusal to cooperate at any level will only serve to re-enforce the pattern of abductions to Saudi Arabia as being unresolvable and the likelihood of recovery being non-existent. Saudi's refusal to cooperate will result in more Saudi fathers being placed under supervised visitation in order to prevent them from abducting their children when a risk has been shown. I know, because I do Case evaluations to determine risk for abductions at the pleasure of family courts and will

Continue to provide case evaluations in an effort to prevent abductions when a risk has been shown. Saudi fathers can only blame their own government if they are not allowed to take their children to Saudi Arabia to visit. The horrendous track record of Saudi's response in these cases are unprecedented. In the Peggy Mohamad case, the Family court ordered that two of her four children be chosen to visit their father in Saudi Arabia. The Court believed that the father would not keep the children if only two were sent at a time. An Imam (Islamic holy man) even testified that he would escort the children to and from Saudi Arabia, ensuring they would not be retained there, in spite of the mother's protest. The court forced Peggy to choose, which of her two children would go to Saudi first. She agonized, knowing she would never see those children again. Peggy made that choice and as predicted, she has never seen her children again. The Imam responded to the deceit by claiming he has no authority to bring the children back to the USA. In the end, the story was highly publicized and serves as a reminder to judges of the extreme actions that have been taken in an effort to abduct children into the Kingdom. Saudi may have our children today, but they will not have them in the future.

As for the assistance I have received from authorities in the United States I can honestly say that there are those individuals in agencies that have been like angels to me. My case has lasted a decade and I have meet many people. While the Office of Children's Issues has been involved in my case and has performed the perfunctory duties of relaying information and requests, it has also demonstrated and disdain to me as the parent of an abducted child by trivializing my case, withholding information and placing diplomatic concerns over that of protecting my American citizen child. Parents have called me stating the case workers at the Office of Children's issues had warned them not to become involved with me and my efforts to lean support and remedy to parents whose children had been abducted abroad. As a result, I do not share information about my case with that Office. I fear they would take every opportunity available to them to sabotage

any effort they believed might bring productive results. I believe that it has been done in the past and that they would not hesitate to do it again. I have not been kind in my words regarding the State Department and certainly my efforts to organize parents and create a forum that eventually grew loud enough so that the Office of Children's issues was forced to give accountability has not earned me any respect from the Office of Children's issues. I am afraid of the Office of Children's issues. I have long heard the unkind remarks made about me and my efforts from many people. I am afraid that the Office of Children's issues will continue to do whatever they can to undermine efforts to recover my daughter.

Remedies in these cases are complex and require a deep understanding of the many issues involved. But children do come home! They come home from countries like Syria, Lebanon, Egypt and Jordan. They come home through the efforts of Justice Department agencies, small missing children's organizations, lawyers and others. These successful returns are isolated and the know how is not shared nor is their effective training available to allow for greater numbers to be brought home.

REMEDIES

As for the United States Government, I am please to see a continued effort to bring about greater understanding into the complex issues of international child abduction with a view to seek remedy. I have been personally involved in about 300 cases of international child abduction and have been able to assist in the return of about 60 children. I am familiar with the obstacles, pitfalls, politics, loopholes and lack of resources that block effective return. Some problems are easily remedies, while others are far beyond my ability to resolve.

- Take non-Hague cases away from the State Department, Office of Children's issues.
- Put in place laws that would regulate the covert recovery industry
- Create an Office within the Justice Department that would handle non-Hague cases and employ SEASONED and experienced individuals with a PROVEN Track record in recovery from various agencies such as the FBI, Missing Children's agencies.
- Make prevention a priority. Every judge in every family court in the United States should have a copy of the Justice Department funded research findings and recommendations on abductors published by the American Bar Association.

Assigning non-Hague international abduction cases to the State Department, Office of Children's Issues is a recipe for disaster as it is a direct conflict of interest to place a criminal case in the hands of a diplomatic organization. The Office of Children's Issues has repeatedly demonstrated their priority of international relations over abducted children repeatedly. For example, the US has an extradition treaty with the country of Jordan for child abduction; yet, the State department policy of not supporting the issuance of an extradition request has influenced the way cases of abduction to Jordan are handle. Not a single extradition request for the return of a fugitive abductor has been issued.

It is a conflict of interest for the State Department; Office of Children's issues to handle non-Hague international abduction cases because they lack the resources needed to effectively move these cases forward. The Office of Children's issues does not work in cooperation with other

agencies, whether they be government or non-government on a wide spectrum, but only work with a very select few. This lack of cooperation reduces the number of resources a case may respond to as well as lowers the chance of effectively resolving the case. For example, when three children were abducted to Egypt, it was Child Watch of North America, a non-profit missing children's organization, that coordinated the return of these children through congressional support and President Mubarek. Because international abduction cases require that a number of agencies work together on any one individual case, not only is the exchange of information between the agencies necessary but also a respectful acknowledgment of those agencies are needed. The State Department, Office of Children's issues had at one time advertised the return of three children from Lebanon on their web site. It was something they do not routinely do. It left the impression that they had been instrumental in the recovery of these children, when, in fact, it was the efforts of the FBI and New York Attorney, Michael Wildes. The Office of Children's issues failed to acknowledge these people in their deceptive announcement. Trojan Horse policies designed to lead a parent into a false sense of security or to present the appearance of effective resources has compromised many cases. Few understand the complex dynamics that work to undermine these policies, programs and resources. As a result, they continue to be put into place at the detriment of cases.

Children abducted to non-Hague countries like Saudi Arabia, require the resources provided by Justice Department agencies like the FBI, legal attaché, INTERPOL and VOA. While the Office of Children's issues may not be an appropriate agency within the State department to be involved in no-Hague cases, certainly other State Department offices are vital, such as the passport office, Diplomatic Security and American embassies abroad. The Office of Children's Issues has consistently put the needs of diplomacy above those of abducted children. It would seem reasonable to release them from such an impossible task much to the benefit of the families caught in their bureaucratic-balancing act.

Effective use of passport laws can and has aided in the return of children. The problem is that this knowledge and education is not being made available to those tasked with bringing children home. For example, in cases where a child is abducted by solely an American citizen, to a non-Hague country, authorities have the ability to immediately issue a federal warrant for the arrest of the abductor and then to revoke his or her American passport. This places the abductor in a situation where they are unable not only unable to travel, but also may place them in violation of a country's immigration law. Such was the case when FBI coordinated efforts in this manner to successfully bring home children in Syria. Also, the current practice by the Office of Children's Issues to offer a parent the opportunity to have an alert attached to their child's passport which would notify them should the other parent attempt to re-new or apply for an American passport has lead more than one parent into a false sense of security, believing it is a viable prevention maneuver. It is not and should not even be offered as a service since the new passport laws governing a child's passport require the signature of both parents before one can be issued.

Laws, which allow for the prosecution of those that, have aided an abductor in the course of abduction or retention should be held criminally responsible for their actions. Rarely is this done. However, when a Lebanese abductor was threatened with grand jury subpoenas to his parent living in the USA, the children were returned.

Recovery strategies are not taught. They desperately need to be and those teaching should not be those that have not returned children. Individuals have been "black balled" from attending missing children's functions and participating in conferences because they are outspoken in their views regarding abduction issues. I, myself, have been accused of not being a "team player" and kicked off or shut out of government funded programs. Today, I tell you that being a team player is nothing more than a term used to define those parents that silently go along with the policies and programs funded by our tax dollars that are ineffective or wasteful. Those that would challenge those programs are seen as troublemakers and efforts are made to make sure any voice not supporting the program is left without a forum to share them. This is why children are not coming home. This is why we are not seeing wide spread effective returns. This is why they are isolated to the small, non-government funded agencies that have not only learned how to do it, but how to coordinate and work with a number of agencies, both in the US and abroad to secure the return of a single child. This is why there are so many parent-founded internationally missing children's agencies. The parents of abducted children should not have to pay taxes that serve to fund agencies and programs that are not able to effectively assist them and then be forced to create and support their own in order to achieve success.

In addressing possible remedies, the topic of covert recovery cannot be ignored. For years parents have hired mercenaries and covert recovery agents to rescue their children, especially from the Middle East. Recently, President Bush changed U.S policy regarding the use of military response when Americans are held hostage abroad. Those policy changes included widening the scope of this power to include civilians, instead of limiting it to only military and diplomatic personnel. The only exception was internationally abducted children, even those that have reached adulthood. I would love to know who President Bush' policy adviser was on that issue.

Mercenaries and recovery agents began surfacing in the 1980's. When former Delta Commando Don Feeny rescued Cathy Mahonies' child from Jordan without incident. The State Department responded by apologizing to the Jordanian government. That has set a tone until this day. Although it is not illegal for a parent to hire a covert recovery agent in the USA, few are successful. Parents spend in excess of \$100,000.00 with few successes. Parents, like Sarah Anderson, have died trying to recover their children from the Middle East. Recovery agents have died trying to recover American children and have found themselves in foreign jails. Child recovery is a lucrative industry without regulation. One only has to go on the Internet to find lists of those offering their services to desperate parents. It is lucrative and easy to sell hope without obligation or penalty for non-delivery. Parent will continue to hire recovery agents, not knowing what their qualifications are. Unless the industry is regulated, a child may end up dead. Private detective must be licensed, but not recovery agents. Recovery agents that openly advertise on the Internet and solicit parents should be obligated to register with some agency so that at the very least, a parent will know who they are hiring. At the very least, they should have business licenses and pay taxes on the hundreds of thousands of dollars that some earn for their failed recovery attempts each year.

I know, because I have gone to countries like Egypt and have carried out American child in my arms. I am not a mercenary and have never taken any financial gain for my efforts. The education I have knowledge I have gained is priceless. My education was expensive and paid for in the abduction of my own child.

FBI agents and those tasked with coordinating recoveries should receive specific training to include issues regarding dual nationality, passport controls, Hague Convention countries, the role of INTERPOL, STATE DEPARTMENT, Diplomatic Security, Legal attaché's and other agencies in international abduction cases. Ironically, many authorities tasked with assisting a parent do not have any reference list of available resources they can turn to as well as information that would define the specific support they offer.

I believe that Saudi Arabia has hurt many Americans with their prejudice and mistreatment. They are responsible at the highest levels of the government for destroying peoples lives and their families. The pain and suffering they have caused the innocent children and their parents, family members and loved ones cannot be measured. The financial loss to the United States in trying to remedy these cases is enormous. The financial burden imposed on those parents that have been forced to spend tens and even hundreds of thousands of dollars in an effort to see their child or to secure the return of their child would not have been necessary if the Saudi government had held true to their obligation when signing the U.N. Convention on Children's rights. Many parents have been forced to file bankruptcy and have been left financially devastated. As such, Saudi Arabia should make financial compensation to those families that have lost everything as a result Saudi's lack of cooperation. While no amount of money can ever repair the damage done to the children or families, it can help to re-establish families forced to file for bankruptcy as a result of this crime and also allow parent to continue their efforts to secure the return of their children.

I have not seen my daughter since she was abducted 10 years ago. I kissed my two-year old good-bye on a chilly November day. I have felt a chill in the air everyday since. I wait for the day when that chill will leave me and I am warm again.

Today, Congress has the ability to make effective changes in law and policy that would immediately impact the success in the prevention and the recovery of internationally abducted children. Should this be the wishes of Congress, I will pledge to support their efforts and to avail myself to Congress toward that goal in sharing what I have learned in the past decade. Nadia means HOPE and it is HOPE that keeps my efforts alive.

Thank you Congressman Burton for giving my pain a voice and to the Member of the Committee on Government Reform for allowing me the opportunity to heard.

Mr. Chairman and Members of the Committee:

Thank you for your invitation to testify here today. I commend you for your efforts and your persistence on the important and heartbreaking issue of American children who have been kidnapped to Saudi Arabia. You have shined a public light on this situation which has existed in virtual anonymity for years.

It was my privilege to be the United States Ambassador to the Kingdom of Saudi Arabia from 1994 to 1996. I think the relationship between the United States and Saudi Arabia is exceptionally important.

During my time as Ambassador I dealt with a number of these cases, all of which have the same basic facts: a Saudi man here in the United States to study meets and marries an American woman. They have a child or children in America and then are divorced in America. The American mother is given custody and the Saudi father is given visitation rights. During one of these visitations, the father, in violation of American law and court orders, takes the children to Saudi Arabia and refuses to return them. The mother may not see her children for years, if ever.

It seemed to me as Ambassador, and still seems to me now, that these cases have nothing to do with Saudi laws or customs or with Islam. These cases have everything to do with American laws and judicial decisions, protecting American citizens, and having the State Department aggressively try to resolve them.

These Saudi men voluntarily came to the United States on a visa this country granted them, voluntarily got married under American law, voluntarily had children in America, and voluntarily put themselves under the jurisdiction of an American court in obtaining a divorce. They then intentionally violated an American court order and kidnapped the children and refused to return them.

Unfortunately, it is an all too common occurrence in America for a non-custodial parent to take a child in violation of a court decision. The federal government, state governments, courts and law enforcement agencies take these cases seriously and usually treat the offending parent as a felon.

One additional thing is very important in these cases involving Saudi Arabia: these children are American citizens.

When Americans have problems overseas, they naturally turn to Embassies and the State Department. In these cases, though, too often the State Department has turned a cold, uninterested shoulder to the parents trying to recover their children. Prior to my time in Saudi Arabia, the Department evidentially cabled the Embassy in Riyadh to be “officially neutral” in these cases. I understand that during this time an American mother and her daughter tried to take refuge in the Embassy only to be turned away by a foreign service officer who sniffed that the Embassy was “not a hotel.”

Most times the officers in the Embassy are just following the dictates from Washington. The people in the field, understandably, do not want to risk their jobs and careers on something people in Washington do not support.

So why doesn't the State Department try to help? I don't know but I have some ideas. First, they say that they don't want these cases to interfere with the larger relationship between the United States and Saudi Arabia. Second, they seem to feel that they are in business to do “big things” and not to trifle with smaller, very human, problems.

Saudi Arabia is an important ally to us and the relationship between the two countries is crucial. At no time did I get the slightest inkling that raising this issue had any adverse impact on this relationship. Allies have issues all the time that need to be solved and are solved without straining the ties between the countries.

I happen to think, as I believe most Americans do, that helping individual Americans is a “big thing” that the State Department, particularly in Washington, should put a lot more emphasis on and should reward, not punish, field officers who focus on this.

The White House in all likelihood could solve these cases if the State Department won't. However, the White House Press Secretary, when asked, dismissed all of these cases as “custody disputes.” No, they are not. The custody issue has been settled by an American judge.

I have read that President Bush raised the issue of the American woman convicted of terrorist activities in Peru with the President of Peru, yet he has never raised these cases at the highest levels in Saudi Arabia. Press reports say that the Saudi Ambassador to the United States brought one case up to the President, not vice versa.

While I was Ambassador, I worked on some of these cases in detail. In one case, we were successful in getting an American mother and her four children returned to America. Others were not successful. I dealt with high levels of the Saudi government on this issue and they were always receptive and helpful. In the case of Pat Roush's daughters, the Saudi Foreign Ministry sent the Embassy a diplomatic note agreeing to a compromise to solve one of these cases. The father, however, refused to cooperate and nothing happened.

Saudi Arabia is an important ally to us and the relationship between the two countries is crucial. At no time did I get the slightest inkling that raising this issue had any adverse impact on this relationship. Allies have issues all the time that need to be solved and are solved without straining the ties between the countries.

I did try one solution to resolve Pat Roush's case. I instructed the Embassy personnel that no one with the last name of her ex-husband who had kidnapped the children would be granted a visa to the United States. I was under the impression from my preparation to be an Ambassador that visas were not a matter of right but a privilege that could be used to advance the interests of the United States. I was also under the impression that an Ambassador had the authority to deny visas if an interest of importance to the United States was involved.

Within a relatively short time, the ex-husband became increasingly desperate, calling the Embassy to complain that his "family was furious with him." Before any resolution, though, I resigned as Ambassador, as I had long planned to do, and returned to the United States. My successor asked the State Department if this policy had their blessing and was told no. He was instructed to end it and he did.

Why the State Department did this is a mystery. What is not a mystery is that the State Department and the White House should treat these cases much more seriously and give them higher priorities and be more creative on how to solve them. This certainly should not harm our relationship with the Saudis. It would be justice for the children and both parents and it would help salve years of heartache.

Mr. BURTON. You know, I don't like bullies very much, and I don't like the Saudi leaders very much after what I found out about them. I had a chance to talk personally to their foreign minister, and I think the attitude that they had was very similar to what you ladies and gentleman have stated here today.

Our State Department can do a lot to put pressure on them. The administration can do a lot to put pressure on them. Even though we are in the throes of a war and may have to use our base in Saudi Arabia to prosecute that war against Iraq, that doesn't change the fact that we can put pressure on the Saudi Government, and we should.

Some of the things that I have thought about while you were talking here today is, there are 600 to 900 Saudi students that, when I was over there, did not get their visas to come back to the United States to study. I think maybe we ought to hold those visas up indefinitely, until we get some of these kids back. Obviously, to the people at the State Department, we ought to consider that. We ought to consider holding up any visas for Saudis who are students, who are going to study here in the United States, until we get some positive reaction from the Saudi Government.

We have legislative proposals that we are going to make, and I am sure I will have strong Democrat and Republican support to get those passed. But that takes time. We are at the end of our session and most of that probably won't get done until next year.

In the meantime, you folks at the State Department who are here—and you know who you are—I want you to take this message back to the leaders at the State Department, including Colin Powell:

We will take the tape we are having made here today of the hearing, and we will condense it down so that the most salient points being made by our witnesses are on that tape; and I am going to urge the people who have control over at the State Department, who are in leadership positions at the State Department, watch this tape so they understand personally the gravity of this situation.

I mean, unless somebody sits here and hears this stuff, they can't possibly know how bad it is. Unless you go over there and talk to these people, you just don't understand how bad it is.

Let me just ask a few questions here of Ms. Tonetti first.

When you got your divorce, you were afraid your ex-husband was going to kidnap your kids and take them away, right?

Ms. TONETTI. Correct.

Mr. BURTON. I think you said that too. I think it has been stated by all of you here.

Did you talk to your children about the possibility that they might be kidnapped?

Ms. TONETTI. Yes, I did. I prepared them for it as best I could.

Mr. BURTON. And none of them wanted to go?

Ms. TONETTI. None of them wanted to go.

Mr. BURTON. The judge granted—these judges, I tell you, that really bugs me. I mean, your husband was suspected of being an arms dealer and he was Syrian.

Ms. DABBAGH. He was under investigation.

Mr. BURTON. He was under investigation. Did the judge know that?

Ms. DABBAGH. I don't know.

Mr. BURTON. Was it brought up in court?

Well, you know, it amazes me that these judges think unsupervised visitation with the kids doesn't present a real threat.

But he did, your judge did make it clear, they were not to be taken out of the country?

Ms. TONETTI. Correct.

Mr. BURTON. He write or call the embassy?

Ms. TONETTI. He wrote, I believe, and you should have a copy of the divorce decree.

Mr. BURTON. He wrote to the embassy, and there was a copy of the divorce decree sent to the Saudi embassy—

Ms. TONETTI. Yes.

Mr. BURTON [continuing]. Saying, don't take these kids out of the country.

Ms. TONETTI. Exactly, not to issue passports.

It was mailed, registered and certified, so there are signed copies.

Mr. BURTON. So it was certified?

Ms. TONETTI. Yes, you should have copies of all of the certifications.

Mr. BURTON. So the Saudis knew about this?

Ms. TONETTI. Oh, yes.

Mr. BURTON. And they were complicit. They were parties to the kidnapping of your children?

Ms. TONETTI. Yes, they were.

Mr. BURTON. They knew it?

Ms. TONETTI. Yes, they did.

Mr. BURTON. So they broke the law?

Ms. TONETTI. They don't recognize our law.

Mr. BURTON. No, they broke our law.

Ms. TONETTI. Yes.

Mr. BURTON. Yes.

Maybe we will make them more aware of our law.

You haven't had any contact with your kids, or very little, since they were kidnapped?

Ms. TONETTI. No, thanks to Congressman Kerns, I had one phone call.

Mr. BURTON. I was supposed to go to that meeting, but I was talking to some other women over there. I am sorry I didn't go, because I would have liked to have seen your kids.

Ms. TONETTI. One phone call in 2 years for about 20 minutes.

Mr. BURTON. He got you some pictures too, didn't he?

Ms. TONETTI. They were wonderful pictures. They looked very happy to talk to me.

Mr. BURTON. Do you know if the State Department ever demanded the return of your children from Saudi Arabia?

Ms. TONETTI. I don't know much of anything that the State Department has done.

Mr. BURTON. They haven't given you much on that?

Ms. TONETTI. No.

Mr. BURTON. Good. Do you know if the State Department ever demanded the return of your children from Saudi Arabia?

Ms. TONETTI. I don't know much of anything that the State Department has done.

Mr. BURTON. They haven't given you much on that?

Ms. TONETTI. No.

Mr. BURTON. How about you?

Ms. McCLAIN. No, they have not demanded the return and have not led me to the expectation they ever will. They want me to just be satisfied with some visitation now and then.

Mr. BURTON. Mr. Rives, have you talked to the State Department?

Mr. RIVES. Yes, frequently.

Mr. BURTON. What kind of response did you?

Mr. RIVES. Last week I believe they sent a communique, a diplomatic message, requesting the return of the kids or wanting to know why they are being held over there.

Mr. BURTON. They have done something positive in your case?

Mr. RIVES. Yes.

Mr. BURTON. Ms. Dabbagh?

Ms. DABBAGH. Agencies falling under the U.S. Department of Justice have been very aggressive in asking for the return, as well as our U.S. Congress, while the U.S. Department of State, specifically the Office of Children's Issues and the U.S. consulars in the American embassy in Riyadh and in Damascus, Syria, have—and I have the documentation—worked very aggressively to prevent recovery by various actions, including withholding information from former President Jimmy Carter; and my file describes how they circumvented all these efforts.

Mr. BURTON. So the State Department has been an impediment in your case?

Ms. DABBAGH. Only the Office of Children's Issues and the Counsel General at the U.S. Embassy in Damascus and the U.S. Embassy in Riyadh. Diplomatic security is real heavily involved in my case. They are fantastic.

Mr. BURTON. But the State Department itself?

Ms. DABBAGH. The case has been cloaked from them for well over a year, and if they have any knowledge of what is going on in my case today, it is only because they have been talking with you guys.

It is cloaked. It is very protected.

We can give you the file, the directives they gave to circumvent the action.

Mr. BURTON. In all your cases, with the possible exception of your case, you really haven't had any help from the State Department.

Judge Duncan, do you have any questions?

Mr. DUNCAN. Thank you, Mr. Chairman. I really don't have any questions, but I will tell you that I really admire the fact that you, Mr. Chairman, are continuing to call attention to this, because I think that you may be these people's only hope.

I think that almost everybody who hears about these situations totally sympathizes with the people who have suffered these tragedies, and I think the only thing—nothing is ever going to be done about this unless we continue to call some attention to these situations.

Unfortunately, I am a little pessimistic because we are now about to enter into a war which I personally think is unnecessary, but we are going to go into it, and I am sure the State Department is going to feel we need Saudi Arabia as an ally. And then also we need their oil, I guess. So they will put all that first.

But I want to say that I will support Chairman Burton in every way that I possibly can, and I think that about 99 percent of my constituents would be in favor of anything that we can do. If the State Department does not act and take strong action in regard to these situations, I think they will be very much ignoring or going against the will of the American people on this.

So, with that, I yield back the balance of my time.

Mr. BURTON. Let me just say to my colleague, Judge Duncan—I call him Judge Duncan because he was a former judge and a good one—we only get about 15 percent of our oil from the Saudis now. It used to be about 50 percent. As a result, we can tell them to eat their oil.

We can get it from someplace else. We can get it from Venezuela, we can get it from Mexico. We can make that up.

The Saudis, when we had the problems back in the 1970's and the OPEC countries, including Saudi Arabia, raised the oil prices so high that we had big long gas lines, they had a tremendous surplus. They had a balance of payments surplus. Now they have a balance of payments deficit. They are hurting. They need us a lot more than we need them.

What we need to do is, we need to put pressure on them to adhere to and recognize U.S. law, and we don't have to go hat in hand to them anymore. We just don't have to do it.

I hope that some of this gets on television, because I am going to be telling all my colleagues that, because most of my colleagues still believe that we are very dependent on Saudi oil. We are not. We don't need them. And if they don't start working with the United States, especially in cases as serious as the ones we are talking about today, they ought to pound sand and eat their own oil.

Mr. DUNCAN. Mr. Chairman, can I say that I agree with you on that statement also. I heard you mention that in your earlier opening statement.

I will tell you, though, that a few moments ago when you were talking about you didn't understand how these judges could make these rulings, I can tell you that I never handled any divorce or domestic relations cases. I tried the felony criminal cases.

Mr. BURTON. I wasn't talking about you, Judge.

Ms. Tonetti, it is my understanding the Saudi Government said they would be willing to drop your crimes against Islam if you dropped the kidnapping charges against your husband. Do you consider that a serious offer?

Ms. TONETTI. No, I do not.

Mr. BURTON. What crimes against Islam did you commit?

Ms. TONETTI. I am not quite sure. I think the fact—the fact that I have a child and I have a new husband, and I don't believe they ever recognized I divorced from my ex-husband. So perhaps—

Mr. BURTON. But the Saudis can have four wives?

Ms. TONETTI. Yes.

Mr. BURTON. They can have up to four wives, and they have complete control over all of their wives and children.

Ms. TONETTI. It is good to be a man in Saudi Arabia.

Mr. BURTON. Yes.

I don't know that I want to prolong the questioning. Are there any other questions we ought to get on the record?

Did you have any questions, Mr. Berry?

Mr. BERRY. Mr. Chairman, I associate myself with the remarks that you have already made, and I want to thank you for, once again, attempting to bring the necessity that our own government has got to do something about this.

If there was ever anything worth fighting for, this is it. And I think we have, as a Congress, we have got to force this issue to the point where we get something done about it.

I appreciate the efforts you have already made and that I know you will continue to make, and I offer my support in anything you attempt to do.

Mr. BURTON. Mr. Berry, what I will do is get you copies of the legislation we are going to be proposing and we are going to try to talk to the Women's Caucus and try to get them on board as well. There will be a growing amount of support. I appreciate your help.

Let me ask a couple more questions before we finish here, and then we will let you go.

Do you know if the President has ever raised any of your cases with the Saudis? Or the State Department, only in your case the State Department.

Mr. RIVES. Has raised the question?

Mr. BURTON. And do you think the President should?

Mr. RIVES. Yes.

Ms. TONETTI. Yes.

Mr. RIVES. I think it is the only way.

Ms. MCCLAIN. Yes.

Mr. BURTON. We will see if we can't get a message to him.

We are going to condense this tape down. I can't take all of the six or eight statements we heard today and have somebody who is in the midst of a war watch all of them, but what we will do is condense it down so that the guts of your statement is very clearly expressed, and we will get that on tape to everybody we possibly can in leadership in our country and see if they can't understand how important this is.

I give you my word, I don't know if any of you saw the "60 Minutes" piece, but the Saudi Ambassador said I went over there for publicity reasons. You know, what I said to them was my father went to prison for abusing me and my mom and my brothers and sisters, and I don't like people like that very much. The Saudis fall right into the category of my dad who should have gone to prison and did go to prison.

As long as I am in the Congress in a position where I can do something about this, you can count on me pounding on them. I won't quit, I promise.

With that, I know that you don't have a lot of hope, and the only reason I am telling you that is because, don't give up. You know, Winston Churchill said never, never, never, never give in. You just hang in there and keep pleading your case. And you talk to your

other Congressmen, who may not be here today, talk to your Senators, talk to the media, talk to everybody you can; and we will keep the heat on the Saudis until we start getting some results.

Thanks an awful lot. We stand adjourned.

[Whereupon, at 1:36 p.m., the committee was adjourned.]

[Additional information submitted for the hearing record and the exhibits referred to follow:]

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INDEPENDENT

TO: MEMBERS OF THE HOUSE GOVERNMENT REFORM COMMITTEE

FROM: DAN BURTON, CHAIRMAN *DB*

DATE: SEPTEMBER 27, 2002

**SUBJECT: FULL COMMITTEE HEARING, 10:00 A.M., OCTOBER 2 AND
OCTOBER 3, 2002, 2154 RAYBURN HOUSE OFFICE BUILDING:
"AMERICANS KIDNAPPED TO SAUDI ARABIA: IS THE SAUDI
GOVERNMENT RESPONSIBLE?"**

The Committee on Government Reform will hold a hearing entitled "Americans Kidnapped to Saudi Arabia: Is the Saudi Government Responsible?" on October 2 and 3, 2002, at 10:00 a.m. each day, in Room 2154 of the Rayburn House Office Building.

The Committee has been conducting a review of cases in which U.S. citizens have been kidnapped to Saudi Arabia or otherwise held against their will in Saudi Arabia. There are several facts regarding Saudi law and culture which make these cases noteworthy. First, Saudi law gives Saudi men extraordinary power over women and children. As a result, the wife or child of a Saudi man may not leave Saudi Arabia without his written permission. There have been cases in which female adult U.S. citizens have been unable to leave Saudi Arabia because they have not been able to obtain the permission of their male guardian. Second, Saudi Arabia is not a signatory to the Hague Convention, and accordingly, there are no legal standards governing the return of kidnapped children from Saudi Arabia. This fact means that kidnapping cases can only be resolved through pressure applied to the Saudi government and Saudi kidnapers. Third, human rights conditions in Saudi Arabia are such that Americans kidnapped to Saudi Arabia are deprived of many of the rights they would enjoy in America, including women's rights and religious freedom. Finally, cases in which Americans have been kidnapped or held against their will in Saudi Arabia are not rare. The State Department provided the Committee with a list of 42 recent cases, but Americans living in Saudi Arabia recently told the Committee delegation traveling to Saudi Arabia that they believe there are hundreds of such cases.

The Committee's Review of These Issues

On June 12, 2002, the Government Reform Committee held a hearing regarding abductions of U.S. citizens to Saudi Arabia. The Committee reviewed three cases in which

Americans had either been kidnapped or held against their will in Saudi Arabia. The purpose of the hearing was to determine whether the State Department had done enough to assist these citizens and secure their return to the United States. The Committee heard testimony from Pat Roush, whose two daughters were kidnapped from the U.S. in 1986. Mrs. Roush has seen her daughters only once in the 16 years they have been held in Saudi Arabia. Mrs. Roush criticized the State Department for failing to raise the kidnapping of her daughters as a state-to-state issue with the Saudi government, and for failing to place pressure on the Saudi government to secure the release of her children.

The Committee also heard testimony from Ethel Stowers, whose daughter, Monica Stowers, and whose grandchildren, Rasheed and Amjad Radwan, are living in Saudi Arabia. Mrs. Stowers testified that in 1990, Monica took her children to the U.S. Embassy in Riyadh, and asked for the Embassy's assistance in leaving Saudi Arabia. However, because Monica's Saudi ex-husband would not give his permission for the children to leave Saudi Arabia, the Embassy refused to assist Monica and the children. When Monica refused to leave the Embassy grounds, Embassy staff ordered Marine guards to eject Monica and the children from the Embassy. As a result of this action, Monica was later arrested by Saudi authorities, and her children were returned to the home of their Saudi father, where they faced physical and sexual abuse.

Finally, the Committee heard testimony from Dria Davis, who was kidnapped from the U.S. to Saudi Arabia by her Saudi father in 1997. Dria's mother approached the State Department for assistance but did not receive any help. In fact, State Department staff met with Dria and her father while she was being held in Saudi Arabia. Dria told the State Department that she was happy in Saudi Arabia and did not want to return home to her mother. However, what the State Department did not know was that Dria's father had threatened to kill her if she told the State Department the truth, that she wanted to go home to the U.S. Finally, Dria was able to escape in 1999 when her mother paid \$180,000 which was used to assist Dria in getting across the Saudi border into Bahrain.

Congressional Delegation to Saudi Arabia

After this hearing, between August 27 and September 3, Chairman Burton led a delegation to Saudi Arabia to press these matters directly with the Saudi government. Chairman Burton requested a meeting with Crown Prince Abdullah so that he could ask that Americans who had been kidnapped to Saudi Arabia would be able to return to America to meet with their American parent. Chairman Burton also intended to ask that Amjad Radwan be allowed to leave Saudi Arabia for the United States immediately. Amjad, a 19-year old U.S. citizen, had consistently expressed her desire to leave Saudi Arabia and live in the U.S., but her father refused to grant her permission to leave.

The Saudis did not work with the delegation in a cooperative fashion. To the contrary, it now appears that the Saudis took a number of steps behind the scenes to thwart the delegation's mission. First, Crown Prince Abdullah refused to meet with the delegation. Then, in the two highest-profile cases, the Roush and Radwan cases, the Saudis used regrettable tactics to pressure and discredit the victims, while avoiding any attempt to negotiate with the delegation in good faith. In the Roush case, as the delegation was flying to Saudi Arabia, without any prior

notice to the delegation or Mrs. Roush, the Saudi government flew the Roush sisters out of the country to London. This trip to London was characterized as a "vacation," but the Saudi government has now admitted that it arranged and paid for the trip. In London, they met with a State Department representative and delivered a statement condemning their mother and saying that they had no desire to return to the U.S. The State Department met with the sisters over the objection of Mrs. Roush and without inviting Mrs. Roush to participate. After the Roush sisters met with the State Department, they, together with a Saudi public relations expert, met with a producer from the O'Reilly Factor television program, where they again repeated their statement that they did not want to return to the U.S. to be with their mother.

The Saudi initiative was particularly unfortunate for two reasons: (1) the only person who might be able to communicate effectively with the sisters is their mother; and (2) the "show trial" aspect of this initiative will no doubt lead the Saudi government to employ a similar approach in other cases. Given the conditions of the London meeting, the Roush sisters were not in an environment that was free from coercion and intimidation. In order to resolve this issue, the delegation had urged the Saudis to send the sisters to the United States to meet with their mother. The Chairman was disappointed that the Saudi government chose a course that was completely incompatible with this request. The fact that the Saudi government chose to preempt the official request indicates that they did not want to work with the delegation in good faith. Therefore, there remains a real concern that other kidnap victims will be subjected to the same types of duress as the Roush sisters.

The Saudi government took even more curious actions in the Radwan case. Shortly before the delegation left for Saudi Arabia, 19-year old Amjad Radwan was married to a 42-year old Saudi Air Force officer, who was already married with five children. Then, the day of the delegation's departure from the U.S., Amjad disappeared from her mother's residence in the middle of the night. She later turned up in the custody of her new husband. Once the delegation arrived in Saudi Arabia, Chairman Burton and the Committee's Chief Counsel met with Amjad and her new husband in Riyadh. Amjad informed the Chairman that she wanted to "be free" and leave Saudi Arabia, but was not able to "right now." Ms. Radwan was extraordinarily nervous, appeared to be under a great deal of duress to remain in Saudi Arabia, and took visual cues from her new husband, a man she had not met until the marriage papers were signed. She informed the Chairman, however, that her recent marriage was only a "paper marriage" and that she had agreed to it only because her father had told her that she would be able to obtain permission to leave Saudi Arabia if she agreed to the marriage. Just hours after the meeting, the Saudi Foreign Ministry informed the U.S. Embassy that Amjad and her husband had approached Prince Saud and claimed that Chairman Burton had offered them \$1 million to come to the United States, and that they would stay in Saudi Arabia if the Saudis paid them more. This claim was, of course, completely false. Moreover, it is highly unlikely that a frightened 19-year old girl and a Saudi Air Force officer would attempt to extort the Saudi royal family. More likely, it appears that this story was a calculated effort to intimidate the Congressional delegation and undermine the credibility of Amjad Radwan.

On September 1, 2002, the delegation met with Saudi Foreign Minister Prince Saud in Jeddah, Saudi Arabia. Prince Saud made a number of general statements indicating that the Saudi government wished to help resolve kidnapping cases. Prince Saud defended the actions of

the Saudi government in the Roush and Radwan cases. He even repeated on three separate occasions the claim that Amjad had been involved in an attempt to extort the Saudi Foreign Ministry to try to discredit Amjad and her efforts to leave Saudi Arabia. Of even greater concern, Prince Saud did not indicate whether the Saudi government would take any action to begin returning the numerous American citizens who are being held in Saudi Arabia in violation of U.S. custody orders.

The delegation returned from Saudi Arabia with the clear understanding that further public attention was the only way that this problem was going to be resolved.

Next Week's Hearing

The first panel on October 2 will be comprised of Samiah Seramur and her daughter Maha, and Debra Docekal and her son Ramie. Ms. Seramur and Ms. Docekal were recently able to get children out of Saudi Arabia, where they had been held for years. However, both Ms. Seramur and Ms. Docekal have other children they are still trying to get out of Saudi Arabia.

The second panel on October 2 will be comprised of four other parents who have children being held in Saudi Arabia. Two of these parents, Michael Rives and Maureen Dabbagh, have children being held in Saudi Arabia despite the fact that there is apparently no legal basis for the children to be held there. These cases are significant because they show that the Saudi claims that they must follow their own laws appear to be false. Mr. Rives and Ms. Dabbagh will testify about their efforts to obtain the return of their children, and the refusal of the Saudi government to follow its own laws. Joanna Stephenson Tonetti and Margaret McClain will testify that their children were kidnapped from the United States with the complicity of the Saudi government.

On the second day of the hearing, October 3, 2002, the Committee will hear from Michael Petruzzello, a paid representative of the Saudi government. The Committee invited Adel Al-Jubeir, the Foreign Policy Advisor to the Crown Prince, to testify, but he declined the invitation. Accordingly, Mr. Petruzzello has been subpoenaed to attend the hearing and provide the Saudi perspective on these cases. Mr. Petruzzello has been deeply involved in preparing the Saudi response to these issues. His firm, Qorvis Communications, is paid a retainer of \$200,000 per month by the Saudi government. Mr. Petruzzello will be accompanied on this panel by Mr. Rives, Ms. Dabbagh, Ms. Tonetti, and Ms. McClain.

The second panel on October 3 will consist of former Ambassador Raymond Mabus and representatives from the State Department. While he served as Ambassador, Mr. Mabus made kidnapping cases a priority and took aggressive steps to try to resolve them. He will provide the Committee with testimony regarding those efforts, as well as suggestions for future actions that may encourage the Saudis to resolve these cases. Representatives from the Bureau of Consular Affairs and the Bureau of Near Eastern Affairs have been invited to address their efforts to secure the return of U.S. citizens from Saudi Arabia.

A brief description of the six cases which will be discussed by the witnesses is Attachment I to this document.

Conclusion

A number of the cases being reviewed by the Committee raise substantial questions as to whether the Saudi government has been complicit in the kidnapping of American citizens, and whether the Saudi government has ignored its own laws to retain American citizens in Saudi Arabia. The role of the Saudi government in these kidnapping cases, and the failure of the Saudis to make any forward progress, or even act in good faith, raises a number of important questions:

- Does the State Department have any plans for trying to obtain the release of the dozens of U.S. citizens held against their will in Saudi Arabia?
- Are there ways of increasing the pressure on Saudi kidnappers and the Saudi government to secure the release of captive U.S. citizens?
- Should the U.S. hold the Saudi government accountable for the detention of U.S. citizens, who, under U.S. law, should reside in the United States? If so, how?
- Finally, does the reluctance of the U.S. government to address these cases cast serious doubt on whether we have the resolve to deal with Saudi Arabia on other issues, ranging from funding for terrorists to cooperation in the effort against Iraq?

Attachments

1. Summary of witnesses' cases.
2. Letter from Chairman Burton to Crown Prince Abdullah, September 12, 2002.
3. Letter from Prince Bandar to Chairman Burton, September 9, 2002.
4. Wall Street Journal editorial "An 'Ally's' Contempt for America," September 3, 2002.

Staff Contacts

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Witness List

October 2, 2002, 10:00 a.m.

Panel I

1. Samiah Seramur, accompanied by her daughter, Maha Al-Rehaili
2. Debra Docekal, accompanied by her son, Ramie Basrawi

Panel II

1. Michael Rives, father of Lilly and Sami Rives
2. Maureen Dabbagh, mother of Nadia Dabbagh
3. Margaret McClain, mother of Heidi Al-Omary
4. Joanna Stephenson Tonetti, mother of Rosemary, Sarah, and Abdulaziz Al-Arifi

October 3, 2002, 10:00 a.m.

Panel III

1. Michael Petruzzello, Managing Partner, Qorvis Communications, public relations firm for the government of Saudi Arabia
2. Michael Rives, father of Lilly and Sami Rives
3. Maureen Dabbagh, mother of Nadia Dabbagh
4. Margaret McClain, mother of Heidi Al-Omary
5. Joanna Stephenson Tonetti, mother of Rosemary, Sarah, and Abdulaziz Al-Arifi

Panel IV

1. The Honorable Raymond Mabus, former U.S. Ambassador to Saudi Arabia
2. Ryan Crocker, Deputy Assistant Secretary of State, Bureau of Near Eastern Affairs
3. Dianne Andruch, Deputy Assistant Secretary of State, Bureau of Consular Affairs

SUMMARY OF WITNESSES' CASES
OCTOBER 2-3, 2002 HEARING
"AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?"

1. Samiah Seramur

Samiah "Sam" Seramur was married to Mubarak Al-Rehaili, a Saudi citizen, in the United States in 1981. She then moved to Saudi Arabia and had three children, Safiah (currently 20 years old), Maha (currently 17 years old), and Faisal (currently 16 years old). All are dual citizens of the U.S. and Saudi Arabia. After living in Saudi Arabia for several years, Sam's relationship with her husband deteriorated. Sam escaped from Saudi Arabia with the children in 1991. She then obtained a divorce in the United States, as well as sole custody of all three children. However, in 1994, Sam sent her children back to visit with their father in Saudi Arabia. (Sam first sent their son, Faisal, back to obtain medical treatment that she could not afford in the U.S. She then sent her daughters back because they missed Faisal and wanted to be with him.) Sam sent the children with the understanding that they would only be visiting Saudi Arabia briefly and then would return to the U.S. However, the father would not permit the children to return to the United States at the conclusion of their visit. The State Department considers the actions of Al-Rehaili to be an abduction. Sam had extremely limited telephone contacts with her children between the time they were taken and 2002.

In June 2002, Sam secretly established e-mail contact with her daughter Maha. Maha informed her mother that she and her siblings wanted to escape from Saudi Arabia. Sam and Maha arranged for the children to escape while they were on vacation in Malaysia in August 2002. Sam did not plan any sort of escape as long as the children were in Saudi Arabia because she knew that the U.S. Embassy in Saudi Arabia would not assist her if she came there with her children.

On the evening of August 8, 2002, Maha left the hotel room where she was staying with her father in Malaysia and met with her mother, who was waiting in a taxi outside the hotel. (Sam's other children, Safiah and Faisal, were apparently too frightened to attempt the escape.) Sam and Maha then went to the U.S. Embassy in Malaysia and managed to get out of the country. Sam and Maha have since returned to the United States. Safiah and Faisal remain in Saudi Arabia, and the State Department has not formally requested their return from Saudi Arabia.

2. Debra Docekal

In 1981, Debra Docekal met Jihad Basrawi, a Saudi studying in the U.S. Debra married Basrawi, and on August 7, 1983, gave birth to a son, Ramie. In 1984, Debra moved with Jihad to Saudi Arabia, and lived there for the following four years. While in Saudi Arabia, in 1987, she gave birth to Suzanne. After several years of living in Saudi Arabia, Debra decided to leave her husband and return to the United States. She was able to leave Saudi Arabia with her children in January 1988. After several months in the U.S., Debra sent both children to visit

their father in Saudi Arabia, with the understanding that he would return with them to the U.S. in two weeks. However, as soon as the children arrived in Saudi Arabia, Basrawi told Debra that he would never allow them to return to the U.S.

From 1988 until 2002, Debra was allowed little contact with her children. In fact, from 1997 to 2002, she did not have any contact with them at all. Debra did not receive any significant assistance from the State Department in her effort to get her children back from Saudi Arabia. At one point, her husband brought the children back into the U.S. on a vacation, and she alerted the State Department, hoping to be able to get the children back, but still received no assistance.

In August 2002, Debra was able to establish contact with her children, and she learned that both of them wanted to return to the United States to be with her. Her son Ramie confronted his father and demanded permission to return to the U.S. Jihad gave Ramie permission to leave Saudi Arabia, but would not allow Suzanne to go. Ramie arrived in the United States on August 21, 2002. Ramie and Debra have spoken to Suzanne, and Suzanne has told them that she wants to leave Saudi Arabia but is unable to do so.

3. Michael Rives

Michael Rives, a U.S. citizen who currently works for the General Accounting Office, married Roua Al-Adel in 1996 while he was working in Saudi Arabia. Al-Adel comes from a Syrian family. Al-Adel is solely a Syrian citizen, although her father and brother had obtained Saudi citizenship through their connections with the Saudi government. At the time of the marriage, Rives was working in Saudi Arabia. The couple lived in Saudi Arabia until 1998. Both of the Rives children, Lilly (DOB 10/8/97) and Sami (DOB 7/22/99), were born in Saudi Arabia. At the time of the children's births, their mother was still solely a Syrian citizen. (After the children were born, she acquired Saudi citizenship.) Therefore, under Saudi law and U.S. law, the Rives children are solely U.S. citizens, as under Saudi law, children derive their citizenship from their father.

In 1998, Rives and Roua Al-Adel moved to the United States. Roua found adjusting to life in America difficult, and frequently visited Saudi Arabia. In July 2001, Roua took the children on a visit to Saudi Arabia with Michael's consent. During her stay in Saudi Arabia, in September 2001, Roua decided to seek a divorce from Michael and refused to return the children. She told Michael that she was keeping the children and that he would never be allowed to see them again. In addition, Roua's father, who is a former senior adviser to the Saudi labor minister, took steps to prevent Michael from obtaining a visa to visit his children in Saudi Arabia.

In 2002, Rives obtained a divorce in the U.S. from Roua, and he has obtained sole custody of Lilly and Sami from the relevant court in Texas. In addition, the FBI has obtained a warrant for the arrest of Roua for kidnapping the Rives children. The State Department has also decided to deny visas to Roua Al-Adel, her parents, and siblings. This might be an effective tool, as the Al-Adel family is prominent in Saudi Arabia. For example, Roua's brother Fida Al-Adel is Saudi Arabia's permanent delegate to UNESCO in Paris.

Despite these positive steps, Michael Rives is still concerned that the U.S. government has not done enough to secure the rapid return of his children. He believes that the Saudi government is holding his children in Saudi Arabia without any valid legal basis, considering the fact that they are not even Saudi citizens. He would like the State Department to demand the return of his children and to place pressure on the Saudi government until they are returned.

4. Maureen Dabbagh

Maureen Dabbagh, a U.S. citizen, married Mohamad Dabbagh, a Syrian citizen, in Florida in 1988. During the marriage, they had one daughter, Nadia, who was born in the U.S. on February 3, 1990. The marriage quickly deteriorated over Mohamad's intolerance of Maureen's practice of Christianity and Mohamad's physical abuse of Maureen. In October 1991, Maureen left her husband and filed for divorce. She received the divorce in February 1992, and received full custody of Nadia from a court in Ohio. Later in 1992, the court allowed Mohamad an unsupervised visit with Nadia. This visit was supposed to last until December 1, 1992. However, Mohamad kept Nadia after the appointed date and then fled the country.

After Mohamad fled the country with Nadia, Maureen was able to obtain a warrant for his arrest. She also went to Mohamad's native Syria and requested custody of Nadia from the Syrian court. Maureen won custody of Nadia from the Syrian court, only to learn that Mohamad and Nadia were in Saudi Arabia, not Syria. Maureen believes that Mohamad and Nadia still reside in Saudi Arabia.

Maureen Dabbagh believes that her daughter is being held in Saudi Arabia without any proper legal basis. She has received custody orders for Nadia from Syrian and American courts. Yet, her daughter is still being held in Saudi Arabia. Despite public attention (two resolutions regarding her case have passed the Senate) she believes that the State Department has not placed sufficient pressure upon the Saudi government to secure the release of her daughter.

5. Joanna Stephenson Tonetti

Joanna Stephenson Tonetti met Abdullah Al-Arifi while he was a student at Indiana State University. She married Al-Arifi in Indiana in 1989 and had three children, Rosemary (DOB 4/10/90), Sarah (DOB: 8/4/91), and Abdulaziz (DOB 6/2/95).

In 1997, Tonetti filed for divorce in Indiana. During the divorce proceedings, Tonetti sought sole custody of her children and also requested that Al-Arifi be allowed only supervised visits with the children. Tonetti was concerned that Al-Arifi would kidnap the children to Saudi Arabia if he was ever allowed an unsupervised visit. Tonetti received sole custody of the children, but Al-Arifi was able to convince the court that he should have unsupervised visitation, mainly by pointing out that he had lived in the United States and had rarely returned to Saudi Arabia. Al-Arifi also promised the court that he would not take the children to Saudi Arabia. As an additional safeguard against the kidnapping of the children, the court sent a copy of the custody order to the Saudi Embassy. This order made it clear that Al-Arifi was not allowed to take the children out of the country or obtain passports for them.

In August 2000, Al-Arifi took the children on a two-week unsupervised visit. On August 15, 2000, Al-Arifi called his divorce lawyer and told him that he had taken the children to Saudi Arabia in violation of the court order and that he was not coming back. It appears that Al-Arifi was able to obtain Saudi passports for the three children from the Saudi Embassy, despite the fact that the court had sent a copy of its custody order and visitation order to the Embassy, making the Saudi Embassy aware that Al-Arifi did not have custody of the children and was not allowed to take them to Saudi Arabia.

For two years after the kidnapping, Joanna Tonetti had no contact with her children. During the recent Congressional delegation to Saudi Arabia, though, Congressman Brian Kerns was able to arrange a meeting with the children, as well as a phone call between the children and their mother. Other than this one telephone call, there has been little progress on the Tonetti case. The U.S. has never demanded the return of the kidnapped children, and it has never asked the Saudi government to explain its apparent complicity in the kidnapping of the children.

Further complicating any forward progress in the case is the fact that Al-Arifi has filed "Crimes against Islam" charges against Tonetti in Saudi Arabia. Al-Arifi's charges are based on an allegation that Tonetti committed adultery with a Christian. The charges carry a possible death penalty, and accordingly, Tonetti is unable even to visit her children in Saudi Arabia.

6. Margaret McClain

In 1989, Margaret McClain, of Jonesboro, Arkansas, married Abdulbaset Al-Omary, a student at Arkansas State University. The couple resided in Jonesboro, Arkansas, for the duration of their marriage. Margaret had a daughter with Al-Omary, Heidi, who was born in July 1992. The marriage, though, was strained by Al-Omary's severe physical abuse of Margaret, as well as Al-Omary's increasingly radical Islamic views. Margaret and Al-Omary were divorced in August 1994. The court in Arkansas granted Margaret sole custody of Heidi but allowed Al-Omary unsupervised visits with Heidi. Al-Omary was not allowed, however, to take Heidi out of Craighead County, Arkansas, during these visits. Margaret was concerned that her ex-husband would abduct their daughter during one of these unsupervised visits, so she sent copies of the custody order to the Saudi Embassy in the U.S. and informed them that she had custody of Heidi and that they should not issue her a passport.

During one of Al-Omary's unsupervised visits, on August 14, 1997, Margaret received a message on her answering machine from her ex-husband telling her that he had taken Heidi to Saudi Arabia, and that if Margaret ever wanted to see Heidi again, she should cooperate with him, and have all outstanding demands for child support against him dropped. Margaret immediately reported the kidnapping to state and federal authorities, and state and federal warrants were issued for Al-Omary's arrest.

The Saudi Embassy apparently issued a Saudi passport to Heidi despite the fact that Al-Omary did not have custody of Heidi and was not allowed to take Heidi out of the United States. Moreover, the Saudi Embassy had been provided with a copy of the court order granting custody to Margaret McClain and preventing Heidi from being taken out of the country. Despite this

knowledge, the Saudi Embassy issued a passport to Heidi, allowing her to be kidnapped and taken to Saudi Arabia. Ms. McClain considers the actions of the Saudi government to constitute complicity in the kidnapping of her daughter.

Margaret has seen her daughter only once in the five years since she was kidnapped. For the first two years after Heidi's kidnapping, the State Department claimed that it could not locate Al-Omary, and therefore could not arrange a visit with Heidi or request her return. Finally, in August 1999, an American coworker of Al-Omary's at Aramco called the U.S. Embassy and told them that Al-Omary worked at Aramco in Dhahran, and provided his phone number and address. Using this information, the State Department conducted two visits with Heidi to ensure her physical well-being.

In addition, once Margaret located Al-Omary, she began her efforts to go to Saudi Arabia and visit her daughter. After three years of effort, in July 2002, she finally obtained permission from her ex-husband and the Saudi government to visit with Heidi in Saudi Arabia. Before Margaret went to Saudi Arabia, Al-Omary promised that Margaret would be able to meet with Heidi in Dhahran for five days. However, when Margaret arrived in Saudi Arabia, Al-Omary first moved the meeting from Dhahran to Riyadh, claiming a family emergency. Then, Al-Omary allowed Margaret to meet with Heidi for only one day, rather than the five promised.

The State Department's current efforts in the McClain case are focused on facilitating future visits by Margaret to Saudi Arabia, rather than on the return of Heidi. To this day, there are arrest warrants outstanding for Al-Omary. Despite the fact that the Saudi government issued a Saudi passport to Heidi knowing that Al-Omary did not have custody of her and was not allowed to take Heidi out of the country, the State Department has never demanded the return of Heidi from Saudi Arabia.

504



United States Department of State

Washington, D.C. 20520

November 8, 2002

Dear Mr. Chairman:

Following the October 2-3, 2002 hearing at which Assistant Secretaries Ryan Crocker and Dianne Andruch testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

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GOVERNMENT REFORM
COMMITTEE

Sincerely,

A handwritten signature in cursive script that reads "Paul V. Kelly".

Paul V. Kelly
Assistant Secretary
Legislative Affairs

Enclosure:

As stated.

The Honorable
Dan Burton, Chairman,
Committee on Government Reform,
House of Representatives.

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

Question 1:

Please identify how many times the authorities granted under 8 U.S.C. § 1182(a)(10)(C)(ii) have been used.

Answer:

Visa ineligibility determinations are made at the time of visa application (or when revoking an existing visa). Our records indicate that there have been six definitive ineligibility determinations made specifically under 8 U.S.C. § 1182(a)(10)(C)(ii), and a visa was revoked in a seventh case pursuant to the discretionary authority in 8 U.S.C. § 1201(i), based on concerns that the alien may be ineligible under § 1182(a)(10)(C)(ii). In addition, there are 66 lookout entries in the system for aliens suspected of being ineligible under this section, and their eligibility will be determined if/when they apply for a U.S. visa. (Some aliens may be the subject of more than one lookout entry.)

Some aliens who assist or are related to a child abductor and could be refused under 8 U.S.C. § 1182(a)(10)(C)(ii) may also be separately ineligible under 8 U.S.C. § 1182(a)(10)(C)(i), if the relative or assisting alien is actually holding the abducted child (e.g., for or with the abducting parent) under

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

circumstances meeting the criteria of the ineligibility provision. Our records indicate that 85 ineligibility findings have been made under 8 U.S.C. § 1182(a)(10)(C)(i), and there are 206 lookout entries for aliens suspected of being ineligible under this section. Although most of these findings and lookouts probably relate to the abducting parent, some may relate to relatives or others who assist the abducting parent by holding the abducted child. It is not possible to determine from the statistical figures, however, which of these 85 ineligibility findings and 206 lookout entries relate to abductors and which may relate to relatives or others who may be holding the child.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 2:

Please specify how many times those authorities have been used in the Kingdom of Saudi Arabia, including the names of the cases in which they have been used.

Answer:

Our records do not show any definitive inadmissibility findings in Saudi Arabia under 8 U.S.C. § 1182(a)(10)(C)(ii), which was added to the law in October 1998. However, using the discretionary authority in 8 U.S.C. § 1201(i), the Department revoked the visa of Mr. Iba Fouad Al Adel, who resides in Saudi Arabia and is the brother-in-law of Michael Rives, because of concerns that Mr. Al Adel may be ineligible under that section (8 U.S.C. § 1182(a)(10)(C)(ii)). (Please note that under section 222(f) of the Immigration and Nationality Act (8 U.S.C. § 1202(f)), this information is considered confidential and generally may be used only for the formulation, amendment, administration or enforcement of the immigration, nationality, and other laws of the United States.)

In addition, there are 36 lookout entries in the system for aliens born in Saudi Arabia who are suspected of being ineligible under this provision (8 U.S.C. § 1182(a)(10)(C)(ii)), and we are aware of other lookouts on aliens residing in Saudi

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Arabia but born in other countries. (Our statistical records do not show place of residence so we are not able to quantify exactly the latter number.) The eligibility of these individuals will be determined if/when they apply for a U.S. visa.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 3:

Has the State Department responded to the Saudi Foreign Minister's letter of September 17, 2002? If so, has it responded to the list of four cases identified by the Saudi Foreign Minister? If so, how?

Answer:

Secretary Powell responded to Saudi Foreign Minister Saud Al-Faisal's letter on October 4, 2002, welcoming the Foreign Minister's desire to work together on child custody cases through a bilateral working group, which would work to facilitate direct communication between the left-behind parent and the children in Saudi Arabia, and lead to the return of the abducted children to the United States. Ambassador Robert Jordan wrote to Foreign Minister Saud on October 20 addressing the four cases of alleged abduction of Saudi-national children to the United States. The letter informed the Saudi government that in all but two of the cases, the children currently reside in Saudi Arabia, not in the U.S.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 4:

Please describe the current status of the case identified in the Saudi list as "Sami Jalal Moghrab and Yasmin Jalal Moghrab," including whether the family currently resides in Saudi Arabia or the United States.

Answer:

According to Department files, Debbie Green Maghrabi, the mother of Sami, Yasmin and Rami Maghrabi, attempted to depart Saudi Arabia in early 2000 with Sami and Yasmin (Rami was not yet born). Her Saudi husband filed a missing persons report with the Saudi police. The Saudi Ministry of Foreign Affairs sent a diplomatic note to the U.S. Consulate General in Jeddah, requesting that the consulate turn Maghrabi and her children into either the Salama Police Station or the Consular Security Branch, an office of the Saudi Ministry of Interior responsible for protecting foreign diplomatic missions, if they sought assistance from the consulate. Ms. Maghrabi did not seek assistance from the consulate, nor did she reveal her whereabouts to the consulate during the 40-plus days she was missing. She did contact the consulate and assured consular officers that she and the children were well. Ultimately, Ms. Maghrabi returned to her home. Her husband declined to file charges against her for attempted flight. A consular officer

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

subsequently met with Ms. Maghrabi and her husband, who agreed to attempt a reconciliation. Ms. Maghrabi and her children continue to reside, in Jeddah, Saudi Arabia. Ms. Maghrabi last contacted the consulate in early 2002 and said her husband would allow her to depart Saudi Arabia only with Rami, and not Sami and Yasmin. She declined this offer. This information is subject to the Privacy Act.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 5:

Please described the current status of the case identified in the Saudi list as "Abdul-Aziz Naser Alhjumedi," including whether the family currently resides in Saudi Arabia or the United States.

Answer:

The U.S. Consulate General in Dhahran has limited information about this case. The American citizen mother's name is Rene Hurst, but she is known in Saudi Arabia as Rana Al-Humaidy. She was married to a Saudi citizen named Abdulaziz Al-Humaidy. The couple had three children, two girls and a boy, who acquired American citizenship from their mother or by birth in the U.S., and Saudi citizenship from their father. The names of the two daughters are Suhailah and Sumiyah. The name of the son is unknown.

In 1996, an American citizen woman resident in the Dhahran Consular District advised the Consulate General that her friend, Ms. Hurst, would contact the consulate staff because she wanted to depart Saudi Arabia with her children. The American said that Ms. Hurst's Saudi husband had a drinking problem and abused Ms. Hurst and the children. However, Ms. Hurst did not contact the consulate, and the consulate did not make an effort to

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

contact her so as not to interfere with her possible plans to depart Saudi Arabia.

Ms. Hurst and the children traveled to the U.S. on vacation in approximately 1997. Ms. Hurst subsequently decided to remain in the U.S. She divorced her husband in a Florida court in 1998 and the court granted her sole custody of Suhailah and Sumiyah.

In July 2000, a local journalist, working on a story about this marriage, provided the consulate with a copy of Ms. Hurst's Florida divorce decree dated December 10, 1998, and a court order granting Ms. Hurst sole custody of Suhailah and Sumiyah and the father visitation rights.

The consulate has not heard from Ms. Hurst and assumes that she and the children are residing in the U.S. The consulate is attempting to locate Mr. Al-Humaidy to ask him where his ex-wife and children are presently residing.

The Department of State does not have contact information for Ms. Hurst, the children, or the father. We would welcome

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

additional details from the Saudi authorities concerning this
alleged abduction from Saudi Arabia to the United States.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 6:

Has a Saudi man ever won custody of a dual citizen Saudi-U.S. child from a U.S. court? If so, please identify the case.

Answer:

The Department does not monitor custody proceedings in the U.S., nor are we aware of most of them. We regularly provide information on preventing abductions to parents who request information for the purpose of U.S. custody proceedings. Parents rarely notify the Department of the outcome of such proceedings.

The Consulate General in Jeddah is aware of two cases in which Saudi citizens have won custody of their children in U.S. courts. In the case of Saulisbury vs. Al-Dainy, Saudi national Majda Al-Dainy, resident in Minnesota, received sole custody of her son, Rakan Saulisbury, in 1997. Ms. Al-Dainy is a Saudi citizen. She returned to Saudi Arabia with Rakan shortly after winning custody. Mr. Saulisbury, an American citizen resident in California, petitioned a California court for sole custody of Rakan one year after the Minnesota ruling and was granted sole custody of Rakan in 1998. Rakan is currently in Saudi Arabia living with his mother.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

In the case of Hartunian vs. Bin Laden, a California court in 1993 granted shared physical custody of the daughter to both the American and Saudi parent. The judge ordered that the daughter can travel to Saudi Arabia. The case was brought again before the California court in September 2002. In a closed court session, the judge declared that joint physical custody would continue and that the father would retain his right to exercise physical custody of his daughter in Saudi Arabia. The court modified the custody order to require the father to post a \$4 million bond prior to his daughter's departure from the U.S.

The Consulate General in Dhahran is aware of one case in which a Saudi father, Ibrahim Al-Rabiah, was awarded custody of his three children by a Montana court in 1994, after his wife, Ginger Bailey, left Saudi Arabia in 1993. The three children, two girls and one boy, returned with their father to Saudi Arabia. Ms. Bailey has remained in contact with her ex-husband and has been able to communicate with her children.

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

Question 7:

Has a Saudi man ever won custody of a dual citizen child from a U.S. court after the child has been abducted and taken to the U.S.? If so, please identify the case.

Answer:

The Department is aware of one Saudi father, Salman Naaser Ibrahim Al-Rashid, who successfully obtained the return of his son who was abducted from France to the U.S. in violation of a Saudi court order granting him custody. There was no U.S. custody order at the time of the abduction. We believe the parents reached a negotiated settlement, so a U.S. court did not make a ruling in the case.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 8:

Has an American woman ever won custody of a dual citizen Saudi-U.S. child from a Saudi court and been able to take the child out of Saudi Arabia? If so, please identify the case.

Answer:

The Department is not aware of any case in which a Saudi court has granted an American woman custody of a Saudi-American child and in which the American woman was permitted to remove the child from Saudi Arabia.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 9:

Has the Saudi government ever voluntarily returned a U.S. citizen child to the United States after the child was kidnapped to Saudi Arabia? If so, identify the case.

Answer:

The Department is not aware of any case in which the Saudi government or a Saudi court has ordered the return to the U.S. of an American citizen child, who had been abducted to or retained in Saudi Arabia in violation of a U.S. court order.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 10:

Under the Immigration and Nationality Act, if a 12 year old marries is she no longer considered a child? Does this mean an abducting parent would no longer be subject to an ineligibility to enter the U.S. if he married off the abducted 12 year old daughter?

Answer:

The visa ineligibility defined in INA section 212(a)(10)(C) (8 U.S.C. § 1182(a)(10)(C)) covers only cases involving an abducted "child," and INA section 101(b)(1) (8 U.S.C. § 1101(b)) states that a "child" must be unmarried and under 21. Therefore, under current law, if an abducted child enters into a valid marriage, neither the abductor nor those who assisted or are related to the abductor would be ineligible under this provision. However, the ineligibility would only cease to apply if the child were married in a marriage that is considered valid for U.S. immigration purposes.

Under U.S. immigration law, the validity of a marriage is normally determined according to the law of the place of celebration, so if the marriage is invalid under relevant local law, then the marriage would not be recognized. In addition, even a marriage valid where celebrated would not be recognized

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

for U.S. visa purposes if the marriage is void on the basis of U.S. public policy. Therefore, we believe that we could take into consideration the fact that most if not all U.S. states consider marriage to a 12-year-old to be void as contrary to public policy and on that basis we could decline to recognize the marriage for immigration purposes, unless there was evidence to show that this could be a valid marriage in the U.S. If we would not recognize the marriage for immigration purposes, then the visa ineligibility in 8 U.S.C. § 1182(a)(10)(C) would still apply, assuming the other criteria of the law are met.

U.S. immigration law does not recognize polygamous marriages. In cases where an individual has several spouses simultaneously, only the individual's first marriage could be considered valid, even if polygamy is legal under the law of the country where the marriages were celebrated. Therefore, if the abducted child married an individual who already had at least one other spouse, then the abducted child's marriage would not be valid for U.S. immigration purposes, and INA 212(a)(10)(C) could therefore still apply.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

In addition, even in the event that the marriage was valid under local law and it could be demonstrated that the marriage was not polygamous or void as contrary to U.S. public policy, if it was determined that the marriage was entered into solely to evade the consequences of 8 U.S.C. § 1182(a)(10)(C), then the marriage would not be recognized, and therefore would not remove the visa ineligibility, because under those circumstances it would be considered a sham marriage entered into solely for U.S. immigration purposes.

To our knowledge, we have not received a visa application in a case fitting this fact pattern, and an eligibility determination would only be made in the context of an actual visa application (or revocation of an existing visa).

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 11:

Please list all other Saudi abduction cases other than those discussed below. For all of these cases, list the specific steps the State Department intends to take to resolve the situation, including an estimated timetable to achieve each step.

Answer:

Al-Jarboa/Dibenedetto: The American mother has asked that the Department take no action at this time.

Al-Nofaily/Mohammed:

Secretary Powell recently wrote to Saudi Foreign Minister Saud Al-Faisal welcoming his idea to form a working group to resolve all child custody cases in Saudi Arabia. On November 1, 2002, Secretary Powell called Saud Al-Faisal to highlight personally the issue of international parental child abductions to Saudi Arabia, and to convey the Administration's desire for the return of American children unlawfully abducted to or wrongfully retained in Saudi Arabia in violation of a U.S. custody order, including Amina and Yousef Al-Nofaily. The Foreign Minister said he would do his best, within Saudi law, to resolve the situation.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Ambassador Jordan will continue to press the Saudi government at the highest levels to resolve this case and others. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between the American parent and his or her children in Saudi Arabia.

Near Eastern Affairs Assistant Secretary Bill Burns will also continue to press the Saudi government at the highest levels to resolve this and other cases. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between American parents and their children in Saudi Arabia.

Department officials will continue to meet with Saudi Embassy officials to press for the return to the U.S. of the Al-Nofaily children.

On September 17, 2002, the U.S. Consulate General in Dhahran contacted Mr. Al-Nofaily and requested a meeting with the children. He refused, saying that the mother has not allowed him to have contact with his two older children residing in the

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

U.S. He also requested that all future contact be coordinated through Saudi government officials. Consulate officials are working with the Office of the Governor of the Eastern Province to schedule a meeting with the children in November 2002.

Al-Rehaili/Seramur:

Secretary Powell recently wrote to Saudi Foreign Minister Saud Al-Faisal welcoming his idea to form a working group to resolve all child custody cases in Saudi Arabia. On November 1, 2002, Secretary Powell called Saud Al-Faisal to highlight personally the issue of international parental child abductions to Saudi Arabia, and to convey the Administration's desire for the return of American children unlawfully abducted to or wrongfully retained in Saudi Arabia in violation of a U.S. custody order, including Faisal Al-Rehaili. The Foreign Minister said he would do his best, within Saudi law, to resolve the situation.

Ambassador Jordan will continue to press the Saudi government at the highest levels to resolve this case and others. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

contact between the American parent and his or her children in Saudi Arabia.

Near Eastern Affairs Assistant Secretary Bill Burns will also continue to press the Saudi government at the highest levels to resolve this and other cases. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between American parents and their children in Saudi Arabia.

Department officials will continue to meet with Saudi Embassy officials to press for the return of Faisal to the U.S.

The U.S. Consulate General in Dhahran contacted Mr. Al-Rehaili on October 23 to request a welfare and whereabouts visit with Faisal and Safiah (now an adult). Mr. Al-Rehaili continues to deny consular access until he determines the welfare and whereabouts of his daughter, Maha, who is resident in the U.S. Since Safiah is an adult, the Consulate General is attempting to make contact with Safiah directly to ascertain her wishes.

Al-Shabrami/Ajami:

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Secretary Powell recently wrote to Saudi Foreign Minister Saud Al-Faisal welcoming his idea to form a working group to resolve all child custody cases in Saudi Arabia. On November 1, 2002, Secretary Powell called Saud Al-Faisal to highlight personally the issue of international parental child abductions to Saudi Arabia, and to convey the Administration's desire for the return of American children unlawfully abducted to or wrongfully retained in Saudi Arabia in violation of a U.S. custody order, including Hatem Al-Shabrami. The Foreign Minister said he would do his best, within Saudi law, to resolve the situation.

Ambassador Jordan will continue to press the Saudi government at the highest levels to resolve this case and others. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between the American parent and his or her children in Saudi Arabia.

Near Eastern Affairs Assistant Secretary Bill Burns will also continue to press the Saudi government at the highest levels to resolve this and other cases. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

in all cases the assurance of regular contact between American parents and their children in Saudi Arabia.

Department officials will continue to meet with Saudi Embassy officials to press for Faisal's return to the U.S.

The U.S. Consulate General in Dhahran intends to meet with the father in November 2002 to discuss his promise to bring Hatam to the U.S. to visit his mother. To that end, the consulate is writing to the Office of the Governor of the Eastern Province to facilitate this meeting and will work directly with Mr. Al-Shabrami to arrange a meeting.

Boye: This case recently came to the Department's attention and is not yet an active case in the Office of Children's Issues. None of the parties involved in this case are Saudi citizens. According to the father, the American mother resides in Saudi Arabia with her current American husband, who is employed by an educational institution in Saudi Arabia. The Office of Children's Issues provided the left-behind father with information on abductions to Saudi Arabia and guidance on filing criminal charges. The father has not yet provided information

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

to the Office of Children's Issues on the status of U.S. custody of the daughter. If requested by the FBI, the Department will revoke the mother's U.S. passport and request that the Saudi government deport the mother and her daughter to the U.S. If requested by the father, Embassy Riyadh will attempt to locate the mother and daughter, and request a meeting to verify the child's well-being, discuss the implications of abducting her to Saudi Arabia, and encourage the mother to voluntarily return her to the U.S.

Hakeem: The American mother has asked that the Department take no action at this time.

Kamil/Khan: The American mother has asked that the Department take no action at this time.

Saulisbury/Al-Dainy: The U.S. Consulate General in Jeddah will request another welfare and whereabouts visit with Rakan in June 2003. The last visit took place in October 2002.

Shamaa/Farley:
Secretary Powell recently wrote to Saudi Foreign Minister Saud Al-Faisal welcoming his idea to form a working group to resolve

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

all child custody cases in Saudi Arabia. On November 1, 2002, Secretary Powell called Saud Al-Faisal to highlight personally the issue of international parental child abductions to Saudi Arabia, and to convey the Administration's desire for the return of American children unlawfully abducted to or wrongfully retained in Saudi Arabia in violation of a U.S. custody order, including Mohamad and Naieem Shamaa. The Foreign Minister said he would do his best, within Saudi law, to resolve the situation.

Ambassador Jordan will continue to press the Saudi government at the highest levels to resolve this case and others. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between the American parent and his or her children in Saudi Arabia.

Near Eastern Affairs Assistant Secretary Bill Burns will also continue to press the Saudi government at the highest levels to resolve this and other cases. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

in all cases the assurance of regular contact between American parents and their children in Saudi Arabia.

Department officials will continue meet with Saudi Embassy officials to press for the return to the U.S. of the Shamaa children.

In mid-October 2002, the U.S. Consulate General in Jeddah requested a welfare and whereabouts visit with the Shamaa children. Mr. Shamaa is considering this request, and has promised to reply with a date and time when a visit can take place. The consulate continues to maintain good relations with Mr. Shamaa and is in regular contact with him regarding the children's well-being.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 12:

How and when did the State Department learn that the Geshayan sisters were being taken to London?

Answer:

On the evening of August 30, 2002, Adel Al-Jubeir, the Foreign Affairs Advisor to Crown Prince Abdullah, informed Jim Larocco, Principal Deputy Assistant Secretary in the Bureau for Near Eastern Affairs, that the Geshayan sisters and their husbands were in London and might seek a meeting with a consular official from the U.S. Embassy in London. The Department then conveyed this information to Embassies Riyadh and London.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 13:

Please describe all communications, including the identities of the individuals participating, between the State Department and Saudi officials or representatives regarding the visit of the Gheshayan sisters to London.

Answer:

Saudi Crown Prince Foreign Affairs Advisor Adel Al-Jubeir notified Near East Affairs Principal Deputy Assistant Secretary James Larocco that the sisters were traveling to London and might seek a meeting with a U.S. Consular official there. Consular Affairs Deputy Assistant Secretary Dianne Andruch then contacted Margaret Higgins, Acting Consul General in the U.S. Embassy in London, and informed her that the Gheshayan sisters were in London, and instructed her to schedule a meeting with the Gheshayan sisters, to include an Arabic-speaking Department interpreter available as needed (via telephone in Washington). Mr. Larocco informed Mr. Al-Jubeir that Ms. Higgins would be the point of contact.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 14:

Who requested the meeting between the Geshayan sisters and the consular officer in London? Who was the request made to?

Answer:

Adel Al-Jubeir conveyed to NEA Principal Deputy Assistant Secretary Larocco on August 30, that the Geshayan sisters might seek a meeting with a U.S. consular official in London. Al-Jubeir confirmed the morning of August 31 that the sisters would be willing to meet with U.S. consular officials in London.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 15:

Did the Geshayan sisters make a request to meet with a consular officer in London?

Answer:

When the Department of State learned the sisters were in London and might seek a meeting with a consular official, Ms. Higgins was immediately instructed to contact them and arrange for such a meeting. The Geshayan sisters do not speak English. Ms. Higgins spoke to one of their husbands, Sami, who took her name and said he would call her back. Apparently believing Ms. Higgins might be a member of the press, Sami called Mr. Nail Al-Jubeir in Saudi Arabia (note: Nail, brother of Adel, serves as congressional liaison in the Saudi Embassy in Washington). Mr. Nail Al-Jubeir then called Ms. Higgins and they made arrangements for the meeting on August 31.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 16:

Who made the decision to have a State Department official meet with the Gheshtyan sisters?

Answer:

The State Department had long sought to meet with the sisters to ascertain their welfare and learn their wishes about return to the U.S. We assumed such a meeting would take place in Saudi Arabia. News of their possible willingness to meet with a consular official in London enabled us to have direct contact with the sisters.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 17:

Please describe all communications between State Department officials and Patricia Roush regarding the visit of the Geshayan sisters to London.

Answer:

Mr. Randy Carlino, Citizen Services Specialist, spoke to Ms. Roush on August 31, 2002, and on September 1, 2002. In the first call, Mr. Carlino told Ms. Roush that the Government of Saudi Arabia had informed the State Department that her daughters were in Europe, and might wish to talk to a consular officer. Mr. Carlino explained that we could not confirm this information, but if it were true, an Embassy officer would be prepared to see them. Mr. Carlino then asked Ms. Roush if she had a message to convey to her daughters if such a meeting did occur. Ms. Roush declined to provide a message.

Mr. Carlino telephoned Ms. Roush the next day, September 1, 2002 at 12:10 pm and informed her that he had additional information about her daughters. Ms. Roush said that she already knew what Mr. Carlino had to say--that her daughters had met with a consular officer in London.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 18:

Was Ms. Roush asked if she consented to the meeting between the State Department and her daughters? Why?

Answer:

Ms. Roush was not asked if she consented to the meeting between the State Department and her daughters. Since Alia and Aisha were both adult U.S. citizens in August 2002, there was no requirement to obtain Ms. Roush's consent to meet with them and substantial reasons for agreeing to their request for a private meeting - to inquire directly with them about their welfare and desires.

Mr. Carlino had informed Ms. Roush in telephone conversations on August 7, 2001, and July 10, 2002, that Embassy officers in Riyadh were continuing their efforts to meet privately with Alia and Aisha in order to assess their welfare, learn their desires, obtain photographs of them for their mother, if possible, and to deliver to them any letters or photos Ms. Roush cared to provide. Ms. Roush emphasized that such a meeting was no substitute for her daughters' return to the United States.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 19:

Was Ms. Roush asked if she wanted to participate in the London meeting? If not, why not?

Answer:

Ms. Roush was not asked if she wanted to participate in the London meeting because Alia and Aisha had requested the meeting and had not requested her presence.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 20:

If Ms. Roush objected to the State Department meeting with her daughters, why did the State Department proceed with such a meeting?

Answer:

The Department of State's highest priority is protection of American citizens. Consular officers endeavor to meet with American citizens whenever a meeting has been requested. The consul in London did not require parental permission for the meeting as she was meeting adult American citizens. Alia Geshayan (DOB January 5, 1979) is 23 years old and Aisha Geshayan (DOB July 2, 1982) is 20 years old.

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

Question 21:

Does the State Department consider the Roush/Gheshayan case to be resolved?

Answer:

The Department of State will continue to urge the Gheshayan women to meet with their mother in the U.S. In their meeting, Ms. Higgins noted to the sisters that the United States government considers them American citizens and therefore has an ongoing interest in their welfare and wishes. She reiterated that as U.S. citizens, the sisters were entitled to seek assistance and protection at any U.S. mission should they require it. We stand ready to offer any and all consular services to the sisters, as we would to any other Americans abroad who request them.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 22:

Does the State Department consider the statement made by the Geshayan sisters to have been a true expression of their will, free from duress or coercion?

Answer:

According to the consular officer there was no indication that any statements were made under duress or coercion. The Geshayan sisters provided no clues to suggest they were not being truthful or believed themselves to be in any danger.

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

Question 23:

What specific steps will the Department of State take to resolve the Geshayan case? Please provide an estimated timetable to achieve each step.

Answer:

The Department of State will continue to urge the Geshayan women to meet with their mother in the U.S. During any future meetings with Alia and Aisha Geshayan we will continue to stress that they are U.S. citizens, that they have the right to travel to the United States if they so desire, and that the U.S. government has a long-standing, continuing, interest in their welfare. Consular officers will also remind Alia and Aisha Geshayan that their mother longs to see them again, is interested only in their welfare, and wants to be personally assured of their happiness and well-being. We will urge them to come to the United States to express their wishes.

As United States citizens, Alia and Aisha can be issued United States passports by applying at our Embassy in Riyadh. They do not require visas to enter the United States. The Saudi government has assured us that adult American women would be allowed to leave the Kingdom if they so desire. If we learn from the women that they wish to return to the United States, we

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

will approach the Saudi government to assist in obtaining permission for them to do so.

It is not possible to predict when Alia and Aisha will want to come to the United States.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 24:

Is there any record indicating that Ambassador Fowler asked the State Department if he had permission to continue Ambassador Mabus' policy of visa denials in the Geshayan case?

Answer:

That is our understanding of what occurred. We are attempting to search our records to see if there is a written record of the exchanges and will advise the Committee if we find any such record.

It should be noted that a visa application may be denied only if some specific visa ineligibility exists under the law. Having the same last name as an alien who is ineligible as a child abductor under INA 212(a)(10)(C)(i) is not itself a legal basis to refuse a visa application, and at the time in question, even being a relative of an abductor was not itself a legal basis for a visa denial. INA 212(a)(10)(C) was not amended to allow refusal of family members of abductors until 1998. Even under the statute as amended in 1998, the mere commonality of last names would not itself be a basis to refuse an application definitively, although it could be a basis to make a temporary refusal under INA 221(g) in order to determine whether the

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

applicant actually has a family relationship with the abductor
that would fall within the scope of INA 212(a)(10)(C)(ii)(III).

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 25:

Has the Saudi government provided the State Department with any documentation, including, but not limited to, an affidavit, regarding the allegation that Amjad Radwan informed the Saudi Foreign Ministry that she was offered \$1 million to come to the United States?

Answer:

The Saudi government has not provided any such documents.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 26:

Has the State Department requested any such documents?

Answer:

The State Department has not requested any such documents.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 27:

Does the State Department have any information indicating that the Saudi government has requested that Amjad Radwan return her passport to the Saudi government?

Answer:

The State Department has not heard from Amjad Radwan or any other source that she has had to return her passport.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 28:

When was Amjad Radwan married?

Answer:

We understand that Ms. Radwan married in mid-August 2002. On August 25, 2002, she informed an Embassy official that she had married "about two weeks ago."

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 29:

Where does Amjad Radwan currently reside? Does she reside with anyone?

Answer:

Ms. Radwan told an Embassy official in August 2002 that she continues to reside with her mother, Monica Stowers, in Saudi Arabia. We have no other information at this time.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 30:

Has the State Department demanded that the Saudi government return the Al-Arif children to the United States? If not, why not?

Answer:

Secretary Powell recently wrote to Saudi Foreign Minister Saud Al-Faisal welcoming his idea to form a working group to resolve all child custody cases in Saudi Arabia. On November 1, 2002, Secretary Powell called Saud Al-Faisal to highlight personally the issue of international parental child abductions to Saudi Arabia, and to convey the Administration's desire for the return of American children unlawfully abducted to or wrongfully retained in Saudi Arabia in violation of a U.S. custody order, including the Al-Arif children. The Foreign Minister said he would do his best, within Saudi law, to resolve the situation.

Ambassador Robert W. Jordan and other senior State Department officials have discussed the Al-Arif case at the highest levels in both Washington and Saudi Arabia, and have urged the Saudi government to take a more active role in returning the Al-Arif children to the U.S. Also, Near Eastern Affairs Secretary Bill Burns raised the importance of cooperating to resolve this and other cases with Saudi Foreign Minister Saud Al-Faisal on

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

October 20, 2002. The Foreign Minister agreed. On October 26, 2002, the Embassy in Riyadh formally asked the Saudi government by diplomatic note that the Al-Arifi children be returned to the U.S. The Embassy will follow-up with the Ministry of Foreign Affairs.

Also, Ambassador Jordan has been in touch with Ross Perot, and met personally with Ms. Tonetti in September 2002 in Dallas. He encouraged her to meet with Saudi officials and has offered her his full support. He is ready to assist all the left-behind parents to the fullest extent of his ability.

On October 28, 2002, Department officials met with Saudi Embassy officials and requested the Embassy's assistance in returning the Al-Arifi children to the U.S.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 31:

What steps does the State Department plan to take to resolve the Al-Arifi case? Please provide a timetable for each step.

Answer:

Ambassador Jordan will continue to press the Saudi government at the highest levels to resolve this case and others. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between the American parent and his or her children in Saudi Arabia.

Near Eastern Affairs Assistant Secretary Bill Burns will also continue to press the Saudi government at the highest levels to resolve this and other cases. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between American parents and their children in Saudi Arabia.

Department officials will continue to meet with Saudi Embassy officials to press for the return to the U.S. of the Al-Arifi children.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 32:

Has the State Department expressed any concern to the Saudi government regarding its role in the kidnapping of the Al-Arifi children?

Answer:

The Department has no evidence that the Saudi government played a role in kidnapping the Al-Arifi children.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 33:

Has the State Department expressed any concern to the Saudi government regarding the Crimes Against Islam charges which have been brought against Joanna Tonetti?

Answer:

The Department has expressed concerns about these charges in the context of arranging a possible visit by Tonetti, who is a Saudi citizen, to Saudi Arabia, and the Saudi government has agreed to look into dropping such charges. However, Tonetti has told the Department that even if the charges were dropped, she would not be comfortable traveling to Saudi Arabia for fear of vigilante-style attacks on her. Therefore, we have informed her that we are not pursuing having these charges dropped.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 34:

Has the State Department decided to deny visas to members of the Al-Arifi family?

Answer:

The names of Al-Arifi family members that we are aware of have been entered into the visa lookout system as possibly subject to 8 U.S.C. § 1182(a)(10)(C). Their eligibility for a visa will be determined if/when they apply for a visa.

We have also attempted to determine whether any of the family members might have valid visas that were issued before they were entered into the lookout system, so that we could consider whether a visa revocation would be appropriate. However, we either found no record of any visa issuance or did not have sufficient biographic data to determine whether they had visas or not. If the Committee can provide full names and dates and places of birth for any individuals of interest, we can make further record checks.

Please note that under section 222(f) of the Immigration and Nationality Act (8 U.S.C. § 1202(f)), the information in this response is considered confidential and generally may be used

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

only for the formulation, amendment, administration or
enforcement of the immigration, nationality, and other laws of
the United States.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 35:

Has the State Department demanded that the Saudi government return Heidi Al-Omary to the United States? If not, why not?

Answer:

Secretary Powell recently wrote to Saudi Foreign Minister Saud Al-Faisal welcoming his idea to form a working group to resolve all child custody cases in Saudi Arabia. On November 1, 2002, Secretary Powell called Saud Al-Faisal to highlight personally the issue of international parental child abductions to Saudi Arabia, and to convey the Administration's desire for the return of American children unlawfully abducted to or wrongfully retained in Saudi Arabia in violation of a U.S. custody order, including Heidi Al-Omary. The Foreign Minister said he would do his best, within Saudi law, to resolve the situation.

Ambassador Robert W. Jordan and other senior State Department officials have discussed the child abduction cases at the highest levels in both Washington and Saudi Arabia, and have urged the Saudi government to take a more active role in returning Heidi to the U.S. Also, Near Eastern Affairs Secretary Bill Burns raised the importance of cooperating to resolve this and other cases with Saudi Foreign Minister Saud

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

Al-Faisal on October 20, 2002. The Foreign Minister agreed. On October 26, 2002, the Embassy in Riyadh formally asked the Saudi government by diplomatic note that Heidi Al-Omary be returned to the U.S. The Embassy will follow-up with the Ministry of Foreign Affairs.

On October 28, 2002, Department officials met with Saudi Embassy officials and requested the Embassy's assistance in returning Heidi to the U.S.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 36:

What steps does the State Department plan to take to resolve the Al-Omary case? Please provide a timetable for each step.

Answer:

Ambassador Jordan will continue to press the Saudi government at the highest levels to resolve this case and others. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between the American parent and his or her children in Saudi Arabia.

Near Eastern Affairs Assistant Secretary Bill Burns will also continue to press the Saudi government at the highest levels to resolve this and other cases. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between American parents and their children in Saudi Arabia.

Department officials will continue to meet with Saudi Embassy officials to press for Heidi's return to the U.S.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

The U.S. Consulate General in Dhahran met with Mr. Al-Omary on October 20, 2002 to request a consular visit with Heidi, verify her well-being, and arrange a phone call between Heidi and Ms. McClain. The father has refused. On October 27, 2002, the consulate requested assistance from Saudi government officials in obtaining access to Heidi and arranging a phone call.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 37:

Has the State Department expressed any concern to the Saudi government regarding its role in the kidnapping of Heidi Al-Omary?

Answer:

The Department has no evidence that the Saudi government played a role in kidnapping Heidi.

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

Question 38:

Has the State Department expressed any concern to the Saudi government regarding the way the Saudi government handled the 2002 visit of Margaret McClain to Saudi Arabia?

Answer:

The Saudi government assisted in arranging the 2002 visit of Margaret McClain to Saudi Arabia. The visit would not have taken place but for the intervention of Saudi government officials. We have discussed with Saudi government officials the need for more organized visit arrangements, so as to prevent Saudi parents from changing the visit parameters at the last minute, which happened during the McClain visit. The Saudi government has agreed to work with Department officials to make such arrangements.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 39:

Has the State Department decided to deny visas to members of the Al-Omary family?

Answer:

The names of Al-Omary family members that we are aware of have been entered into the visa lookout system as possibly subject to 8 U.S.C. § 1182(a)(10)(C). Their eligibility for a visa will be determined if/when they apply for a visa.

We also attempted to determine whether any of the Al-Omary family have valid visas that were issued before they were entered into the lookout system, so that we could consider visa revocation if appropriate. However, we found no record of any such visa issuance using available biographic data.

Please note that under section 222(f) of the Immigration and Nationality Act (8 U.S.C. § 1202(f)), the information in this response is considered confidential and generally may be used only for the formulation, amendment, administration or enforcement of the immigration, nationality, and other laws of the United States.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 40:

Has the State Department demanded that the Saudi government return the Rives children to the United States? If not, why not?

Answer:

Secretary Powell recently wrote to Saudi Foreign Minister Saud Al-Faisal welcoming his idea to form a working group to resolve all child custody cases in Saudi Arabia. On November 1, 2002, Secretary Powell called Saud Al-Faisal to highlight personally the issue of international parental child abductions to Saudi Arabia, and to convey the Administration's desire for the return of American children unlawfully abducted to or wrongfully retained in Saudi Arabia in violation of a U.S. custody order, including Lily and Sami Rives. The Foreign Minister said he would do his best, within Saudi law, to resolve the situation.

Ambassador Robert W. Jordan and other senior State Department officials have discussed the child abduction cases at the highest levels in both Washington and Saudi Arabia, and have urged the Saudi government to take a more active role in returning Heidi to the U.S. Also, Near Eastern Affairs Secretary Bill Burns raised the importance of cooperating to

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

resolve this and other cases with Saudi Foreign Minister Saud Al-Faisal on October 20, 2002. The Foreign Minister agreed.

On June 25, 2002, Embassy Riyadh wrote the Saudi government to request that the Rives children's American passports be returned to the Embassy, and that the Saudi government clarify on what basis the Saudi authorities issued Saudi passports to the Rives children.

On September 21, 2002, on notification that the Department of State had approved the prudential revocation of the visa, Embassy Riyadh revoked the U.S. nonimmigrant visa of the taking parent's brother, Iba Fouad Al-Adel. The taking parent's sister has been notified of her possible ineligibility for a U.S. visa should she apply. In addition, Embassy Riyadh is working through the U.S. Embassy in Paris to advise the taking parent's second brother also of his possible visa ineligibility.

On September 28, 2002, the Embassy in Riyadh formally asked the Saudi government by diplomatic note that the U.S. custody order be enforced and the Rives children be returned to the U.S.

**RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002**

On October 2, 2002, the U.S. Consul General met with a Deputy Minister in the Saudi Ministry of Interior to follow up on an earlier diplomatic note requesting an explanation for the issuance of Saudi passports to Sami and Lilly. He said that the passports would have been issued as identification and travel documents, but that Sami and Lilly would not/not have been granted Saudi citizenship. The Deputy Minister said that Sami and Lilly have the option at age 18 to apply on their own for Saudi citizenship based on the Saudi citizenship of their mother. He agreed to inquire as to the whereabouts of the children's American passports and to return them to the embassy. To date, the passports have not been returned.

On October 7, 2002, the U.S. Consul General met with the Consular Affairs Section Chief at the Saudi Ministry of Foreign Affairs. The Consul General explained the background of the Rives case and urged that Sami and Lilly be promptly returned to the U.S. The Consular Affairs Section Chief agreed to review the case. To date, he has not responded.

On October 28, 2002, Department officials met with Saudi Embassy officials and once again emphasized that Sami and Lilly are not

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Saudi nationals and requested the Embassy's assistance in
returning Sami and Lilly to the U.S.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 41:

What steps does the State Department plan to take to resolve the Rives case? Please provide a timetable for each step.

Answer:

Ambassador Jordan will continue to press the Saudi government at the highest levels to resolve this case and others. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between the American parent and his or her children in Saudi Arabia.

Near Eastern Affairs Assistant Secretary Bill Burns will also continue to press the Saudi government at the highest levels to resolve this and other cases. His goal in the case of abducted or wrongfully retained children is their return to the U.S., and in all cases the assurance of regular contact between American parents and their children in Saudi Arabia.

Department officials will continue to meet with Saudi Embassy officials to press for the return to the U.S. of the Rives children.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 42:

Has the Saudi government provided any justification for the holding of the Rives children in Saudi Arabia?

Answer:

No. To date, the Saudi government has not responded to any of the Embassy's notes concerning the Rives children, and has not commented to the Embassy concerning the Rives children.

RESPONSES TO QUESTIONS FOR THE RECORD
COMMITTEE HEARING
AMERICANS KIDNAPPED TO SAUDI ARABIA:
IS THE SAUDI GOVERNMENT RESPONSIBLE?
OCTOBER 2-3, 2002

Question 43:

Does the State Department believe that there is any justification under Saudi law for the retention of the Rives children in Saudi Arabia?

Answer:

A Saudi court can legally grant the mother custody of her children if the father is considered unfit. It is also not a violation of Saudi law to provide Saudi travel documents to non-Saudi citizens in order to provide legal means for them to remain in the country. However, the Department will continue to press for the return to the U.S. of the Rives children, emphasizing the fact that they are not Saudi citizens and they are in Saudi Arabia in violation of a U.S. court order. The Embassy understands that the mother plans to file in Saudi court for custody of her children.

Truth, Lies and Videotape

By William McGurn

Prince Bandar bin Sultan is categorical: It is "absolutely not true," he wrote in a letter to this newspaper, that Saudi Arabia "is holding Americans against their will." In fact, according to the Saudi ambassador to Washington, there are only 12 child abduction cases involving an American and Saudi parent. And in a similar letter to Indiana Republican Dan Burton, Prince Bandar says that in the high-profile case of Alia and Aisha Ghesheyani—two American sisters kidnapped to Saudi Arabia back in 1988—his government "delivered precisely what you and the American media have requested."

Unable to Leave

But Congressman Burton is equally unequivocal. Addressing his response directly to Crown Prince Abdullah, he says that during his recent visit to Saudi Arabia it became clear that there are many American citizens "who face severe physical abuse, who fear for their lives, and are unable to leave Saudi Arabia due to the policies of the Saudi government." Far from there being only a dozen cases, Mr. Burton says, the real number may be in the hundreds.

Most suspicious of all, the spurring out of the kingdom of the Ghesheyani sisters just as his congressional delegation arrived in Riyadh was, he charges, a deliberate effort "to undermine the delegation's work," one that will have a "chilling effect" on other young Americans.

Plainly one of these men is trying to pass off a whopper. And to Chairman Burton's credit, his House Government Reform Committee tomorrow will air these contradictions in public, in new hearings entitled "Americans Kidnapped to Saudi Arabia: Is the Saudi Government Responsible?"

In addition to testimony from witnesses who will directly challenge all Prince Bandar's assertions, the committee has also subpoenaed Michael Petruzzello, an American PR person who represents the Saudis and whose staffer was involved in the dubious interview in London with the Ghesheyani sisters the Saudis arranged last month. Notwithstanding Prince Bandar's assurances, the hearings will underscore the brutal fact that the only American children who've been reunited with their American mothers are those lucky enough to pull off an escape.

"I hope your government takes this seriously," Mr. Burton states in his letter to Crown Prince Abdullah. "The conduct of your government during the delegation's trip to Saudi Arabia, as well as Prince Bandar's letter [to Mr. Burton] suggest otherwise."

No better example of Saudi obstructionism exists than the ham-handed way the Saudis dispatched Alia and Aisha Ghesheyani out of the kingdom just as Congressman Burton arrived to try to negotiate a good-faith meeting. For years every request from U.S. officials to bring the women to America to meet with their mother and decide for themselves has met with the same tired Saudi answer: The government cannot dictate to its private citizens where to go.

Yet Prince Bandar would now have us believe that two American women who, so far as anyone knows, have never been out of Saudi Arabia since being taken there by their father, suddenly decide to take a holiday at the precise moment Mr. Burton's delegation arrives in Riyadh. According to the Arab News, the Saudi government even paid for the trip.

It is a familiar pattern, the Saudis vehemently claiming the women hate their mother and have no wish to go to America—but taking extraordinary pains to maintain control and intimidation. During the London interview with a producer

from Fox's "The O'Reilly Factor," the Saudis had in the room a paid minder who took notes and even gave the Ghesheyani women head signals.

Some holiday. As Congressman Burton put it in his letter, we're asked to believe that a "Saudi government, which refuses to respect the wishes of women when it comes to travel, appearing in court, dress or even driving a car, respects the purported wishes of the [Ghesheyani] sisters to refuse to travel to the United States or meet with their mother?"

Or what about Amjad Radwan, a 19-year-old American who did finally get permission to leave—but not until personal intervention from the president of the United States? No sooner did she get her exit visa, than it turned out she'd been recently married off by her Saudi father. The Saudis say that she is free to go, but Miss Radwan's mother says the pressure on her daughter has been intense, with the Saudis telling the frightened 19-year-old that if she got on that plane her father would be punished, and that she could never return, etc.

On top of this, the new husband who materialized out of nowhere signs a letter accusing Congressman Burton of offering Miss Radwan \$1 million to get on the plane with him. Prince Saud raised this alleged bribe several times, adding that the couple said they would remain in Saudi Arabia if the Saudis gave them more. Again, note the convenience. The one U.S. politician who's dared to hold the Saudis accountable for what they've done to innocent American women and children finds himself accused of bribery. And Miss Radwan is likewise painted as a gold digger.

This past Sunday evening, Miss Radwan's case came up on CBS's "60 Minutes." When anchor Mike Wallace asked Adel al-Jubeir, the Saudis' point man here, about Miss Radwan, Mr. al-Jubeir insisted he hadn't even heard of her until a month or so ago. Whereupon "60 Minutes" produced a letter about Miss Radwan's case—dated 1988 and signed by Mr. al-Jubeir himself.

At tomorrow's hearings, two more mothers, Joanna Stephenson Tonetti and Margaret McClain, will testify how Prince Bandar's embassy helped kidnap their children to Saudi Arabia, even after being given copies of U.S. court orders making clear the children were not to leave America.

And it will be interesting to square Prince Bandar's claim that "no Americans are being held against their will" with additional testimony by 17-year-old Maha al-Rehaili, who just escaped from her Saudi father during a family trip to Malaysia. The escape was covered by "60 Minutes," and before going to the U.S. Embassy for help Miss al-Rehaili stopped to go on camera where she said she would kill herself if forced to return to Saudi Arabia.

No Progress
Back in August, when Prince Bandar was invited to George W. Bush's Crawford ranch, White House spokesman Ari Fleischer told reporters the president raised these cases with Prince Bandar because he was unhappy that "not enough progress has been made, because people who should be allowed to come back to the United States have not been able to."

Today, not only has Saudi Arabia maintained the dismal status quo, Prince Bandar has upped the ante by directly contradicting the president with his assertion that the kingdom holds no Americans against their will. Maybe it's time President Bush let Prince Bandar know what he means by the word "progress."

Mr. McGurn is the Journal's chief editorial writer.

The Saudi position on U.S. captives is deeply suspect.

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L. OPINION MONDAY, SEPTEMBER 9, 2002 *****

The Blowhard Zone

By William McGurn

It's not every day that one finds oneself on a nationally televised talk show, two feet from a host who is completely unblinking and shrieking, "I want to tell the audience, this man is telling you a lie, a bold face lie." Then again, it's not every day one is on "The O'Reilly Factor."

I didn't ask to be on the "Factor." The show called me last Wednesday, to ask what I had thought of the previous night's coverage. That one centered on a controversial interview in London, which Mr. O'Reilly had arranged with the Saudi embassy, featuring two American women who had been kidnapped to Saudi Arabia at ages seven and four; predictably the women denounced their mother. Thereupon Mr. O'Reilly declared these women "brainwashed," and told their mother, Pat Roush—whose microphone he cut off, saying she was "emotional"—that her daughters had their chance to "make a run for freedom" and didn't.

Stabbed in the Back

When asked, I told Mr. O'Reilly's producer that I thought he had stabbed this mother in the back; that he'd cut off another guest, Dria Davis, who could speak more credibly on this than any of us; and, worst of all, that in arranging this interview he had colluded with a foreign government to sabotage the efforts of a group of congressmen then inside Saudi Arabia trying to negotiate the Roush case. Mr. O'Reilly's producer told me she hoped I would say that on the air. And I did. Since Mr. O'Reilly has made it an issue, let me go through the charges one by one.

• *Stabbing an American mother in the back.* Mr. O'Reilly admits he did not tell Pat Roush that her daughters—and her granddaughter—were in London. He arranged that secretly with Saudis. He further admits that he did this because he knew the Saudis would not go for a deal that included the mother.

• *Dria Davis.* All Mr. O'Reilly seemed to know about her was that she was an American girl who fled from Saudi Arabia. More pertinent, though, was that she too had been interviewed by a State Department representative who concluded

that her father "is clearly fond of his daughter"; this at a time, as we know now, when her father was threatening to kill her. "If he [O'Reilly] had just shut up for a moment and listened," Miss Davis told me, "he would have known why Pat's daughters could not be speaking freely."

• *Colluded with the Saudis.* Mr. O'Reilly originally proposed to Rep. Dan Burton (R., Ind.) that the delegation meet the Roush sisters inside Saudi Arabia before a Fox camera; the Burton people responded that such a meeting was unwise. Burton staffers say they were stunned to learn, upon their arrival in Riyadh, that the Saudis had spirited Ms. Roush's daughters out of the country on the precise day the delegation was there to press demands the women be brought to America.

Mr. O'Reilly admits that he set the whole thing up with Adel al-Jubeir, the Saudis' point man. As he said, "We convinced the Saudis to fly the women, now ages 19 and 24, to London, where our producer interviewed them." In other words, the deal was: The Saudis supplied the women, he supplied the interview.

In a statement issued on his return, Rep. Burton scolded the Saudis for their "bad faith" in removing the Roush sisters out of the country, saying, "It is clear that they [the Saudis] purposefully were involved in an effort to undermine" his visit. If we are to believe Mr. O'Reilly's own words, it all happened at his instigation. My contention is not that Mr. O'Reilly deliberately set out to do Mr. al-Jubeir's dirty work. The point—as I stated on the show—is that Mr. al-Jubeir and Co. were looking for a sucker and they found him.

I did not come at this as an O'Reilly hater. I regard Fox News as a national treasure, and even wrote a column for this paper a few years back about Mr. O'Reilly's rise at a time when he was whining that the New York Times would not even mention his name. But the freedom of American women and children in Saudi Arabia is an extremely sensitive issue, not to be entrusted to a man whose ego and naiveté lead him to believe that in one TV show he can settle what other people have been working years to do. That same ego still leads Mr. O'Reilly to claim that simply getting the women to London is a victory, when all he did was bring them out of one controlled environment into another.

We know from history not to trust these kinds of arrangements. In 1985, a Soviet sailor jumped ship in the Mississippi River, and was sent back after a U.S. government interview determined he wanted to go home. Last year this sailor turned up

in the office of Sen. Jesse Helms—one of the few to make a stink at the time—as an ordained Catholic priest. He recounted that his earlier statement, about wanting to return to the USSR, was made because of KGB intimidation.

More recently, the Dominican nun and friend of Janet Reno's who originally supported sending Elian Gonzalez back to Cuba courageously changed her mind when she met with Elian's grandmothers in America and reported seeing fear and manipulation. And then there's Miss Davis, who State concluded was happy in Saudi Arabia while she was screaming on the phone to her mom that she feared for her life. Mr. O'Reilly admitted on air too that he let a minder hired by the Saudis sit in on the interview, taking notes and making head signals to the Roush daughters.

Mr. O'Reilly, it seems, cannot understand that this is not about him or even his intentions but the consequences of his actions. When I tried to raise those consequences, he became unglued and screamed "bar!" Now he's shifted the issue again, asking what we owe Americans who are "brainwashed."

The short answer is that we surely do not want to send the perverse message that if you victimize Americans enough, you're home free. More than that, the question misses the gut of the issue. This is not solely about helping Pat Roush or any of the other families. It's about ensuring respect for U.S. citizenship and U.S. law in a dangerous world, nations need to know that there will always be consequences for messing with Americans.

Final Word

Notwithstanding Mr. O'Reilly's London debacle, and his claims that no one could do any better than he did, Rep. Burton has made some progress. Prince Saud went on record promising that American women who want to leave will be allowed to. Amjad Radwan, the 15-year-old American we wrote about, got a passport with a visa that, in theory, allows her to leave the kingdom. And we now have the promise of the U.S. ambassador that no American who seeks refuge will be turned away from the embassy—a promise that Congress, State and the administration need to see enforced.

The Saudis should not get the final word on writing off kidnapped and victimized Americans. And neither should Bill O'Reilly.

Mr. McGurn is the Journal's chief editorial writer. A transcript of the O'Reilly show is available at OpinionJournal.com.



Bill O'Reilly

9-05-02 WT

Arabian nightmare State stole away safe return of Roush children

By Joel Mowbray

The State Department surreptitiously administered congressional efforts this past weekend to rescue two abducted children from Saudi Arabia — and two American citizens remain trapped in the desert prison as a result.

House Government Reform Chairman Dan Burton arrived in Saudi Arabia late last week to persuade the Saudi government to release 15 American citizens — most of them children (some of whom are now young adults) abducted by Saudi parents — held against their will by our so-called ally. (Instead of the Saudi royal family, offered the victims of September 11, the Saudi agent to meet might to free the 15 American citizens held hostage — one for each of the 15 terrorists they sent us.)

The abduction cases date back to 1986 when the daughters of Patricia Roush, Alia and Aisha, were stolen from their suburban Chicago home by their Saudi national father. In the intervening 16 years, the State Department has done precious little to help ensure the safe return of Miss Roush's now-adult daughters.

Miss Roush's ordeal has become extremely high-profile, which threatens to upset the stability of the U.S.

Saudi relationship — something that does not sit well with top officials at the State Department or their friends the Saudis.

In a move that can only be seen as a direct swipe to take a pound of Miss Roush's flesh, the Saudis shuffled Alia and Aisha to London just as the congressional delegation was arriving in Saudi Arabia in order to have them sign a statement denouncing their own mother, and the country of freedom and liberty where they were born.

The most disturbing aspect of this behavior is not that the young women (who are now 20 and 23) were surrounded by Saudis while cooped up in a London hotel that accordingly re-accordingly re- Saudi Arabia. No, the truly shocking part is that the State Department played the key role in helping the Saudis achieve their reprehensible goal.

Despite asking for — and being denied — Miss Roush's permission to take a statement from her daughters, a consular officer with the State Department willingly took the statement made by Alia and Aisha on Saturday anyway.

Any benefit of the doubt that the State Department might have been able to receive in the whole incident evaporated in its official take on the travesty.

With a straight face, the State Department claims that Alia and Aisha were — no joke — "on vacation." A quick look at the facts — with which the State Department is already familiar — lays bare this malicious myth.

For nearly 17 years, Alia and Aisha had been denied exit visas because of Saudi law. The State Department actually ex-

pects people to believe the girls decide to go on vacation on the very same weekend that a congressional delegation travels to Saudi Arabia to rescue them?

But the State Department wasn't content with merely spouting the official Saudi line about the girls "requesting" the meeting while "on vacation." No, the State Department had to do the Saudis' bidding to try and squash hopes of Miss Roush's daughters ever escaping the Wahhabist wonderland. The State Department told the press not that Alia and Aisha did not want to move to the United States, but that they didn't even want to "travel" here.

Alia and Aisha's statement was made less than a day before Mr. Burton was to ask the Saudi foreign minister for acceptable conditions under which Miss Roush could meet with her daughters — a move that the State Department had full knowledge of. But the Saudis' stunt would have been for naught without the stamp of legitimacy placed on it by the State Department.

The whole affair raises a serious question: If the Saudis refuse to be honest partners on something as simple as helping us retrieve kidnapped American citizens, how in the world can we trust them at all in the war on terror? But the fact that the Saudis' duplicity only succeeded because of the State Department's complicity begs the more important question: how can we trust our own State Department to protect us when it willingly sacrifices the lives of two American citizens at the altar of its unwholy alliance with the Saudis?

The State Department actually expects people to believe the girls coincidentally decide to go 'on vacation' on the very same weekend that a congressional delegation travels to Saudi Arabia to rescue them?



AP

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'I Am an American'

By William McGurn

The words crackle over the phone line from Riyadh, in softly accented English. "I am an American woman," Amjad Radwan repeats. "My mother always tells me how free America is, and how much my grandmother, my aunts and uncles and cousins in America love me. But though I am American I cannot go see them."

If Miss Radwan appears at pains to stress her adult status, it's because the same U.S. government that trumpets its liberation of Afghan women suddenly begins shuffling its diplomatic feet when the subject

turns to adult American women languishing in Saudi Arabia. In the last month alone, when asked publicly about cases such as Amjad Radwan and Alia and Aisha Gheshlayan, at least three senior American officials—Secretary of State Colin Powell, White House spokesman Ari Fleischer, and Assistant Secretary for Near Eastern Affairs William Burns—all muddied the issue by resorting to the State Department hog that the fates of at least a dozen American women in Saudi Arabia are "custody" spats involving "children."

The reason is plain: Most Americans understand the detention of innocent U.S. citizens as an outrage. Indeed, in many ways these cases are a microcosm of the whole U.S.-Saudi relationship, where Uncle Sam sends troops to prop up their regime while they show contempt for America. And why not? In accepting that these are mere family squabbles subject to Saudi law rather than declaring them affronts to America, the State Department only encourages Saudi intransigence.

"You can't imagine what it's like to put your faith in your government and then, when you turn to it for help, to hear time and again that 'we have to respect Saudi law,'" says Miss Radwan's mother, Monica Stowers. "It's like finding out there's no God."

The U.S. embassy threw out U.S. citizens seeking refuge.

calls being scooped up by "a big man" and then taken out of the office as her mom and brother followed. Another State Department officer had already called Miss Stowers's ex-husband.

Again Amjad was taken from her. Ultimately, Miss Stowers would be arrested and spend time in a Saudi prison.

Typically the U.S. Embassy in Riyadh hasn't been all that eager to hear from Miss Stowers. But when the embassy got wind of last month's congressional hearings on how State has botched these cases, the embassy's Charles

Glatz called to find out what she was going to say. Mr. Glatz, she says, told her that Ms. Reed denies any recollection of calling in the

Marines, though the Government Reform Committee does have an embassy write-up of the incident. According to the Marine Corps, this is definitely outside the parameters governing embassy Marine, who are there to protect national security and diplomats—not to do State's dirty work.

Since that day, Miss Radwan's life rivals anything in "1001 Arabian Nights." Sodomized by her half brother (Rasheed was also sodomized by the same half-brother, as well as by his uncle), she was married off by her father at age 12. But she ran away, eventually living with her mother as a quasi-fugitive in an abandoned Saudi school. Miss Radwan's Saudi husband divorced her, and today mother, daughter and brother live together in a legal but furtive existence, with Miss Radwan unable to leave and all three looking over their shoulders for whatever horror Saudi law might bring next.

Faith in America

Throughout all these travails, Miss Stowers has tried to maintain her faith in her homeland. An American flag, for example, hangs over her television set. Her father, Eddie Stowers, was a sailor who drove landing vehicles on D-Day and later endured kamikaze attacks as a Navy gunner in the Pacific—but whose reward from his country was never to meet his granddaughter before he died. Ditto for an uncle of Miss Radwan's who served in Vietnam. Alas, outside her dreams the closest Miss Radwan gets to America these days is a Riyadh Starbucks or Safeway.



Amjad Radwan

(OVER)

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Written Off

No one knows better than Amjad Radwan how desperate life can be for an American whose country has written her off. Born in 1983 in Houston to an American mother and Saudi father who had met at the University of Dallas, she was taken to Saudi Arabia as an infant, along with her older brother, Rasheed. When they arrived in Riyadh later that year, her mother was in for a nasty shock: Nizar Radwan had neglected to tell her (or the state of Texas, under whose laws he was married) that he already had a wife and family. It wouldn't be the first time a Saudi would demonstrate his scorn for American law.

When Miss Stowers said she wanted to return home, he did what too many other Saudi men have done: He grabbed the children. When she protested, an Islamic court awarded him custody because she was a Christian. Miss Stowers returned to America believing her government would help her—a big mistake. Over the next decade, apart from sporadic visits at a Saudi police station, Amjad would be almost entirely cut off from her mother.

Amjad's father raised her to believe she was the child of his first wife. But her brother Rasheed told her it was a lie, valiantly keeping the memory of their American mother alive. In 1990 Miss Stowers went back to Saudi Arabia, and Rasheed met her at the airport. Not long after, they made their move, picking Amjad up at school and fleeing to the American Embassy. There, she believed, she would find refuge.

That was her second big mistake.

In testimony submitted to the House Government Reform Committee, Miss Stowers says that Karla Reed, a State Department officer, coldly informed her that the American Embassy was "not a hotel." When Miss Stowers refused to leave and pleaded for help, two Marines were brought in. Miss Stowers says she held the American passports of her and her two U.S. children in front of her, never believing that an American Embassy would turn the American military on a helpless American mother and her children.

"You see that American flag over the embassy and you think, 'I'm safe now. This is civilization, and they'll do something to help me here.'" One of the Marines apologized to her. Amjad, who was then only seven years old, re-

This leads to some bitter ironies. Though Miss Radwan is forbidden to leave Saudi Arabia for America without written permission from her father, her Saudi relatives—uncles, aunts and cousins—have all been given visas by the State Department to visit America, which they apparently love to do. But she, the American citizen, can't.

"There is no future for me in Saudi Arabia," she tells me. "I can't go to school, I can't get a good job, and my father wants to marry me [off] to a man in his 40s."

Though State Department officials say they have raised this and other cases with Saudi officials right up to Crown Prince Abdullah, they make clear that they have done so only in the context of a custody dispute and not as what it really is: a thumb in America's eye. Calls to Secretary Powell and Assistant Secretary Burns were not returned, and Ari Fleischer says that while he concedes that Miss Radwan and the Ghesayan sisters are adults, "technically" he was right to label their cases custody disputes because these women were taken as children.

It is telling, moreover, that our diplomats always speak about "raising" these cases—never about resolving them, or demanding that these American hostages be given exit visas, or even letting us know what the response is from, say, Crown Prince Abdullah when they do "raise" the issue with him. Americans, the Saudis and State both appreciate, have a short attention span, and in a few months the press and Congress will forget all about Miss Radwan and the Ghesayan sisters.

And so Miss Radwan rots in Saudi-imposed exile, wondering what will befall her should something happen to her 46-year-old mother, who's already been treated for cancer. "America is my future," she says firmly.

There was a day when American embassies rose to the occasion, granting refuge to a Catholic cardinal in Budapest, two Pentecostal families in Moscow, a Chinese dissident in Beijing, etc. Isn't it time George W. Bush instructed our embassy in Riyadh to begin showing as much concern for American women and children?

Mr. McGurn is the Journal's chief editorial writer.

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FRIDAY, JULY 19, 2002 • VOL. CCXL NO. 14 • ★★*

REVIEW & OUTLOOK

Siege of State WSJ-A10 7/19/02

A House committee begins marking up a homeland security bill today that could strip the State Department of its power to issue visas to foreigners. Naturally the Foreign Service is upset, but maybe America's diplomats should stop and reflect on how things came to this pass.

We sympathize with the argument, made by Colin Powell and others, that visa decisions are a foreign-policy matter. The problem is that Congress no longer trusts the State Department to administer visas honestly, much less in America's best interests. And why should it, given the department's track record since September 11?

That's the day the U.S. was attacked by 19 airplane hijackers, 15 of whom were Saudi nationals. Yet instead of shutting down its Visa Express program for Saudi citizens the *next day*, as common sense would suggest, State kept it going as if nothing much had happened.

Even now the department won't tell Congress what the program's status really is. During sworn testimony last month, State's Dianne Andrich implied that the program had been "shut down," and that there was now a waiting period for male Saudi applicants to enter the U.S. But last week a cable from the U.S. Ambassador in Riyadh that was leaked to the press made clear that Visa Express was still up and running, because he was asking for guidance on how to close it.

It gets worse. A single Foreign Service Officer in the Jeddah consulate issued 10 of the visas to the Saudi hijackers. Yet GAO investigators told House staffers that no one from State ever interviewed that officer after 9/11 to learn what might have gone wrong.

We've also had a scandal about foreign nationals working in the U.S. Embassy in Qatar, who sold at least 71 visas, including three to people with al Qaeda connections. To accomplish this, they either had to have the assistance of a Foreign Service Officer (i.e., an American) or access to his code. Either way it's a serious security breach.

Undersecretary for Political Affairs Marc

American diplomats need a lesson in how to represent Americans.

Grossman has testified to Congress that State "uses visa policy to advance our goals." We wish. Take Saudi Arabia, where the House of Saud still refuses to grant Anjad Radwan, an American woman, a visa to leave Saudi Arabia to return home to America. But that apparently hasn't stopped our State Department from granting a visa to the family of Miss Radwan's uncle, whose brother refuses to grant her permission to leave. The episode has done the impossible and united arch-Congressional enemies, Democrat Henry Waxman and Republican Dan Burton, in common outrage.

In the mid-1990s, U.S. Ambassador to Riyadh Ray Mabus (a political appointee, not a career diplomat) actually tried to use visas to sway the Saudis, and to good effect. He revoked U.S. visas for any member of a Saudi family related to Alia and Aisha Gheshayan, two other U.S. citizens detained in the kingdom. This brought the Saudi government to the bargaining table with a deal for their freedom. But Mr. Mabus's policy was overruled by his successor, and the deal fell through.

It's true that Mr. Powell recently sacked Mary Ryan, the head of consular affairs responsible for these fiascoes. But there's reason to doubt that the culture of State has changed. The real spirit of State was revealed in an e-mail circulated by Chuck Keil, a State careerist and acting ambassador to Italy, that was leaked earlier this week.

The e-mail said that Mr. Burton's attempts at visa oversight showed that "the spirit of Joe McCarthy is alive and well" and went on to "fervently hope" that "Secretary Powell and his leadership team can find a Joseph Welch to step up to confront the likes of Dan Burton and his ilk." Another officer, Columbia Barrosee, hailed this as "an excellent message," and suggested that any non-career officer appointed to the Ryan post would be a "neo-Nazi." In other words, Saudis who imprison American citizens deserve an express pass to the Mayo Clinic, but elected representatives of the American people are witch hunters.

Secretary Powell began his tenure telling the foreign service he'd be their champion, but by now it's clear he needs to clean house. Until he does, Congress can be forgiven if it tries to teach American diplomats that their job is to represent American interests.



Colin Powell

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REVIEW & OUTLOOK *WSJ A18*

All the President's Women *6/24/02*

White House spokesman Ari Fleischer should stop referring to grown women as children. The women in question are Amjad Radwan and Alia and Aisha Gheshayan, three American citizens in Saudi Arabia whose fate has finally become an issue for Congress.

When reporters at a White House press briefing recently deluged Mr. Fleischer with questions about whether President Bush had raised their plight during an Oval Office chat with the visiting Saudi Foreign Minister, he repeatedly—eight times by our count—invoked the word “custody” or “custody of a child” to characterize how the “President views this.”

It's true that a number of American mothers have had an awful time getting children out of Saudi Arabia, though even here it beggars belief to reduce these to custody disputes. But two of the three cases that the House Government Reform Committee aired during its hearings did not involve children.

Amjad Radwan is 19 years old and, unlike her older brother, cannot leave Saudi Arabia because she is a woman and must have the permission of her Saudi father, who refuses to give it. In highly charged testimony delivered via videotape, Amjad's mom, Monica Stowers, told the House she remains in Saudi Arabia because she fears for her daughter's life; Miss Stowers further reported that both her son and daughter were raped by members of her former husband's family. Alia and Aisha Gheshayan are also adults.

When pressed on this point, the State Department says it has made every effort to ascertain the women's wishes about returning to America. In the case of Miss Roush's daughters, however, State concedes that it hasn't seen them since the mid-1990s. Moreover, its own human-rights report on Saudi Arabia declares that “physical spousal abuse and violence against women” is “common” and that the Saudi government tends to look the other way. Translation: The only way these Americans are going to be able to speak freely, without fear of returning home to a beating, is to insist that Riyadh give them the exit visas that will allow them to come here.

The truth is that there isn't a soul at State or the Saudi Foreign Ministry who doesn't understand that if President Bush were to express his displeasure to Crown Prince Abdullah, then Alia, Aisha and Amjad would be on the next plane for New York.

And things would never have reached this dismal stage if the State Department hadn't signaled from the start that it was willing to let all the ground rules be set by Saudi law and custom—even in defiance of U.S. courts, arrest warrants and rights.

Last June, 23 Senators, including leaders Trent Lott and Tom Daschle, signed a letter urging Secretary of State Colin Powell “in the strongest possible terms, to intervene forcefully and in person with the Saudi authorities at the highest levels to secure the prompt release and repatriation of Alia and Aisha Gheshayan.” The immediate answer was the standard State kiss-off: a letter explaining that the women were “subject to Saudi law.”

But it seems that Congressional interest can have a catalyzing effect on Foggy Bottom. At hearings last Tuesday before the House International Relations Committee, William Burns, Assistant Secretary for Near Eastern Affairs, disclosed that Mr. Powell has now raised the issue with the Saudi Foreign Minister and that he himself brought it up with Crown Prince Abdullah 10 days earlier, on the eve of the Government Reform Committee's hearings.

But Mr. Burns continued to define the issue as a custody dispute. And his remarks suggest that State still refuses to treat this as a state-to-state issue, in favor of a touchy-feely approach about “keeping families connected.” This is a long way from “Perdicaris alive or Raisuli dead”—Teddy Roosevelt's tart reaction when a Berber bandit chieftain took an American hostage in Tangier.

In a TV spot running under the title “Allies Against Terrorism,” the Saudi government urges Americans to “listen to America's leaders” when it comes to the “facts” about the country that spawned 15 of the 19 September 11 hijackers. It features President Bush vouching for how the Saudis have been “nothing but cooperative.” This is their chance to prove it.

When will Washington do something about the American women held in Saudi Arabia?

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Civis Americanus Sum

Americans normally don't look to British lords for inspiration on Independence Day. But this July Fourth, with our nation at war, a strong dose of Lord Palmerston may be just what the doctor ordered. For Palmerston understood something the State Department has yet to grasp: In a dangerous world, you want to make sure your passport counts for something.

In an 1850 House of Commons speech de-

fending his decision to blockade Greece after an Athenian mob had burned down the home of a British citizen, Palmerston put it this way: "As the Roman in days of old held himself free from indignity when he could say '*Civis Romanus Sum*' ['I am a Roman citizen'], so also a British subject, in whatever land he may be, shall feel confident that the watchful eye and the strong arm of England will protect him against injustice and wrong."

Americans once traveled the world with a similar assurance. But respect for U.S. citizenship is not what it used to be. On this day in this space last year, we highlighted the plight of Li Shaomin, a Chinese-born American citizen who was then being detained by Beijing on trumped-up spying charges.

Mr. Li was not alone. Not only did China also detain Gao Zhan, a professor at American University in Washington, they placed her five-year-old son, Andrew—an American—in a Beijing "kindergarten" away from his mother and his American father for 26 days without notifying U.S. consular officials of their action.

Since then we have had more grisly reminders of just how vulnerable our fellow citizens overseas can be. This newspaper's Danny Pearl was murdered in Pakistan because, as his captors made brutally clear, he was a Jew and an American. Likewise in the Philippines, Martin and Gracia Burnham were kept hostage for more than a year by the al Qaeda-linked Abu Sayyaf before the Manila government rescue that freed Gracia but took her husband's life.

Meanwhile in Saudi Arabia, Amjad Ramadan and Alia and Aisha Ghesbayan—three American citizens—remain forbidden to leave that nation because they are women. Yet instead of demanding their release, U.S. officials from Colin Powell down through White House

spokesman Ari Fleischer refer to these women as "children" and describe their plights as "custody" battles. When the U.S. government refuses to stand up for American citizens trapped in Saudi Arabia, should we really have been surprised to find the Saudis so uncooperative in the use of American bases in Saudi Arabia in the war in Afghanistan?

The point is that the U.S. has a strong national interest in letting the world know there will be dire consequences for molesting an American abroad. Scarcely two years ago 17 American sailors were killed when terrorists bombed the USS Cole, an attack that went unavenged. Since 9/11 we've learned the price of such fecklessness.

And there have been encouraging signs of a new seriousness from some parts of our govern-

ment. The FBI aggressively pursued Danny Pearl's kidnappers. America pushed Manila to try to rescue the Burnhams. And just this week the Bush Administration rightly rejected an attempt to put U.S. troops in Bosnia under the threat of prosecution by the new International Criminal Court. This rejection makes just the right statement: Our troops will risk their lives to do the job, but we're not going to let Private John Smith be hauled before a court that can be counted on to put politics before justice.

It may be too much to expect State to mount a more aggressive stance than this, however much we need it, given the diplomatic incentives toward clientitis. But clearly some in Congress want one, which explains the calls to strip State of the authority to issue visas and give it to the new Department of Homeland Security. Short of this, there's also the old proposal of creating an "American desk" at State, an idea first championed by Senator Jesse Helms but also endorsed by former Secretary of State Warren Christopher during his confirmation hearings.

In his recent West Point speech, George W. Bush spoke eloquently of the need for "new thinking." "By confronting evil and lawless regimes," said the President, "we do not create a problem, we reveal a problem." And Lord Palmerston would know just where to start.

*The State Department
needs an American desk.*



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Saudi Arabia's American Captives

By William McGurn

When Pat Roush wants to show off her daughters, she reaches for an old Christmas photo. It's the classic family snapshot: two happy little girls in front of the tree, holding matching Pound Puppies—gifts from Santa—over their heads.

Exactly one month later, Miss Roush would lay out their black Mary Janes and party dresses for a birthday bash the girls had been looking forward to. It was a party they would never make. Kidnapped by their estranged father, seven-year-old Alia and her three-year-old sister, Aisha, were already on their way to Saudi Arabia.

That was 1986, and the sisters, now young women, remain there still. They have not seen their mother since, except for one heart-wrenching two-hour meeting in 1995 where Alia, clad in the black abaya, begged her mother, "Please, Mama, don't leave us here!" In the meantime, Alia has been married off; each has been converted to Islam; and both remain under an effective life sentence in a land whose law forbids them to leave without the written permission of a father or husband.

Wahhabi Yoke

"I'm proud America has liberated Afghan women from the Wahhabi yoke," says Miss Roush, referring to the brand of Islam Osama bin Laden and the Saudis pushed among the Taliban. "But what about America's own daughters? When does liberation come for my girls?"

Good question. Until very recently hers was only another hard-luck tale. But 9/11 has dramatically changed the backdrop. For 16 years, the Saudi desk at the State Department has told her, "Let's look at this from a Saudi's point of view." But tomorrow the House Government Reform Committee will hold hearings that will finally look at her case from an explicitly American point of view.



Terry Sholfer

Pat Roush, and her daughters, Alia, left, and Aisha, in the 1980s

Plainly the testimony will not be kind to a Saudi Arabia now in the midst of a PR campaign designed to persuade Americans that 15 of 19 hijackers carrying Saudi passports should be nothing between friends. But the grilling may be more embarrassing to State, especially when Congress hears how Americans in distress were treated when they cried out—often literally—for help. A taunt from a representative of the governor of Riyadh to Miss Roush sums up the signal received by the Saudis: "Your State Department won't help you, and your government doesn't want you."

Alia and Aisha's tragedy began on a snowy Super Bowl Sunday in 1986 just outside Chicago. By that time Pat Roush had split with her Saudi husband, Khalid al-Gheshayan, whom she had met as a student in California; Gheshayan's record during his years in America shows several arrests and a hospital diagnosis of alcoholism and paranoid schizophrenia.

Though Pat had secured a divorce and custody of the children, she did let her husband see his daughters when he returned to America. On the day in question, she was readying herself for the birthday party in the girls' bedroom. She glanced at Alia's Brownie handbook on a nightstand, and suddenly felt a hollow pain in her stomach. When she called Gheshayan and he didn't answer, she raced over the building where he'd taken up residence.

In the grocery store below, a young child told her, "He took them away in a taxi and they didn't want to go." Days later, her husband would call to tell her their daughters were in Saudi Arabia. A few months later, the office of a Saudi governor would make a tape—in the presence of the U.S. consul general—in which a glazed-looking Alia said, "I hate the United States" and "My mother hates me and my sister."

Since then Miss Roush, a nurse, has spent almost every waking moment badgering diplomats, pushing for legislation, putting holds on ambassadors, picketing the Saudi Embassy, even hiring mercenaries. With a few, brave exceptions, however, American officialdom has seen her as a nuisance. How much easier their jobs would be if this woman would simply write her daughters off.

Still, twice she has come close to getting them out. The first time was in 1986, when pressure from Illinois Sen. Alan Dixon resulted in a deal that would have reunited the two tiny Americans with their mom. But the deal broke down

after the higher-ups in Foggy Bottom cabled the ambassador that he was not to be present at the deal, on the grounds that the U.S. must "maintain impartiality."

The second time came under the girls' other champion, Ambassador Ray Mabus. Appointed by Bill Clinton, the former Mississippi governor made no bones that he wanted the girls back in America, referring to Gheyashan as a criminal, cutting off all U.S. visas for his family and pushing hard for a resolution. He too worked one out, but left for America before it was seen through, never dreaming that it would all come crashing down in his absence.

"This was never about Saudi law and customs," says Mr. Mabus. "It was about American law. This is a man [Gheyashan] who voluntarily put himself under American law, got married under American law, was divorced under American law and then broke that law."

The governor adds that his push for the rights of these American citizens never hurt the bilateral relationship. To the contrary, he believes that "one of the main jobs of embassies is to protect American citizens and uphold American law."

And lest people think that Miss Roush exaggerates, the House will hear supporting testimony from other women caught in the Saudi vise. Exhibit A is Dria Davis. When Dria was just 11 years old, she too was held in Saudi Arabia by a father who wouldn't let her return to America. When she begged the U.S. Embassy for help, they told her there was nothing they could do. "I was confused," she says. "I just kept asking, 'Why?'"

Tomorrow, Congress will play tapes Dria's mother secretly made of emotional phone conversations during her daughter's captivity, with Dria tearfully relating how her father shrieked at her, calling her a "bitch," and screaming for her mother to "get me out of here, they are going to kill me!" Abused by her father, abandoned by her country, this intrepid teenager ultimately pulled off her own escape, via Bahrain, when she was just 13.

When set against the larger war on terrorism, the plight of a handful of American women may appear small potatoes. And there are undoubtedly any number of people who regard Miss Roush's campaign for her daughters a distraction from larger issues. But after 16 years, the answer to that should be obvious: If not now, when?

The State Department understandably bristles at the accusation that it is indifferent to the plight of fellow Americans such as Alia and Aisha. But the problem is not that State hasn't done anything. The problem is that everything the State Department has done has been done within the parameters set by Saudi law. Thus do we signal that our "special relationship" is more important than two American daughters—and then we are surprised that the Saudis are so uncooperative in, say, the Khobar Towers investigation.

Mother's Love

Meanwhile Pat Roush refuses to give up hope, knowing that the only thing her forgotten daughters have going for them is a mother's love. She keeps everything from their childhood—Alia's Brownie uniform, a fingerpainting from Aisha, their Pound Puppies—in the hope that she might someday show them she's never stopped fighting for them.

At the official level, the American response is always that this is a complicated matter. But privately the whispers are that all it would really take is for President Bush to let Crown Prince Abdullah know he wants his two citizens to come to America, where they can then decide for themselves where they want to live without fear of reprisal. As one State representative conceded to a congressional staffer, in terms of U.S. representation, Alia and Aisha would be better off if they were convicted criminals.

The bitter irony is not lost on Miss Roush. "In Peru, President Bush raised the case of Lori Berenson," she sighs. "If an American woman convicted of aiding guerrillas is worthy of the president's concern, shouldn't he be able to say something about two American women serving a life sentence even though they've never done anything wrong?"

Mr. McGurn is the Journal's chief editorial writer.

Rod Dreher

NRO Senior Writer

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July 16, 2002 8:45 a.m.

State Pressure

The Saudis feel heat over the Roush case, but it's status quo at the State Dept.

The Saudi government is getting hot under the kaffiyeh these days from all the media coverage of the Patricia Roush affair, in which an American woman has been trying for nearly two decades to free her (now adult) daughters from Saudi Arabia. Adel al-Jubair, the Saudi crown prince's personal emissary, is said to have called on a top U.S. State Department official last week to offer a deal the Saudis hope will put the troublesome Roush situation behind them.

Roush tells NRO a State Department official phoned her late last week to report that Al-Jubair told William Burns, who heads State's Near East Affairs bureau, that the Kingdom would permit two female officials from the U.S. Embassy in Riyadh to meet Roush's daughters, Aisha and Alia al-Gheshayan, at a "tea party" at Alia's villa. In return for the meeting, Roush says, the State Department would have to guarantee that during the visit, the embassy officials would take down a statement from the young women stating where they wanted to live — presumably, in Saudi Arabia — and make it public.

"I asked, 'Did Ambassador Burns mention that these are two American citizens, and we want permission for them to come to the United States?' The answer was no," Roush tells NRO. "Ambassador Burns told [al-Jubair] that the statement would appear staged. That's all he said."

A State Department spokeswoman declined to confirm or deny the contents of the conversation between Burns and al-Jubair, or that the meeting took place. "Because they have not signed a Privacy Act waiver, we cannot comment on any issues regarding [Roush's daughters] because they are both adults," the spokeswoman said.

Roush responded acidly: "They're not able to sign a Privacy Act waiver because they are being held by a totalitarian regime."

As those who have been following this case know, an American court awarded Roush custody of daughters Alia and Aisha in a 1985 divorce from her husband, Khalid, who comes from an influential Saudi family. In 1986, Khalid kidnapped the children and took them to Saudi Arabia. Roush has been trying ever since to get her children back, with virtually no help from the State Department, which, in theory, is supposed to work for Americans. In fact, State has an appalling record of appeasing the Saudis in these matters, a fact that has been pointed out with prophetic outrage most recently by the *Wall Street Journal* editorial page and its editorialist, William McGurn.

The al-Gheshayan girls are now in their early 20s. Alia was married off — "sold" is Roush's phrase — by her father to a favored family member, and has had a child. The day before she testified before a House panel this past June, Roush learned that Aisha had also been married. Their mother wants the U.S. to issue passports to Aisha, Alia, and their children, and the Saudi

government to give them visas for America, so they can travel here to say, without Saudi pressure, what their true wishes are regarding residency.

"This is a cult," Roush says, of Saudi society. "My daughters have been held by a cult for 16 years, and they aren't able to speak the truth freely."

In its public pronouncements, the State Department has consistently referred to this affair as a child-custody dispute (chief spokesman Richard Boucher did so as recently as [Friday's press briefing](#)), as if it were a private matter between feuding family members. The truth is, it has always been a matter of two American citizens stolen from their mother and their native country, and held incommunicado in a foreign land. Now that the al-Gheshayan girls are adults, the old State Department line justifying its inaction is beyond farcical. Let Congress recognize this for what it is: a hostage situation, perpetuated by the Saudi rulers, and abetted for 16 years by appeasing American diplomats.

Congress should order State to deny visas to any Saudi government official until and unless Aisha and Alia al-Gheshayan, and indeed all American citizens held illegally in Saudi Arabia, are allowed to return home. It is entirely possible that those kidnapped as children, but who are now adults, may choose to live in Saudi Arabia. But that must be *their* choice, and it must be communicated in an atmosphere free of coercion. This absurd "tea party" in Riyadh does not qualify.

Yet the fact that it is even being offered by a top representative of the Saudi government is a sign that public pressure may be working. Americans should realize, though, that their own government is a great obstacle to a just resolution to these cases. As Ali al-Ahmed, the Saudi democracy activist who runs the Virginia-based [Saudi Institute](#), tells NRO, "I'm amazed by the way the State Department has behaved in the Roush case, and several other cases. Is it the U.S. State Department, or the Saudi State Department?"

<http://www.nationalreview.com/dreher/dreher071602.asp>

REVIEW & OUTLOOK

Daughters of America

WSJ-A16
6/13/02

Remember the fuss raised by Saudi Arabia's Interior Minister back in January about the U.S. detention of captured Saudi nationals in Guantanamo?

The State Department winks at Saudi contempt for Americans.

"We'll demand that the Saudi detainees be handed over, because they are subject to the Kingdom's rules," Prince Naif told the Arab News back in January. At least the Saudi government speaks up for its (male) citizens.

Chairman Dan Burton says his House Government Reform Committee has evidence of some 46 cases involving American citizens held against their will in Saudi Arabia. And his committee has just drafted a bipartisan letter to President Bush, urging him to express the same interest on behalf of these innocent Americans that the Saudi minister showed for his country's captured terrorists. (Even Mr. Burton's arch-foe, Henry Waxman, signed it!)

Mr. Burton's letter, which he tells us he hopes to deliver personally, grows out of emotional hearings yesterday in which three American women related their horror stories about being caught between a hostile Saudi law and an ineffective and too often indifferent State Department. As William McGurn reported Tuesday in an article on this page, Pat Roush's two daughters, Alia and Aisha, were kidnapped from America in 1986. On Monday she learned that her Saudi ex-husband has married off Aisha in what she believes is retribution for her participation in these hearings. Drià Davis was luckier: At 13 she escaped from her abusive Saudi father, after getting no help from the U.S. embassy.

But perhaps most searing was Monica Stowers's tearful account of having two U.S. Marine guards escort her out of the Riyadh embassy where she'd sought refuge with her children. "One of them apologized to me saying, 'Ma'am, I'm sorry but we're only doing our job.'" Miss Stowers delivered her testimony yesterday via videotape, because she refuses to leave Saudi Arabia so long as the Saudis won't let her daughter depart with her.

Now, we sympathize with diplomats trying to uphold American law and interests in difficult parts of the world. That's their job. Unfortunately, the State Department has not yet rec-

ognized that when an American child is kidnapped, or when an American woman charged with no crime is held against her will, it's not just an affront to the individual. It's an affront to America.

So when the U.S. instructs its ambassadors to "maintain impartiality," it sends a terrible signal to foreign nations. We also have to believe that U.S. Marines don't sign up for duty believing they'll be called upon to do the dirty work of removing desperate American mothers and children from the premises. Certainly the Saudis picked up on it. As a Saudi official sneered when Miss Stowers showed up on his doorstep, "Why don't you go to your government for help?"

When asked about these cases during his briefing Tuesday, State Department spokesman Richard Boucher again referred to them as "civil matters" between individuals, not state-to-state issues. In the specific case of Pat Roush's daughters, he further argued that "at this point they're adults and they need to decide on their own."

Our friends the Saudis must have had a good laugh at that one. Saudi law forbids women of any age from leaving their country without permission. Another way of stating those same facts would be to say that two adult U.S. citizens are trapped in a country where women are treated as the property of men, with no way of knowing what they really think. The only way to let these and other women "decide on their own" is to insist, as Mrs. Roush requests, that they be permitted to come to America and speak for themselves.

For too long State has let the Saudis hide behind the pretense that they are handcuffed by a Saudi law that gives all rights to men, as if that feudal state were some kind of democracy. This tolerance for what amounts to kidnapping is one more example, like funding madrassa schools that teach the hatred of America, of the way the Saudis treat their supposed ally with contempt.

The fact is that the Saudis could issue exit visas to these innocent Americans any time they wanted. With President Bush set to meet Saudi Foreign Minister Saud al Faisal today, we can't think of a better time to ask.

REVIEW & OUTLOOK

Saudi Christmas

If you're a politician or diplomat who has anything to do with Saudi Arabia, Pat Roush can be a pain in the keister. But if your two daughters were stuck in Saudi Arabia—where you'd seen them only once in the past 16 years—you might figure that the only chance they have is a mother's love so strong that it refuses to take no for an answer. This Christmas Eve, as the rest of America goes to bed with dreams of sugar plums, the only visions dancing in Patricia Roush's head will be of her daughters Alia and Aisha clad from head to toe in the black *abaya*.

When Khalid al-Gheshayan kidnapped his daughters from a Chicago suburb in 1986 in defiance of a U.S. court order, the girls looked much like they do in this picture; Alia was seven years old and Aisha three. Today they are grown women. There is a frightful symmetry here, for at a time that we rightly celebrate the liberation of Afghan women from the Taliban yoke, two adult U.S. citizens remain trapped in a country where they could leave if they were men but as women require the written permission of a husband or father.

Already Alia, now 23, has been married off to a man Ms. Roush says is a cousin of her ex-husband. Aisha, now 19, may be next. Years back, in a circular titled "Marriage to Saudis," the U.S. Embassy in Riyadh spelled out the life for a girl raised in Saudi Arabia, where she is "a statutory second class citizen . . . whose word is worth only half of a man's."

The State Department bristles at any suggestion that it does not care. But the parameters within which it works are defined by Saudi law. As one unclassified cable puts it, the embassy was directed to remain "impartial." Ray Mabus, U.S. ambassador to Saudi Arabia from 1994 to 1996, says that he doesn't want to criticize State but adds that diplomats have a tendency to feel they should be working on the "big stuff." "I just think that looking out for the freedom of U.S. citizens is big stuff too," says Mr. Mabus, who got the Saudis' attention when he

put a freeze on U.S. visas for anyone with the same surname as Ms. Roush's fugitive ex, Mr. al-Gheshayan.

So what does Pat Roush want? She wants our embassy to issue passports for her daughters; she wants the Saudis to issue exit visas; and she wants her daughters to come to America, where they can

decide where they want to live without the proverbial gun to their heads. Now, there is an argument that this is something that ought to be deferred until after the war. But given past Saudi actions and the preponderance of Saudis among the Sept. 11 hijackers, surely this Christmas, with these women, offers the perfect moment and occasion to demonstrate that things have changed.

Among Islamic extremists, Saddam Hussein and Osama bin Laden have become folk heroes for their defiance of American ideals and might. In his own way, Khalid al-Gheshayan has done the same. Only it's his daughters—American citizens both—who are paying the price.



Tony Stone

Pat Roush and her daughters, Alia and Aisha, in 1984.

Kate O'Beirne

NR Washington Editor



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April 25, 2002 8:45 a.m.

One Question for Abdullah

An American-Saudi ordeal.

Pat Roush would be extremely grateful if President Bush would ask Crown Prince Abdullah how her kidnapped daughters are doing in Saudi Arabia when the two leaders meet in Crawford. In 1986, when Aisha was seven, and Alia was three, the American girls were abducted from their home in the Chicago suburbs by their Saudi father. Over the past 16 years, their mother has seen them once, in 1995, for two hours. "Don't leave me, Mama. Take me home," said her older daughter. Alia, who no longer spoke English, asked her mother, "How old am I?" Pat Roush has learned that Aisha, now 23, is married and expecting a baby, and last she heard their kidnapper was looking for "a rich husband" for 19-year-old Alia. Her mother doesn't know if her second daughter is yet married.

Although Pat Roush's relentless efforts over the years led to the creation of an office in the State Department intended to advocate on behalf of the littlest American citizens snatched to foreign countries, and to enactment of the International Parental Child Abduction Act in 1993, the years ticked by for her own daughters. "This is no longer a children's issue," Roush now explains. "My daughters are now American women being denied their birthright as U.S. citizens." Aisha and Alia would need a male relative's permission in order to be permitted to leave their Saudi prison. "[The Bush administration] is so concerned about Afghan women's rights," Roush told [WorldNetDaily](#), "What about American women's rights?"

Since the girls were kidnapped, their father's parents have both come to the U.S. for medical care. In 1988, the abductor himself traveled on a diplomatic passport to accompany his father, who worked for the royal family, for surgery at the Cleveland Clinic. Roush had warned the FBI to keep an eye on the clinic, where her former husband's father had previously been treated, but father and son returned to Saudi Arabia with no questions asked. No federal agency has provided meaningful help to this heartbroken mother, who accuses the State Department of sympathizing with the Saudi government rather than her and her American daughters over the years.

A single American diplomat, then U.S. ambassador to Saudi Arabia, Ray Mabus, was a "big hero" to Roush when he refused to grant visas to her husband's relatives unless her daughters were returned. But he left his post in 1996, before the girls were freed. His successor, former Senator Wyche Fowler, told Pat Roush he had no time to talk with her, and lifted a hold on the extended families' visas.

On Wednesday morning, Pat Roush signed a book contract which will enable her "to tell the world about the sweet deals and special relationship between the U.S. and Saudi Arabia" that have made her a stranger to her daughters. We wouldn't want to be undiplomatic, but maybe President Bush can gently ask the crown prince if 19-year-old Alia is married. Her mother would like to know.

the weekly
Standard

**Held Hostage in Riyadh
 How the Saudis (with the help of the State Dept.)
 mistreat U.S. citizens.**

August 5, 2002
 Stephen Schwartz

AS THE CRISIS of U.S.-Saudi relations grows, long-hidden American grievances have begun to emerge. For many Americans the problem of Saudi abuse of U.S. citizens on the kingdom's soil is almost as disturbing as the issue of Saudi involvement in September 11.

The worst cases to come to light so far involve young women, born American citizens with American mothers and Saudi fathers, who are now over 18, yet are not permitted to leave Saudi Arabia. In June congressman Dan Burton held a hearing into the case of the Roush sisters, Alia and Aisha, abducted in 1986, when Alia was 7 and Aisha 3, by their father, Khalid al-Gheshayan, who took them to Saudi Arabia. Al-Gheshayan has connections with the Saudi royal family that have enabled him to evade a U.S. criminal warrant while traveling in the United States. The Roush girls remain captives in the kingdom. An even more shocking story was reported earlier this month by William McGurn of the Wall Street Journal. Amjad Radwan, born in Houston in 1983, was taken to Saudi Arabia by her American mother, Monica Stowers, and Saudi father, Nizar Radwan. Once the family was there, Stowers discovered that her husband was already married.

In 1990, Stowers, with her then 7-year-old daughter, sought shelter in the American embassy in Riyadh. She was ordered out of the building, which, she was informed, is not a "hotel." When she refused to leave, two Marine guards were summoned to expel her from the premises. A U.S. State Department representative called her ex-husband to retrieve the child, and Stowers ended up serving a term in a Saudi prison.

Amjad Radwan herself was then reportedly sodomized by her male relatives, before being married off by her father at 12. She fled and for a time lived out a nightmare with her mother and brother on the edge of Saudi society, inhabiting a derelict school building. Her mother is now in the United States, but Amjad still cannot leave.

Thirty-nine members of Congress, from both sides of the aisle, have signed a letter to Saudi ambassador Prince Bandar bin Sultan demanding Miss Radwan's freedom. On the

morning of July 25, congressional interns held a demonstration on the steps of the fortress-like Saudi Embassy across from the Watergate in Washington. It was a cool day, but muggy and cloudy, and if you gazed up at the Saudi flag, with its representation of King Ibn Saud's favorite sword, raqban or "the neck-cutter," you could almost imagine yourself on the kingdom's soil.

The demonstration, supported by Rep. Frank Wolf, drew 25 interns, representing more than 350 who have signed a petition demanding that Miss Radwan be allowed to travel freely as an American citizen. The earnest protestors chanted, "Amjad, Amjad, we won't fail, human rights are not for sale," and, "Saudi detention--U.S. oppression."

The latter slogan cuts pretty close. Saudi detention of U.S. citizens is made possible by U.S. protection of the Saudi regime. Furthermore, official U.S. conduct in these cases has been appalling. Supporters of the Roushes and Radwan were outraged by the State Department's dismissal of these as "custody" cases, a position affirmed by spokesman Richard Boucher on July 12. Boucher commented, "We've got cases that are very difficult for families involving Germany and Austria and Saudi Arabia, and there are many others." But Germany and Austria do not prevent grown women from leaving the country.

The real scandal in these cases is the attitude of U.S. diplomats. American citizens expect their diplomats to protect them and their interests, and view U.S. embassies as a safe haven. In Saudi Arabia, this turns out to be unrealistic. Thus, Pat Roush initially received diplomatic and moral support for her daughters from Ray Mabus, then U.S. ambassador in Riyadh, who secured a ban on the issuing of visas to her ex-husband's family. But Mabus's successor, Clinton appointee Wyche Fowler Jr., reversed course. Before being posted to the kingdom, Fowler was a senator from Georgia. Now he is chairman of the board of the Middle East Institute, a Saudi lobbying front. Fowler has careened around Washington denouncing Pat Roush's defenders as liars.

It is appalling to consider how cordially the United States treats Saudi citizens, while the Saudi authorities trample the rights of American citizens who happen to be young women. On the roster of unresolved Saudi issues--along with the promiscuous issuance of visas and Riyadh's failure to investigate thoroughly its own terrorist entanglements--the release of American citizens held against their will should remain close to the top.

STATE OF INDIANA
VIGO SUPERIOR COURT
1999 TERM

IN RE: THE MARRIAGE OF

JOANNA FRANCES AL-ARIFI CAUSE NO. 84D01 9710 DR 1952

AND ABDULLAH AL-ARIFI

TRANSCRIPT OF HEARING

BEFORE THE HONORABLE
MICHAEL H. ELDRED, JUDGE
VIGO SUPERIOR COURT, DIVISION NO. 1
NOVEMBER 19, 1997

A P P E A R A N C E S

ATTORNEY FOR PETITIONER: KALEEL MOSE ELLIS, III

ATTORNEY FOR RESPONDENT: JAMES H. HOLDER, JR.

1 JUDGE: This 84D01 9710 DR 1952, In re: The Marriage
2 of Joanna Frances Al-Arifi, is that the way you
3 pronounce it?
4 MR. ELLIS: Yes, Judge.



Al-Arifi
Testimony

1 there that I want to kidnap the kids, it is just unbelievable. Kidnaping
2 kids is an uncivilized and brutal act and it is detrimental to the
3 children and the loved ones involved. And, for her to say this about
4 the loving father, that loved them and cared for her is just
5 unbelievable and it is unfair. In the meantime these children need
6 their father. They know me. I'm the loving one. I'm the one who
7 loved them, she's at times is harsh on them.

8Q Has anyone told you in this courtroom thus far today, that they
9 wanted to deny you all visitation with the children. Has anyone said
10 that in this courtroom?

11A You said supervised visitation.

12Q Supervised - temporarily until we can get things resolved.

13A The way I look at it she can also run away with the kids, she's Saudi
14 Arabian, she has friends there, there is a hundred thousand Americans
15 there, you know, I have the same feeling. The way I see it I have only
16 seen my kids only for one hour last Sunday. It is like I am treated like
17 a - I'm treated unfairly I think, I feed, these kids, and I've told
18 Joanna, she asked before for a divorce, I said no, I didn't do these
19 things. In the meantime, she asks for divorce in Arabia. She said I
20 don't love you, I don't want to be with you, I could have kept the
21 kids there, they were out. I could have - last May she asked for a

1Q We are not saying - I mean as far as I am concerned, I'm not - I don't
2 know whether you are a peaceful man or not, we are here to find that
3 out. All I want to know if you will abide by this court's order?

4A Of course, everything the court says, I will be happy to comply with
5 to that extent. One thing I don't see why I shouldn't after this crisis
6 is over I don't see why I can't call and see how the kids or doing or
7 she calls me how they are doing. You now, how about you take them
8 to school, why not, she is the mother of the kids.

9Q If you agree and the passports, I can't remember if we did that Mr.
10 Holder, did you give them to the court?

11A They are here but they are not the current passports, she has them.

12Q If the current passports are given to this court.

13A Uh huh.

14Q Would you agree because you know the process well, that one can still
15 remove those children from the United States, is that not a hard thing
16 to do?

17A Let me explain this, uh.

18Q Can it be done, just tell me that, yes or no.

19A Ask the question again.

20Q Even if you give all of the passports to the judge.

21A Uh huh.

- 1Q You can still apply for a lost passport or some type of temporary
2 passport to get you over and back to the Saudi Arabia?
- 3A I do not know, it is something that I have not done and I didn't do
4 things that the court does not, you know.
- 5Q Have you traveled on an expired passport before?
- 6A We have had incident where we stayed here or for a couple of years I
7 called the embassy of Saudi Arabia, I said our passports have expired
8 we need new ones they said just travel with the old ones and when you
9 go to Arabia we will issue new ones.
- 10Q Is it not true that you can make a call and get a passport?
- 11A Call to who?
- 12Q To the Saudi Arabian government.
- 13A I make a call.
- 14Q Make a call to your people, your family and...
- 15A And get a passport for who?
- 16Q For yourself, your children, your wife?
- 17A Yes. Not a call, I would have to apply and tell them...
- 18Q That they have been lost or whatever...
- 19A No, well yes, if they are lost, I'll tell them they are lost, if they are
20 with the court, I tell them with the court. See I have told my embassy
21 that I am having a divorce, and they said, well, you just go to the

Stephenson
Testimony

1 there for good and then what happened is, she's
2 changing her mind, she got Saudi Arabian
3 citizenship, then she is changing her mind and she
4 got the kids American citizenship, now she's
5 wanting the kids to stay always in America. I wish
6 that you know, I understand her motives, here I
7 am open, I do not have nothing to hide, Judge.
8 These kids are loved here as much as in Saudi
9 Arabia. I loved them, I know she loves them. It
10 doesn't have to be this cross back and forth pain,
11 you know.

12 **MR. ELLIS:** Judge, she would like to respond to that question
13 if she could.

14 **COURT:** Okay.

15 **MRS. AL-ARIFI:** According to the Department of State, any child of
16 an American citizen is an American citizen, whether
17 that child was born here or in ten buck two. I am
18 American, I was born an American, I always been
19 an America, I'm a registered voter. These children
20 are Americans, they speak English, they go to
21 American schools, they have American friends. The

*Al-Arifi
Tishriy*

1 problems, Judge.

2 **COURT:** My point is this, you are not going to be in the

3 United States forever.

4 **MR. AL-ARIFI:** As I said, my country and the United States are

5 allied countries...

6 **COURT:** Are what?

7 **MR. AL-ARIFI:** Allied.

8 **COURT:** Aligned?

9 **MR. AL-ARIFI:** Allied.

10 **COURT:** Okay.

11 **MR. AL-ARIFI:** And, for us, we go to the United States and come

12 back we get visa very quickly and we are proud of

13 the relationship, so, we go back and forth like she

14 did, she had the freedom to go back and forth.

15 **COURT:** So, immigration law does apply to strictly to

16 Saudis?

17 **MR. AL-ARIFI:** I would say that does not apply to everyone, but

18 they are more inclined to - they give us the...

19 **MR. ELLIS:** Freedom of movement?

20 **MR. AL-ARIFI:** Yes, they do not restrict us because we are not

21 here to use the system and do something and go

*Stephenson
Testimony*

1 away, you see?

2 **COURT:** Okay, I buy that, you've been here twelve years or
3 fifteen, what ever.

4 **MR. ELLIS:** Judge, she would like to respond to a couple of
5 things.

6 **MRS. AL-ARIFI:** He was saying that the United States and Saudi
7 Arabia are allies. That might be political allies, but
8 when it comes to children in child custody cases,
9 there is just a case in Arkansas that happened a
10 couple of weeks ago where a Saudi guy was given
11 a liberal visitation took his child to Saudi Arabia.
12 Nothing can be done, the Saudi government is
13 extremely uncooperative. I have no rights there,
14 I am just a woman there, and I am just an
15 American woman. He can say I had Saudi
16 citizenship, it doesn't do me squat. I can't get in
17 the country without an escort and I can't get out
18 without an escort. I have no escort. It is called
19 Madharaum, I have nothing. I have no way of
20 surviving there or getting my kids out once they go
21 in. And, his family has said many times that they

1 would love to have my kids. It is a very
2 frightening thought.

3 **COURT:** I'm aware of what you are saying, did you think
4 about that when you married him?

5 **MRS. AL-ARIFI:** Yes, unfortunately I made one or two mistakes and
6 this is the big one.

7 **MR. HOLDER:** Your Honor, I want to respond a little bit, I'm
8 sitting here trying to be quiet, I didn't know that
9 we were going to get in so much dictation by the
10 petitioner. Judge, scare tactics and fear are all of
11 those things are a part of life. She may be afraid
12 or she may not be, I don't know, but there is
13 nothing today to indicate that just because my
14 client is in Saudi that he intends to take these
15 children out of this country. In fact, everything is
16 to the opposite. He's staying here to fight for his
17 children, and I just want to mention that the
18 petitioner's concerns, although they may be real
19 for some people, doesn't change the facts that my
20 client is who he is here today, and the fact that
21 there are some Arabs that steal their children,

1 should not have any affect on my client. It is just
2 not fair.

3 **MR. AL-ARIFI:** I can say.

4 **COURT:** No, that's just the way it is. I cannot discriminate
5 against him, just on - it can't be done, so, we are
6 going to break for lunch. I mean do you want to
7 continue this?

8 **MR. HOLDER:** Well, I would like to continue, I don't know what
9 this court's calendar is like.

10 **COURT:** No, I mean - oh, well I think we can do it this
11 afternoon some more if we can get it done. What
12 more do you have?

13 **MR. ELLIS:** I will stipulate judge, if the other side will
14 stipulate, that - I will call one more witness,
15 Doctor Howell whatever, but we've got fifteen
16 people that will testify out there and support
17 everything she said in terms of all of these things,
18 they, I'm sure have the same thing. Stop at that
19 and I'll agree to stop it, we will not call any further
20 witnesses today, if they agree not to call any
21 further witnesses. He has agreed - or he has agreed

1 to the court anyway that the whole story can be
2 received by this court be it her testimony and his
3 testimony. Why we can't stop at that, I don't
4 know.

5 **MR. HOLDER:** That is not true, I have witnesses, very credible
6 witnesses that will testify that the wife has
7 indicated that my client is a very good parent, that
8 he has primarily responsible for those children, the
9 counselor is going to come in and I'm sure dispute
10 what she said that he said to her while she was in
11 Saudi Arabia, that he intended to take the children.
12 That is very important that I get that out. She has
13 made an allegation that I can disprove and I think
14 I need to do that. I don't mean to take up the
15 time of the court, but if it was just repetitive
16 testimony I would agree, but it is not.

17 **MR. ELLIS:** I mean I think his testimony is more important
18 than anybody elses that is out there, and if he can't
19 get the word across, and I haven't placed any
20 restriction on him, he can say whatever he wants
21 to.

1 **COURT:** Well, let me say this and then we will break for
2 lunch and you can do what you want to do. I've
3 been through this a thousand times so I know what
4 these witnesses are going to say, but maybe they
5 will say something different. If I were to make the
6 decision based on your two testimonies which is
7 basically what it usually comes down to, I would do
8 it this way, and then I will tell you the way I am
9 feeling and if either side thinks it is incorrect, then
10 we can have more testimony. I think that she
11 should have custody of the children, and I think
12 that he should pay support in line with the
13 guidelines. Now, unless there is some other
14 testimony here revealing uh, other funds, it doesn't
15 sound to me based on this income that you can
16 afford all of this day care and private education and
17 him pay regular support. So, I cannot see based on
18 this, although I am cognizant of the possibility, and
19 it concerns me too, I can see no - I can't see how
20 I can cut off his rights just because of the
21 possibility that he might be able to go to Saudi

1 Arabia. He has not indicated to me anything that
2 would make me think that he would do that
3 himself, it is just that the possibility of that does
4 exist, but that is always going to exist. I'm
5 assuming that when he tells me under oath, and
6 this is an oath to his God as well as anybody else's
7 that he would not do anything to harm these
8 children that that is what he means because taking
9 them from their mother would be extreme
10 hardship. I feel sorry for these children. I'll tell
11 you I feel very sorry for your children because they
12 are caught in a cross cultural dilemma. They are
13 not going to know what they are because both of
14 you made a mistake. It is just unbelievable that
15 people don't think about the long range
16 consequences, but I see no reason why he should
17 not have regular visitation and so, I would order
18 that he have visitation in accordance with our
19 court's guidelines which both of your attorneys can
20 explain to you, they are about the same
21 everywhere, every other weekend, all weekend

1 over night, major holidays, I would allow him to
2 take the children to this thing. I would order him
3 not to leave to take the children outside of Vigo
4 County and the State of Indiana, and that order
5 would be sent registered mail to the Saudi Arabian
6 Embassy, for what that is worth. Now, that's - if
7 you do choose to do something contrary to that, I
8 can only tell you that if I get my hands on you
9 again, it will be very, very, severe. But most of
10 all, more than that, I would hope that you would
11 not damage your children that way. But, this is
12 what I feel constrained to do. But, if - like I said,
13 this hearing is not over, if either of you think that
14 there is something out there that can change my
15 mind along those general - I'd take under
16 advisement the attorney fees until the final hearing
17 because I've got a feeling that there is a lot of debt
18 out there that is going to have to be dealt with and
19 probably not much property. I would let her use
20 the Intrepid temporarily and him the Porsche.
21 Now, if I had to call it now, that's what I feel I

1 would be constrained by law to do.

2 **MR. ELLIS:** Will you require him to leave an address?

3 **JUDGE:** Pardon me?

4 **MR. ELLIS:** An address where he is going to live and where he

5 is going to have the children and those things?

6 **COURT:** Sure, absolutely, there would have to be a way that

7 she could get a hold of them at any time during the

8 visitation. Now, that would not mean - I wouldn't

9 expect harassment, but I would expect that she

10 would have some way of getting a hold of these

11 children. Now, I'll be back about 1:30 and you

12 can tell me whether we need to go ahead or not.

13 **(AND THAT IS ALL OF THE EVIDENCE**

14 **PRESENTED IN THIS MATTER ON THE ABOVE**

15 **DATE)**

16

17

18

19

20

21

Thu Aug 17 2000 09:17:31

Page 12

CHRONOLOGICAL CASE SUMMARY
DOMESTIC RELATIONS, VIGO SUPERIOR COURT, DIV. 1

FOR CAUSE NO: 84D01-9710-DR-01952
AL-ARIFI V AL-ARIFI
HONORABLE BRUCE V STENDEL

ACTION: DISSOLUTION OF MARRIAGE DATE FILED: 10/31/1997
ORIG FILE DT:

Marriage dissolved. Counsel to prepare the parties' written Property, Custody, and Support Agreement and submit same to the Court for its approval and incorporation with Decree.
ORDERED, SIGNED BY JUDGE, AND RECEIVED BY CLERK 5/13/99. fw

07/16/1999 Notice: A DISPOSED: BT RJO: Y

Final Decree submitted and APPROVED. Marriage dissolved. ORDERED: wife shall have custody of minor children; husband to pay the sum of \$171.00 per week child support to the Office of the Clerk commencing first Friday after entry of this Order. Wife's maiden name of "Stephenson" is restored. Court enters Protective Order against respondent for 1 year. Parties to surrender all passports for minor children.
ORDERED, SIGNED BY JUDGE AND RECEIVED BY CLERK 7/16/99. BP

07/26/1999 Notice: N RJO: N

Saudi Arabia Consulate General LA. CA served by certified mail on 7/21/99. Saudi Arabian Embassy, Immigration Naterelegateon Service, Saudi Arabia Consulate General New York NY and Saudi Arabian Mission To U.N. served by certified mail on 7/22/99. ds

07/29/1999 Notice: N RJO: N

Clerk files return indicating Saudi Arabia Consulate General served with by certified mail on 7/21/99. ds

11/04/1999 Notice: N RED RJO: N

Petitioner/Mother's Petition To Modify As To Visitation Exchange Location and Motion For Change Of Venue From Judge filed. dl

11/16/1999 Notice: A RJO: Y

Cause certified to District 7 Presiding Judge for appointment of special judge.
ORDERED, SIGNED BY JUDGE IN CHAMBERS, AND RECEIVED BY CLERK 11/16/99.fw

11/17/1999 Notice: A SJ RJO: Y

Hon. Bruce V. Stengel appointed special judge herein.
ORDERED, SIGNED BY DISTRICT 7 PRESIDING JUDGE THOMAS E. JOHNSON AND RECEIVED BY CLERK 11/17/99. fw

11/29/1999 Notice: N RJO: N

Respondent, by counsel files Praeipce For Transcript: final hearing held on 5/13/99 only. dl



Fri Jul 16 1999 14:13:19

Page 1

CIVIL NOTICE VERIFICATION LIST

AL-ARIFI V AL-ARIFI
 CAUSE NO: 84D01-9710-DR-01952 JUDGE: MICHAEL ELDRED

PARTIES RECEIVING NOTICE:

SUPPORT DESK-VIGO CO CLERK'S OFFICE KALEEL M ELLIS III
 PO BOX 8449 518 WABASH AVENUE
 TERRE HAUTE IN 47807 TERRE HAUTE IN 47807-0000

JAMES H HOLDER JR
 7127 E. U.S. HWY 36
 BAINBRIDGE IN 46105-0000

STATE OF INDIANA }
 COUNTY OF VIGO } SS:
 I, William L. Howard, Clerk of the Vigo Circuit Court and Ex-Officio Clerk of the Superior and County Courts of Vigo County, do hereby certify that this document is a true and correct copy of the original as filed in my office.
 Cause No. 84D01-9710-DR-1952
 As the same appears of record in the files of the office of which I am both and legal custodian.
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal this the 16th day of July, 1999.
 William L. Howard
 CLERK OF THE VIGO CIRCUIT COURT AND EX-OFFICIO CLERK OF THE SUPERIOR AND COUNTY COURTS OF VIGO COUNTY

07/16/1999

Final Decree submitted and APPROVED. Marriage dissolved. ORDERED: wife shall have custody of minor children; husband to pay the sum of \$171.00 per week child support to the Office of the Clerk commencing first Friday after entry of this Order. Wife's maiden name of "Stephenson" is restored. Court enters Protective Order against respondent for 1 year. Parties to surrender all passports for minor children. ORDERED, SIGNED BY JUDGE AND RECEIVED BY CLERK 7/16/99. EP

Z 375 616 697

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Send to: *Saudi Arabia*
 Addressee's Name: *Consulate General*
 Post Office, State, & ZIP Code: *S.A., 616 697*

Certified Fee: _____
 Special Delivery Fee: _____
 Restricted Delivery Fee: _____

Return Receipt Showing to Whom & Date Delivered: _____
 Return Receipt Showing to Whom, Date, & Addressee's Address: _____

*OTAL Postage & Fees: \$ _____
 *mark or Date

PS Form 3811, December 1994

SEND to: _____
 1. Complete items 1 and/or 2 for additional services.
 2. Complete items 3, 4a, and 4b.
 3. Print your name and address on the reverse of this form so that we can return this card to you.
 4. Attach this form to the front of the mailpiece, or on the back if space does not permit.
 5. Write "Return Receipt Requested" on the mailpiece below the article number.
 6. The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to: *Saudi Arabia*
Consulate General
L.A., Ca. (Closed)
9710 DR 1952

4a. Article Number: *2 375 616 697*
 4b. Service Type:
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

5. Received By: (Print Name) _____
 6. Signature: (Addressee or Agent) *X J. S. SUTAN*

7. Date of Delivery: *7-16-99*
 8. Addressee's Address (Only if requested and fee is paid): _____

I also wish to receive the following services (for an extra fee):
 1. Restricted Delivery
 2. Restricted Delivery
 Consult postmaster for fee.

PS Form 3811, December 1994

Fri Jul 16 1999 14:13:19

CIVIL NOTICE VERIFICATION LIST

AL-ARIFI V AL-ARIFI
CAUSE NO: 84D01-9710-DR-01952

JUDGE: MICHAEL ELDRED

PARTIES RECEIVING NOTICE:

SUPPORT DESK-VIGO CO CLERK'S OFFICE
PO BOX 8449
TERRE HAUTE IN 47807

KALEEL M ELLIS III
518 WABASH AVENUE
TERRE HAUTE IN 47807-00

JAMES H HOLDER JR
7127 E. U.S. HWY 36
BAINBRIDGE IN 46105-0000

STATE OF INDIANA }
COUNTY OF VIGO } SS:
I, William L. Massard, Clerk of the Vigo Circuit Court and ex-officio Clerk of the Superior and County Courts of Vigo County, do hereby certify that this document is a true and correct copy of the original. **FILE NO. 84D01-9710-DR-1952**
As the acting secretary of record in the files of this office of which I am legal and lawful custodian, I HEREBY CERTIFY that I have hereunto set my hand and official seal this 16th day of July, 1999.
William L. Massard
CLERK OF THE VIGO CIRCUIT COURT AND EX-OFFICIO CLERK OF THE SUPERIOR AND COUNTY COURTS OF VIGO COUNTY

07/16/1999

Final Decree submitted and APPROVED. Marriage dissolved. ORDERED: wife shall have custody of minor children; husband to pay the sum of \$171.00 per week child support to the Office of the Clerk commencing first Friday after entry of this Order. Wife's maiden name of "Stephenson" is restored. Court enters Protective Order against respondent for 1 year. Parties to surrender all passports for minor children. ORDERED, SIGNED BY JUDGE AND RECEIVED BY CLERK 7/16/99. EP

Z 375 616 698

US Postal Service Receipt for Certified Mail No Insurance Coverage Provided. Do not use for International Mail (See reverse)		SENDER Complete 1 and/or 2 for additional services: Complete items 3, 4a, and 4b. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input checked="" type="checkbox"/> Addressed and Restricted Delivery 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
(See reverse) Recipient Name <i>Sevdi Krabaca</i> Street Number <i>Cassata General</i> Post Office, State, & ZIP Code <i>Houston, TX</i>		3. Article Addressed to <i>Sevdi Krabaca</i> <i>Cassata General</i> <i>Houston, TX. (closed)</i>		4a. Article Number <i>2 375 616 698</i> 4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
Certified Fee Special Delivery Fee Restricted Delivery Fee		5. Received By: (Print Name) <i>9710 DR 1952</i>		7. Date of Delivery <i>7/21/99</i>	
Return Receipt Showing to Whom & Date Delivered Return Receipt Showing to Whom, Date, & Addressee's Address TOTAL Postage & Fees \$ Postmark or Date		6. Signature: (Addressee or Agent) <input checked="" type="checkbox"/> <i>Shawn P...</i>		8. Addressee's Address (Only if requested & fee is paid)	
PS Form 3811, April 1995		Is your RETURN ADDRESS completed on the reverse side?		PS Form 3811, December 1994	

CIVIL NOTICE VERIFICATION LIST

=====

AL-ARIFI V AL-ARIFI
 CAUSE NO: 84D01-9710-DR-01952

JUDGE: MICHAEL ELDRED

PARTIES RECEIVING NOTICE:

SUPPORT DESK-VIGO CO CLERK'S OFFICE KALEEL M ELLIS III
 PO BOX 8449 518 WABASH AVENUE
 TERRE HAUTE IN 47807 TERRE HAUTE IN 47807-0

JAMES H HOLDER JR
 7127 B. U.S. HWY 36
 BAINBRIDGE IN 46105-0000

=====

STATE OF INDIANA)
 COUNTY OF VIGO) SS:
 I, William L. Massey, Clerk of the Vigo Circuit Court and ex-officio Clerk of the Superior and County Courts of Vigo County, do hereby certify that this document is a true and correct copy of the original as filed in my office. Cause No. 84D01-9710-DR-01952. On the date appears at record in the files of this office of which I am legal and lawful custodian. IN WITNESS WHEREOF, I have hereunto set my hand and official seal, this 17th day of July 1999.

William L. Massey
 CLERK OF THE VIGO CIRCUIT COURT AND EX-OFFICIO CLERK OF THE SUPERIOR AND COUNTY COURTS OF VIGO COUNTY

07/16/1999

Final Decree submitted and APPROVED. Marriage dissolved. ORDERED: wife shall have custody of minor children; husband to pay the sum of \$171.00 per week child support to the Office of the Clerk commencing first Friday after entry of this Order. Wife's maiden name of "Stephenson" is restored. Court enters Protective Order against respondent for 1 year. Parties to surrender all passports for minor children. ORDERED, SIGNED BY JUDGE AND RECEIVED BY CLERK 7/16/99. EP

Z 375 616 699

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sender: *Saudi Arabia Consulate General New York, N.Y.*

Post Office, State, & ZIP Code: *New York, N.Y.*

Article Addressed to: *Saudi Arabia Consulate General New York, N.Y. (closed)*

Article Number: *Z 375 616 699*

Service Type: Registered Certified Express Mail Insured Return Receipt for Merchandise COD

Date of Delivery: *7/24/99*

Addresser's Address (Only if requested and fee is paid):

Signature (Addresser or Agent): *X D [Signature]*

PS Form 3811, December 1994

DIVORCE DECREE 7/16/99
(MOTHER AWARDED LEGAL CUSTODY)

William L. Mansard

STATE OF INDIANA
VIGO SUPERIOR COURT
1999 TERM

JUL 16 1999

Clerk of the
Vigo Circuit Court

In re: THE MARRIAGE OF:

CAUSE NO. 84D01 9710
DR 1952

JOANNA FRANCES AL-ARIFI and
ABDULLAH ABDUL-AZIZ AL-ARIFI

DIV. 1

FINAL DECREE

Comes now Petitioner/Wife, JOANNA FRANCES AL-ARIFI (hereinafter referred to as "Petitioner/Mother"), by and through her Attorney of Record, ELLIS LAW OFFICES by Kaleel M. Ellis III, Attorney at Law, and Respondent/Husband, ABDULLAH ABDUL-AZIZ AL-ARIFI (hereinafter referred to as Respondent/Father), by and through his Attorney of Record, James H. Holder, Jr., Attorney at Law, witnesses sworn and evidence heard, and the parties having recited in open court their settlement agreement and the Court having heard same, does now APPROVE same.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED as follows:

1. That the parties agree that Petitioner/Mother shall have Sole Legal Custody of the parties' minor children, to wit:

- (a) NAME: ROSEMARY HELEN AL-ARIFI
DATE OF BIRTH: April 11, 1990
AGE: 9 years
SOCIAL SECURITY NO.: [REDACTED]
SCHOOL: DeVaney Elementary School
GRADE: 3rd
- (b) NAME: SARAH FRANCES AL-ARIFI
DATE OF BIRTH: August 04, 1991
AGE: 7 years
SOCIAL SECURITY NO.: [REDACTED]
SCHOOL: DeVaney Elementary School
GRADE: 2nd
- (c) NAME: ABDUL-AZIZ ABDULLAH AL-ARIFI
DATE OF BIRTH: June 02, 1995
AGE: 4 years
SOCIAL SECURITY NO.: [REDACTED]
SCHOOL: Midwest Institute



2. That Sole Legal Custody is defined by I.C. 31-9-2-67, which means that Petitioner/Mother shall have sole authority and responsibility for the major decisions concerning the children's upbringing, including the children's education, health care, and religious training;
3. That the parties agree that Petitioner/Mother shall have Sole Physical Custody of said minor children;
4. That the parties agree that Respondent/Father shall have unsupervised visitation with said minor children, pursuant to the Vigo Superior Court Visitation Guidelines, a copy of which is attached hereto and incorporated herein by reference as Exhibit "A";
5. That at Respondent/Father shall not remove the minor children from the state of Indiana, including anywhere in the continental United States, unless Respondent/Father provides Petitioner/Mother with written notice, three (3) weeks in advance, providing the exact date of the out of state trip, exact location and contact number of minor children, if available at which time, Petitioner/Mother may file any objections with the Court;
6. That the parties agree that Petitioner/Mother shall have visitation with said minor children on every Mother's Birthday, to wit, on May 30th of each year, from after school until 8:00 P.M., and in the event the children are not attending school, then from 8:00 A.M.;
7. That the parties agree that Petitioner/Mother shall have visitation with said minor children on every Mother's Day Weekend from Friday at 6:00 P.M. until Sunday at 7:00 P.M.;
8. That the parties agree that Respondent/Father shall have visitation with said minor children on Father's Birthday, to wit, on December 12th of each year, from after school until 8:00 P.M., and in the event the children are not attending school, then from 8:00 A.M.;
9. That the parties agree that Respondent/Father shall have visitation with said minor children on every Father's Day Weekend from Friday at 6:00 P.M. until Sunday at 7:00 P.M.;
10. That the parties agree that transportation for visitation purposes stated herein shall be shared between the parties and as such, each party shall meet at the times specified herein at Thornton Oil Corporation - Store No. 80, located at 2330 South U.S. Highway 41 (3rd Street and Voorhees Street), Terre Haute, Indiana 47802, (812) 234-3102;

11. That the parties agree that Respondent/Father shall pay child support on behalf of said minor children, in the sum of One Hundred Seventy One Dollars (\$171.00) per week through the Vigo County Clerk's Office, commencing the first Friday after entry of this Decree and every week thereafter;
12. That the parties agree that Respondent/Father shall make regular child support payments, either in advance or every week but not in lump sum, on behalf of said minor children through the Vigo County Clerk's Office;
13. That the parties agree that Respondent/Husband shall pay child support arrearage on behalf of said minor children computed as of May 13, 1999, in the sum of Five Hundred Ninety Eight Dollars and Fifty Cents (\$598.50), and Petitioner/Mother hereby acknowledges that same has been paid in full, of the date of entry of this Final Decree;
14. That the parties agree that Respondent/Father shall pay for the following marital debts:

(a) Midwest Institute	\$ 3,730.00
(b) Warsaw Family Medicine	\$ 315.00
15. That the parties agree that Petitioner/Mother shall pay for the following marital debts:

(a) Midwest Institute	\$ 3,730.00
(b) Ruth Cain	\$ 138.00
(c) Indiana State University	\$ 1,638.00
16. That the parties agree the Petitioner/Mother is entitled in claiming the three (3) minor children on her Federal and State Tax returns each year;
17. That the parties agree to share all uninsured health care expenses, including but not limited to hospital, medical, hospital, dental, optical, prescription, orthodontia and all other related health care expenses on the basis that Petitioner/Mother shall pay for Fifty Percent (50%) and Respondent/Father shall pay Fifty Percent (50%) within thirty (30) days of receipt of said bills;
18. That Petitioner/Mother's maiden name of "STEPHENSON" shall be restored to her and therefore Petitioner/Mother shall be legally known as "JOANNA FRANCES STEPHENSON" hereinafter;
19. That Respondent/Father agrees and hereby consents to the release of all letters, correspondence, pleadings, evidence and all other information pertaining to a deportation proceeding which is currently pending against him and agrees to keep Petitioner/Mother informed of all proceedings;

20. That the parties agree that Petitioner/Mother shall maintain medical insurance on behalf of said minor children;
21. That the Court hereby enters a Protective Order against Respondent/Father pursuant to I.C. 31-15-5-9, et al, and as such, Respondent/Father is hereby enjoined from abusing, harassing, disturbing the peace by either direct or indirect contact with Petitioner/Mother, and same shall remain in full force and effect for a period of one (1) year from the date of this Decree and shall be renewable for an additional period of one (1) year upon application by either party;
22. That the Court hereby enters a Protective Order against Petitioner/Mother pursuant to I.C. 31-15-5-9, et al, and as such, Respondent/Father is hereby enjoined from abusing, harassing, disturbing the peace by either direct or indirect contact with Respondent/Father, and same shall remain in full force and effect for a period of one (1) year from the date of this Decree and shall be renewable for an additional period of one (1) year upon application by either party;
23. That the parties agree to surrender all passports for the minor children from any government, including but not limited to the United States and Saudi Arabia, and the parties are expressly prohibited from removing the children from the continental United States, and/or the jurisdiction of this Court;
24. That the Clerk of this Court is hereby ordered to send this Final Decree to the United States and Saudi Arabian Embassies as follows:
 - (a) Saudi Arabian Embassy
601 New Hampshire Avenue NW
Washington, D.C. 20037
 - (b) Saudi Arabian Mission to the United Nations
405 Lexington Avenue
56th Floor
New York City, NY 10017
 - (c) Saudi Arabia Consulate General
855 U.N. Plaza
Suite 480
New York City, NY 10017
 - (d) Saudi Arabia Consulate General
5718 Westheimer Street
Suite 1500
Houston, TX 77057

(e) Saudi Arabia Consulate General
2045 Sawtelle Blvd.
Los Angeles, CA 90025

(f) Immigration and Naturalization Service
Washington, D.C. 20536

25. That the parties agree that the issues of division of marital assets have been amicably divided;
26. That the parties agree that Respondent/Father shall pay the following debt of uninsured medical expenses in the amount of Four-Hundred Thirteen dollars and ninety-three cents (\$413.93) directly to Petitioner/Mother within Sixty (60) days of the date of this order;
27. That the parties agree that Respondent/Father shall be entitled to all personal property currently within his respective possession;
28. That the parties agree that Petitioner/Mother shall be entitled to all personal property currently within her respective possession;
29. That both parties shall be enjoined and prohibited from applying for any replacement, lost, stolen, or other type of passport, visa, permit, or other type of document for the purpose of removing or attempting to remove the children from Vigo County, Indiana and the jurisdiction of this Court;
30. That each party shall provide the other party, the other party's counsel if applicable, and this Court of any change of address or telephone number at least twenty four (24) hours prior to the change of same;
31. That Petitioner/Mother shall be awarded permanent possession of the 1995 Dodge Intrepid Automobile subject to any debt therein;
32. That Respondent/Father shall be awarded permanent possession of the 1984 Porsche 944 Automobile subject to any debt therein;
33. That Respondent/Father shall be awarded the parties utility trailer;
34. That each party shall be entitled to liberal private telephone privileges with said minor children while said children are within the other party's possession;
35. That the parties agree that all petitions, motions, counter petitions and counter motions pending before this Court are hereby dismissed with prejudice;

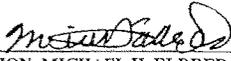
36. That the parties agree that all personal property of said minor children that are exchanged during visitation be returned including clothing;
37. That the parties agree that Respondent/Father shall be awarded all right, titles, and interest in a certain Islamic Art Business including but not limited to account receivables and shall hold Petitioner/Mother harmless therefrom;
38. That Respondent/Father agrees to allow the minor children to attend all school functions during his visitation periods except this provision shall not interfere with Respondent/Father's extended visitation during the summer;
39. That the parties agree that Petitioner/Mother agrees to consent to dismiss all pending criminal charges in Vigo County, Indiana regarding stalking and harassment;
40. That the parties agree that Respondent/Father shall be awarded all right, titles, and interest in a Uselman's packaging business but not limited to account receivables and shall hold Petitioner/Mother harmless therefrom;
41. That the parties agree to the following summer visitation scheduled as follows:
- | | | |
|----|-------------------|---|
| a) | Petitioner/Mother | June 04, 1999 @ 6:00 P.M. through June 18, 1999 @ 6:00 P.M. |
| b) | Respondent/Father | June 18, 1999 @ 6:00 P.M. through June 20, 1999 @ 6:00 P.M. |
| c) | Respondent/Father | July 04, 1999 @ 6:00 P.M. through July 18, 1999 @ 6:00 P.M. |
| d) | Petitioner/Mother | July 25, 1999 @ 6:00 P.M. through August 08, 1999 @ 6:00 P.M. |
| e) | Respondent/Father | August 08, 1999 @ 6:00 P.M. through August 22, 1999 @ 6:00 P.M. |
42. That the parties agree that no weeknight or weekend visitation shall occur during the summer visitation period;
43. That the parties agree that each party shall have the right to maintain their individual passport;
44. That the parties agree that this marriage should be dissolved because of an irretrievable breakdown in the marriage.

615

SO ORDERED this 16 day of July, 1999.

VIGO SUPERIOR COURT
DIVISION 1

BY:



HON. MICHAEL H. ELDRED,
Judge

COPIES TO:

(1) ATTORNEY OF RECORD FOR PETITIONER/WIFE:

Kaleel M. Ellis III
c/o ELLIS LAW OFFICES
518 Wabash Avenue
Terre Haute, IN 47807

(2) ATTORNEY OF RECORD FOR RESPONDENT/HUSBAND:

James H. Holder
Attorney at Law
Rt. 1, Box 189
Bainbridge, IN 46105

(3) CHILD SUPPORT DESK

DEATH THREATS MADE BY ABDUL

STATE OF INDIANA
VIGO SUPERIOR COURT
2000 TERM

In re: THE MARRIAGE OF: CAUSE NO.: 84D01 9710
DR 1952
JOANNA FRANCES (AL-ARIFI) STEPHENSON and DIV.: 1
ABDULLAH ABDUL-AZIZ AL-ARIFI
SPECIAL JUDGE:
HON. BRUCE V. STENDEL

AFFIDAVIT OF ATTORNEYS AS TO DEATH THREATS
MADE BY RESPONDENT

We, KALEEL M. ELLIS III and RAE ELAINE MARTIN, Attorneys for Petitioner, having first been duly sworn upon my oath, depose and say as follows:

1. That we are both employed with ELLIS LAW OFFICES;
2. That on or about August 17, 2000, an individual telephoned ELLIS LAW OFFICES and identified himself as ABDULLAH AL-ARIFI to the receptionist at ELLIS LAW OFFICES;
3. That we picked up separate telephone lines at ELLIS LAW OFFICES and heard the voice of a man that we knew to be ABDULLAH AL-ARIFI, as we had heard Mr. Al-Arifi speak on many occasions in Court;
4. That ABDULLAH AL-ARIFI stated that he was having the government of Saudi Arabia issue death warrants for "Mr. Ellis and everyone working with his group";
5. That ABDULLAH AL-ARIFI also stated that he was having his government issue warrants for Petitioner and "her boyfriend" for sex crimes and crimes against the parties' minor children;
6. That further affiants sayeth not.



We declare under penalties of perjury that the foregoing is true and correct as to the best of my knowledge.

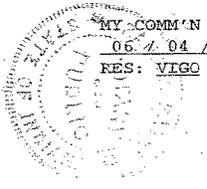
Executed this 21st day of November, 2000, at Terre Haute, Indiana.

BY: [Signature]
KALEEL M. ELLIS III,
Declarant

BY: [Signature]
RAE ELAINE MARTIN,
Declarant

STATE of INDIANA)
) ss:
COUNTY OF VIGO)

I, the undersigned, being a notary public of and for said State and County do hereby state upon my oath and affirmation that KALEEL M. ELLIS III and RAE ELAINE MARTIN appeared personally before me and signed the above entitled Affidavit this 21st day of November, 2000.



MY COMM'N EXPIRES:
06 / 04 / 01
RES: VIGO Co., IN

BY: [Signature]
RANJNA PATEL
Notary Public

RANJNA PATEL
TYPED

EMERGENCY TELEPHONIC HEARING
8/15/00
(ABDUL ABDUCTED THE CHILDREN)

FILED
VIGO COUNTY SUPERIOR COURT

AUG 17 2000

William L. Anderson
CLERK

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STATE OF INDIANA
VIGO SUPERIOR COURT
2000 TERM

IN RE: THE MARRIAGE OF CAUSE NO. 84D01 9710 DR 1952

JOANNA FRANCES AL-ARIFI AND
ABDULLAH ABDUL-AZIZ AL-ARIFI

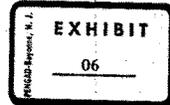
TRANSCRIPT OF HEARING

BEFORE THE HONORABLE
BRUCE STENGEL, SPECIAL JUDGE
VIGO SUPERIOR COURT, DIVISION NO. 1
AUGUST 15, 2000

A P P E A R A N C E S

ATTORNEY FOR PETITIONER: KALEEL MOSE ELLIS III, AND
RAE MARTIN.
ATTORNEY FOR RESPONDENT: JAMES H. HOLDER.

MR. ELLIS: I'll recite the caption of the case, and Jim, you
will have to speak up a little bit.
COURT: Yeah, let's not start it just yet.
MR. ELLIS: I'm going to put it on pause for a minute.
COURT: Okay.



1 MR. HOLDER: I am, sir.
2 COURT: And, Mr. Ellis, you have your office in Vigo
3 County, and are you currently in Vigo County?
4 MR. ELLIS: That's correct, Judge.
5 COURT: So, we are all three in different counties trying
6 to do this by a stipulation agreement over the
7 phone, and it is further my understanding that
8 Mr. Holder advises that due to his crowded trial
9 calendar, it would probably be some time
10 before he could make an actual appearance in
11 the Vigo Superior Court for an actual hearing in
12 the court, is that correct, Mr. Holder?
13 MR. HOLDER: Yes, Your Honor, it is.
14 COURT: And, the court has advised, or Judge Stengel
15 has advised the parties that he starts a criminal
16 trial in the Vermillion Circuit Court tomorrow
17 morning entitled State of Indiana versus
18 Christopher Grant, which is further reason for
19 holding this emergency outside a physical
20 courtroom. We are here on the request by the
21 mother's attorney, Kal Ellis, for emergency

1 hearing and a contempt hearing. Mr. Ellis has
2 informed the court that he has reasonable belief
3 and cause to believe that the father is
4 attempting to or has removed the children of
5 the parties, the children who are subject a
6 custody order, has removed them in violation
7 from the United States or is attempting to
8 remove them from United States and take them
9 to the father's home country of Saudi Arabia.
10 The court was notified about this by an oral
11 phone call from Mr. Ellis, in which Mr. Holder
12 was present this afternoon. The court stated
13 that it would set this for emergency hearing this
14 evening at 6:00 p.m., via phone, and ordered
15 Mr. Holder to contact his client and to have his
16 client present for this oral hearing via
17 telephone. Mr. Holder, is that an accurate
18 quick summation of what has occurred?

19 MR. HOLDER: Yes, Your Honor, it is.

20 COURT: Mr. Ellis, would you agree, is that an accurate?

21 MR. ELLIS: That is correct, Judge, the only thing I would

1 add is that the father is currently exercising his
2 summer visitation with the children of the
3 marriage, and those children of the marriage
4 include three, Rosemary, age 10; Sarah, age 9;
5 and Abdullah, age 5. He currently has
6 visitation - summer visitation with those
7 children.
8 **COURT:** Thank you. Now, Mr. Holder, pursuant to this
9 court's order to contact your client and have
10 him present for this hearing, is your client
11 present?
12 **MR. HOLDER:** No, Your Honor, he is not.
13 **COURT:** All right. Mr. Holder can you tell us - can you
14 explain why your client is not present for this
15 hearing?
16 **MR. HOLDER:** No, Your Honor, I cannot. But, I can testify to
17 the court as an officer of the court and the
18 current attorney for Abdullah Al-Arifi, that my
19 staff, with me on the phone, with my cell
20 phone, attempted to call him at his two
21 numbers that he has left with us, uh, the first

1 number being his home number and the second
2 number being an incorrect number from what
3 we could tell, uh, we got no answer, the
4 numbers were still in service, were not
5 disconnected. At this time I do not know why
6 he did not answer his - strike that - at this point
7 - at this point he did not answer his phone, I do
8 know why he did not answer his phone.

9 **COURT:** You indicate that you do know why he did not
10 answer his phone, can you further elaborate on
11 that?

12 **MR. HOLDER:** Your Honor, I have - just one second, this is 16
13 - I would inform the court, my secretary just
14 brought it to my attention that the last
15 communication at least through this office
16 we've had with Abdullah - I have a message
17 here, I didn't speak to him on this date, I have
18 spoken to him on other dates, but Abdullah Al-
19 Arifi called today and wants to know if I could
20 speak to him, that was - he left a phone number
21 of (812) 240-0047. Uh, I would express to

1 the court that based on confidential basis, the
2 rules of ethics that the attorney-client privilege,
3 I believe duty, imposed upon me by those to
4 protect my client from revelation of confidential
5 information imposes upon me a duty to say only
6 as much as my client would allow me to reveal.
7 Uh, I will say that I have never counseled my
8 client in regards to committing any acts, nor
9 have I been requested by Mr. Al-Arifi to be
10 given counsel in regards to any criminal action
11 whatsoever, uh, I can say to this court I have
12 advised Abdullah Al-Arifi against - I have
13 advised him specifically against committing an
14 act which has been alleged here for this
15 meeting, and that has been done on more than
16 one occasion and has been done recently within
17 the last week and one-half. Uh, I will inform
18 the court further that in all likelihood, all of the
19 information that I know, that he will not be
20 present at this hearing that is set coming up in
21 approximately ten days or any other hearing on

1 his own volition, in the United States.

2 **COURT:** All right, Mr. Holder, and again, this is Judge
3 Stengel speaking, I respect what you have
4 indicated, I'm trying to determine and I'll ask
5 you another question, if you don't feel that you
6 can answer that, I'll respect that, but with
7 respect for attending today's hearing and your
8 attempts to locate him, you have the belief that
9 your client has left the State of Indiana and the
10 United States of America?

11 **MR. HOLDER:** I have to answer to the court honestly that I do
12 know the answer to the question. Uh, I don't
13 know that I am permitted to answer the
14 question because I don't know that I have been
15 given permission from my client to do so, but I
16 would state again, as I have earlier, that the
17 possibility - it is my belief that Abdullah Al-
18 Arifi will never attend the hearing in this state
19 or any other state in the Continental United
20 States or otherwise, in his lifetime, unless
21 compelled to do so by force.

United States District Court

SOUTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA
v.
ABDULLAH ABDUL-AZIZ AL-ARIFI

WARRANT FOR ARREST

CASE NUMBER: TH 00-0019M-01

To: The United States Marshal
and any Authorized United States Officer

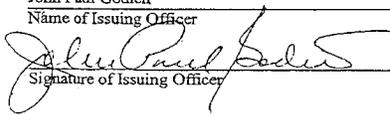
YOU ARE HEREBY COMMANDED to arrest ABDULLAH ABDUL-AZIZ AL-ARIFI and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment Information Complaint Order of Court Violation Notice Probation Violation Petition

charging him or her with (brief description of offense)

International Parental Kidnapping, specifically with removing three children who had been in the United States to a place outside the United States, with the intent to obstruct the lawful exercise of parental rights in violation of Title 18, United States Code, Section 1204.

John Paul Godich
Name of Issuing Officer



Signature of Issuing Officer

U.S. Magistrate Judge, U.S. District Court
Southern District of Indiana
Title of Issuing Officer

August 16, 2000 at Indianapolis, Indiana
Date and Location

(By) Deputy Clerk

by _____
Name of Judicial Officer

Bail fixed at \$ _____

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at _____		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

EXHIBIT
07

International Crime Alert



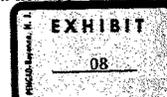
Wanted by the Terre Haute, Indiana Police

ABDULLAH ABDUL AZIZ AL-ARIFI

Description: Abdullah Abdul Aziz Al-Arifi is an Arab male born in Mecca, Saudi Arabia, on December 12th, 1961. He is one-meter seventy-two centimeters tall and weighs about ninety-five kilograms. Slightly balding, he has graying black hair, which may be dyed black. He has a mustache and may be wearing a chin beard. His eyes are brown. Al-Arifi is a Saudi citizen and is believed to be living with relatives in Jeddah. He has used the aliases "Al-Walid," "Al-Khaldi," and "Al-Sagr." He speaks Arabic and English. He suffers from depression and has a violent temper.



The eldest abducted child, Rosemary Helen Al-Arifi, was born in the U.S. on April 10th, 1990. She is about one-meter tall and weighs about twenty-two kilograms. She has black hair and brown eyes. She has a small scar on her chin and suffers from psoriasis on her ears and legs. Her sister, Sarah Frances Al-Arifi, was born in the U.S. on August 4th, 1991. She is about one-meter tall and weighs about twenty kilograms. She has black hair and brown eyes. She wears eye-glasses and has a large pockmark on her upper back.



He has a chipped front tooth. The abducted children speak English only.



Rosemary, Sarah and Abdul-Aziz Al-Arifi

Case Details: In July 1989, Joanna Frances Stephenson, a U.S. citizen, married Abdullah Abdul Aziz Al-Arifi, a citizen of Saudi Arabia. They had three children – two girls, Rosemary Helen Al Arifi and Sarah Frances Al-Arifi, and a boy, Abdul Aziz Abdullah Al-Arifi. In October 1997, Mrs. Al-Arifi filed for divorce in an Indiana court. In July 1999, she was awarded legal custody of the children. The father was given visitation rights within the continental U.S. On August 15th, 2000, he abducted the children to Saudi Arabia. Indiana authorities issued a warrant for his arrest for custodial interference. A federal warrant charges him with international parental kidnapping.

If you have any information concerning Abdullah Abdul Aziz Al-Arifi, or the abducted children, Helen, Sarah, and Abdul, please contact the National Center for Missing and Exploited Children at 011-703-522-9320. All reports will be investigated and the identities of the informants will be kept confidential.

AMERICAN KIDS KIDNAPPED TO SAUDI ARABIA



NAME:
Rosemary Helen Al-Arifi
DOB: April 10, 1990
AGE: 10 Years



(2)
NAME:
Sarah Frances Al-Arifi
DOB: August 04, 1991
AGE: 9 Years



(3)
NAME:
**Abdul-Aziz Abdullah
Al-Arifi**
DOB: June 02, 1995
AGE: 5 Years

Send letters requesting the kids return home to:
Saudi Arabia Embassy
601 New Hampshire Ave.
Washington, DC 20037

For Information, Cards or Letters. Send to:
Bring Back our Children
P.O. Box 187
Seelyville, IN 47878

For Donations:
Joanna Stephenson
C/O Bring Back our Children
Terre Haute First National Bank
P.O. Box 2122
Terre Haute, IN 47802

**Please Help Bring These
Children Home!**

If you have any information, please contact the
Terre Haute Police Department
(812) 238-1661

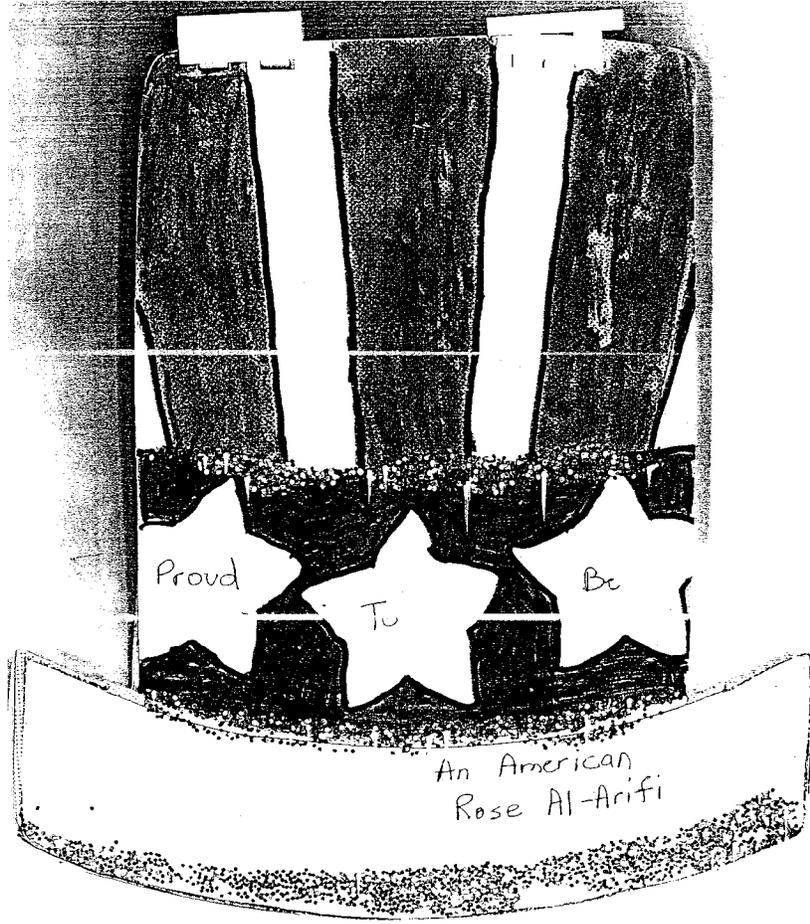
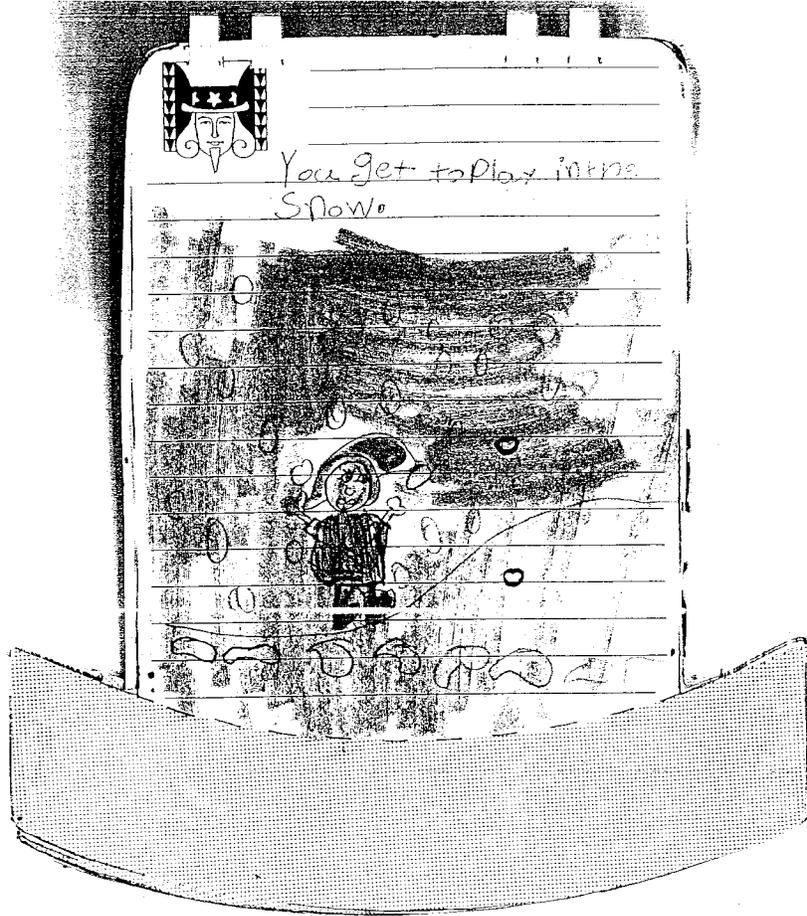
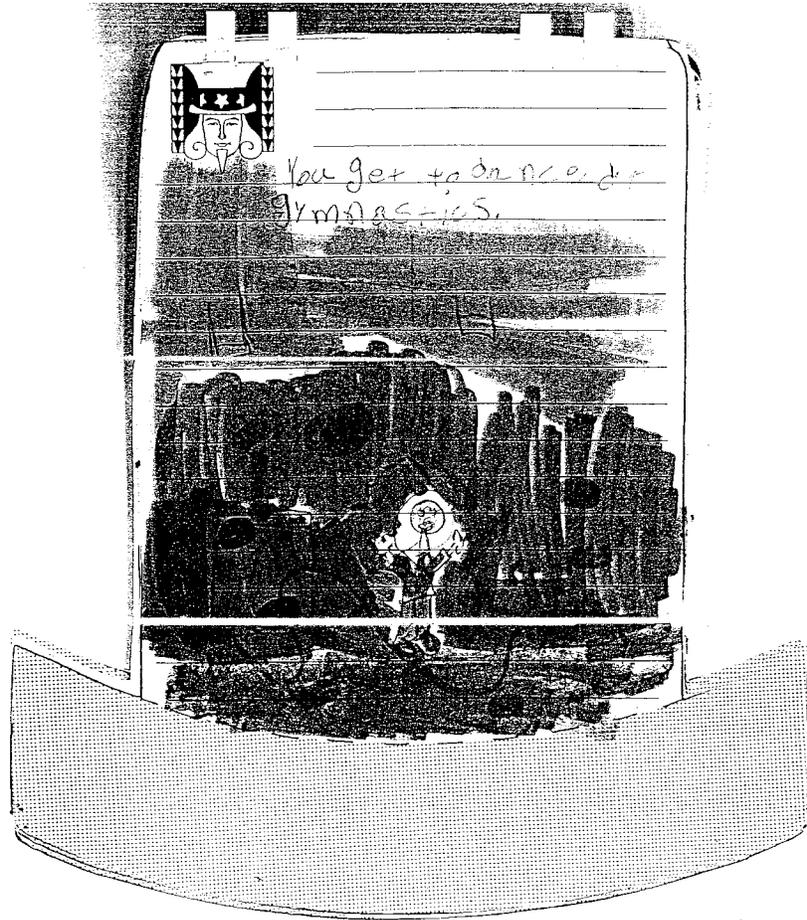
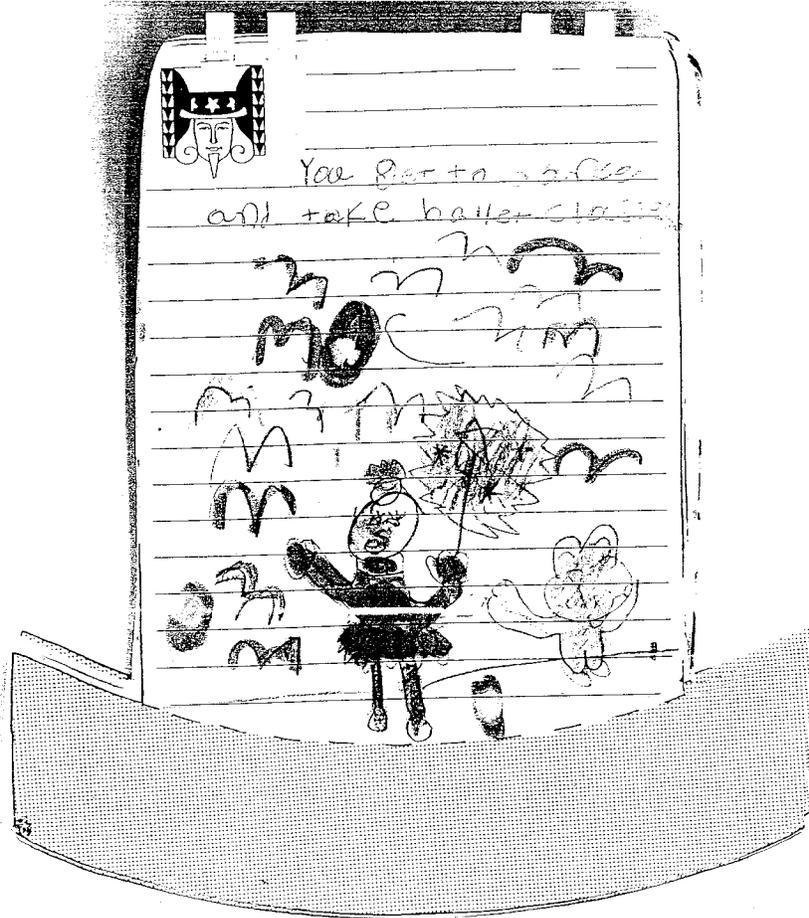
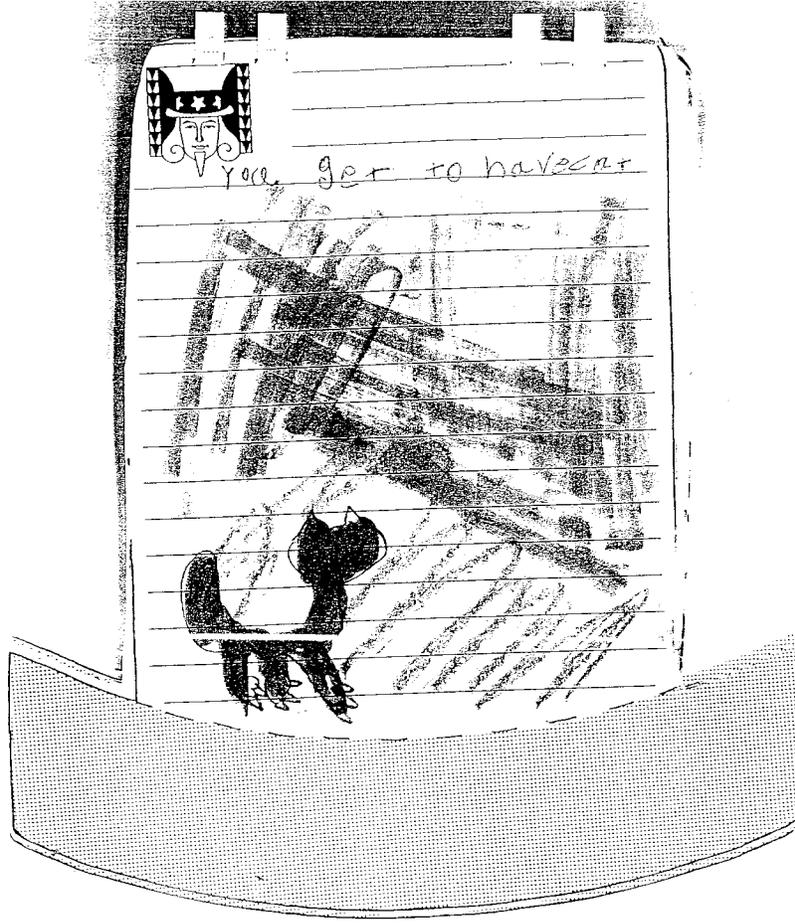


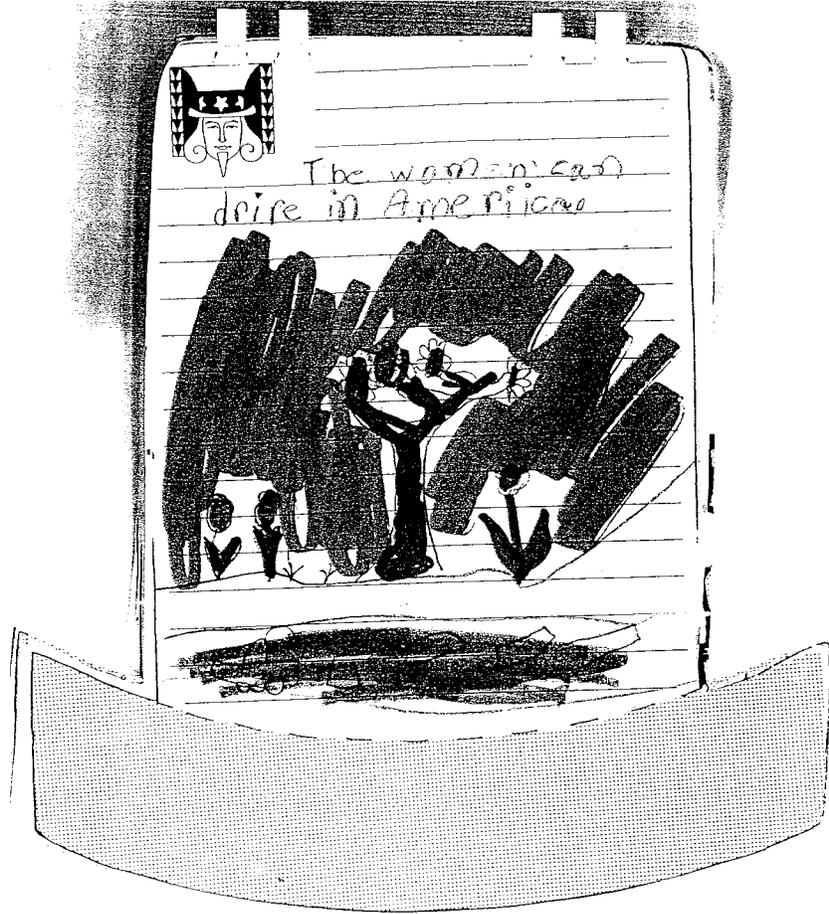
EXHIBIT
09













COMMUNICATION

Case Name: AL-ARIFI, ABDUL-AZIZ ABDULLAH; ROSEMARY HELEN; SARAH FRANCES (OCS20003331776

Communication Type: Email

Direction: Incoming

Date: 29-Oct-2001

Country:

Subject:

Entered By User: Payne, Beth A. - Consular Affairs/ Office Of Citizen Services

Abstract: Update From Congen Jeddah

Remarks: This is unfortunately the response I expected. I agree with you that we should let things cool off for a little bit. Then, maybe in a few months, I'll send another w/w cable requesting we attempt another visit. If Saudis are like Kuwaitis, the more you push, the more they dig in their heels. I'll let the mother know that you've done your best (and beyond) and that the best tactic at the moment is to back off for a little while. Beth

-----Original Message-----

From: Mealey, Loren G

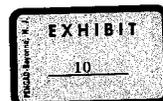
Sent: Monday, October 29, 2001 8:15 AM

To: Payne, Beth A(CA/OCS/C)

Subject: RE: Al Arifi Case

We were pressuring the SAG for a response to the dipnote, and my follow up dipnote, to the point where we almost got ourselves in trouble. They would say they never received it, they'd lost it, and we would follow up every single time. We were tenacious, I'll admit. We even handed our MFA contact another copy of the dipnote when we were there on another case. They just would not respond. Finally, our contact at the MFA threw his hands in the air and said he couldn't get a response out of Riyadh. If I want a response I should go directly to the MFA in Riyadh myself and stop pressuring him. This happened in early August. Since September 11, I don't feel anyone will want to take it up with the MFA in Riyadh. It's just bad timing. The bottom line is, the MFA is required to respond to the dipnotes, but Mr. Al-Arifi is not required to accommodate us. Nine months ago and pre-9/11, we had a relationship with the grandfather and there was hope on a distant horizon. Given the current state of world affairs, Mr. Al-Arifi, a professed bedouin tribesman, is probably as far away from accommodating us as he'll ever be. I am not opposed to sending another dipnote by any means. I'm just a bit concerned that, at the moment, I will be working against the mother's best interest in pushing this case.

I'll wait on sending a cable to you until I do another dipnote sometime in the near future. Basically, what I wanted to say in a front channel message, and in so many words, is that I cannot get the SAG to respond to dipnotes on the Al-Arifi case, no matter what. Now that you know that, I think this paragraph probably answers your questions.



IN THE CHANCERY COURT OF CRAIGHEAD COUNTY, ARKANSAS
WESTERN DISTRICT

MARGARET KESHAWARZ

FILED
1994 SEP 26 P 1:49

PLAINTIFF

v.

NO. E-93-667
AT FLEETWOOD
CIRCUIT AND CHANCERY
COURT CLERK

ABDULBASET AL-OMARY

DEFENDANT

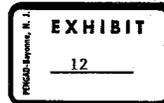
DECREE OF DIVORCE

On this date, this cause comes on to be heard on the verified Complaint of Plaintiff Margaret Keshawarz which has been filed for more than 30 days last past. Plaintiff Margaret Keshawarz appears in person and by her attorney, James McCauley. Defendant appears in person and by his attorney, George R. Wadley. From the pleadings and the sworn testimony of Plaintiff and one corroborating witness, the court finds as follows:

1. Plaintiff Margaret Keshawarz, Social Security No. [REDACTED], currently resides at [REDACTED] Jonesboro, Arkansas, and is employed by Arkansas State University. Defendant Abdulbaset Al-Omary, Social Security No. [REDACTED] resides at [REDACTED] Jonesboro, AR 72401 and is employed at Arkansas State University.

2. The parties were married on or about December 14, 1989, in Paragould, Arkansas. They were last separated on or about July 12, 1993. Plaintiff is entitled to a divorce on the grounds of general indignities.

3. The parties are the parents of one minor children, Machael Heidi Al-Omary, a girl, born July 11, 1992. Plaintiff is entitled to be granted custody of the minor children subject to Defendant's right of reasonable visitation.



4. Defendant, Abdulhaset Al-Omary, Social Security No. 430-63-4446, is hereby ordered to contribute the sum of \$250.00 per month, to the Plaintiff for support of the minor child with the first payment being due on September 1, 1994. These payments shall be made through the Clerk of the Chancery Court of Craighead County, Arkansas along with a \$24.00 per year administrative fee to be paid to the Clerk. Such sum is ordered withheld from the money, income, or periodic earnings due Defendant in the event he becomes gainfully employed, and shall be remitted by the employer to the Clerk of this Court at P. O. Box 120, Jonesboro, Arkansas 72401. The Plaintiff shall, at the time of entry of this decree, complete and cause to be filed herein any and all forms necessary to notify any employer of the Defendant or any subsequent employer, of the income withholding provisions of this decree. The cost incurred in providing the notice to the employer shall be paid by the Defendant at the time such Decree is filed with the court clerk.

5. Plaintiff has been a resident of Jonesboro, Craighead County, Arkansas, for more than five years last past. Her cause of action occurred or existed in the State of Arkansas within five years next before the commencement of this action.

6. The parties have entered into a written Child Custody, Support, and Property Settlement Agreement covering all of the rights of their marriage. The court approves this agreement, adopts same, makes it a part of this decree; however, in doing so this does not alter the contractual nature thereof. The parties are ordered to carry out the terms of same. It is as follows:

PROPERTY SETTLEMENT AGREEMENT

Margaret Keshawarz, hereinafter referred to as "Wife," and Abdulbasat Al-Omary, hereinafter referred to as "Husband," have separated. Wife filed suit for divorce in the Chancery Court of Craighead County, Western District, Arkansas, on July 13, 1993. Subject to the approval of this court, this agreement is entered into to settle all rights between the parties.

1. CHILD CUSTODY: The parties are the parents of one minor children, Machael Heidi Al-Omary, a girl, born July 11, 1992. Plaintiff is entitled to be granted custody of the minor children subject to Defendant's right of reasonable visitation. Each party shall be entitled to visitation as set forth in the revised visitation schedule which is incorporated here by reference as if it is set out in its entirety. Each party shall be responsible for leaving the child with a responsible babysitter and will provide this information to the other party if requested. Neither party shall be allowed to have an overnight guest of the opposite sex at any time while the child is in their care or in the exercise of visitation. Neither party shall be allowed to move the minor child from the jurisdiction of this court without written consent or court approval. The husband shall provide a copy of his current passport and will notify the wife of any changes in his passport concerning the minor child. Wife agrees to do the same if requested.

2. CHILD SUPPORT: Husband shall pay to Wife the sum of \$250.00 per month as child support with the first payment being due on September 1, 1994.

3. HEALTH INSURANCE: Wife is presently insuring the minor child through a group policy available through her employer Arkansas State University. The annual cost for this family coverage regardless of the number of dependents is \$780.72 per year. The parties agree to equally divide the cost of this premium. In the event the husband becomes gainfully employed and health insurance coverage is available to him at a reasonable cost, then husband shall be responsible for providing health insurance coverage for the minor child and will pay all premiums associated with the coverage. The parties agree to equally divide any medical, dental, orthodontic or optometric expenses not covered by insurance.

4. PERSONAL PROPERTY AND HOUSEHOLD BELONGINGS: Each party shall be awarded that property now in his or her possession. Wife agrees to deliver to husband such additional items of personal property which were left at the parties residence at the time of separation.

5. MONETARY COMPENSATION: Husband agrees to pay Wife the total sum of \$2,250.00 in full and complete settlement of all claims Wife may have against Husband for any sums of money that Wife claims she is owed by Husband. Husband will be allowed to pay this in monthly payments of \$75.00 until the sum is paid in full.

6. ATTORNEY'S FEES AND COSTS: Each party shall be responsible for their attorneys' fees and costs.

7. GENERAL: Each party hereby waives and relinquishes any claims that he or she may have to alimony, dower or curtesy in the property of the other or to be acquired by the other in the future

except as set forth herein. Neither party asserts and both parties waive all rights they might have to alimony, support or maintenance except as set forth herein.

8. The parties agree to execute any and all papers, documents or other items necessary to effectuate the terms of this agreement.

9. This contract will be incorporated with the Decree of Divorce; however said incorporation will not alter the contractual nature of this instrument, concerning modification save and except issues concerning child custody, child visitation, and child support.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this September 21, 1994.


Margaret Keshawarz


Abdulbaset Al-Omary

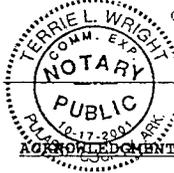
ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day personally appeared before me, a notary public within and for the county and state aforesaid, the within named **Margaret Keshawarz**, who stated to me that she had executed the foregoing Property Settlement Agreement for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal this September 21. 1994.

My Commission Expires: _____



Terrie L. Wright
Notary Public

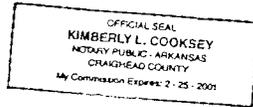
STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day personally appeared before me, a notary public within and for the county and state aforesaid, the within named **Abdulbaset Al-Omary**, who stated to me that he had executed the foregoing Property Settlement Agreement for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal this September 20th. 1994.

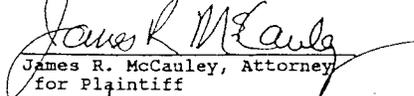
My Commission Expires: _____

Kimberly L. Cooksey
Notary Public



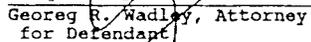
IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore existing between Plaintiff Margaret Keshawarz and Abdulbaset Al-Omary are dissolved, set aside and held for naught; that Plaintiff is granted a divorce; that Plaintiff is awarded custody of the parties' minor child, subject to Defendant's right of reasonable visitation; that Defendant is ordered to pay to Plaintiff the sum of \$250.00 per month as child support for the minor child; that Defendant is ordered to make his child support payments through the Chancery Clerk of Craighead County, Western District, Arkansas, and further, Defendant shall pay to the Clerk any fee charged by the Clerk for receiving child support payments; that, if ordered by the court, and upon proper notice, the employer of Defendant shall deduct from money income or periodic earnings due Defendant, an amount which is sufficient to meet the periodic child support payments imposed by the court plus an additional amount equal to 10 percent of the periodic child support payment to be applied toward liquidation of any accrued arrearage due under this order; and that the court adopts and makes a part of this decree the foregoing written agreement of the parties and orders the parties to carry out the terms of same and to execute any instruments necessary to do so.

APPROVED AS TO FORM:


James R. McCauley, Attorney
for Plaintiff


CHANCELLOR

Dated: 9-24-94


Gregory R. Wadley, Attorney
for Defendant

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**History of Al-Omary Case
Updated on December 19, 2001**

August 14, 1997	Heidi Al-Omary was abducted from the US to Saudi Arabia by her Saudi father, Mr. Abdulbaset Al-Omary, who had court-ordered visitation and failed to return Heidi after the visitation. The mother is Margaret McClain.
August 18, 1997	State of Arkansas issues a felony warrant charging Mr. Al-Omary with interference with a custody decree.
August 20, 1997	A federal warrant is issued against Mr. Al-Omary for unlawful flight to avoid prosecution and for international kidnapping.
March 2, 1998	Ms. McClain files a Hague Application with CI for the return of Heidi from Sweden. This appears from the file to her first contact with CI. Copy of the application is not in the file.
March 19, 1998	CI faxes the Hague Application to the Danish and German Central Authorities.
March 23, 1998	The Swedish Central Authority confirms that no visa has been issued to Mr. Al-Omary.
March 30, 1998	The Danish Central Authority confirms that Mr. Al-Omary and Heidi have been entered into lookout system.
August 25, 1998	The German Central Authority closes their Hague case.
January 31, 1999	The U.S. Ambassador to Saudi Arabia, Wyche Fowler, writes to Ms. McClain reporting that the father and child have not yet been located. Ms. McClain's letter to Amb. Fowler is not in the CI file.
March 15, 1999	Mary Ryan writes a letter to Insight magazine responding to an article on international child abduction - a copy of the article is not in the file, but it appears to have discussed the Al-Omary case
March 31, 1999	Ms. McClain writes letter to the editor of Insight Magazine complaining that the State Department has done nothing and even endangered her attempts to have her child returned. She said she located the father using directory assistance and complained that a welfare and whereabouts visit has never taken place.
April 8, 1999	Ms. McClain writes a letter to Mary Ryan that is posted on the Internet claiming that the State Department "purposely sabotages any attempts of American parents to locate their children ... the

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U.S. Embassy in Riyadh turns away mothers and children who need assistance..." She called for the dismantling of the Office of Children's Issues. She claims to have located the father through private means.

May 7, 1999 Ambassador Fowler writes Senator Tim Hutchinson in response to an inquiry from him, stating that the embassy had not located the Mr. Al-Omary or Heidi and therefore not been able to conduct a welfare and whereabouts visit.

May 8, 1999 CI sends a cable to Manama (per a phone call from Ms. McClain stating that Mr. Al-Omary was living in Bahrain) asking Post to verify whether Heidi is in Bahrain.

May 8, 1999 Manama replies stating that Mr. Al-Omary may have transited Bahrain, but there is no record of him living in Bahrain.

May 15, 1999 Embassy Riyadh sends an SAO cable requesting that Mr. Al-Omary be entered into CLASS as 212(a)(10)(C)(i).

June 1999 Ms. McClain circulates a paper stating that Saudi Arabia is not complying with the UN Convention on the Rights of the Child.

August 3, 1999 An American who read about Heidi's abduction on the Internet contacts ConGen Dhahran to report that Mr. Al-Omary works for Saudi Aramco.

August 4, 1999 Dhahran ConFSN calls Mr. Al-Omary, who agreed to allow a welfare and whereabouts visit.

August 10, 1999 Action request sent by Dhahran to CI to request whether Ms. McClain would like to have them conduct a welfare and whereabouts visit.

August 23, 1999 E-mail sent from Dhahran to CI requesting following on action request. CI replies that spoke with Ms. McClain and she was "thrilled" to have a welfare and whereabouts visit conducted.

September 15, 1999 Dhahran confirms that Mr. Al-Omary is willing to have the visit and will permit photos.

September 17, 1999 CI passes this information to Ms. McClain. Ms. McClain asks about visiting Saudi Arabia to see Heidi.

September 20, 1999 CI faxes Dhahran confirming that Ms. McClain would like a

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- welfare and whereabouts visit and requests that Post discuss the possibility of a visit by Ms. McClain to Saudi Arabia.
- September 23, 1999 Dhahran ConOff and ConfSN met with Heidi and Mr. Al-Omary, her uncle, and a friend. Photos were forwarded through CI to Ms. McClain. Mr. Al-Omary agreed to assist Ms. McClain in visiting Heidi but insisted on assurances that Ms. McClain would not cause problems publicly or with Heidi. Cable sent by Dhahran to CI on September 28.
- October 13, 1999 CI mails the cable from Dhahran to Ms. McClain.
- October 26, 1999 CI talks with Ms. McClain about a visit to Saudi. CI explains that Dhahran is gathering information about the process of obtaining a visa, since the process changed in recent years. CI mentions doing another visit in March. CI mails photos from visit to Ms. McClain.
- February 7, 2000 Senator Hanford's office calls CI.
- Nothing in the file indicates any communication between CI and Ms. McClain between October 26, 1999 and February 7, 2000.
- May 15, 2000 CI sends a "six month letter" to Ms. McClain. In the letter CI specifically notes that "it has been more than six months since the last welfare visit with Heidi. If you wish, I can request that the Consulate contact your ex-husband to schedule another welfare visit. Please let me know if you would like a visit at this time, and, if so, what special questions (if any) you would like the Consul to ask during this visit." The letter also explains that Ms. McClain would need a "do objection" letter from Mr. Al-Omary in order to obtain a visa to Saudi Arabia.
- Nothing in the file indicates any communication between CI and Ms. McClain between October 26, 2000 and October 5, 2000.
- September 24, 2000 Ms. McClain writes Di Andruch complaining that a welfare and whereabouts visit was not conducted in March as promised. She complains that the Consulate never obtained a visa for her to visit Saudi Arabia as promised.
- October 13, 2000 Di Andruch sends a letter to Ms. McClain explaining that a welfare visit was not conducted because CI had not received a response from Ms. McClain to the May 15 letter. Visits cannot be conducted without a request from a parent.
- October 31, 2000 CI sends a "six month letter" to Ms. McClain asking if she would

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Like the Consulate to ask any specific questions during their visit with Heidi and stating that the Consulate will inquire about Mr. Al-Omary's willingness to prepare a "no objection letter" to permit her visit to Saudi Arabia.

November 16, 2000 CI sends a cable to Dhahran requesting a welfare and whereabouts visit.

January 25, 2001 Dhahran ConOff and ConFSN visit Mr. Al-Omary. He does not bring Heidi as promised.

Dhahran made numerous attempts to locate Mr. Al-Omary immediately following the cabled request for a visit. At one point they were informed that Mr. Al-Omary was on a six-week vacation. This information was passed to Ms. McClain who wanted to know where he went for vacation. Mr. Al-Omary's supervisor told Dhahran he did not know Mr. Al-Omary's location. Finally, the ConFSN went physically to Aramco in an attempt to find Mr. Al-Omary. Dhahran reached Mr. Al-Omary on January 17, 2001.

February 20, 2001 Dhahran ConOff and ConFSN visit with Heidi, her father, two Uncles and two friends. Father would not permit photos at this visit.

This visit was conducted after numerous attempts to reach Mr. Al-Omary.

February 21, 2001 Dhahran cables results of visit to CI.

February 26, 2001 CI sends results of visit to Ms. McClain. CI explains that they may Request a visit in six months and for Ms. McClain to call CI to confirm that she would like to request such a visit.

Nothing in the file indicates any communication between CI and Ms. McClain between February 21, 2001 and June 8, 2001.

May 14, 2001 Ms. McClain tells CI that Congressman Marion Berry is working with her to get a Saudi visa.

June 8, 2001 CI emails Dhahran regarding Ms. McClain's wish to visit Saudi. Ms. McClain was in DC for a conference and hoped to pick up her visa to Saudi Arabia while here. Dhahran reports that they are trying to get Mr. Al-Omary to agree to a visit. Again, Mr. Al-Omary is very difficult to reach -- Dhahran notes that "too many calls to Mr. Al-Omary result in his not being available to us, i.e. he

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gives his phone to his brother or doesn't answer for long periods.
 Dhahran provides Mr. Al-Omary's email address to CI

June 13, 2001 CI provides the Al-Omary file to PRI in response to a FOIA request by Insight Magazine. The magazine's letter of request was dated August 25, 1999 and marked received by the office of IRM Program and Services on September 15, 1999. The request was forwarded to CI by PRI on June 15, 2000. There is no explanation in the file for the time delays between each action.

July 4, 2001 Ms. McClain writes the President and CEO of Aramco, Sec. Powell, and Deputy Sec. Armitage requesting assistance in visiting Heidi.

July 9, 2001 CI sends a "six month letter" to Ms. McClain giving her Mr. Al-Omary's email address and suggesting that she attempt to contact Mr. Al-Omary directly.

July 17, 2001 Sen. Hutchinson writes Dep. Sec. Armitage requesting assistance in obtaining a non-objection letter for Ms. McClain to visit Saudi.
 CI requests Dhahran attempt to arrange a suitable meeting place for Ms. McClain to visit her daughter

August 1, 2001 Dhahran confirms that Mr. Al-Omary is "adamantly opposed" to a visit from Ms. McClain. Dhahran will discuss with the Emirate to see whether the Saudi government will allow a visit over the father's objections.

August 6, 2001 Dhahran meets with Chief of Staff for Prince Saud Bin Naif requesting assistance for the visit. Naif ask them to send a diplomatic note, which was sent.

August 21, 2001 Dhahran reports that after being spoken to by a senior Emirate official, Mr. Al-Omary no longer totally excludes a visit by Ms. McClain, but is placing conditions. Dhahran recommends the Mr. Al-Omary and Ms. McClain discuss these conditions. Mr. Al-Omary demanded that Heidi must not be physically or emotionally harmed by the visit; all criminal charges against him be dropped; and to remove his name from the Internet. CI gave Mr. Al-Omary's number to Ms. McClain.

September 6, 2001 CI speaks with Ms. McClain and tells her that the Saudi Embassy will not issue a visa without evidence that she and Mr. Al-Omary have reached an agreement on the visit. Ms. McClain refuses to speak with Mr. Al-Omary. CI suggests that her adult son serve as a mediator.

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September 6, 2001 Ms. McClain writes Sec. Powell requesting assistance.

October 26, 2001 Per Ms. McClain's request, CI sends cable to Dhahran requesting they conduct a welfare and whereabouts visit.

November 4, 2001 Dhahran meets with Mr. Al-Omary, but he doesn't bring Heidi. He agrees to a visit with Heidi on December 30. Ms. McClain has not yet contacted Mr. Al-Omary regarding her visit to Saudi Arabia. Dhahran will seek an appointment with Muhammad Al-Mutlaq, Chief of Staff for the Vice-Governor of the Eastern Province regarding his help to arrange a visit.

November 7, 2001 CI sends a "six month letter" to Ms. McClain and encourages her to have her son call Mr. Al-Omary to discuss her visit to Saudi Arabia.

H:\Ocsdocs\Saudi Arabia/Child Abduction/History of Al Omary Case

REGISTERED NO. 819 492 289		POSTMARK STATE UNIVERSITY, MO OCT 14 1994	
Reg. Fee \$ 47.00		Special Delivery	
Handling Charge \$ 75.00		Return Receipt \$ 0.00	
Postage \$ 0.00		Restricted Delivery \$ 0.00	
Received by L Adams		Domestic Insurance \$ 0.00	
Full Value \$ 0.00		Customer Must Declare: <input checked="" type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance	
FROM: Margaret Keahawanyan, CT		Indemnity is Limited (See Reverse)	
TO: Embassy of K. J. Sauer, Embassy 601 Wisconsin Ave NW Washington, DC 20037			

PS Form 3806, RECEIPT FOR REGISTERED MAIL (Customer Copy)
April 1991

REGISTERED NO. 819 492 289		POSTMARK STATE UNIVERSITY, MO OCT 14 1994	
Reg. Fee \$ 44.00		Special Delivery	
Handling Charge \$ 75.00		Return Receipt \$ 0.00	
Postage \$ 0.00		Restricted Delivery \$ 0.00	
Received by L Adams		Domestic Insurance \$ 0.00	
Full Value \$ 0.00		Customer Must Declare: <input checked="" type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance	
FROM: Margaret Keahawanyan		Indemnity is Limited (See Reverse)	
TO: Embassy of K. J. Sauer, Embassy 601 Wisconsin Ave NW Washington, DC 20037			

PS Form 3806, RECEIPT FOR REGISTERED MAIL (Customer Copy)
April 1991

REGISTERED NO. 819 492 289		POSTMARK STATE UNIVERSITY, MO OCT 14 1994	
Reg. Fee \$ 44.00		Special Delivery	
Handling Charge \$ 75.00		Return Receipt \$ 0.00	
Postage \$ 0.00		Restricted Delivery \$ 0.00	
Received by L Adams		Domestic Insurance \$ 0.00	
Full Value \$ 0.00		Customer Must Declare: <input checked="" type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance	
FROM: Margaret Keahawanyan		Indemnity is Limited (See Reverse)	
TO: Embassy of K. J. Sauer, Embassy 601 Wisconsin Ave NW Washington, DC 20037			

PS Form 3806, RECEIPT FOR REGISTERED MAIL (Customer Copy)
April 1991

EXHIBIT
13

504 West Cherry
Jonesboro AR 72401
10-13-94

Embassy of the Kingdom of Saudi Arabia
601 New Hampshire Ave. NW
Washington D.C. 20037

To Whom It May Concern!

Enclosed is an official certified copy of the divorce decree between myself and one Saudi Arabian citizen, Mr. Abdulbaset Ahmed Mohammed Al-Omary. I am writing to request that no Saudi Arabian passport be issued in the name of my minor child, Machael Heidi Al-Omary, nor is her name to be included in the Saudi Arabian passport of any other Saudi Arabian national, as a dependent or otherwise, including in the current and any future passports of her father, Abdulbaset A.M. Al-Omary or the Saudi female, Wafa Al-Dugail.

Furthermore, I request that no Saudi passport be issued to my child in any other name, such as Machael Al-Omary or any other alias, nor is she to be included under any one of these aliases on any passport page of any Saudi national, including in the current and any future passports of her father, Abdulbaset A.M. Al-Omary, or of the Saudi female Wafa Al-Dugail.

In addition, I request that my daughter shall not be issued a laissez passer or other travel document to the Kingdom of Saudi Arabia or any other foreign country in her true legal name, in any alias, or under the sponsorship of any Saudi Arabian national, including her father Abdulbaset Al-Omary or the Saudi female, Wafa Al-Dugail. Nor is my daughter's name to appear in its full legal form or in any alias in the laissez passer or any other travel documents of any Saudi national, including those of her father, Abdulbaset A.M. Al-Omary or the Saudi female, Wafa Al-Dugail.

Furthermore, I request that any attempt to secure a Saudi Arabian passport, laissez passer, or any other travel document for outside the United States or any attempt to have my daughter's real name or any alias included on any Saudi Arabian passport page or any travel document held in the name of any Saudi citizen, including the current and any future passports or other travel documents of Mr. Abdulbaset A.M. Al-Omary and/or Wafa Al-Dugail, be reported to me immediately.

I request that any attempt(s) by my ex-husband or his agents to secure payment or reimbursement for travel costs to Saudi Arabia for my minor child, Machael Heidi Al-Omary, in her own legal name or any alias, be denied by the Saudi Embassy and/or

Consulate(s), including the Saudi Mission in Houston, and that such an attempt to procure payment for my daughter's travel outside the United States be reported to me immediately. Since any attempt(s) by my ex-husband or his agents to remove my child outside the state of Arkansas would constitute the crime of kidnapping, I request that you report any such attempts to the U.S. authorities. My ex-husband has sworn to and signed the documents included with this letter, and he understands the penalties for not abiding by our divorce and child custody agreements.

As the custodial parent of Machael Heidi Al-Omary, I desire that my minor child reside and remain in the United States in the State of Arkansas under my legal custody.

Copies of this letter are being forwarded to the Saudi Desk at the United States Department of State, the United States Passport Office, the FBI, my legal representative, my Congresswoman Blanche Lambert, the offices of ACRMM, One World: For Children, the Saudi Consulates in New York and Houston, Interpol, and various other authorities.

Thank you for your consideration in this matter.

Respectfully yours,

Margaret I. Keshawarz
Margaret I. Keshawarz

Lori Daniel
Lori Daniel, Notary Public
Poinsett County, Arkansas
My Commission Expires 5/26/2003

~~_____~~
 Jonesboro AR #2401
 7-30-96

Dear Mr. Ambassador;

I have previously sent registered mail to your Embassy requesting that no travel documents to Saudi Arabia or elsewhere be issued under the name of my daughter, Michael Heidi Al-Omary, who is a U.S. citizen by birth and who is in my sole custody. I further requested that she not be included on the Saudi travel documents of anyone else, whether her father's (Abdulbaset A. M. Al-Omary) or his two wives, Hafa Al-Dugail and Jayne Brussell Smith. My ex-husband, Mr. Al-Omary, who holds a U.S. green card, has threatened to kidnap the child in the past. I fully

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Mr. Al-Omary has reserved a seat for our child or a child who is not named on Saudia Airlines; I wish to be informed. He is finishing his studies in the U.S. and is due a free passage home to the Kingdom for him and his family.

Any documents showing my child to be someone else's child will be forged which are easily obtained by many of your country's students through an Ohio company. I will be glad to name names. In any case, the statistics regarding my daughter are as follows:

Name - Michael Heidi Al-Oma
 Mother's name - Margaret Keshawar
 Child's date of birth - 7-11-1960
 Social Security number - [REDACTED]
 U.S. Passport number - [REDACTED]

I may not be a wealthy person to take on the Saudi government, but I am a college professor, have a loud voice, and many friends in the media, including a certain "terrorism expert" some of your people are not so fond of. Even President Clinton is aware of my case, as are my FBI friends. The publicity I can generate will only damage Saudi credibility even more than it has already been damaged by your country's financial support of international terrorism.

My child is worth any cost, any risk. You may have seen any mother in the animal kingdom when her children are threatened. When any of my children (or anyone else's) are threatened, I am a lioness.

I realize that the Saudi Embassy and certain diplomats have immunity. I am sure you know that the Saudi Government itself is not immune from prosecution, nor are the employees of Saudia Airlines if they act as accessories to international kidnapping. My legal representatives stand ready to sue in Federal Court, possibly in a class action, for the return of all kidnapped American citizens in Saudi Arabia, if my child should be abducted, as well as substantial punitive damages.

Your country already has a tarnished image in the world community as far as human rights abuses are concerned. My country saved your country from being overrun by Saddam Hussein's army. (The) least you could do

is to ensure that grieving mothers are reunited with their heartbroken children, and ensure through your embassy that further abductions of American children do not occur.

You saved your monarchy, yet you continue to allow this anti-human, anti-Islamic, and illegal behavior by your countrymen, aiding and abetting them in laughing at U.S. court orders and custody decrees by issuing passports, laissez-passer documents, and other travel documents to these kidnapped children, such as Ali, stepson of Dr. Al-Masari.

Mr. Ambassador, it is time for Saudi Arabia to sign the Hague Convention on abducted children and thus begin to act like a responsible member of the (human) community and

not like some Third World, third-rate renegade nation. As long as your nation continues to thumb its collective nose at the United Nations' documents such as the Declaration of the Rights of the Child, your country is no better than Saddam's Iraq. Why are you ever members of the UN if you won't sign half its documents? You complain about human rights abuses against Muslims in Bosnia and elsewhere; well, I complain about abuses against American women and children in Saudi Arabia. Until you clean up your act, you have no right to complain about others' human rights abuses.

I am a mother of an innocent child and will go to any lengths within my ability to protect her.

I ask you to give this matter your personal attention, as I have had dealings with some of your personnel in the past.

Samir Al-Jawdat (Al-Omary) is a cabin steward for Saudia Airlines. He is also my ex-brother-in-law, and he would be one of the main conspirators in the potential kidnapping of my child.

Thank you for your time. I reiterate my request that you not assist my daughter's potential abductor, Margaret Keshawary (Al-Omary).

MACHAEL HEIDI AL-OMARY

Family Abduction

Abducted by
ABDULBASET AL-OMARY



MACHAEL HEIDI AL-OMARY



DOB: 04/06/68
 Sex: Male Race: White
 Height: 6'2" Weight: 240 lbs.
 Hair: Black Eyes: Brown

Id Info: Abductor has full beard and a mustache.

Circum.: Child was taken by non-custodial parent, Abdulbaset Al-Omary. May have taken child to Saudi Arabia. Felony Interference with Custody Warrant issued 08/18/97. Federal International Kidnapping and UFAP warrants have also been issued.

Missing: 08/14/97
Missing From: Jonesboro, AR
Birth: 07/11/92 Age Disap.: 5 yrs.
Sex: Female Race: White
Height: 3'0" Weight: 38 lbs.
Hair: Dark Brown Eyes: Brown

Id Info: Child speaks English and goes by her middle name, Heidi.

Circum.: Child was taken by non-custodial parent, Abdulbaset Al-Omary. Child and father may be in Saudi Arabia. Felony warrant for Interference with Custody issued 08/18/97. Federal Unlawful Flight to Avoid Prosecution and International Kidnapping warrants have also been issued.

ANYONE HAVING INFORMATION SHOULD CONTACT

Jonesboro Police Department
 (870) 935-5553
 or
 Arkansas Missing Children Services Program
 1-800-448-3014 (Arkansas only)
 or
 National Center for Missing and Exploited Child
 1-800-843-5678
 or
 Your local FBI office



Office of Attorney General
 WINSTON BRYANT
 323 Center Street, Suite 200
 Little Rock, AR 72201
 (501) 682-1323 or 1-800-448-3014

EXHIBIT
 15

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

UNITED STATES OF AMERICA
V.

ABDULBASIT A. AL-OMARY
(Last known address)
1217 W. Cherry St.
Jonesboro, Ar. 72401
(Name and Address of Defendant)

CRIMINAL COMPLAINT

CASE NUMBER: 97-M-5006

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 8/14/97 in Craighead county, in the Eastern District of Arkansas defendant(s) did, (Track Statutory Language of Offense): Unlawfully flee the State of Arkansas to avoid prosecution for the crime of Interference with Child Custody, a class D felony under the laws of the State of Arkansas, in violation of Title 18, United States Code, Section(s) 1073 and 1204. I further state that I am a(n) Special Agent of the FBI and that this complaint is based on the following facts:

On 8/18/97, Abdulbasit A. Al-Omary was charged in Craighead County Circuit Court, Jonesboro, Ar., with one count of Interference with Child Custody, a class D felony under Arkansas Code Annotated Statute 5-26-502. Per decree of Divorce dated 9/21/94, Machal Reidi Al-Omary, a girl born 7/11/92, is the daughter of Abdulbasit A. Al-Omary and Margaret Keshawarz, now McClain. It was agreed in this divorce decree that Margaret, the mother, was granted custody over the daughter subject to the father's right of reasonable visitation. On 8/10/97, Abdulbasit A. Al-Omary picked up the daughter for visitation. On 8/14/97, Margaret Keshawarz McClain received a telephone call from Al-Omary, in which he told her he was in Saudi Arabia with their daughter and was not going to return to the United States with her as long as Margaret McClain was hassling him over child support and visitation. On 8/19/97, Jayne Marie Brussel Al-Omary, present wife of Abdulbasit, advised me that she had received telephone calls from him on 8/14 & 18/97, when he told her he was in Saudi Arabia with his daughter and would not return her to the United States. Attempts to locate Al-Omary at his home and at other logical places in the area by law enforcement agencies have been unsuccessful. Based on this, there is probable cause to believe that Abdulbasit A. Al-Omary removed and is retaining a child outside of the United States with the intent to obstruct the lawful exercise of parental rights by Margaret McClain, the mother, in violation of Title 18, USC, Sections 1073 and 1204.

Continued on the attached sheet and made a part hereof: Yes No

Roy D. Christopher
Signature of Complainant:
Roy D. Christopher
Special Agent, FBI

Sworn to before me and subscribed in my presence,

Date Aug. 20, 1997 at Jonesboro, Ar.
City and State

Bill Penix
Signature of Judicial Officer
Bill Penix, U.S. Magistrate Judge
Name & Title of Judicial Officer



Memorandum

To: Margaret Scobey, Chargé d' Affaires
From: Marc L. Desjardins, Consul General, Dhahran
Info: Kenneth F. Sackett, Counselor for Consular Affairs
Richard L. Baltimore III, Consul General, Jeddah
Date: 02/12/02
Re: Sponsorship in Custody Visitation Cases

We recently have received feelers from the Eastern Province Emirate concerning Consulate sponsorship of a parent to visit her child in a child-taking case. Machael Heidi Al-Omary was taken by her father, Abdulbaset Al-Omary, a Saudi national, from her American mother in the United States when she was five years old. The mother, Margaret McClain, has not seen Heidi in over four years and wishes to visit.

Al-Omary has allowed us to visit Machael but adamantly refuses to allow the mother to visit. We have gone to the Vice-Emir's office and requested their assistance in arranging a visit for Ms. McClain. The Emirate is sympathetic, and they have attempted to persuade Al-Omary to allow the visit. So far they have been unsuccessful.

They now have asked us if the Consulate would be willing to sponsor Ms. McClain. In the past, our stock answer to such questions has been that we do not sponsor Americans for non-USG related visits. If, however, the Emirate makes our sponsorship a condition to arrange a visit, then we believe that the Mission should review the pros and cons of what has been a long-stated mission policy.

Possible Negative Outcomes of Sponsorship:

1) Sponsorship carries responsibility for the person sponsored: i.e., debts, hospitalization, non-observance of Saudi law, etc. Should the sponsored individual have problems in these areas, the USG would have to assume responsibility. What if the person refuses to leave after one visit to the child? What if he/she refuses to pay a hotel bill, does not have a return ticket home,



February 12, 2002

or is seriously injured in an automobile accident? What if the person is arrested for violations of the law? Our responsibility would go beyond normal consular ones to those assumed by employers.

2) Modifying our non-sponsorship rule would inevitably open the door for increasing numbers of left-behind parents to ask for sponsorship. We would have to create defensible criteria on how to handle such requests. We have generally taken the view that visits were part of a civil situation that was the responsibility of parents to work out, not the USG. We might find that we would be called upon to become much more involved than we should be in many cases, asking favors from the SAG when parents themselves were perfectly capable of resolving differences, given some time.

3) Simply obtaining entry for a left-behind parent may be easier than actually arranging a satisfactory visit to the child. In any case, SAG intervention to make the visit itself happen would be required since our sponsorship would be a result of refusal of the resident parent to sponsor. As has happened in the past, the visiting parent could be left feeling more estranged and betrayed after the visit. In a worst case scenario, the visit might be a public relations disaster if it falls short of the visiting parent's expectations.

Reasons to Sponsor:

1) We would be encouraging family reunification, a worthy result, highly desired by Congress and the Department. The left-behind parent would have established contact with the child, however brief.

2) A successful visit might lead to a better relationship between the parents. Hopefully, this would lead to better communication between them and lead to future visits by the left-behind parent without USG assistance.

3) The Mission would avoid being placed in the position of "blocking" a visit through refusal to sponsor. If SAG officials guarantee access to the child after the arrival of the left-behind parent, it would be difficult to defend, essentially on financial grounds, our unwillingness to sponsor.

4) It might decrease the number of controversial public cases.

Here in Dhahran we do not believe that there is an easy answer to the question about sponsorship. We feel that if there is a decision within the Mission to contemplate the possibility of undertaking sponsorship in some

February 12, 2002

carefully defined cases, we should only do so with Department approval. At a minimum, CA, NEA and L would need to concur with any change due to the fiduciary and policy issues that would be involved. This issue hits at the core of how much should the USG be doing in these parent/child separation cases. Clearly the trend in recent years is for the Department to do more, the question is whether sponsorship is one of the tools that we should employ.

Draft: Cons:A.O'Barr



CONSULATE GENERAL OF THE
UNITED STATES OF AMERICA

Dhahran, Saudi Arabia

القنصلية العامة للولايات المتحدة الأمريكية
الطهران - المملكة العربية السعودية

Note Number: 02/21

The Consulate General of the United States of America presents its highest compliments to the Emirate of the Eastern Province of the Kingdom of Saudi Arabia and has the honor to seek its assistance in arranging a Saudi visit visa for American citizen Margaret Keshawarz and her son Donny Keshawarz.

Mrs. Keshawarz would like to visit her nine year old daughter, Macheal Abdulbaset Al-Omary, who lives with her Saudi father, Abdulbaset Ahmed Al-Omary.

Enclosed is a no objection letter signed to this effect by Mr. Al-Omary. Mr. Al-Omary is an employee of Saudi Aramco and can be reached at Aramco Airport, Civil Aviation Department, or by his mobile phone # 05-4914328 or office # 877-4975

The Consulate General avails itself of this opportunity to renew to the Emirate the assurances of its highest consideration and appreciation.

(Ann G. O'Barr - Brecklove)

Ann G. O'Barr-Brecklove

Consul

Dhahran, May 7, 2002

Corr: Saffar 24, 1423H

رقم المذكرة : ٢١/٠٢

تهدي القنصلية العامة للولايات المتحدة الأمريكية في الظهران، المملكة العربية السعودية، أطيب تمنياتها إلى مقام إمارة المنطقة الشرقية بالمملكة العربية السعودية. وتتشرف بطلب مساعدتها في ترتيب إصدار تأشيرة زيارة للسيدة/ مارجريت كشاوارز وإبنها السيد/ داني كشاوارز إلى المملكة العربية السعودية.

وترغب السيدة/ كشاوارز بزيارة بناتها مشاعل عبدالباسط العمري والبالغة من العمر ٩ سنوات، والمقيمة مع والدها السعودي السيد/ عبدالباسط احمد العمري. وتجدون مرفقا صورة خطلب لا مانع بهذا الخصوص موقع من قبل السيد/ العمري. ويمكن الاتصال بالسيد/العمري بواسطة عمله إدارة ملاحه الطيران المدني في مطار ارمكو هاتفه رقم ٨٧٧٤٩٧٥ او بالجوال رقم ٤٣٢٨-٥٤٩٦.

وتنتهز القنصلية العامة الأمريكية هذه الفرصة لتجدد لمقام سموكم التكرم أطيب تحياتها وفائق تقديرها.

أن جي اوبار بريدلوف

قنصل

الطهران: في ٢٤ صفر ١٤٢٣هـ

الموافق ٧ مايو ٢٠٠٢م





COMMUNICATION

Case Name: AL-OMARY, MACHAEL HEIDI (OCS20003331706)
Communication Type: Email
Direction: Outgoing
Date: 12-Jun-2001
Country: Saudi Arabia
Subject: U.S. CONSULATE DHAHRAN - File Contact
Entered By User: Elvikis, Ruta D. - Consular Affairs/ Office Of Citizen Services

Abstract: Briefed Post On Embassy Reply

Remarks: Thanks, Ann. I gave the numbers to the Saudi Embassy. It seems that the Consul wanted them to speak with Mr. Al-Omary about a visit by Ms. McClain, in essence getting a statement of no objection. I noted to the Consular assistant that Mr. Al-Omary may be reluctant to permit a visit, but we were looking at different options, such as having the meeting take place on neutral territory, to reassure him. We certainly wanted to do what we could to facilitate this. The Consular assistant noted that the Embassy also wanted to do all it could to make this visit happen. The assistant promised to keep in touch with me so we can work together toward that end. Maybe between all of us we can actually make something happen?

Last quick question for you. Ms. McClain also asked if I could give her ex-husband's number to her. As he is not a U.S. citizen, privacy act does not apply. However, CI policy has been to protect address and phone information in cases where we, confirmed by our legal staff, believe there is call to protect that information, such as in cases of possible reabduction, domestic violence, harassment. I can't see that any of those factors apply, but I do wonder if, given Mr. Al-Omary's reluctance to talk to us in the first place, would it break that to trust were we to release the number to her? What do you think? I'll keep you informed on this end.

Ruta



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Beth A Payne 08/06/2002 01:34:50 PM From DB/inbox Search Results

Cable Text:

07F6191

ACTION OCS-03

INFO	LOG-00	NP-00	AMAD-00	CA-01	UTED-00	TEDE-00	NEA-00
DCP-01	IRM-00	TEST-00	VO-03	NFAT-00	SAS-00	/008W	
-----C9319D 1015002 /38							

R 10:450Z JUL 02
 FM AMEMBASSY RIYADH
 TO SECSTATE WASHDC 2411
 INFO AMCONSUL JEDDAH

UNCLAS RIYADH 004400

AMCONSUL DRRHRAN SENDS

STATE FOR CA/OCS/CI: BARBARA GREIG FOR BETH PAYNE

E.O. 12958: N/A

TAGS: KOCI, CASC, SA (MICHAEL HEIDI AL-OMARY, AKA
 MICHAEL ABDULBASET AL-OMARY)
 SUBJECT: MARGARET MCCLAIN FINALLY SEES DAUGHTER

REF: A) RIYADH 348 and previous B) Payne-O'Barr e-
 mails

- Summary: Margaret McClain and her adult son, Donnie Keshawarz, arrived in Dhahran on July 3, 2002 to visit McClain's daughter, Heidi. At that time, we learned that Heidi's father, Abdulbasel Al-Omary, had taken Heidi to Riyadh to a relative's house, claiming a family emergency. Consulate drove McClain and Keshawarz to Riyadh, where she finally was able to visit Heidi. Heidi, now nine years old, had not seen her mother since August 1997. End Summary.
- Consul and SCSFSN met Margaret McClain and her adult son, Donnie Keshawarz, at the Bahrain airport the evening of July 3, 2002. We experienced no problem driving them over the border to Saudi Arabia. After taking them to a hotel for the night, SCSFSN called Al-Omary on his cell phone to arrange for meetings over the weekend, as previously agreed. Al-Omary then dropped a bombshell by saying that he was now in Riyadh. An uncle, he said, was in intensive care, and it had been necessary to go to Riyadh. (Comment: this is the third time Al-Omary has pleaded a family emergency when Heidi was to be visited. The other two times concerned visits by Consul.) Al-Omary said that Heidi was with him and that tickets would be at the airport for McClain and Keshawarz to travel to Riyadh.

- When Consul contacted McClain at the hotel, she

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said she did not want to put herself and her son at the mercy of Al-Omary and his family. We arranged a driver and car to take the two to Riyadh early on July 4, arriving in the early afternoon. SCSFSN accompanied them.

4. After the group had checked into a Holiday Inn, SCSFSN contacted Al-Omary, who said he would come in his car and take them to see Heidi. Later that day he came with two other men, one a brother and the other either a relative or friend. (Comment: Al-Omary's modus operandi is to bring two to four relatives/friends with him when a visit to Heidi is planned.) After a short, non-confrontational "get-acquainted" meeting, the brother drove McClain, her son, Al-Omary, SCSFSN, and the other man to a huge villa, apparently for the extended Al-Omary family, in a posh Riyadh suburb.

5. They were led into the family room. The brother said that this room is the center of the family's activities. It included a TV and a computer for accessing the internet. Al-Omary went upstairs to fetch Heidi. It was evident that Heidi did not want to come at first, as the group could hear her protests from below. She finally came down with her father, dressed in western slacks and shirt. Once down, she hid behind her father for a while and even covered her face with his gutra (headcovering) in an attempt to hide. Al-Omary continued to encourage her to talk to McClain and Keshawarz. McClain was understandably fearful that her visit would end without meaningful contact with her daughter.

6. Then Al-Omary began to play an impromptu game of indoor soccer with Heidi. SCSFSN and Keshawarz joined in. SCSFSN encouraged McClain to do the same. After a few tense moments, the ice was broken. Heidi and McClain began talking; before long, Heidi was telling her mom "knock-knock" jokes. The interaction between the two continued successfully for about three hours. McClain asked Heidi questions about events when Heidi was still in the U.S. and was delighted when Heidi remembered "everything." Heidi's English is excellent, and communication, once the two connected, was no problem. Later McClain commented on Heidi's intelligence and memory. The highlight of the visit for McClain came when Heidi hugged her mother and told her that she missed her. After being driven back to the hotel, McClain, Keshawarz, and SCSFSN celebrated with a dinner out.

7. The next day witnessed a time of confrontation between McClain and Al-Omary. Al-Omary had driven to the hotel, saying the family would be traveling

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that day and was in the car. (We are not sure whether they were traveling back to Dhahran or somewhere else.) Al-Omary apparently wished to discuss with McClain material on the internet charging him with kidnapping as well as the criminal charges themselves. At one point, McClain became visibly upset and walked away. Clearly, she did not want to talk to her ex-husband. SCSFSN encouraged her to return in order to see her daughter one more time. Finally, McClain was able to walk to the car and tell Heidi goodbye. She gave Heidi a present, after talking to her a few minutes. It appeared that her time with Heidi was beneficial, even if short and preceded by her emotional meeting with Al-Omary.

8. The next day, July 6, the Consulate car returned McClain and her son to the airport in Bahrain, accompanied by SCSFSN. Before they left, Consul was able to spend about an hour discussing the visit with the two. She asked McClain if the trip was worth it, given the emotional strain of meeting with her ex-husband. She replied unhesitatingly that it was, because of her time with Heidi. She said that she was afraid beforehand that she would not even be able to see Heidi, that her ex-husband might prevent a visit entirely. The visit, regardless of unpleasantness, was beyond her expectations.

9. Comment: Donnie Keshawarz was undoubtedly a stabilizing influence for his mother. He said his relationship with Al-Omary had always been satisfactory, and throughout the trip he frequently encouraged his mother to begin direct contact with her ex-husband for the sake of keeping in touch with Heidi. McClain was adamant that she would not talk to him and did not want to "give in" to him. Consul said that McClain had to make her own decision about contact with her ex-husband because she was the one who had been hurt. However, she suggested, McClain might want to differentiate between talking to him and "giving in." She then asked how McClain would feel about Donnie and his sister, Roxanne, developing contact with Al-Omary and with Heidi. McClain had no problems with their doing so. Consul suggested that the brother and sister maintain contact with Heidi and her father by e-mail.

10. Comment continued: Should this type of visit ever be proposed again, we believe an arranged visit in a government office might prevent the change of venue that came close to wrecking this one. Although it is easy to fault Al-Omary for his manipulation of events, we believe that he is only obsessed with the fear, irrational though it is, that we might snatch Heidi back and that is

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why he made certain that the visit was in Riyadh, safely under his control. Once he believed that Heidi was safe from snatching, he cooperated fully, even overriding Heidi's initial protests, to see that the visit took place. (Al-Omary appears to be an extremely lenient father, even by American standards.) He told McClain that he is not against her having a relationship with her child but that he wants to see that she is raised in a proper Muslim environment. He said that if he had wanted Heidi to break all connections with her mother, he would not have gone to the lengths he has to see that she is fluent in English. We believe that Al-Omary will not interfere with efforts by Heidi's brother and sister (and probably by McClain herself) to maintain a relationship. We recommend that they be encouraged to do so, through e-mail, letters, and any other means available. End Comment.
(APPROVED: O'BARR)
JORDAN

NNNN

End Cable Text

Beth A Payne 09/06/2002 01:34:50 PM From DB/Inbox Search Results

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4

Dept. of State, RPS/HPS, Margaret P. Grafeld, Dir.
Release () Excise () Deny () Declassfy
Date 4/19/99 Exemption:

150
R

IN THE COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
MEDINA COUNTY, OHIO

MAUREEN DABBAGH,

CASE NO:55983

Plaintiff

JUDGE: JUDITH A. CROSS

-vs-

JUDGMENT ENTRY

MOHAMAD HISHAM DABBAGH,

Defendant.

FILED
KATHY FORNEY
MEDINA COUNTY
CLERK OF COURTS
FEB 29 11:11 AM '92

This cause came before the Court on February 25, 1992 upon Plaintiff's Complaint filed December 4, 1991. This matter was referred to Referee Dorcas Russo for hearing on February 25, 1992 pursuant to Rules 75 and 53 of the Ohio Rules of Civil Procedure. Present were Plaintiff and Plaintiff's counsel, Defendant having been duly served by publication according to law. The Court hereby adopts the findings of fact and recommendations contained in the Referee's Report, filed February 26, 1992. Pursuant to Civil Rule 53(E)(5), the Court determines that there is no error of law or other defect on the face of the Referee's Report.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

Plaintiff is hereby awarded a divorce from Defendant on the grounds of extreme cruelty. The marriage contract

The custody order was filed and became effective Feb. 28, 1992

VOL 582 PAGE 608

EXHIBIT
21

existing between the parties is terminated and both parties are discharged from the obligations of the same.

2. Pursuant to O.R.C. 3109.04 (A)(1), Plaintiff is awarded custody and hereby designated the sole residential parent and legal custodian of the parties' minor child, Nadia Dabbagh.

3. Pursuant to O.R.C. 3109.05, all issues pertaining to Defendant's rights of visitation are held in abeyance. Plaintiff is hereby relieved of all statutory duties to provide notices of address.

4. Pursuant to O.R.C. 3109.05, all issues pertaining to Defendant's obligations of child support are held in abeyance.

5. Pursuant to O.R.C. 3105.171, relative to property division, each party shall retain any and all marital and separate property currently in their possession, free and clear of any claim by the other. Each party shall be responsible for all debt incurred in their own name, and shall hold the other harmless on any such debt.

6. Pursuant to O.R.C. 3105.18, neither party is granted spousal support.

7. Plaintiff is hereby returned to her maiden name, to wit: Maureen Richardson.

8. The restraining orders issued on December 4, 1991 by this Court shall be permanent, and are expressly incorporated herein by reference, including that Defendant be

restrained from removing the parties' minor child from Medina County, Ohio.

IT IS SO ORDERED, ADJUDGED AND DECREED, upon which execution may issue; and that all of the foregoing is the Order of this Court and its terms ordered into execution. Costs to Defendant.

2/28/92
DATE
JAMES NISHAN

P. Baird
JUDGE PHILLIP BAIRD
PRESIDING JUDGE

APPROVED:
Robert C. Wentz
Robert C. Wentz
Attorney for Plaintiff
February 28, 1992

International Crime Alert

Wanted by the U.S. Federal Bureau of Investigation

MOHAMAD HISHAM DABBAGH

Description: Mohamad Hisham Dabbagh is an Arab male born on November 18th, 1963, in Kuwait City, Kuwait. A citizen of Syria, he is one-meter fifty-seven centimeters tall and weighs sixty-five kilograms. He has black hair, brown eyes and a medium complexion. He wears glasses and has a "lazy" left eye. He also has a small scar over one of his eyes. Dabbagh speaks English and Arabic. He may be in Saudi Arabia, Syria, Kuwait, or elsewhere in the Middle East. Nadia Dabbagh was born in the United States on February 3rd, 1990. She has brown hair and black eyes. She has a medium complexion and a strawberry birthmark on her right forearm.



Case Details: On November 3rd, 1992, Mohamad Hisham Dabbagh picked up his two-year-old daughter, Nadia Dabbagh, for an extended visit. The child and her mother, Dabbagh's divorced wife, were living in Medina, Ohio. Dabbagh was permitted to take the child to Florida on the condition that she be returned to the mother's custody by December 1st. Dabbagh did not return the child to her mother. Instead, he abducted her to Saudi Arabia. He later took the child to Syria, where he left her with members of the Muslim Brotherhood. U.S. authorities issued warrants for Dabbagh's arrest for child abduction. Dabbagh is also wanted by Syrian authorities on charges of kidnapping and other offenses. Syrian authorities have issued an order granting custody of the child to her mother.



Nadia Dabbagh before her abduction (l), and age-enhanced photo

If you have information concerning Mohamad Hisham Dabbagh, or the eight-year-old abducted child, Nadia Dabbagh, you should contact the nearest U.S. embassy or consulate. Or call the National Center for Missing and Exploited Children at 1-703-235-3900. The U.S. guarantees that the identities of all informants will be kept confidential.



CP 17 Rev. 9/82 WARRANT FOR ARREST

United States District Court UNITED STATES OF AMERICA v. MOHAMAD HISHAM DABBAGH, Defendant.		DISTRICT SOUTHERN DISTRICT OF FLORIDA	
WARRANT ISSUED ON THE BASIS OF: <input type="checkbox"/> Indictment <input type="checkbox"/> Information <input checked="" type="checkbox"/> Complaint		DOCKET NO.	MAGISTRATE CASE NO. 94-5190-AEV
TO: U.S. Marshal or any other authorized Federal Agent		NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED Mohamad Hisham Dabbagh Badria, Syria	
		DISTRICT OF ARREST CITY	
YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the nearest available magistrate to answer to the charge(s) listed below.			
DESCRIPTION OF CHARGES International Parental Kidnapping.			
IN VIOLATION OF	UNITED STATES CODE TITLE 18	SECTION 1204	
ALLIED BY COURT <i>None - detain</i>	OTHER CONDITIONS OF RELEASE <i>Not to be released</i>		
REPORT BY ANN J. VITHINAC UNITED STATES MAGISTRATE JUDGE CLERK OF COURT	SIGNATURE (JUDGE U.S. MAGISTRATE) <i>[Signature]</i> (BY) DEPUTY CLERK	DATE 16 Nov 1994 DATE ISSUED	
RETURN			
This warrant was received and executed with the arrest of the above-named person.			
RECEIVED BY	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER	
RECEIVED			

Re: Six as Judge or Judge of a State Court of Record

EXHIBIT
23

106TH CONGRESS
2D SESSION

S. RES. 239

Expressing the sense of the Senate that Nadia Dabbagh, who was abducted from the United States, should be returned home to her mother, Ms. Maureen Dabbagh.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 1999

Mr. ROBB (for himself and Mr. DEWINE) submitted the following resolution; which was referred to the Committee on Foreign Relations

JUNE 28, 2000

Reported by Mr. HELMS, without amendment

JULY 19, 2000

Considered and agreed to

RESOLUTION

Expressing the sense of the Senate that Nadia Dabbagh, who was abducted from the United States, should be returned home to her mother, Ms. Maureen Dabbagh.

Whereas Mr. Mohamad Hisham Dabbagh and Mrs. Maureen Dabbagh had a daughter, Nadia Dabbagh, in 1990;

Whereas Maureen Dabbagh and Mohamad Hisham Dabbagh were divorced in February 1992;

Whereas in 1993, Nadia was abducted by her father;

Whereas Mohamad Hisham fled the United States with Nadia;



Whereas the Governments of Syria and the United States have granted child custody to Maureen Dabbagh and both have issued arrest warrants for Mohamad Dabbagh;

Whereas Mohamad Dabbagh originally escaped to Saudi Arabia;

Whereas the Department of State believed that Nadia was residing in Syria until late 1998;

Whereas the Senate passed S. Res. 293 for Nadia Dabbagh on October 21, 1998, asking Syria to aid in the return of Nadia to her mother in the United States;

Whereas in 1999, Syria invited Maureen Dabbagh to Syria to meet with her daughter;

Whereas the Department of State believes that in 1999 Nadia was moved to Saudi Arabia and is residing with Mohamad Dabbagh;

Whereas although Nadia is in Saudi Arabia, neither she nor Mohamad Dabbagh are Saudi Arabian citizens;

Whereas Maureen Dabbagh, with the assistance of missing children organizations, has been unable to reunite with her daughter;

Whereas the Department of State, the Federal Bureau of Investigation, and Interpol have been unsuccessful in their attempts to bring Nadia back to the United States;

Whereas Maureen Dabbagh has not seen her daughter in more than six years; and

Whereas it will take the continued effort and pressure on the part of the Saudi Arabian officials to bring this case to a successful conclusion: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that the
2 Governments of the United States and Saudi Arabia im-
3 mediately locate Nadia and deliver her safely to her moth-
4 er.

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Bill 2 of 2

There is 1 other version of this bill.

GPO's PDF version of this bill	References to this bill in the Congressional Record	Link to the Bill Summary & Status file.	Full Display - 2,189 bytes. [Help]
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Expressing the sense of the Senate that Nadia Dabbagh should be returned home to her mother, Ms. Maureen Dabbagh. (Agreed to by Senate)

SRES 293 ATS

105th CONGRESS

2d Session

S. RES. 293

Expressing the sense of the Senate that Nadia Dabbagh should be returned home to her mother, Ms. Maureen Dabbagh .

IN THE SENATE OF THE UNITED STATES**October 8 (legislative day, OCTOBER 2), 1998**

Mr. ROBB (for himself, Mr. GRAHAM, Mr. WARNER, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Foreign Relations

October 21 (legislative day, OCTOBER 2), 1998

Committee discharged; considered and agreed to

RESOLUTION

Expressing the sense of the Senate that Nadia Dabbagh should be returned home to her mother, Ms. Maureen Dabbagh .

Whereas Mr. Mohamad Hisham Dabbagh and Mrs. Maureen Dabbagh had a daughter, Nadia Dabbagh , in 1990;

Whereas Maureen Dabbagh and Mohamad Hisham Dabbagh were divorced in February 1992;

<http://thomas.loc.gov/cgi-bin/query/D?c105:2:./temp/~c105ftTror::>



Whereas in 1993, Nadia was abducted by her father;

Whereas Mohamad Dabbagh later fled the country with Nadia;

Whereas the governments of Syria and the United States have granted child custody to Maureen Dabbagh and both have issued arrest warrants for Mohamad Dabbagh ;

Whereas Mohamad Dabbagh has escaped to Saudi Arabia;

Whereas the United States Department of State believes Nadia now resides in Syria;

Whereas Maureen Dabbagh , with the assistance of missing children organizations, has been unable to reunite with her daughter;

Whereas the Department of State, the Federal Bureau of Investigation and Interpol have been unsuccessful in their attempts to bring Nadia back to the United States;

Whereas Maureen Dabbagh has not seen her daughter in over five years; and

Whereas it will take the continued effort and pressure on the part of Syrian officials to bring this case to a successful conclusion: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Governments of the United States and Syria immediately locate Nadia and deliver her safely to her mother.

<i>THIS SEARCH</i>	<i>THIS DOCUMENT</i>	<i>GO TO</i>
Next Hit	Forward	New Bills Search
Prev Hit	Back	HomePage
Hit List	Best Sections	Help
	Doc Contents	

U.S. EMB. CONSULAR

Riyadh, January 20th 2002

Mr. Charles Glatz
 First Secretary and Consul
 Embassy of the United States of America
 Riyadh, Saudi Arabia

Dear Mr. Glatz,

In reference to your visit that you have made to my parents house on Tuesday January 15th, 2002 to see my children. I wish to reconfirm my position that (the father of my children) Michael E. Rives may come to Riyadh and see our children any time he wishes in the near future.

I like to reiterate my willingness to allow our children the opportunity to spend time with both their parents; I have no intention what so ever to deprive my children from their father. Mr. Rives may therefore come to Riyadh in order to see his children at his earliest convenience. The visit's logistics and details can be worked out between us.

Despite the fact that Mr. Rives and I have serious differences, the well being of our children remains my first priority and most important concern, I shall always endeavor to do what ever is deemed appropriate and judged necessary to accomplish this high priority.

Kindly make the US State Department and Michael Rives aware of this letter and its content.

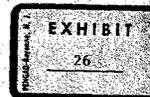
I take this opportunity to thank you for your kind visit and your concern.

Please feel free to contact me any time if you have any questions.

Sincerely,

Roua F. Al-Adel

Roua Fouad Al-Adel



Jan. 20 2002 12:41PM PT

FORM NO. : 289-353

FORM : 04-21 R-4478

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Beth A Payne 09/16/2002 09:02:13 AM From DBInbox: Beth A Payne

Cable Text:

UTE6620

ACTION OCS-03

INFO	LOG-00	CA-01	UTED-00	TEDE-00	L-00	NSAE-00	PER-00
	TEST-00	VO-03	NFAT-00	SAS-00	/007W		
					E7B1D9	160806Z	/38

R 160558Z SEP 02
 FM AMEMBASSY RIYADH
 TO SECSTATE WASHDC 4233
 AMEMBASSY PARIS
 INFO AMCONSUL JEDDAH
 UNCLAS RIYADH 006109

FOR CA/OCS/CI - BETH PAYNE - AND CA/VO/L/A - BARBARA
 PREVITI

E.O. 12958: N/A

TAGS: KOCI, CASC, CVIS, SA (RIVES, LILY) (RIVES, SAMI)
 SUBJECT: WELFARE/WHEREABOUTS VISIT; INA 10(C)
 INELIGIBILITY OF RETAINING PARENT'S IMMEDIATE FAMILY -
 LILY AND SAMI RIVES

REF: (A) STATE 162433 (notal)
 (B) STATE 155005 (notal)
 (C) STATE 148149 (notal)

1. Summary. Embassy Riyadh ACS staffers conducted a welfare/whereabouts visit with Lily Michelle Rives and Sami Michael Rives on September 10, 2002 in Riyadh, Saudi Arabia. The children were well and appeared to be well cared for. Emboffs were able to fulfill a number of requests from the left-behind-parent (LBP), Mr. Michael Rives. ACS conoff discussed INA Section 212(a)(10)(C) - international child abduction - with the children's mother, Roua Al Adel. Conoff delivered letters warning of 212(a)(10)(C) ineligibility for Al Adel's father and mother. Al Adel, however, refused to accept identical letters for her siblings. During a September 15, 2002 meeting with the Saudi Foreign Ministry Director of Consular Affairs concerning child custody, Consul General raised the Rives case. The Director agreed to look into the case. Summary.

Welfare/Whereabouts

2. On September 10, 2002, Embassy Riyadh ACS officer and Special Consular Services (SCS) FSN consular assistant conducted a welfare/whereabouts visit with Amcit children Lily Michelle Rives (DPOB: 8 Oct 1997, Saudi Arabia) and Sami Michael Rives (DPOB: 22 July 1999, Saudi Arabia). The visit took place at the home of Dr. Fouad Al Adel, the father of the abducting parent and the children's maternal grandfather, and lasted about an hour and a half. In attendance were

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the children's mother, Roua Fouad Al Adel; the maternal grandparents, Dr. Al Adel and his wife, Einayat Fadwa; and a young man in his twenties, Omar Ahmed, who described himself as Roua Al Adel's nephew. The maternal grandmother came and went throughout the meeting. The maternal grandfather was present the whole time, but dozed periodically. Lily and Sami were present for the first half an hour, then were about the house playing. They returned for the final fifteen minutes to say good-bye, while racing around a small interior fountain on plastic tricycles.

3. The visit was arranged without problems and was conducted in a cooperative manner by Al Adel and her family. Al Adel and the children had been on vacation in Syria for about one month, until the beginning of September, so the visit did not take place earlier. Al Adel declined to tell consular staffers where she and the children had been in Syria.

4. Per ref C, the LBP requested a street address for the house of the maternal grandfather, Dr. Al Adel. There are no street addresses in Riyadh per se because there are neither street signs (except for the major boulevards) nor house numbers. Thus, post can only provide directions how to get to the Al Adel home, located in the Salahudin district. From the Diplomatic Quarter, where the Embassy is located, one drives east on Prince Abdullah Road (also known as Sheraton Road), which runs along the southern border of King Saud University. Proceeding eastward on Prince Abdullah Road, one crosses King Fahad Expressway and arrives at the intersection of Prince Abdullah Road and King Abdulaziz Road. Prince Abdullah Road runs east-west and King Abdulaziz runs north-south. At their intersection, on the northwest corner is the Sahara Mall, a major shopping center. After crossing King Abdulaziz Road eastbound, one immediately takes the service road to the right. One passes a large furniture store and a gasoline station. One turns into the first right street after the gasoline station. One then takes the third street on the left. The Al Adel home is the second house on the right, with an ornate wooden door in the outer wall.

5. As during our visit in January, the Lily and Sami appeared to be healthy, in good humor, and well cared for. Both had good color and moved agilely about the large living and dining areas. Lily has her hair cut short around her face. She wore a red combo with a long sleeve topper and long pants. Sami had a plastic action figure in his one hand and wore blue shorts, a yellow, blue, and white topper, and athletic shoes with white socks. Al Adel commented that Sami is quite taken now with action figures and plays with them frequently. For her part, Lily likes Barbie and plays with Barbie dolls. Both children were shy with

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consular staffers and did not respond to conoff's questions. On the previous day, Lilly had been to the doctor for a preschool physical so that she can attend kindergarten. She received two vaccinations and thus was restless at night. Al Adel said that both children enjoy good health and have had no major illnesses. She volunteered that she is thinking that she may send Sami to daycare for half a day so that he becomes accustomed to being with other children and to the routine of school. Al Adel introduced consular staffers to an older, short, white-haired woman, apparently Syrian, who Al Adel said had been her nanny and is now helping her with Lily and Sami. In addition, there was at least one Indonesian household maid in evidence.

6. Al Adel said that the children spend much time playing with their friends, whom she described as the children of her relatives and friends. Sometimes the friends come to visit; at other times Al Adel, Lily, and Sami visit them. Al Adel said that Lily and Sami are close to each other and play and fight together. She said that Lily is very protective of Sami and becomes very concerned if her brother is crying. Al Adel reported that the children bathe either in the mornings or in the evenings, as convenient. Al Adel said that because school has not yet started, the children normally sleep late and are up late into the evening. They breakfast on eggs, cheese, juice, milk, and bread. For a mid-morning snack, she gives them fruit. In the mornings, Lily and Sami see some programs on Cartoon Network, which the house receives by cable. Al Adel commented that she does not approve of all the programming on that station and turns off violent programs. The children especially like Barney and Superman. Lunch is chicken or other meat with rice and vegetables. The children like noodles very much. They eat hamburgers also but Al Adel said the family prepares these at home themselves. The children drink milk or juice with lunch and have ice cream or chocolate as a dessert. Al Adel commented that ice cream is a real favorite and she uses it as a positive incentive. During the day, Al Adel said she spends time playing with the children. She is teaching them songs, counting, and writing in English and Arabic. The children swim in the large or small pools at their grandfather's house and they also spend time outside in a play area there that has a playhouse and slides. Al Adel said that she is out with the children once or twice a week to a shopping mall. There they play in the play area or stop for some fast food. She mentioned chicken nuggets are a favorite food. Al Adel said that the children currently share a room, but have separate beds. She said she often ends the day by telling the children stories. She added that, given their ages, Lily and Sami frequently end up in her bed with her. Al Adel added that she was thinking of separating them into different bedrooms "soon", especially as Lily will start school this year. She

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concluded by saying that the children are healthier physically and emotionally in Saudi Arabia than in the U.S. This is because, in her opinion, the children do not witness Al Adel and the LBP arguing and they do not feel threatened by the LBP's adult son, who lived with them in Texas.

7. Concerning language, Al Adel said that normally she and the household use Arabic with the children. She alleged that even in the U.S. the LBP traveled frequently for work so he was not present to speak to the children in English. Al Adel said that while she was in the U.S., a medical doctor advised her to be consistent in using language with the children, so that they would sort out English and Arabic. Thus, she began to speak to them exclusively in Arabic and has tried to keep this up. She said that Lily understands English well, but only speaks it "somewhat". Al Adel said that the school where Lily will go has English as a second language and her English teacher will be American. Al Adel noted that Sami is only three years old, so his language skills are still under development. Al Adel contended Sami cannot be expected to be fluent in English or Arabic. (At no time during the visit, even when he attempted to engage them directly, did conoff have an exchange with either child in English.)

8. Al Adel said the LBP is in regular contact with Lily and Sami by telephone. She said that the LBP called last in late July to advise her of the final Texas

divorce and he spoke with the children at that time. (She alleged that the LBP parent tried to call the children in Riyadh when they were in Syria. When he did not find them at home in Riyadh, Al Adel alleged that the LBP parent repeatedly called her siblings asking where the children were. She added that she finds the LBP's behavior overly demanding because he calls at irregular hours and wants the children be available for him immediately or at a set time the following day.) Al Adel said that she tapes the telephone conversations to show that the LBP has contact with the children and that she is facilitating this contact. She said that during the calls, she translates as necessary. Al Adel played part of a tape. Consular staffers could hear a male, presumably the LBP, having a conversation with a little girl, presumably Lily. The male is asking questions and the little girl is answering. The conversation is somewhat disjointed as if the little girl does not always understand the male's questions. At times, she seems to answer in non sequiturs, using whatever English she can remember. At times, the little girl can be heard saying "I have a new Barbie"; "I miss you"; "I love you"; "I went to Safeway"; "I got ice cream"; and "Sami has a new car". The little girl also sings on the

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tape. (Al Adel provided consular staffers with a copy of this taped conversation. Post has the tape in its case file and made a copy for the House Committee on Government Reform's request for the Rives file.) Al Adel alleged that she and the children had called the LBP's mother in the U.S. for Mother's Day.

9. Per ref C, Al Adel said that she is not familiar with telephone number 464-6411. The telephone number that post uses to contact her at her father's home is 454-6211 (preceded by 966-1 when dialed from overseas). Al Adel said that she believes that the LBP has the 454-6211 number as he uses this number when he calls.

10. Per ref C, Al Adel refused to provide any pictures of the children. She said that approximately two months ago she sent the LBP digital pictures via e-mail. She said that she is willing to continue to send the LBP pictures by e-mail. However, Al Adel commented with some irritation that the LBP should not claim that he is in need of photos because she is not sending him any.

Legal Matters

11. Al Adel commented that she has been quite busy with legal matters, but that she hoped to find employment some time soon if time permits. She said that prior to her marriage to the LBP, she was working and that she is looking forward to doing so again. She said that she had spent USD 13,000 on legal fees for her U.S. attorneys and has financial need to resume working. Al Adel said that she has dismissed Motasem A. Khashoggi as her Saudi attorney and instead has engaged a new one, El-Sayaf Al Suwailm (cell phone 966-5-427-7365). Al Adel was harshly critical of the Texas family court system, the Texas divorce settlement, and her Texas legal counsel. She said that the final legal advice from her attorney in Texas was that she should stay in Saudi Arabia and not consider bringing the children back to the U.S. Al Adel said that she agreed with this counsel because the divorce settlement is so much in the LBP's favor that she has no incentive to cooperate. She rhetorically questioned how the judge could award the LBP damages, child support, and legal costs when the LBP had taken her premarital assets, commingled them with his into joint accounts, and now refused to return her assets to her. She also alleged that the LBP had told the judge that he could only have a chance at seeing the children if he was awarded custody. Al Adel disputed this, providing consular staffers a copy of a May 28, 2002 fax from Salah Al Hejailan Law Firm to the Saudi Consulate General in Houston, sponsoring the LBP to visit Saudi Arabia. Al Adel concluded by announcing that she is counter-suing the LBP in Saudi court. She will ask for confirmation of the divorce, child support, and payment of a SR 100,000 (USD 26,667) deferred dowry she said he owes her. She said she will also charge him with crimes

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against Islam: apostasy and baptizing Lily and Sami in a Christian church. The initial hearing is scheduled for October 26, Al Adel advised.

 INA Section 212(a)(10)(C) Visa Ineligibility

 12. Conoff read to Al Adel the talking points provided in ref B, para. 5 re INA Section 212(a)(10)(C) visa ineligibility. He explained to her about the letters from the Department to her parents and siblings, signed by the Ambassador, warning of this ineligibility. Al Adel accepted the letters for her parents, but refused to accept them for her siblings, Iba, Fida, and Ina. She told conoff that if she did so, she feared it might be legal acknowledgement of this visa ineligibility. She said that she will provide post with addresses so that post can transmit the letters directly to her brothers and sister. Al Adel commented that her brothers very much had opposed her marriage to the LBP and now it was ironic that they would be affected by her mistake. She commented that she found this section of the INA most unfair because her parents and siblings had not been involved in her decision to marry.

Saudi Passports

13. Regarding Lily and Sami's U.S. passports, Al Adel referred conoff to her Saudi attorney. In response to conoff's request, she refused to provide conoff or the LBP with the numbers and copies of the children's Saudi passports. She again referred conoff to her Saudi attorney. Regarding the children's citizenship, Al Adel at first said that the children were not Saudi, but that Saudi authorities have extended to them the use of Saudi passports. She added that she had sought this because she needed to regularize the children's status in Saudi Arabia as it appears that they will be residing in the Kingdom. Subsequently, she backed off further discussion of passports and the children's relationship to Saudi Arabia, referring conoff again to her Saudi attorney.

14. Post will follow up with Al Adel's attorney concerning the Saudi passports and citizenship. To date, the SAG has not responded to post's June 25, 2002 diplomatic note no. 1036 (Department - please note corrected diplomatic note number), asking that the children's U.S. passports be returned to the Embassy or for a clarification of the basis for SAG issuance of Saudi passports to Lily and Sami. We will also be in touch with Al Adel for contact information to pass the INA Section 212(a)(10)(C) letters to Al Adel's siblings.

15. Embassy Paris - One of Al Adel's siblings, Fida Fouad Al Adel, is the Saudi PermRep to UNESCO and resides in Paris. Embassy Riyadh possibly will request

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Embassy Paris assistance in delivering the INA Section 212(a)(10)(C) ineligibility warning letter to him. Per ref B, Department has placed Al Adel's parents and siblings in CLASS as F10C.

Consul General Meeting with MFA Consular Affairs Head

16. On September 15, 2002, Embassy Riyadh Consul General met with Ambassador Ibrahim O. Al Kharashi, the MFA Director of Consular Affairs on various child custody issues (see septel). Regarding the Rives case, Al Kharashi said that he was unfamiliar with the case. He was equally unfamiliar with post's diplomatic note 1036 in which we requested the return of Lily and Sami's American passports to the Embassy and clarification as to how the SAG could provide Saudi passports to them. Al Kharashi agreed to back in contact with the Consul General after he has research these matters.
Scobey

NNNN

End Cable Text

Beth A Payne 09/16/2002 08:02:13 AM From DB/Inbox: Beth A Payne

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Memorandum of Conversation

From: Margaret Higgins, Acting Consul General, Embassy
London

Date: August 31, 2002

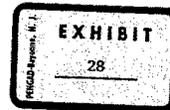
On Saturday, August 31, 2002, beginning at approximately 9:15 p.m. local time I had a meeting with Alia and Aisha Geshayan at the Langham Hilton Hotel in London.

When I arrived at the hotel, I was greeted by Sami (was unable to get his surname), who is the spouse of Alia Geshayan, and Abdul Aziz, who is the spouse of Aisha Geshayan. Also present for most of the interview was Alia and Sami's 4-month old daughter Basma.

Sami speaks a tiny bit of English; Abdul's English is quite good, and he made the introduction of Alia and Aisha, who were both covered head to toe in traditional conservative robes. He and Sami then left, after letting me know that if I needed anything I should come get them. Once their spouses left the room, Alia and Aisha took off their black outer robes and we all gathered around the phone. I was alone with Alia and Aisha for a bit longer than an hour.

At this point the State Department's Operations Center was contacted in order to connect us by phone to Nina Behrens who was going to act as translator for our meeting. The connection was made. The phone in the hotel room was a speaker phone, which facilitated the conversation. There was one awkward moment when a bellhop brought a tray of tea, coffee and cookies. The girls disappeared (one behind the drapes) while I dealt with the male bellhop. Once he left, Aisha served the coffee and tea. The mood in the room was casual and comfortable, but during the conversation there were several times when Alia raised her voice and spoke in what I would characterize as an angry manner.

I began by explaining who I was and why I was there (w/w check), and gave a brief description of the Privacy Act Waiver I would be asking them to sign later. I also told them that I was taking notes and writing down what they were saying because there would be an official record made of our meeting. I then asked them if they would like to speak and give any statement to me.

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Alia, the elder sister, spoke first. She stated that she was happy with her life, that she "doesn't want America," that her mother "invented the idea of abduction," and that she is living the "best life" with her husband.

Aisha spoke and stated that she is very happy with her husband (note: she has been married for one month) and wants to stay in Saudi Arabia where she can have a life of stability.

Alia stated that she does not wish to meet with her mother. She said that her father had offered two or three times to bring her mother to live with them in Saudi Arabia and her mother had declined to do so. Alia felt that if her mother had really been interested in living with them, she could have done so in Saudi Arabia.

Alia took the conversational lead, with Aisha normally agreeing with her, and only rarely adding her own comment. Both stated that they have no wish to see their mother but that they want to relax, live with their husbands, and have children. They are tired of the problems with their mother.

Alia specifically stated that she doesn't want U.S. citizenship or anything that has to do with America, and Aisha added her "ditto."

Since the sisters had vehemently rejected the idea of seeing their mother, I asked if they would be willing to talk with Congressman Dan Burton. They said that they didn't understand why the Congressman didn't wait for them to get back to Saudi Arabia. I suggested that perhaps it was felt that in Saudi Arabia they would be less free to speak their minds. Alia said that they didn't lack freedom in Saudi Arabia, that they are not forced to say things, and that in an Islamic country they have full freedom of expression. The sisters agreed that they would be happy to meet with Congressman Burton in Saudi Arabia after they return next week, but they did not want to speak to him now.

Aisha then stated again that they both want their mother to leave them alone. They want peace in their lives. Their mother said on TV that they had been kidnapped. But they love their father and their husbands and want to be left alone.

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3

Alia then added that they are discussing requesting some compensation from their mother for what she has said in the media and for the "harassment." Alia said that they were very unhappy that she went on TV and "made a scandal out of them." Alia said that she (their mother) could have done it without all the publicity - she could have picked up the phone.

I told the sisters that I had not been fully briefed on the case, but that I did know that their mother had been trying for many years to have them returned to the United States. Alia, in a raised and angry tone of voice, said that she was older than Aisha by 3 years and 8 months and therefore has some understanding of their life in the U.S. before they left. She stated that their mother did not take care of them but would frequently leave them with babysitter, would get drunk, was dating other men while still married to her father and did not respect the marital relationship. She says that they willingly went with their father. She again stated that if their mother had really wanted them she could have lived with them in Saudi Arabia.

I again raised the subject of their traveling to the U.S. some day in the future. Alia said it is "impossible" to go to the U.S. - it is enough to see the Consul and the Congressman. She then gave Nina a quote which she requested be translated for me. The translation was: If the United States helps its citizens, Saudi Arabia preserves (protects) its citizens.

At this point it seemed that the sisters did not have more to say, so I asked Nina to help explain the Privacy Act Waiver. I told them they could either write a statement or that I would be happy to help them complete the standard PAW. We did the latter with Nina translating, but then the sisters stated that they wanted Abdul to read it before they signed it. I ended Nina's call and the men returned. I spent several minutes discussing the PAW with Abdul, and then he spoke in Arabic with Sami. (Note: when the men returned the women donned their robes and moved to the back of the room where they sat silently and did not join in the conversation any further.) Abdul finally decided that he wanted more time to digest the PAW and explain it to the sisters, and to decide if the sisters would complete the standard PAW or write their own statements. He agreed to call me on Sunday afternoon to let me have a decision.

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Cordial goodbyes were said to both the men and the sisters.

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US EMBASSY

Fax:0044-20-7495-5012

4 Sep 2002 14:37
202 647 0122

Date: August 31, 2002
To: The Office of the Secretary
U.S. Department of State
From: Nina Behrens
Re: Memorandum of Conversation

Dear Sirs:

Memorandum of Telephone Interpretation, for a conversation between the US Consul in London and two Saudi women, on August 31, 2002, subject: Case of Children Custody.

The two Saudi women agreed beforehand to have the outcome of this meeting released to their mother and other relevant people. The two Saudi women expressed very firmly that they want their mother to "leave them alone, let them live their lives, to stop bothering them, and to stop putting them through a scandalous ordeal." (Note: They were very angry at their mother, and especially, about the fact that she went on TV to talk about them and this case). They stated that "they were very happy and satisfied with their lives in Saudi Arabia". They stated that they "did not feel that they were abducted by their father". They praised their father and the husband. They stated that their father raised them, and provided them with a husband, that they have a family and children, with whom they are very happy. They were very firm in stating that "they do not want to return to the United States", and that they "were not convinced about the American way of life in the United States." They expressed very firmly that "they wanted their mother to leave them alone, and they wanted to live with their families in Saudi Arabia". They expressed their attachment to their religion by defending Islam and mentioned that they have freedom of speech, freedom of expression and therefore, "they were tired of their mom going after them, and they wish she would leave them alone".

Sincerely,
Nina Behrens
Arabic Interpreter

(21)

MEMORANDUM

May 24, 1997

TO: The Files

FROM: Mazen Shaban - Special Consular Services

SUBJECT: My Recollections of the Meeting between Patricia Roush and Her Daughters on 6/13/95

On June 13, 1995, U.S. Consul Bridget Burkart, Vice Consul Myles Weber and I escorted Khalid Al-Gheshayan, and his 2 daughters, Alia and Aisha, along with their uncle, Younis Al-Gheshayan to the Intercontinental Hotel from a place near Riyadh Stadium. The father rode in Younis' car with the girls. When we reached the hotel, Mr. Ali Al-Otaibi, the deputy governor's assistant, a representative from Attorney Hejailan's office, and Glen Carey, the U.S. Consul in Riyadh were waiting for us at the Hotel. Patricia Roush was already waiting in the room by herself. She was nervous and worried, but also very happy at the prospect of getting together with her daughters.

Khalid was expecting to see Patricia in the lobby or in the cafeteria where we sat down with him trying to convince him to allow his daughters to meet with their mother in private in the room. Khalid got nervous and angry and objected to the idea that the girls meet the mother alone. His brother Younis, Mr. Otaibi, Ms. Burkart and I tried very hard to persuade Khalid to make that happen. We assured him that the mother would not do anything other than seeing the girls and making sure that they are O.K. Khalid decided to inspect the room where Patricia was. He stepped in and when he saw her he said "Hi, Patricia, How are you?" She said, "I am fine. How are you, Khalid?" He looked the room over and left. Then he sent his brother Younis to check the whole room again. He was looking for any exits or anybody waiting inside since the room was on the first floor.

After an hour of negotiations, he agreed to let the girls go and meet with the mother, provided that it would be a short meeting. It was obvious that he did not have confidence in anyone except his brother. He asked Younis to check on us every now and then and that I should leave the meeting and report to them outside that things are O.K. and that the mother is behaving in a way not contrary to what we agreed on with him. Each time I went to see him, he asked me whether Patricia was telling the girls anything about the States; if she was behaving in an unacceptable way and whether she was telling the girls bad things about him. I kept saying assuring him that non of those things was happening and that she was only checking on the girls' welfare. Everybody knew that Patricia would not hesitate to ask such questions, but we ignored that issue in order to have the visit with the girls take place.



Patricia saw her daughters for almost 2 hours. I was the only other person with them for interpretation. Despite the father's being obstinate and hard to deal with at the time like always, we were successful somehow to keep him under control until the meeting was over. The father made a big scene trying to prevent the meeting. It took us one hour to persuade him to allow the visit between Patricia and her daughters after we explained that Patricia had come all the way from the U.S. to see the girls and it was the governor's order to meet with the girls the way she preferred. Consul Burkart, Mr. Otaibi, Myles Weber, Younis Gheshayan and an attorney from Hejailan's office kept Khalid company while Patricia, I and the girls were in the room. Younis, as requested by Khalid, checked on us and spoke with the girls to make sure that they were not being mistreated and that the meeting was going as planned.

During the meeting, Patricia told the girls not mention to their father about her offer to them to go to the U.S. and how free the U.S. is, and that they could enjoy it there. She told them that the father had brainwashed them by not letting them go and see her in the U.S and that they should forget that and once they see the life in the U.S. they will change their minds about wanting to live in Saudi Arabia.

Patricia's meeting with the daughters was very emotional on her part, but not that much on the daughters' part. They did not seem to have missed the mother that much after 9 years of separation, which I understood because of the long separation and complete alienation from the mother. The father seemed to have succeeded in raising the girls the way he wanted, taking into consideration their age when they were kidnapped. When they came into the hotel room, the girls were wearing abayas and were confused about what was supposed to be done and how to behave. They looked at me and said in Arabic "Is she Patricia?" I said yes, she is your mother. Patricia said "I am your mother. Can't you remember me?" She rushed towards them and hugged them and cried. That scene went on for several minutes until everybody sat down. Patricia started touching their faces and describing every part of their faces. She told the eldest girl that her nose was like Khalid's, but that it could be fixed in the U.S. She said that she was very happy to see them as big girls, that they had become women.

Patricia started to try to revive old memories, but only the older daughter seemed to remember, not the younger one. She showed them old pictures when they were young and the picture of her daughter from a previous marriage and how she (Patricia's other daughter) was happily married in the U.S. It was a very touching moment. I almost cried for Patricia. They were looking at me over her shoulders and wondering why she was doing so. They did not realize her feelings. The younger daughter hardly spoke during the meeting and the older daughter made it clear that she had no desire to go to the States with Patricia. Patricia was trying to describe the U.S. and what a beautiful country it is and that there is much more freedom than in Saudi Arabia. Despite everything Patricia said,

the girls were not enthusiastic about their's mother's comments and refused to respond. They kept saying that they like it here and that their father treats them well. The older daughter did almost all of the talking, while Aisha, the younger girl, just listened.

Patricia showed them old pictures of when they were young and how attached she was to them. There were photographs of the girls while playing and other pictures of Patricia feeding her daughters. Patricia kept stressing to the girls how much she cared for them and what a close and loving mother she was. Patricia tried to revive their memories of their childhood. This was clearly Patricia's goal. My impression was that Patricia knew that it would be the only way to get along with her daughters. Therefore, she tried to use every second of it. Whenever she noticed that they were beginning to lose interest or getting annoyed with what she was saying, she would immediately jump to another subject to keep them happy. Patricia wanted to include everything in that one meeting after 9 years of absence. This was very difficult for her to do. I sympathized with her and understood her feelings, but it was too much for the girls. They were confused and at certain points, they did not know what to do or what to say. They stared at both of us when Patricia shifted from crying to laughter and quickly began showing them photos.

During the conversation, Patricia asked them several times if they would be willing to come to the U.S. and join her. At first they gave no answer. Later in the meeting, they said that their father would not let them do so. They would also pause and stare at the floor as if to think over Patricia's invitation, but they never responded in a positive answer. She asked them if they loved her. They said yes, but I saw that they also had grins on their faces as if they were making fun of Patricia. I think that both girls saw the whole visit as a dream. They would cry when they saw Patricia crying, but my impression was that they did not take her seriously. Patricia's reaction to the girls fluctuated between crying and touching their faces and having breaks and giving them time to think about what she said.

I was very touched by the way Patricia led the whole visit. But despite all of their mother's efforts, the girls would not agree to certain things. They would think over some of the things their mother said and then look puzzled. At one point when Patricia kept pressuring the girls to say yes about coming to the U.S., the older daughter said in Arabic that "We do not want to go to the U.S. with you; we do not want to be prostitutes there." She continued in Arabic that "We are Muslim and we do not want to end up being girlfriends who have illegal relationships." She was saying these things in Arabic which I did not interpret for Patricia because the daughter was using the word prostitute, referring to her mother living with a man who is not her husband. Someone apparently told them that their mother was living with a man who was not her husband and that, according to Islam, this is prostitution. At one point, the older daughter directly called her mother a prostitute and told me in Arabic that her mother is living illegally with a man who is not her husband.

Patricia had brought some clothes and cookies for the girls which every now and then she interrupted the meeting and showed them the jeans she brought or offered them something to drink or eat since the hotel people had filled the room's refrigerator with lots of snacks and drinks.

The next day, Patricia discovered that the girls had told their father everything that went on at the meeting with Patricia. The next day Khalid and Younis called the Embassy and the Governor's office and complained bitterly about what the daughters told them about their visit with Patricia. Because of this, there were no further meetings between Patricia and the girls.

Three days after the meeting when Patricia realized that Khalid would not let her see the girls again, she asked to go to the Governor's office and meet with the Governor or his deputy Sheik Belehid. She insisted on going to the Governor's office and Myles Weber and I decided to accompany her, eventhough Patricia did not have an appointment. Neither the Governor, nor Blehid agreed to see us after they heard Khalid's version of what took place during the meeting with the girls. We ended up meeting with Bandar Al-Yousef, who is the Governor's protocol officer and translator. The only outcome of the meeting was that according to the Governor's office, Patricia could go through the Sharia court.

In a subsequent consular visit with Khalid Gheshayan and the younger daughter approximately 8 months later, Consul General Hermann and I heard the younger girl say very explicitly in Arabic that neither she, nor her sister were interested in meeting with us again and did not want to see us anymore. She stated that they are grown up now and are not in a position to see people from the U.S. Embassy anytime they (people from the Embassy) like. She said that the Embassy is imposing on them and that our checking on their welfare is not appealing to them anymore.

DOC 7382C

I certify that on this 28th day
of May, 1997,
Mazen S. Mahan
appeared before me and acknowledged
to me that this instrument was
executed freely.


R. Stephen Beecroft

Vice Consul of the United States
of America

Okaz Arabic language daily, September 2, 2002, featured on back page, with photograph of Amjad Radwan

Headlines read:

--"Okaz Monitors Amjad's Scenario between Washington and Riyadh"

--"Willingly the American-Saudi Youth Remains in the Kingdom with her Husband."

Sub-headlines read:

--"She (Amjad) Refused to Return When Senator Burton Met Her in Riyadh on Saturday."

--"The American Embassy Declined to Comment on Grounds of Privacy Act"

Zuhair Mohammed Radwan, the uncle of the young Mrs. Amjad Radwan, who was born in Boston to a Saudi father and an American mother and who holds an American passport, explained that she has lives in Riyadh with her husband while her separated mother has worked with the American Embassy School in Riyadh for more than ten years.

Amjad's uncle, in a telephone conversation with Okaz yesterday from his residence in Washington, said that Amjad wants to remain in the Kingdom but her grandmother in the state of Texas raised confusion, organized a march demanding Amjad's travel to live in the United States of America, and portrayed her as a detainee.

He added that the problem rests on differences of laws and regulations between the two countries. Her mother has tried more than once to bring Amjad back with her, but her father refused and Amjad refused and still refuses.

He also confirmed that the Amjad's mother has not filed a law suit demanding her daughter be allowed to accompany her to the United States. On the other hand, the American Embassy in Riyadh declined to comment on that issue and the media advisor in the Embassy asserted that "law prevents the embassy from commenting on this subject because we are governed by the privacy act."



the embassy from commenting on this subject because we are governed by the privacy act."

Okaz learned from special sources that the member of Congress, Senator (sic) Dan Burton, met with Amjad Radwan day before yesterday in Riyadh where she confirmed her lack of interest in living in the United States, preferring to live in Riyadh with her husband. Sources added that Amjad was married nearly a month ago to a Saudi youth, lives with him now, and that her husband also spoke to the U.S. Senator (sic) and confirmed that he has no objection to his wife Amjad's travel to the United States in the company of the Senator on the condition that he have guarantees that she can leave the United States at anytime she wants. Sources explained to Okaz that her mother thwarted her daughter's marriage three years ago when she hid her to prevent her from marrying a Saudi. The sources also noted that the maternal instinct of her mother is extremely strong which motivated her to remain in Riyadh for than ten years in order to convince her to travel with her to the United States.

In the same story Kevin Binger, staff director of the House Government Reform Committee explained that the Kingdom of Saudi Arabia is ready to provide Amjad, who is 19-years old, with an exit visa and to provide her with a passport, and that she is free to travel. But Binger noted that Amjad has not yet decided if she wants to leave the Kingdom or remain.

Several U.S. media outlets treated this issue in a dramatic way recently in an attempt to weaken U.S.-Saudi relations and attempted to portray the decision of the Saudi girl as not reflecting her true position. But Saudi legal and administrative parties confirmed that the Kingdom respects the freedom of its citizens and sees no reason for expelling her from her country.

It is known that the case of Amjad is similar to thousands of cases in Europe created from European-Arab marriages and have caused law suites where mothers have demanded the repatriation of minor children. The European and Arab authorities addressed these cases by finding agreeable solutions, which protected the rights of the children and their future regardless of political considerations attached to some cases.



SAUDI ARABIA'S FIRST ENGLISH DAILY
23 September 2002 / 161 Rajab 1423

Kingdom	Islam	Letters
World	Business	Sports

An Arab News 9/11 Special Tragedy Revisited
The Life of The Prophet Muhammad
Features
Compu-net
Law and You
Islamic Political Development
Weather(KSA)
Classified
Kahlil's Cartoon
20 Years of King Fahd
Local Press
Archives
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Dangers of politicizing mixed marriages

By Abdul Aziz Husain Al-Suwaiyyegh

In an interview with the Associated Press in London, Aliya and Aysha, two Saudi girls, spoke to Dona Abu Al-Naser about the breakdown of their parents' marriage. Their father is Saudi while their mother is American. Dona explains that both girls were brought up in a conservative Saudi family and over the past 17 years have seen their mother only once. She has battled fiercely to have the girls brought to the United States. Dona repeats a statement by the younger daughter, Aliya, 23: "I don't want to go to the US or contact my mother." Aysha, who is 29, said: "We want her to leave us alone and we will not rest until she is dead." From her home in San Francisco, Pat Roush, their mother, says: "My daughters love me and I love them." She accuses the Saudi government of forcing the girls to reject her.

I myself have followed cases in which problems have arisen between American wives and Saudi husbands — problems leading to strained family life, loss of love and eventually to divorce. It is important to first clarify that this phenomenon is neither strange nor is it unique to Saudi husbands. These are problems that arise between husbands and wives all over the world, in "normal" as well as in "mixed marriages" — where the partners are of different nationalities.

What is strange about "mixed marriages" is that social and marital problems are transformed into thorny political issues which could damage relations between two countries long linked by friendship and mutual interests. Even more ludicrous is that the Saudi government should be accused by certain individuals of forcing husbands and children to act in a way that is against their interests. What possible self-interest could motivate the Saudi government to take such a stand? The adoption by a government of a certain political stance is usually linked to a goal that serves the interest of that state or government. Have those who spread these accusations asked themselves what interest would be served by denying a mother her daughters or a husband his wife? What interest does it serve for the Saudi government to forbid Roush's daughters from contacting her or going back to her?

An 18-member delegation from the US Congress visited Saudi Arabia last week. Congressman Dan Burton, chairman of the Committee on Government Reform in the US Congress, headed the delegation. In June, prior to his visit to the Kingdom, Burton led a session in which he delivered a speech concerning US-Saudi relations — the major part of which dealt with what he termed "the case of weak people" or more specifically, the cases of marital problems between Saudi husbands and their American wives. In his speech, Burton accused the Saudi government of refusing to respect American law and said that Saudi laws regarding the rights of women and children were wrong. According to Burton, not only had the Saudi government refused assistance in solving such cases, it had also established what he called "safe houses" for Saudi husbands in a country that regards women and children as private property.

The aim of this delegation's visit was to verify the facts surrounding Roush's case and other similar cases. This is exactly what the Saudi government allow

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them to do despite its conviction that such cases are governed by social relations and law rather than by foreign affairs. The Saudi Minister for Foreign Affairs, Prince Saud Al-Faisal, considers matters of marital discord between some Saudi husbands and their American wives as neither a Saudi-American problem nor a governmental problem. It is a family problem. In spite of that, the Saudi government did its utmost to urge the sisters, Aliya and Aysha, to discuss the case. Furthermore, it bore the expenses of their travel, with their husbands and children, to London in order to allow them total freedom to speak or indeed to travel from London to the US or even to seek refuge in the US Embassy in London if they so wished.

As reported by the Associated Press, an American diplomat visited the sisters and confirmed that she found them in good health and that they had told her they did not wish to travel to the US at that time. Despite all her efforts, including providing the sisters with American passports, the sisters refused her offer. In spite of the fact that the sisters are considered American by birth, they both confirmed that neither of them held an American passport. Aysha insists: "The US is not our country. Even if our mother is American, if we were to go there, we would not be happy. We would be lost." At the same time, the sisters speak with great love of their father and say that he constantly asks them whether they would like to speak with their mother on the phone. Aysha confirms, "He did not forbid us from seeing our mother if we wished."

Who is it then that is subjecting them to torture and nightmares disregarding their wish? The sisters confirm that it is their mother who is doing it through her public campaign. Aysha says of her mother: "She has appeared on television and insulted us and our religion. This approach does not help us have any feelings for her."

When the Associated Press journalist asked them if they had any final words to say to their mother, Aliya said: "We are proud to be Saudi women. Our men treat us with respect and we live well. Just make her leave us alone. Many years have passed and we do not need her." As for Aysha, her final words were: "If she truly loves us and wants us to be happy, then let her leave us to live in peace with our husbands in Saudi Arabia without any scandals in the newspapers or on television."

The problem is that despite all this, their mother, in an e-mail to the Associated Press, said that there was no guarantee her daughters had spoken freely in London. She went on to say: "It pains me that the government of Saudi Arabia and their mentally retarded father and his family have tortured them and have now subjected them to this nightmare in London." She declared that she would not give up and would not stop working to get back "my Aliya and my Aysha".

In the end, of course, marital disputes are human ones whose effects are not limited to the partners. They affect also the children, who are the fuel that keep the fire burning. Prince Saud clarified in his meeting with the delegation from the Congress that the subject of disputes in mixed marriages is considered "a human tragedy that should not be politicized." He confirmed that his country was not only concerned with, but was also committed to, dealing with these cases and that the Saudi government had created a special committee to review each case in an attempt to find a solution acceptable to both sides. Prince Saud also asked that both countries work side by side to find practical solutions to these tragic cases. The solutions "should guarantee the rights of both parents and, more importantly, should safeguard the rights of the children who are the real victims in such cases."

In my opinion, the Saudi government has presented endless evidence of its good intentions and showed its commitment to finding a solution to the marital disputes the delegation investigated. The invitation extended to the delegation

and giving its members full freedom to meet with any of the children of American mothers and giving them the chance to speak without witnesses merely confirms the extent of the Saudi efforts. The government has no objective except to work for a solution that guarantees the rights of both sides and especially the rights of the children. The attempts to use these cases as tools to harm the Saudi government and distort the image of the Saudi citizen is unacceptable. For every case of a failed marriage between Saudis and Americans, there are many more successful ones where the wives and families live peacefully together whether in Saudi Arabia or in the US. Marriage is a relationship between two people that may last so long as either person lives or it may end the very first day. I remember the story of a newly married couple who began their honeymoon with an argument during which their voices were raised and things ended in divorce. Upon grumbling to one of his friends about his bad luck, the friend commented: "Marriage resembles a barrel filled half with honey and half with onions. It seems, my friend, that you have opened the barrel from the wrong end."

— Abdul Aziz Husain Al-Suwayyegh is director of the Foreign Ministry's office in the Western Province.

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SAUDI ARABIA: IN PARTNERSHIP WITH AMERICA IN RESOLVING CHILD CUSTODY DISPUTES

Saudi Arabia and the United States have a unique friendship that spans nearly 70 years, and today both countries are working together to resolve child abduction cases involving American parents and American-born children where there is a Saudi spouse.

Prince Saud Al-Faisal, the Minister of Foreign Affairs of Saudi Arabia, recently called child abduction and child custody disputes "a human tragedy that should not be politicized." The Foreign Minister urged the United States and Saudi Arabia to "work closely together to find a practical and workable solution" that guarantees parental rights while also safeguarding "the rights of the children, who are the real victims in these cases."

American media coverage of a handful of custody disputes created misperceptions that Saudi Arabia plays a major role in worldwide child abduction cases involving U.S. citizens, holds American citizens against their will and refuses at the State level to cooperate with efforts to reunite families.

The facts demonstrate that these charges are not true.

The truth is Saudi Arabia is not holding American citizens against their will. The truth is the Kingdom is working diligently with the U.S. government and with private citizens to resolve its handful of child abduction cases. The truth is Saudi Arabia is developing an international mechanism to safeguard children from future abduction attempts. The truth is the number of cases involving Saudi Arabia is a minuscule fraction of the total number of child abduction cases involving American parents or children worldwide.

In considering Saudi Arabia's effort to assist the United States in resolving child custody disputes or child abduction cases, it is important to understand several facts:

- FACT:** There are currently about 1,100 cases worldwide of child abduction involving an American parent and a parent from another country. Saudi Arabia has only 11 active cases among the 1,100.
- FACT:** The two highest-profile cases involving Saudi Arabia -- that of the Al-Gheshayan sisters and that of Amjad Radwan - have been resolved. The Al-Gheshayan sisters have told the U.S. government and the American media that they do not wish to live in the United States. Amjad Radwan has a valid passport and visa and may leave Saudi Arabia at any time but has chosen not to for the moment. While it is painfully tragic for parents to hear their children make such a choice, the Saudi government has fulfilled its obligations to pursue these cases and must now respect the rights of the parties involved.
- FACT:** Saudi Arabia is aggressively pursuing resolutions to all outstanding cases. An internal Saudi task force has been formed to coordinate efforts with the U.S. Department of State. Prince Saud Al-Faisal has also proposed the development of a bilateral mechanism for dealing with future cases. Such an international protocol could bridge the gap between differing legal systems, cultures and peoples, so that both governments can instead focus on serving the best interests of the children involved.

September 2001



Understanding the Scope of International Parental/Child Abduction Cases

The U.S. State Department estimates that, at any given time, there are more than 1,100 cases worldwide of child abduction disputes involving American parents or American born children. The United States is also estimated to be housing 300 foreign children who were abducted from abroad by an American parent.

The House Government Reform Committee website interprets State Department data to mean there are 92 active child abduction cases in Saudi Arabia involving American parents or American-born children. While Saudi Arabia takes each of these cases seriously, the aggregate number cited by that Committee is incorrect. Consultations with the State Department and members of the House Government Reform Committee have resulted in narrowing the actual number of American child abduction cases in Saudi Arabia to 11.

While the State Department does not formally distribute international abduction cases statistics, in consultations with Saudi Arabia the following facts have been revealed:

- More than half of the child custody and abduction cases involving American parents or American-born children take place in neighbouring countries.
- The second largest number of cases involves Western European countries.
- In the Mideast, most of the cases involve the countries other than Saudi Arabia.
- Of the 11 child abduction cases, families in five cases have asked both governments to stay out of the dispute so that they can reach a private resolution.
- Therefore, Saudi Arabia currently has just six outstanding child abduction cases.
- The Saudi Government is fully committed to resolving these six cases and stands ready to assist in any of the other five cases where families are currently seeking a solution amongst themselves.

“We need a mechanism to help facilitate resolution of such cases...We look forward to working with the United States to establish a protocol in this area...The integrity of the family is very important to our culture. We want to do everything we can to ensure that children have the benefits of a relationship with both parents.”

Adel Al-Jubeir, Foreign Policy Advisor to Crown Prince Abdullah, September 6, 2002

“During our mission to Saudi Arabia, the Foreign Minister pledged to work with our government to reach a bilateral agreement and I look forward to continue working with the Saudi government to ensure that no American will be held overseas against their will.”

Rep. Benjamin A. Gilman (R-NY), September 9, 2002

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



المملكة العربية السعودية
وزارة الخارجية
مكتب الوزير

September 17, 2002

The Honorable Colin Powell
Secretary of State
The State Department
Washington, DC

Dear Secretary Powell:

I am writing to propose to you the formation of a task force or ad hoc committee between our two governments to examine the possibility of reaching a bilateral protocol on the issue of child abduction.

We believe that the bilateral protocol should seek to protect the interests of the children in question, and help bring families together. It should address the issue of visitation rights, and the responsibility of both governments to work within their respective legal systems to prevent the abduction of children. Or ideally, an international agreement could be fashioned that would address the broader interests of the children of broken marriages involving parents of more than one nationality. Such an agreement could also deal with custody rights by working to help bring together the families without resorting to differing legal systems.

As you are aware, the issue of child abduction is a global one, and the cases involving the Kingdom represent less than one percent of all cases involving an American parent and a parent from another country. There are also a number of cases where children were abducted out of Saudi Arabia and brought to the U.S. against the wishes of their Saudi parent, and the orders of Saudi courts. I am enclosing a list of four urgent cases from a number of cases that we will convey to you later.

Mr. Secretary, we strongly believe that the time has come to create a practical mechanism for dealing with this issue between our two countries, and we are ready to begin exploring possibilities with your government. In this context, I would appreciate hearing from you about any ideas you might have on the most appropriate manner to begin this process.

With best regards,

Sincerely,

Saud Al-Faisal
Minister of Foreign Affairs

For Immediate Release
September 3, 2002

PRINCE SAUD MEETS WITH U.S. CONGRESSIONAL DELEGATION

Prince Saud Al-Faisal, Minister of Foreign Affairs, met in Jeddah on Sunday with a U.S. Congressional delegation led by Rep. Dan Burton of Indiana, Chairman of the House Government Reform and Oversight Committee, and including Congressman Benjamin Gilman of New York, Chairman of the International Relations Subcommittee on the Middle East; Congressman Bernard Sanders of Vermont; Congressman William Delahunt of Massachusetts; Congressman Mike Rogers of Michigan; and Congressman Brian Kerns of Indiana. The meeting was attended by U.S. Ambassador to Saudi Arabia Robert Jordan.

The meeting touched on a number of issues of vital interest to both countries, including the Middle East peace process, the Kingdom's position on Iran and Iraq, and child abduction and custody issues, which dominated the discussion.

Prince Saud called child abduction and child custody issues "a human tragedy that should not be politicized." He assured the delegation that Saudi Arabia is fully committed to solving all outstanding child custody cases, stating that the Kingdom has set up a committee to review each case on an expedited basis and to recommend ways of resolving them.

The Foreign Minister called on Chairman Burton to work closely with the Kingdom to create practical and workable solutions that would not only solve these tragic issues, but also prevent them from happening in the first place. "Both countries should work closely together to find a practical and workable solution to these tragic cases. These solutions must guarantee parental rights, and more importantly, safeguard the rights of the children, who are the real victims in these cases", Prince Saud said.

Prince Saud expressed his appreciation to Rep. Burton for his efforts in this respect, and indicated that he would furnish him with a list of cases involving Saudi children who were abducted to the U.S. by their American parents. Chairman Burton stated that he would look into these cases as well.

The Foreign Minister informed the visiting delegation of the Kingdom's readiness to enter into bilateral protocols with the U.S. that would establish a mechanism for dealing with these issues and help overcome the obstacle of differing legal jurisdictions and make it possible to resolve these cases in a practical manner. At the same time, he reminded the delegation that there are about 1,100 cases of child abduction involving one American parent, and less than one percent of these involve Saudi parents. Most involve countries adjacent to the U.S. or in Europe.

Prince Saud expressed the hope that more U.S. Congressional delegations would visit the Kingdom to learn, first hand, about Saudi Arabia and its people.

- end -

**For Immediate Release
September 6, 2002**

**SAUDI ARABIA CALLS FOR PROTOCOL TO ADDRESS
CHILD CUSTODY ISSUES**

Calling cases of child abduction "a human tragedy," Saudi Foreign Minister Prince Saud Al-Faisal has called for a mechanism that can provide a practical and workable way to resolve these very difficult and delicate situations, saying: "The Kingdom of Saudi Arabia deplores the taking of a child without the consent of both parents."

Last week, Prince Saud met with a U.S. Congressional delegation led by Representative Dan Burton. The meeting was productive and both parties agreed to come up with practical and workable solutions to these tragic cases involving custody of a child. In addition, the Saudi government has established a special committee to deal with such cases.

While most are amicably resolved, there are instances where issues of jurisdiction make it difficult for governments to interfere.

"We need a mechanism to help facilitate resolution of such cases," said Adel Al-Jubeir, Foreign Policy Advisor to Crown Prince Abdullah. "We look forward to working with the United States to establish a protocol in this area. The integrity of the family is very important to our culture. We want to do everything we can to ensure that children have the benefits of a relationship with both parents."

Worldwide, there are more than 1,100 cases of child custody/abduction disputes involving American parents or American-born children. Most of these cases involve nationals of countries adjacent to the United States or in Europe. Less than one percent involve Saudi citizens.

end -

AMERICANS KIDNAPPED TO SAUDI ARABIA: IS THE SAUDI GOVERNMENT RESPONSIBLE?

THURSDAY, OCTOBER 3, 2002

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 10:30 a.m., in room 2247, Rayburn House Office Building, Hon. Dan Burton (chairman of the committee) presiding.

Present: Representatives Burton, Morella, Shays, Horn, Ose, Duncan, Waxman, Maloney, Norton, Cummings, Kucinich, Clay, and Kerns.

Staff present: Kevin Binger, staff director; Daniel R. Moll, deputy staff director; James C. Wilson, chief counsel; David A. Kass, deputy chief counsel; Pablo Carrillo and Jason Foster, counsels; Scott Feeney, Caroline Katzin, and Gil Macklin, professional staff members; Blain Rethmeier, communications director; Allyson Blandford, assistant to chief counsel; Robert A. Briggs, chief clerk; Robin Butler, office manager; Joshua E. Gillespie, deputy chief clerk; Michael Layman, legislative assistant; Nicholis Mutton, deputy communications director; Leneal Scott, computer systems manager; Corinne Zaccagnini, systems administrator; T.J. Lightle, systems administrative assistant; Sarah Despres, minority counsel; Ellen Rayner, minority chief clerk; and Jean Gosa and Earley Green, minority assistant clerk.

Mr. BURTON. First of all, I want to ask you to excuse me for not wearing my coat, but I am dying from the heat from running back and forth to the House Chamber. And I have asked them to turn the air down a little bit, so if anybody gets too cold raise your hand. I am dying.

A quorum being present, the Committee on Government Reform will come to order, and I assume that others Members will be here. One of the things that we are going to have to do if I don't have another Member or two here, we are going to have votes on the war resolution on the Committee on Foreign Affairs and I will probably have to excuse myself to run and cast a few votes on that. So we will just be prepared for it.

This is day 2 of our hearing on Saudi Arabian child abduction cases. Yesterday's hearing was one of the toughest, most emotional hearings that I have ever had to sit through. It was almost unbearable to sit here and listen to four parents whose children were snatched away from them. It was heart wrenching to hear how much these parents love their kids and how they have been kept from seeing them for years.

When I think about the fact that in many cases these Saudi men violated U.S. court orders when they took these children from their mothers, I get angry. And when I think about the fact that the Saudi Government was complicit in some of these kidnappings, I get even angrier.

The story of Joanna Stephenson Tonetti is a good example. She and her Saudi husband were divorced in 1997. She got sole custody of their three children. Two years ago her husband asked for an unsupervised visit. The judge agreed, but only if the husband promised not to leave the country with the kids. He promised. The judge sent a copy of the custody orders to the Saudi embassy to make sure that they wouldn't issue passports or visas to the children if the husband did not keep his promise. Well, as soon as he got the kids he took them straight to the embassy, and the embassy gave him passports and visas and off they went to Saudi Arabia. Until 2 months ago, Joanna hadn't been able to speak to her children in 2 years. The Saudi Government was complicit in that kidnapping. An arrest warrant has been issued for that man and the Saudi Government is protecting him. And yesterday, she was asked by Senator Bayh if she wanted to come over and she did come over there yesterday. She asked me to go with her, and the Saudi Government representative that was there said that he would not meet with her if I was in the meeting. That is not a good sign.

On September 12, Prince Bandar wrote a letter to the editor of the Wall Street Journal. The very first paragraph, here's what he said. "some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true."

After yesterday's hearing we know that his statement is false. He lied. And after being in Saudi Arabia with five of my colleagues, both Republicans and Democrats as well as Independents, we all know that's not true, because we talked to women who are being held against their will and their children as well.

We asked Debra Docekal, her son, Ramie, was one of the fortunate few. He got out. For 14 years he was separated from his mother in a country where he didn't want to live. Two months ago he was finally allowed to leave. But the sad part is he had to leave his 15-year-old sister behind. Yesterday he told us in no uncertain terms that she wants to return to the United States.

We heard from Sam Seramur's daughter, Maha. She saw the amazing—we saw the amazing videotape of her escape in Malaysia. Maha testified about the terrible situation that American kids endure in Saudi Arabia and once again I want to play a short segment of that, of her testimony.

[Videotape played.]

Mr. BURTON. When we were in Saudi Arabia in August we saw with our own eyes that Americans there were living in fear. We met with women who were desperate to get out, but they were terrified of being beaten or killed by their husbands if they said anything or if their husbands found out that they met with us. So when Prince Bandar said there are no Americans being held against their will in Saudi Arabia, we know that he lied. We heard firsthand testimony yesterday from six families, and that is just a fraction of the cases.

As I said yesterday, when I first got involved in the issue, all I wanted to do was help a few mothers be reunited with their kidnapped kids. I hoped that the Saudi Government would work with us. That hasn't happened. In public they say and do all the right things, but behind the scenes they've done everything they could to undermine our efforts. When I was meeting with the Foreign Minister, Prince Saud, in Saudi Arabia, I asked if my staff could sit down with his staff and talk about the details of the cases. He said no, and I couldn't believe it. He said it should be done on a diplomatic basis. He didn't want our lawyers talking to theirs. I don't know what he was hiding.

They concocted a story that I tried to bribe Amjad Radwan with \$1 million if she'd come back to the United States, which is just nonsense. But they said she was free to go at any time she wanted. But when I met with her, I could see there were tears in her eyes. I couldn't see the rest of her because she was wearing one of those abayas and her hands were trembling and she was afraid. I think she was terrified.

We've been hearing for weeks that the Saudis have a list of Saudi children who have been kidnapped to the United States. That would be a pretty effective PR device if it was true. Yesterday we finally got a copy of the list, and it's just nonsense. There were four names on the list. One was not any kind of a kidnapping suspect. The first name on the list was Dria Davis who's testified that she got out because she wanted to get out and she had—they had to figure out a way to smuggle her out. She was held against her will in Saudi Arabia for years before she escaped. She's an American citizen. She testified in June. She said she'd rather die than go back to Saudi Arabia, and I'd like for you to listen to her tape. This is one of the people they said we kidnapped.

[Videotape played.]

Mr. BURTON. Now, the Saudis say that woman was kidnapped and brought to America. Her grandmother had to sell her house to get \$200,000 so that they could help rescue her from that place. But the Saudis are telling the world that's a kidnapping. We are not the only ones. Two of President Clinton's top anti-terrorism aides—once again we are getting disinformation from the Saudi Government and we are not the only ones. Two of President Clinton's top anti-terrorism aides just wrote a book. They said that Prince Bandar, who's lied to the media and to this committee through the media, they said that Prince Bandar, the Saudi Ambassador to the United States, repeatedly lied to the Director of FBI about the Khobar Tower bombing. This isn't the Republican administration. This is the previous administration. And their Ambassador to the United States lied to the FBI in this country about that bombing. Nineteen American servicemen died in the terrorist attack and the Saudi Ambassador misled us. Now, with these kidnapping cases we have been given misinformation again and that's not acceptable.

We invited the Saudi embassy spokesman Adel al-Jubeir to come and testify today. Yesterday we heard from five mothers and one father. Today we wanted to give the Saudis a chance to give us their side of the story. In fact, when al-Jubeir spoke to 60 Minutes, he complained that we had not invited him to our first hearing.

But he refused to testify. So we subpoenaed their top lobbyist, Michael Petruzzello. He's been called the leader of the Saudi efforts to deal with our committee. Mr. Petruzzello is the head of Qorvis Communications. His firm is paid more than \$200,000 a month to represent the Saudis.

One point—let's see. How much is that? \$200,000 a month. That's \$1.4 million a year. We have a lot of questions for Mr. Petruzzello. I'd like to know if he agrees with Prince Bandar's statements that no Americans are being held against their will in Saudi Arabia. And I'd like to know what their position is on each of the cases that we've heard about today. And I would like to know why the Saudi Government is harboring men who have abducted their children when arrest warrants have been issued here in the United States. They violated U.S. court orders. I'd like to know why Pat Roush's daughters were sent to London to meet with strangers instead of to California to meet with their mother. I'd like to know if he believes in his heart that a Saudi woman can really say what she thinks if her father or husband disagrees.

I think these are fair questions, and I think these families that are here today deserve answers. We're also going to hear from two State Department officials. For a long time the State Department didn't want to deal with that issue. However, I think that's starting to change.

Twelve years ago when Monica Stowers gathered up her children and took them to the U.S. Embassy, they were ordered out and removed by Marine guards. She was arrested. Her 12-year-old daughter—her daughter was 12 at the time, right? A little before that. Was she the one that was married off? She was married off at age 12 as a reprisal, I guess, against the kids going to the embassy and the mother was arrested.

This year when Sam Seramur got her daughter in Malaysia and took her to the U.S. Embassy, they helped her in Kuala Lumpur. They took them in and got them home to the United States and I want to—and she said that our Ambassador in Kuala Lumpur was extremely helpful and our Ambassador deserves credit for that, and I also want to thank Colin Powell, our Secretary of State for helping get that lady back to the United States. When we were in Riyadh, Ambassador Jordan pledged that never again would a citizen of the United States who needed help be turned away, and I applaud that. When I met with Secretary of State Powell in September, he told me they're going to work very hard to keep this issue on the front burner. I think that's very positive.

So I'd like to hear from our witnesses today what's going to be done by the State Department as we move forward to help get these cases resolved. And finally I've invited one of our former U.S. Ambassadors to Saudi Arabia, Ray Mabus. It seems like Ambassador Mabus was one of the few State Department officials who really pushed the Saudis to return kidnapped children. When Pat Roush's ex-husband refused to return their daughters, Ambassador Mabus stopped approving visas for his extended family. That caused a lot of problems for that family and it almost worked. Unfortunately, when Ambassador Mabus left, his successor, Wyche Fowler, discontinued that policy. Now his successor has been on TV

supporting the Saudis. I can only wonder if he has been funded by the Saudi Government.

It's been reported in the press that some of our former Ambassadors to Riyadh have gone to work for the Saudis and make a lot of money. Listen to this quote that was attributed to Prince Bandar in the Washington Post. "If the reputation builds that the Saudis take care of friends when they leave office you would be surprised how much better friends you have who are just coming into office." And I think that's the real problem. Ambassadors are supposed to be working for the American people, not foreign interests. I think this area needs a lot more scrutiny.

I want to thank Ambassador Mabus for being here today. I think he deserves our thanks for his efforts while he was in Riyadh, and I will be interested in hearing what he thinks we can do from here on out to resolve these cases.

And with that I yield to my colleague, Mr. Waxman.

[The prepared statement of Hon. Dan Burton follows:]

**Opening Statement
Chairman Dan Burton
Committee on Government Reform
“Americans Kidnapped to Saudi Arabia:
Is the Saudi Government Responsible?”
Day Two
October 3, 2002**

Good Morning.

This is day two of our hearing on Saudi Arabia and child abduction cases. Yesterday's hearing was one of the toughest, most emotional hearings I've ever had to sit through. It was almost unbearable to sit here and listen to four parents whose children were snatched away from them. It was heart-wrenching to hear how much these parents love their kids, and how they've been kept from seeing them for years.

When I think about the fact that, in many cases, these Saudi men violated court orders when they took these children from their mothers, I get angry. And when I think about the fact that the Saudi government was complicit in some of these kidnappings, I get even angrier.

The story of Joanna Stephenson Tonetti is a good example. She and her Saudi husband were divorced in 1997. She got sole custody of their three children. Two years ago, her husband asked for an unsupervised visit. The judge agreed, but only if the husband promised not to leave the country with the kids. He promised. The judge sent a copy of the custody order to the Saudi Embassy to make sure that they wouldn't issue passports or visas to the children if the husband didn't keep his promise. Well, as soon as he got those kids, he took them straight to the Embassy. The Embassy gave him passports and visas, and off they went to Saudi Arabia.

Until two months ago, Joanna hadn't been able to speak to her children in two years. The Saudi government was complicit in that kidnapping. An arrest warrant has been issued for that man, and the Saudi government is protecting him.

On September 12, Prince Bandar wrote a letter to the editor to the Wall Street Journal. In the very first paragraph, he says:

*“Some have charged that Saudi Arabia is holding Americans against their will.
This is absolutely not true.”*

After yesterday's hearing, we know that's not true.

We asked Debra Docekal's son Ramie. Ramie was one of the fortunate few. He got out. For fourteen years, he was separated from his mother in a country where he didn't want to live. Two months ago, he was finally allowed to leave. But the sad part is that he had to leave his 15-year-old sister behind. Yesterday, he told us in no uncertain terms that she wants to return to the United States.

We heard from Sam Seramur's daughter, Maha. We saw the amazing videotape of her escape in Malaysia. Maha testified about the terrible situation that American kids endure in Saudi Arabia. I want to play a short segment of her testimony.

(Play Tape)

When we were in Saudi Arabia in August, we saw with our own eyes that Americans there are living in fear. We met with women who were desperate to get out. But they were terrified of being beaten or killed by their husbands if they said anything.

So when Prince Bandar said there are no Americans being held against their will in Saudi Arabia, we know it's not true. We heard first-hand testimony yesterday from six families, and that's just a fraction of the cases.

As I said yesterday, when I first got involved in this issue, all I wanted to do was help a few mothers be reunited with their kidnapped children. I hoped that the Saudi government would work with us. That hasn't happened. In public, they say and do all the right things, but behind the scenes, they've done everything they could to undermine our efforts.

When I was meeting with the Foreign Minister, Prince Saud, in Saudi Arabia, I asked if my staff could sit down with his staff and talk about the details of these cases. He said no. I couldn't believe it. What was he hiding?

They concocted a story that I tried to bribe Amjad Radwan with \$1 million if she'd come back to the United States – which was obviously nonsense. They said she was free to go any time she wanted. But when I met with her, I could see the tears in her eyes and her trembling hands. She was afraid – terrified.

We've been hearing for weeks that the Saudis have a list of Saudi Children who have been kidnapped to the United States. That would be a pretty effective PR device, if it were true. Yesterday, we finally got a copy of the list, and it's just nonsense. The first name on the list is Dria Davis.

Dria Davis was held against her will in Saudi Arabia for years before she escaped. She's an American citizen. She testified here in June. She said she'd rather die than go back to Saudi Arabia. Listen to the tape:

(Play tape.)

So once again, we're getting disinformation from the Saudi government.

We're not the only ones. Two of President Clinton's top anti-terrorism aides just wrote a book. They said that Prince Bandar, the Saudi Ambassador to the United States, repeatedly lied to the Director of the FBI about the Khobar Tower bombing. 19 American servicemen died in that terrorist attack, and the Saudi Ambassador misled us. Now, with these kidnapping cases, we're being given misinformation again. That's not acceptable.

We invited the Saudi Embassy's spokesman, Adel al-Jubeir, to come testify today. Yesterday, we heard from five mothers and one father. Today, we wanted to give the Saudis a chance to give us the other side of the story. In fact, when Al-Jubeir spoke to Sixty Minutes, he complained that we had not invited him to our first hearing. But he refused to testify. So we subpoenaed their top lobbyist – Michael Petruzzello. He has been called the leader of the Saudis' efforts to deal with our Committee.

Mr. Petruzzello is the head of Qorvis Communications. His firm is paid more than \$200,000 a month to represent the Saudis. We have a lot of questions for Mr. Petruzzello:

- I'd like to know if he agrees with Prince Bandar's statement that no Americans are being held against their will in Saudi Arabia.
- I'd like to know what their position is on each of the cases we heard about yesterday.
- I'd like to know why the Saudi government is harboring men who've abducted their children when arrest warrants have been issued.
- I'd like to know why Pat Roush's daughters were sent to London to meet with strangers instead of to California to meet with their mother.
- I'd like to know if he believes in his heart that a Saudi woman can really say what she thinks if her father or husband disagrees.

I think those are fair questions, and I think these families deserve answers.

We're also going to hear from two State Department officials. For a long time, the State Department didn't want to deal with this issue. However, I think that's starting to change.

Twelve years ago, when Monica Stowers gathered up her children and took them to the U.S. Embassy, they were ordered out and removed by the Marine guards. This year, when Sam Seramur got her daughter in Malaysia and took her to the U.S. Embassy, they helped her. They took them in and got them home to the U.S.

Mrs. Scramur said that our Ambassador in Kuala Lumpur was extremely helpful, and she deserves credit for that.

When we were in Riyadh, Ambassador Jordan pledged that never again would a U.S. citizen who needed help be turned away. I applaud that. When I met with Secretary of State Powell in September, he told me they're going to work very hard to keep this issue on the front burner. I think that's very positive. So I'd like to hear from our witnesses today what's going to be done by the State Department as we move forward to help get these cases resolved.

Finally, I've invited one of our former U.S. ambassadors to Saudi Arabia, Ray Mabus. It seems like Ambassador Mabus was one of the few State Department officials who really pushed the Saudis to return kidnapped children. When Pat Roush's ex-husband refused to return her daughters, Ambassador Mabus stopped approving visas for his extended family. That caused a lot of problems for that family, and it almost worked. Unfortunately, when Ambassador Mabus left, his successor, Wyche Fowler, discontinued that policy. Now his successor has been on TV supporting the Saudis. I can only wonder if he's funded by the Saudi government.

It's been reported in the press that some of our former ambassadors to Riyadh have gone on to work for the Saudis and make a lot of money. Listen to this quote that was attributed to Prince Bandar in the Washington Post:

"If the reputation ... builds that the Saudis take care of friends when they leave office, you'd be surprised how much better friends you have who are just coming into office."

I think that's a real problem. Ambassadors are supposed to be working for the American people, not foreign interests. I think this area needs a lot more scrutiny.

I want to thank Ambassador Mabus for being here today. I think he deserves our thanks for his efforts while he was in Riyadh. I'll be interested in hearing what he thinks we can do from here on out to resolve these cases.

That concludes my opening statement.

Mr. WAXMAN. Thank you, Mr. Chairman. These are valuable hearings that you are holding that remind us that there are fundamental differences between democratic governments like ours and Saudi Arabia. The United States is a pluralistic democracy where religious freedoms are not only tolerated, they are encouraged. American laws do not differentiate between genders, religions, races or ethnicities. People in the United States enjoy freedom of speech and the right to travel. These are not just American values. They are basic human rights espoused by many countries around the world.

Saudi Arabia, on the other hand, is a theocracy. There is no public participation in government. Religious freedom is prohibited, and there is no freedom of speech or assembly. Men and women are treated very differently by Saudi law. Women do not have the same educational opportunities as men. They cannot be admitted to a hospital without the permission of their nearest male relative. Women cannot drive and they cannot associate freely with men in public. Women cannot travel without permission from their fathers or their husbands.

These hearings have focused in particular on an aspect of Saudi Arabia that directly affects American parents: How Americans who divorce their Saudi spouses can essentially be denied the right to be a part of their children's lives. The committee has heard compelling testimony from women who have not had contact with their children in years because the Saudi fathers would not grant them permission to come to Saudi Arabia. We have also heard testimony from women who were forced to take extreme measures, such as orchestrating a rescue or living under discriminatory conditions in Saudi Arabia, to have any contact with their children. And we have even heard from a man, Michael Rives, who was denied contact with his children after his ex-wife kidnapped their children to Saudi Arabia.

One key question that I hope we will be able to explore today is to what extent is the Saudi Government complicit in keeping these families apart. There appears to be significant evidence of Saudi Government involvement. For example, the committee heard yesterday from two witnesses who, fearing that their husbands would violate American court orders giving them custody of their children, made the Saudi Government aware that their children were not to be taken out of the country. Nonetheless, in both of these cases the Saudi Government allowed these men and their children to travel to Saudi Arabia in violation of American law.

I recognize that Michael Petruzzello, who has been subpoenaed here today, is not an official in the Saudi Government, but he has been hired as a public relations specialist by the Saudis to present their case to the American public. I hope he will be able to answer some of these questions.

We have also heard complaints about the role our own government has played in these cases. I am glad that we will have witnesses from the State Department here today so that we will be able to inquire whether the U.S. Government has done everything that it could.

In closing, let me thank the chairman for holding this hearing and tell the witnesses that I look forward to their testimony. Even

though other business will require me to be out of the hearing room, I will have a chance to review their testimony and the record, which we will be able to share with all of our colleagues.

Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Mr. Waxman. The gentleman from California.

Mr. OSE. Thank you, Mr. Chairman. I appreciate the opportunity to visit and attend this hearing today. This is a followup to a June 12 hearing. My particular interest, and for which I am grateful for you calling this, is we asked a number of questions at the June 12 hearing of State Department and we have had some written answers. In the time that you are going to allot to me we're going to go through those responses one by one and clarify them. I'm looking forward to that exchange. I am particularly interested in the list of child custody and U.S. citizen departure cases that is appended to the responses from the State Department. I'm just giving the State Department's person just a heads up. We're going through this one by one.

So I thank you for doing this.

Mr. BURTON. OK, Mr. Ose.

Mr. Horn.

Mr. HORN. Mr. Chairman, I'm delighted that you took a sort of very important step with this, because this happens all over the world. But it happens and it shouldn't happen, and the Saudis should know what the outside world thinks, and I'm sure that women in Saudi Arabia are not too pleased with that policy, and so are we.

So thank you.

Mr. BURTON. Thank you, Mr. Horn. Would the witnesses please rise so we can have you sworn?

[Witnesses sworn.]

Mr. BURTON. I have been told that the witnesses we had before us yesterday don't have an opening statement, so Mr. Petruzzello, we will let you go ahead and start.

STATEMENTS OF MICHAEL PETRUZZELLO, MANAGING PARTNER, QORVIS COMMUNICATIONS, PUBLIC RELATIONS FIRM FOR THE GOVERNMENT OF SAUDI ARABIA; MICHAEL RIVES, FATHER OF LILLY AND SAMI RIVES; MAUREEN DABBAGH, MOTHER OF NADIA DABBAGH; MARGARET McCLAIN, MOTHER OF HEIDI AL-OMARY; AND JOANNA STEPHENSON TONETTI, MOTHER OF ROSEMARY, SARAH, AND ABDULAZIZ AL-ARIFI

Mr. PETRUZZELLO. Thank you, Mr. Chairman, members of the committee. My name is Michael Petruzzello. I am the Managing Partner of Qorvis Communications, an outside communications firm for the Saudi Embassy in Washington. I'm here today in response to the committee subpoena.

Let me take a moment to explain the role of Qorvis Communications. We were hired late last year to assist the Saudi Embassy on media and communications matters in the United States. The vast majority of our communications work is related to bilateral U.S.-Saudi relations and the war on terrorism. We do not set policy or

implement policy. We are a facilitator for media and public relations.

On the issue before the committee today we have helped the embassy prepare materials and respond to information requests such as requests for interviews of embassy officials.

As I indicated, I am here in response to the committee's subpoena. I am not here as a representative of the embassy or to speak on its behalf in connection with the matter before the committee. Within that framework I will answer any questions the committee may have.

[The prepared statement of Mr. Petruzzello follows:]

TESTIMONY OF MICHAEL PETRUZZELLO
BEFORE THE HOUSE COMMITTEE ON
GOVERNMENT REFORM

OCTOBER 3, 2002

MR. CHAIRMAN, REPRESENTATIVE WAXMAN, MEMBERS OF THE COMMITTEE. MY NAME IS MICHAEL PETRUZZELLO. I AM THE MANAGING PARTNER OF QORVIS COMMUNICATIONS, AN OUTSIDE COMMUNICATIONS FIRM FOR THE SAUDI EMBASSY IN WASHINGTON. I AM HERE TODAY IN RESPONSE TO THE COMMITTEE'S SUBPOENA.

LET ME TAKE A MOMENT TO EXPLAIN THE ROLE OF QORVIS COMMUNICATIONS. WE WERE HIRED LATE LAST YEAR TO ASSIST THE SAUDI EMBASSY ON MEDIA AND COMMUNICATIONS MATTERS IN THE UNITED STATES. THE VAST MAJORITY OF OUR COMMUNICATIONS WORK IS RELATED TO THE WAR ON TERRORISM AND BI-LATERAL US-SAUDI RELATIONS. WE DO NOT SET POLICY OR IMPLEMENT POLICY. WE ARE A FACILITATOR FOR MEDIA AND PUBLIC RELATIONS.

ON THE ISSUE BEFORE THE COMMITTEE TODAY, WE HAVE HELPED THE EMBASSY PREPARE MATERIALS AND RESPOND TO

INFORMATION REQUESTS, SUCH AS REQUESTS FOR INTERVIEWS OF EMBASSY OFFICIALS.

AS I INDICATED, I AM HERE IN RESPONSE TO THE COMMITTEE'S SUBPOENA. I AM NOT HERE AS A REPRESENTATIVE OF THE EMBASSY OR TO SPEAK ON ITS BEHALF IN CONNECTION WITH THE MATTER BEFORE THE COMMITTEE. WITHIN THAT FRAMEWORK, I WILL ANSWER ANY QUESTIONS THE COMMITTEE MAY HAVE.

Mr. BURTON. Thank you. Mr. Cummings, did you have an opening statement?

Let me start off by saying that the reason we asked you to be here and issued a subpoena was because on television on 60 Minutes one of the representatives of the Saudi Government speaking for, I presume, the embassy and Prince Bandar stated that they weren't invited to testify before this committee. We corrected that by inviting them and they chose not to come because I don't think they really wanted to be asked questions about these things. So we felt like you as their representative would probably be the only one that we could get here. Did you—Mr. Petruzzello.

Mr. PETRUZZELLO. Petruzzello.

Mr. BURTON. Petruzzello. Mr. Petruzzello, did you or your firm help draft Prince Bandar's letter to the Wall Street Journal, the letter that said, "Some have charged that Saudi Arabia is holding Americans against their will, and this is absolutely not true"?

Mr. PETRUZZELLO. Mr. Chairman, I believe we provided some early drafts and talking points for that letter.

Mr. BURTON. So you did help draft that?

Mr. PETRUZZELLO. Yes, sir.

Mr. BURTON. Do you really believe that statement?

Mr. PETRUZZELLO. Mr. Chairman, it is the position and statement of the Government of Saudi Arabia.

Mr. BURTON. But you helped draft it?

Mr. PETRUZZELLO. Yes, sir.

Mr. BURTON. And if you drafted it, it says, "Some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true." Since you helped draft it, don't you think that you ought to know whether or not that's true? Do you think they are not holding Americans against their will over there?

Mr. PETRUZZELLO. Mr. Chairman, that is the position that Saudi Arabia has publicly stated. I really don't have anything more to add to that.

Mr. BURTON. Do you believe that they're not holding people against their will over there?

Mr. PETRUZZELLO. Mr. Chairman, these are very complex legal matters and matters of international law, which I really don't have a full grasp of, so I really can't comment any further on that.

Mr. BURTON. You saw the testimony of some of these young ladies over here who have escaped from Saudi Arabia. Do you think they lied?

Mr. PETRUZZELLO. I don't have any reason to believe they lied. No, sir.

Mr. BURTON. And you get \$200,000 a month from the Saudi Government.

Mr. PETRUZZELLO. That's correct.

Mr. BURTON. Did you watch any of yesterday's hearing?

Mr. PETRUZZELLO. No, sir, I did not.

Mr. BURTON. Did you get a briefing about our hearing?

Mr. PETRUZZELLO. No, sir, I did not.

Mr. BURTON. How can you really speak honestly about this issue if you didn't pay any attention to what we talked about yesterday?

Mr. PETRUZZELLO. Mr. Chairman.

Mr. BURTON. You knew you were going to testify today, didn't you?

Mr. PETRUZZELLO. Mr. Chairman, I am not a spokesperson for the Saudi Government. But I'm here to respond to any questions of me you have.

Mr. BURTON. You're not a spokesman for the government and yet you helped draft this letter that said some have charged that Saudi Arabia is holding Americans against their will and it's not true. It's absolutely not true. You helped draft that letter.

Mr. PETRUZZELLO. I helped draft it, yes.

Mr. BURTON. Do you think these people here who have their kids in Saudi Arabia that have been kidnapped by their fathers and in violation of court orders, do you think that they should have their children returned to them?

Mr. PETRUZZELLO. Mr. Chairman, you know, I believe the King of Saudi Arabia has stated publicly a desire to work constructively with the U.S. Government to help resolve these cases and I do not—I do not have information on any of the individual cases nor do I understand the legal ins and outs of them. But I do, you know, I can only state what the government has said publicly.

Mr. BURTON. Well, you have children, don't you?

Mr. PETRUZZELLO. I have a son.

Mr. BURTON. How old is your boy?

Mr. PETRUZZELLO. He's 6 years old.

Mr. BURTON. Do you think an American child, that American citizens who have been kidnapped from the United States and taken to Saudi Arabia enjoy the same rights that your kids do?

Mr. PETRUZZELLO. I'm sorry, I didn't understand the question.

Mr. BURTON. Do you think the kids who have been kidnapped from the United States, children of these people who have been kidnapped from the United States and taken to Saudi Arabia, do you think those children enjoy the same human rights that your boy does?

Mr. PETRUZZELLO. You know, it's my understanding that the laws and customs of Saudi Arabia are different than our own.

Mr. BURTON. I'm not sure I understand what you mean by that. Their customs are different than our own. Tying a boy up and beating him, does that sound like something that's just a different custom?

Mr. PETRUZZELLO. Mr. Chairman, I would say tying up a boy and beating him would be wrong in any country.

Mr. BURTON. Well, you ought to check out that place over there. I was in a—for your information, I was in a meeting with a woman who didn't have her head completely covered with her abaya and the religious police came in and threatened to arrest those of us in that meeting just because her head wasn't covered. If a woman has her ankles uncovered, they beat her ankles with a whip, and if they don't obey the law, they put the Koran under the arm and they can beat you up to 40 times with a whip and in some cases they can whip you up to 8,000 times. Of course they don't do that all at once. They spread it out over a few weeks. You can choose to do that.

Does that sound like human rights?

Let me just say this to the mothers that are here. Do you think the children who have been taken from you have the same rights that Mr. Petruzzello's son has? How about you, Ms. Tonetti?

Ms. TONETTI. No, they don't. No, my children have no rights.

Mr. BURTON. How about you, Ms. McClain?

Ms. MCCLAIN. My daughter does not have any human rights or any constitutional rights in the Kingdom of Saudi Arabia.

Mr. BURTON. And she's a citizen of the United States?

Ms. MCCLAIN. Yes, sir, she is.

Mr. BURTON. How about you, Mr. Rives?

Mr. RIVES. No, sir, not my daughter, and if he looks at a picture of my son—

Mr. BURTON. Can you turn the mic on? We can't hear you, sir.

Mr. RIVES. Certainly my daughter does not have any rights to freedom as we as Americans have. And if he, Mr. Petruzzello, could look over there at my blonde headed boy over there and if you don't think he is going to be discriminated against with the current resentment against Americans in Saudi Arabia, I'm sure you wouldn't want your American son over there.

Mr. BURTON. How about you, Ms. Dabbagh?

Ms. DABBAGH. My daughter has no rights or protections in Saudi Arabia.

Mr. BURTON. Prince Saud told us when we were in Saudi Arabia that this country does not recognize U.S. law in situations that apply to families and children. Do you think that Saudi should recognize U.S. law when a court makes a decision? Do you think they should recognize our laws?

Mr. PETRUZZELLO. Mr. Chairman, again, I'm no expert in international law or the recognition of law of one country to another. So I wouldn't know how to comment on that.

Mr. BURTON. Is it true that no U.S. citizen is being held against their will in Saudi Arabia? What do you think about that?

Mr. PETRUZZELLO. You know, I—Mr. Chairman, I'll just restate that is the position of the Saudi Government, and I have nothing more to add to that.

Mr. BURTON. Before our hearings and our trip to Saudi Arabia, we were told in no uncertain terms that Amjad Radwan, an adult American woman, could not be allowed to leave Saudi Arabia without the permission of her father. But when we got to Saudi Arabia, Prince Saud said that any adult American woman can leave if she wants. Doesn't that prove that the Saudi royal family can change their policy if they want to?

Mr. PETRUZZELLO. Could you restate the question, please?

Mr. BURTON. When we were there, we were told that in very clear terms that no—no woman could leave Saudi Arabia, no child, no female, could leave without the permission of her father. But when we got there, as far as Amjad Radwan was concerned, Prince Saud, the Foreign Minister, said that any adult American woman could leave if she wants to. Now, doesn't that prove that the Saudi royal family can change that policy if they want to?

Mr. PETRUZZELLO. I'm not familiar with the statement of Prince Saud. You know, what I would say is that the—Saudi Arabia is working diligently and trying to find resolutions to this issue.

Mr. BURTON. Well, doesn't this flip-flop show that the argument that you kept advancing about how the royal families hands are tied by the laws of Islam is just a red herring?

Mr. PETRUZZELLO. Mr. Chairman, what the government has said is that they are—take this issue very seriously and are working to try and resolve individual cases and that there are complexities between United States and Saudi law, that they feel that new mechanisms are needed to help resolve these cases more quickly. And as I understand, they have proposed to the State Department a formation of an international protocol to address that.

Mr. BURTON. Well, my time has expired. I am going to have to yield to my colleagues, but let me just say this. American citizens that have been kidnapped in violation of American law, with the help of the Saudi Government, shows very clearly that they do not recognize American law. Prince Saud told me they don't recognize U.S. law. They recognize only Saudi law, and that has to be changed. And we're going to continue to push on this, even though you and others are paid exorbitant amounts of money by the Saudi Government to represent them and to try to make them look good.

In my district and here in Washington, and I don't know if it's throughout the country, this past week or 2 weeks since we held our first hearing I have seen tremendous numbers of commercials talking about what great allies and friends the Saudis are. And I'm sure your firm had a lot to do with placing those ads. Putting them in my district isn't going to influence me. So you can save your money. Don't spend any more of the Saudis' money in Indiana because I'm going to continue to have these hearings as long as I'm in the Congress until they change their policies.

And with that, Mr. Cummings.

Mr. CUMMINGS. Thank you very much, Mr. Chairman. I just want to just ask a few questions. Your role—do you provide advice to the Government of Saudi Arabia?

Mr. PETRUZZELLO. My role and the role of my firm is to act as a facilitator for the embassy, to provide information to the media and to the public.

Mr. CUMMINGS. And you said that you—but you personally, are you involved, you, yourself, not just your firm? I'm talking about you.

Mr. PETRUZZELLO. Yes, sir, I am personally involved.

Mr. CUMMINGS. And you said—I was just reading and you were involved in the writing of the letter, is that right? The letter that Mr. Burton, Chairman Burton referred to.

Mr. PETRUZZELLO. Yes.

Mr. CUMMINGS. There's a part of the letter that I was just curious about and it's very interesting and, since you were part of it, I guess you might be able to explain it. It says, "Many things have been attributed to the visit," meaning Chairman Burton's visit, "of the congressional delegation led by Representative Burton that do not reflect what was actually discussed during the visit. We are frankly surprised that the delegation itself has not clarified thus far what was attributed to it."

Can you explain that paragraph? What that means and what you're talking about?

Mr. PETRUZZELLO. Congressman, I'm not familiar with what Prince Bandar meant specifically in that paragraph. I, you know, I guess, you know, what the Saudis have said in other forums is that they feel that they haven't had their views fully expressed and want to enter a more constructive dialog with this committee and with the U.S. Government to try and seek solutions to this issue.

Mr. CUMMINGS. And when this letter was put together, was this a team effort? And who did you communicate with? I mean, who helped you—who did you help write this letter?

Mr. PETRUZZELLO. Congressman, we provide some talking points to the embassy, but, you know, the letter itself is a product of the embassy and the embassy staff and Prince Bandar.

Mr. CUMMINGS. All right. Now, it talks here about—it says "My government is also seeking solutions to these cases, and we have requested the assistance of the U.S. Government in this matter," talking about the 10 cases that you all claim are still outstanding. Are we—are you getting the kind of cooperation that you need with regard to the United States?

Mr. PETRUZZELLO. Congressman, I'm not involved in the individual cases or the efforts to find solutions to the cases. I think that question would probably be best directed to the embassy and the State Department.

Mr. CUMMINGS. OK. Is there someone who has more information than you had, because you're not being very helpful this morning, to be very frank with you, is there someone in your firm that knows more than you or somebody who we could subpoena and get in here?

Mr. PETRUZZELLO. Congressman, not in my firm. You know, again to restate, our role is media relations, communications. We're not attorneys and we're not involved in the legal proceedings that people within the embassy and within the foreign ministry have that specific information and I—

Mr. CUMMINGS. Did you have a conversation with anyone before coming here from the embassy, I mean, anyone at the embassy before coming here today?

Mr. PETRUZZELLO. Congressman, I informed the embassy that I was subpoenaed to testify, but I have had no further conversation with them about this.

Mr. CUMMINGS. And who did you tell that to?

Mr. PETRUZZELLO. I informed Adel al-Jubeir, who is the Foreign Policy Advisor to the Crown Prince.

Mr. CUMMINGS. And that was the end of the conversation; I've been subpoenaed and I'm going in, and that was it? He said OK?

Mr. PETRUZZELLO. That's it, yes.

Mr. CUMMINGS. Nobody asked you what you were going to be talking about?

Mr. PETRUZZELLO. I was given no instruction by the embassy.

Mr. CUMMINGS. Now, can you just tell us what you all do for this \$200,000 a month?

Mr. PETRUZZELLO. We help the embassy develop information materials or respond to media requests. Congressman, the vast majority of our work has to do with questions about U.S.-Saudi relations, questions regarding the war on terrorism and questions regarding, you know, our national interests in Iraq. You know, most—that's

where—there's been a lot of questions since last year when we were hired and that's really where our work is largely focused on.

Mr. CUMMINGS. So you would say, I guess, based upon what you have said so far, you would have—your firm would have no real influence on trying to bring these cases to some type of conclusion; in other words, you don't—you just sort of—you're just sort of a mouthpiece?

Mr. PETRUZZELLO. Congressman, I'm not a spokesperson for the Saudi Government. But to answer your question, no, we're not involved in the resolution of cases.

Mr. CUMMINGS. All right. Thank you very much, Mr. Chairman.

Mr. OSE [presiding]. Thank you, Mr. Cummings.

Mr. Petruzzello, I want to go through a couple of things. Were you aware that Chairman Burton and a number of Members were headed to Saudi Arabia in August? Were you aware of that trip?

Mr. PETRUZZELLO. Yes, I was aware of that.

Mr. OSE. The question was whether or not Mr. Petruzzello was aware of the trip that Chairman Burton and others took to Saudi. Did you discuss Chairman Burton's delegation trip to Saudi Arabia with any members of the Saudi embassy?

Mr. PETRUZZELLO. Congressman, yes, I did.

Mr. OSE. Who?

Mr. PETRUZZELLO. We had discussions about the trip with Nail al-Jubeir, who is the Director, Deputy Director of the Information Office.

Mr. OSE. Only him?

Mr. PETRUZZELLO. At the embassy, yes.

Mr. OSE. Anybody else besides Mr. Jubeir at the embassy?

Mr. PETRUZZELLO. No, not at the embassy.

Mr. OSE. Anybody else outside the embassy?

Mr. PETRUZZELLO. Outside the embassy would be Adel al-Jubeir, who is the Foreign Policy Advisor to the Crown Prince.

Mr. OSE. Now is the Foreign Policy Advisor of the Crown Prince based at the embassy?

Mr. PETRUZZELLO. No, he's part of the royal court in Riyadh.

Mr. OSE. OK, so you called him on the phone or something?

Mr. PETRUZZELLO. Yes, and he is occasionally here in Washington.

Mr. OSE. Now, you're the Managing General Partner of Qorvis?

Mr. PETRUZZELLO. Managing Partner of Qorvis Communications.

Mr. OSE. All right. And the Saudis pay you \$200,000 a month to assist them in their communications here in the United States?

Mr. PETRUZZELLO. Yes, sir, that's correct.

Mr. OSE. OK. You answer in the affirmative that you were aware of Chairman Burton's trip to Saudi Arabia with his delegation. Were you aware before Chairman Burton left the United States that the al Gheslayan daughters were going to London for an interview with—who is the guy? The guy that did the interview in London. O'Reilly?

Mr. PETRUZZELLO. Mr. Congressman, I'm not sure the exact dates of when Mr. Burton left the United States. But I was made aware that the al Gheslayan girls were going to London a day or two before they arrived in London.

Mr. OSE. Who advised you of that?

Mr. PETRUZZELLO. Adel al-Jubeir.

Mr. OSE. So apparently at some point within the embassy a decision was made to have the al Gheshayan girls go to London for the purpose of the interview?

Mr. PETRUZZELLO. Uhm—

Mr. OSE. And you were so advised?

Mr. PETRUZZELLO. Congressman, it was my understanding that the trip to London was inspired by Adel al-Jubeir's appearance on the Fox O'Reilly Show some weeks before where he made a commitment to work to have the girls meet with the U.S. Government officials and the media outside of Saudi Arabia.

Mr. OSE. That's a remarkable coincidence. Now, you knew that the congressional delegation was going to Saudi Arabia. Did you know the purpose of their visit?

Mr. PETRUZZELLO. Yes, sir, I did.

Mr. OSE. And what was, in your understanding, what was the purpose of that visit?

Mr. PETRUZZELLO. As I understand it, it was to meet with the Saudi Government officials to discuss the issue before the committee today as well as other issues of mutual interest to the United States and Saudi Arabia.

Mr. OSE. Were you aware that the delegation's specific interest was to arrange visits between the kidnapping victims and their left behind parents?

Mr. PETRUZZELLO. No, Congressman. It was actually, I think, the understanding of the Government of Saudi Arabia that meetings with the individual families was not part of the delegation's agenda.

Mr. OSE. Is there anybody here that you recognize in the audience that's otherwise here on behalf of the Saudi Arabian Government?

Mr. PETRUZZELLO. People who represent—

Mr. OSE. Just take a look around here.

Mr. PETRUZZELLO [continuing]. Who represent, like outside counsel?

Mr. OSE. Yes.

Mr. PETRUZZELLO. Yes, these two, three gentlemen right behind in the one, two, three, fourth row behind me.

Mr. OSE. OK. Now, the visit to London with the al Gheshayan girls, who made the decision to have those women transported from Saudi Arabia to London, remarkably coincident to the arrival of Chairman Burton's delegation in Saudi Arabia?

Mr. PETRUZZELLO. Congressman, I don't know who specifically made that decision.

Mr. OSE. All right. I'm going to recognize the gentleman from California, Mr. Horn, for 5 minutes.

Mr. HORN. I came in a little late, but I don't know if we've covered this on the facts of the various cases. And do you think the Saudi Government has helped some of the Saudi parents kidnap their U.S. citizen children?

Mr. PETRUZZELLO. I'm sorry, sir. I couldn't—I could not hear the question.

Mr. HORN. Well, based on your review of the facts of the various cases, do you think the Saudi Government has helped some of the Saudi parents kidnap their U.S. citizen children?

Mr. PETRUZZELLO. Congressman, before I answer that question, I just want to go back to the Congressman's previous question just to clarify, if I misunderstood, that if he asked if there were representatives from the Saudi Government, the embassy here. There isn't anyone from the embassy staff that is here today.

But to address your question, sir, I have not reviewed in detail any of the specifics of any of the individual cases. And—but what I say is what the Saudi Government has said publicly, is that they are looking for a more constructive dialog with the U.S. Government. They believe that more mechanisms are needed to bridge the gap between United States and Saudi law and have—and are working to propose and work with the State Department to develop those mechanisms.

Mr. HORN. You have been asked a couple of times as to what the embassy thought of all this. And I guess I would ask, did anything—did you have any relationships with the American embassy on this—these cases?

Mr. PETRUZZELLO. No, Congressman, I've never spoken to the American embassy about these cases.

Mr. HORN. You haven't. Well, I would like to hear from the mothers and the children. And did you work with the American embassy, and what kind of help did they give, if any? So can we just start from the bottom here of those who did any working with the embassy? Is that Ms. Dabbagh?

Ms. DABBAGH. I asked—I made many requests to the American embassy in Riyadh, Saudi Arabia for assistance in doing what is called a welfare and whereabouts check in which an attempt is made to locate the child as well as try to visit with her. They have numerous times spoken with my ex-husband. They know where he works. My ex-husband tells the diplomatic staff, no, you can't see her. Then I'm called and said, oh, well, he won't let us see her. There's nothing we can do.

Other attempts working through the U.S. embassy in Riyadh, Saudi Arabia have included determining when she leaves the country, when she reenters the country.

Mr. HORN. Well, I am just interested in—

Ms. DABBAGH. Yeah. That's about it. But nothing has ever happened.

Mr. HORN. Mr. Rives, what kind of help did you get from the American embassy?

Mr. RIVES. Help from the American embassy?

Mr. HORN. Yes. In Saudi Arabia.

Mr. RIVES. I got the same thing, whereabouts and welfare visits. Also I have asked the U.S. Embassy how according to worldwide Web site for Saudi Arabia it says that you cannot have a visa for Saudi Arabia unless you have a valid passport for at least 6 months. And my daughter's American passport which she entered in expires January the 9, 2003, so I was wondering why my child was not returned July 10th of this year. I mean that's the visa requirements there.

Also I have asked the U.S. embassy how the Saudi Government took away my children's American passports. This has more to do with U.S.-Saudi relations, which you said that were the area of your expertise, as opposed to custody issues. So also I've asked the U.S. embassy how come I cannot get the passport numbers and also the State Department has not been able to get passport numbers of the Saudi Arabian passports that were given to my kids when they took the American passports away.

And finally, how can they do anything, and I addressed this at the embassy as well. How can the Saudi Government do anything since I am their father, without my involvement. And, you know, since this is U.S.-Saudi relationship, I was wondering if Mr. Petruzzello, you know, knows something about that. They published this on the Web about the visa requirements, and so forth.

Thank you.

Mr. HORN. My—I have only a few minutes. Mrs. Tonetti and Mrs. McClain, I'd like to know did the Saudis help kidnap the children?

Ms. MCCLAIN. Yes. The Saudi Government did help kidnap my daughter. I made them aware in both 1994 and 1995 that she was an American citizen, that I had legal custody of her. I sent them all the divorce and custody decree documents which my ex-husband signed and agreed to in a court of law. I also contacted the CEO of Saudi Arabian Airlines, which is a government airline, that they were not to take my child out of the country. And they proceeded to do so anyway.

Mr. HORN. Well, for the rest of you that's gone through there, what did you think of the testimony of Mrs. Tonetti and Mrs. McClain, who said the Saudi embassy was warned that their Saudi ex-husbands did not have custody of their children but that the embassy still helped the kidnapers get children out of the country? Do you admit that this has happened?

Mr. PETRUZZELLO. Congressman, when—in discussing visa regulations and requirements and the specifics of these cases, it gets well outside of my sphere of expertise. I can only comment on the public relations aspect of this. And I could say that progress—the Saudis are well aware that progress in this area would be helpful to their public relations efforts here.

Mr. BURTON [presiding]. If I might, if the gentleman would yield real quickly. Mrs. Tonetti I think had a similar experience. Would you like to comment on that with your—

Ms. TONETTI. Well, it's just the fact that the embassy was notified by regular and certified mail that they were not to issue passports to my ex-husband, that he did not have legal or physical custody, he was not permitted to leave the country with them. But they ignored the court order and the divorce decree and they went ahead and issued passports. So they were accomplices in the kidnapping of three American children.

Mr. HORN. That's really outrageous. I would notice that, Mr. Petruzzello, I don't understand your role because you don't seem to understand that it seems to me if I were the public relations person for the King of Saudi Arabia, I'd say, King, why don't we make some ways of getting these children out of the country and the King is absolute and so—

Mr. PETRUZZELLO. Congressman, I think you know the Saudi Government has stated publicly on a number of occasions that they want to see these cases find resolution where possible. They want to see new mechanisms that will help bridge the gap between United States and Saudi law, and they have said they are working diligently to do so.

Mr. BURTON. The gentleman's time has expired. Mrs. Morella.

Mrs. MORELLA. Thank you, Mr. Chairman. Again I want to applaud you not only for this series of hearings but for the trip that you took and I thought your appearance on 60 Minutes was excellent in terms of defining what the problem is and the anguish that all of us feel, and I would say that certainly it is an unjust aspect of our relationship with Saudi Arabia that U.S. citizens can be held against their will with the full blessing of the Saudi Government and often in violation of U.S. law. But fortunately, because of Chairman Burton's involvement, the Saudi Government has evidently now expressed a desire to develop bilateral protocols to enable the State Department and the Saudi Government to resolve child abduction cases without going through the legal system. And while I welcome any discussions that could lead to less acrimony, I certainly have doubts about the commitment of Saudi officials, given the testimony that I've read from the witnesses that we have today, and I find it extremely troubling that Saudi embassy officials have knowingly allowed American children to leave the United States in direct violation of a court order that they've been told about.

So I can't help but question the commitment and desire of Saudi officials to make the necessary concessions that would allow for bilateral agreements to be workable. I know we'll also hear more about that with the next panel.

But now, addressing a question to you, Mr. Petruzzello, Qorvis Communications played a significant role in the visit of the Roush girls to London last month. In fact, I understand a Qorvis employee was actually present during at least one of the interviews. Did the Qorvis employee meet up with the traveling party in Europe or in Saudi Arabia?

Mr. PETRUZZELLO. The Qorvis employee met with the sisters in London.

Mrs. MORELLA. In London. Was there only one Qorvis employee?

Mr. PETRUZZELLO. Yes, there was only one.

Mrs. MORELLA. Were there any other lobbyists or Americans who are helping to advise the Saudis regarding this trip?

Mr. PETRUZZELLO. No.

Mrs. MORELLA. No. There were none. Have the two Roush daughters ever been subject to coercion or duress?

Mr. PETRUZZELLO. Not that I'm aware of. But I wouldn't—I have never spoken directly to the sisters.

Mrs. MORELLA. So you're just not certain about it. You're not certain about it. And were you comfortable—

Mr. PETRUZZELLO. Congresswoman, let me say that the Saudi Government has been very clear in saying that they have never coerced the sisters to say or do anything they didn't want to do.

Mrs. MORELLA. OK. I mean, I guess there's a question of credibility or certainty. But this is what you have heard and that is what you're saying?

Mr. PETRUZZELLO. Yes.

Mrs. MORELLA. All right. Were you comfortable in playing a part in these interviews? Are you comfortable in this whole situation? You know, as a father, and, you know, I mean, an American.

Mr. PETRUZZELLO. The answer to your question is that the objective of the Saudi Government was to give the al Gheshayan sisters an opportunity to meet privately outside of Saudi Arabia with the U.S. Government officials and the media to discuss their intentions on how and where they want to live their lives. And you know, and the Saudi Government felt that was a positive step.

Mrs. MORELLA. How did you feel about it?

Mr. PETRUZZELLO. You know, the—you know, I think any progress on these cases is good for the families and good for U.S.-Saudi relations.

Mrs. MORELLA. How do you know that there was no coercion or duress when a Qorvis person was not there?

Mr. PETRUZZELLO. When a Qorvis person was not there?

Mrs. MORELLA. Was not there.

Mr. PETRUZZELLO. The only thing I can add to that is that there were no Saudi Government officials with the sisters during that time in London.

Mrs. MORELLA. We've got all these interruptions occurring right now. I'm going to yield to you, Mr. Chairman, to pick up on that.

Mr. BURTON. If you would yield to me just briefly.

Mrs. MORELLA. Yes, I would like to.

Mr. BURTON. You know, we had two different young ladies that testified before our committee, I believe there were two, that said that they were questioned in the presence of their father about whether or not they wanted to come to the United States. One of the young ladies, and I'll be glad to show you the tape if you want to see it, said that she did not want to come to the States. She wanted to stay in Saudi Arabia, and then when she got out she said that her father threatened to kill her if she didn't say what he wanted her to. Would you say that's coercion if he threatened to kill her if she didn't say what he wanted; would you say that's coercion?

Mr. PETRUZZELLO. I would agree with that, yes.

Mr. BURTON. Now, those women that went to Saudi Arabia, their husbands were with them. We believe there was an entourage of other Saudi men with them. We don't know if their children were with them or not. They may have had the children back in Saudi Arabia, which would have been another inducement for them to say what was supposed to be said. So how do you know that there wasn't any coercion? They had their abayas off when they talked to the American embassy people. But when asked if they would sign a statement saying that the statements that they made could be released to the public, she said, well, we can't—we can't sign those. We would have to ask our husbands first. Then they put their abayas back on. They went and sat in the corner of the room. The husbands came in and looked at the documents and said, well, we'll have to give this some thought. Do you think maybe there

might have been some coercion there? Do you think there's any possibility of it?

Mr. PETRUZZELLO. Uhm—

Mr. BURTON. In view of the fact that this one girl when she got out said that my father threatened to kill me if I didn't say what I was told to say, do you think maybe there might have been a little coercion there?

Mr. PETRUZZELLO. Mr. Chairman, you know the government has, you know, has said that, you know, has been diligent in trying to get the al Ghesayan sisters to come to the United States because they have been told by the committee, by the media, that any interview or meeting with the sisters in Saudi Arabia would be suspect.

Mr. BURTON. That's right. So they didn't come to the United States. They took them to England when I went with my delegation to Saudi Arabia at the very same time, and so they took them to England and they did not see their mother. They did not come to the United States. They were not unattended by other Saudi men. And we're not sure they even had their children with them. So we really don't know, do we, whether or not they were coerced? I mean, how would you know?

Mr. PETRUZZELLO. Well, Mr. Chairman, the only thing that I can add is that it was our understanding that they have one child. The sisters have one child who was with them at the time.

Mr. BURTON. Were you there with them?

Mr. PETRUZZELLO. No, I was not, sir.

Mr. BURTON. So who on your staff was there?

Mr. PETRUZZELLO. Her name is Sharene Sojeir.

Mr. BURTON. And what was her purpose?

Mr. PETRUZZELLO. Mr. Chairman, when the sisters went to London they felt nervous about meeting with American media and they wanted to have a woman be there just to be there while they did the interview. Sharene is about their age, is an Arab American, speaks a little Arabic. For obvious reasons the Saudi Government didn't want a government official there. And so we were asked by the embassy to have Sharene go, and she was there for the interview with Fox and that was it.

Mr. BURTON. Yeah. I don't think—my personal opinion is I don't think there's any way to know whether or not they were speaking freely. I think that the coercion factor is a very real factor. I've talked to so many women who were trembling, crying, scared to death that their husbands might even find out that they're even talking to U.S. Congressmen or talking to somebody in the media. You know, to say there's no coercion or to indicate that I think is just uncertain to say the least. There's no way to know. The only way to know whether or not those ladies were coerced is to let them come to the United States, with the child, encumbered, and let them talk to their mother and the media here. If they want to go back to Saudi Arabia, I don't think the United States would ever hold them. So would you convey to the Saudi Government that the best way to make sure is to let them come to California? Let them come to the United States and talk to their mother and the media here and if they decide they want to go back, that's fine. Without their husbands. Without an entourage of men and without threats.

Mr. PETRUZZELLO. Mr. Chairman, the government has said that they've been working diligently to try to have the girls come to the United States.

Mr. BURTON. OK.

Mr. PETRUZZELLO. I think the trip to London wouldn't preclude that opportunity in the future, and I will certainly relay that message.

Mr. BURTON. Yeah. Well, I think they're probably going to get it anyhow. And with that, we'll stand in recess till the fall of the gavel. We have two votes on the floor. We will be right back.

[Recess.]

Mr. OSE. All right. We're going to proceed. We're going to proceed pending the arrival of the other three witnesses.

Mr. Petruzzello. I am sorry. I apologize for that.

It happens.

Mr. OSE. I want to examine the issue of the London visit. Mrs. Morella or Mr. Horn asked a question as to whether or not Qorvis had somebody in attendance at that interview in London with the Gheshtayan daughters, and I believe your testimony was that there was a Qorvis employee in attendance?

Mr. PETRUZZELLO. There was a Qorvis employee in attendance for one of the meetings.

Mr. OSE. Which one?

Mr. PETRUZZELLO. The interview with Fox.

Mr. OSE. Were both girls in that interview?

Mr. PETRUZZELLO. Yes.

Mr. OSE. OK. Who else was in that interview? I mean, who were the other people in the room when Alia and Aisha Gheshtayan were interviewed?

Mr. PETRUZZELLO. The producer from Fox, an interpreter, and I'm—to be honest with you, I'm not certain whether the husbands were in the meeting at that time or not.

Mr. OSE. Were there any representatives of the Saudi Government?

Mr. PETRUZZELLO. No, Congressman, no.

Mr. OSE. But you don't know if the husbands were in the room or not?

Mr. PETRUZZELLO. No, I don't.

Mr. OSE. Who was the interpreter?

Mr. PETRUZZELLO. The interpreter was hired by Fox. I don't know the name, where the person came from.

Mr. OSE. What was the name of the Qorvis employee who was in the room at the time of the interview?

Mr. PETRUZZELLO. Her name is Shereen Sojhier.

Mr. OSE. Could you spell that for me, please.

Mr. PETRUZZELLO. S-h-e-r-e-e-n, and the last name is S-o-j-h-i-e-r.

Mr. OSE. And is she an American citizen or otherwise?

Mr. PETRUZZELLO. American citizen.

Mr. OSE. Do you have her office base? Where is she stationed?

Mr. PETRUZZELLO. In our Washington office.

Mr. OSE. So she's here in D.C.

So she left D.C., flew to London?

Mr. PETRUZZELLO. Yes, Congressman.

Mr. OSE. I want to go back to my earlier question. It appears to me as if—I'm sure it's coincidental. It appears to me that the Gheshayan daughters left Saudi Arabia in time to be in London concurrent with Chairman Burton's arrival in Saudi Arabia.

What day did the employee of Qorvis leave Washington, DC, to go to London for the purpose of the interview?

Mr. PETRUZZELLO. Congressman, I can't recall the exact date, but she left, I believe, the Saturday before the meeting, which I believe occurred on Sunday.

Mr. OSE. My recollection, Jim, that was around the 23rd of August, 22nd of August.

All right. So somebody from the D.C. Office—somebody in the D.C. Office left D.C., headed for London a couple days prior to the interview?

Mr. PETRUZZELLO. That's correct. To the best I can recall the exact times and dates, it was a day or two before the meeting.

Mr. OSE. If I recall your earlier testimony, it was that you had either been advised or discussed Chairman Burton's CODEL to Saudi Arabia prospectively with your client before the fact?

Mr. PETRUZZELLO. Yes.

Mr. OSE. So the Saudis knew that Chairman Burton and the CODEL were headed their way?

Mr. PETRUZZELLO. Yes.

Mr. OSE. And if I recall your testimony, they knew the purpose of the visit was to discuss these cases of American children and women in Saudi Arabia?

Mr. PETRUZZELLO. Yes.

Mr. OSE. And concurrent with the chairman's trip, two of the women that we were specifically interested in, those being the Gheshayan daughters, were allowed for the first time in years to depart Saudi Arabia and go to London for the purpose of an interview.

Mr. PETRUZZELLO. I'm not sure I understand the question.

Mr. OSE. What was the purpose for which the Gheshayan daughters went to London?

Mr. PETRUZZELLO. You know, Congressman—as I previously testified, you know, it was inspired by al-Jabir's appearance a couple weeks prior to where he appeared on the O'Reilly show and made a commitment to work to have the Gheshayan sisters interviewed and meet with U.S. Government officials outside of Saudi Arabia.

Now, I understand from the Saudi Government that they had been working for quite some time to invite the sisters—to invite the sisters, to encourage the sisters to come to the United States, which they have refused to do, and that they were to have the sisters meet with the media in our embassy in London.

Mr. OSE. Mr. Petruzzello, I touched on this subject earlier. You are assisted today by some people from your office. We have not asked them to testify, but we would like to put on the record your direct employees and any consultants who are here assisting you today.

Mr. PETRUZZELLO. Certainly. Judy Smith is one of my partners. She's the only other Qorvis employee here. This is my attorney, and there are two gentlemen in the back who are——

Mr. OSE. What is your attorney's name?

Ms. KIERNAN. Leslie Kiernan from Zuckerman, Spaeder.

Mr. OSE. Thank you.

Mr. PETRUZZELLO. And then the two gentleman in the—towards the rear of the room who serve as government relations consultants at the embassy.

Mr. OSE. Kiernan is spelled K-i-e-r-n-a-n?

Ms. KIERNAN. Yes, Congressman.

Mr. OSE. And your coemployee?

Ms. SMITH. Smith, S-m-i-t-h, Judy, J-u-d-y.

Mr. OSE. Thank you. Now, the two in the back, Mr. Petruzzello, since we haven't subpoenaed them and we haven't invited them to testify, could you give me their names, their places of employ, and if you could spell their names, that would be helpful.

Mr. PETRUZZELLO. Jack Deschaeur, D-e-s-c-h-a-e-u-r, and Jane—who is with the law firm of Patton Boggs. And Jamie Gallagher, G-a-l-l-a-g-h-e-r, who is with the Gallagher Group.

Mr. OSE. Thank you.

Ms. KIERNAN. Congressman, there is also somebody here with me from my office.

Mr. OSE. OK. Let's put his name on the record.

Mr. ANGULO. Congressman, my name is Carlos Angulo, A-n-g-u-l-o Zuckerman, Spaeder.

Mr. OSE. From Qorvis?

Mr. ANGULO. No, with the law firm of Zuckerman, Spaeder.

Mr. OSE. With Ms. Kiernan's law firm.

Mr. ANGULO. Correct.

Mr. OSE. Thank you.

Mr. PETRUZZELLO, have you ever met the father of the Roush sisters?

Mr. PETRUZZELLO. No, I have not.

Mr. OSE. Have you ever talked to the Roush sisters?

Mr. PETRUZZELLO. No.

Mr. OSE. Do you know if the Crown Prince, the Foreign Minister of Saudi Arabia ever asked the Roush sisters to meet with their mother?

Mr. PETRUZZELLO. No, I don't know that.

Mr. OSE. Do you know what is was that the Roush daughters were asked to do when they went to London?

Mr. PETRUZZELLO. They were asked to meet with representatives of the American media and with our U.S. embassy.

Mr. OSE. So the purpose was twofold, American media and the American embassy?

Mr. PETRUZZELLO. That's correct.

Mr. OSE. And clearly they met with the American media.

Did they meet with the American embassy?

Mr. PETRUZZELLO. Yes. I understand that they did.

Mr. OSE. With whom did they meet at the American embassy?

Mr. PETRUZZELLO. I don't know the name of the government official that they met with.

Mr. OSE. I see my colleagues have returned. I would like to recognize the gentleman from Tennessee.

Mr. DUNCAN. Thank you, Mr. Chairman.

Mr. Petruzzello, your fee is \$200,000 a month?

Mr. PETRUZZELLO. That's correct.

Mr. DUNCAN. And that is \$2,400,000 a year?

Mr. PETRUZZELLO. Yes. I believe that is correct.

Mr. DUNCAN. That is a whopping fee. I suppose you know that every law firm, every public relations agency in this city would drool to get an account like that.

Mr. PETRUZZELLO. Mr. Congressman, as I understand it, that's not unusual or, you know—

Mr. DUNCAN. You're not saying that—you surely don't believe that they would be happy to get that kind of an account?

Mr. PETRUZZELLO. I—

Mr. DUNCAN. Could you tell me any firm that wouldn't be happy to get that size of an account?

Mr. PETRUZZELLO. No, I couldn't.

Mr. DUNCAN. Yet I see here from the staff that you received, or your firm received, \$3.8 million from Saudi Arabia before registering as a foreign agent under the Foreign Agent's Registration Act; is that correct?

Mr. PETRUZZELLO. I don't have the foreign agent documents. I haven't looked at those documents lately, but that doesn't sound like it would be out of—you know, it doesn't sound like that would be incorrect.

Mr. DUNCAN. Well, do you know whether or not your firm represented Saudi Arabia for—

Mr. OSE. Would the gentleman yield?

That was a double negative. Could you answer it without the double negative?

Mr. PETRUZZELLO. Oh, sure.

Mr. OSE. You think the 3.8 number is correct?

Mr. PETRUZZELLO. I haven't looked at the documents lately or in the timeframe that the Congressman mentioned, but that—you know, it doesn't sound out of line to me.

Mr. OSE. So it does sound like it is in line?

Mr. PETRUZZELLO. It does sound like it is in line.

Mr. OSE. Thank you.

Thank you, Mr. Duncan.

Mr. DUNCAN. Thank you, Mr. Chairman.

Well, do you know—

Mr. PETRUZZELLO. I should make clear that—I'm sorry.

Mr. DUNCAN. I noticed that in 2001 they were also represented by the—the Saudi Government was also represented by Akin Gump, Casting Associates, Dutton & Dutton, Shandwick Public Affairs.

Do you have any rough guess as to what is the total amount the Saudi Government is spending on lobbying fees, public relations fees, consulting fees, legal fees here?

Mr. PETRUZZELLO. I don't know exactly what the total—

Mr. DUNCAN. I didn't ask exactly. I said, do you have a rough guess.

Mr. PETRUZZELLO. I don't have a rough idea. I think some of the firms that you mentioned are firms that worked for the Saudi embassy some time ago, that are no longer working for them; and for firms like Akin Gump, I believe they provide legal services on trade matters, and I have no knowledge of what that relates to. And I'm not certain that involves any lobbying at all.

Mr. DUNCAN. In addition to all that Chairman Burton mentioned yesterday, that the Saudi Government was spending millions in advertising fees now and for advertising on national television and so forth, do you have any idea how much they are spending, rough guess, on that?

Mr. PETRUZZELLO. Yes, and to—Congressman, to raise your earlier point when you quoted \$3.8 until, that wouldn't be fees to Qorvis. You know, a significant amount of that would be money that was to pay for advertising, and for advertising, I believe what they're spending is—it was somewhere in the range of \$4 or \$5 million, which is, you know, by advertising standards, a very small amount.

Mr. DUNCAN. Let me ask you—of any of the parents here, if you heard of some young woman or some young man in this country, a U.S. citizen, who was about to—or was thinking about marrying somebody from Saudi Arabia now, what would you say to them?

Ms. TONETTI. Can I say what I really want to say?

Mr. DUNCAN. Yeah, sure.

Ms. TONETTI. Run like hell.

Mr. DUNCAN. Well, I hope that—I hope that if nothing else, I hope the State Department takes action based on these hearings, but if nothing else, I hope that these hearings call attention and, hopefully, alert some young people that this is something very, very dangerous, often even tragic, to get into.

Mr. RIVES. Congressman, you asked about whether to marry a Saudi and so forth. Let me just say that the Saudi folks are terrific, and I had great admiration for the individuals that live there. It's the government, that keeps people in or keeps people out, I think, is the real problem.

Mr. DUNCAN. All right. Thank you very much.

Mr. OSE. Thank you, Mr. Duncan.

Mr. Shays.

Mr. SHAYS. I'd like to thank all our witnesses for appearing before the committee and to just set this up by telling you, Mr. Petruzzello, that my subcommittee and this full committee has had 40 hearings on terrorism, and periodically, the government that you work for shows up in that scenario. Fifteen of 19 of the suicide terrorists were Saudi citizens, and that is embedded in my thought. I have 70 families who lost loved ones from what 15 Saudi citizens did with four others.

The Wahhabi form of Islam showed up continually in my hearings as militant fundamentalists and sympathetic to terrorism. The teachings of Islam in Saudi Arabia showed up continually as being hateful, vengeful and creating an environment in which terrorism would flourish. You're working for a government that is holding American citizens against their will. You're also representing a government whose phenomenal wealth has gone principally to 30,000 Royal Family members, while at the same time the per capita income of the average Saudi citizen has gone from 24,000 to 7,000.

I don't really have good feelings about the government you work for, but I will tell you it has intensified tremendously at the hearings that our chairman has conducted regarding family members who are being held against their will.

I want to ask each of the witnesses who are on your left or right this simple question.

Are your children, Ms. Tonetti, being held against their will?

Ms. TONETTI. Yes, my American children are being held against their will.

Ms. MCCLAIN. My daughter is a hostage in Saudi Arabia.

Mr. SHAYS. Mr. Rives.

Mr. RIVES. My children are 3—

Mr. SHAYS. Near the mic, please.

Mr. RIVES. My children are 3 or 4. They don't know what their will is yet.

Ms. DABBAGH. My daughter is being held in Saudi Arabia against her will; and I would also like to go on record as saying in a particular response to the huge number of Saudi retainers here, I have been insulted, I have been warned, I have been threatened, and I have been intimidated over the years by Saudi employees and Saudi Government officials, and not knowing they were going to have such a large number of people here today, I want to go on record as saying I am very fearful that they will continue reprisals.

Mr. SHAYS. I understand why you would feel that way.

Mr. Petruzzello, do you believe that their children are being held against their will?

Mr. PETRUZZELLO. Congressman, I'm not a representative or a spokesperson for the government.

Mr. SHAYS. I didn't ask you any other question than the question I just asked you. I asked you, do you believe their children are being held against their will?

Mr. PETRUZZELLO. I do not know the details of any of these cases.

Mr. SHAYS. That is not what I asked you. You are under oath to answer a question, and you can answer yes or no, and you have your choice of describing the yes or no, but I asked you, do you believe that Ms. Tonetti's children are being held against their will?

Mr. PETRUZZELLO. But Congressman, I don't know anything about Ms. Tonetti's children.

Mr. SHAYS. So what is your answer?

Mr. PETRUZZELLO. That I do not know.

Mr. SHAYS. Do you think that she's lying?

Mr. PETRUZZELLO. I have no reason to believe that she's lying.

Ms. TONETTI. I have a question? May I ask.

Mr. SHAYS. You can ask me the question, yes.

Ms. TONETTI. Did you publish this?

Mr. SHAYS. And let me ask you, what is the document that you're holding?

Ms. TONETTI. The Kingdom of Saudi Arabia that was being passed out here for these hearings.

Mr. SHAYS. Are you at all involved in that?

Ms. TONETTI. You're responsible for this.

Mr. SHAYS. Ms. Tonetti, I don't want to lose control. I know that you could ask better questions than I could ask.

So is all the material that you have in here—is all the material in this something that you're—you have been involved in and have presented?

Mr. PETRUZZELLO. We were involved in helping the embassy prepare those materials, yes.

Mr. SHAYS. Is there any document here that would suggest that these children are not being held against their will?

Mr. PETRUZZELLO. I can't recall everything that is in there. I think the position of the Saudi Government is that while these are tragic cases, they are highly complex and that it's really a government-to-government matter that needs a lot of work to resolve.

Mr. SHAYS. Mr. Petruzzello, let me just tell you, I'm going to have a second round, a third round, a fourth round, and so I'm not going to let up on understanding this issue.

I believe Ms. Tonetti with all my heart and soul, and I understand that you're representing the Government of Saudi Arabia in terms of their public relations. The question I asked you is, do you believe that Ms. Tonetti's children are being held against their will?

Mr. PETRUZZELLO. I believe that there are significant differences between U.S. law and Saudi law and that—

Mr. SHAYS. I'm not asking about the law now. No.

I understand that the Saudi Government can incarcerate people. I understand that American citizens have no rights in Saudi Arabia. I understand that women can't drive. I understand that American diplomats can't even exercise their own rights as diplomats. I understand that American diplomats are isolated and can't travel to certain parts of Saudi Arabia. I understand that no Americans, if they aren't of Islamic faith, can go into certain areas. I understand that.

What I also understand is that in this country, Saudi Arabian citizens can have the same rights and privileges that anyone else can. So I understand they have a double standard. I know they treat us one way, and we treat them with total freedoms. I understand all that.

But we also have a very serious case where a citizen was in the United States under the protection of her mother, or father in some instances, and that they found themselves in Saudi Arabia. What is there to figure about that?

Mr. PETRUZZELLO. I'm sorry. What is the question?

Mr. SHAYS. What is there to figure about it? They were taken against their will. They were minors. They were under the custody of the very women to your right.

Mr. PETRUZZELLO. I would, you know—

Mr. SHAYS. So you don't understand Saudi law, but you understand American law.

Mr. PETRUZZELLO. You know, the Saudi Government has gone on record—

Mr. SHAYS. Do you understand American law?

Mr. PETRUZZELLO. No. I'm not a lawyer.

Mr. SHAYS. Well, I'm not a lawyer either, but do you understand if someone has jurisdiction and responsibility for a child, that they can't be taken against their will to another country? Do you understand that? Just answer that question.

Mr. PETRUZZELLO. Yes. I understand that. And I might add that the Saudi Government has gone on record to say that child abduction is wrong.

Mr. SHAYS. Right, but once they are in Saudi Arabia, it is all right to keep them there?

Mr. PETRUZZELLO. You know, what the government has said is that, you know, you have conflicts between court orders and laws in Saudi Arabia and court orders here.

Mr. SHAYS. I understand you have conflicts and all these other things. I understand that in Saudi Arabia Americans have no rights. That's true, isn't it? They have basically no rights.

Mr. PETRUZZELLO. You know, I don't know what the rights are of foreign visitors in Saudi Arabia.

Mr. SHAYS. Well, the bottom line is that you were asked to appear before this committee, and it would strike me that you know a lot more than you're letting on, but you are under oath. And I asked you a question, do you believe that their children are being held against their will?

Mr. PETRUZZELLO. If you're looking for my personal opinion, I think there are—I think that the way Saudi law deals with these cases makes it, you know, possible—you know, for parents there to prevent their children from coming to the United States; and it also makes it very difficult for the Saudi Government to do anything about it.

Mr. SHAYS. Why don't you explain that last part?

Mr. PETRUZZELLO. You know, what the Saudi Government has said is that in a case where, say, that a court has—a Saudi court is given custody—

Mr. SHAYS. You can move the mic a little closer.

Mr. PETRUZZELLO. Where the court has given custody of a child, it is difficult for the Saudi Government to intervene and overrule that court order. But again, Congressman, you know, we start getting into the details of cases and the legalities that is just out of my sphere.

Mr. SHAYS. Yeah. The only thing that shouldn't be out of your sphere is if these are children with a court order in the United States—and they resided here and the parent took them to another country—if they were basically kidnapped. And that doesn't strike me as taking much intelligence to understand.

And so now the issue is, how do we get back kidnapped children? And what you've done is you've put together a package that helps express opinions about these cases, and yet you say you don't have opinions about these cases. And so, you know, you are under oath, and I'm just struck with the contradictions.

You may be—and I think you are, and I know people who say you are—a very fine man, and you work for a very fine company; but sadly, you are working, in my judgment, for a very corrupt government, a government where they still haven't resolved or given us an answer of why 15 of their citizens killed nearly 3,000 people in New York City on September 11th, didn't own up to their own people that they were Saudi citizens. That's the government you work for. You work for a government that is teaching its people to hate the United States and to not be too aghast at what happened.

And so I view you as working for, frankly, a very corrupt government that has a lot of oil, and we depend on a lot of oil; but I hope that we're willing to just allow them to take their oil somewhere

else, and if we have to—every other day, have to get oil, have to stand in line or wait in line, you know, so be it.

Mr. Chairman, I have more questions, but I want to make sure others—

Mr. BURTON. Let me—if I might, I'd like to ask a couple questions.

Mr. BURTON. You're a public relations man, and you have a public relations firm, and you work for the Saudi Government and you get their \$200,000 a month, \$1.4 million a year. Obviously if you said something that didn't—they didn't agree with today, it would jeopardize your contract, wouldn't it?

Mr. PETRUZZELLO. Congressman, I—

Mr. BURTON. If you said, you know, I think Ms. Tonetti or Ms. McClain has a valid argument because their children were kidnapped after court orders were issued here in the United States. If you said them being kidnapped and taken to Saudi Arabia against their will with the complicit help of the Saudi Government, if you said that you thought that was wrong, wouldn't that jeopardize your contract?

Mr. PETRUZZELLO. Congressman, I doubt that.

Mr. OSE. Well, then why don't you—you have a son. What would you say if your wife was a Saudi and she took your child to Saudi Arabia and you could never see your child again, and you had a court order saying the child was in your custody and she took him over there? What would you think about that? Would you like that?

Mr. PETRUZZELLO. No, of course not.

Mr. BURTON. OK. Well, would you say that the Saudi Government giving a passport to this woman to take your child out of the country when you had a court order to keep the child in your control, wouldn't you say that they violated and the government was complicit in helping get that child out of the country when they gave a passport when the court told them not to?

Wouldn't you say they were complicit if it was your child?

Mr. PETRUZZELLO. Congressman, I would say kidnapping is wrong, and I would say that in order to resolve these cases, that much more work needs to be done, government to government, to resolve the differences that—

Mr. BURTON. What differences? The court in the United States said your child was in your custody and told the Saudi embassy not to allow that child to leave the country, not to give them a passport; and yet the Saudi Government, after being instructed not to do it, they gave that child a passport, and your wife took the child out of the country.

Now, how is that something that you don't understand?

Mr. PETRUZZELLO. Congressman, I think there you raise a good point. Again, I'm not an expert in Saudi law, but as I understand it, if someone goes to the Saudi embassy and requests a passport, as their law is currently constructed, they are compelled to give that passport.

Mr. BURTON. Even if a court of the United States had granted custody to the American parent, said, don't do it, that they would go ahead and do it anyhow, because they don't recognize U.S. law?

Mr. PETRUZZELLO. Again, you're questioning me outside of my sphere, but that's what I understand.

Mr. BURTON. So you would just let your child go, then?

Mr. PETRUZZELLO. Of course not.

Mr. BURTON. What would you do?

Mr. PETRUZZELLO. Anything I could to get my child back.

Mr. BURTON. Would you sell your house and get \$200,000 and have somebody steal the child in the middle of the night to get them back when they're U.S. citizens? Would you do that?

Mr. PETRUZZELLO. Congressman, I would do anything for my son.

Mr. BURTON. There. You would do anything for your son. What do you think about these people around you?

That government has been helpful in kidnapping those children, even though court orders have been issued saying, you can't do that, you shouldn't do that. And they thumb their noses at the American Government and the American court system, take those kids, give them passports when they know they shouldn't, and the mothers never see them again.

Think about your boy. You would never see him again. You would never talk to him again unless the father or the mother over there or the government said, OK, we'll let him talk to him.

Ms. Tonetti, did you talk to your child yesterday? Did you talk to your children?

Ms. TONETTI. For a little bit, yes.

Mr. BURTON. How did they sound?

Ms. TONETTI. Beautiful.

Mr. BURTON. Beautiful. Did they recognize you and everything?

Ms. TONETTI. Yes.

Mr. BURTON. First time you talked to them since we were over in Saudi Arabia. Right?

Ms. TONETTI. Yes.

Mr. BURTON. Yeah. And you hadn't talked to them before that for 2 years, except for Congressman Kerns down there at the end arranging it for you, right?

Ms. TONETTI. Yes, sir.

Mr. BURTON. Yeah. I know you're getting \$200,000 a month. And I understand your business, I do, because lobbyists come to see us all the time, and I don't know if you have any influence over those guys over there, but these women haven't—she hasn't seen her children for 2 years, and the court gave her custody.

This lady next to her, Ms. McClain hasn't seen her child, how long, Ms. McClain?

Ms. MCCLAIN. I saw her this summer.

Mr. BURTON. How long has it been since she's been gone?

Ms. MCCLAIN. Five years.

Mr. BURTON. Five years.

Mr. BURTON. How long has your son been gone?

Mr. RIVES. A year and a half.

Mr. BURTON. A year and a half.

Ms. ROUSH. Seventeen years.

Mr. BURTON. This is the government that you're representing, and I know you're getting \$1.4 million a year, and I'm sorry you're the whipping boy today. I apologize for you having to do that, but we're trying to make a point. I'm not after you, because lobbyists are all over this town, and some of them represent some pretty cruddy people, you know, so we're not after you.

But the Saudi Government did not show up. All they've done is lie on television. They've had their mouthpieces, former Ambassadors from the United States to Saudi Arabia, who are now getting tons of money to represent them. You know, it just makes us sick, and the only thing we can do is beat up on the Saudi Government and put pressure until they bring about some change.

And I'd just like to say to my colleague, Mr. Shays, down there—Chris, the Saudis in the 1970's, we got about 50 to 60 percent of our oil from them. Now we get 15 percent. We're not dependent upon those guys anymore, like we were. Their balance of payments situation was very good in the 1970's. Now they have a balance of payments deficit, and they've got problems in their country.

If they don't start working with the United States and helping these particular issues, they're going to have big problems, and I promise you that as long as we're in this Congress—and this is not a Republican or Democrat issue. I mean, we've got Mr. Sanders, who is an Independent. We've got Democrats, Mr. Delahunt, who is down at the committee right now. He was with us, from Massachusetts, not the most conservative State in the Union.

We've got my colleagues who are moderates and conservatives here, and we all agree, there is no difference of opinion. We all agree that the Saudis have to be taken to task, and I promise you, there are going to be legislative measures. I've already talked to the Secretary of State about measures that should be taken, and we're going to keep beating the drum until there is a change.

Now, you need to convey to the Saudis, as their representative, that we're not going to change. We're going to beat the hell out of them until they do something about these kids and bring these kids home; I promise you that. And you and all your PR—and I know you work for them and I know you've got to put these commercials on TV like we talked about a while ago. And I know you've got to make out these green folders with all the positives, if there are any, that the Saudis have. You've got to make them look good. I know that.

But it ain't going to stop us until we get some satisfaction about these kids, and if you don't tell them, maybe the television cameras will tell them. It's going to go on, and the drumbeat is going to get louder and louder and louder until they have to change.

I saw the foreign minister the other day on television. It was kind of interesting. When I saw him in Saudi Arabia, he had all his robes on and everything and his princely garb; and when he was on American TV, he was wearing a business suit. It's kind of interesting.

You know, I don't see him in business suits very much. So tell him it was a positive image he created, but it ain't going to change anything. That ain't going to change anything.

Ms. Holmes Norton.

Ms. NORTON. Thank you very much, Mr. Chairman. First, I must thank you, above all, for your justifiably dogged determination on this incredible issue. I know I speak for every Member on my side when I assure the witnesses here that the chairman has total and complete, 100 percent bipartisan support for what he is doing to make sure that American citizens have access to their own children.

I've come out of another hearing and will have to leave before the State Department witnesses come forward. I want to stress that the chairman's words, just now, I think should be understood to mean that he and we are not only in pursuit but are looking for a real remedy, that the series of witnesses we have had have made the case so indelibly that it becomes necessary, in a very difficult situation, to try to thread our way to a remedy. That is difficult. I understand.

When relationships between and among nations involve the notion of reciprocity, what happens if one side takes a position, how that can produce from the other side retaliation. I understand all of those notions.

On the other hand, the only polite way to describe our relationship with Saudi Arabia is, of course, schizophrenic. Perhaps the best way to describe it is hypocritical.

These people believe in nothing we believe in, and yet what we have seen is their law trump our law. I'm not sure where the reciprocity is here. If, in fact, we were dealing with ordinary reciprocity where, one side has to remember that what it does can, in fact, affect how the other side behaves, or how other countries behave, that would be one thing; but the notion that a country with whom we supposedly have friendly relations can have law—understand, this is law—that trumps our law on the most fundamental rights such as access to your own child to whom you gave birth, or our own laws of kidnapping or our own laws about child abuse or abuse—spousal abuse, that those can be trumped by a so-called ally, while our State Department says, you've got to understand this is how diplomacy works, I mean, that is simply outrageous, shocking, won't be accepted, isn't accepted by anyone in this committee or anyone in this Congress.

In many ways I'm speaking not to—you'll forgive me, sir—the mouthpiece of Saudi Arabia, but our own State Department, because it's their job, it seems to me, to find a way to a solution here. This is our government bending to outrageous laws—completely inconsistent with international law, I might add, but certainly with our laws. And among—the complicity of our own government angers me more than the paid representative of Saudi Arabia.

The notion—some of the notions that have come forward in these hearings, such as a mother making her way to our embassy, the only safe ground anyone is assured of in a foreign country, and being told she has to get out, this isn't any hotel, the notion that could happen in a foreign country; and certainly at least if somebody finds her way to American soil—that is where she was—there should be no way that somebody can be put off of American soil for pursuing her rights to have access to her own child, and yet our State representatives, our State Department in the embassy, put this woman out.

Now, I'm not going to be here to question the State Department, but unless the State Department finds some way on its own to thread the eye of this needle, essentially what you're asking for is congressional intervention. The chairman is also on the International Affairs Committee. This issue now has come to the attention of the American people through the American media. Thus far, that has had little or no effect on Saudi Arabia.

Yes, we have seen tiny steps. They still haven't gotten family reunification to occur. So I just—I've come in for a few minutes out of another hearing that I have to attend just to make sure that both the State Department and the Saudi representatives understand what I'm sure the parents already understand, that this is an issue that animates this entire Congress. It strikes us at the core of what we all put first, our own families. We won't accept this treatment from any ally; we won't accept it from any enemy.

And speaking for myself, I regard a country that would treat these parents as these mothers have been treated not as an ally at all, not as a friend at all, but I put them in the category with other opponents of all we believe.

You've got to understand that for us, this issue knows no party. It has become an issue of huge concern in the Congress, and the State Department had better find a way to do something about it or the Congress of the United States is surely going to find a way to do something about it.

Thank you, Mr. Chairman.

Mr. OSE. I thank the gentlelady.

Mr. Petruzzello, I've been looking through this publication. This is your publication on behalf of the Saudi embassy?

Mr. PETRUZZELLO. It's the embassy's materials.

Mr. OSE. This is actually put out by the embassy?

Mr. PETRUZZELLO. Yes.

Mr. OSE. So presumably it represents the Saudi position?

Mr. PETRUZZELLO. Yes.

Mr. OSE. OK. I notice in here there are two letters, one dated September 9th, another dated September 17th. Did you take part in crafting these letters.

The first letter is to Chairman Burton regarding his visit to Saudi Arabia. It's three pages long. The second letter proposes the formation of a task force or ad hoc committee between our two governments to examine reaching the possibility of a bilateral protocol on the issue of child abduction.

Did you take part in the creation of these two letters?

Mr. PETRUZZELLO. Is the one letter from Prince Saud to Colin Powell?

Mr. OSE. Correct.

The first letter, the September 9th letter, is from Ambassador Bandar bin Sultan bin Abd al-Aziz Al to Chairman Burton; and the second, the September 17th letter, is from Saud al-Faysal to Secretary Powell, yes.

Did you take part in crafting either of those letters? Perhaps the clerk can take these down.

Mr. PETRUZZELLO. Yes. I——

Mr. OSE. Could the clerk get me another copy of those letters, please.

Mr. PETRUZZELLO. Mr. Congressman, we didn't have anything to do with the letter from Colin Powell—from Prince Saud to Colin Powell, and the embassy drafted the letter from Prince Bandar to Dan Burton. I believe using some talking points that we provided for content of the letter, but it was drafted by the embassy.

Mr. OSE. OK. The letter of September 9th on the third page concedes the fact that there are five cases of child abduction outstand-

ing. I mean, you can go through all of the tortuous logic you want, but at the end of the day at the top of page 3, "This leaves about five cases outstanding of child abduction."

So the Saudi Government recognizes there's at least five cases of child abduction. It's right here in black and white.

Mr. PETRUZZELLO. Absolutely.

Mr. OSE. What are they doing about it?

Mr. PETRUZZELLO. Are you asking me on the five cases, individually?

Mr. OSE. Yes.

Mr. PETRUZZELLO. I don't know what they're doing about that specifically, but I do know that they are working to try and find resolutions on the cases. I couldn't go through with you case by case.

Mr. OSE. Well, they yield—they concede the fact, stipulate, if you will. I don't know if that is the right term. Maybe some smart attorney here can answer that. They stipulate there's five cases of child abduction right there.

Mr. PETRUZZELLO. Yes.

Mr. OSE. Maybe Ms. Kiernan can tell me whether that's a stipulation or not. But there are five cases outstanding signed by the Ambassador of the Kingdom of Saudi Arabia in a letter to Chairman Burton, dated September 9th.

Mr. PETRUZZELLO. That's correct.

Mr. OSE. So what are they doing about it? What are you—do you have any knowledge of any effort of anybody associated with the Kingdom of Saudi Arabia, either official or otherwise, to at least resolve the five cases they're apparently stipulating exist?

Mr. PETRUZZELLO. The Kingdom of Saudi Arabia has said that they are working on finding resolutions to all the cases that involve Saudis.

Mr. OSE. Well, what about these five cases where they say they concede the fact, they stipulate that this is a child abduction matter?

Mr. PETRUZZELLO. I don't know specifically what those cases are that Prince Bandar was referring to. What they've said is, they have people and resources applied to try and find resolutions to these cases.

Mr. OSE. They're not doing anything, are they?

Mr. PETRUZZELLO. Pardon me?

Mr. OSE. They're not doing anything, are they?

Mr. PETRUZZELLO. I believe they are working to try and find resolutions.

Mr. OSE. Who is responsible for these five cases at the Saudi Arabian embassy? Who is the person, whom you may or may not have met with before this hearing? Who is the person at the embassy working for the Saudi Arabian Government that is responsible for these five cases?

Mr. PETRUZZELLO. Prince Bandar would be responsible.

Mr. OSE. Same guy that signed the letter?

Mr. PETRUZZELLO. Yes.

Mr. OSE. I mean, is that pretty normal, I mean, all these things matriculate up to the Ambassador himself?

Mr. PETRUZZELLO. Well, Prince Bandar has responsibility; and Prince Saud, the Foreign Minister, has responsibility in Saudi Arabia. And what I believe Prince Saud has said is that he has organized resources within his government to try and seek resolutions; the specifics of that I do not know.

Mr. OSE. Well, if they're child abduction cases, why don't they just go instruct the people that these children are going home? I mean, that would resolve the matter.

Mr. PETRUZZELLO. Congressman, again, you get into the legalities of each of these cases that I can't comment on, because I don't know them.

Mr. OSE. Well, certainly they wouldn't write that there's five cases of child abduction without having checked the legality of them.

Mr. PETRUZZELLO. And what I believe they have said is that they are working to find resolutions on those cases.

Mr. OSE. But they've stipulated that there are five cases of child abduction?

Mr. PETRUZZELLO. Yes, they have.

Mr. OSE. So apparently somebody has broken either American, Saudi or Sharia law.

Mr. PETRUZZELLO. That, I don't know.

Mr. OSE. Well, it's stipulated to it right here, there are five cases of child abduction.

Are you saying Saudi law supports child abduction?

Mr. PETRUZZELLO. I'm saying I don't know Saudi law.

Mr. OSE. I regret that my time is up. We'll just keep going around and around here.

Mrs. Maloney for 5 minutes.

Mrs. MALONEY. I just want to go on record in support of the extraordinary leadership that Chairman Burton has shown on this tremendously difficult issue. I can't think of anything, as a mother of two children, more jolting than to have your children taken from you, and being unable to get a visa to see them.

And as an American woman, I'm particularly concerned about the opportunities of freedom that American citizens born in this country and then illegally, I would say, abducted to Saudi Arabia, not having the opportunities for education or for the right even to marry whom you like. By Saudi law, you can only marry a Saudi man if you're a woman. And many other rights are taken from you.

I am here. We are in a Financial Services Committee meeting at this time, but I wanted to come and show my support to the committee staff, and to Chairman Burton, on their efforts to get these children reunited with their families, to restore their American citizenship and to allow the freedoms to these people that they're entitled to as American citizens.

I know that the Saudi Government is an ally of our country. We have worked together on many joint causes of concern, and my message to you, Mr. Petruzzello, is to take to the Saudi Government the tremendous concern that we, as American citizens and Members of Congress, have on this issue.

According to our laws—our laws, it's kidnapping. It is a kidnapping, literally: taking away the children that are American citizens, dividing the rights of families to see their children, and in many

cases, not allowing these children to come back to America. I think that this is outrageous, and I think that we need to change the laws. We need the cooperation of the Saudi Government.

To deny visas to Americans who want to come and see their children is just plain, flat wrong, and these families need to be reunited. I'm appealing to Chairman Burton to come forward with new rules, regulations on visas and passports and every other way to really protect the rights of Americans to protect their children from abduction and the rights of Americans to regain their children once they have been abducted.

We have sat through many, many tear-jerking hearings where parents, both fathers and mothers, have come and told about children, siblings that don't see their siblings, children that were stolen, that they no longer have the right to see. It's outrageous, and it's wrong, and I feel that there must be a will and a way to correct it.

But it would be helpful if the Saudi Government would be sensitive to the rights of individuals, the rights of American citizens and really work with our government to correct this, not only on an individual basis but in a sweeping law or an agreement of regulations what this doesn't happen in the future so that the families are reunited. And I yield my time to the chairman, and I congratulate your extraordinary leadership on it. I mean that sincerely. And, Mr. Burton, I wanted to, with your permission, set up a meeting in a bipartisan way with the Women's Caucus, because family issues are very important to women on both sides of the aisle; and I would like to join you, with the support of the Women's Caucus, in championing this issue for the reunification of families and really protecting the rights of American citizens.

Mr. BURTON. Well, Mrs. Maloney, let me just say that we will have legislation dealing with passports, entrance stamps and exit stamps which should help the Immigration and Naturalization people help get a handle on this. We will have legislation dealing with visas for Saudis, maybe the Saudi Royal Family or people in the Saudi Government who may want to come to the United States; and if they're complicit or involved in any of these things, we may have legislation that would deny them visas until these things are resolved, so they can't come and visit the United States and go to some of these very expensive stores where they buy their jewelry and things, so they can't buy those things.

I believe the State Department is also looking at some of these things that we might be able to do without even having a bill passed. But we're going to do that, and I really appreciate your commitment to get the Women's Caucus on board, because there's nothing stronger as a caucus than a Women's Caucus.

Congressman Kerns.

Mr. KERNS. Well, thank you, Mr. Chairman, and I, too, want to commend you in your efforts, you and your staff, for bringing this important issue before the Congress, and really before the world. And I have to thank all of the people that have helped participate in this hearing today, particularly Ms. Tonetti. Although I don't serve on this committee, she is a constituent of mine from Terre Haute.

I went to Indiana State, as well, she went to Indiana State, so the roots run deep; and I can tell you that it breaks my heart when I hear these stories, one by one, and when I hear and see the Saudi Government not assisting.

I accompanied Chairman Burton to Saudi Arabia and met with the Foreign Minister, asked him directly, was there not some responsibility if, in fact, there is a U.S. court ruling, granting custody, and then also an additional court ruling not to take the children from the United States?

The Foreign Minister's response was quite unacceptable to me, to Members on the trip, and I'm sure to this Congress, when he said that "We do not recognize U.S. law."

Now, the question that I would have, don't you think that while in the United States, those from Saudi Arabia and other countries have a responsibility to obey the laws of this country while in the United States?

Mr. PETRUZZELLO. The Saudis who visit this country, do they have an obligation to obey U.S. law?

Mr. KERNS. That's right.

Mr. PETRUZZELLO. I would say, you know, that Saudi Arabia would certainly agree with that and would probably add that of all visitors to the United States, that the Saudis have one of the fewest incidents of law-breaking of, you know, the countries that visit the United States.

Mr. KERNS. Well, there's certainly evidence they've not followed U.S. law. What about those that assisted in—or helping arrange these children to be taken from this country, in fact, kidnapped from this country? Aren't those individuals breaking U.S. law? And do you think those individuals, those Saudis, should be permitted to stay in the United States?

Mr. PETRUZZELLO. Congressman, I'm not an attorney, and I don't understand or know what are the legal implications of people who are involved in this, and I really couldn't comment on it.

Mr. KERNS. You don't understand that if someone breaks a law in this country, they should suffer consequences for breaking that law?

Mr. PETRUZZELLO. Of course.

Mr. KERNS. That's what I was asking.

Mr. PETRUZZELLO. But then, if I understood your question, if you're talking about foreign diplomats, you know, I don't understand what—how that works.

Mr. BURTON. If the gentleman would yield, foreign diplomats are—cannot be prosecuted; you know, they're on—unless the government in question agrees. But what we can do, Representative Kerns, is, we can get our State Department to make them *persona non grata* and send them home.

In other words, if they're working here in the visa section or the passport section of the Saudi embassy, and they've been supportive of giving passports to children when the courts have contacted them, as in the cases with Ms. McClain and Ms. Tonetti, then those people can be sent home, and anybody else that does that could be sent out of the country as non—*persona non grata* in this country.

Mr. KERNS. Thank you, Mr. Chairman. I think that's a good point.

Also I would offer that because of this issue and because of the refusal of the Saudis to cooperate in what we think is a reasonable manner and timeframe, we are now looking at many, many issues involving our relationship with Saudi Arabia—perhaps the first time we're examining our relationship with Saudi Arabia. And these hearings and this issue have been, in part, the catalyst; and it's not going away. We're going to be looking at students that come to this country, the length of time they're here, who are not making progress, why they're being allowed to come into this country when they're not, in fact, pursuing an education in a reasonable manner. Those students that remain here for 20 years and do not have a degree, we're not going to permit this to continue; we're not going to tolerate it.

And we have a phrase, "opening a can of worms." It has opened a can of worms. And we're going to pursue this, and I know Chairman Burton is not going to let go of this, and I would—and you obviously run your own business, but if I were advising my client, I would remove this issue from a host of issues that we're now looking at because of what this issue has raised. With that, Mr. Chairman, I yield back.

Mr. BURTON. Mr. Clay, I understand you don't have any questions right now; is that correct?

Mr. CLAY. Mr. Chairman, I would like to make a brief statement.

Mr. BURTON. Mr. Clay, you're recognized.

Mr. CLAY. Thank you.

Let me first thank you for conducting what I consider to be an extraordinary hearing; I am just amazed at the fact of the scene that's unfolding at this time. I am curious to see how we resolve this issue, how do we resolve reuniting these children with their families. And I don't know, maybe the witness can help us with that.

How do you see us ending this? Where do we go? I mean, how do we reunite families, or do we?

Mr. PETRUZZELLO. Congressman, I think what the Government of Saudi Arabia has proposed is a bilateral protocol that would help bridge the differences in United States and Saudi law and would help—enable both governments to work better together to find resolutions to these issues faster. And that is the sincere desire of the Saudi Government.

Mr. CLAY. What does that mean? Does that mean that eventually there will be joint custody, visitation privileges? Just exactly where are we going with this?

Mr. PETRUZZELLO. Well, I think that would be a question to best refer to our State Department and to the government itself; but that what they are—what the government is saying is that closer cooperation is needed and new mechanisms are needed to address these issues.

Mr. CLAY. What about these families sitting here in this room, the families that have been impacted, the sisters and the brothers who have lost sisters and brothers, the mothers and the fathers who have lost, or the fathers who have lost contact with these children? How do we handle that emotional strain?

Mr. PETRUZZELLO. Congressman, I don't think anyone could not feel great sympathy for the families that are involved in these issues, and it's not lost on the Saudi Government how important this is, both to the families and to Saudi-U.S. relations.

Mr. CLAY. All right. Thank you for that.

Mr. BURTON. Would the gentleman yield to me?

Mr. CLAY. Yes, sir.

Mr. BURTON. If it's not lost on the Saudi Government—and I know you're their PR guy and you've got to make them look good, but I've got to tell you, I looked them right in the eye when I was over there. It's lost on them. It's lost on them. They don't know what—they don't care. They will give you lip service and they will pay you \$200,000 bucks a month to make them look good, but they don't care. They don't care about these women and their kids. They don't care.

The men rule. The men rule. If you're a woman and your husband says, you don't go to the bathroom, you don't go to the bathroom. If the husband says, you don't go out the front door, you don't go out the front door. They say to the kids, you do this. If you don't, they tie you up and beat the hell out of you like we were hearing about earlier.

I mean, come on. To make it look like they have a humane face regarding the people whose kids have been kidnapped and taken away from them is just a dad-gum lie. It's just a lie. They don't care. And if they do care, they'd do something about it. And for them to say, you know, this is religious law and we're the religious—we're the leaders of this country, and we can't violate that and we can't do this and that, they can do it.

When we were over there, Amjad, I talked to them and we raised Cain about that, finally they gave her a passport and an exit visa, but you know what they did? They waited until her father married her off to a guy who was 42 years old that she had never met. She didn't even know the guy. I'm sitting there with her and her new husband. She just met him, 42 years old; he's got a wife and several other kids, and he's a friend of the father. And he's got to sign off to let her go; and the Saudis say, well, he's got to sign off to let her go. Come on.

Mr. SHAYS.

Mr. SHAYS. Thank you. I know we need to get to the next panel, so I won't go into great depth.

But, Mr. Petruzzello, just so I'm clear, as Ms. Tonetti pointed out, I had an opportunity to look at some of the information in this document, the document here. I want to be clear. We've already been asked about the letters.

Did you have anything to do with either of the articles? You're familiar with what's in the packet, correct?

Mr. PETRUZZELLO. Pardon me. I'm familiar with what's in the packet, but I can't see it from here.

Mr. SHAYS. Well, these are the two articles. Did you have anything to do with preparing these two articles?

Mr. PETRUZZELLO. The Washington Post article, that is the one from the Associated Press?

Mr. SHAYS. Why don't you get out the packet that your office prepared.

Mr. PETRUZZELLO. I don't have it.

Mr. SHAYS. Isn't this packet something you gave out?

Mr. PETRUZZELLO. This was distributed by the embassy?

Mr. SHAYS. Right. Is this something that you helped prepare?

Mr. PETRUZZELLO. Yes.

Mr. SHAYS. Let's give him the whole packet. I don't want to be disingenuous, but you helped prepare this packet?

Mr. PETRUZZELLO. No. I just want to be accurate in terms of your questions.

Mr. SHAYS. I know you do. So I'm saying this is a packet that you helped prepare, but it was distributed by the embassy; is that correct?

Mr. PETRUZZELLO. Pardon me?

Mr. SHAYS. This is a packet that you helped prepare, but it's distributed by the embassy.

Mr. PETRUZZELLO. That's correct.

Mr. SHAYS. The two letters you've already responded to, how you got involved in those.

Mr. PETRUZZELLO. Right.

Mr. SHAYS. The two articles, did you help prepare those articles?

Mr. PETRUZZELLO. The article by Donna Abu-Nasr. She's with the Associated Press, and no, I did not help with that article.

Mr. SHAYS. The Wall Street Journal.

Mr. PETRUZZELLO. The Wall Street Journal, this is his letter to the Wall Street—

Mr. SHAYS. "we Are Not Holding Americans Captive," did you help prepare that?

Mr. PETRUZZELLO. Yes. And as I previously testified, we provided some talking points to the embassy, but this was developed by the embassy and by Prince Bandar.

Mr. SHAYS. And then "The Kingdom of Saudi Arabia Is Fully Committed to Resolving Parent-Child Abduction Cases," did you help prepare that?

And when I say you, I mean you or anyone in your—

Mr. PETRUZZELLO. Yes. Yes. We helped the Saudi embassy prepare this.

Mr. SHAYS. So when I'm asking questions about opinions and knowledge of the families, in order to prepare this, you would have had to have done some research about these cases. Is that not correct?

Mr. PETRUZZELLO. Well, we would have taken information that we were given from the embassy in helping them prepare this letter.

Mr. SHAYS. Let me ask the question again. In order to help make suggestions and make a contribution of what should go in here, you would have had to have familiarized yourself somewhat with these cases; is that not correct?

Mr. PETRUZZELLO. On the individual cases we have some basic familiarity, but we do not know the details of them, no.

Mr. SHAYS. But you had enough information in order to make a contribution and make suggestions for this document; is that not correct?

Mr. PETRUZZELLO. Yes, depending on what exactly you're referring to. You know, we have an understanding of what's in here.

Mr. SHAYS. Let me just make reference to—it's not numbered but it's the fourth page. It relates to Al-Arifi and Mrs. Tonetti, correct?

Mr. PETRUZZELLO. Yes.

Mr. SHAYS. And I'm going to read it. It says: A meeting was arranged with Representative Brian Kerns of Indiana and Joanna Stephenson's children. The children are of the ages 12, 11, and 7, and were abducted by Saudi ex-husband in August 2000. Representative Kerns met with the children and arranged a telephone call between the children and their mother. This case is in the process of being resolved.

We're talking correctly about Ms. Tonetti's case; correct?

Mr. PETRUZZELLO. This case has to deal with Ms. Tonetti?

Mr. SHAYS. Yes.

Mr. PETRUZZELLO. OK.

Mr. SHAYS. Correct?

Mr. PETRUZZELLO. I believe so, yes. I didn't—

Mr. SHAYS. I want you to react to what's in this document and tell me where there's accuracy and where there isn't.

Ms. TONETTI. Well it's extremely accurate where it says that they were abducted, which is a crime in this country, I believe, and I am sure it is a crime—

Mr. SHAYS. Do me a favor. Just let me ask some questions.

Ms. TONETTI. OK.

Mr. SHAYS. In regards to this, is this the first time that you've seen the Saudi Government admit that they were abducted?

Ms. TONETTI. Yes, it is.

Mr. SHAYS. OK. So would you call at least this part of it progress?

Ms. TONETTI. As far as they're being honest, yes.

Mr. SHAYS. About finally acknowledging that your children were abducted?

Ms. TONETTI. Yes.

Mr. SHAYS. OK. Now—and would you then speak to the second part? I mean, you know, I appreciate what Mr. Kerns, what Representative Kerns has done. "this case is in the process of being resolved." Explain to me how you interpret that.

Ms. TONETTI. "resolved" I would interpret as bringing three American children home. I have no clue as to how it is being resolved. This is the first time I've ever seen that.

Mr. SHAYS. OK. So have you felt that this case is being resolved?

Ms. TONETTI. No, I have not.

Mr. SHAYS. OK. Under what basis, Mr. Petruzzello, would you say this is being a resolved case. How is it being resolved?

Mr. PETRUZZELLO. That's the position of the Saudi Embassy.

Mr. SHAYS. OK. But explain to me their position.

Mr. PETRUZZELLO. What they have said is that they are working on finding resolutions to these cases. I don't know about the particulars of this case, so I can't comment on it.

Mr. SHAYS. Ms. Tonetti, tell me, in the last—tell me how—what contacts have you now had with the Saudi Government or with your former husband or with—not with your children, because they're not resolving it, they're still too young for that. I mean, they're held captive, and they were abducted and held captive. So

the question I'm asking you is, tell me, to your—explain “resolved” as it relates to your side of the story. How is it being resolved?

Ms. TONETTI. As far as I know, I don't know how it's being resolved. I think the—

Mr. SHAYS. Has the Saudi Government been in contact with you?

Ms. TONETTI. I did meet with some officials yesterday.

Mr. SHAYS. First time?

Ms. TONETTI. Yes.

Mr. SHAYS. First time.

Ms. TONETTI. Yes.

Mr. SHAYS. And did they talk about how they were going to bring your children home again?

Ms. TONETTI. No.

Mr. SHAYS. They didn't talk about how they were going to bring your abducted children home.

Ms. TONETTI. No.

Mr. SHAYS. OK. The gist of it was—can you share that with us, if you care to?

Ms. TONETTI. The gist of it was trying to get some semblance of contact between me and my children on a hopefully regular basis.

Mr. SHAYS. So they weren't talking about returning your abducted children. They were talking about somehow having you have contact.

Let me ask you, your children were abducted in August 2000, so we're basically talking now 2 years. Again, describe—and I know you have answered it—how often have you seen your children?

Ms. TONETTI. Never.

Mr. SHAYS. How often have you spoken to them?

Ms. TONETTI. Twice.

Mr. SHAYS. OK. And that's been when?

Ms. TONETTI. August 30th of this year, thanks to Congressman Kerns, and yesterday.

Mr. SHAYS. OK. Now, I just for a second want to have you put yourself in the position of Pat Roush, OK? Your children are now—are age 12, 11, and 7. Is that the age—that's the ages they are now; is that correct?

Ms. TONETTI. Yes, sir.

Mr. SHAYS. So they were basically 10, 9 and 5.

Ms. TONETTI. Yes, sir.

Mr. SHAYS. OK. And I'm not trying to bring pain to you here, my friend, but I want you to put yourself in Pat Roush's position. Her children were—for the record, Mr. Wilson, would you tell me the ages of her three children when they were kidnapped?

Mr. WILSON. Two children, very young. Infant children. Infant children. Now 23.

Mr. SHAYS. Well I have the ages somewhere else. Excuse me. Alia was 3 and Aisha was 7. That's the ages. Now, if they had been—and they have been separated now from their parents for 17 years.

Do you think it's possible that if your children had been separated from you for 17 years, in other words, when they were—they were 10, they would be 27—when they were 9, they would be 17 years older; when they were 5, they would be 17 years older. Do you think it's possible that they might say after 17 years of being

incarcerated and not able to meet with you—that they might say that they, heaven forbid, may not love you or they may not want to see you again? Do you think that's possible, as horrific as that thought is.

Ms. TONETTI. I think after 17 years of Saudi brainwashing, they would say anything that the Saudis wanted.

Mr. SHAYS. So I'm going to ask your opinion about this, not Mrs. Roush's opinion. Do you think that 17 years later, do you think it is a coincidence that the one case that they sought to highlight and suggest that there was no incarceration, would be—of all these 11 families—that it would be the family that had been not in contact—the mother had not been in any meaningful contact in 17 years? And “meaningful contact,” I don't mean calling on the phone or coming to see one in the room. Meaningful contact is where you're able to put your arms around your child, be able to walk around the street, being able to see your child, maybe perform in some school program, maybe to be able to tuck your child in at night.

Do you think after 17 years of not having that, that it was a coincidence that the one family they chose to highlight, to demonstrate that no one was being held against their will would be this family?

Ms. TONETTI. I think it's very coincidental and highly suspect.

Mr. SHAYS. OK. And do you also—and I would ask you Ms. McClain, and I would ask you, Mr. Rives, the same question.

Ms. MCCLAIN. Yes. I agree with her that 17 years of brainwashing would do severe emotional damage to these girls. I saw my daughter this summer. She was not the same child that left me 5 years ago. She doesn't smile. She doesn't laugh. She only talks when her father lets her talk. I think she needs psychological help, and it's only been 5 years.

Mr. SHAYS. Mr. Rives. And refresh me again, Mr. Rives, in terms of your case. Your child is—

Mr. RIVES. Sami and Lilly, they're 3 and 4 and they were taken a year and a half ago.

Mr. SHAYS. So, I mean, let me just ask you this parenthetically. Do you think that they would treat you differently a year from now or 5 years from now or 10 years from now than they would today? Do you think that with each passing year you may lose contact with your children, that they may not have the same warmth to you that they might if you saw them today?

Mr. RIVES. My children only speak Arabic and they're only being taught Arabic. They only know me from a voice on a telephone. And if they have to go through those many years without seeing me or even talking to me in a language they can understand, they're going to say, Daddy, where were you?

Mr. SHAYS. So, I mean, it's almost—not almost, it's totally meaningless, would not all three of you say, to have a press conference in London after 17 years, somehow describing that?

Mr. RIVES. No, it's ridiculous.

Mr. SHAYS. Would you say it's ridiculous, Ms. McClain?

Ms. MCCLAIN. Yes, I would. And it's very dishonest and disingenuous on the part of the Saudi Arabian Government.

Mr. SHAYS. Ms. Tonetti.

Ms. TONETTI. I agree. It's very disingenuous.

Mr. SHAYS. Now, Mr. Petruzzello, don't you think that with every passing year—and tell me your children's name—not their name; excuse me, I do not want to bring your children's name—I apologize for even suggesting that. My apology to you. You do have children, correct?

Mr. PETRUZZELLO. I have one son, yes.

Mr. SHAYS. Yes. And how old is he?

Mr. PETRUZZELLO. He's 6.

Mr. SHAYS. Don't you think it's conceivable if you had no meaningful contact with your son for 10 years that he might not feel as close to you as he feels now?

Mr. PETRUZZELLO. Absolutely.

Mr. SHAYS. OK. So as a PR person, now, do you think there's much validity for your client in having a family have this event 17 years after being abducted from their mother? Do you think that has much public relations benefit?

Mr. PETRUZZELLO. No, it does not.

Mr. SHAYS. OK. Would you have advised them against doing that?

Mr. PETRUZZELLO. Against doing what?

Mr. SHAYS. Having this charade of bringing a family to try to demonstrate that no one is being held against their will?

Mr. PETRUZZELLO. My recommendation to them, I think, which is consistent with their goal, is to have the girls come to the United States. And the Saudi Government said they would like to have the family reunited.

Mr. SHAYS. OK. There have been very strong words today by a lot of us, and we might choose to express it more diplomatically in one sense. But the one thing I think that all of us are trying to convince your client, and so we are speaking to you—through you to your client—is that we as Members of Congress get involved with cases all over the world bringing children that have been abducted. I can cite cases in other countries. And we've even had the police in Romania go and bring back a child. They only found one.

They didn't find the second, because they didn't go into the house. And we said, you know, that's kind of dumb because the other one was in the house. They went in the house and couldn't find it. We said, well, that's kind of dumb because it may not be in the house, but they may be somewhere else.

They kept at it and they eventually reunited this mother with her two children. And we also knew that this mother could go in Romania and travel and speak to the press. We don't see that same—that same ability to Saudi Arabia. So I want to say to you, and through you, to your—the government you're representing—that it is a totally meaningless thing to have Mrs. Roush's children be put on display in London, not in the United States, not with their parent, to say what these children have said after 17 years.

And while there seem to be 11 or 12 cases in dispute, which the Saudi Government may say is less than others, there are some huge differences. And that whether Mr. Burton or I or anyone else is reelected, we know that there will be others here who will pursue this with all the intensity that you can possibly imagine.

And then I am just going to conclude by saying politicians get elected doing things to get attention. I mean, all of those are accusations. But there is—and I've lost my page on it—there is in the document you distributed a claim—and could you read me the—Mr. Wilson, can you read me on the document the claim about the purpose of this is only being for public relations? Do you know where it is? Maybe you could find it. You find it for me, sir. You help do this. Read that line where it says that this is solely for public relations.

Mr. PETRUZZELLO. Which document do you think it's in?

Mr. SHAYS. Well, one of the documents in the green folder. And I'm willing to just have you wait while you find it. We'll see who can find it sooner.

Mr. PETRUZZELLO. Congressman—

Mr. SHAYS. We'll keep waiting.

Mr. PETRUZZELLO. Not trying to be cute here, but the line does not spring to mind. I am not clear whether it's in one of the letters or one of the materials.

Mr. SHAYS. OK. Well, we have it in the article.

Mr. PETRUZZELLO. It's in the article.

Mr. SHAYS. Let's find it in a few other places. No, I know it's there, so I have total comfort level. The abduction of any children is the human tragedy that should not be politicized is one comment. In the—

Mr. PETRUZZELLO. You're looking at Prince Bandar's letter to the Wall Street Journal?

Mr. SHAYS. The Wall Street article. Turning this issue into a political football for publicity's sake clouds the realities and complicates the path toward resolution.

Protocol to save children—where is it here? It's not a government-to-government problem. It's a family problem which is short of absurd. You know, the fact is that if Mr. Burton hadn't publicized this, had others not made this an issue, had the parents not spoken out, they would have surrendered, and the fact is that Ms. Tonetti would not see this statement that her three children were abducted. That would never have been stated. And we wouldn't see this case is in the process of being resolved.

I'd also like you to just pass onto your client that the only way you resolve this case is returning the abducted children. That's the only way you resolve it, because they were abducted.

And so, you know, I would just say to the chairman, keep pushing; to the staff, thank you for your good work.

To the very precious parents, the way you reach us is to just have us think of our own children. And our hearts bleed for you. And we don't intend to bring you any more pain by the questions we ask, or add to your tears, but you have a right to expect that your government will speak up for you. You have a right to know that NBC employees will work on your behalf for justice. You have all those rights of expectation.

And to Mrs. Roush, I would say to you, you have waited the longest and your wait has to be even more painful. But I do know you'll never give up. Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Mr. Shays.

Let me go through some questions here that we want to have answered for the record rather than me expounding anymore. I think you have an idea how I feel about all this. The case of Amjad Radwan is a high-profile case and it involves a 19-year-old girl who has consistently maintained that she wants to leave Saudi Arabia and return to the United States just before the congressional delegation left for Saudi Arabia, her father put her in the hospital to have her stomach stapled so she could lose some weight. Then he married her to a 42-year-old Saudi Air Force pilot who already had a wife and five children.

Do you think her getting married—she was all packed and ready to come, and about 3, 4 days before we got there—is that right—she was taken and left in the middle of the night. The day we left here to go over there, she was—left in the middle of the night. She couldn't drive a car, so somebody picked her up and drove her someplace. And she was then with her new husband whom she really had just met. Do you think all that was a coincidence?

Mr. PETRUZZELLO. Mr. Chairman, I don't know anything about that. I would—I could probably say with some confidence that the government is not involved in that.

Mr. BURTON. Can you say with confidence that the government was not involved in that?

Mr. PETRUZZELLO. In having her married.

Mr. BURTON. No, no. Wait a minute. Her father was contacted by the Saudi Government, you know, saying that they wanted to work this out, they said. And then she was married to a 42-year-old man with five children. And then we met with her, and she was extremely nervous and looking back and forth, saying she wanted to come to the United States, but not now. And you don't think the government had anything to do with that. You think this was just something that was between the father and this guy?

Mr. PETRUZZELLO. The government has said that was a family matter that—

Mr. BURTON. And why should I believe the government, because they have had no involvement in giving passports to these women's kids when the court ordered them not to and gave the information to the Saudi embassy here. So we should believe them?

Mr. PETRUZZELLO. I think what the government has said is that they have been working on enabling Amjad Radwan to come to the United States.

Mr. BURTON. Well, when did you just first hear about the marriage of her to this guy?

Mr. PETRUZZELLO. I don't know exactly when I heard about it. It was very recently. I think it was in something—either a report on your trip, I think it was actually. I think—

Mr. BURTON. So you didn't hear about it until after we were back.

Mr. PETRUZZELLO. I think I actually heard about it through one of your media appearances.

Mr. BURTON. You have previously told the committee staff that members of the Saudi Royal Family were personally involved in this case. Did any Saudi Government official or member of the Royal Family have conversation with Amjad Radwan's family that you know of?

Mr. PETRUZZELLO. I understand that these representatives of the Saudi Government have had contact with her family.

Mr. BURTON. Do you know when those conversations began?

Mr. PETRUZZELLO. No, I don't.

Mr. BURTON. Can you tell us anything about those conversations between the government and Amjad?

Mr. PETRUZZELLO. No, I cannot.

Mr. BURTON. Do you know who the conversations were with?

Mr. PETRUZZELLO. No, I don't.

Mr. BURTON. You're getting \$200,000 a month and you don't know any of those things on this issue. Man, I ought to get your job. Man, I could just sit at home and watch TV and get \$200,000 a month. Because you expressed great optimism to the committee that this case would be settled in a way that would be favorably received by the committee. Then on August 23rd you had a different message, and you said that the case was now proving more difficult. Why was there a change?

You said it was going to be settled in a way that would be favorable to the committee. That's what you told my staff.

Mr. PETRUZZELLO. Yes.

Mr. BURTON. And then on August 23rd you had a different message, and you said it's proving more difficult. Now, why was there a change?

Mr. PETRUZZELLO. Because the feedback that the Saudi Government was getting was that she was telling our embassy and the government that while she wanted to leave Saudi Arabia, without anyone's permission, she didn't want to do so now. And I think that perplexed everyone involved.

Mr. BURTON. You don't think she was under any pressure from anybody or anything?

Mr. PETRUZZELLO. You know, my position is—

Mr. BURTON. I looked at her eyes. I couldn't see anything but her eyes because she had an abaya on, and she was trembling like this, she'd say I want to go to America; then she'd look at this guy who she just met and then she'd say, but I don't want to go right now.

This week lobbyists were passing out a memo that said Amjad Radwan has been—the case has been resolved. Has he been passing these out? Have you been passing those out? The green packet says that case has been resolved. And yet just before the congressional delegation went to Saudi Arabia, Amjad had her stomach stapled and was married to a man 22 years older than her who had a wife and five children. Is that what you mean by resolving the case, or just her getting a passport?

Mr. PETRUZZELLO. Mr. Chairman, the position of the government is that she has a passport and the ability to leave. The government doesn't know what else they can do at this point.

Mr. BURTON. Do you know when she was married?

Mr. PETRUZZELLO. No, I do not.

Mr. BURTON. Was the operation that she went through and the marriage part of the resolution of this case?

Mr. PETRUZZELLO. I have no idea.

Mr. BURTON. You don't have any idea? Do you think that Foreign Minister Saud had the facts right when he said that Amjad claimed

that she had been sexually molested by her own full brother? By her full brother—by her brother.

Mr. PETRUZZELLO. Can you repeat that? That Prince Saud said—

Mr. BURTON. Do you think that Foreign Minister Saud had the facts right when he said that Amjad claimed that she had been sexually molested by her brother?

Mr. PETRUZZELLO. I wouldn't know.

Mr. BURTON. You don't know about that either.

According to Amjad's brother, when he and his sister lived with their father and stepmother they were treated, in his words, like dogs. They were both beaten and forced to eat on the floor. Both were physically and sexually abused, according to Amjad's brother and mother. Do you think it matters if an American citizen is held against her will in Saudi Arabia and is treated like a dog? And this came from the brother.

Mr. PETRUZZELLO. Do I think—

Mr. BURTON. Do you think it matters if they're treated like that over there?

Mr. PETRUZZELLO. I don't know how to comment on that.

Mr. BURTON. Well, do you think that you would want anybody to be treated like that?

Mr. PETRUZZELLO. Oh, of course not. Yes.

Mr. BURTON. Do you know enough about this case to be comfortable with the representation that the Amjad case has been resolved? Do you think you know enough about that case to say it's been resolved?

Mr. PETRUZZELLO. No. I could reiterate, Mr. Chairman what—

Mr. BURTON. Well, you put in that green folder that it's been resolved. Now you heard some of these things. Do you think you have enough information to say that it's been successfully resolved?

Mr. PETRUZZELLO. Well, the information from the embassy, reiterates their position, Mr. Chairman.

Mr. BURTON. That it's been resolved.

Mr. PETRUZZELLO. That she has the ability to leave the country when she chooses to do so and that the government is at a loss of where to go from there.

Mr. BURTON. She can leave the country when she chooses to do so, like the two young ladies that were in England had the right to free speech, with their husbands and the other people in the entourage sitting outside. And they have been brought up in a very repressive society where women are beaten or threatened or worse if they don't do what their husbands said. And so you think that she is speaking—and she could leave of her own free will if she wants to now after growing up in that kind of environment.

Let me ask you about the million-dollar bribe. The Saudi Foreign Minister told the U.S. Ambassador to Saudi Arabia that I and the committee's chief counsel met with Amjad and her new husband and they told Prince Saud that they'd been offered \$1 million by me to come to the United States. When did you first hear of this accusation?

Mr. PETRUZZELLO. I first heard about that, it was after you had returned to the United States.

Mr. BURTON. Do you think I offered them \$1 million?

Mr. PETRUZZELLO. Mr. Chairman, I think that was absurd.

Mr. BURTON. Yeah. The U.S. Ambassador was also told that Amjad and her husband said that they would stay in Saudi Arabia if the Saudi Government gave them more than \$1 million. In a high profile case like this, do you really think it's likely that a scared 19-year-old and a Saudi Air Force pilot would attempt to extort money from the Saudi family?

Mr. PETRUZZELLO. I never heard anything about that.

Mr. BURTON. Yeah. Well, I've got to tell you I think that's a little far-fetched when you know how they treat people over there who break the law, you know. Pretty severe. Try to extort money from the Royal Family over there. My goodness. Somebody ought to write a novel about this. Apparently the husband signed a statement alleging—describing the alleged bribe. Have you seen that statement?

Mr. PETRUZZELLO. No, I have not.

Mr. BURTON. You have not seen that? OK. Can I get a copy of what? Can you get us a copy of the statement?

Mr. PETRUZZELLO. Can I personally? I don't think so. I could—

Mr. BURTON. Well, you work for them, for crying out loud. Will you ask them?

Mr. PETRUZZELLO. I will relay your request to the embassy.

Mr. BURTON. Well, will you ask them; say, hey, can you give me a copy? Just ask them.

Mr. PETRUZZELLO. OK.

Mr. BURTON. We have to go for a vote and we have—Chris, were you going to go over to vote? Representative Shays.

Mr. SHAYS. Just one last point, just very quickly.

Mr. BURTON. OK.

Mr. SHAYS. Just as I was going through, just on the front page of—the Kingdom of Saudi Arabia is fully committed to resolving parental and child abduction cases.

The second paragraph: There's been a great deal of confusion, misconceptions, surrounding the issue of child custody and abduction. Some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true.

I think even the statements of the Saudi Government through this has suggested that the abductions are against their will.

But then they say, and then they go on to say—but there are some who are more eager to make headlines than make progress on this issue.

And I would just say to you, I think without the administration, without your chairmanship—excuse me a second, excuse me, Mr. Chairman—without this committee making a forceful attempt to bring this to public attention, I don't think we'd see the progress we've seen. And so I guess that's the response that the Saudi Government wants to make, but I think it's mindless. Thank you.

Mr. BURTON. Thank you, Mr. Shays.

I ask unanimous consent that Chief Counsel Wilson can conclude the questioning while I run over to the floor to vote. I will be right back and, without objection, so ordered. So he's going to ask questions of the witnesses. I'll be back just as soon as I can finish this vote.

Mr. WILSON. It's always good when you start to question people and everyone leaves the room, so I will be very very brief.

Mr. PETRUZZELLO. Mr. Wilson, would you mind if we took a brief break?

Mr. WILSON. That would be fine. If we could keep it very brief, say, to a couple of minutes, and we will try and finish this panel quickly.

Mr. BURTON. Excuse me. I think we will stand in recess until the fall of the gavel. I don't want to do anything that might be questioned by the rules of the House. We will be back in a minute.

[Recess.]

Mr. OSE [presiding]. We're going to reconvene here. All right, here's what we're going to do, ladies and gentlemen. We're going to have—we have a vote on right now. We have about 5 minutes left. Then we have two privileged resolutions on the floor, so Members are going to be going back and forth as the debate goes on.

We are going to proceed with questions. Counsel to the staff—to the committee, per the chairman's directive, is going to ask some questions, and to the extent Members come in and have additional questions those will get asked also.

Mr. Wilson.

Mr. WILSON. Just finishing off the line of questions on Amjad Radwan, are you able, Mr. Petruzzello to provide any assurances to the committee that Amjad Radwan was not coerced or that she has not been subject to incredible pressure?

Mr. PETRUZZELLO. I can't give you any personal assurances, no.

Mr. WILSON. Do you think that she was afforded the types of basic rights that would allow her to make an informed decision about her future?

Mr. PETRUZZELLO. You know, I don't know, Mr. Wilson, anything about her family or her family situation to comment on that.

Mr. WILSON. Just to return to one issue. We're trying to complete a record as much as possible, so I'll go through this very quickly. But you told us earlier that you didn't watch the hearing yesterday, and you told us that you had not been briefed about the hearing. But you have been able to hear today from Ms. Tonetti and Ms. McClain, Mr. Rives, and Ms. Dabbagh, and you have certainly learned a lot about the Roush case and the case of Amjad Radwan.

Is it fair to say that you've learned in the last couple of days that kidnapped U.S. citizens in Saudi Arabia are under a great deal of pressure or duress? Is that a fair characterization?

Mr. PETRUZZELLO. I would say, listening to the testimony, that would be the impression one would get.

Mr. WILSON. So do you have confidence that when a Saudi—when a woman who is in Saudi Arabia makes a statement that she is representing faithfully what she really thinks?

Mr. PETRUZZELLO. Mr. Wilson, you're asking me a hypothetical. You know, I don't know how to comment on that.

Mr. WILSON. Well, the only reason I asked you this is because you're prepared to put your name and the name of your company on the publications that are handed out and the letters that go into the newspapers and the representations to us, so it is important for us to know whether you believe that what's being communicated is accurate.

And so I think it is important for us to understand what you do believe. And so, you know, I ask you again, do you have confidence that when a woman in Saudi Arabia makes a statement, that it is an accurate depiction of what she believes?

Mr. PETRUZZELLO. I've had an opportunity to meet a number of women in Saudi Arabia and have seen a number of women, you know, come here to the United States. And of the women that I've met from Saudi Arabia, I've had no reason to think that what they have said is not how they feel.

Mr. WILSON. Now, let's move quickly to the kidnap cases where you have women, sometimes men, who are kidnapped. Do you put them in the same category as the people you were just describing?

Mr. PETRUZZELLO. You're talking about individuals that I've never met and situations that I do not understand.

Mr. WILSON. But, from the testimony that you have heard today, did you learn anything from that testimony that you consider germane to your job?

Mr. PETRUZZELLO. Yes. Absolutely, that these are very personal and tense and complex issues, without a doubt.

Mr. WILSON. OK. Now we've heard here from Dria Davis and Maha Al-Rehaili and Ramie Basrawi who have been here today, and they have all said much the same thing: that when one of the kidnap victim is speaking, you can't believe what he or she is saying. Why do you have such confidence in what Amjad Radwan or the daughters of Patricia Roush have said in the last month?

Mr. PETRUZZELLO. I am not following you. Why do I—

Mr. WILSON. Why do you have confidence? I mean, you have passed out talking points and various things that have said that the cases are resolved and basically there's not a problem in these cases. Why do you have such confidence that what you're saying is accurate?

Mr. PETRUZZELLO. The materials—I mean, the case of Amjad Radwan I don't think we have—the embassy has put out anything that speaks to what she has said, so I'm not quite sure what in these documents you're referring to.

Mr. WILSON. But you believe that the Radwan case and the Roush case are resolved; is that correct?

Mr. PETRUZZELLO. The Saudi Government has stated that, you know, as far as—in terms of the Al-Gheshayan case, is that they will continue to try and encourage the sisters to come to the United States and they would prefer to see the family reunited.

Mr. WILSON. But what I'm asking you is whether you believe that they've been resolved or not. Do you think there are any action items on the to-do list?

Mr. PETRUZZELLO. I mean, if you're going to ask my personal opinion—

Mr. WILSON. Yes, I am.

Mr. PETRUZZELLO. Just personal opinion, Mr. Wilson, I would prefer to see the Al-Gheshayan sisters reunited with their—that family reunited, without a doubt.

Mr. WILSON. And do you personally think that should have been done before what happened in London? And I ask you this, not to be mysterious, but with each successive step that's take, or visit or foreign trip or time that they're put under pressure, it's difficult for

them. They're human beings. It makes it very difficult. Would you have preferred to have seen them meet with their mother instead of what happened in London?

Mr. PETRUZZELLO. The Saudi Government would have preferred for the girls to come to the United States, and the Saudi Government has said that they would have preferred for the girls to have contact with their mother.

Mr. WILSON. Is it your position that—do you believe that the Saudi Government was powerless to effect some meeting with their mother?

Mr. PETRUZZELLO. That's what they have said. They said that they—

Mr. WILSON. But do you believe that?

Mr. PETRUZZELLO. They said that they have tried, and I have no reason not to believe that.

Mr. WILSON. Dria Davis when she testified—are you familiar with the testimony of Dria Davis before this committee?

Mr. PETRUZZELLO. Her testimony yesterday?

Mr. WILSON. She didn't testify yesterday. She testified in June.

Mr. PETRUZZELLO. In June. No, I am not familiar with that testimony.

Mr. WILSON. OK. She testified and she said on television shows that she believes now, and she believed at the time, that if she had spoken her mind when she was in Saudi Arabia, that her father would have killed her. She's here now in the United States. Would you send her back?

Mr. PETRUZZELLO. Excuse me? Would I send her back?

Mr. WILSON. Would you send her back?

Mr. PETRUZZELLO. You know, me personally, no I wouldn't send her back.

Mr. WILSON. OK. Do you think that she should have been included on the list provided to this committee of kidnap victims?

Mr. PETRUZZELLO. What list?

Mr. WILSON. We were provided with a list by Prince Saud. I should ask you first, have you ever seen a list that was generated by Prince Saud, provided to the committee delegation when we were in Saudi Arabia, of alleged victims of kidnappings by U.S. citizens?

Mr. PETRUZZELLO. I'm sorry. You're saying this is a list of citizens, Saudi citizens?

Mr. WILSON. Of alleged kidnappings by U.S. citizens of people from Saudi Arabia.

Mr. PETRUZZELLO. Oh, so the inverse of what we have here.

Mr. WILSON. Yes.

Mr. PETRUZZELLO. Oh, no. I have not seen such a list.

Mr. OSE. Just a couple last questions—your opinion again. Before we leave that point, the document that the Saudi Embassy put out that I believe you testified you helped construct, which is this deal—

Mr. PETRUZZELLO. Yes.

Mr. OSE [continuing]. In fact does contain some allegations about Saudi citizens being abducted. Now, is it the position of the Saudi Arabian Government that American citizens have abducted Saudi citizens and brought them to the United States?

Mr. PETRUZZELLO. I'm sorry. Can you show me what you're referring to? This is a document that's titled Summaries of Cases Related to Saudi Citizens of American mothers?

Mr. OSE. OK. This is an item that's appended to the letter from Saud Al-Faisal to Secretary Powell listing four cases: Yasmin Khalid al-Shahoub, Sami Jalal Mograb and Yasmin Jalal Mograb, Abdulaziz Nasir al-Jamedi and Khalid Saud al-Shabrani. Have you ever seen that list?

Mr. PETRUZZELLO. Congressman, as I previously testified, my firm didn't have anything to do with the letter from Prince Saud to Colin Powell, and I've never seen this—this attachment before.

Mr. OSE. So it's been slipped in this package without your knowledge? The letter was slipped into the package without your knowledge.

Mr. PETRUZZELLO. This is the embassy's package.

Mr. OSE. OK. Thank you.

Mr. WILSON. Just—I'll ask you a few questions about what happened in London with the daughters of Patricia Roush. But first, there were allegations that while the two women were being interviewed, there was a member of your firm making gestures or signals to the two women. Do you know anything about that?

Mr. PETRUZZELLO. I saw a media report that suggested that or—but I don't know where that came from. And, you know, according to Shareen, that did not happen.

Mr. WILSON. So afterwards, you did ask your employee whether that was accurate or inaccurate and she said it was inaccurate.

Mr. PETRUZZELLO. That's correct.

Mr. WILSON. So it did not happen.

Mr. PETRUZZELLO. That's correct.

Mr. WILSON. OK. Did you—and we can check on this and we'll check on this—presumably there were other people there. Did you check with other individuals who were involved in this media event to find out—

Mr. PETRUZZELLO. No, I did not.

Mr. WILSON. You were aware—and I know you're aware because we talked over the course of many hours about the fact that the committee was going to make a request of whichever the highest-ranking Saudi official we would be able to meet with in Saudi Arabia. We asked to meet with Crown Prince Abdullah and we ultimately met with the Foreign Minister, Prince Saud. And you were aware that our principal request was that the kidnapping victims be allowed to meet with their U.S. parent in the United States, correct?

Mr. PETRUZZELLO. That's correct.

Mr. WILSON. When did the Saudi Government decide to reject this approach?

Mr. PETRUZZELLO. I'm sorry. What approach?

Mr. WILSON. Well, our request and it was communicated very clearly and many times to you, was that the delegation was going to go to Saudi Arabia and ask the highest-ranking person we would meet with that the kidnap victims be able to meet with their U.S. parent.

Mr. PETRUZZELLO. In America.

Mr. WILSON. And obviously with the Roush daughters, as we arrived they departed. With the Radwan case, there was—that is a different fact pattern. But with the Roush case, something very different than our request happened, which means that our request was rejected. We didn't even get to go and make the official request. When was it rejected?

Mr. PETRUZZELLO. You know, Mr. Wilson, it was my understanding that the Saudi Embassy was operating under the understanding that you wanted to have—that the delegation wanted to have meetings with the Saudi Government officials, but that a meeting with families was not on the agenda.

Mr. WILSON. Well, this is precisely what I'm saying. We very clearly said we didn't want to go and meet with, for example, the Roush daughters in Saudi Arabia. We wanted to make an official request. We wanted to tell—to ask—and the chairman wanted to ask the highest-ranking person that we met with for the kidnap victims, the defined list of people whose cases we were addressing, that those—the children, or in the case of the Roush daughters, the adults, would meet with their parent. That was our request. That was the whole point of going on this trip.

And yet as we arrived, unbeknownst to us, the daughters were not going to meet with their mother, they were going to London to do something else. Which means that somebody decided that the chairman and the delegation members would not even get to make their request.

And so I'm just asking, when was the decision made to do something other than hear our request?

Mr. PETRUZZELLO. You know, I am not aware—you know, I am not aware that—when this official request was made to Prince Saud or—and I'm certainly not aware that he has rejected any such request. In the case of the Al-Gheshayan sisters—

Mr. WILSON. Well, if I may just cut you off, because the request wasn't made because it was irrelevant by the time we got there. As was clearly explained to you, that the delegation wanted to do something that to us—and we talked about this over the course of hours—that seemed very reasonable. And the reasonable thing that we thought was that the Members of Congress would go and, in good faith, ask whoever the most senior person we could meet with, for the kidnapped children to be able to meet with their parent in a noncoercive, nonduress situation. And we asked specifically that be the United States.

And so that was what we were going to ask. And we telegraphed, we told you that in advance so there would be no mystery, or it would be very clear, and that the Saudi official could be able to address our requests. But as we got there, it was clear that our request had been rejected because the Roush daughters weren't being sent to meet with their mother. They were being sent somewhere else.

Mr. PETRUZZELLO. Mr. Wilson, it is my observation that Saudi Arabia has been trying to honor that request, if that request was made, or has been trying to work to have the Al-Gheshayan sisters come to the United States. And they have said publicly that they have been working for some time to encourage and to make that happen.

Mr. WILSON. But they chose to do something else. They chose to send them to—I mean, you're not telling us today that the two women volunteered to go to London for a media session, are you?

Mr. PETRUZZELLO. What they've said, what the Saudi Government has said, is that the sisters have refused to come to the United States and only agreed to go so far as London to meet with government officials there.

Mr. WILSON. Fair enough. The Saudi Government also said that they went on a vacation to London.

Mr. PETRUZZELLO. Did they say that?

Mr. WILSON. Now, is that accurate?

Mr. PETRUZZELLO. You know, I—

Mr. WILSON. Would you have called that a vacation? I mean, did they say we want to go to London on a vacation?

Mr. PETRUZZELLO. I don't think I would have described it as a vacation. They were there for 10 days or so but—

Mr. BURTON [presiding]. Can I ask you a question?

Mr. PETRUZZELLO. Yes.

Mr. BURTON. Do you know who paid for that trip?

Mr. PETRUZZELLO. No, I do not.

Mr. WILSON. Well, there have been newspaper articles where Saudi Government officials have said that they paid for the trip. Have you received any of—I mean, I don't know if you get clippings in your office, but there have been a number of articles about the trip that the delegation took and many of the things that happened. Have you read any articles about the delegation trip or anything that we're talking about today?

Mr. PETRUZZELLO. We get clippings of American media each day. You know, I scan them. I'm not sure which articles you're actually referring to.

Mr. WILSON. Well, there is one where a Saudi Government official wrote an article and said that the Saudi Government paid for the trip.

Mr. PETRUZZELLO. Which official and in which publication?

Mr. WILSON. We will provide that after. Actually, I should ask this now before—I always forget. Will you agree to answer questions in writing after the hearing?

Mr. PETRUZZELLO. I will certainly respond to any requests.

Mr. WILSON. Thank you very much.

Mr. BURTON. Let me ask him a question here. You get \$200,000 a month?

Mr. PETRUZZELLO. Yes, Mr. Chairman.

Mr. BURTON. And you knew you were coming to this hearing.

Mr. PETRUZZELLO. Yes.

Mr. BURTON. Because we subpoenaed you. How long ago did I subpoena you?

Mr. PETRUZZELLO. I received the subpoena on Monday. I was notified that I was coming on Friday.

Mr. BURTON. Friday. A week ago.

Mr. PETRUZZELLO. Well, not quite a week ago. I mean, this most recent Friday, yes.

The CHAIRMAN. Yeah. But you knew about our trip.

Mr. PETRUZZELLO. Yes, I did.

Mr. BURTON. And you knew about the media coverage 60 minutes and all that stuff didn't you.

Mr. PETRUZZELLO. Yes, I did.

Mr. BURTON. And you work for the Saudi Government.

Mr. PETRUZZELLO. Yes, I do.

Mr. BURTON. And you get \$200,000 a month. And you don't know any of these answers. Why are they paying you? You know you're under oath. You have no idea who paid for that trip for those girls to go to London?

Mr. PETRUZZELLO. Personal knowledge of it, no. I was not told who paid for it.

Mr. BURTON. But you knew you were coming to this hearing and you knew we were going to ask you a bunch of questions.

Mr. PETRUZZELLO. Yes.

Mr. BURTON. And you didn't even read the newspaper clips that talked about this. I mean, did you see the 60 Minutes piece?

Mr. PETRUZZELLO. I did.

Mr. BURTON. But you didn't read the newspaper clips that talked about who was paying for that trip.

Mr. PETRUZZELLO. I don't remember the article that Mr. Wilson refers to specifically.

Mr. BURTON. Well, it said that the Saudi Government said that they paid for that trip. And I would think that if you were going to come and testify, you would be prepared and know that. And the thing is, if they paid for that trip, then they knew they were going; and they knew that they were going when we were coming, so they made sure that we didn't have a chance to ask for what we wanted because they weren't there.

How many more questions do you have of this guy? OK. Just a few more questions and then we will go to the next panel. Did you have a question?

Mr. OSE. Yes, sir.

Mr. BURTON. Mr. Ose.

Mr. OSE. Thank you Mr. Chairman. I'm going to get this right. Mr. Petruzzello.

Mr. PETRUZZELLO. Yes.

Mr. OSE. All right. Yesterday Ms. Tonetti got to talk to her kids on the phone. And I'm just trying to connect the dots here. The last time she got to talk to them on the phone was in August, when Chairman Burton and Congressman Kerns were in Saudi Arabia. And that was the first time she talked to them in 2 years, according to her earlier testimony.

And now I'm not all that—I mean, I'm not a rocket scientist, I'm just a Congressman. But it sure seems to me like every time we have a hearing, somebody in our country gets to talk to their kids. Now, I kind of enjoy this. If we bring you down here weekly, does that mean that some American citizen is going to get to talk to their kids? Because we'll do that if that's necessary. In your opinion, as a PR expert, I'm connecting the dots, what would you advise us?

Mr. PETRUZZELLO. Congressman, you know, from a public relations perspective—which is largely my role, which is why I don't understand a lot of legalities and the ins and outs of what happens in the Saudi Government—but from the public relations perspec-

tive, it would be very good for Saudi Arabia and for U.S.-Saudi relations for more progress to be made on these—on this issue in this case.

Mr. OSE. Mr. Chairman, if I might be so bold. We ought to—the members of this committee, we ought to refuse to vote for adjournment, and have a hearing every week and then maybe some of our people, in fact, get an opportunity to either see or talk to their children.

Mr. BURTON. Well, we can hold hearings even if we've adjourned. I'm chairman until—you know, for the foreseeable future—so we can, you know, we can do it in December, Christmas Eve. What are you doing Christmas Eve?

Mr. OSE. I can be here, Mr. Chairman.

Mr. BURTON. Do you have some more questions you want to finish up with? Just a few more questions.

Mr. WILSON. OK. Did you or any other Qorvis person speak with anybody at the State Department before we, the congressional delegation, went to Saudi Arabia?

Mr. PETRUZZELLO. No.

Mr. WILSON. OK. Are you aware of any lobbyists talking to anybody at the State Department before the congressional delegation went to Saudi Arabia?

Mr. PETRUZZELLO. Lobbyists representing Saudi Arabia?

Mr. WILSON. Well I'm saying—well, yes. Start with lobbyists representing Saudi Arabia.

Mr. PETRUZZELLO. Lobbyists representing—talking to the State Department.

Mr. WILSON. Before the congressional delegation went to Saudi Arabia about this issue or the congressional delegation—

Mr. PETRUZZELLO. I'm not sure. I'm not sure about that. There may have been some conversations but I don't know with whom or what they were about.

Mr. BURTON. Well, was your firm involved in any conversations?

Mr. PETRUZZELLO. With the State Department, no.

Mr. BURTON. With anybody in an official capacity in our government.

Mr. PETRUZZELLO. No. Other than your good selves.

Mr. BURTON. Nobody in your firm.

Mr. PETRUZZELLO. No. No. Our firm, you know, again, our firm—

Mr. BURTON. It's PR, yeah, I understand. Do you work with any of the other firms that do lobbying for the Saudis?

Mr. PETRUZZELLO. We coordinate with them, yes.

Mr. BURTON. Do you know of any of those firms, any firm, anybody who's paid by the Saudi Government, who talked to our government officials prior to our visit.

Mr. PETRUZZELLO. Uhm—

Mr. BURTON. You're under oath.

Mr. PETRUZZELLO. I know. I'm trying to give you, see if I recall any conversations. Again, as I said, I said I believe there were some conversations but I don't know with whom in the State Department.

Mr. BURTON. So there was somebody who was lobbying for the Saudi Government, being paid by them, who did talk to the State Department before we went over there?

Mr. PETRUZZELLO. It is very possible, yes.

Mr. BURTON. You don't have any idea what they said?

Mr. PETRUZZELLO. No, I do not.

Mr. BURTON. Well, the next panel is the State Department. We'll ask them. We'll ask them.

Mr. WILSON. Same question for the Department of Defense. Before the delegation left, the Department of Defense denied visas for people, or denied permission for people to go on an airplane. Are you aware of any conversations, either yourself or members of your firm, with anybody from the Defense Department about the delegation's trip to Saudi Arabia?

Mr. PETRUZZELLO. I don't believe any conversation occurred with the Defense Department, no.

Mr. WILSON. Are you aware of any other lobbyists other than people in your firm—outside of your firm, talking with the Defense Department?

Mr. PETRUZZELLO. Not that I'm aware of, no.

Mr. WILSON. Just one last quick train of questions and it's about whether—your views on whether the Saudi Government follows its own laws. Have you personally seen any examples of where members of the Saudi Royal Family do not follow the laws of Islam?

Mr. PETRUZZELLO. That's quite a question.

Mr. BURTON. Have you ever seen them drink any booze?

Mr. PETRUZZELLO. Have I seen members of the Royal Family drink?

Mr. BURTON. Yeah. You know, the Koran and the Saudi law, I think, prohibits the use of alcohol. Do you think they drink any of that stuff?

Mr. PETRUZZELLO. I have not seen any members the Royal Family drink alcohol, no.

Mr. BURTON. Do you think they do?

Mr. PETRUZZELLO. That's not an appropriate question to ask.

Mr. BURTON. Oh, it isn't? Well I'm the chairman, and I think it's appropriate, because I think they do. And the reason I'm bringing that up is because, you know, they obey the laws of the Koran that they think they should do publicly, but privately, they don't follow the laws. And I've talked to people in an official capacity who know that for a fact. And I think it is a little hypocritical to make them look sanctimonious and self-righteous and always following the law and treating us properly and treating American citizens properly when they don't.

Mr. WILSON. I want to move directly to Mr. Rives, who is sitting right next to you. We have tried very hard to understand Mr. Rives' case, and from what we understand, Saudi law does not permit the Rives children to be maintained in Saudi Arabia. Have you looked into the Rives case at all? Are you even remotely familiar with Mr. Rives' case?

Mr. PETRUZZELLO. I'm not familiar with it, no.

Mr. WILSON. Well, I won't take the time now to tell you everything about it. But—well it's a long story, but it appears that there is no basis for the Rives children to be kept in Saudi Arabia.

Now, I raise this, because when we met, you and I and other lobbyists and our staff and the chairman and others were engaged. We were told repeatedly that the Saudi Government's hands were tied. They were powerless to do anything because their law prevented them.

Mr. Rives appears to be a very clear case that stands in complete contradiction to everything we were told, and it's troubling to us when we spend hours and hours and hours meeting about these issues that—the legal term might be a willful form of ignorance or a willful blindness to the facts of some of these cases.

Do you know whether the Saudi Government has taken any steps to try and get Mr. Rives' two infant children back to him?

Mr. PETRUZZELLO. Mr. Wilson, I don't know specifically on the Rives case. What I do know is that what the Saudi Government would like is to continue to have a constructive dialog with your committee and with the State Department to try and share information so that the—

Mr. WILSON. They said—

Mr. BURTON. One second. Yesterday Ms. Tonetti was asked by Senator Bayh to come over, and the Saudi embassy sent some of their officials over to meet with her. Ms. Tonetti asked us to go over there and be with her, myself and Congressman Kerns, and you said just a moment ago the Saudi Government wants to work with our government and our committee to solve these problems. Well, I'm the chairman of this committee, and when I went over there yesterday, the Saudi Government refused to meet with Ms. Tonetti if I was in the meeting. That doesn't sound to me like they want to be too cooperative.

Mr. WILSON. When we were in—when the delegation—the congressional delegation was in Jidda, Prince Saud very clearly explained that Saudi—the Kingdom of Saudi Arabia did not recognize U.S. laws that pertain to any family matter, marriage or children. Do you personally believe that the Kingdom of Saudi Arabia should recognize the laws of the United States that apply to children or marriages?

Mr. PETRUZZELLO. Mr. Wilson, I have little knowledge of international law, and I don't know which countries respect U.S. law or don't respect, whether that is singular to Saudi Arabia or whether that applies to other countries as well or whether the United States respects Saudi law, I have no idea.

Mr. WILSON. OK.

Mr. BURTON. We'll submit some more questions to you in writing. You know, we went into Afghanistan, and Jay Leno's wife—I don't know if you've ever watched the Tonight Show, but his wife was the leading advocate for human rights for the women in Afghanistan, and the way the women in Afghanistan were treated was very, very similar to what I saw in Saudi Arabia, and we went in and liberated Afghanistan, and now the women over there can go to school, they can do all the things that they want to. And they don't have to wear those abayas, and they have some human rights. I personally—and I don't speak for our government, but I personally think that what happened in Afghanistan to liberate those women ought to happen in Saudi Arabia and those other countries. Women are treated like dirt. It looks like a bunch of

ghosts going around the mall with these abayas on. They're treated terrible, and the kids are treated terrible if they're American kids. And, you know, I can understand why a mother or a father would be just absolutely terrified if their kids had to grow up in that society. And these are American citizens, American citizens who have been taken against their parents' will to Saudi Arabia to live in a 13th or 14th century society. That's something that we shouldn't tolerate.

With that, Mr. Shays, have you cast your vote on the floor? Mr. Ose? Let me have Mr. Ose take over the Chair, and I think we're about through with this panel. We can go ahead and start with the second panel if you want to.

Do you have two questions?

Ms. DESPRES. Mr. Petruzzello, I'm Sarah Despres with the Democratic staff, and I promise this will be brief. I just want to ask a couple questions about the Saudi Ambassador's Letter to the Editor of the Wall Street Journal on September 12th. You testified earlier that you helped draft that. Is that correct?

Mr. PETRUZZELLO. What I testified was that we provided some talking points but that the letter was drafted by the embassy.

Ms. DESPRES. There are a couple of—I just have two questions about the letter. In the first paragraph, the Ambassador writes, "Some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true." And what I'd like to know from you is had you heard the testimony before this letter appeared in the Wall Street Journal that you have heard today, would you have advised the Saudi Government to write that in the letter, that line?

Mr. PETRUZZELLO. No. I think the Saudi Government has said that there are cases of child abduction that exist within Saudi Arabia, and that those—and that work needs to be done to resolve those cases.

Ms. DESPRES. But this letter says, "Some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true."

Is it your understanding from the testimony today that this statement is inaccurate?

Mr. PETRUZZELLO. You know, I'm not absolutely certain about this, but I believe what—you know, from the Saudi perspective, there's, you know, a difference of opinion on who are Saudi citizens and who are American citizens, but, you know, I would say, you know, this is the position of the Saudi Government and I can't comment any further on it.

Ms. DESPRES. So the testimony that you heard today would not change your position on whether or not this statement is true?

Mr. PETRUZZELLO. I don't know if it would change the position of the Saudi Government.

Ms. DESPRES. Right. I asked about your position.

Mr. PETRUZZELLO. I don't set policy or have anything to do with Saudi policy.

Ms. DESPRES. OK. I'm going to move on.

The other part of the letter I had questions about, this is a paragraph that begins, "Last week our Foreign Minister met with the U.S. congressional delegation led by Representative Dan Burton.

While this meeting might not in itself set the final resolution to all outstanding child abduction cases, it should be viewed as the beginning of the end to this human tragedy. Both parties agree to come up with practical and workable solutions to these tragic cases. These solutions must guarantee parental rights while safeguarding the right of the children who are the real victims in these cases.”

My question is, when the Saudi Ambassador refers to the rights of the children, is he referring to the rights guaranteed by U.S. law or Saudi law?

Mr. PETRUZZELLO. I don't know the answer to that.

Ms. DESPRES. OK. I have no more questions.

Mr. OSE [presiding]. Mr. Shays, anything else?

Mr. SHAYS. No.

Mr. OSE. I want to thank this panel for appearing today. It's been a long panel. I appreciate your participation. We're going to take a 2-minute recess. I'd like the second panel to go ahead and come on out. I think y'all know who you are.

[Recess.]

Mr. OSE. All right. I want to welcome the second panel here. As you know, we swear our witnesses in at every hearing under Government Reform. So would the three of you please rise?

[Witnesses sworn.]

Mr. OSE. Let the record show that the witnesses answered in the affirmative. I want to welcome Governor Raymond Mabus, Deputy Assistant Secretary Ryan Crocker, and Deputy Assistant Secretary Dianne Andruch to the committee.

Now, we have possession of your written testimony, and I know I've read it. I'm sure the others have also. We're going to recognize each of you in order for a 5-minute statement.

Mr. Mabus.

STATEMENTS OF RAYMOND MABUS, FORMER U.S. AMBASSADOR TO SAUDI ARABIA; RYAN CROCKER, DEPUTY ASSISTANT SECRETARY OF STATE, BUREAU OF NEAR EASTERN AFFAIRS; AND DIANNE ANDRUCH, DEPUTY ASSISTANT SECRETARY OF STATE, BUREAU OF CONSULAR AFFAIRS

Mr. MABUS. Congressman, and members of the committee, thank you for your invitation to testify here today. I commend you for your efforts and your persistence on an important and heart-breaking issue of American children who have been kidnapped to Saudi Arabia. You've shined the public light on a situation which has long existed in virtual anonymity.

It was my privilege to serve as U.S. Ambassador to the Kingdom of Saudi Arabia from 1994 to 1996, and I believe the relationship between the United States and Saudi Arabia is exceptionally important. It seemed to me as Ambassador and it still seems to me now with these cases that we're hearing about have nothing to do with Saudi laws or customs or Islam. These cases have everything to do with American laws, judicial decisions and protecting American citizens and to having the State Department aggressively try to resolve them.

On the cases that I worked on while I was Ambassador, Saudi men voluntarily came to the United States on a visa this country granted them, voluntarily got married under American law, volun-

tarily had children in America, voluntarily put themselves under the jurisdiction of an American court in obtaining a divorce. They then intentionally violated the American court order and kidnapped the children and refused to return them.

Unfortunately, it is an all too common occurrence in America for a noncustodial parent to take a child in violation of a court decision. The Federal Government, State governments, courts and law enforcement agencies take these cases seriously and usually treat the offending parent as a felon. One thing is very important in these cases involving Saudi Arabia. These children are American citizens. When Americans have problems overseas, they naturally turn to embassies and the State Department. I heard from one mother I was trying to help, and I've learned later as a result of these hearings that too often the State Department has turned a cold, uninterested shoulder to the parents trying to recover their children.

Prior to my time in Saudi Arabia, the Department evidently cabled the embassy in Riyadh to be officially neutral in these cases. I understand from these hearings that during this earlier time an American mother and her children tried to take refuge in the embassy, only to be turned away by a foreign service officer who said that the embassy was not a hotel. But most times officers in an embassy are just following the dictates from Washington. The people in the field understandably don't want to risk their jobs and careers on something people in Washington don't support.

Too often these cases have been dismissed as custody disputes. They are not. The custody issue has been settled by an American judge. While I was Ambassador, I worked on some of these cases in detail. I tried to help everyone in this situation who contacted me. In one case we were successful in getting an American mother, Angelica Longworth, and her four children returned to America from Saudi Arabia, and they were taken into the U.S. consulate in Jidda at our invitation.

Others, I was not successful. I dealt with high levels of the Saudi Government on this issue, and they were receptive and usually tried to be helpful. In the case of Pat Roush's daughters responding to a request from me, the Saudi Foreign Ministry sent the embassy a diplomatic note agreeing to a compromise to solve her case. The father, however, refused to cooperate, and nothing happened.

The one thing the Saudi Government would not do while I was there is to make the fathers return the children. The relationship between the United States and Saudi Arabia is important. At no time did I get the slightest inkling that raising this issue had any adverse impact on our relationship. There are issues all the time that need to be solved and are solved without straining the ties between countries.

I did try one strategy to resolve Pat Roush's case. I instructed members of personnel that no one with the last name of her ex-husband who had kidnapped the children would be granted a visa to the United States. I was under the impression from my preparation of being Ambassador that visas were not a matter of right but a privilege that could be used to advance the interests of the United States. I was also under the impression that an ambassador

had the authority to deny visas if the interest of importance of the United States was involved.

Within a relatively short time, the ex-husband became increasingly desperate, calling the embassy to complain that, "his family was furious with him." Before any resolution, though, I resigned as Ambassador, as I long planned to do, and returned to the United States. My successor asked the State Department if this policy had their blessing and was told no. He was instructed to end it, and he did. Pat Roush's children, as we know, have not been returned.

Why the State Department told my successor this is a mystery. This is a good, legitimate tactic that had a strong chance of working. What is not a mystery is that the American government, following the lead of this committee, should treat these cases a lot more seriously and give them higher priority and be more creative on how to solve them. These children should be returned to the United States. This certainly should not harm our relationship with Saudi Arabia. It would be justice for the children and for both parents and would help salve years of heartache.

Thank you.

Mr. OSE. Thank you, Governor.

Mr. Crocker for 5 minutes.

Mr. CROCKER. Thank you, Mr. Chairman. I will not read through the written statement which you already have. First, let me say that yesterday's testimony was as gripping and wrenching and tragic as what we heard in this committee room on the 12th of June. No one can listen to these stories without being deeply, deeply moved and possessed with the clear view that they've got—work has to be done to get them resolved.

This administration is engaged seriously on these cases, as the chairman's statement noted. The President has raised it. The Secretary of State has done so a number of times. Ambassador Jordan in Saudi Arabia has been engaged, most recently just 2 days ago, with the Foreign Minister.

As a result of the focus of this committee and the focus of the administration, there has been some progress. The Government of Saudi Arabia has agreed that these are human tragedies, and they agree that the parent-child bond needs to be maintained. We are in discussion with the Saudis now on the means by which we can assure established and regular contact between parents and children without going through the often wrenching experiences of trying to do this on an ad hoc basis.

At the same time, it is our view that resolution of these cases doesn't come through child-parent contact, however important and valuable that is. Resolution will come when children and parents are reunited. We have made that view clear to the Saudi authorities, and that is the end to which we will work.

I would certainly express my agreement with Governor Mabus. The Saudi-U.S. relationship is a long-established, important and complex one for both our countries. We have dealt with difficult issues in the past. We are dealing with this difficult issue as we move ahead now, and I would share the Governor's assessment that the relationship can be the framework by which we can resolve these cases. That is what diplomacy is all about, in essence. It is not about doing the easier, polite things. It is about getting

the hard and difficult work done in a way that advances our own interests, and that's what we are committed to do.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Crocker follows:]

779

Final Version

STATEMENT OF
RYAN C. CROCKER
DEPUTY ASSISTANT SECRETARY FOR
NEAR EASTERN AFFAIRS

AND

DIANNE ANDRUCH
DEPUTY ASSISTANT SECRETARY FOR
CONSULAR AFFAIRS

BEFORE THE
HOUSE COMMITTEE ON
GOVERNMENT REFORM

ASSISTING AMERICANS ABDUCTED TO SAUDI ARABIA

THURSDAY, OCTOBER 3, 2002

Mr. Chairman, we would like to thank you and the other distinguished members of the committee for the opportunity to testify before you today and follow up on this very important subject. We believe this congressional attention is important and complements our diplomatic efforts. As a result, we can report that we have seen progress.

Your committee has clearly conveyed the message that you would like to see a positive resolution to international parental child abductions cases in Saudi Arabia. We are also

committed to that result. We continue to deliver that message directly to the Saudi leadership, including Crown Prince Abdullah and Foreign Minister Saud Al-Faisal. President Bush discussed the issue with Saudi Ambassador Bandar Bin Sultan on August 8 at Crawford. Secretary Powell raised the matter a number of times with his Saudi counterpart over the summer, and again during the UN General Assembly on September 17. Since his arrival at post, Ambassador Robert Jordan has also focused on this issue and has raised it repeatedly with the Foreign Minister and other senior policy making Saudis to underscore our message in Washington and push for positive actions. He has ensured that the Embassy staff and the staffs in Jeddah and Dhahran also press this matter at all levels. We will continue to use all possible opportunities to convey our message.

The Saudis have agreed that these cases are human tragedies in which the children pay the price. They agree that the parent-child bond must be preserved and maintained for the emotional well being of all individuals involved. On that basis, we are working with the Saudis to ensure that parental

access is facilitated and guaranteed on a steady, long-term basis, rather than through sporadic, emotionally wrenching encounters. Such visits -- as important and precious as they are for the parents left behind -- are not substitutes for the return of a child unlawfully taken from the U.S. The parent-child bond is the essence of these cases, and it is one of the hard issues that we must tackle with the Saudis in light of our very different legal systems and many cultural differences. We are using our dialogue to push for what we want, which is to resolve these tragic cases and restore these parents and children to each other. There also has been progress in a related area. The Saudi government has informed us that adult American citizen women are free to depart Saudi Arabia when they wish. Foreign Minister Saud Al-Faisal conveyed this to Congressman Burton on September 1 during the Congressman's visit to the Kingdom.

We will continue to push these issues at every level and at every opportunity. We welcome suggestions you may have on alternative approaches. We will continue to do everything

possible to protect the rights and interests of U.S. citizen parents and children.

Our relationship with Saudi Arabia goes back over 60 years and covers a wide range of issues. We share many common goals, including regional stability, the desire for a just, lasting peace in the Middle East, the conviction that Iraq not be allowed to threaten its neighbors, and energy stability. Our commercial relations are strong. Over those six decades, we have agreed on some issues and disagreed on others. In the end, however, we have reached mutually acceptable agreements that have reflected the interests of both parties. That is our goal with respect to these cases.

We believe that the progress we make in Saudi Arabia can have a positive effect on similar cases around the world, of which there are, unfortunately, far too many. A core mission of the Department of State is to protect the welfare of American citizens abroad.

The Department's Overall Approach to Child Abductions

The Department of State is firmly committed to the principle that the removal of children from, or retention outside, their countries of habitual residence by one parent is wrong. International abductions have a traumatic impact on the children who are deprived of access to one parent, and often cut off from the country of their own nationality. These separations are also devastating to those parents left behind, who often go for years without meaningful contact with, or information about their children.

Our approach to resolving international parental child abductions is embodied in the Hague Convention on the Civil Aspects of International Child Abductions. This treaty codifies the way we believe these issues should be addressed in the best interests of the children involved. Ideally, child custody disputes should be resolved between the parents themselves. However, if parents cannot resolve the dispute themselves, they must turn to a third party, usually a court, to resolve the dispute.

When a court must be used, the Convention seeks to deter forum shopping by an abducting parent by creating a

mechanism to return an abducted child to his or her country of habitual residence. Generally, the courts of that country will be the best qualified to determine what is in a child's best interest. When the Convention works well, children who are wrongfully removed from, or retained outside, their countries of habitual residence will be returned as quickly as possible to that country so that the most competent court can rule on custody.

Normally, parents can obtain assistance in returning their children through the legal system of the country in which the child is found. This has proven effective in many abduction cases.

Child Abductions to Saudi Arabia

Unfortunately, reliance on the local legal system has proven much less effective in countries with legal systems significantly different from our own. Saudi Arabia is one such country. The Kingdom of Saudi Arabia is not a party to the Hague Convention on the Civil Aspects of International Child Abduction and is not interested in becoming a party to the

Hague Convention at this time. There are no bilateral treaties currently in force between Saudi Arabia and the United States that address international parental child abduction.

One of the greatest challenges in Saudi Arabia is that if custody disputes cannot be resolved within the families, they must be resolved in the Islamic courts. There is also a firm belief in religious and other elements of Saudi society that Muslim children should be raised in an Islamic environment, preferably in Saudi Arabia. The Government of Saudi Arabia has no legal grounds to compel its citizens to return their children to the United States, even if the children are U.S. citizens.

It is within this context that the Department of State seeks to resolve abductions to the Kingdom. We work closely with the parents left behind to explain the various approaches available, describing the potential impact, both negative and positive, of each one. There is no single approach that would fit all circumstances nor satisfy the different needs of each parent; cases must be handled individually and in close consultation with the American parent.

Experience shows, however, that maintaining contact and communication with the children is critical to a lasting relationship with the American parent. Therefore, we often suggest to parents that the first step be for American consular officers to locate and visit the abducted children. During the visit, in addition to verifying the well being of the abducted child, consular officers attempt to gauge the Saudi parent's willingness to work with the American parent to reach a mutually acceptable resolution to the case. This information is then passed to the American parent who can make an informed decision about how he or she would like to proceed.

In some cases, the Saudi parent declines to permit a visit by a consular officer. In such cases, we nevertheless attempt to maintain contact with the Saudi parent and continue our efforts to arrange regular consular visits. At times, and at our behest, Saudi Arabian government officials have intervened and persuaded the Saudi parent to permit a visit. These negotiations can take time, but our efforts often prove successful.

In addition to making such "welfare and whereabouts" visits, whenever possible we assist American parents in obtaining family visitor visas to Saudi Arabia and provide assistance to the parents once they arrive there. The process of obtaining agreement from the Saudi parent for a visit, arranging the logistics of the visit, and helping to ensure that the visit takes place, is often time consuming and success is difficult to predict. We welcome the Government of Saudi Arabia's offer to work with us to establish clear procedures for Americans seeking to visit their children.

The State Department, when appropriate, also provides information to parents on the option of having criminal charges filed against an abducting parent. While the Department has no authority to act as an attorney or provide legal advice to parents, we can provide basic information to parents and law enforcement professionals about existing law and procedures, such as how to have notices distributed by INTERPOL. If the Saudi parent is in Saudi Arabia, however, there is no legal mechanism (such as an extradition treaty)

with which to obtain the parent's involuntary return to the United States.

Abducting parents, those who aid/abet abducting parents, and certain designated family members of an abducting parent are ineligible for U.S. visas, if the abducted child is an American citizen and is being held overseas in violation of a US court order. Visa refusals and revocations under this provision can sometimes have a positive impact on efforts to secure return of the child. In cases where an ineligibility finding would complicate efforts to return the child, a waiver of the ineligibility can be sought. We have denied or revoked a number of visas under this provision and we are becoming increasingly aggressive in our application of this law. To that effect, we are actively reviewing our files to ensure that aliens who may potentially be subject to this ineligibility are entered into our lookout system so that their eligibility can be carefully scrutinized if and when they apply for a visa to the U.S.

The Committee's investigation of child abductions to Saudi Arabia brings to the forefront a difficult, emotional issue

in our bilateral relationship. The issue is particularly difficult because our respective legal frameworks are very different, and because most of these cases involve children who are dual nationals.

It is a principle of international law that each country may determine who is and is not a citizen or national of that country and document them as such. We have no basis for contesting the Saudi Arabian government's conferral of citizenship, just as the Saudis cannot question our conferral of U.S. citizenship. Nor can we unequivocally demand that the Saudi Arabian government not issue passports to U.S. citizens who are also Saudi citizens. While U.S. regulations provide that the Department may deny passport issuance for a minor when presented with a foreign custody decree, it is not mandatory that the Department do so because we want flexibility to issue U.S. passports to U.S. citizen children outside the U.S. so that they can return here.

Your attention to these cases, and your visit to Saudi Arabia have been very helpful. You helped us to gain access to several children for the first time since their abduction. You

ensured that the Government of Saudi Arabia more fully understands the importance the Congress and the American people attach to resolution of these cases as well as to the treatment that United States citizens receive abroad. And, you encouraged the Government of Saudi Arabia to work with us towards an arrangement that would help resolve these cases in a more rapid and fair manner than in the past. Together with our Administration efforts, we have had some concrete results.

The best way to handle such difficult cases is to prevent them from happening in the first place. Here we would like to commend the committee for flagging an area where it ought to be possible for us to achieve this goal by integrating data about dual national children subject to U.S. custody orders that would forbid their traveling abroad into the developing exit control system. The Department of State is raising working with relevant agencies and will follow closely the development of the entry/exit system with a view to making that system serve the interests of U.S. citizen parents needing protection from the threat of child abduction.

We will continue to be actively engaged in attempting to resolve each case of international parental child abduction not only in Saudi Arabia, but throughout the world. We welcome the Committee's continued interest in these cases.

Mr. OSE. Thank you, Mr. Crocker.

Ms. Andruch for 5 minutes.

Ms. ANDRUCH. Yes, sir. First, I'd like to take the opportunity again also to thank you, the committee, and especially the chairman for his trip and that of the delegation to Saudi Arabia and the continued focus I think that these kind of meetings keep on this very important subject.

The Department of State is firmly committed to the principle that parental child abduction or retention is wrong. International abductions have a very traumatic effect and impact on the children who are deprived of access, not only to one parent, but very often they are cutoff completely from their own nationality, the country of their nationality. These separations are also devastating to those parents left behind who often go for years without meeting or contact with or information about their child.

One of the greatest challenges in Saudi Arabia, as I think many of the committee now knows, is that if custody disputes cannot be resolved within the families, which is their first choice, that those must be resolved in Islamic courts. There is a firm belief in religious and other elements of Saudi society that Muslim children must in fact be raised in an Islamic environment, preferably in Saudi Arabia.

It is within this very difficult context that the Department of State seeks to resolve abductions to the Kingdom of Saudi Arabia. We work very closely with the parents left behind to explain the various approaches available.

We believe that through our consular visits to abducted children, often with the assistance of Saudi authorities, we are laying the groundwork for this parent-child contact. We by no means believe for a minute that this in fact replaces the necessity of having the families reunited.

We welcome the Government of Saudi Arabia's offer to work with us to establish clear procedures now for Americans seeking to visit their children, even absent sponsorship from the taking parent.

We believe that this positive movement is progress that will allow us to move forward on all other aspects of abduction and custody cases and restore these parents and children to each other. We do not consider that these are successful cases, but they are small steps.

We have a variety of other mechanisms to assist left-behind parents. We have expanded our coordination with the FBI, the Department of Justice and Interpol in these abduction cases. If the taking parent is in Saudi Arabia, however, we right now have no legal mechanism, such as an extradition treaty, with which to work with on the parent's involuntary return to the United States. We can in fact deny a U.S. visa to an abducting parent, certain family members of that taking parent and others who aid and abduct—I'm sorry—who aid an abducting parent if the abducted child is a U.S. citizen and is being held overseas in violation of a U.S. court order. Visa refusals and revocations under this authority can often have a positive impact on our efforts to secure the return of a child.

It can also complicate other instances. Nevertheless, we are more aggressively entering names of all those individuals in our consular look-up system. You have asked us what else the U.S. Government

can do to put pressure on the Saudi Government to secure the release of these citizens. We would say first and foremost, don't give up. Your attention to these cases and the recent visit to Saudi Arabia have been extremely helpful. You ensured that the Government of Saudi Arabia more fully understands the importance the Congress and the American people attach to the resolution of these cases, and you encourage the Government of Saudi Arabia to work with us toward an arrangement that would help resolve these cases in a more rapid and fair manner. We will continue to be actively engaged in attempting to resolve each and every one of these cases. We will not be done with our work until the last child is returned to the United States.

Thank you.

Mr. OSE. Thank you, Ms. Andruch. We're going to have a vote on the floor here shortly about another privileged resolution. Between Chairman Burton, Mr. Shays and myself, I hope to keep this hearing going. One of us—I think Mr. Burton is on the floor right now. So he'll vote, come back, and we'll just keep going.

Mr. Crocker or Ms. Andruch, which of you handles child custody cases for the State Department?

Ms. ANDRUCH. I think that would be my office, sir.

Mr. OSE. All right. In response to some questions we asked back on June 12th, I have received—or excuse me, the committee has received from Mr. Paul Kelley a communication dated July 1, 2002, in part which responds to a question I asked about the number of cases that might exist in Saudi Arabia for children in these circumstances.

I just want to go through each of these cases one by one and ask you for an update on them, since it is now October 2nd or 3rd.

Do you have this list in front of you?

Ms. ANDRUCH. I do have the list, sir, but I'm not really able to update you on individual cases in this particular forum, but I would be happy to meet with you or provide a written answer, a written update on each of these cases.

Mr. OSE. I am aware of the admonition in the response I received the preference that these things not be discussed in public. The fact of the matter is not discussing them in public has not solved the problem. So, I mean, I'm just barely smart enough to figure that out, but since not discussing them in public doesn't seem to solve them, I'm prepared to talk about them in public.

Ms. ANDRUCH. OK.

Mr. OSE. So we're going to go through them, and if you don't know the answer, you can just say I don't know. All right?

Ms. ANDRUCH. Yes, sir.

Mr. OSE. Now, we have Namet Badune who last visited her mother in Texas in March 2002. Do you have any current or more current information on that particular instance?

Ms. ANDRUCH. I don't know, sir.

Mr. OSE. All right. I have a family name, al-Sarani, based in Riyadh. Do we have any information on that particular instance?

Ms. ANDRUCH. No, sir.

Mr. OSE. Family name, Sultan, American name Rickett. Do we have any information on that case, again in Riyadh?

Ms. ANDRUCH. No, sir.

Mr. OSE. Child's name of Samuel Bodo, B-o-d-o, who will turn 18 in March of next year, do we have any current information on that case?

Ms. ANDRUCH. No, sir.

Mr. OSE. OK. The Rives case we've had discussed here.

Alshun Getty case we've discussed in the past.

Cattoni we've discussed.

OK. Simone Nasser al-Ajmi, A-j-m-i, and apparently a sibling Salmere Fahad. Here it says the last update we have, recent attempts to reach the American parent were unsuccessful, her phone having been disconnected. And that was—the last actual contact date was September 2000.

I don't have a date in terms of what recent attempt means, but do you have any current information on that case?

Ms. ANDRUCH. No, sir.

Mr. OSE. How about the al-Arifi case? There were three children involved: Rosemary Helen al-Arifi, Sarah Frances al-Arifi and Abdulaziz al-Arifi?

Ms. ANDRUCH. Yes. Well, I am very familiar with that case, and I heard the testimony of Ms. Tonetti—much of it yesterday. I know that we are in frequent contact through the lawyer in Saudi Arabia, and there was a question in fact as to whether—part of the problems now for her unfortunately stem from the charge that has been brought against her, this crimes against Islam, and there was a question as to whether in fact she could renounce her Saudi citizenship. And that would certainly be an option, and it would allow her then to travel without the threat of being tried under those charges, I believe, and she was going to be—I understood at least would be talking to a lawyer about that.

Mr. OSE. Is she still charged with crimes against Islam?

Ms. ANDRUCH. Yes, sir, she is.

Mr. OSE. We have a Mark Bashir, who turned 18 on March 7, 2002, and as I understand Saudi law, or Sharia law, whichever, if the male turns 18 then the control of the adult male in the house, the father, is no longer the determining factor. Is that correct?

Ms. ANDRUCH. That is my understanding as well for males.

Mr. OSE. Basrawi, Ramie Jihad, and Suzanne Jihad Basrawi, which I think was the subject of yesterday's hearing. Rami turned 18 on August 17, 2001, but it is my understanding one of those children still resides in Saudi Arabia and travels back and forth.

Ms. ANDRUCH. Well—

Mr. OSE. She does not travel? She is stuck there. That would be Suzanne.

Ms. ANDRUCH. She is stuck, yes, sir.

Mr. OSE. Do we know how old she is?

Ms. ANDRUCH. I thought she's about 15, isn't she? 15, yeah.

Mr. OSE. And you have no current information on her case?

Ms. ANDRUCH. No, sir.

Mr. OSE. All right. My time is expired. Mr. Shays.

Mr. SHAYS. Thank you, Mr. Chairman. I just am—I'm not sure, frankly, in my own mind what information I want to ask publicly about these cases if I have a conviction that there is a change in heart on the part of the State Department. And I need to understand what was the policy of the State Department, and what is

it today as it relates to the cases in Saudi Arabia? And I'll start with you, Mr. Mabus.

Mr. MABUS. Congressman Shays, anybody that approached me, there were I believe four cases while I was there that the mother or a family member approached me. My policy was to try to help them and try to put whatever pressure I could bring to bear on the Saudi Government to return the children. I kept the State Department informed, as Ambassadors do, on what I was up to, but I never asked if it was OK. And I issued the order to not grant visas to any family members on my own, because I thought that was within my prerogative to do as Ambassador and that it would work.

My understanding is that as soon as I left, my successor came in, found the policy in effect and asked the State Department if that was OK, was told it was not OK and to end it, and he did.

Mr. SHAYS. And that was when?

Mr. MABUS. I left in May 1996, and my successor arrived in August 1996.

Mr. SHAYS. Now, Mr. Crocker, the policy of the administration today is to go back to Mr. Mabus' policy? Or what? What is our policy, and what was it before—in between 1996 and now?

Mr. CROCKER. Sir, our policy has always been to find ways to establish communication between separated parents and children and to try to—to effect the reunification—

Mr. SHAYS. That is the policy. What was the practice?

Mr. CROCKER. The reunification of families. I'll be quite frank with you. The practices is the issue. The practice of—and a lot of effort by a lot of people went into these, of working with the courts, the legal system, contacts with family members in Saudi Arabia, and so forth, while all important and all things we will continue quite demonstrably, and this committee has illuminated it, did not produce results.

Our position is just as I've stated it. This has high-level attention from this administration, and that will be sustained high-level attention.

Mr. SHAYS. I want to apologize, Ambassador. Your service to our country in Saudi Arabia was distinguished, and I just wasn't thinking by calling you mister. I should have called you Ambassador. I apologize for that.

Ms. Andruch—am I saying that name correctly?

Ms. ANDRUCH. Andruch. That's right.

Mr. SHAYS. Would you have anything to elaborate on what Mr. Crocker said?

Ms. ANDRUCH. Yes, sir. I'd like to say that I'm not sure what was done between his time in Saudi Arabia and more recently, but in 1998, thanks to some legislation, we were able to expand the ineligibility that we have for people who are not only abductors themselves but also to immediate family members of abductors. Now, what we need to be able to do that is the names and to the extent possible the date and place of birth of these immediate family members, and that will ensure that their names will be put into a system and that visa will be refused when they actually apply. That was—we were not able to do that for that particular category before that.

In 1991, we were able to do it for the abducting parent himself.

Mr. SHAYS. Thank you. Mr. Crocker—and your title is? I'm sorry.

Mr. CROCKER. I am Deputy Assistant Secretary of State.

Mr. SHAYS. Thank you. So your proper title is Mr. Secretary? What is your proper title?

Mr. CROCKER. Mr. Crocker is just fine.

Mr. SHAYS. Did you have a chance to look at some of the documents that were in this?

Mr. CROCKER. I've really only seen the first page of it.

Mr. SHAYS. How would you respond to this paragraph? There has been a great deal of confusion and misconception surrounding the issue of child custody and abduction. Some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true, but there are some—let's just take that part.

It is clearly your testimony that some children in Saudi Arabia were abducted. Is that true?

Mr. CROCKER. Yes, sir, that's true.

Mr. SHAYS. And is it also the position of the State Department that they are being held in Saudi Arabia against their will?

Mr. CROCKER. It is very clear from testimony that the committee heard yesterday that is the case.

Mr. SHAYS. And it's very clear that it is the government's highest policy to help return these children to their families?

Mr. CROCKER. Yes, it is, sir.

Mr. SHAYS. Is there anything that this committee can do to give it more elevation, or do you think it's pretty high elevation already?

Mr. CROCKER. Judging by the hearing I attended in June and what I saw yesterday and earlier today, I'd say it's pretty high.

Mr. SHAYS. My comment to the sitting Chair is that I want to give not a lot of time, but I want to give the administration an opportunity to pursue the efforts that our Ambassador pursued when he was there with distinction and to allow the dialog to happen hopefully in some cases in private if that ultimately results in the return of these children. And so I'm not particularly interested in pursuing every issue as it relates to family members in a public setting, unless staff wants to persuade me differently. And I yield back.

Mr. OSE. The gentleman yields back, and I'm prepared to have a discussion on that. My particular concern here is that the Foreign Affairs Manual, the citations I see in the testimony we received are that the pattern and practice of the State Department are such as to once they ascertain there is no physical—immediate physical danger to the American citizen who has sought refuge, that person is then basically asked to leave the embassy.

Mr. SHAYS. So let's talk about that.

Mr. OSE. I'm prepared to talk about that as a matter of policy and practice.

Now, I do think that Governor Mabus during his time in Saudi Arabia actually spoke a language that was clear and unequivocal and was making significant progress. And your suggestion about how to implement that is certainly noted from my end. I will tell you some of these individual cases, if we're talking about—what is the word, "welfare"? Welfare and whereabouts checks, there have been a number of years passed since the name where any such wel-

fare or whereabouts check has been effectuated, and that gives me great pause in that regard, whether it is one by one or all as a bunch, because if we can ascertain that in fact these American citizens' welfare is solid, you know, what exactly are we trying to accomplish?

Mr. SHAYS. May I respond?

Mr. OSE. Certainly.

Mr. SHAYS. I'd like to know the policy and if the policy isn't being followed in practice, I want to be assured that the practice is changing. I just have the sense that we have the attention of the State Department and the Saudi Government. The parents certainly have our attention, and I just would be curious to see the outcome of the chairman's visit, the outcome of these hearings in dialog with the families. And so I would take some guidance from the families themselves, because ultimately it's their cases we're trying to resolve. So I know I'm going to go vote, and I'll have an opportunity to talk to some of the families before I come back.

Mr. OSE. All right. I think the chairman is due back here shortly. We've got 6 minutes and 25 seconds left in this vote. Mr. Shays is faster than I am, so I'm going to chase him out of the room here in a minute, but we're going to recess for a few moments, and we will be back.

[Recess.]

Mr. BURTON [presiding]. We will call the committee back to order, and I apologize for my absence. I do appreciate you being here.

Ambassador Mabus, when you called Washington, I understand you called Washington and asked them if you should consider the practice that you had—Fowler called Washington and asked them if the practice should be continued to deny visas to the extended family of people who were involved in the kidnappings and holding of these children. Are you familiar with why they changed that policy?

Mr. MABUS. No, sir.

Mr. BURTON. The policy you had?

Mr. MABUS. No, sir, I'm not. Ambassador Fowler told me that he—when he arrived, he found my policy in place, that he then asked the State Department in Washington if he had permission to continue it and was told that he did not and that therefore he ended it. I don't know what the reason was.

Mr. BURTON. Did you ever have any opposition to that policy while you were Ambassador?

Mr. MABUS. No, sir, but as I've said a little bit earlier, I informed the State Department, kept them informed at every step of the way of what I was doing, but to my memory I never asked if I could do it. I thought that it was within the prerogative of my job as Ambassador.

Mr. BURTON. It seems unusual that Wyche Fowler would—Ambassador Fowler would ask that kind of a question. It seems that he would have just kept on with the policy, unless he had some problem with it.

I've talked to a lot of Ambassadors. I've never heard of anybody when there was an ongoing policy of asking if it could be continued, have you?

Mr. MABUS. No, sir.

Mr. BURTON. This is probably a question that you can't answer, any of you, but I'd like to ask this question now. Do you know if Mr. Fowler is now a representative of the Saudi Government?

Mr. MABUS. I don't know, Mr. Chairman.

Mr. BURTON. Do any of you know that? Don't know if he is.

Mr. Crocker, would you agree that in the Tonetti case, that the Saudi embassy appears to have issued passports to Joanna Tonetti's children, despite the fact that it had been warned that her ex-husband did not have custody of the children and was not allowed to take them out of the country?

Mr. CROCKER. I certainly heard her testimony in which she laid all of that out.

Mr. BURTON. Well, would you agree that in the McClain case, that the Saudi Government apparently issued a passport to Heidi, despite the fact that it had been warned that the father did not have custody of Heidi and was not allowed to take her out of the country?

Mr. CROCKER. There again, I heard the testimony.

Mr. BURTON. Does the State Department consider the Saudi Government to have been complicit in the Tonetti and the McClain kidnappings?

Mr. CROCKER. I can't take a position on that, Mr. Chairman. As I said, I've heard the testimony.

Mr. BURTON. You're with the State Department, aren't you?

Mr. CROCKER. That is correct.

Mr. BURTON. If a U.S. court gives custody of a child to an American mother and the court notifies the Saudi embassy that there is a court order giving the mother custody of the children and admonishes the Saudi embassy not to give passports to those children because they're not to be taken out of the country and then the Saudi embassy does exactly the opposite and grants the passports, would you say they're complicit in the kidnapping of those children?

Mr. CROCKER. Mr. Chairman, this is into an area of consular law and practice, and I'd like to ask my colleague to address it.

Mr. BURTON. OK. Ms. Andruch.

Ms. ANDRUCH. Yes, sir. At the risk of being a skunk at the garden party here, what I would like to say is that in the United States, for example, if the tables were reversed and we knew about a court order from another country, Saudi Arabia, any other country and an American citizen came to us asking for a passport, by law we may refuse to issue that passport, but we don't always—we don't necessarily refuse. And certain—and in certain circumstances, the safety of the child at the time, other mitigating circumstances, we would want to have that right to issue the passport.

Now—

Mr. BURTON. Well, let me just say, who do you folks work for?

Ms. ANDRUCH. We work for the Secretary, for the government and for the people.

Mr. BURTON. And for who, the people of the United States?

Ms. ANDRUCH. And for the people of the United States, yes, sir.

Mr. BURTON. That's right.

Ms. ANDRUCH. But would you, sir—excuse me—

Mr. BURTON. I understand what you're saying, but here we have a case where a government was informed of a court order in the United States and they granted a passport to these children and let the father kidnap them. The mother doesn't see them or hear from them anymore, and you're saying that our State Department doesn't take issue with that?

Ms. ANDRUCH. No, sir. That is not exactly what I'm saying.

Mr. BURTON. You're saying that if the tables were reversed and there was a child in Germany that was under court order to stay there and if a passport was issued—was asked for that we might grant the passport for that child to come back to the United States in violation of that court order, is that what you're saying?

Ms. ANDRUCH. Yes, sir.

Mr. BURTON. OK. The difference is in Saudi Arabia their oppression is unbelievable. In Germany, if an adult, child or a child becomes of age or if a woman is of age and they want to leave the country, they can do it. In Saudi Arabia, they can't do it unless the husband grants that authority. And the women are persecuted and the children are persecuted if they try to rebel in any way against that kind of a system. So it seems to me that our State Department ought to take a different view of countries that have a repressive policy against women and children than we do against a government like Germany or France or any other country where they can leave of their own volition when they're of age.

In addition to that, the Saudis don't recognize any religion except their own. In France, in Germany, in other countries where we have these kinds of problems, they can worship as they choose, and they don't have to wear abayas and they don't have to be persecuted. So it seems to me that there ought to be a standard against which we hold every government, and the Saudi Government should not meet that standard because of their repressive policies. That is the difference.

Ms. ANDRUCH. Yes, sir. Everything you say is true, and I don't disagree with any of it.

Mr. BURTON. Then why hasn't our government been more aggressive in getting these kids back, when in the 1980's—was it in the 1980's or the 1990's that they went to the embassy with these children?

In 1990, that was the Stowers family, Ms. Stowers and her children, they went to the embassy in 1990, and they were told it wasn't a hotel and they said that our embassy observed Saudi law. These are American employees that work for the government of the United States and the American people, and here's American citizens coming in, and the Marine officers take them to the front gate. The mother is arrested. The 12-year-old daughter is married off, and we're supposed to represent American citizens, and on our passports it says right in the front that we're supposed to do everything we can to help them.

Why hasn't our State Department been more aggressive in helping these cases?

Mr. CROCKER. May I respond to that?

Mr. BURTON. Yeah.

Mr. CROCKER. Well, as you mentioned earlier, Ambassador Jordan has made it very clear that no American who needs the help of the embassy is going to be turned away.

Mr. BURTON. And I admire Ambassador Jordan for saying that.

But what else has the State Department been doing? Let me give you some ideas. I want to give a copy of this, OK?

I gave a copy of this, incidentally, to the Secretary of State, who I think he is trying to help. I have admiration for Colin Powell, Secretary Powell. He helped get this beautiful young lady, I don't see her here now, out of Kuala Lumpur; and he said, we might lose some diplomats out of this, but he did it anyhow. You tell him, I appreciate it.

Here are some things that could be done to fix the system. There should be an entrance stamp on our passports, an entrance stamp. If a father comes into the United States and in violation of a court order decides to take a child to Saudi Arabia, kidnap them, he comes into the country, he gets an entrance stamp on his passport. He goes to the Saudi embassy and gets two passports from them to take the children back to Saudi Arabia. When he goes to emigrate back with the children, his passport will have an entrance stamp on it, but the children's won't, and immigration officer will say, hey, where is the entrance stamp on this passport and that will raise a red flag on the children's passport, so that they will know immediately that these children did not come in with the father, and they'll want to find out if they are legally entitled to leave with the father.

That is one way to skin the cat.

There ought to be penalties for people who violate court orders. These fathers, some of them, were here in the United States, they were in court. They got custody of the children for 2 or 3 weeks and they knew that they were under a court order to not take them out of the country and yet they did it anyhow. Some of them, there are warrants out for the arrest of some of those. There ought to be penalties for kidnapers. Currently, the U.S. Government denies visas to the United States for kidnapers and those who directly assist them. That is not enough to put pressure on individuals to return kidnapped children.

We are drafting legislation which would allow the State Department to deny visas to the extended families of kidnapers, as well as government officials from governments which assist in the kidnappings. I understand that was the policy in the past, and it was changed; is that right? Wasn't there a policy in the past that denied visas where we did not deny visas?

Governor Mabus, you had that policy?

Mr. MABUS. Yes, sir, anybody with the same last name did not get a visa.

Mr. BURTON. It would seem to me that would be a reasonable thing to reinstate.

We also had a policy in the past which the Saudis objected to—and other countries, I suppose, did as well, but particularly the Saudis—that women were informed about the policies of the country to which they were emigrating or going to. I think every woman who marries a foreign national ought to understand the cultures and the rules of that country.

Now, in particular, let's talk about Saudi Arabia. If women know they are going to have to wear an abaya everywhere they go, if they know they are going to have to have their husband's permission to go to the bathroom or anywhere else, that they can't come back to the United States without their husbands signing an agreement to allow them to go, if they know that their children are not going to be able to come to the United States ever again without their husband's approval, I think a lot of those women would have some second thoughts.

I don't know why that State Department took that kind of information out of their Internet and are not giving it to women, but I would strongly urge that kind of information be reinstated for every country, including Saudi Arabia, and especially these countries that have these kinds of oppressive policies. Afghanistan, the way it was before, Iran, Iraq, Saudi Arabia, those countries ought to be—the people ought to be at least made aware; then they can make an informed decision about whether or not they want to risk going over there.

A resolution regarding refuge in U.S. embassies: Now we're talking about introducing a resolution in the Congress that would say that nobody who is an American citizen would ever be denied refuge in an embassy or consulate anywhere in the world. That shouldn't be necessary. It should be State Department policy that any American citizen—woman, child, man—that comes into that embassy is guaranteed the protection of that embassy. That is U.S. territory. It is U.S. territory, and they should not be forced out onto the street to suffer the penalties of that government if they are in U.S. territory, the embassy. And that should be a policy not only in Saudi Arabia, but anyplace in the world; and we should try to help them get back to the United States if there is any way possible to do that. Even if we have to risk having some of our embassy officials become persona non grata and come back to the United States, that is something that we should risk.

We are there to protect American citizens and if they come into that embassy—women, children, men, whatever—they ought to be guaranteed the protection of this government.

And finally, I think that the Ambassador, like Ambassador Mabus, and the embassy staff, should be granted the authority to deny visas on security grounds. Specifically, they should be allowed to place the burden on the visa applicant to make sure that they are traveling to the United States for the purpose they claim and not because they are a security risk of any kind, which includes taking children who are under court order to stay with the other parent and whisking them back to the country—to Saudi Arabia. There ought to be more authority for the United States to deny visas to these foreign nationals if they suspect that they are coming over here for some purpose like that, OK?

And do you have any other suggestions on what we could do to protect American citizens from this kind of a thing?

Ms. ANDRUCH. Sir, I just wanted to say, I was familiar with your suggestions. I think—I mean, they are all good ones. Some of them, we're already doing. Some of them, we clearly need to do more on.

The thing on the visas, and I think you were out for a vote, but we do now already have—we are putting names in for at least im-

mediate family members of known abductors. If there is legislation that allows us to go to the more extended family members, that is easy enough to do. We will do that.

Mr. BURTON. We ought to do that too.

Ms. ANDRUCH. I think also the thing on getting more information out, we have something that I think will be an easy mechanism to use. We have an information sheet for each country now. We can put more information in there on what American women and others can expect, the living conditions in that country.

We have something now for Saudi Arabia; it is admittedly not strong enough, and we will do that now.

Mr. BURTON. Well, I hope you will make it as strong as possible. I know that you are a diplomat and that you want to make sure that you don't offend a country any more than you have to. But we are here, first of all—you, me, all of us—to protect Americans, to protect Americans' rights. And it seems to me that every single woman and child that is going to Saudi Arabia, or a country with these oppressive policies, ought to know what they are getting into.

Put yourself in their place. You are an attractive lady. How would you like not knowing that if you go to Saudi Arabia you must wear a black abaya, and if you have your ankle showing on the street, somebody slaps you with a stick. You wouldn't like that.

Ms. ANDRUCH. No, I couldn't do it. And you are absolutely right.

I do want to say, I do work for the American people. It is a privilege. We don't always get it right, but I very much—a lot of people actually would probably say I wasn't very diplomatic, but I have the luxury of having the protection and welfare of American citizens overseas being my only job. So to the extent that I can do it better, I am open to suggestions. I look forward to working with you and others to help us.

Mr. BURTON. Well, the embassy could have been—not the embassy, but the State Department could have been doing a much more aggressive and better job, in my judgment, to protect these women and children. And it seems to me that we ought to be very aggressive with governments like the Saudi Government, that has lied to us. You know, the FBI said—and I want to say to my colleagues, pardon me for going longer than I should—the Ambassador to the United States, according to the previous administration—two people that worked for the previous administration in the area of foreign policy and terrorism wrote a book, and they said that the Ambassador to the United States lied to them about the bombing of the Khobar Towers in Saudi Arabia. He lied to them about that.

I understand he is a very charming fellow. But we should not allow an ambassador to the United States to lie to a President or to the President's Cabinet or to the people in the administration that are dealing with a terrorist attack that kills 17, 18, 19 Americans. And Bandar is still here. He lied about that, and we know he lied about them cooperating and trying to help these women with their children.

Now, somebody ought to go to him next time he goes down to Texas or over to the White House and say, look, we know you lied, and we don't want you to do it anymore, because if you do, we are

going to kick your fanny out of here and send you back to Saudi Arabia where you can wear your robes all the time and be a prince.

I mean it. If I sound a little too vociferous, it is because I am so angry. I went through abuse as a child. I saw it firsthand. I saw my dad rip my mother's clothes off of her until she did not have anything on and knock her until we thought she was dead; and then he would look at me and say, You better get back upstairs or you will get some of this, and I did. .

And I hate people, I absolutely abhor people who mistreat women and children, and they are doing it on a regular basis over there. And they are doing it to Americans, and the Americans couldn't find sanctuary after this gentleman left over there; and that is a tragedy. And for our State Department to allow that to happen, to turn a blind eye, is a sin. I hope to God that never happens again.

I don't know if we are going to be able to get these kids back, that ought to be brought back to America. I hope we can. We are going to do everything we can to do that. But you should sure as hell should never let this happen again.

Mr. Ose.

Mr. OSE. Thank you, Mr. Chairman. Do we call you Ambassador or Governor?

Mr. MABUS. Either one is way better than what I get called a lot of times.

Mr. OSE. My house is like that too.

Mr. Ambassador, when you took the step of withholding visas, was that part of a policy manual that the State Department has or was that kind of an individual initiative?

Mr. MABUS. I think that would fall under individual initiative. It did seem to me when I was preparing to be an ambassador, I was told that visas were a privilege, not a right, and that Ambassadors—if there was an interest to the United States involved, that Ambassadors could deny visas; and I thought that an interest to the United States was involved in these cases. And I wasn't making a lot of headway with the Saudi Government, although they would listen, but they wouldn't force the husbands or the fathers to return the kids.

And I was trying to find a leverage point to solve this, and Saudi families are exceptionally tight knit, close to each other; and I thought that if we denied visas to anybody with the same last name, that the family would put pressure on the kidnapper.

Mr. OSE. Mr. Crocker, does the current policy of the State Department allow an ambassador to use visas in this manner?

Mr. CROCKER. There is a legislative restriction on visa denials.

Mr. OSE. 4365?

Mr. CROCKER. Whatever it is, yes.

Governor Mabus is exactly right, you can take initiative sometimes from the field if you don't ask.

Mr. OSE. When you say a "legislative initiative," is it a legislative initiative or is it a statute? Is it current law? Has it been passed by the Congress and signed by the President?

Ms. ANDRUCH. I think if you are talking about visa ineligibilities, that is part of the immigration and nationality act and part of the act is that only consular officers can adjudicate visas.

Mr. OSE. What do you mean? Is the Ambassador a consular officer?

Ms. ANDRUCH. No, sir, he or she isn't.

Mr. BURTON. Don't they take their orders from the Ambassador?

Ms. ANDRUCH. They take their orders from the Ambassador certainly.

Mr. BURTON. If a consular officer is told—pardon me for interrupting—if a consular officer is asked to deny a visa for a reason that he thinks is important, what will the consular officer do?

Ms. ANDRUCH. If there is a basis in the law under which the visa can be denied, then it will be denied.

Frankly, if it is just because there is a suspicion of something, that would not be enough to deny a visa. And I suspect what a consular officer would have done then is to come into Washington and say this is what we have, you know. Is there a way I can do what the Ambassador is asking me to do?

Mr. OSE. There are lists of people maintained—

Mr. BURTON. Will the gentleman yield one more time?

Mr. OSE. Certainly.

Mr. BURTON. Ambassador Mabus, did you ever have a situation like this?

Mr. MABUS. No, sir, I told my consular officer that was the policy. My memory is that I gave him written orders, so that it would not harm him if there were any problems.

Mr. BURTON. And he acceded to your wishes?

Mr. MABUS. Yes.

Mr. BURTON. Are you saying, that consular officer did not do the right thing?

Ms. ANDRUCH. No, sir, I'm not. I'm not in a position to know what happened. I thought, though—and I don't have all the names of the applicants, but there is also—I know very often families are told, well, if you apply for a visa, you are not likely to get one. And it could have, in fact, been that in many cases the people involved did not actually apply for a visa, but I don't know. And I will—we can certainly—if we have the names of the applicants, we can certainly go back and check our records and get back to you on that.

Mr. BURTON. Do you have a response?

Mr. MABUS. I know in the case of Pat Roush's ex-husband, al-Gheshayan, that a lot of family members—not a lot, several family members applied and were turned down. He kept calling the embassy and saying his family was furious at him that we couldn't do this to them, that his family was bringing pressure to bear on him.

And the first person that got turned down was a general in the Saudi national guard, who had cancer and was going to M.D. Anderson for treatment, and I got called in by the Crown Prince on that one.

I issued the visa—I did not want to kill anybody over this—but I told him what was going on and why I was doing this and my reasons for doing so and his response was, You're doing the right thing. The only thing somebody like that understands is strength.

Mr. BURTON. So was it your impression that they were going to release the children?

Mr. MABUS. It was my impression that the father was under increasing and pretty severe pressure from his family to release the children.

Mr. BURTON. And that pressure was relieved when Wyche Fowler became Ambassador?

Mr. MABUS. The pressure was relieved when my policy was discontinued when Ambassador Fowler was there, yes, sir.

Mr. OSE. Mr. Chairman, may I have another 5 minutes?

Mr. BURTON. Sure.

Mr. OSE. Thank you, sir.

Mr. Crocker, does the State Department keep a list of the names of the individuals who are involved in these cases with American children who have Saudi nationality?

Ms. ANDRUCH. I think I am probably in a better position to answer that.

The list of the family members of parents who have abducted children, is that what you are asking?

Mr. OSE. If we have an American national married to a Saudi national, is there a list of Saudi nationals who might be involved in such cases? Is there a list maintained?

Ms. ANDRUCH. We have a list of the names of abducting parents that we're aware of, yes.

Mr. OSE. Are those people allowed to come to the United States?

Ms. ANDRUCH. No, sir.

Mr. OSE. We had testimony yesterday that, in fact, there was a situation where a father and a child did come to the United States.

Ms. ANDRUCH. Let me say, when I say "allowed" I misspoke because there is—a visa can be denied to that person.

Mr. OSE. Can be or is?

Ms. ANDRUCH. Can be. Is, I guess—let me go back.

Mr. OSE. I know the definition of "is."

Ms. ANDRUCH. And I used to.

Must be—the visa must be denied under these grounds.

Now, there are waivers; you may obtain a waiver of that particular ineligibility. So if someone received a visa and traveled to the United States, I would have to look into the background to find out why that visa was issued.

Mr. OSE. What would be the grounds for waiving a denial on someone who has arguably abducted an American child? What would those grounds be?

Ms. ANDRUCH. The very best reason would be if that parent were only willing to bring back the abducted child if he could either come with the child at the time or, say, was coming to the United States to take part in a custody hearing, but that it was somehow connected to the return of the child; then we would definitely request a waiver of that ineligibility.

Mr. OSE. Are there such instances?

Ms. ANDRUCH. No, sir, not yet.

Mr. OSE. But there are instances where those individuals have come back to the States under a visa that has not been denied?

Ms. ANDRUCH. I don't know, sir. I'd have to check. I'd have to check against names—a list of names to see if and when a visa had been issued.

Mr. OSE. I know we have the names of the cases. I was going through part of them.

I would appreciate in writing a response as to how the individual, the Saudi national involved in those cases, is treated if and when that person applies for a visa to the United States. I'd just like to know what the State Department would do in a situation like that.

Can you respond to us in writing to that effect?

Ms. ANDRUCH. Yes, sir. Yes, sir.

Mr. OSE. OK. Now, the second question I have is, back on June 12th, we asked for the name of the Department of State policy official who directed the U.S. Marines to escort Monica Stowers and her children from the U.S. embassy in Riyadh. I still don't have that. And it is now October what, 3rd? Is there some problem?

Ms. ANDRUCH. I am not aware of that, so again, I'm sorry. I will take the question though. I thought all of your questions had been answered.

Mr. OSE. It says here—this was with Mr. Kelly's July 1st response, "We are currently trying to contact officials who were present during the incident to better answer your question. We will provide a followup reply as soon as possible."

Now do we know who was at the embassy at the time? Do we have records, who was employed there?

Ms. ANDRUCH. I'm sure we must have records sir.

Ms. ROUSH. That was Karla Reed.

Mr. OSE. OK, I presume that we have records of where people who might have retired from the State Department now reside. I am going to keep coming back to this question, Ms. Andruch.

Ms. ANDRUCH. We both thought the question had been answered, so I do apologize and we will get you an answer.

Mr. OSE. OK. I do want to know who it was who made that happen. Whether there were any e-mails or cables back and forth to Washington about it.

Who made the decision? Who sort of pulled the trigger on Ms. Stowers? I think that would be very interesting piece of information to have.

Mr. Chairman, I would yield back at this time. I do have more questions, but I see that my time is about up.

Mr. SHAYS [presiding]. Mr. Crocker, the Saudi Foreign Minister sent a letter to Secretary Powell on September 17, 2002, attaching a list of cases where children were abducted out of Saudi Arabia and brought to the United States against the wishes of their parents. That is the claim. Have you seen that list?

Mr. CROCKER. I have, sir.

Mr. SHAYS. The Saudi Government appears to be claiming that Saudi citizens may be held against their will here in America. Do you believe that allegation?

Mr. CROCKER. My understanding is that when that list was passed, there was no commentary, background, or other expressed position coming with it. We are not treating that as a formal communication.

Mr. SHAYS. There were no particulars? There were no specifics? No names?

Mr. CROCKER. No, sir, and we made the same observation that this committee did concerning Dria Davis.

Mr. SHAYS. Ambassador Mabus, to your knowledge, are Saudi citizens being held against their will in America, and were any held against their will in America while you served as Ambassador? Are you aware of any complaints?

Mr. MABUS. Is the question are American citizens being held in Saudi Arabia?

Mr. BURTON. No. To your knowledge, are Saudi citizens being held against their will in America?

Mr. MABUS. No, sir.

Mr. SHAYS. Were any held against their will in America while you were serving as Ambassador?

Mr. MABUS. Not to my knowledge.

Mr. SHAYS. Mr. Crocker, one of the names on the Saudi's list of abductions by Americans is Dria Davis. The Saudis allege that Dria was taken out of the United States on a military plane with the assistance of the State Department. Was she?

Mr. CROCKER. We have heard her own testimony that she was not.

Mr. SHAYS. In fact, did not the State Department inform the Saudi Government that Dria was not taken out of Saudi Arabia with the State Department's help?

Mr. CROCKER. I am not aware.

Mr. SHAYS. The answer is that you are not aware of that claim? OK.

Ms. ANDRUCH. No.

Mr. SHAYS. In other words, you are not aware that the State Department informed a few years ago that was not the case?

Mr. CROCKER. That is correct, Mr. Chairman. I don't know. I am not saying that the State Department did not; I don't know.

Mr. SHAYS. Another name on the purported list of American kidnappings is that of Jennifer Martin, yet isn't it true that Jennifer Martin had her son kidnapped by her Saudi ex-husband? In other words, wasn't her son kidnapped by her Saudi ex-husband?

Ms. ANDRUCH. I'm not familiar with that case at all.

Mr. SHAYS. Isn't it true that Ms. Martin has made a number of concessions to her Saudi ex-husband in an effort to see her son?

You are not familiar?

Ms. ANDRUCH. No, sir, and if I could say—unfortunately, Mr. Ose is not here right now, but he had asked me earlier for an update on several cases; and this is one—another one, and I do have a list of the current cases, and you may be aware that there are families who are living in Saudi Arabia who have specifically asked us not to intervene in their cases and Ms. Martin may in fact be one of those. I don't know off the top of my head, but that was certainly the situation in some of those other cases that I addressed.

Mr. SHAYS. In the case, Mr. Crocker, in the Rives case, Lilly and Sami Rives were not Saudi citizens; is that correct?

Mr. CROCKER. That is my understanding, yes, sir.

Mr. SHAYS. Are the Rives children being held improperly in Saudi Arabia?

Mr. CROCKER. We consider this a case of abduction, and it is very much our desire to see that they are returned.

Mr. SHAYS. And when I say “Rives,” it is “Rives,” so you have understood what I’ve meant, I’m sorry.

Is it your understanding that the kidnapping mother in the Rives case comes from an influential family in Saudi Arabia?

Ms. ANDRUCH. I have heard that as well, sir. She is Syrian, and I think there are members of her extended family who are in fact Saudis.

Mr. SHAYS. Is it your understand that the Saudi Government has taken action to protect this influential family? For example, has it granted the Rives children Saudi travel documents, despite the fact that they are not Saudi citizens?

Ms. ANDRUCH. I heard that just today from Mr. Rives, the fact that they did get Saudi passports.

Mr. SHAYS. But there is no way for the State Department to confirm that?

Ms. ANDRUCH. We can—I think we could probably go to the Saudi Government and ask them to confirm that, yes, sir.

Mr. SHAYS. So you are not all that familiar with the Michael Rives case?

In other words, if I ask you this question: Has the family used its influence to keep Michael Rives from coming to Saudi Arabia?

Ms. ANDRUCH. I’m not aware of that, no. I am familiar with the case, but I am not aware of any influence that the Saudi Government may have put on the family, no—and the government.

Mr. SHAYS. Has the State Department demanded the return of the Rives children from Saudi Arabia?

Mr. CROCKER. Ambassador Jordan has raised the Rives, as well as other cases, with the Foreign Minister, with the request that these children be returned to the United States.

Ms. ANDRUCH. And if I could just add, we asked—we have raised the case, and we have used as the logical argument that these children are not Saudi nationals. The mother is not a Saudi national, there is no reason for them to retain these American children in Saudi Arabia. We have also asked for the return of the two of the American passports that the Saudi Government now has.

Mr. SHAYS. Let me ask you, what is their response to that?

Ms. ANDRUCH. As far as I am aware, as of yesterday there has not yet been a response.

Mr. SHAYS. OK. I have some questions of Mr. Mabus. Do you want to go on?

Why don’t you go and then I will come back.

Mr. OSE. Mr. Crocker, when the al-Gheshayan sisters went from Saudi Arabia to London, did the State Department know that they were leaving Saudi Arabia heading for London?

Mr. CROCKER. No, we did not.

Mr. OSE. Did they meet with a State Department official in London?

Mr. CROCKER. Yes, they did.

Mr. OSE. At what point did the State Department learn of the al-Gheshayan sisters’ presence in London?

Mr. CROCKER. I believe that was Friday the 30th.

Mr. OSE. And the interview was after?

Mr. CROCKER. Was Saturday.

Mr. OSE. What is the State Department doing today regarding the al-Gheshayan sisters?

Mr. CROCKER. We have made it clear to the Saudi Government that what needs to happen with the Gheshayan sisters is for them to travel to the United States and to see their mother in the United States.

Mr. OSE. Absent an affirmative action to do that, what is the State Department doing to bring leverage on the al-Gheshayan family? In other words, are they free to get visas?

Mr. CROCKER. No, sir, consistent with the legislation that Ms. Andruch has described.

Mr. OSE. Is al-Gheshayan or any member of his immediate family not able to get a visa today to the United States?

Ms. ANDRUCH. No, sir. In fact, because the women are now adults, that law does not apply; that ineligibility would not apply.

Mr. OSE. So, in effect, the position of the United States is because X number of years have passed, the statute of limitations on these citizenship rights have evaporated?

Ms. ANDRUCH. No, I wouldn't sort of put it exactly like that.

Mr. OSE. How would you put it?

Ms. ANDRUCH. Well, it is very—I mean it is a tragic situation that has gone on way too long.

No one—I mean, we don't deny that, and I—and I have listened Ms. Roush during the last testimony. I know how awful this is for her. Unfortunately, though, because they are adults and what we would like—and as Ambassador Crocker said, even before we knew the delegation was going out there and we were trying to be able to speak to the women, our instructions to the embassy and all along the way was that we really want to be able to talk to them, we want to urge them to go to the United States, where we knew that they would be able to tell us exactly what they wanted.

They have done that in London, and I hope that is not the only opportunity we get to hear from them. But right now they have told us that they really don't want us to intervene anymore in their lives.

Mr. OSE. OK. Assume that Alia and Aisha are now majority status—by the way, what is majority age in Saudi Arabia for women?

Ms. ANDRUCH. I'm sorry sir, I don't know in Saudi Arabia.

Mr. OSE. So, for the moment, let's set them aside in the—why would we give a visa to any member of the al-Gheshayan family?

Ms. ANDRUCH. Right now, I would have to say, sir, because we have no ineligibility. There is no provision in the law for us not to give a visa.

Now, again—

Mr. OSE. Is there discretion in the law for you to—Ambassador Mabus apparently had the discretion. It may have cost him his job, but he exercised it.

Ms. ANDRUCH. What we could do, we talked earlier about some possible legislative fixes; and that would be something that would certainly be worth exploring, because right now that ineligibility is until the child—and it is usually a woman—is 18.

That could be—is it 21? I'm sorry, it's 21.

Mr. OSE. OK. It does bring up an interesting point, because we did have testimony yesterday from Debra Docekal that somewhere

in the 1997–1998 timeframe her husband brought her children back to the United States on a vacation, that she alerted the State Department, hoping to be able to get the children back, and that nothing ensued. These were minor children brought back to the United States by an individual of Saudi nationality under circumstances that arguably supported a kidnapping charge.

Apparently, he got a visa. This was 1997 or 1998, if I am correct. How could that happen?

Ms. ANDRUCH. I don't know sir. And I heard that testimony yesterday. That was the first I knew.

Our records indicated that our first contact with Ms. Docekal was in 2000. There had been—we did know about the trip angle, and I just don't know enough about the case. I would have to sort of look into it and take that question.

Mr. OSE. OK. Consider it asked.

Ms. ANDRUCH. Yes, sir.

Mr. OSE. Now let me go back to another question.

Mr. Shays was going through a list, or a series of questions, having to do with individual cases. I asked a series of questions having to do with individual cases. And some of those cases, according to the information we have in front of us, there has been no welfare or whereabouts check for any period of time—I mean, years in some cases.

What is the standard that the State Department uses for determining welfare and whereabouts of these children?

Ms. ANDRUCH. I guess, sir, there are a couple of things. First, we do it at the request of the left-behind parent. If the parent in the United States asks us to do a visit, that's when we make our first attempts; and the reason we do that is because there have been instances where they may have been working on something else, and they did not want us to interfere by putting what might be considered pressure on the family.

If we know where the child is, then we contact the taking parent, which I know is often a problem and we request the ability to send a consular officer to their home to meet with the child and sort of talk to him or her, find out how they are.

Mr. OSE. Is that the same as saying that you have wide discretion in doing welfare and whereabouts checks?

Ms. ANDRUCH. We have wide discretion, sir; yes, I would say so.

Mr. OSE. So if you have wide discretion in that, why don't you have wide discretion in the issuance of visas?

Ms. ANDRUCH. Because the visa is law. That has been legislated, and there are any number of ineligibilities. And certainly if an applicant is ineligible under any one of those provisions, a visa must be denied.

Mr. OSE. So do you agree with the clear consensus of this committee that some means of denying visas to these people would be an effective tool? Or do you think it would not be an effective tool?

Ms. ANDRUCH. I think I agree that it would be an effective—that it could be an effective tool.

Mr. OSE. Mr. Crocker, do you agree?

Mr. CROCKER. I think it could be an effective tool. The administration is not often in the habit of encouraging Congress to legislate on anything like a foreign policy matter but I will tell you

frankly, from the policy side, that is the only way that the refusal categories could be broadened.

Mr. OSE. And you are saying that ability to deny a visa is not in the foreign affairs manual, it is in statute?

Ms. ANDRUCH. Yes, sir.

Mr. OSE. And it applies to children under the age of 21? Or minors under the age of 21?

Ms. ANDRUCH. That particular provision of the law that we were talking about that would allow us—that would actually be where we would have to refuse a visa to an abductor or immediate family is until the child is 21 or married.

Mr. OSE. Would there be—for whatever reason, if someone perpetrated such an act on an American family, for whatever reason, would we ever issue them a visa?

Just passage of time, geez, OK they are 21, OK, everything is forgiven?

Ms. ANDRUCH. Well, no. Not everything is forgiven. But again we would not have the legislative ability to deny a visa to that person any longer.

Mr. OSE. So if we put forward a legislative effort to, in fact, allow—allow or mandate the denial of a visa to someone of foreign nationality who engaged in this kind of behavior, what would the position of the Department of State be on that legislative effort?

Ms. ANDRUCH. I think—I would have to consult with other offices, certainly other than my own.

Mr. OSE. What would your position on that be?

Ms. ANDRUCH. My position would be, again, that I think it could be a very useful tool.

I think—when we talk about legislation, though, I think we want to ensure that we have—that it isn't so rigid that we cannot work with it when we need to. That, I think—it could be a useful tool, but we might want to leave ourselves some discretion. And I don't know what that discretion would be right now, but it is something that I would like to look at with others in discussing it before you propose legislation, if that would be possible.

Mr. OSE. How about you, Mr. Crocker; what is your opinion?

Mr. CROCKER. I would share Ms. Andruch's opinion that I think it could be a useful tool. But she cited the hypothetical example, at least, of an abducting parent who said as a condition for the return of the child to the United States, that he or she accompanied the child. So I would think it would be important to have some flexibility in it.

But clearly, in my view, the current legislation needs to be strengthened.

Mr. OSE. Mr. Mabus, Mr. Ambassador Mabus?

Mr. MABUS. I obviously think that you should deny visas with probably the one exception that was—the hypothetical exception—but you should deny visas not only to a kidnapper but to that kidnapper's family; and that the passage of time, the fact that you pulled off a kidnapping and kept the kids long enough for them to be 21 or married shouldn't matter. It shouldn't be rewarded.

Mr. OSE. No olly olly oxen-free kind of thing?

Mr. MABUS. He shouldn't be rewarded for being a law-breaker over a longer period of time.

Mr. OSE. In your opinion, would that be difficult to implement?

Mr. MABUS. No, sir.

Mr. OSE. Mr. Crocker would that be difficult to implement?

Mr. CROCKER. No, it wouldn't. It would be quite simple and straightforward.

Mr. OSE. Just a moment, please. I want to go back to the al-Gheshayan interview in London.

Since we cannot visit with the daughters, we get the opportunity to visit with the mother, I am curious, what does—from your perspective, what is she recommending as it relates to this situation in terms of how the Department of State should proceed on this matter?

Ms. ANDRUCH. I'm not sure what she is recommending, since I haven't really spoken to her.

Ms. ROUSH. I just spoke to Mr. Crocker.

Mr. OSE. Mr. Crocker?

Mr. CROCKER. Mrs. Roush and I spoke before the commencement of the hearing, and she was quite clear that we should apply pressure on the Saudi Government to bring about the return of her daughters to the United States and for that return to be in a family context.

I believe she mentioned, for example, wanting to serve her daughters a dinner in her home and not to do this in some kind of staged hotel event.

Mr. OSE. Who informed—we touched on this earlier, who informed the State Department that the Roush sisters wanted to meet with a consular official in London?

Mr. CROCKER. The initial contact on Friday evening came from Adel Al-Jubier. My understanding is, at that time, he said they may want to meet with a consular official.

Mr. OSE. This gentleman is a Saudi official?

Mr. CROCKER. Yes, sir. He was the one referred to earlier today as the advisor to the Crown Prince.

Mr. OSE. OK. Who at the State Department made the decision to go ahead with that meeting in London?

Mr. CROCKER. That was a policy level decision above the bureau level, either Consular Affairs or Near Eastern Affairs. But I would have to go back to determine at exactly which level.

Mr. OSE. Answer that question asked for the record, please.

Now before—so you got a call on Friday asking whether or suggesting that perhaps the Roush sisters might like to meet with a consular official. Did anybody at the State Department call Mrs. Roush and inform her of the planned meeting?

Ms. ANDRUCH. Yes, sir, a member of the Office of American Citizen Services called Ms. Roush and just told her, I think—I don't have the verbatim conversation, but just told her this was a possibility.

Mr. OSE. What was Ms. Roush's reaction?

Ms. ROUSH. That's not true.

Mr. OSE [presiding]. Let me get through my question, and if we have to swear in additional witnesses—it looks like I'm the chairman, so we can do that.

So going back to my question, someone from the State Department did call Ms. Roush?

Ms. ANDRUCH. Yes, sir.

Mr. OSE. And advised her of the planned meeting?

Ms. ANDRUCH. Of a meeting. I think at that point we did not know where it was going to be.

Mr. OSE. And what was Ms. Roush's reaction?

Ms. ANDRUCH. I don't know exactly, sir; I'd have to go back and check the record.

Mr. OSE. Do you know whether or not she asked to be part of that meeting?

Ms. ANDRUCH. No, sir, I don't.

Mr. OSE. But you don't know whether Mrs. Roush supported or objected to the meeting?

Ms. ANDRUCH. No, sir, I don't.

Mr. OSE. Mr. Ambassador Mabus, would you have proceeded with the meeting in London in the manner that the State Department did?

Mr. MABUS. No.

Mr. OSE. Why not?

Mr. MABUS. Because we had been trying for 16 years to get these children—or their mother has been trying for 16 years to get these children out. The fact that a congressional delegation was in Saudi Arabia when they suddenly showed up in Great Britain accompanied by various Saudis and family members, I don't think the State Department should have been a party to that. To then say that—to then give some credence to the fact that they don't want to come back to the United States, they don't want to leave Saudi Arabia, they don't want to be with their mother, I don't think that part of our government should underpin that.

An American law has been violated here, and the only way that American law is going to be upheld is for those children to be back in America, not being interviewed somewhere else about their supposed wishes now. And after 17 years, I wouldn't doubt that these children do believe now that they don't want to return.

Mr. OSE. From your experience as Ambassador to Saudi Arabia and elsewhere, were the Roush sisters able to speak freely in this meeting?

Mr. MABUS. Well, in the first place, I wasn't Ambassador anywhere else. But just from my experience as an ambassador, I don't believe any child in this situation would be able to speak freely. And from my experience as a parent, and a divorced parent who has custody, legal custody, of my children, I think that if you have some amount of time to press your point of view on a child, and particularly if you have 17 years, that child will say whatever you have pressed upon that child for 17 years.

Ms. ANDRUCH. May I add something?

Mr. OSE. Certainly.

Ms. ANDRUCH. Just from the standpoint of an American citizen overseas requesting a visit with a consular officer, we would not refuse that request. And that was why the meeting went ahead. Regardless of how it may have been, or appeared to have been, staged or what we think of what actually transpired during the meeting, the fact that American citizens are requesting to talk to a consular officer, that's what we do. That's what we would always

do, if we did not know at that point what they might be asking of us.

Mr. OSE. Irrespective of the conditions of the meeting?

Ms. ANDRUCH. Yes, sir, because at that time we did not know what the conditions of the meeting were.

Mr. OSE. Who made the request for the meeting in the first place? Who called the consular office and said, We might be interested in having a meeting?

Ms. ANDRUCH. I'm not sure exactly how it all transpired. And, again, we will have to go back and get you the details.

Mr. OSE. Answer that a request for a chronology of those events, please, for the record.

Ms. ANDRUCH. Yes, sir, OK.

Mr. OSE. There is a gentleman named Adel Al-Jubier. He is the Foreign Policy Advisor to the Crown Prince, if I recall correctly.

Mr. CROCKER. Yes, sir, he is the one I mentioned, who telephoned Friday evening, the 30th of August, to say that the daughters might be interested in a meeting with a consular officer.

Mr. OSE. OK, so we do know who called. It was the Foreign Policy Advisor to the Crown Prince?

Mr. CROCKER. Yes, sir. I'm sorry, I think we may have misunderstood your second question. That was not the call that said the girls definitely did want to meet with the consular officer. That's the one we are going to have to check into.

Mr. OSE. All right. And you will append to that response the name of the consular officer who actually took the call and what have you?

Ms. ANDRUCH. Yes, sir.

Mr. OSE. It seems awfully strange—or it just seems unusual to me that the Foreign Policy Advisor to the Crown Prince—that's pretty high up in the Saudi hierarchy—would make such a call. I mean, did that set off any, you know, bells or alarms or anything like that?

I mean, is that an unusual thing? Does a Foreign Policy Advisor for the Crown Prince of Saudi Arabia normally make such calls?

Mr. CROCKER. I can't make a lot of inferences here, sir, but I think it's important to note that prior to this development, we had pressed the Saudi Government at a high level on several occasions on the importance of the al-Gheshayan girls being able to come back to the United States and see their mother here. And I think it is in that context that we may see Mr. Al-Jubier's involvement in the London event.

Mr. OSE. And it just happened—I'm sure it was a coincidence, but just an uncanny coincidence with Chairman Burton's trip to Saudi?

I think I will say the obvious: It seems to me it was set up, too.

Mr. Crocker, in your testimony, your opening statement, you said that the Government of Saudi Arabia has no legal grounds to compel its citizens to return their children to the United States, even if the children are U.S. citizens.

I believe that's an accurate quote from within your opening statement.

Now Saudi Arabia remains a monarchy. Why couldn't the Saudi Government just kind of reach out and say, 'We are going to do this? Are there statutory prohibitions?'

Mr. CROCKER. As I indicated earlier, sir, it is not that we have been idle on these cases. We have sought to work with them through existing legal structures, which is standard international diplomatic practice.

It is quite clear, as I noted, that these events were not getting the only results that ultimately count, which is the children returned to the United States and their families here.

We are now, in addition to these ongoing efforts—as I think I noted, because they are important, we are dealing with these cases at a political level and will continue to do so. That is not to say, though, that there is necessarily a switch to flip or a button to push and everything is magically resolved.

These are difficult and complicated cases at whatever level they are dealt with.

But the point I sought to make earlier is that at the very senior levels of this government to the very senior levels of that government, we're making the point that this is an important political issue, and it needs to be resolved.

Mr. OSE. What are the standards you would recommend to me to put into legislation so as to effectuate denial of visas for such people who might otherwise take our children, irrespective of country? What are the—what would be the State Department's recommendation?

Mr. CROCKER. That is a matter where I think we would have to give this careful reflection and come back to you.

Mr. OSE. Well, let me ask a couple hypotheticals. Let's say an American national has a court order granting custody to them and ordering the foreign national not to take the children out of the country. The American national alerts the embassy and the appropriate personnel at the embassy of the country, the foreign national, of this court determination. They're a signatory to the Hague Convention. Would that be a standard that would be satisfactory to the State Department for denial of visa at any time in the future to such foreign national if they then went ahead and took the—took a kid, left the country.

Mr. CROCKER. That's already in the current legislation for the abductor. He would be denied as matters stand now.

Mr. OSE. OK. So let's back off a little bit from that. Let's say you hadn't alerted the embassy of the foreign national, that you only had a court order granting you custody and that they were a signatory to the Hague Convention in the country of the foreign national. Would that be satisfactory to deny such person a future visa?

Mr. CROCKER. Sir, such little depth—very little depth as I have in visa issues, I'm now beyond. I'll see if my colleague would care to speak to that.

Mr. OSE. OK. Ms. Andruch?

Ms. ANDRUCH. Yes, sir. My colleague was just telling me something that, again, in things to explore for possible ineligibilities. The ineligibility that we have now for abductors is for countries that are not signatory to the Hague Convention. So if in consider-

ing possible changes, perhaps that could be extended to other countries. That's again something that I think we all have to discuss and look at, but the legislation as now written is for those non-Hague countries.

Mr. OSE. And for those non-Hague countries, a foreign national who absconds with an American child—

Ms. ANDRUCH. A parent.

Mr. OSE. A parent, correct. Who absconds with an American child, current statute says that until that child is 21, State Department has the ability to deny a visa?

Ms. ANDRUCH. Yes, sir, 21 or married.

Mr. OSE. So if a Saudi national takes an American child, goes back to Saudi Arabia and marries them off at 12, that is compliant with the statute? And that person can subsequently get a visa?

Ms. ANDRUCH. That is an interesting case, and I would have to sort of go back and find out what would happen in that instance.

Mr. OSE. Consider it asked for the record.

Ms. ANDRUCH. Yes, sir. And when we're talking court orders, I'd like to also clarify that we're talking U.S. court orders.

Mr. OSE. Correct.

Ms. ANDRUCH. OK.

Mr. OSE. Mr. Horn.

All right. I'm going to exercise a little chairman's prerogative here. Ms. Roush, would you please rise? Raise your right hand. Her name is Pat Roush.

[Witness sworn.]

Mr. OSE. Let the record show Ms. Roush answered in the affirmative.

Now, we've been going back and forth on a number of issues in particular relating to the case of your daughters. This issue of granting visas to the family of your ex-husband, I think just crystallizes whether or not we're serious about protecting our children. Do you have any thoughts on that? I mean, how do we get the attention of people if we can't have some leverage?

STATEMENT OF PAT ROUSH

Ms. ROUSH. Yes. Thank you, Mr. Chairman. I'd like to say a few things. The 1998 law that Ms. Andruch is referring to was actually started—put into effect by law by Senator Feinstein at my request due to the actions of Ambassador Mabus. I went to see Senator Feinstein in 1997, and she was impressed with the work that Ambassador Mabus had done holding the visas up. That was so successful. That was our big hook. And therefore she passed a law attached to an omnibus bill. Unfortunately, the other Members would not go for it if it included the extended families.

I was just listening to what was being discussed concerning the removal of the immediate families from the visa ineligibility, and so therefore when my daughter Aisha—I was informed that she was married the day before the June 12th hearing, she was 19. So by marrying her off, he rewarded the other family members by enabling them to come into the country. And the only hook that we had when Ambassador Mabus was helping me was the visas, as he has testified to and as I have told everybody and their uncle for the last 7 years. The visa—the power of the visa is extremely, ex-

tremely important. It made them pay attention, and it empowered the other members of the American embassy, the Consul General and other people that worked in the visa department.

As soon as Wyche Fowler came in, Ambassador Mabus had met with the Crown Prince concerning this issue of the relative who wanted to come to M.D. Anderson for cancer treatment, and he released him. And the Crown Prince, as Ambassador Mabus has testified, was agreeing that this was very good and this was powerful, and we were very heartened. The Ambassador called me, and we were heartened that the girls would be released, and unfortunately the Ambassador resigned 2 weeks later.

Khobar Towers happened a couple of weeks after that, and then Glen Carey, who was the Acting Consul General, would not even take my calls. I told him that the Ambassador had gotten the—permission from the Crown Prince of a point man being appointed, Abdul Mufano Tuwajmi. You remember that. And Glen Carey would not even take that information down. They would not even go back to the Crown Prince to make the final arrangements. And when Wyche Fowler came in, of course the whole visa lift was removed.

Mr. OSE. Mr. Crocker, I don't want to diverge from it. Is Glen Carey still—I guess maybe, Ms. Andruch, this is better for you. Is Glen Carey still at the—in Consular Affairs?

Ms. ANDRUCH. I don't know, sir. I know the name, but I don't know if he is still a current member or if he is retired or where he is, but I can find out.

Mr. OSE. Consider that asked for the record, please.

Ms. ANDRUCH. Yes, sir.

Mr. OSE. All right. Ms. Roush, please continue.

Ms. ROUSH. Yes. I have a couple of other comments. Mr. Petruzzello testified that Mr. Adel Jubeir got involved at the request of Bill O'Reilly when O'Reilly had him on his television show. He actually set the wheels in motion when he requested to be able to interview my daughters. O'Reilly called me and asked me if that was OK, and I said absolutely not, that this was undermining the work of the committee that was—the CODEL that was going and that we requested Congressman Burton not to meet with my girls because of the innately coercive environment in Saudi Arabia. And I asked Mr. O'Reilly, please do not do this, and he said, oh, well, you've got 24 hours to think about it. Let me know. And then he spoke to the Congressman. I'm not sure what the gist of that conversation was, but I'm sure the Congressman did not encourage him to do that.

And then I just want to say, you know what? Last year when I got the call from the State Department telling me that Alia was married a year ago June, I thought that was the most painful moment of my life, that everything that I worked for to have my daughters returned was just gone up into smoke, but I didn't know that the year—ongoing year would cause me so much pain. My 17-year journey with this awful tragedy nightmare that happened to me and my family, this last year has been the most—one of the most painful years, starting with the marriage of Alia. The trickery and chicanery that has been played on my family and on me has

caused me so much pain this last year. It is amazing that my heart still beats.

Going back, if I could, it goes back to—you're talking about staged events of my daughters. My girls were subject to a videotaping when they were only in Saudi Arabia for 10 months. They were taped by the Saudi Arabia Government when they were 4 and 8, and they were forced to say things against me and the United States. That went on.

Then there's a continual trickery and charades all through the 17-year history, and I have to say one thing, that this document has come to light that I must address. I don't know, Mr. Ose, if you're aware of this.

This is the document that was created in May 24, 1997 by Mazan Shaban, who is the foreign service national at the American embassy in Riyadh. He's been at the American Embassy for over 20 years, and he was there at the original taping when my girls were taped by the Saudi Government in 1986. He was in the room with me when I met my girls in 1995. He was acting as a translator. Ambassador Mabus was at the post then. To my knowledge, no document was created after that meeting, but this document was created 2 years later when Wyche Fowler was there and when I was getting a tremendous amount of press from 20/20 and other media. And this document came to light through the subpoena of documents from the American Embassy and the State Department, and it contains information—it's four pages long. It's Mazan Shaban's recollection of the meeting between Patricia Roush and her daughters on June 13, 1995. He has such lies, disinformation in this, that it made me sick when I read it.

I just showed it to Ambassador Mabus. He wasn't aware of it either. It states that my girls were laughing at me, calling me a prostitute in Arabic, absurd statements that daughters would certainly never make for their mother, saying that they didn't want to come to the United States to be prostitutes like their mother, that I was a fool, that they didn't want anything to do with me, that I was acting like a nut case. I mean, it's totally preposterous, and it states even—he even puts people there that weren't even there. He says al-Wahtoibe, who is the Assistant Deputy Governor of Riyadh was there. He wasn't there.

The point is that my family and I have been subjected to nothing but lies and tricks for 17 years and that the Department of State has been complicit in these tricks, and the latest trick has been this staged Stalinistic show trial that happened over Labor Day weekend. I can't tell you, Mr. Chairman, and other Members, how this has hurt me so much. That weekend of Labor Day, I didn't think I was going to make it through the weekend. First, I got a call from Randy Carlino. I was speaking to Jim Wilson, Counsel, and I spoke to the Congressman there a couple days before. Then on Saturday, August 30th, after speaking with Jim, I received a call from Randy Carlino from the American Citizen Services. This is on a Saturday afternoon, and I was expecting everything to go well. The CODEL was there. We were expecting the Foreign Minister, etc. And he says, Ms. Roush, this is Randy Carlino from American Citizen Services. I'm calling to tell you that your daughters are in Europe. And I said what do you mean they're in Eu-

rope? I just spoke to Jim Wilson. They didn't say anything. What country are they in? He said I can't tell you that. We called to ask your permission for a member of the American embassy in Europe to take down a statement concerning where they want to live. I said absolutely not. Al-Jubeir had requested this statement to be taken down from Assistant Secretary of State Bill Burns in July. Ever since our hearing in June, al-Jubeir had been looking for an inroad where a statement would be taken down concerning where my daughters wanted to live.

Al-Jubeir then and—well, let's go back to Labor Day. So that was that, and then I called Saudi Arabia to speak to the CODEL and say look what's happening. They're somewhere in Europe. Do you know anything about this? And they didn't know anything about this. And then I received a call from Bill McGurn, from the Wall Street Journal, who had met with al-Jubeir and other members of—Petruzzello was there—in New York a couple of weeks before that, and they were talking about my case. So al-Jubeir on that same Saturday night called Bill McGurn in New York, and he says, they're in London. We got them to London. They're on vacation. And Bill said, you know, this wasn't a good move. This wasn't good. This wasn't a good thing. And Jubeir was gloating about it. And he said, well, what are you girls going to do when they're in London? And Jubeir said they're going to visit Big Ben and go to the cinema. And then on Saturday—or sorry, Sunday morning, the State Department called to read me the official statement after the consular officer had been there. And then I received a call that evening from Donna Abernasser, who is the Associated Press Writer from London, an Arabic-speaking woman who has written many, many articles about the Saudis in a very favorable light, and she was called, not by my daughters, I'm sure, to take down the statement that the Saudis included—Petruzzello included in the green folder, material that says my girls—one of my girls said I won't rest until she dies. Statements like that, just to hurt me.

And then the next—2 days after that, I received a call from Bill O'Reilly's producer, and she said, we interviewed your daughters in London. And I said, what do you mean you interviewed my daughters in London? How could this happen? And she said, well, we want you to be on a show tonight, Pat. And I said, I'm not going to go through that. You interviewed my daughters? She said, well, we couldn't get them on tape, but we were able to send a producer from San Diego to talk to them, and we want to have you on the show. I said, I'm not going to be part of some kind of a setup. And she said oh, no, Pat, don't worry. It looks like your daughters were under extreme duress and coerced and that your youngest daughter, Aisha, seemed very confused why these people are being brought before her and why she was taken to London in this fancy hotel and various people are parading before her and her sister. Don't worry, Pat. We would never do that to you. And she said—I said, well, just tell me a little bit more. I don't know anything about my girls. What do they look like? What are they saying? And she said, well, just between you and me, it looks like your ex-husband was there, and it looks like his brothers were there.

Mr. OSE. If I may interject, Mr. Crocker, Ms. Andruch, do you know whether or not the ex-husband was in fact there in London?

Ms. ANDRUCH. If they were—I think that the husband's—the ex-husband, I don't know. I know that—

Mr. OSE. We're talking about Ms. Roush's ex-husband.

Ms. ANDRUCH. Right. I don't know. I know he was not present when the consular officer met with him.

Mr. OSE. How about any of the brothers?

Ms. ANDRUCH. No, sir, I'm not aware of them. I mean, I know there were other family members there. I just don't know who they were.

Mr. OSE. Thank you.

Ms. ROUSH. The point is that this whole thing in London was contrived and staged, and then Bill O'Reilly has the nerve to quote Osama bin Laden, to say that my—they asked my little girl, who's 20 years old, who is actually very childlike, who has no idea what is what in the whole world, and he berated her for saying that Osama bin Laden was a clean and peaceful man. And then he goes on for 7 continuous days on his television show and berates my daughters and says that they're brainwashed and that they're not worth saving. He gets on—well, Congressman, you were on with him. You know what I'm saying. He has written my daughters off. He has been the jury and the judge and the executioner of my daughters in front of American media, and this whole Stalinist show trial has caused me so much pain and grief. And the only way to set that straight is to allow my innocent daughters and my little granddaughter to be able to come to the United States into my home in Sacramento, California and to be able to come and know the mother that loves them.

Mr. BURTON [presiding]. Let me just say that I—we know from witnesses that we've had before us that young women have been told to say one thing before embassy officials under the threat of death if they didn't comply, and then when they did get out of Saudi Arabia and came to the United States we found out just the opposite was true. So I don't think there's any way that anybody can believe what was said in London by your daughters, because nobody understands or knows the pressure that they may have been under. I do know that when they talked to the embassy official there, the consular officer, they had their abayas off. And when asked to sign the document that they had just concluded, they said they couldn't do that. They had to have their husbands look at it. And they put their abayas back on. And according to what I've been told, they went to the back of the room and sat down while the husbands came in and looked at it. So the very strong possibility of them being under great pressure and duress is, in my opinion, very real.

And when you compare that to these others who have been told to say things to the embassy officials in Riyadh and then to find out when they were finally freed that they said something entirely different when they could speak without being scared to death, it sure stands to follow that your daughters faced the same kind of thing. And I agree with you. The only way for the Saudi Government to make a clean breast of this is to let your daughters come to the United States with your granddaughter and to talk to you, and then if they choose to go back to Saudi Arabia, we're not going to hold them. They will have a passport and they will be able to

do as they wish. But we don't know that's the case based upon what we saw in London.

So I would say to the Saudis if they were here, and I presume somebody from the Saudi Arabian Government is paying attention, that bring them to the United States with the granddaughter without being under duress from any male pressure point in Saudi Arabia, and let them express what they want to do with the rest of their lives. And if they want to go back, then of course you'll have to let them go back. But if they don't want to go back, then they will be in the United States.

Any further questions? Mr. Horn, do you have any questions? Mr. Ose?

Well, I know you've been here a long time, and, you know, I have to tell you, Ambassador Mabus, I admire you. I have never met you, but you did the right thing under a great deal of pressure over there, and I really wish we had more Ambassadors like you, and the State Department here, and if you can find any more relatives of his that are like him, let's get him back over there or—I don't care whether you're Democrat or Republican, it makes no difference to me. You did the right thing.

Ms. Roush, we'll continue to fight for you. I promise you. I promise you.

And Mr. Crocker and Ms. Andruch, I hope that you will take the message that we, the committee, very carefully explained today, back to the State Department, along with the recommendations that we've made, and hopefully that they will be adopted without legislative action. But if you need legislative action, rest assured that we'll get it. And as you heard—you were here today. You heard Democrats, Republicans unanimously say, hey, we're all for these changes. So let's get these changes made and make sure we protect Americans and their kids no matter where.

Ms. ANDRUCH. Thank you. I would like to just say again we do appreciate everything you're doing. I appreciate the opportunity to have come here again today, and I look forward to working with you and the committee.

Thank you.

Mr. BURTON. Thank you. Thank you, Mr. Crocker, and give my regards to Secretary Powell. And could I get you to answer some written questions for the record since we didn't get that? I know you don't want to stay here all night and have me ask them all. So I'll send them to you. Thank you very much.

We stand adjourned.

[Whereupon, at 3:52 p.m., the committee was adjourned.]

[Exhibits provided by Margaret McClain and Samiah Seramur follow:]

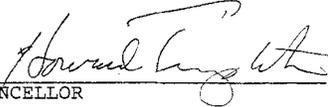
IN THE CHANCERY COURT OF CRAIGHEAD COUNTY, ARKANSAS
WESTERN DISTRICT

MARGARET [REDACTED] PETITIONER
v. NO. E-93-654
ABDULBASSET AL-OMARY RESPONDENT

THIRD EX PARTE ORDER OF PROTECTION

On this 2nd of August, 1993, came the Petitioner, through her attorney, James R. McCauley. The court, being well acquainted with the law and premises herein, found that this court's Ex-Parte Order of Protection in this matter should be extended until this matter may be heard in full on Monday, August 23, 1993, at 9:30 a.m., or as soon thereafter as the matter may be heard.

IT IS SO ORDERED.



CHANCELLOR
DATE: 8-5-93

FILED
NOV 8 1993
CRAIGHEAD COUNTY
CHANCERY
COURT CLERK

*EXHIBIT #1
*Order of Protection

MOONEY LAW FIRM
ATTORNEYS AT LAW
214 EAST WASHINGTON - P. O. BOX 1423
JONESBORO, ARKANSAS 72403-1423

CHARLES M. MOONEY, SR.
CHARLES M. MOONEY, JR.
TOM A. BENNETT-ASSOCIATE

PHONE: 501-935-3847
FAX: 501-935-4408

June 6, 1995

COPY

Mr. George R. Wadley
Ford & Wadley
Attorneys at Law
P. O. Box 1591
Jonesboro, AR 72403-1591

Re: [REDACTED] v. Al-Omary, Craighead Chancery
No. E 93-667

Dear Robin:

Please be advised that I have received a check from your client in the amount of \$20.00 towards the court ordered attorney's fee and costs. As set forth in my correspondence to you dated April 14, 1995, the total amount owed by your client is \$572.75.

Please take notice that it is my client's position that the court order does not provide that your client is entitled to make nominal installment payments nor have we agreed to the same. Therefore, demand is hereby made upon your client to forward the entire amount ordered and failure to do so within the next ten days will result in additional proceedings being filed against your client in this matter.

In addition to the foregoing, your client was ordered to obtain documentation from the government or courts of Saudi Arabia which reflect that country will recognize and enforce this court's jurisdiction regarding issues of custody and he was further ordered to provide me with copies of all documents executed by him in the furtherance of this purpose. It has now been over a month since the order was filed of record and my records reflect that I have not received any documentation in compliance with the court's order. Therefore, please be advised that I am hereby making a demand on behalf of my client for this documentation.

Page 2

Trusting your client will comply with the court's prior order, I am,

Cordially yours,

MOONEY LAW FIRM

ORIGINAL SIGNED BY
CHARLES M. MOONEY, JR.
Charles M. Mooney, Jr.

CMMjr:iw

cc: Ms. Margaret 

IN THE CHANCERY COURT OF CRAIGHEAD COUNTY, ARKANSAS
WESTERN DISTRICT

MARGARET [REDACTED]
VS.
ABDULBASET AL-OMARY

FILED
1993 AUG 23 P 12:22
CIRCUIT CLERK
PLAINTIFF/PETITIONER
NO. E -93-667
DEFENDANT/RESPONDENT

AGREED TEMPORARY ORDER

Comes now the Defendant, Abdulbaset Al-Omary, by and through his attorneys, Rees Law Firm, George R. Wadley, Jr., and state that the parties have reached an agreement as to temporary custody, temporary child support, visitation and other matters, and, based upon the agreement of the parties, the Court finds:

1. That the Court has jurisdiction over the parties and the subject matter herein.
2. That Plaintiff shall have temporary custody of the parties' minor child namely, Machael Heidi Al-Omary.
3. That Defendant shall have visitation with the parties' minor child on every other weekend from 10:00 a.m. on Sundays until 7:30 a.m. on Mondays beginning August 29, 1993, and every Tuesday and Thursday from 10:00 a.m. until 5:00 p.m. beginning August 24, 1993.
4. That neither party shall remove the minor child from the jurisdiction of the Court without consent in writing from the other party or permission from the Court.
5. Defendant shall pay child support in the amount of \$25.00 per week. Said support shall not abate upon Defendant's exercise of visitation with the parties' minor child. That said

support shall be paid into the registry of the Craighead County Chancery Court for the support and maintenance of the parties' minor child. Defendant shall pay an annual fee of \$24.00 per year to the Chancery Clerk in addition to his child support payment. The first fee collected shall be pro-rated for the number of months remaining in the calendar year and thereafter the annual fee will be paid during the month of January each year. Both parties shall keep the Chancery Clerk advised of their addresses. That should a delinquency in the support occur hereunder in an amount equal to support payable for thirty (30) days, then Husband's current payor and/or successor payors, after notice as provided by law, are hereby directed to deduct from money due Husband, a sufficient amount to satisfy the obligation, plus an additional percentage as provided by law to be applied towards arrearage.

6. That Plaintiff shall have temporary possession of all personal property in her possession. That Defendant shall have temporary possession of all personal property currently in his possession in addition to certain books and other personal items currently at the residence of Plaintiff.

IT IS SO ORDERED.

Howard Templeton

CHANCELLOR

APPROVED:

James R. McCauley

James R. McCauley,
Attorney for Plaintiff

George R. Wadley, Jr.

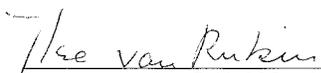
George R. Wadley, Jr.
Attorney for Defendant

von Rubin-McLaughlin, Inc.

Foreign Language Institute

State of Virginia
City of Virginia Beach, to-wit:

As Representative of the von Rubin-McLaughlin, Inc. Foreign Language Institute, I certify that the corresponding Certification from the United States of America Department of State is a true and correct translation to the best of my knowledge. The person who conducted this translation is certified and competent to perform this task.



Representative of von Rubin-McLaughlin, Inc.
Foreign Language Institute

The foregoing instrument was acknowledged before me

this 30th day of Nov, 1998.



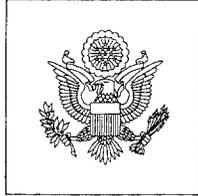
D. A. Zanot
Notary Public

My commission expires: March 31, 2002

***EXHIBIT #2**
***Custody/Divorce Decree**
***English/Arabic**

4455 South Boulevard, Suite 300 Virginia Beach, VA 23452
(757) 473-1468 Fax: (757) 473-3315
Toll Free: 1 (888) 899-1468
E-Mail: vrmnc@exis.net

No. 9822239-1
United States of America



DEPARTMENT OF STATE

To all to whom these presents shall come, Greetings:

I Certify That the document hereunto annexed is under the Seal of the Secretary of State of the State of Arkansas, and that such Seal is entitled to full faith and credit.*

In testimony whereof, I, Madeleine K. Albright, Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this fifth day of October, 1998.

Madeleine K. Albright
Secretary of State

By Ryan D. Howard
Assistant Authentication Officer,
Department of State

Issued pursuant to CHXIV, State of Sept. 15, 1789, 1 Stat. 68-69, 22 USC 2657, 22 USC 2651a, 5 USC 301, 28 USE 1733 et. seq.; 8 USC 1443(f); RULE 44 Federal Rules of Civil Procedure.

* FOR THE CONTENTS OF THE ANNEXED DOCUMENT, THE DEPARTMENT ASSUMES NO RESPONSIBILITY

This certificate is not valid if it is removed or altered in any way whatsoever

DEPARTMENT OF STATE CERTIFICATION IN WASHINGTON D. C.

هذه الوثيقة موقعة من طرف وزيرة الشؤون الخارجية للولايات المتحدة الأمريكية السيدة مادلين كاي. البرايت لتشهد على مصداقية النص الصادر في الوثيقة الملحة بهذه الشهادة و هي صادرة من طرف السيدة شارون بريست كاتبة الولاية لولاية أركانساس الأمريكية.

الولايات المتحدة الأمريكية
تحتها رمز وزارة خارجية الولايات المتحدة الأمريكية
وزارة الشؤون الخارجية

تحيتنا لمن يقرأ هذه الوثيقة

أشهد أن الوثيقة الملحقة بهذه الشهادة ختم من طرف كتابة الولاية لولاية أركانساس. و هذا الخاتم يستحق كل الثقة و التصديق *

بهذه الشهادة أنا، مادلين كاي البرايت، وزيرة
المكلفة بالشؤون الخارجية الأمريكية أضع الختم و
إسمي على هذه الوثيقة من طرف الضابط الموثق في
هذا الشأن، بمدينة واشنطن بمقاطعة كلومبيا،
في ٥ أكتوبر ١٩٩٨

توقيع وزيرة الشؤون الخارجية
مادلين كاي. البرايت

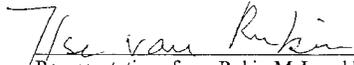
توقيع الضابط الموثق من طرف الوزارة
لا يظهر واضحا إلى إسمه الشخصي و هو بيتير.

* إن الوزارة لا تتحمل أي مسؤولية على محتوى
النص الصادر في الوثيقة الملحقة بهذه الشهادة.

von Rubin-McLaughlin, Inc.
Foreign Language Institute

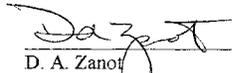
State of Virginia
City of Virginia Beach, to-wit:

As Representative of the von Rubin-McLaughlin, Inc. Foreign Language Institute, I certify that the corresponding Certification from the State of Arkansas is a true and correct translation to the best of my knowledge. The person who conducted this translation is certified and competent to perform this task.



Representative of von Rubin-McLaughlin, Inc.
Foreign Language Institute

The foregoing instrument was acknowledged before me
this 30th day of Nov, 1998.



D. A. Zanol
Notary Public

My commission expires: March 31, 2002

4455 South Boulevard, Suite 300 Virginia Beach, VA 23452
(757) 473-1468 Fax: (757) 473-3315
Toll Free: 1 (888) 899-1468
E-Mail: vrminc@exis.net

832

SHARON PRIEST
Secretary of State
State Capitol
Little Rock, Arkansas 72201-1094



Sharon Priest
SECRETARY OF STATE

**State of Arkansas
SECRETARY OF STATE**

CERTIFICATION

STATE OF ARKANSAS

COUNTY OF PULASKI)

I, Sharon Priest, Secretary of State, State of Arkansas, and as such the keeper of the official records of all state, district and county elected officials and appointments made by the Governor, do hereby certify that the records in this office reflect that

HOWARD TEMPLETON

is duly commissioned and qualified as Chancellor, District 2, Division 1, At-Large, of the State of Arkansas.



IN WITNESS WHEREOF, I, have hereunto set my hand and affixed the Seal of the Secretary of State on this the Twenty-eighth day of September, 1998

A handwritten signature in cursive script that reads "Sharon Priest".

Sharon Priest
Secretary of State
State of Arkansas

CERTIFICATION OF STATE OF ARKANSAS

هذه الوثيقة عبارة عن شهادة من كاتبة ولاية أركانساس السيدة شارون بريست

ولاية أركانساس
كاتبة الولاية

شهادة

ولاية أركانساس
إقليم بولا سكي

أنا الموقعة اسفله، شارون بريست، كاتبة الولاية لولاية أركانساس الأمريكية، والتي تحتفظ على كل الوثائق الرسمية للولاية من مقاطعات وأقاليم وكذلك رجال السلطة المعينين من طرف عامل ولاية أركانساس، و بموجب هذا أشهد أن

السيد هوارد تامبا لتون

هو الضابط المخلد والمسؤول بمقاطعة الثانية، و القسم الأول بولاية أركانساس.

وبهذا الخصوص أشهد أني وضحت خاتم كتابة الولاية وذلك في يوم ثمانية وعشرين من شهر سبتمبر ١٩٩٨.

تحت هذه الشهادة يظهر توقيع السيدة شارون بريست

شارون بريست
كاتبة الولاية
ولاية أركانساس

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: *United States of America*

This public document

2. has been signed by PAT FLEETWOOD

3. acting in the capacity of CRAIGHEAD COUNTY CIRCUIT/CHANCERY CLERK

4. bears the seal/stamp of CRAIGHEAD COUNTY CIRCUIT/CHANCERY CLERK

Certified

5. at Little Rock, Arkansas

6. the TWENTY-EIGHTH DAY OF AUGUST, 1998

7. by the Secretary of State, State of Arkansas

8. No. TA-135 .

9. Seal / Stamp



10. Signature:

Sharon Priest

Sharon Priest
Secretary of State

هامش

Apostille

معاهدة لاهاي ٥ أكتوبر ١٩٦١

١. البلد: الولايات المتحدة الأمريكية

هذا الملف الحكومي

٢. وقع من طرف السيد بات فلييتوود

٣. الموظف المسؤول بالمحكمة الإقليمية بكريهاد/كاتب محكمة تشانتاري

٤. تحمل إمضاء و خاتم كاتب المحكمة الإقليمية لكريهاد بتشانتاري

مصادق عليها

٥. بمدينة ليتل روك بولاية أركنساس

٦. بتاريخ ٢٨ أغسطس ١٩٩٨

٧. من طرف الكاتب الدولة لولاية أركنساس

٨. تحت رقم AT-١٣٤

٩. طابع/خاتم

١٠. توقيع

السيدة شارون بريست

كاتبة الدولة لولاية أركنساس

Von Rubin-McLaughlin, Inc.

Foreign Language Institute

4455 South Boulevard, Suite 300
Virginia Beach, Virginia 23452
(757) 473-1468 FAX (757) 473-3315
1-888-899-1468
E-Mail: vrminc@exis.net

State of Virginia
City of Virginia Beach, to-wit:

As Representative of the von Rubin-McLaughlin, Inc. Foreign Language Institute, I certify that the attached divorce decree, property settlement agreement and child visitation schedule in the case of Margaret McClain are true and correct translations to the best of my knowledge. The person who conducted this translation is certified and competent to perform this task.

von Rubin-McLaughlin, Inc. Foreign Language Institute is a private accredited institute.

D.A. Zanot
Representative of von Rubin-McLaughlin, Inc.
Foreign Language Institute

STATE OF VIRGINIA
CITY OF VIRGINIA BEACH

Sworn and subscribed before me
this the 23 day of September, 1998

[Signature]
NOTARY PUBLIC

My Commission Expires: 12-31-99

هامش

معاهدة لاهاي ٥ أكتوبر ١٩٦١

١. البلد: الولايات المتحدة الأمريكية

هذا الملف الحكومي

٢. وقع من طرف السيد بات فليتوود

٣. الموظف المسؤول بالمحكمة الإقليمية بكريهاد/كاتب محكمة تشانتاري

٤. تحمل إمضاء و خاتم كاتب المحكمة الإقليمية لكريهاد بتشانتاري

مصادق عليها

٥. بمدينة ليتل رالك بولاية أركنساس

٦. بتاريخ ٢٨ أغسطس ١٩٩٨

٧. من طرف الكاتب الدولة لولاية أركنساس

٨. تحت رقم AT-١٢٤

٩. طابع/خاتم

١٠. توقيع

السيدة شارون بريست

كاتبة الدولة لولاية أركنساس

محكمة تشانتاري بإقليم كريهاد بولاية أركانساس
المقاطعة الغربية

المدعي السيدة مارجاريت كيشاوارز
المدعي عليه السيد عبد الباسط العماري

حكم الطلاق

في هذا اليوم، وبعد مرور ثلاثين يوما على شكوى المدعية السيدة مارجاريت كيشاوارز. وقد تقدمت المدعية السيدة مارجاريت كيشاوارز أمامنا مصحوبة بمحاميتها السيد جيمز ماكولي. وحضر كذلك السيد المدعي عليه بصحبة محاميه السيد جورج آر واد لي. ومن خلال الشهادات والمرافعات وكذلك بشخص كشاهد مؤيد لشهادات المدعية. وبذلك قررت المحكمة على التالي:

١. المدعية السيدة مارجاريت كيشاوارز رقم الضمان الاجتماعي ٨٢٨١-٠٢-٤١٠٠٠٠٠٠. والقاطنة بعنوان التالي: ٥٠٤ واست تشاري بمدينة جونزبورو بولاية أركانساس وهي تعمل بجامعة ولاية أركانساس. والمدعي عليه السيد عبد الباسط العماري رقم الضمان الاجتماعي ٧١٦٣-٧٩-٤٢٠٠٠٠٠٠، والسكن بالعنوان التالي: ٣٠٥ سكوت مدينة جونزبورو ولاية أركانساس ٧٢٤٠١ والذي يعمل في جامعة ولاية أركانساس.

٢. إن الطرفين المتنازعين قد تزوجا في تاريخ أو ما قريبا من تاريخ ١٤ جندبر ١٩٨٩ في مدينة باراجولد بولاية أركانساس. وقد إفترقا بتاريخ أو ما قريبا من تاريخ ١٢ يوليوز ١٩٩٣ إن المدعية لها الحق في الطلاق وذلك بسبب عدم التلاؤم.

٣. إن الطرفين المتنازعين هما والدي لبنت إسمها مشايل هايدي العماري. المزدادة في ١١ يوليوز ١٩٩٢ المدعية لها الحق في الكفالة بالطفلة. والمدعي عليه الحق في زيارة إبنته حسب شروط الزيارات.

٤. المدعي عليه عبد الباسط العماري رقم الضمان الاجتماعي ٤٣٤٦-٦٣-٤٣٠٠٠٠٠٠ قد أصدر عنه أمر يدفع مقدار مالي شهري بمبلغ ٢٥٠ دولار أميركي. وذلك إلى السيدة المدعية لصفها على الطفلة. أول دفعة يجب تسليمها في ١ شتنبر ١٩٩٤. وهذه الدفعات يجب تسديدها عن طريق كاتب المحكمة تشانتيري بإقليم كريهاد بولاية أركانساس. ويدفع أيضا مبلغ ٢٤ دولار أميركي. كتأدية سنوية. وعلى هذا المال أن يقتطع من المدخول المالي للمدعي عليه من طرف مشغليه. وهذا المبلغ السنوي يسلم إلى العنوان التالي من طرف مشغل للمدعي عليه إلى الصندوق البريدي رقم ١٢٠ مدينة جونزبورو بولاية أركانساس. إن حكم الطلاق يعطي للمدعية الحرية في استعمال جميع الوثائق الإدارية بالمحكمة لكي تنفيذ مشغلين المدعي عليه بالإقتطاعات اللازمة كما ينص عليها حكم الطلاق. وعلى المدعي عليه أن يسدد المصاريف الإدارية كذلك.

٥. سكتت المدعية أكثر من خمسة سنوات بجونزبورو بإقليم كريهاد بولاية أركانساس. إن شكاوات المدعية ضد المدعي عليه بدأت في ولاية أركانساس خمسة سنوات من قبل قرار حكم الطلاق.

٦. و قد إتفقا المدعيان كتابيا على حق الكفالة بالطفلة، والمساعدة المالية، و عقدة إتفاقية إنقسام الممتلكات و التي تشمل جميع الحقوق الزوجية. و قد صادقت المحكمة على هذه البنود و أصبحت فضلا من حكم الطلاق. إن على المدعيان أن يعملوا على تطبيق شروط عقدة إتفاقية إنقسام الممتلكات. و هي كالتالي:

عقدة إتفاقية إنقسام الممتلكات

و في ما يلي يشار إلى السيدة مارجريت كيشاورز "الزوجة" و السيد عبد الباسط العماري و هو "الزوج" و من المعلوم أن هذا الزوجان قد إفترقا. و لقد رفعت الزوجة دعوة الطلاق في محكمة تشانتيري بإقليم كريهاد المقاطعة الغربية في ولاية أركانساس بتاريخ ١٢ يوليو ١٩٩٣. هذه العقدة شرع فيها لتسوية حقوق الطرفان المدعيان. هذه العقدة قابلة للتغيير.

١. المتحمل الرئيسي يا لرعاية با لطفلة: المتنزعان والدين لطفلة إسمها مشايل هايدي العماري المزدادة في ١١ يوليو ١٩٩٢. إن السيدة المدعية لها حق في التحمل الرئيسي برعاية الطفلة. لكل متنازع الحق في زيارة الطفلة. هذه الزيارات يجب أن تكون كما ينص عليها الإستعمال الزمني الموجود ضمن هذه الترجمة. عند غياب أحد الطرفين المتنازعين لما تكون الطفلة في حوزتهم. يجب عليهما توفير شخصا قادرا على الوفاة بالتزاماته بالطفلة عند غيابهما. و على أي طرف متنازع أن يضع في رهن إشارة الآخر جميع المعلومات لتسهيل العثور على الطفلة. و لا يباح لأي طرف من النزاع أن يسمح لأي ضيف من الجنس الآخر أن يقضى الليلة في المنزل. و لا يباح لأي متنازع أن يسافر با لطفلة خارج الحدود الجغرافية التي تحكم عليها هذه المحكمة. و في حالة ما إذا إضطر أحد الطرفين على السفر فيجب عليهما إذنا كتابيا من المحكمة. على السيد المدعي عليه أن يسلم المحكمة نسخة جواز سفره الحالي، كما أن عليه أن يعلن المدعية على أي تغيير يطرأ على جواز سفره و بالأخص الجزء الذي يخص بالطفلة في جواز السفر. و على المدعية أن توفر هذه المعلومات إلى المحكمة إذا طلب منها ذلك.

٢. المصارف المالية عل الطفلة: على الزوج أن يآدي للزوجة ٢٥٠ دولار أميركي في كل شهر و أول دفعة تبتدأ في اليوم الأول من شهر سبتمبر ١٩٩٤.

٣. التأمين على صحة الطفلة: إن الزوجة حا ليا مؤمنة طفلتها في برنامج تأمين صحي موفر لها من طرف جامعة ولاية أركانساس. إن المصروف السنوي على التأمين الصحي با لنسبة لأسرة كلها هو ٧٨٠ دولار أميركي و ٧٢ سنتيم الأميركي. لقد قرر المتنزعان على تأدية نصف المبلغ. و في

حالة عثور المدعي عليه ببرنامج صحي بثمن مناسب. إذا انسحب المدعي عليه من البرنامج الصحي الاسروي فعليه أن يتكفل أيضا بالتأمين الصحي لطفلة. و وافق الطرفان كذلك إلى أداء المبلغ المالي في النصف و ذلك فيما يتعلق بعلاجات التي تعوض عليها المؤسسات التأمين الصحية و ذلك فيما يخص علاج الاسنان و كذلك الطب القوم للأسنان المعوجة، و الطب المتخصص في البصارية.

٤. المستملكات الشخصية و الامتعة المنزلية: كل متنازع ستعطي إليه ممتلكاته الشخصية بحكم قضائي. و قد وافقت الزوجة على إرجاع الامتعة التي تركها الزوج لما إفترقا.

٥. التعويضات المالية: و لقد وافق الزوج على تادية مبلغ ٢٢٥٠ دولار أمريكي با لكامل و ذلك لتعويض جميع المال التي تطالب به الزوجة. و على الزوج تسد يد ٧٥ دولار شهريا حتى ينهي دينه.

٦. كلفة المحامين: كل طرف من النزاع مسؤول عن مصاريف محاميه

٧. عامه: كل الطرفين قد تخليا عن حق مطالبة النفقة على الزوجة و نصيب الأرملة في إرث زوجها. و الذي يستثنى من ذلك فهو التالي:

٨. لقد وافق الطرفان على إنجاز جميع الملفات و الأوراق الضرورية لتنفيذ شروط العقدة.

٩. هذه العقدة ستندمج مع حكم الطلاق و مع ذلك فإن الإندماج سوف لن يغير الطبيعة القضائية لهذه العقدة. و ذلك فيما يتعلق با لتحمل برعاية الطفلة، و الزيارات للطفلة، و تحمل مصاريف الطفلة.

يشهد أن الطرفان المتنازعا ن أمضيا هذه الوثيقة في ٢١ شتبر ١٩٩٤

الإمضاء الأول السيدة مارجاريت كيشاوارز "المدعية

الإمضاء الثاني السيد عبد الباسط العماري "المدعي عليه"

شهادة

ولاية أركانساس
إقليم كريهاد

إنني الموثق العدلي بالإقليم و الولاية المذكورين أعلاه أشهد أن في هذا اليوم تقدمت أمامي السيدة مارجاريت كيشاورز التي تشهد أمامي بأنها ستعمل بكل ما جاء في عقدة إتفاقية إنقسام الممتلكات.
أشهد على ذلك بإمضاءي وخاتمي الذي تنتهي صلاحيته في ١٨ أكتوبر ٢٠٠١ الموثق العدلي تيري رايت. وحرر بتاريخ ٢١ ستمبر ١٩٩٤

شهادة

ولاية أركانساس
إقليم كريهاد

إنني الموثق العدلي بالإقليم و الولاية المذكورين أعلاه أشهد أن في هذا اليوم تقدم أمامي السيد عبدالباسط العماري الذي يشهد أمامي بأنه سيعمل بكل ما جاء في عقدة إتفاقية إنقسام الممتلكات.
أشهد على ذلك بإمضاءي وخاتمي الذي تنتهي صلاحيته في ٢٦ فبراير ٢٠٠١ الموثق العدلي نيمبارلي كوكي وحرر بتاريخ ٢٠ ستمبر ١٩٩٢

البرامج المعدل للزيارات لمحكمة تشانتييري

- برامج الزيارات للأطفال الذين عمرهم خمسة سنوات أو أكثر التي هي للوالدين اللذين ليس لهم الحق الرئيسي في الكفالة بالطفل. و في أية حالة فإن المحكمة تغير غيابيا في قضية شرعية:
١. التناوب عند عطلة أحر الأسبوع - و تبدأ على الساعة الخامسة بعد الظهر من يوم كل الجمعة و تستمر حتى الساعة السادسة من عشية كل يوم الأحد.
 ٢. التناوب على الاعياد الرئيسية و هي عيد الفصح و عيد يوم الذكرى و عيد الإستقلال و عيد الشغل و عيد الشكر و هو يوم الخميس الأخير من شهر نوفمبر. عندما تسمح المدارس للأطفال أياما إضافية في العطل مثل عيد الشكر الذي يبدأ من يوم الخميس في عوض يوم الجمعة. فإن الزيارة تعتبر كعطلة تبدأ يوم الخميس و تنتهي يوم الأحد.
 ٣. عند ما تعطي المدارس عطلة فصل الربيع فإن هذه العطلة تعتبر مثل العيد فعلى الطرفان أن يتناوبا عليها.
 ٤. زيارة عيد المسيح تبدأ عندما تقفل المدارس أبوابها حتى الساعة التاسعة مساءً من ليلة السابقة لعيد المسيح. و تبدأ الزيارة عند الطرف الآخر من الساعة ٩ ليلا إلى ٦ مساءً من ليلة واحدة قبل بداية المدرسة. و في السنة الاحقة يتناوب الطرفان في عن الفترة الاولى و الفترة الثانية من عطلة عيد المسيح.
 ٥. إن أب له الحق دائما في الزيارة إذا كان ذلك العيد عيد الأب. و الأم لها الحق كذلك الإحتفاظ بالأطفال إذا كان ذلك العيد عيد الأم.
 ٦. أعياد ميلاد الأطفال يجب أن تكون في تناوب إذا كان مرغوب أو معمول به.
 ٧. إن الزيارة في العطلة الصيفية هي ستة أسابيع. على الطرف المسؤول أن يقسمها إلى أسبوعين أو ثلاثة أسابيع في المرة. و إذا أراد الطرف الغير الرئيسي في رعاية الطفل أن يقضي ستة أسابيع بدون إنقطاع فإن الراعي الرسمي له الحق في الطفل يومين في كل ثلاثة أسابيع. و على الطرفان ببدا مجهودا كافيا لجعل أوقات الزيارة في العطلة الصيفية أوقات تقضى مع الطرفين بعهد.
 ٨. إن الزيارات المنصوص عليها أعلاه هي زيادة على كل الزيارات المعقولة
 ٩. لا يباح للراعي الرسمي أن ينهي الزيارة على الطرف الآخر و لو كان السبب عدم تسديده للدفع الشهري.
 ١٠. إن الزيارات للأطفال التي أعمارهم تحت خمسة سنوات تقرر فيها المحكمة و مع ذلك فإنها على العموم تشبه شروط زيارة الأطفال خمسة سنوات و ما أكثر.
 ١١. من أنهم هذه الشروط فإنه سيواجه بغرامة مالية، بالسجن، أو الحرمان من زيارة الأطفال، و كذلك عقوبات أخرى من طرف المحكمة.

من المعمول أن هذا الزواج يعتبر مفسوخاً بين المدعية مارجاريت كيشاورز و السيد عبدالباسط العماري. لقد أبيع يا لطلاق يا لمدعية. ولقد أعطى الحق للمدعية للرعاية الرسمية بالطفلة. و للمدعي عليه الحق في الزيارة و كما ينص عليهاحكم الطلاق. و على المدعي عليه أن يدفع للمدعي قدرأ مالي شهري بمبلغ ٢٥٠ دولار امريكي. و على المدعي عليه أن يؤدي هذا المبلغ عن طريق كاتب محكمة تشانتيري بإقليم كريهاد ولاية أركانساس. و على المدعي عليه أن يؤدي أي مبلغ يدخل في مصايف المحكمة. و زيادة على ذلك فإن مشغل المدعي عليه أن يقتطع المبلغ المالي لمصاريف الطفلة. و كذلك يجب على مشغل المدعي عليه ١٠٪ من المبلغ الشهري و التي على المحكمة أن تحتفظ به و ذلك لإستعماله في تسديد دين أي حق شرعي. و يستعمل هذا المال إذا ما لم يسدد المدعي عليه الدفعة الشهرية. و هكذا تتبنى المحكمة حكم الطلاق المكتوب كمثل على الطرفين المتنزعين أن يعملوا به

مصادق عليه

من طرف المدعية المحامي السيد جيمز هاكولي

من طرف المدعي عليه السيد جورج آر وادلي

من طرف قاضي المحكمة الذي ليس إسمه واضحاً للمترجم.

و حرر في ٢٤ شتنبر ١٩٩٤

شهادة مسجلة
نسخة مصادق عليها

ولاية أركانساس
إقليم كريهاد

أنا، السيد بات فليتوود الكاتب العنلي لمحكمة تشانتاري و الموجودة كما هو مذكور أعلاه. أشهد أن جميع هذه الوثائق مشأ بهة للنسخ الأصلية في. (هذه كلمة غير واضحة للمترجم). رقم كتاب التسجيل ١٣٧ الموجودة في صفحة رقم ٦٤٩. أشهد على أن هذه الوثائق صحيحة بعد مقارنتها بالنسخ الأصلية و حرر في ٢٦ ستمبر ١٩٩٤ الإمضاء السيد بات فليتوود

٥. سكنت المدعية أكثر من خمسة سنوات بجوزبور و بإقليم كريهاد بولاية أركانساس. إن شكاوات المدعية ضد المدعي عليه بدأت في ولاية أركانساس خمسة سنوات من قبل قرار حكم الطلاق.

٦. و قد إتفقا المدعيان كتابيا على حق الكفالة بالطفلة، والمساعدة المالية، و عقدة إتفاقية إنقسام الممتلكات و التي تشمل جميع الحقوق الزوجية. و قد صادقت المحكمة على هذه البنود و أصبحت فصلا من حكم الطلاق. إن على المدعيان أن يعملوا على تطبيق شروط عقدة إتفاقية إنقسام الممتلكات. و هي كالتالي:

عقدة إتفاقية إنقسام الممتلكات

PSA

و في ما يلي يشار إلى السيدة مارجريت كيشاورز "الزوجة" و السيد عبد الباسط العماري و هو "الزوج" و من المعلوم أن هذا الزوجان قد إفترقا. و لقد رفعت الزوجة دعوة الطلاق في محكمة تشانتيري بإقليم كريهاد المقاطعة الغربية في ولاية أركانساس بتاريخ ١٣ يوليو ١٩٩٢. هذه العقدة شرع فيها لتسوية حقوق الطرفان المدعيان. هذه العقدة قابلة للتغيير.

١. المتحمل الرئيسي يا لرعاية يا لطفلة: المتزعان والحين لطفلة إسمها مشايل هايدي العماري المزدانة في ١١ يوليو ١٩٩٢. إن السيدة المدعية لها حق في التحمل الرئيسي برعاية الطفلة. لكل متنازع الحق في زيارة الطفلة. هذه الزيارات يجب أن تكون كما ينص عليها الإستعمال الزمني الموجود ضمن هذه الترجمة. عند غياب أحد الطرفين المتنازعين لما تكون الطفلة في حوزتهم. يجب عليهما توفير شخصا قادرا على الوفاة بالتزاماته بالطفلة عند غيابهما. و على أي طرف متنازع أن يضع في رهن إشارة الآخر جميع المعلومات لتسهيل العثور على الطفلة. و لا يباح لأي طرف من النزاع أن يسمح لأي ضيف من الجنس الآخر أن يقضي الليلة في المنزل. و لا يباح لأي متنازع أن يسافر با لطفلة خارج الحدود الجغرافية التي تحكم عليها هذه المحكمة. و في حالة ما إذا إضطرت أحد الطرفين على السفر فيجب عليهما إذا كتبا من المحكمة. على السيد المدعي عليه أن يسلم المحكمة نسخة جواز سفره الحالي، كما أن عليه أن يعلن المدعية على أي تغيير بطرأ على جواز سفره و بالأخص الجزء الذي يخص بالطفلة في جواز السفر. و على المدعية أن توفر هذه المعلومات إلى المحكمة إذا طلب منها ذلك.

٢. المصارف المالية على الطفلة: على الزوج أن يادي للزوجة ٢٥٠ دولار أميركي في كل شهر و أول دفعة تبتدأ في اليوم الأول من شهر سبتمبر ١٩٩٤.

٣. التأمين على صحة الطفلة: إن الزوجة حاليها مؤمنة طفلتها في برنامج تأمين صحي موفر لها من طرف جامعة ولاية أركانساس. إن المصروف السنوي على التأمين الصحي بالنسبة لأسرة كلها هو ٧٨٠ دولار أميركي و ٧٢ سنتيم أميركي. لقد قرر المتزعان على تأدية نصف المبلغ. و في

حالة عبور المدعي عليه ببرنامج صحي بثمن مناسب. إذا إسحب المدعي عليه من البرنامج الصحي الأسروي فعليه أن يتكفل أيضا بالتأمين الصحي لطفلة. ووافق الطرفان كذلك إلى أداء المبلغ المالي في النصف وذلك فيما يتعلق بعلاجات التي تعوض عليها المؤسسات التأمين الصحية. وذلك فيما يخص علاج الأسنان وكذلك الطب القوم للأسنان المعوجة، و الطب المتخصص في المصارية.

٤. المستملكات الشخصية و الامتعة المنزلية: كل متنازع ستعطي إليه ممتلكاته الشخصية بحكم قضائي. و قد وافقت الزوجة على إرجاع الامتعة التي تركها الزوج لما إفترا.

٥. التعويضات المالية: ولقد وافق الزوج على تادية مبلغ ٢٢٥٠ دولار أمريكي بالكامل وذلك لتعويض جميع المال التي تطالب به الزوجة. وعلى الزوج تسديد ٧٥ دولار شهريا حتى ينهي دينه.

٦. كلفة المحامين: كل طرف من النزاع مسؤول عن مصاريف محاميه

٧. عامه: كل الطرفين قد تخليا عن حق خطا لبة النفقة على الزوجة و نصيب الارملة في إرث زوجها. و الذي يستنتا من ذلك فهو التالي:

٨. لقد وافق الطرفان على إنجاز جميع الملفات و الأوراق الضرورية لتنفيذ شروط العقدة.

٩. هذه العقدة ستندمج مع حكم الطلاق و مع ذلك فإن الإندماج سوف لن يغير الطبيعة القضائية لهذه العقدة. و ذلك فيما يتعلق با لتحمل برعاية الطفلة، و الزيارات للطفلة، و تحمّل مصاريف الطفلة.

يشهد أن الطرفان المتنازعا أمضيا هذه الوثيقة في ٢١ شتنبر ١٩٩٤

الإمضاء الأول السيدة مارجاريت كيشاوارز "المدعية

الإمضاء الثاني السيد عبد الباسط العماري "المدعي عليه"

ACKNOWLEDGEMENT

شهادة

ولاية أركانساس
إقليم كريهاد

إنني الموثق العدلي بالإقليم والولاية المذكورين أعلاه أشهد أن في هذا اليوم تقدمت أمامي السيدة مارجاريت كيشاوارز التي تشهد أمامي بأنها ستعمل بكل ما جاء في عقدة إتفاقية إنقسام الممتلكات.
أشهد على ذلك بإمضائي وخاتمي الذي تنتهي صلاحيته في ١٨ أكتوبر ٢٠٠١ الموثق العدلي تيري رايت. وحرر بتاريخ ٢١ ستمبر ١٩٩٤

شهادة

ولاية أركانساس
إقليم كريهاد

إنني الموثق العدلي بالإقليم والولاية المذكورين أعلاه أشهد أن في هذا اليوم تقدم أمامي السيد عبدالباسط العماري الذي يشهد أمامي بأنه سيعمل بكل ما جاء في عقدة إتفاقية إنقسام الممتلكات.
أشهد على ذلك بإمضائي وخاتمي الذي تنتهي صلاحيته في ٢٦ فبراير ٢٠٠١ الموثق العدلي نيمبارلي كوكي وحرر بتاريخ ٢٠ ستمبر ١٩٩٢

VISITATION

البرامج المعدل للزيارات لمحكمة تشانتيري

- برامج الزيارات للأطفال الذين عمرهم خمسة سنوات أو أكثر التي هي للوالدين اللذين ليس لهم الحق الرئيسي في الكفالة بالطفل. وفي أية حالة فإن المحكمة تغير غيابيا في قضية شرعية:
1. التناوب عند عطلة أحر الأسبوع - وتبدأ على الساعة الخامسة بعد الظهر من يوم كل الجمعة وتستمر حتى الساعة السادسة من عشية كل يوم الأحد.
 2. التناوب على الأعياد الرئيسية وهي عيد الفصح و عيد يوم الذكرى و عيد الإستقلال و عيد الشغل و عيد الشكر و هو يوم الخميس الأخير من شهر نوفمبر. عندما تسمح المدارس الأطفال أياما إضافية في العطل مثل عيد الشكر الذي يبدأ من يوم الخميس في عوض يوم الجمعة. فإن الزيارة تعتبر كعطلة تبدأ يوم الخميس و تنتهي يوم الأحد.
 3. عند ما تعطى المدارس عطلة فصل الربيع فإن هذه العطلة تعتبر مثل العيد فعلى الطرفان أن يتناوبا عليها.
 4. زيارة عيد المسيح تبدأ عندما تقفل المدارس أبوابها حتى الساعة الساعة 9 مساء من ليلة السابقة لعيد المسيح. وتبدأ الزيارة عند الطرف الآخر من الساعة 9 ليلا إلى 6 مساء من ليلة واحدة قبل بداية المدرسة. وفي السنة الاحقة يتناوب الطرفان في عن الفترة الأولى و الفترة الثانية من عطلة عيد المسيح.
 5. إن أب له الحق دائما في الزيارة إذا كان ذلك العيد عيد الأب. و الأم لها الحق كذلك الإحتفاظ بالأطفال إذا كان ذلك العيد عيد الأم.
 6. أعياد ميلاد الأطفال يجب أن تكون في تناوب إذا كان مرغوب أو معمول به.
 7. إن الزيارة في العطلة الصيفية هي ستة أسابيع. على الطرف المسؤول أن يقسمها إلى أسبوعين أو ثلاثة أسابيع في المرة. وإذا أراد الطرف الغير الرئيسي في رعاية الطفل أن يقضي ستة أسابيع بدون إنقطاع فإن الراعي الرسمي له الحق في الطفل يومين في كل ثلاثة أسابيع. و على الطرفان بيديلا مجهودا كافي لجعل أوقات الزيارة في العطلة الصيفية أوقات تقضى مع الطرفين بعدل.
 8. إن الزيارات المنصوص عليها أعلاه هي زيادة على كل الزيارات المعقولة
 9. لا يباح للراعي الرسمي أن ينهي الزيارة على الطرف الآخر ولو كان السبب عدم تسديده للدفع الشهري.
 10. إن الزيارات للأطفال التي أعمارهم تحت خمسة سنوات تقرر فيها المحكمة و مع ذلك فإنها على العموم تشبه شروط زيارة الأطفال خمسة سنوات و ما أكثر.
 11. من أنهك هذه الشروط فإنه سيواجه بغرامة مالية، بالسجن، أو الحرمان من زيارة الأطفال، و كذلك عقوبات أخرى من طرف المحكمة.

divorce

من المعمول أن هذا الزواج يعتبر مفسوخا بين المدعية مارجاريت كيشاورز و السيد عبدالباسط العماري. لقد أبيع با لطلاق با لمدعية. و لقد أعطى الحق للمدعية للرعاية الرسمية بالطفلة. و للمدعي عليه الحق في الزيارة و كما ينص عليهاحكم الطلاق. و على المدعي عليه أن يدفع للمدعي قدرا مالي شهري بمبلغ ٢٥٠ دولار أمريكي. و على المدعي عليه أن يادي هذا المبلغ عن طريق كاتب محكمة تشانتيري بإقليم كريهاد ولاية أركانساس. و على المدعي عليه أن يادي أي مبلغ يدخل في مصايف المحكمة. و زيادة على ذلك فإن مشغل المدعي عليه أن يقتطع المبلغ المالي لمصاريف الطفلة. و كذلك يجب على مشغل المدعي عليه ١٠٪ من المبلغ الشهري و التي على المحكمة أن تحتفظ به و ذلك لإستعماله في تسديد دين أي حق شرعي. و يستعمل هذا المال إذا ما لم يسدد المدعي عليه الدفعة الشهرية. و هكذا تتبنى المحكمة حكم الطلاق المكتوب كمثل على الطرفين المتنزعين أن يعملوا به

مصادق عليه

من طرف المدعية المحامي السيد جيمز ماكولي

من طرف المدعي عليه السيد جورج آر واد لي

من طرف قاضي المحكمة الذي ليس إسمه واضحا للمترجم.

و حرر في ٢٤ شتنبر ١٩٩٤

Certificate of Record

شهادة مسجلة
نسخة مصادق عليها

ولاية أركانساس
إقليم كريهاد

أنا، السيد بات فليتوود الكاتب العدلي لمحكمة تشانتاري و الموجودة كما هو مذكور أعلاه. أشهد أن جميع هذه الوثائق مشا بهة للنسخ الاصلية في (هذه كلمة غير واضحة للمترجم). رقم كتاب التسجيل ١٢٧ الموجودة في صفحة رقم ٦٤٩. أشهد على أن هذه الوثائق صحيحة بعد مقارنتها بالنسخ الاصلية و حرر في ٢٦ شتنبر ١٩٩٤
الإمضاء السيد بات فليتوود

IN THE CHANCERY COURT OF CRAIGHEAD COUNTY, ARKANSAS
WESTERN DISTRICT

MARGARET KESHAWARZ

v.

ABDULBASSET AL-OMARY

FILED

1994 SEP 26 P 1:49

PLAINTIFF

NO. E-93-667 AT FLEETWOOD
CIRCUIT AND CHANCERY
COURT CLERK

DEFENDANT

DECREE OF DIVORCE

On this date, this cause comes on to be heard on the verified Complaint of Plaintiff Margaret Keshawarz which has been filed for more than 30 days last past. Plaintiff Margaret Keshawarz appears in person and by her attorney, James McCauley. Defendant appears in person and by his attorney, George R. Wadley. From the pleadings and the sworn testimony of Plaintiff and one corroborating witness, the court finds as follows:

1. Plaintiff Margaret Keshawarz, Social Security No. 410-02-8281, currently resides at 504 West Cherry, Jonesboro, Arkansas, and is employed by Arkansas State University. Defendant Abdulbaset Al-Omary, Social Security No. 430-79-7163, resides at 305 Scott Jonesboro, AR 72401 and is employed at Arkansas State University.

2. The parties were married on or about December 14, 1989, in Paragould, Arkansas. They were last separated on or about July 12, 1993. Plaintiff is entitled to a divorce on the grounds of general indignities.

3. The parties are the parents of one minor children, Machael Heidi Al-Omary, a girl, born July 11, 1992. Plaintiff is entitled to be granted custody of the minor children subject to Defendant's right of reasonable visitation.

4. Defendant, Abdulbaset Al-Omary, Social Security No. ~~430-63-4346~~, is hereby ordered to contribute the sum of \$250.00 per month, to the Plaintiff for support of the minor child with the first payment being due on September 1, 1994. These payments shall be made through the Clerk of the Chancery Court of Craighead County, Arkansas along with a \$24.00 per year administrative fee to be paid to the Clerk. Such sum is ordered withheld from the money, income, or periodic earnings due Defendant in the event he becomes gainfully employed, and shall be remitted by the employer to the Clerk of this Court at P. O. Box 120, Jonesboro, Arkansas 72401. The Plaintiff shall, at the time of entry of this decree, complete and cause to be filed herein any and all forms necessary to notify any employer of the Defendant or any subsequent employer, of the income withholding provisions of this decree. The cost incurred in providing the notice to the employer shall be paid by the Defendant at the time such Decree is filed with the court clerk.

5. Plaintiff has been a resident of Jonesboro, Craighead County, Arkansas, for more than five years last past. Her cause of action occurred or existed in the State of Arkansas within five years next before the commencement of this action.

6. The parties have entered into a written Child Custody, Support, and Property Settlement Agreement covering all of the rights of their marriage. The court approves this agreement, adopts same, makes it a part of this decree; however, in doing so this does not alter the contractual nature thereof. The parties are ordered to carry out the terms of same. It is as follows:

PROPERTY SETTLEMENT AGREEMENT

Margaret Keshawarz, hereinafter referred to as "Wife," and Abdulbaset Al-Omary, hereinafter referred to as "Husband," have separated. Wife filed suit for divorce in the Chancery Court of Craighead County, Western District, Arkansas, on July 13, 1993. Subject to the approval of this court, this agreement is entered into to settle all rights between the parties.

1. **CHILD CUSTODY:** The parties are the parents of one minor children, Machael Heidi Al-Omary, a girl, born July 11, 1992. Plaintiff is entitled to be granted custody of the minor children subject to Defendant's right of reasonable visitation. Each party shall be entitled to visitation as set forth in the revised visitation schedule which is incorporated here by reference as if it is set out in its entirety. Each party shall be responsible for leaving the child with a responsible babysitter and will provide this information to the other party if requested. Neither party shall be allowed to have an overnight guest of the opposite sex at any time while the child is in there care or in the exercise of visitation. Neither party shall be allowed to move the minor child from the jurisdiction of this court without written consent or court approval. The husband shall provide a copy of his current passport and will notify the wife of any changes in his passport concerning the minor child. Wife agrees to do the same if requested.

2. **CHILD SUPPORT:** Husband shall pay to Wife the sum of \$250.00 per month as child support with the first payment being due on September 1, 1994.

3. HEALTH INSURANCE: Wife is presently insuring the minor child through a group policy available through her employer Arkansas State University. The annual cost for this family coverage regardless of the number of dependents is \$780.72 per year. The parties agree to equally divide the cost of this premium. In the event the husband becomes gainfully employed and health insurance coverage is available to him at a reasonable cost, then husband shall be responsible for providing health insurance coverage for the minor child and will pay all premiums associated with the coverage. The parties agree to equally divide any medical, dental, orthodontic or optometric expenses not covered by insurance.

4. PERSONAL PROPERTY AND HOUSEHOLD BELONGINGS: Each party shall be awarded that property now in his or her possession. Wife agrees to deliver to husband such additional items of personal property which were left at the parties residence at the time of separation.

5. MONETARY COMPENSATION: Husband agrees to pay Wife the total sum of \$2,250.00 in full and complete settlement of all claims Wife may have against Husband for any sums of money that Wife claims she is owed by Husband. Husband will be allowed to pay this in monthly payments of \$75.00 until the sum is paid in full.

6. ATTORNEY'S FEES AND COSTS: Each party shall be responsible for their attorneys' fees and costs.

7. GENERAL: Each party hereby waives and relinquishes any claims that he or she may have to alimony, dower or curtesy in the property of the other or to be acquired by the other in the future

except as set forth herein. Neither party asserts and both parties waive all rights they might have to alimony, support or maintenance except as set forth herein.

8. The parties agree to execute any and all papers, documents or other items necessary to effectuate the terms of this agreement.

9. This contract will be incorporated with the Decree of Divorce; however said incorporation will not alter the contractual nature of this instrument, concerning modification save and except issues concerning child custody, child visitation, and child support.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this September 21, 1994.


Margaret Keshawarz


Abdulbaset Al-Omary

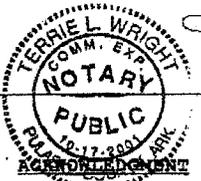
ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day personally appeared before me, a notary public within and for the county and state aforesaid, the within named Margaret Keshawarz, who stated to me that she had executed the foregoing Property Settlement Agreement for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal this September 21. 1994.

My Commission Expires: _____



Terrie L. Wright
Notary Public

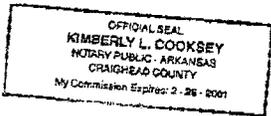
STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day personally appeared before me, a notary public within and for the county and state aforesaid, the within named Abdulbaset Al-Omary, who stated to me that he had executed the foregoing Property Settlement Agreement for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal this September 20th. 1994.

My Commission Expires: _____

Kimberly L. Cooksey
Notary Public



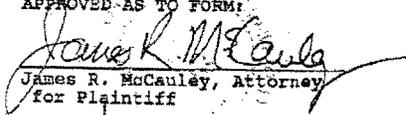
REVISED CHANCERY COURT VISITATION SCHEDULE

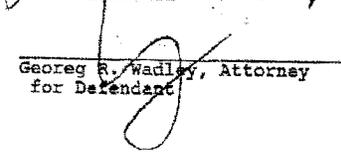
The following visitation for children aged five (5) and over will be awarded to the non-custodial parent, absent modification by the Court in any particular case:

1. *Alternate weekends - commencing at 5:00 p.m. on Fridays and continuing until 6:00 p.m. on Sundays.*
2. *Alternate major holidays - Easter, Memorial Day, July 4th, Labor Day and Thanksgiving. If the children's school grants extra days for any holiday, the visitation will coincide with the school break. For example, Thanksgiving would include not only the last Thursday in November, but the following Friday, Saturday and Sunday.*
3. *If the children receive a "Spring Break" from school, the break shall be considered as a holiday and the break period alternated.*
4. *Christmas visitation - for school age children, visitation will commence at the time the school goes into recess for the Christmas holidays, and will continue until 9:00 p.m. on Christmas Eve; or commence at 9:00 p.m. Christmas Eve; and continue until 6:00 p.m. on the day prior to resumption of school. The party having the children before Christmas one year will have the children after Christmas the following year.*
5. *The father of the children will always have visitation the weekend of Father's Day, as the mother will have visitation the weekend of Mother's Day.*
6. *If practical and desired by the parties, the children's birthday will also be alternated on an annual basis.*
7. *Summer visitation is fixed at six weeks, which may be divided into two three week periods at the option of the non-custodial parent. Notice as to the time and manner of visitation will be provided at least thirty (30) days in advance of the exercise of visitation. In the event the non-custodial parent chooses to exercise the summer visitation in one week six week period, at the end of the third week the custodial parent will have a two day visitation period from 8:00 a.m. on the first day until 6:00 p.m. on the second day. Every effort should be made by the parties to coordinate their vacation schedules in order that the children will have the opportunity to spend vacation time with both.*
8. *The visitation noted above will be in addition to all other reasonable visitation.*
9. *Visitation may not be independently terminated by the custodial parent for any reason, including non-payment of child support.*
10. *Visitation with children less than five (5) years of age shall be as determined by the Court, but shall generally follow the above schedule.*
11. *Violation of the visitation as awarded may result in the imposition of a fine, jail sentence, the termination of custody and/or visitation, or such other action deemed appropriate by the Court.*

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore existing between Plaintiff Margaret Keshawarz and Abdulbasat Al-Omary are dissolved, set aside and held for naught; that Plaintiff is granted a divorce; that Plaintiff is awarded custody of the parties' minor child, subject to Defendant's right of reasonable visitation; that Defendant is ordered to pay to Plaintiff the sum of \$250.00 per month as child support for the minor child; that Defendant is ordered to make his child support payments through the Chancery Clerk of Craighead County, Western District, Arkansas, and further, Defendant shall pay to the Clerk any fee charged by the Clerk for receiving child support payments; that, if ordered by the court, and upon proper notice, the employer of Defendant shall deduct from money income or periodic earnings due Defendant, an amount which is sufficient to meet the periodic child support payments imposed by the court plus an additional amount equal to 10 percent of the periodic child support payment to be applied toward liquidation of any accrued arrearage due under this order; and that the court adopts and makes a part of this decree the foregoing written agreement of the parties and orders the parties to carry out the terms of same and to execute any instruments necessary to do so.

APPROVED-AS TO FORM:


James R. McCauley, Attorney
for Plaintiff


George R. Wadley, Attorney
for Defendant


CHANCELLOR

Dated: 9-24-94

CERTIFICATE OF RECORD
Certified Copy

STATE OF ARKANSAS }
County of Craighead } ss.

I, PAT FLEETWOOD

Circuit & Chancery Court Clerk, within and for the State and
County aforesaid, duly commissioned, qualified and acting do
hereby certify that the foregoing instrument of writing is a true and
correct and compared copy of the original instrument as the same
appears of record in 649 Record Book 137 at page

In WITNESS WHEREOF I hereunto set my hand and affix the
seal of the said court this 26th day of
Sept 19 94

PAT FLEETWOOD Clerk
By [Signature] D.C.

State of Arkansas

No. 9822239-1
United States of America



DEPARTMENT OF STATE

To all to whom these presents shall come, Greetings:

I Certify That the document hereunto annexed is under the Seal of the Secretary of State of the State of Arkansas, and that such Seal is entitled to full faith and credit.*

In testimony whereof, I, Madeleine K. Albright, Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this fifth day of October, 1998.

Madeleine K. Albright
Secretary of State
By Patricia D. [Signature]
Assistant Authentication Officer,
Department of State

Issued pursuant to CHXIV, State of
Sept. 15, 1789, 1 Stat. 68-69; 22
USC 2657; 22 USC 2651a; 5 USC
301; 28 USE 1733 et. seq.; 8 USC
1443(c); RULE 44 Federal Rules of
Civil Procedure.

* FOR THE CONTENTS OF THE ANNEXED
DOCUMENT, THE DEPARTMENT ASSUMES NO
RESPONSIBILITY

This certificate is not valid if it is removed or altered in any way whatsoever



Sharon Priest
SECRETARY OF STATE

**State of Arkansas
SECRETARY OF STATE**

CERTIFICATION

STATE OF ARKANSAS

COUNTY OF PULASKI)

I, Sharon Priest, Secretary of State, State of Arkansas, and as such the keeper of the official records of all state, district and county elected officials and appointments made by the Governor, do hereby certify that the records in this office reflect that

HOWARD TEMPLETON

is duly commissioned and qualified as Chancellor, District 2, Division 1, At-Large, of the State of Arkansas.



IN WITNESS WHEREOF, I, have hereunto set my hand and affixed the Seal of the Secretary of State on this the Twenty-eighth day of September, 1998

Sharon Priest

Sharon Priest
Secretary of State
State of Arkansas

IN THE CHANCERY COURT OF CRAIGHEAD COUNTY, ARKANSAS
WESTERN DISTRICT

MARGARET KESHAWARZ

v.

ABDULBASET AL-OMARY

FILED
1994 SEP 26 P 1:49

NO. E-93-667 AT FLEETWOOD
CIRCUIT AND CHANCERY
COURT CLERK

PLAINTIFF

DEFENDANT

DECREE OF DIVORCE

On this date, this cause comes on to be heard on the verified Complaint of Plaintiff Margaret Keshawarz which has been filed for more than 30 days last past. Plaintiff Margaret Keshawarz appears in person and by her attorney, James McCauley. Defendant appears in person and by his attorney, George R. Wadley. From the pleadings and the sworn testimony of Plaintiff and one corroborating witness, the court finds as follows:

1. Plaintiff Margaret Keshawarz, Social Security No. 410-02-8281, currently resides at 504 West Cherry, Jonesboro, Arkansas, and is employed by Arkansas State University. Defendant Abdulbaset Al-Omary, Social Security No. 430-79-7163, resides at 305 Scott Jonesboro, AR 72401 and is employed at Arkansas State University.

2. The parties were married on or about December 14, 1989, in Paragould, Arkansas. They were last separated on or about July 12, 1993. Plaintiff is entitled to a divorce on the grounds of general indignities.

3. The parties are the parents of one minor children, Machael Heidi Al-Omary, a girl, born July 11, 1992. Plaintiff is entitled to be granted custody of the minor children subject to Defendant's right of reasonable visitation.

4. Defendant, Abdulbaset Al-Omary, Social Security No. 430-63-4346, is hereby ordered to contribute the sum of \$250.00 per month, to the Plaintiff for support of the minor child with the first payment being due on September 1, 1994. These payments shall be made through the Clerk of the Chancery Court of Craighead County, Arkansas along with a \$24.00 per year administrative fee to be paid to the Clerk. Such sum is ordered withheld from the money, income, or periodic earnings due Defendant in the event he becomes gainfully employed, and shall be remitted by the employer to the Clerk of this Court at P. O. Box 120, Jonesboro, Arkansas 72401. The Plaintiff shall, at the time of entry of this decree, complete and cause to be filed herein any and all forms necessary to notify any employer of the Defendant or any subsequent employer, of the income withholding provisions of this decree. The cost incurred in providing the notice to the employer shall be paid by the Defendant at the time such Decree is filed with the court clerk.

5. Plaintiff has been a resident of Jonesboro, Craighead County, Arkansas, for more than five years last past. Her cause of action occurred or existed in the State of Arkansas within five years next before the commencement of this action.

6. The parties have entered into a written Child Custody, Support, and Property Settlement Agreement covering all of the rights of their marriage. The court approves this agreement, adopts same, makes it a part of this decree; however, in doing so this does not alter the contractual nature thereof. The parties are ordered to carry out the terms of same. It is as follows:

PROPERTY SETTLEMENT AGREEMENT

Margaret Keshawarz, hereinafter referred to as "Wife," and Abdulbaset Al-Omary, hereinafter referred to as "Husband," have separated. Wife filed suit for divorce in the Chancery Court of Craighead County, Western District, Arkansas, on July 13, 1993. Subject to the approval of this court, this agreement is entered into to settle all rights between the parties.

1. **CHILD CUSTODY:** The parties are the parents of one minor children, Machael Heidi Al-Omary, a girl, born July 11, 1992. Plaintiff is entitled to be granted custody of the minor children subject to Defendant's right of reasonable visitation. Each party shall be entitled to visitation as set forth in the revised visitation schedule which is incorporated here by reference as if it is set out in its entirety. Each party shall be responsible for leaving the child with a responsible babysitter and will provide this information to the other party if requested. Neither party shall be allowed to have an overnight guest of the opposite sex at any time while the child is in there care or in the exercise of visitation. Neither party shall be allowed to move the minor child from the jurisdiction of this court without written consent or court approval. The husband shall provide a copy of his current passport and will notify the wife of any changes in his passport concerning the minor child. Wife agrees to do the same if requested.

2. **CHILD SUPPORT:** Husband shall pay to Wife the sum of \$250.00 per month as child support with the first payment being due on September 1, 1994.

_____ is presently insuring the minor child through a group policy available through her employer Arkansas State University. The annual cost for this family coverage regardless of the number of dependents is \$780.72 per year. The parties agree to equally divide the cost of this premium. In the event the husband becomes gainfully employed and health insurance coverage is available to him at a reasonable cost, then husband shall be responsible for providing health insurance coverage for the minor child and will pay all premiums associated with the coverage. The parties agree to equally divide any medical, dental, orthodontic or optometric expenses not covered by insurance.

4. PERSONAL PROPERTY AND HOUSEHOLD BELONGINGS: Each party shall be awarded that property now in his or her possession. Wife agrees to deliver to husband such additional items of personal property which were left at the parties residence at the time of separation.

5. MONETARY COMPENSATION: Husband agrees to pay Wife the total sum of \$2,250.00 in full and complete settlement of all claims Wife may have against Husband for any sums of money that Wife claims she is owed by Husband. Husband will be allowed to pay this in monthly payments of \$75.00 until the sum is paid in full.

6. ATTORNEY'S FEES AND COSTS: Each party shall be responsible for their attorneys' fees and costs.

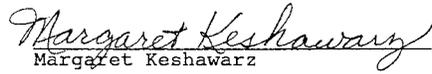
7. GENERAL: Each party hereby waives and relinquishes any claims that he or she may have to alimony, dower or curtesy in the property of the other or to be acquired by the other in the future

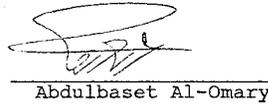
except as set forth herein. Neither party asserts and both parties waive all rights they might have to alimony, support or maintenance except as set forth herein.

8. The parties agree to execute any and all papers, documents or other items necessary to effectuate the terms of this agreement.

9. This contract will be incorporated with the Decree of Divorce; however said incorporation will not alter the contractual nature of this instrument, concerning modification save and except issues concerning child custody, child visitation, and child support.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this September 21, 1994.


Margaret Keshawarz


Abdulbaset Al-Omary

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day personally appeared before me, a notary public within and for the county and state aforesaid, the within named Margaret Keshawarz, who stated to me that she had executed the foregoing Property Settlement Agreement for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal this September 21. 1994.

My Commission Expires: _____



Terrie L. Wright
Notary Public

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day personally appeared before me, a notary public within and for the county and state aforesaid, the within named Abdulbaset Al-Omary, who stated to me that he had executed the foregoing Property Settlement Agreement for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal this September 20th. 1994.

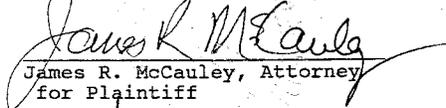
My Commission Expires: _____

Kimberly L. Cooksey
Notary Public



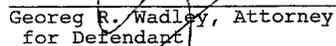
IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore existing between Plaintiff Margaret Keshawarz and Abdulbaset Al-Omary are dissolved, set aside and held for naught; that Plaintiff is granted a divorce; that Plaintiff is awarded custody of the parties' minor child, subject to Defendant's right of reasonable visitation; that Defendant is ordered to pay to Plaintiff the sum of \$250.00 per month as child support for the minor child; that Defendant is ordered to make his child support payments through the Chancery Clerk of Craighead County, Western District, Arkansas, and further, Defendant shall pay to the Clerk any fee charged by the Clerk for receiving child support payments; that, if ordered by the court, and upon proper notice, the employer of Defendant shall deduct from money income or periodic earnings due Defendant, an amount which is sufficient to meet the periodic child support payments imposed by the court plus an additional amount equal to 10 percent of the periodic child support payment to be applied toward liquidation of any accrued arrearage due under this order; and that the court adopts and makes a part of this decree the foregoing written agreement of the parties and orders the parties to carry out the terms of same and to execute any instruments necessary to do so.

APPROVED AS TO FORM:


James R. McCauley, Attorney
for Plaintiff


CHANCELLOR

Dated: 9-24-94


Georeg R. Wadley, Attorney
for Defendant

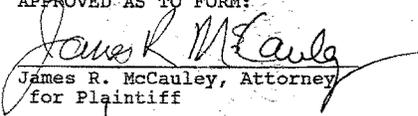
REVISED CHANCERY COURT VISITATION SCHEDULE

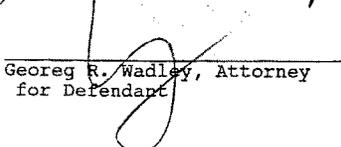
The following visitation for children aged five (5) and over will be awarded to the non-custodial parent, absent modification by the Court in any particular case:

1. *Alternate weekends - commencing at 5:00 p.m. on Fridays and continuing until 6:00 p.m. on Sundays.*
2. *Alternate major holidays - Easter, Memorial Day, July 4th, Labor Day and Thanksgiving. If the children's school grants extra days for any holiday, the visitation will coincide with the school break. For example, Thanksgiving would include not only the last Thursday in November, but the following Friday, Saturday and Sunday.*
3. *If the children receive a "Spring Break" from school, the break shall be considered as a holiday and the break period alternated.*
4. *Christmas visitation - for school age children, visitation will commence at the time the school goes into recess for the Christmas holidays, and will continue until 9:00 p.m. on Christmas Eve; or commence at 9:00 p.m. Christmas Eve; and continue until 6:00 p.m. on the day prior to resumption of school. The party having the children before Christmas one year will have the children after Christmas the following year.*
5. *The father of the children will always have visitation the weekend of Father's Day, as the mother will have visitation the weekend of Mother's Day.*
6. *If practical and desired by the parties, the children's birthday will also be alternated on an annual basis.*
7. *Summer visitation is fixed at six weeks, which may be divided into two three week periods at the option of the non-custodial parent. Notice as to the time and manner of visitation will be provided at least thirty (30) days in advance of the exercise of visitation. In the event the non-custodial parent chooses to exercise the summer visitation in one week six week period, at the end of the third week the custodial parent will have a two day visitation period from 8:00 a.m. on the first day until 6:00 p.m. on the second day. Every effort should be made by the parties to coordinate their vacation schedules in order that the children will have the opportunity to spend vacation time with both.*
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9. *Visitation may not be independently terminated by the custodial parent for any reason, including non-payment of child support.*
10. *Visitation with children less than five (5) years of age shall be as determined by the Court, but shall generally follow the above schedule.*
11. *Violation of the visitation as awarded may result in the imposition of a fine, jail sentence, the termination of custody and/or visitation, or such other action deemed appropriate by the Court.*

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore existing between Plaintiff Margaret Keshawarz and Abdulbaset Al-Omary are dissolved, set aside and held for naught; that Plaintiff is granted a divorce; that Plaintiff is awarded custody of the parties' minor child, subject to Defendant's right of reasonable visitation; that Defendant is ordered to pay to Plaintiff the sum of \$250.00 per month as child support for the minor child; that Defendant is ordered to make his child support payments through the Chancery Clerk of Craighead County, Western District, Arkansas, and further, Defendant shall pay to the Clerk any fee charged by the Clerk for receiving child support payments; that, if ordered by the court, and upon proper notice, the employer of Defendant shall deduct from money income or periodic earnings due Defendant, an amount which is sufficient to meet the periodic child support payments imposed by the court plus an additional amount equal to 10 percent of the periodic child support payment to be applied toward liquidation of any accrued arrearage due under this order; and that the court adopts and makes a part of this decree the foregoing written agreement of the parties and orders the parties to carry out the terms of same and to execute any instruments necessary to do so.

APPROVED AS TO FORM:


James R. McCauley, Attorney
for Plaintiff


Greg R. Wadley, Attorney
for Defendant


CHANCELLOR

Dated: 9-24-94

REVISED CHANCERY COURT VISITATION SCHEDULE

The following visitation for children aged five (5) and over will be awarded to the non-custodial parent, absent modification by the Court in any particular case:

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2. *Alternate major holidays - Easter, Memorial Day, July 4th, Labor Day and Thanksgiving. If the children's school grants extra days for any holiday, the visitation will coincide with the school break. For example, Thanksgiving would include not only the last Thursday in November, but the following Friday, Saturday and Sunday.*

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REGISTERED NO. K 869 492 289		POSTMARK STATE UNIVERSITY, AR OCT 14 1994	
PS Form 3806, RECEIPT FOR REGISTERED MAIL (Customer Copy) April 1991			
To Be Completed By Customer (Please Print) All Entries Must Be in Ball Point or Typed		To Be Completed By Post Office	
TO	FROM	Reg. Fee \$	Special Delivery \$
Margaret Kerkhaway 504 W Cherry Ave Pasadena, CA 91101 Kenneth J K Stark 5218 W Bette Ave #1500 Norcross, TX 75057	Margaret Kerkhaway 504 W Cherry Ave Pasadena, CA 91101	4.40	0.00
Customer Must Declare Full Value \$		Handling \$	Return \$
Received by <i>R Adams</i>		Postage \$	Restricted \$
Customer Must Declare Full Value \$		Charge \$	Delivery \$
With Postal Insurance <input checked="" type="checkbox"/> (See Reverse) Without Postal Insurance <input type="checkbox"/> (See Reverse)		Receipt \$	Delivery \$
Domestic Insurance (See Reverse) Restricted to \$500		Restricted \$	Delivery \$

REGISTERED NO. K 869 492 287		POSTMARK STATE UNIVERSITY, AR OCT 14 1994	
PS Form 3806, RECEIPT FOR REGISTERED MAIL (Customer Copy) April 1991			
To Be Completed By Customer (Please Print) All Entries Must Be in Ball Point or Typed		To Be Completed By Post Office	
TO	FROM	Reg. Fee \$	Special Delivery \$
Margaret Kerkhaway 504 W Cherry Ave Pasadena, CA 91101 Kenneth J K Stark 5218 W Bette Ave #1500 Norcross, TX 75057	Margaret Kerkhaway 504 W Cherry Ave Pasadena, CA 91101	4.40	0.00
Customer Must Declare Full Value \$		Handling \$	Return \$
Received by <i>R Adams</i>		Postage \$	Restricted \$
Customer Must Declare Full Value \$		Charge \$	Delivery \$
With Postal Insurance <input checked="" type="checkbox"/> (See Reverse) Without Postal Insurance <input type="checkbox"/> (See Reverse)		Receipt \$	Delivery \$
Domestic Insurance (See Reverse) Restricted to \$500		Restricted \$	Delivery \$

EXHIBIT #3
 1994 Letter to Saudi Govt
 Registered Mail Receipts

504 West Cherry
Jonesboro AR 72401
10-13-94

Embassy of the Kingdom of Saudi Arabia
601 New Hampshire Ave. NW
Washington D.C. 20037

To Whom It May Concern!

Enclosed is an official certified copy of the divorce decree between myself and one Saudi Arabian citizen, Mr. Abdulbaset Ahmed Mohammed Al-Omary. I am writing to request that no Saudi Arabian passport be issued in the name of my minor child, Machael Heidi Al-Omary, nor is her name to be included in the Saudi Arabian passport of any other Saudi Arabian national, as a dependent or otherwise, including in the current and any future passports of her father, Abdulbaset A.M. Al-Omary or the Saudi female, Wafa Al-Dugail.

Furthermore, I request that no Saudi passport be issued to my child in any other name, such as Machael Al-Omary or any other alias, nor is she to be included under any one of these aliases on any passport page of any Saudi national, including in the current and any future passports of her father, Abdulbaset A.M. Al-Omary, or of the Saudi female Wafa Al-Dugail.

In addition, I request that my daughter shall not be issued a laissez passer or other travel document to the Kingdom of Saudi Arabia or any other foreign country in her true legal name, in any alias, or under the sponsorship of any Saudi Arabian national, including her father Abdulbaset Al-Omary or the Saudi female, Wafa Al-Dugail. Nor is my daughter's name to appear in its full legal form or in any alias in the laissez passer or any other travel documents of any Saudi national, including those of her father, Abdulbaset A.M. Al-Omary or the Saudi female, Wafa Al-Dugail.

Furthermore, I request that any attempt to secure a Saudi Arabian passport, laissez passer, or any other travel document for outside the United States or any attempt to have my daughter's real name or any alias included on any Saudi Arabian passport page or any travel document held in the name of any Saudi citizen, including the current and any future passports or other travel documents of Mr. Abdulbaset A.M. Al-Omary and/or Wafa Al-Dugail, be reported to me immediately.

I request that any attempt(s) by my ex-husband or his agents to secure payment or reimbursement for travel costs to Saudi Arabia for my minor child, Machael Heidi Al-Omary, in her own legal name or any alias, be denied by the Saudi Embassy and/or

Consulate(s), including the Saudi Mission in Houston, and that such an attempt to procure payment for my daughter's travel outside the United States be reported to me immediately. Since any attempt(s) by my ex-husband or his agents to remove my child outside the state of Arkansas would constitute the crime of kidnapping, I request that you report any such attempts to the U.S. authorities. My ex-husband has sworn to and signed the documents included with this letter, and he understands the penalties for not abiding by our divorce and child custody agreements.

As the custodial parent of Machael Heidi Al-Omary, I desire that my minor child reside and remain in the United States in the State of Arkansas under my legal custody.

Copies of this letter are being forwarded to the Saudi Desk at the United States Department of State, the United States Passport Office, the FBI, my legal representative, my Congresswoman Blanche Lambert, the offices of ACRMM, One World: For Children, the Saudi Consulates in New York and Houston, Interpol, and various other authorities.

Thank you for your consideration in this matter.

Respectfully yours,

Margaret I. Keshawarz

Margaret I. Keshawarz

Lori Daniel
Lori Daniel, Notary Public
Poinsett County, Arkansas
My Commission Expires 5/26/2003

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address

2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 PRINCE BANDAR BIN SULTAN
 AMBASSADOR THE SPAIDI
 APARABIA
 601 NEW HAMPSHIRE AVE
 WASHINGTON, DC 20037

4a. Article Number: R466 521 785

4b. Service Type:
 Registered Insured
 Certified COD
 Express Mail ~~International Registered Mail~~

7. Date of Delivery: 8-2-95

5. Signature (Addressee): *[Signature]*

6. Signature (Agent): *[Signature]*

8. Addressee's Address (Only if requested and fee is paid):

is your RETURN ADDRESS completed on the reverse side? Thank you for using Return Receipt Service.

PS Form 3811, December 1991 U.S.G.P.O. 1992-307-530 DOMESTIC RETURN RECEIPT

REGISTERED NO. R466 521 785 POSTMARK

To Be Completed By Post Office	Reg. Fee \$ 4.95	Special \$ Delivery
	Handling Charge	Return \$ Receipt 1.10
	Postage \$.55	Restricted \$ Delivery
Received by <i>[Signature]</i>		
To Be Completed By Customer (Please Print) All Entries Must Be in Ball Point or Typewritten	Customer Must Declare Full Value \$ 0	<input type="checkbox"/> With Postal Insurance <input checked="" type="checkbox"/> Without Postal Insurance
	Domestic Insurance is Limited to \$5,000; International indemnity is Limited (See Reverse)	
FROM	MARGARET K. AL-OMARY 504 W. CHERRY JONESBORO AR 72401 BANDAR BIN SULTAN	
TO	601 NEW HAMPSHIRE AVE WASHINGTON DC 20037	

PS Form 3806, RECEIPT FOR REGISTERED MAIL (Customer Copy) April 1991 (See Information on Reverse)

***EXHIBIT #4**
***1995 Letter to Prince**
Bandar & CEO/Saudi
Airlines

Registered No. **R 803515 100**

To Be Completed By Post Office	Reg. Fee \$ 4.85	Special Delivery \$
	Handling Charge \$	Return Receipt \$ 1.10
	Postage \$.32	Restricted Delivery \$
	Received by L. Wilson	

Date Stamp

To Be Completed By Customer All Entries Must Be in Ballpoint or Typed	Customer Must Declare Full Value \$ 0	<input type="checkbox"/> With Postal Insurance	\$25,000; International Indemnity is Limited (See Reverse)
		<input type="checkbox"/> Without Postal Insurance	

FROM	M. KESHAWARZ
	504 W. CHERRY
TO	JONESBORO AR 72401
	CEO, SALLDIA AIRLINES
	TRUMP TOWER 725 5TH AVE
	18TH FLOOR, NEW YORK NY

PS Form 3806, Receipt for Registered Mail (Customer Copy)
 February 1995 (See Information on Reverse)

Registered No. **R 803515 100**

To Be Completed By Post Office	Reg. Fee \$ 4.85	Special Delivery \$
	Handing Charge \$	Return Receipt \$ 1.10
	Postage \$.32	Restricted Delivery \$
	Received by L. Wilson	



Customer Must Declare Full Value \$ **0**

With Postal Insurance
 Without Postal Insurance

\$25,000; International Indemnity is Limited (See Reverse)

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	M. KESHAWARZ
	TO	504 W. CHERRY JONESBORO AR 72404 CEO, SAUDIA AIRLINE TRUMP TOWER, 725 5TH AV 18TH FLOOR, NEW YORK NY

PS Form 3806, February 1995 Receipt for Registered Mail Customer Co. See Information on Reverse

504 West Cherry
Jonesboro Ar 72401
7-31-95

CEO
Saudi Airlines
Trump Tower
New York NY 10022

Sir!

I am writing to make you aware of a potential kidnapping by means of one of your Airplane possibly with one of your employees as an accessory.

My daughter, Michael Heidi Al-Omary, is in my custody. Her non-custodial father, Abdulsaset A. M. Al Omary has threatened to remove the child to Saudi Arabia. A court order does not allow him to legally do this. Heidi is 3 years old, was born in the U.S., and resides with me. Her date of birth is 7-11-92.

If Mr. Al-Omary shows up on any of your planes with Michael Heidi I request that he be detained and that I will be notified.

be notified.

Any travel documents he may have for the child are not legal in the United States. If he has a US passport for her, it is a forgery since her passport is in a lock box and the US passport office has frozen requests for further passports until she's 18.

An accessory to the crime will be one of your cabin stewards, SAMIR AL-JAWDAT (AL-OMAR), who is my ex-brother-in-law. Another accessory will be Jayne Brussell (Smith), a U.S. citizen now married to my ex-husband.

This letter should also serve notice that if my child ends up kidnapped by one of your carriers, my legal representatives are ready to file suit in federal court against all who aided and abetted in this crime.

I hope that you personally will investigate this matter by checking the reservations

of any of the accessories
I have mentioned.

Thank you for your
consideration in attempting
to avert a kidnapping
that is sure to escalate
into an international
incident.

Yours truly,
Margaret Keshawary

REGISTERED NO. *K466 521 102*

To Be Completed By Post Office	Reg. Fee \$ <i>4.95</i>	Special \$
	Handling Charge	Return \$ <i>1.10</i>
	Postage \$ <i>.55</i>	Restricted \$
Received by <i>[Signature]</i>		Delivery

To Be Completed By Customer
(Please Print)
All Entries Must Be in Ball Point or Typed

Customer Must Declare Full Value \$ *2.00*

With Postal Insurance
 Without Postal Insurance

Domestic Insurance is Limited To \$25,000; International Indemnity is Limited (See Reverse)

FROM
MARGARET K. AL-OMAN
504 W. CHERRY
JONESBORO AR 7240

TO
BANDAR BIN SULTAN
601 NEW HAMPSHIRE AVE
WASHINGTON DC 200



PS Form 3806. **RECEIPT FOR REGISTERED MAIL** (Customer Copy)
April 1991 (See Information on Reverse)

INSTRUCTIONS:
 Complete items 1 and/or 2 for additional services.
 Complete items 3, and 4a & b.
 Print your name and address on the reverse of this form so that we can return this card to you.
 Attach this form to the front of the mailpiece, or on the back if space does not permit.
 Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date received.

I also wish to receive the following services (for an extra fee):
 1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

Article Addressed to:
 PRINCE BANDAR BIN SULTAN
 AMBASSADOR DESPAIN
 ARABIA
 601 NEW HAMPSHIRE ST
 WASHINGTON DC. 20037

4a. Article Number
 R966 521 785

4b. Service Type
 Registered Insured
 Certified COD
 Express Mail

7. Date of Delivery
 8-2-95

8. Addressee's Address (Only if requested and fee is paid)

1. Signature (Addressee)
 [Signature]

3. Signature (Agent)
 [Signature]

Thank you for using Return Receipt Service.

DOMESTIC RETURN RECEIPT

December 1991 * U.S.G.P.O. : 1992-307-630

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

MARGARET K. AL-OMARI

504 W. CHERRY

JUNESBORO AR 7240

504 West Cherry
 Jonesboro AR 72401
 7-30-96

Dear Mr. Ambassador;

I have previously sent registered mail to your Embassy requesting that no travel documents to Saudi Arabia or elsewhere be issued under the name of my daughter, Michael Heidi Al-Omary, who is a U.S. citizen by birth and who is in my sole custody. I further requested that she not be included on the Saudi travel documents of anyone else, whether her father's (Abdulbaset A. M. Al-Omary) or his two wives, Nafal Al-Dugail and Jayne Brussell Smith. My ex-husband, Mr. Al-Omary, who holds a U.S. green card, has threatened to kidnap the child in the past. I fully

SAUDI
 PASSPORT
 #A
 418772

I realize that the Saudi Embassy and certain diplomats have immunity. I am sure you know that the Saudi Government itself is not immune from prosecution; nor are the employees of Saudia Airlines if they act as accessories to international kidnapping. My legal representatives stand ready to sue in Federal Court, possibly in a class action, for the return of all kidnapped American citizens in Saudi Arabia, if my child should be abducted, as well as substantial punitive damages.

Your country already has a tarnished image in the world community as far as human rights abuses are concerned. My country saved your country from being overrun by Saddam Hussein's army. The least you could do

is to ensure that grieving mothers are reunited with their heartbroken children and ensure through your embassy that further abductions of American children do not occur.

You saved your monarchy, yet you continue to allow this anti-human, anti-Islamic, and illegal behavior by your countrymen, aiding and abetting them in laughing at U.S. court orders and custody decrees by issuing passports, laissez-passer documents, and other travel documents to these kidnapped children, such as Ali, stepson of Dr. Al. Masari.

Mr. Ambassador, it is time for Saudi Arabia to sign the Hague Convention on abducted children and thus begin to act like a responsible member of the

not like some Third World, third-rate renegade nation. As long as your nation continues to thumb its collective nose at the United Nations' document such as the Declaration of the Rights of the Child, your country is no better than Saddam's Iraq. Why are you ever members of the UN if you won't sign half its documents? You complain about human rights abuses against Muslims in Bosnia and elsewhere; well, I complain about abuses against American women and children in Saudi Arabia. Until you clean up your act, you have no right to complain about others' human rights abuses.

I am a mother of an innocent child and will go to any lengths within my ability to protect her

name for the child are not legal in the United States. If she has a US passport for her it is a forgery. Since her passport is in a lock box and the US passport office has frozen requests for further passports until she's 18.

An accessory to the crime will be one of your cabin stewards, SAMARA AL-JAWDAT (AL-OMARI), who is my ex-brother-in-law. Another accessory will be Jayne Russell (Smith), a U.S. citizen now married to my ex-husband.

This letter should also serve notice that if my child ends up kidnapped by one of your carriers, my legal representatives are ready to file suit in federal court against all who aided and abetted in this crime.

I hope that you personally will investigate this matter by checking the reservations

of any of the accessories
I have mentioned.

Thank you for your
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to avert a kidnapping,
that is sure to escalate
into an international
incident.

Yours truly,
Margaret Reshawary



Counties
 Clay
 Craighead
 Crittenden
 Greene
 Mississippi
 Polk

Howard Templeton
 Chancery and Probate Judge
 P. O. Box 1404
 Jonesboro, Arkansas 72403

Chambers
 Craighead County
 Courthouse
 Telephone
 933-4590
 P. O. Box 1404

April 10, 1995

Mr. Skip Mooney, Jr.
 Attorney at Law
 P. O. Box 1423
 Jonesboro, AR 72403

Mr. Paul Ford
 Attorney at Law
 P. O. Box 1591
 Jonesboro, AR 72403

Re: Keshawarz v. Al-Omary
 Craighead Chancery
 E93-667

Gentlemen:

With regard to the above cause, I have made the following determinations:

- 1) That the defendant Abdulbaset Al-Omary, is in violation of that provision of the September 26, 1994 Decree of this court prohibiting the presence of overnight guests of the opposite sex to be present in defendant's residence during periods of visitation. This finding is based upon the court's opinion that the purported marriage of the defendant and a lady named Jayne Smith is not a marriage recognized by the law of this State. That the ceremony performed may comply with the tenets of the law of Islam is of no consequence. The facts remain that this was a purported marriage in the State of Arkansas between a resident and a Saudi Arabian national; performed by one not licensed, nor authorized by the laws of this State to perform marriages; nor was a marriage license issued by the State prior to the purported ceremony. Under these circumstances, the purported marriage is void. Had the marriage taken place in Saudi Arabia, the contrary result could have been reached, but to be recognized as a valid marriage in this State, the laws of the State of Arkansas must be followed. The court does not however, under these circumstances, find that the violation was wilful and thus no sentence for the violation will be imposed at this time. However, Mr. Ford should advise, as I am confident he will, his client that from this point forward, such violations would necessarily be viewed as wilful and knowing violations.
- 2) The Decree reflects the agreement of the parties regarding the child, and denotes those provisions as contractual. (\$6) Their agreement further reflects that neither will remove the

*EXHIBIT #5
 *1995 Court Order

12/11/95

Mr. Skip Mooney, Jr.
 Mr. Paul Ford
 April 10, 1995
 Page 2

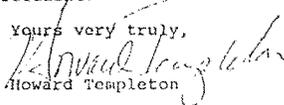
child from the court's jurisdiction without written consent or court approval, and that both will, on request, provide copies of their passports and notify the other of any "changes in (their) passport concerning the child". Plaintiff now expresses concern that her former husband may remove the child to Saudi Arabia; and alleges that there is no existing agreement between the United States and Saudi Arabia which would require that country to give full faith and credit to any orders of this court. Plaintiff requests this court to impose additional restrictions and conditions upon the defendant to assure that he does not remove the child in violation of the Decree. Such request would be, in practical effect, a rewriting of the parties agreement, and the court, though authorized to modify any agreement which in its judgment is not in the child's best interest, finds that the only change in circumstances is that the defendant is closer to completion of a degree and will be looking for new employment in the U. S. The court denies the imposition of additional conditions upon visitation. The plaintiff testified that she had taken every precaution to insure that the defendant does not attempt to leave the United States with the child, and short of locking the defendant and the child in a closed, guarded room during all periods of visitation, no further restrictions or conditions can be imposed which would be of practical effect.

3) Defendant testified that he would, without objection, obtain documentation from the government or courts in Saudi Arabia which would recognize and enforce this court's jurisdiction with regard to child custody, and he will be ordered to immediately commence such actions as may be necessary to accomplish that purpose. Further, that defendant will, through attorney communication, provide the plaintiff with copies of all documents executed by him in furtherance of this purpose.

4) Plaintiff is awarded an attorney fee of \$500.00, together with her costs.

Mr. Mooney will prepare the precedent.

Yours very truly,


 Howard Templeton

HT/op

ml/kescharz.ht

From: VDELAHAIS@aol.com <VDELAHAIS@aol.com>
To: luvheidi@bscn.com <luvheidi@bscn.com>
Date: Friday, March 31, 2000 4:17 PM
Subject: Re:

Hi Margaret,

Below please find two texts from the State Dept.
 One on Marriages to Saudis (before it was reviewed at CAIR'S request) ; the
 other on general Islamic law.
 Hope it helps,
 Love,
 Violaine

SAUDI ARABIA
 MARRIAGE TO SAUDIS
 DISCLAIMER: THE INFORMATION IN THIS CIRCULAR RELATING TO THE LEGAL
 REQUIREMENTS OF SPECIFIC FOREIGN COUNTRIES IS PROVIDED FOR GENERAL
 INFORMATION ONLY. QUESTIONS INVOLVING INTERPRETATION OF SPECIFIC
 FOREIGN LAWS
 SHOULD BE ADDRESSED TO FOREIGN COUNSEL.

The following information has been prepared by our Embassy in Riyadh, Saudi
 Arabia to assist American citizen women in understanding more fully the
 cultural and legal differences they may face if they are considering marrying
 a Saudi man.
 Our Foreign Service posts in Saudi Arabia estimate that approximately 500
 American women reside in the Kingdom with their Saudi husbands. Our Embassy
 is acutely conscious of the dual-national marriages which fail, monitoring
 approximately 40 child custody cases and instances of extreme marital discord
 and abuse. But American women who are both happily and unhappily involved in
 relationships with Saudi men admit to having been appallingly ignorant of the
 Kingdom and its culture prior to their betrothal. All the women interviewed
 strongly urged prospective wives of Saudi men to investigate the Kingdom and
 meet the Saudi in-laws before making a commitment to a culture antithetical
 to the one in which they were raised.
 Survivors of dual-national marriages provide a checklist for American women
 to consider prior to making a commitment to living in the Kingdom. The
 stories of those whose marriages have failed underline the necessity of
 looking before leaping into the cultural chasm that separates Saudi husbands
 from their American wives.
 The following advice and guidelines for women considering marriage to Saudi
 nationals were culled from interviews with women well known to our Embassy
 for their embattled relations with their Saudi spouses, from anecdotes from
 women whose husbands are well known to the Embassy because of their positions
 in government or business, as well as conversations with women happily or
 tolerably married to middle and lower class Saudis.

***EXHIBIT #6**
***State Dept Doc**
****"Marriage to Saudis"**

PROFILE OF AMERICAN CITIZEN SPOUSES OF SAUDI NATIONALS

First, the American citizen spouse of a Saudi national is with a handful of exceptions - always female. Saudi women are prohibited from marrying non-Arabs except with a special dispensation from the King. (A dispensation is also required before a Saudi woman may marry an Arab who is not a citizen of the Gulf Cooperation Council - i.e., Qatar, Kuwait, Bahrain, Oman and the United Arab Emirates). The Embassy is only aware of four American men who are married to Saudis. A few daughters of Saudi diplomats, raised and educated abroad, are also known to have received Kingly dispensation for marriage to Europeans. Most Saudi women who are married to Westerners tend to reside abroad with their husbands.

American spouses fall into two broad categories: Those who are married to well-off, westernized Saudis, and those who are married to not well-off and non-westernized Saudis. Both meet their husbands when they are students in the U.S. The former tend to maintain homes in the Kingdom and in the West, they socialize with other dual-national couples, they send their children abroad for college education (sometimes high school), travel frequently, and while in the Kingdom have the luxuries of drivers, servants and villas separate from where the Saudi in-laws reside. Their husbands permit them to appear before men to whom they are not related, accept - if not encourage their desire to find employment and generally do not require them to veil fully (i.e., cover the fact with one or more layers of cloth) while in public. The women are allowed to travel separately with the dual national children. The women may or may not have converted to Islam; their conversion may or may not be sincere. These represent the minority of dual-national marriages.

Most American women fall in love with westernized Muslim traditionalists, leery of the West and its corrosive ways, and eager to prove their wives' conformity to Saudi standards. The husbands are not Arab Princes" of western folklore; rather, they are part of the vast majority of Saudis who "get along" with the help of extended family members and marginal expectations. Their American citizen wives are often from the South/Southwest (Where many Saudis prefer to study), they have virtually no knowledge of Saudi Arabia other than what their fiances have told them, and do not speak Arabic. When they arrive in the Kingdom, they take up residence in the family's home where family members greet them with varying degrees of enthusiasm and little English. Typically, their only driver will be their husband (or another male family member), their social circle will be the extended family, and they will not be permitted to work or appear uncovered among men to whom their husband is not related. Initially, the American citizen spouse will be almost entirely isolated from the large western community that resides in the Kingdom. Gradually, the spouses who survive, form a network with other American citizen women married to Saudis. The majority of American citizen spouses fall into this category.

THE MYTH OF THE WESTERNIZED SAUDI

Inevitably, American citizen spouses characterize their Saudi husbands during their school days in the United States as being completely "westernized"; drinking beer with the best of them, chasing after women and generally celebrating all the diversities and decadence of a secular society. Women

married to Saudis who did not fit the stereotype of the partying, or playboy/prince, are careful to point out that their spouses nevertheless displayed a tolerance toward all of these diversions and, particularly, toward them. In other words, the Saudi-American relationship virtually always blossoms in the States, in a climate which allows dating, cohabitation, children out of wedlock, religious diversity, and a multitude of other Islamic sins which go unnoticed by Saudi relatives and religious leaders thousands of miles away.

American citizen wives swear that the transformation in their Saudi husbands occurs during the transatlantic flight to the Kingdom. There is the universal recollection of approaching Riyadh and witnessing the donning of the black abayas and face veils by the fashionably dressed Saudi women. For many women, the Saudi airport is the first time they see their husband in Arab dress (i.e., the thobe and ghutra). For those American women reluctant to wear an abaya (the all-encompassing black cloak) and for those Saudi husbands who did not make an issue of the abaya prior to arriving, the intense public scrutiny which starts at the airport - given to a western woman who is accompanying a Saudi male is usually the catalyst for the eventual covering up. Since the overwhelming majority of American citizen wives never travel to the Kingdom prior to their marriage, they are abruptly catapulted into Saudi society. When they arrive, their husband's traditional dress, speech, and responsibilities to his family re-emerge and the American citizen wife is left to cope with a new country, a new language, a new family, and a new husband. Whether a Saudi has spent one year or eight studying in the United States, each must return to the fold - grudgingly or with relief - to get along in Saudi society and within the family hierarchy that structures most social and business relations.

Social pressures on even the most liberal Saudi are daunting. Shame is brought upon the entire family for the acts of an American citizen wife who does not dress modestly (e.g., cover) in public, who is not Muslim, who associates with men other than her extended relatives. Silent disapprobation from family and friends is matched by virulent public disapproval by the Kingdom's religious proctors (Mutawwain) and vigilante enforcers of the faith. Several American wives, fearing the latest round of religious harassment, have started fully veiling; not to do so, they discovered, meant that public squabbles with the Mutawwain who vociferously oppose dual-national marriages. The experience of all dual-national couples is that voluntary and involuntary compromises are made or simply evolve. The sum of these compromises is quite often a life very different than the one imagined and speculated upon in the safety of the United States.

WHAT TO EXPECT AND CONSIDER

Quality of Life

Life in a desert Kingdom which prides itself on its conservative interpretation and application of the Quran (Koran) requires that couples talk about very basic lifestyle issues.

How cosmopolitan is the Saudi husband's family?

All American wives encourage prospective brides to meet the Saudi family before arriving in the Kingdom as a married woman. (Most Saudi families will

travel to the U.S. during the course of their sons' studies, if only to attend graduation.) While it is no guarantee of acceptance, a family with regularly travels abroad or one in which the father has been stationed abroad is general more broad-minded when it comes to their son marrying a Westerner. It is the parents who can be the greatest source of pressure on a dual-national marriage and it is important to divine their opinions on what an American wife can and cannot do while living in the Kingdom.

With whom will you live?

Many newly married couples move in with the groom's parents, in a sprawling villa which may house several other siblings and their wives and families. Privacy is elusive and tensions with family members who for one reason or another resent the presence of an American wife often makes this living arrangement difficult. In a more affluent family, a couple may inhabit one of several homes which compromise a small family compound. Some Saudis live separately in villas or apartments. While that resolves the issue of privacy, many American wives find themselves completely isolated fearing the day, surrounded by neighbors who only speak Arabic, with no access to public or private transportation.

One tolerably married American citizen wife is not permitted to step out on the apartment porch since the risk is too great that an unrelated male would be able to see her.

The most western, but least common, housing arrangement would be an apartment or villa located in a western compound or on the Diplomatic Quarter. There, a semblance of western suburban life goes on behind high walls or, in the case of the Diplomatic Quarter, under the protective gaze of a multitude of Saudi police officers. However, most Saudi owners of western style compounds ban Saudi tenants since they fear western inhabitants would object. The very rare Saudi male who endorses this living arrangement is generally a naturalized Saudi, of Lebanese or Palestinian origin. For the average Saudi family, residence in a western compound would be an unnatural renunciation of Saudi culture and would make one culturally "suspect."

With whom will you socialize?

Saudis socialize within the family. Expatriates who have lived and worked for years in the Kingdom may never meet the wife of a close Saudi friend and, according to custom, should never so much as inquire about her health. For an American wife, a social life confined to her husband's family can be stultifying, particularly since few American wives speak, or learn to speak, Arabic. Whether the Saudi husband permits his wife to socialize with men to whom they are not related determines how "normal" (i.e. how western) a social life they will enjoy. Several American wives have difficulty even visiting the American Embassy for routine passport renewals since their husbands are opposed to their speaking to a male Foreign Service Officer. Because of the segregated society, Saudi men naturally spend much of their time together, separate from wives and family. (Even Saudi weddings are segregated affairs, often held on different evenings and in different locations.) Only the most westernized Saudi will commit to socializing with other dual national couples.

What freedom of movement will you enjoy?

Women are prohibited from driving, riding a motorcycle, pedaling a bicycle, or travelling by taxi, train or plane without an escort. All American wives

were aware that they would not be able to drive while in the kingdom, but few comprehended just how restricted their movements would be. Only the relatively affluent Saudi family will have a driver on staff, most American women depend entirely upon their husbands and male relatives for transportation. While most expatriate western women routinely use taxis, an American spouse will be expected to have an escort - either another female relative or children - before entering the taxi of an unrelated male.

Will you be permitted to travel separately from your husband?

Travel by train or plane inside the kingdom requires the permission of the male spouse and the presence of a male family escort. Travel outside the Kingdom is even more restricted. Everyone leaving the Kingdom must have an exit visa. For an American spouse, this visa must be obtained by her Saudi husband. The Saudi spouse must accompany his wife to the airport to assure airport officials that he has given his permission for his wife to travel alone or with the children.

One American's marriage contract specified that "she stated that she shall never request to travel from Saudi Arabia with any one of her children unless with his prior consent."

Most American wives believe that the U.S. Embassy can issue exit visas in a pinch. This is not the case. The U.S. Embassy cannot obtain exit visas for American citizens. Passports issued by the Embassy are worthless as travel documents without the mandatory Saudi exit visa. While some more affluent American relatives offer to pay for the American wife to travel independently, this often meets with disapproval from the Saudi husband or family.

Will you be permitted to work?

There are two hurdles an American wife must overcome before finding work outside the home: The disapproval of the family and the paucity of employment opportunities.

Most husbands will not approve of a wife working outside the home if it entails contact with unrelated men. One American wife, who was a teacher in the U.S. during the entire five years of her courtship with her husband, was shocked when her husband threatened her with divorce when she requested to return to the U.S. to finish up one quarter of classes in order to qualify for a state pension. Now that she was married, the Saudi husband could not tolerate her being in the presence of other men. However, even if the husband is willing, the jobs are few. Employment is generally restricted to the fields of education (teaching women only) and medicine. Unfortunately, there is a tremendous social bias against the nursing profession and Saudi husbands would not approve of a wife working with patients, except in the position of a physician.

Will your husband take a second wife?

Among the younger generation, it is rare for a Saudi to have a second wife but it does occur. A man is legally entitled up to four wives, with the proviso that he is able to financially and emotionally accord them equal status. One American wife discovered that her Saudi husband had married her best friend, also an American, while he was on vacation in the U.S.

Religion

In principle, all Saudi men must marry Muslims or converts to Islam. In practice, many American women blur the issue; participating in a Sharia

wedding ceremony but never actually converting.

The pressure to become a Muslim, or to become a sincere Muslim, is enormous and never-ending. There is no separation of church and state in Saudi Arabia, and at the popular level there is simply no comprehension of religious freedom of the desire to remain Christian or undecided. One American wife, who is approaching her tenth wedding anniversary has been terrorized by relatives who insist that the King has ordered that all women who don't see the light after ten years must be divorced and deported. For another, the pressure comes mainly from her children who are mercilessly teased at school for having a foreign, non-Muslim mother. (Half-hearted converts to Islam find that their children are ridiculed for having mothers who pray awkwardly or not at all.) One Saudi teacher informed the children of an American citizen mother, who has sincerely converted to Islam, that their mother could never be a Muslim since "only Arabs can be Muslim." Women who don't convert must accept that their children, through hours of Islamic education a day at school and under the tutelage of the family, will be Muslim. Women who do convert must understand that their conversion, particularly in the aftermath of a divorce, will be suspect and their fidelity to Islam perceived to be less than their husband's.

Family

Saudi Arabia has one of the highest birthrates in the world and families with five or more children are the norm. The family is the basic unit of Saudi life and family members have much closer relations than in the United States. Every family member feels free to give an opinion on any facet of another family member's life. Siblings - particularly an older brother - are expected to financially aid each other and males must band together to guard the honor of their female relations. Children are not expected or encouraged to leave the nest; rather, extended adolescence can occur well into a man's early thirties.

What are the differences in child raising?

To a much greater degree than in the West, Saudi children are indulged. Little girls are dressed in miniature prom dresses, little boys wear the latest in western sport togs. Both wreak havoc. American wives must suffer silently when the children of various relations run riot through the house. One wife related the story of a brother-in-law's child who carefully doled out chocolate pudding on the brand new furniture. When she scolded the child, she was in turn scolded for making a fuss about something that could be cleaned.

On the other hand, the Saudi family is replete with baby sitters and children always have young and old playmates, with whom to mix. Because foreign labor is so cheap in Saudi Arabia, even lower middle class families will have an Indonesian or Filipina housemaid to help with the chores. Among the very affluent Saudi families and particularly within the royal family, each child will generate its own servant.

Many American mothers are frustrated by the dearth of things to do with their children. Absent a driver, mothers are cooped up at home with the children and, even with a driver, there are few venues to visit.

What will it be like to raise a daughter?

Cultural differences are never greater than when it comes to the role of women and raising a daughter is a challenge in any Saudi-American marriage.

Growing up in the Kingdom, a young girl will naturally look forward to the day when she comes of age and can wear the abaya and cover her hair. She will naturally be very devout. She may be expected to marry a first cousin. While playing a central role in the family, a girl is nevertheless a statutory second class citizen who needs to be protected and whose word is worth only half of a man's.

For a Saudi girl, this is the natural state of affairs; for an American mother of a Saudi girl, it can be unsettling. Not surprisingly, most of our child custody cases in which a child has been kidnapped from the United States involve a Saudi father "saving" his daughter from a sinful society and her "decadent" mother.

Since Saudi women are prohibited from marrying western men, an American mother must expect her daughter to integrate more tightly into Saudi society. This is not necessarily the case with sons who might be encouraged to study in the U.S. (Saudi girls are permitted to study in the U.S. only if they are chaperoned by a family member), who could freely travel to the West, whose business might facilitate travel between the two countries, and who might elect to marry an American woman. Several very liberal Saudi fathers and the American wives have been embarrassed by their more conservative daughters' decisions not to attend school in the United States in deference to the disapproval of their culture.

IF THE MARRIAGE FAILS

In the worst scenario, an American wife can find herself summarily divorced, deported, and deprived of any right of visitation with her dual national children. Sharia law decidedly favors men in the dissolution of marriage. And the laws of Saudi Arabia require that all individuals be sponsored by a Saudi citizen in order to receive a visa, resident or otherwise. Therefore, once a marriage breaks up, the ex-wife must leave the Kingdom and may only return with the explicit permission and sponsorship of her ex-husband. (In cases where the Saudi husband attempts to prevent his spouse from leaving, the Embassy can call upon Saudi authorities to facilitate the American wife's departure. The Embassy cannot force a Saudi husband to relinquish the children.)

In one instance, an American who had undergone a bitter divorce and child custody battle with her Saudi husband, applied for and received a visa to work with a company located in the Kingdom. Once the Saudi husband and the Saudi authorities discovered her presence, she was thrown into jail and ultimately forced to leave her position and the country.

What custody rights to women have under Sharia law?

Theoretically, a mother should maintain custody of the children until the ages of 7-9, when their primary care would be transferred to their father.

However, the ultimate objective of a Sharia court in the settlement of custody issues is that the child be raised a good Muslim. Whether a convert or not to Islam, an American woman will not overcome the prejudice against her upbringing and society. The Embassy has no knowledge of an American or any western woman ever winning custody of dual national children in a Sharia court.

Can an American mother flee the Kingdom with her dual national children?

It is impossible to legally leave the Kingdom without the express permission

of the Saudi husband. A woman who wishes to leave her husband but is pregnant at the time, can be required to wait until after the birth of the child. The same would hold true if the Saudi husband passed away - custody of the children and any unborn child would remain with the closest living Saudi male relative.

Can an American woman be denied visitation rights with her children?

A Saudi husband must give explicit permission for a divorced wife to visit her children in the Kingdom. The Embassy has worked with the Ministry of Foreign Affairs to create the "no-objection" visa. The ex-husband must be willing to sign a statement that he has no objection to his ex-wife visiting the Kingdom. In that statement, the ex-husband establishes how long he is willing to let his ex-wife remain in the country. The history of no-objection visas is mixed.

A husband often objects to the emotional disruption of a visit from the American wife. Often the husband's second wife becomes jealous, and the American mother finds that her visits are restricted in time and carried out in full view of the extended Saudi family.

Only one American wife has successfully made no-objection visits over the course of the last five years. She has been successful because she speaks Arabic (Dual national children quickly lose their English skills once their mother departs the Kingdom), has managed to maintain steady relations with her ex-husband, and reconciled herself to the fact that her child would spend at least his first 18 years in the Kingdom. If the custody dispute has involved kidnapping by one or both parents, then by the time the children reach the Kingdom the father has no interest in facilitating relations with the American citizen mother. In these cases, all communication can be closed off and Saudi authorities will not intercede in family disputes. Consular Officers are rarely permitted to pay "Welfare and Whereabouts" visits.

COMMENT

Because the customs and laws of the Kingdom are so at variance with the expectations and emotional imperatives of an American citizen wife in the event of a divorce, an AMERICAN considering marriage to a Saudi must always contemplate the worst case scenario. American wives are bitterly disappointed and angry when they discover the limits of the Department's and Embassy's ability to intervene or resolve family disputes. The Department can provide no guidance on which marriages will succeed. But knowledge of Saudi Arabia and its particular interpretation of Islam should be an American woman's first step in determining whether the compromises required are worth the proposed relationship.

INTERNATIONAL PARENTAL CHILD ABDUCTION

ISLAMIC FAMILY LAW

DISCLAIMER: THE INFORMATION IN THIS CIRCULAR RELATING TO THE LEGAL REQUIREMENTS OF SPECIFIC FOREIGN COUNTRIES IS PROVIDED FOR GENERAL INFORMATION ONLY. QUESTIONS INVOLVING INTERPRETATION OF SPECIFIC FOREIGN LAWS SHOULD BE ADDRESSED TO FOREIGN COUNSEL.

NOTE:

The information contained in this flyer is intended as an introduction to the basic elements of Islamic family law. It is not intended as a legal reference.

It is designed to make clear the basic rights and restrictions resulting from marriages sanctioned by Islamic law between Muslim and non-Muslim partners. For Americans, the most troubling of these restrictions have been:

-- the inability of wives to leave an Islamic country without permission of their Muslim husbands;-- the wives' inability to take their children from these countries without such permission; and-- the fact that fathers have ultimate custody of children.

MARRIAGE

In Islam, the act of marriage occurs with the conclusion of the marriage contract. The marriage contract itself is completed by an offer and acceptance, both of which must be made on the same occasion by two qualified parties. If a marriage has been contracted by competent persons in the presence of two witnesses and has been adequately publicized, it is complete and binding. It requires no religious or other rites and ceremonies because in Islamic law formalities have no value insofar as contracts are concerned. Such marriages are conducted only if both parties are willing.

MIXED MARRIAGES

With few exceptions, a Christian or Jew who marries a Muslim and resides in an Islamic country will be subject to provisions of Islamic family law in that country. In these circumstances:

- Any children born to the wife will be considered Muslim. They will usually also be considered citizens of the father's country.
- The husband's permission is always needed for the children to leave an Islamic country despite the fact that the children will also have, for example, American citizenship. Foreign immigration authorities can be expected to enforce these regulations. The ability of U.S. consular officers to aid an American woman who wishes to leave the country with her children is very limited.
- The wife may be divorced by her husband at any time with little difficulty and without a court hearing.
- At a certain point in age, the children will come under the custody of the father or his family.
- In Islamic countries, the wife will need the permission of her husband to leave the country.

CHILDREN'S RIGHTS

There are three types of guardianship which are fixed for a child from the time of its birth;

-- The first is guardianship of upbringing, which is overseen by women during the age of dependence. The age at which this period of dependence terminates varies: anywhere from 7 years for a son and 9 for a daughter to 9 and 11, respectively. In the case of divorced parents, it is permissible for a daughter to remain with her mother if the parents agree. But such an agreement cannot be made for a son.

-- The second is the child's spiritual guardianship. The spiritual guardian may be the father or a full blooded male relative of the father.

-- The third is guardianship over the child's property which usually is carried out by the father.

PERSONS CONTEMPLATING SUCH MARRIAGES SHOULD GIVE SERIOUS CONSIDERATION TO THE POTENTIAL DIFFICULTIES DESCRIBED IN THIS PAMPHLET.

1995 Medical Bills for Heidi Al-Omary Owed by Abdulbaset Al-Omary

MED. INSURANCE PREMIUMS

<u>Monthly totals</u>	<u>Father's half not paid</u>
June '95 - \$65.00	32.50
July - 65.00	32.50
Aug - 65.00	32.50
Sept - 65.00	32.50
Oct - 65.00	32.50
Nov - 65.00	32.50
Dec - 65.00	32.50
 SUBTOTAL	 227.50

HEIDI'S 1995 DEDUCTIBLE

<u>Yearly total</u>		
\$200.00	SUBTOTAL	100.00

NON-COVERED
PHYSICIAN'S CHARGES

2/20 - \$10.00	5.00
3/22 - 10.00	5.00
4/05 - 10.00	5.00
4/20 - 10.00	5.00
5/08 - 0.00	0.00
5/13 - 0.00	0.00
9/19 - 35.00	17.50
10/28 - 66.00	33.00
12/02 - 10.00	5.00
 SUBTOTAL	 70.50

DRUGS

2/10 - \$7.00	3.50
3/06 - 11.49	5.75
3/06 - 15.00	7.50
4/04 - 7.00	3.50
10/12 - 4.06	2.03
11/21 - 15.00	7.50
 SUBTOTAL	 29.78

<u>1995 TOTAL</u>	<u>475.56</u>	PLUS 10% PER ANNUM
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*EXHIBIT #7
*Child Support Arrears

1996 Medical Bills for Heidi Al-Omary Owed by Abdulbaset Al-Omary

MEDICAL INSURANCE PREMIUMSMonthly TotalsFather's Half Not Paid

Jan '96	- \$65.00	32.50
Feb	- 65.00	32.50
Mar	- 65.00	32.50
Apr	- 65.00	32.50
May	- 65.00	32.50
Jun	- 65.00	32.50
July	- 65.00	32.50
Aug	- 65.00	32.50
Sept	- 65.00	32.50
Oct	- 65.00	32.50
Nov	- 65.00	32.50
Dec	- 65.00	32.50

SUBTOTAL	390.00
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HEIDI'S 1996 DEDUCTIBLEYearly Total

\$200.00	SUBTOTAL	100.00
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NON-COVEREDPHYSICIAN'S CHARGES

1/17	- \$10.00	5.00
1/23	- 255.00	127.50
1/23	- 310.00	155.00
2/05	- 34.65	17.37
2/08	- 55.00	27.50
2/14	- 34.65	17.37
2/16	- 55.00	27.50
2/21	- 110.00	55.00
3/15	- 110.00	55.00
3/21	- 75.00	37.50
4/05	- 110.00	55.00
5/06	- 10.00	5.00
7/30	- 22.50	11.25

SUBTOTAL	584.74
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DRUGS

\$0.00	SUBTOTAL	0.00
--------	----------	------

<u>1996 TOTAL</u>	<u>1074.74</u>	PLUS 10% PER ANNUM
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1997 Medical Bills for Heidi Al-Omary Owed by Abdulbaset Al-Omary

Medical Insurance Premiums

<u>Monthly Totals</u>		<u>Father's half not paid</u>
Jan 1997	- 65.00	32.50
Feb	- 65.00	32.50
Mar	- 65.00	32.50
Apr	- 65.00	32.50
May	- 65.00	32.50
Jun	- 65.00	32.50
Jul	- 65.00	32.50

SUBTOTAL 227.50

Heidi's 1997 Deductible

<u>Yearly Total</u>	
\$200.00	SUBTOTAL 100.00

Non-covered Physicians' Charges

<u>Dates:</u>		<u>Amounts:</u>
3-10-97	10.00	5.00
Children's Clinic		
4-3-97	12.00	6.00
Children's Clinic		
4-9-97	10.00	5.00
Urgent Care		

SUBTOTAL 16.00

Drugs

<u>Dates:</u>		<u>Amounts:</u>
3-3-97	15.00	7.50
City Drug		
3-10-97	15.00	7.50
City Drug		

SUBTOTAL 15.00

1997 TOTAL TO 7/25/97

386.00 PLUS 10% PER ANNUM

CHILD SUPPORT ARREARAGES FOR HEIDI AL-OMARY OWED BY ABDULBASET AL-OMARY

	<u>Payments</u>	<u>Arrearages by Mo.</u>
As per 7 Aug 1995 Court Order --	0	429.44
Sept 95 --	150.00	0
Oct --	150.00	0
Nov --	150.00	100.00
Dec --	150.00	100.00

1995 TOTAL CHILD SUPPORT ARREARAGE 629.44
PLUS 10% PER ANNUM

.....

1996		
Jan --	150.00	100.00
Feb --	150.00	100.00
Mar --	150.00	100.00
Apr --	150.00	100.00
May --	150.00	100.00
Jun --	150.00	100.00
Jul --	150.00	100.00
Aug --	150.00	100.00
Sept --	150.00	100.00
Oct --	150.00	100.00
Nov --	150.00	100.00
Dec --	150.00	100.00

1996 TOTAL CHILD SUPPORT ARREARAGE 1200.00
PLUS 10% PER ANNUM

.....

1997 (to July 25, 1997)		
Jan --	150.00	100.00
Feb --	150.00	100.00
Mar --	150.00	100.00
Apr --	0	250.00
May --	0	250.00
Jun --	0	250.00
Jul --	0	250.00
Aug --	0	250.00

1997 TOTAL CHILD SUPPORT ARREARAGE 1550.00
PLUS 10% PER ANNUM

.....
TOTAL ARREARAGES = 3,379.44 (PLUS 10% PER ANNUM)

LEGAL FEES OWED BY ABDULBASET AL-OMARY

8/15/95 250.00 + MY COSTS INCURRED
MY COSTS 250.00

4/14/95 500.00 + MY COSTS INCURRED
MY COSTS 500.00

TOTAL = 1500.00

LOAN BALANCE 2250.00 AWARDED IN DIVORCE DECREE
PAID BY DEFENDANT 900.00
STILL OWING 1350.00

CHILD SUPPORT FROM 9/1/97 TO 3/1/98
250.0 X 7 MONTHS = 1750.00

MEDICAL PREMIUMS FROM 8/1/97 TO 3/1/98
32.50 X 8 MONTHS = 260.00

LEGAL, TRAVEL, INVESTIGATIVE COSTS INCURRED IN RECOVERING MY DAUGHTER
12,000+

EP 15 21 02 15:20 FR USMS IPOL

222 516 3894 10 93129743

P. 02

AL-OMARY Machael Heidi
F-91/8-1999

HER FATHER, AL-OMARY ABDULBASET AHMED MOHAMMED, BORN ON 6TH APRIL 1968, IS THE SUBJECT OF RED NOTICE FILE No. 1998/37138, CONTROL No. A-578/8-1999

PRESENT FAMILY NAME: AL-OMARY

FORENAMES: Machael Heidi SEX: F

DATE AND PLACE OF BIRTH: 11th July 1992 - Jonesboro, Arkansas, United States

FATHER'S FAMILY NAME AND FORENAMES: AL-OMARY Abdulbaset Ahmed Mohammed

MOTHER'S MAIDEN NAME AND FORENAME: McCLAIN Margaret

IDENTITY CONFIRMED - NATIONALITY: UNITED STATES CITIZEN (CONFIRMED)

DESCRIPTION: Height 101 cm, weight 17 kg, brown hair, brown eyes.

TEETH: Good.

ALSO KNOWN AS: AL-OMARY Heidi; Mishi; Binti.

IDENTITY DOCUMENT: United States passport No. 083073196 (expired on 15th February 1998).

COUNTRIES LIKELY TO BE VISITED: Saudi Arabia, Sweden.

LANGUAGE SPOKEN: English.

CLOTHING: Clothes size 5-7 years' old. Last seen wearing shorts and a sleeveless top.

CIRCUMSTANCES OF DISAPPEARANCE: UNITED STATES: On 21st August 1994, AL-OMARY Abdulbaset Ahmed Mohammed and McCLAIN Margaret divorced and the sole custody of their daughter, AL-OMARY Machael Heidi, was awarded to the mother, with visitation rights granted to the father. On 10th August 1997, the father collected the child for a scheduled visit. On 14th August 1997, he rang the mother to tell her that he was in Saudi Arabia and that he would not return the child to the United States.

ADDITIONAL INFORMATION: Her father may have obtained identity documents indicating that the girl's mother is SMITH Jane Brussel, AL-DUGAIL Wafaa, AL-GHOFAILI Farida or AL-HEDAITHY Farida.

PURPOSE OF NOTICE: Issued at the request of the United States authorities in order to locate this person. If traced, please place her in the care of a child welfare organization and contact her country's nearest diplomatic representative. Please send any information available to INTERPOL WASHINGTON (Reference 19980303154/CWQ of 7th May 1999) and the ICPO-Interpol General Secretariat.

***EXHIBIT #8**

***Arrest Warrants**

File No. 1999/20218

Control No. F-91/8-1999

CONFIDENTIAL INTENDED ONLY FOR POLICE AND JUDICIAL AUTHORITIES

SEP 15 2002 15:20 FR USMS IPOL

202 616 3894 TO 93129743

AL-OMARY Abdulbaset Ahmed Mohammed
 REQUESTING COUNTRY: UNITED STATES
 FILE No.: 1998/37138
 DATE OF PUBLICATION: 15th July 1999

CONTROL No. A-578/8-1999



FUGITIVE WANTED FOR PROSECUTION

HIS DAUGHTER, AL-OMARY MACHAEL HEIDI, BORN ON 11TH JULY 1992, IS THE SUBJECT OF YELLOW NOTICE FILE No. 1999/20218, CONTROL No. F-91/8-1999

1. IDENTITY PARTICULARS

- 1.1 PRESENT FAMILY NAME: AL-OMARY
- 1.2 FAMILY NAME AT BIRTH: AL-OMARY
- 1.3 FORENAMES: Abdulbaset Ahmed Mohammed 1.4 SEX: M
- 1.5 DATE AND PLACE OF BIRTH: 6th April 1968 - Jeddah, Saudi Arabia
- 1.6 FATHER'S FAMILY NAME AND FORENAME: JAWDAT Ahmed
- 1.7 MOTHER'S FORENAME: Fatema
- 1.8 IDENTITY CONFIRMED
- 1.9 NATIONALITY: SAUDI ARABIAN (CONFIRMED)
- 1.10 IDENTITY DOCUMENTS: Saudi Arabian passport No. A218722 or A218772, issued on 26th December 1993 in Riyadh, Saudi Arabia (expired in March 1998); driving licence No. 430-79-7163, issued on 8th March 1995 in Arkansas, United States
- 1.11 ALSO KNOWN AS: AL-DUGAIL, AL-GHOFALI, AL-HEDAITHY, AL-JAWDAT, BASET, BASIT, OMARY, SABER
- 1.12 DESCRIPTION: Height 188 cm, weight 108 kg, black hair, brown eyes
- 1.13 DISTINGUISHING MARKS AND CHARACTERISTICS: May wear glasses, moustache and beard
- 1.14 OCCUPATION: Computer science; has bachelor's and master's degrees. He is believed to be working for Aramco Oil in Saudi Arabia
- 1.15 LANGUAGES SPOKEN: Arabic, English
- 1.16 REGIONS/COUNTRIES LIKELY TO BE VISITED: Saudi Arabia, Sweden
- 1.17 ADDITIONAL INFORMATION: N/A

2. JUDICIAL INFORMATION

- 2.1 SUMMARY OF FACTS OF THE CASE: UNITED STATES: On 21st August 1994, AL-OMARY Abdulbaset Ahmed Mohammed and McCLAIN Margaret divorced and the sole custody of their daughter, AL-OMARY Machael Heidi, was awarded to the mother, with visitation rights granted to the father. On 10th August 1997, the father collected the child for a scheduled visit. On 14th August 1997, he rang the mother to tell her that he was in Saudi Arabia and that he would not return the child to the United States.

CONFIDENTIAL INTENDED ONLY FOR POLICE AND JUDICIAL AUTHORITIES

- 2.2 ACCOMPLICES: N/A
2.3 CHARGE: International parental kidnapping, unlawful flight to avoid prosecution for interference with child custody
2.4 LAW COVERING THE OFFENCE: Articles 1073 and 1204, Title 18 of the United States Penal Code
2.5 MAXIMUM PENALTY POSSIBLE: 3 years' imprisonment
2.6 TIME-LIMIT FOR PROSECUTION OR EXPIRY DATE OF ARREST WARRANT: None
2.7 ARREST WARRANT: No. 97-M-5006, issued on 20th August 1997 by the judicial authorities in Jonesboro, Arkansas, United States
Name of signatory: Bill Penix (Judge)
COPY OF ARREST WARRANT AVAILABLE AT THE GENERAL SECRETARIAT IN THE LANGUAGE USED BY THE REQUESTING COUNTRY: NO

3. ACTION TO BE TAKEN IF TRACED

- 3.1 IMMEDIATELY INFORM INTERPOL WASHINGTON (Reference 19980303154/CWO of 7th May 1999) AND THE ICPO-INTERPOL GENERAL SECRETARIAT THAT THE FUGITIVE HAS BEEN FOUND.
3.2 FOR COUNTRIES WHICH CONSIDER RED NOTICES TO BE VALID REQUESTS FOR PROVISIONAL ARREST, PLEASE PROVISIONALLY ARREST THE FUGITIVE.

EXTRADITION WILL BE REQUESTED FROM ANY COUNTRY WITH WHICH THE REQUESTING COUNTRY IS LINKED BY A BILATERAL EXTRADITION TREATY, AN EXTRADITION CONVENTION OR BY ANY OTHER CONVENTION OR TREATY CONTAINING PROVISIONS ON EXTRADITION.

3

FedEx USA Airbill
Express Tracking Number: 833155033005

1 From
 Date: 9/25/02
 Sender's Name: Bank Paper
 Company: State Dept. / Office of Children's Issues
 Address: 1000' C St. N.W. # 2100
 City: Washington DC
 State: DC ZIP: 20006

2 Your Internal Billing Reference

3 To
 Recipient's Name: Ms. Margaret McLean
 Company: Margaret McLean
 Address: 504 W. Cherry Avenue
 City: Jonesboro State AR ZIP: 72461

Form ID No. 0200

4a Express Package Service
 FedEx Priority Overnight
 FedEx Standard Overnight
 FedEx 2Day
 FedEx 3Day Freight
 FedEx Express Saver
 FedEx 2Day Freight
 FedEx 3Day Freight

4b Express Freight Service
 FedEx 2Day Freight
 FedEx 3Day Freight
 FedEx 4Day Freight
 FedEx 5Day Freight

5 Packaging
 FedEx Envelope
 FedEx Pak
 Other

6 Special Handling
 Hold/Weekday
 Hold/Saturday
 Signature Required
 Insured
 Fragile
 Restricted
 Hazardous
 Perishable
 Live Animals
 High Value
 Other

7 Payment
 Bill to: Sender
 Recipient
 Third Party
 Cash/Check
 Credit Card
 Money Order

8 Release Signature
 Signature: Margaret McLean
 Title: Director

Total Packages: 1
Total Weight: 0.00
Total Declared Value: \$ 0.00
Total Charges: \$ 0.00

8331 5503 3005
 FEEDBACK

8331 5503 3005

446

AUG 26 '97 11:22AM US ATTORNEYS OFFICE

AO 91 (Rev. 5/85) Criminal Complaint

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

UNITED STATES OF AMERICA

ABDULBASIT A. AL-OMARY
(Last known address)
1217 W. Cherry st.
Jonesboro, Ar. 72401

CRIMINAL COMPLAINT

CASE NUMBER: 97-M-5006

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 8/14/97 in Craighead county, in the Eastern District of Arkansas defendant(s) did, (Check Statutory Language of Offense): Unlawfully flee the State of Arkansas to avoid prosecution for the crime of Interference with Child Custody, a class D felony under the laws of the State of Arkansas, in violation of Title 18, United States Code, Section(s) 1073 and 1204. I further state that I am an Special Agent of the FBI and that this complaint is based on the following facts:

On 8/18/97, Abdulbasit A. Al-Omary was charged in Craighead County Circuit Court, Jonesboro, Ar., with one count of Interference with Child Custody, a class D felony under Arkansas Code Annotated Statute 5-26-502. Per decree of Divorce dated 9/21/94, Machal Heidi Al-Omary, a girl born 7/11/92, is the daughter of Abdulbasit A. Al-Omary and Margaret Keshawarz, now McClain. It was agreed in this divorce decree that Margaret, the mother, was granted custody over the daughter subject to the father's right of reasonable visitation. On 8/10/97, Abdulbasit A. Al-Omary picked up the daughter for visitation. On 8/14/97, Margaret Keshawarz McClain received a telephone call from Al-Omary, in which he told her he was in Saudi Arabia with their daughter and was not going to return to the United States with her as long as Margaret McClain was hassling him over child support and visitation. On 8/19/97, Jayne Marie Brussel Al-Omary, present wife of Abdulbasit, advised me that she had received telephone calls from him on 8/14 & 18/97, when he told her he was in Saudi Arabia with his daughter and would not return her to the United States. Attempts to locate Al-Omary at his home and at other logical places in the area by law enforcement agencies have been unsuccessful. Based on this, there is probable cause to believe that Abdulbasit A. Al-Omary removed and is retaining a child outside of the United States with the intent to obstruct the lawful exercise of parental rights by Margaret McClain, the mother, in violation of Title 18, USC, Sections 1073 and 1204.

Continued on the attached sheet and made a part hereof: Yes No

Signature of Complainant: Roy D. Christopher, Special Agent, FBI

Sworn to before me and subscribed in my presence,

Date: Aug. 20, 1997

City and State: Jonesboro, Ar.

Bill Fenix, U.S. Magistrate Judge, Name & Title of Judicial Officer

Signature of Judicial Officer: Bill Fenix

Dept. of State, RPS/IPS, Margaret P. Crawford, Dir
X Release () Excise () Deny () Declassify
DATE 2 0 2001 Exemption

AUG 26 '97 11:23AM US ATTORNEYS OFFICE

AO 442 (Rev. 12/85) Warrant for Arrest

THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME: ABDULBASIT A. AL-OMARY

ALIAS: _____

LAST KNOWN RESIDENCE: 1217 West Cherry st., Jonesboro, Ar.

LAST KNOWN EMPLOYMENT: _____

PLACE OF BIRTH: Saudi Arabia

DATE OF BIRTH: 4/6/58

SOCIAL SECURITY NUMBER: 430-79-7163

HEIGHT: 5'10" WEIGHT: 170

SEX: M RACE: Middle Eastern Arab

HAIR: Black EYES: Brown

SCARS, TATTOOS, OTHER DISTINGUISHING MARKS: _____

FBI NUMBER: _____

COMPLETE DESCRIPTION OF AUTO: _____

INVESTIGATIVE AGENCY AND ADDRESS: FBI, P.O. Box 1292, Jonesboro, Ar. 72403

Mike Walden

BENCH WARRANT
CRAIGHEAD COUNTY CIRCUIT COURT

DOB: 4/6/68
SSN: 430-79-7163
;e Eastern Male

STATE OF ARKANSAS }
County of Craighead }

TO ANY SHERIFF, CORONER, JAILER, CONSTABLE, MARSHALL, OR POLICEMAN IN THE STATE:

You are hereby commanded forthwith to arrest AL OMARY ARDIBASIT A

305 Scott

Jonesboro, AR

and bring him or her before the Craighead County Circuit Court, Criminal Division, Jonesboro District, to answer
an Information in that court against him or her for Interference with Child Custody

or if the court be adjourned for that term, that you deliver him or her to the custody of the jailer of Craighead County.

Given under my hand and seal of said court this 18th
day of August, 1997

ANN HUDSON

Clerk of the Circuit Court

By *Carlyle J. [Signature]*, D.C.

IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY
WESTERN DISTRICT
CRIMINAL DIVISION

STATE OF ARKANSAS

vs. NO. CR

AL OMARY, ABDULBASIT A
305 SCOTT
JONESBORO, AR
DOB: 4/6/68
SSN: 430-79-7163
MIDDLE EASTERN MALE

CID: 97-05488
ATN:

FILED
91 AUG 18 PM 2:53
ANN HUDSON
CIRCUIT AND CHANCERY
COURT CLERK

INFORMATION

Comes the Prosecuting Attorney for Craighead County, Arkansas, and in the name and by the authority of the State of Arkansas, charges AL OMARY, ABDULBASIT A with the crime of INTERFERENCE WITH CHILD CUSTODY as follows:

Count 1: INTERFERENCE WITH CHILD CUSTODY - ARK. CODE ANN. 5-26-502 - The said defendant in the Western District of Craighead County, Arkansas, on or about 8/14/97, did knowingly take, entice, or keep a minor child from any person entitled by a court decree or order to the right of custody, knowing that he or she had no lawful right to do so, thereby committing the offense of INTERFERENCE WITH CHILD CUSTODY, said offense being a CLASS D FELONY, against the peace and dignity of the State of Arkansas.

There appearing reasonable grounds for believing the alleged offense was committed by defendant, a warrant is therefore prayed for his arrest to be issued by the court.

BRENT DAVIS, PROSECUTING ATTORNEY

BY: Mike Walden
Mike Walden, Deputy

I hereby find that this petition demonstrates reasonable and probable cause for the filing of charges against the above named individual.



JUDGE

OFFENSE REPORT
JONESBORO POLICE DEPARTMENT

OF 97 05488

Offense/Police Report Name	Age	Sex	RACE	SEX	Phone (Business)
MCCLAIN, MARGARET			WHT	F	
Offense/Police Report Address	City/State/Zip	Phone (Residence)			
504 W CHERRY AVE -	JONESBORO, AR 72401	(870) 972-8031			
Offense/Police Report Subject	Object Of Arrest				
	INT W/ CHILD CUSTODY				
Where Offense Occurred	Type of Building	Arrest Date			
117 W CHERRY AVE -	RESIDENTIAL				
Reported By	Reported To				
MCCLAIN, MARGARET	SGT ROPER - CID				
Date and Time of Offense	Date and Time of Report	Person Reported			
3/14/97	8/14/97 AT 23:00	PERSON			
UC (How does, force used, at what point, tool or weapon, other act or trademark)	Offense Description	Possession			
		YES			

Offense/Police Report Name	Age	Sex	Height	Weight	Hair	Eyes	Build	Tag
AL OMARY, HEIDI MACHAEL		WHT F	3	38	BRO	BRO	7/1/92	5

NARRATIVE

ON 08/14/97 AT 11:00PM, DON AND MARGARET MCCLAIN CONTACTED SGT'S ROPER AND CHAMBERS CONCERNING THE POSSIBLE ABDUCTION OF HER DAUGHTER, HEIDI AL-OMARY. MARGARET MCCLAIN STATED EARLIER IN THE EVENING SHE WAS CONTACTED BY HER EXHUSBAND, ABDULBASET AL-OMARY. AL-OMARY TOLD HER THAT HE WAS IN SAUDI ARABIA WITH THEIR DAUGHTER AND WAS NOT COMING BACK. MARGARET STATED SHE SPOKE WITH HEIDI WHO SAID THEY WERE AT A COUSIN'S HOUSE IN FAIRFAX, VA. MARGARET STATED SHE WOULD TELL OVER THE PHONE THAT HER EXHUSBAND WAS NOT CALLING FROM OVERSEAS AND BELIEVED THEY WERE CALLING FROM VIRGINIA.

MARGARET STATED SHE HAD CUSTODY OF HEIDI AND THAT HER EXHUSBAND HAD VISITATION. MARGARET ADVISED SHE AND AL-OMARY HAD REACHED AN AGREEMENT IN WHICH HEIDI WOULD STAY A WEEK AT A TIME AT EACH RESIDENCE. MARGARET ADVISED THIS WAS AL-OMARY WEEK TO KEEP THE HEIDI AND SHE HAD SEEN LAST SEEN HER ON TUESDAY 08/12/97.

ON 08/14/97 AT APPROXIMATELY 11:30PM, SGT CHAMBER DIRECTED OFFICERS TO AL-OMARY'S RESIDENCE. OFFICERS SPOKE WITH JANET AL-OMARY, THE WIFE OF ADULBASET AL-OMARY, AND LEARNED HEIDI AND AL-OMARY WERE NOT THERE. AL-OMARY'S VEHICLE, CLOTHING AND LUGGAGE WERE PRESENT.

ON 08/13/97 AT 4:30PM, SGT'S ROPER AND CHAMBERS WENT TO AL-OMARY'S RESIDENCE AND SPOKE WITH JANET AL-OMARY. JANET STATED SHE LAST SAW HER HUSBAND ON THE MORNING OF 08/13/97. AL-OMARY TOLD JANET HE WAS TAKING HEIDI TO MEMPHIS FOR THE DAY AND HAS NOT SEEN HIM SINCE. JANET ADVISED SHE WAS CONTACTED BY HER HUSBAND OVER THE PHONE ON 08/14/97 AND HE TOLD HE HE WAS IN SAUDI ARABIA. JANET STATED SINCE SHE HAD NOT HEARD FROM HIM SHE BELIEVES HE IS SAUDI ARABI AND WAS NOT COMING BACK.

ON 08/15/97, MARGARET AND DON MCCAIN LEFT DRIVING TO 3100 SOUTHERLAND HILL COURT FARFAX, VA 22061. THIS IS THE ADDRESS HEIDI TOLD HER MOTHER SHE WAS AT.

ON 08/15/97 HEIDI AL-OMARY WAS ENTERED NCIC AS A MISSING JUVENILE.

SGT SCOTT ROPER

Date Entered NCIC	Date Entered HERE	
8/15/97		
Reporting Officer	Investigating Officer	Current Disposition
SGT ROPER - CID	SGT ROPER - CID	ACTIVE

Received: from MAILQUEUE by PAWNEE (Mercury 1.20); 9 Nov 97
12:22:29 CDT
Return-path: <theaa2@hotmail.com>
Received: from hotmail.com by PAWNEE.astate.edu (Mercury 1.20);
9 Nov 97 12:22:25 CDT
Received: (qmail 28686 invoked by uid 0); 9 Nov 1997 18:12:59 -
0000
Message-ID: <19971109181259.28685.qmail@hotmail.com>
Received: from 198.80.192.130 by www.hotmail.com with HTTP;
Sun, 09 Nov 1997 10:12:58 PST
X-Originating-IP: [198.80.192.130]
From: "AA omary" <theaa2@hotmail.com>
To: mkeshaw@pawnee.astate.edu
Subject: whats up dumma koph
Content-Type: text/plain
Date: Sun, 09 Nov 1997 10:12:58 PST
X-PMFLAGS: 35651712

hi this is me aa

what up. you are too dumma koph to listen.
be happy now. we cant come back because of what you had done.
whatever, tell me please about the shots or measles that Hiedi
had,
because we have to give her the required shots according to the
law
of libia.
Please do not be dumb again?
this is an international privet mail that you can't track it.

remember this is the only way you can communicate with H. If you
want
to blowe it as you did before then try it? it is the last chance.

AA :)

Get Your Private, Free Email at <http://www.hotmail.com>

***EXHIBIT #9**
***Emails from Fugitive**

Received: from MAILLOLUE by PAWNEE (Mercury 1.20); 22 Dec 97
 08:48:06 CDT
 Return-path: <tneaa2@hotmail.com>
 Received: from f1111@hotmail.com by PAWNEE.astate.edu (Mercury
 1.20) with ESMTD;
 22 Dec 97 08:48:04 CDT
 Received: (from root@localhost)
 by f1111@hotmail.com (8.8.5/8.8.5) id GAA22007
 for MKESHAW@pawnee.astate.edu; Mon, 22 Dec 1997 06:32:03 -
 0800 (PST)
 Message-Id: <199712221432.GAA22007@f1111@hotmail.com>
 Received: from 198.80.192.131 by www.hotmail.com with HTTP;
 Mon, 22 Dec 1997 06:32:02 PST
 X-Originating-IP: [198.80.192.131]
 From: "AA SaBer" <tneaa2@hotmail.com>
 To: MKESHAW@pawnee.astate.edu
 Subject: Re: Heidi's shot records
 Content-Type: text/plain
 Date: Mon, 22 Dec 1997 06:32:02 PST
 X-PMFLAGS: 35651712

HI MARAGARET,
 HIDEI IS OK AND VERY HAPPY WITH HER KIDDIES, AND SHE SAID THAT:
 NAFTISAH IS BLACK AND WHITE, ROSSAH IS GRAY AND WHITE.
 I'M A BIG GIRL NOW, I HAV A NEW TOOTH GROWING AFTER THE OLD ONE
 CAME OUT.

HIDEI HAS ALL KIND OF TOYS THAT SHE EVER THINKED ABOUT.
 SHE HAS BEEN TREATED AS A QUEEN WHERE EVER THAT SHE GOES.

THANKS GOD SHE IS VERY VERY HAPPY NOW. NO STRESS NO FEAR NO
 PUNISHMENT
 AND NON OF WHAT YOU AND YOUR FAT-BOY HASPAND WERE DOING TO HER
 AND
 PUTTING HER THROUGH.

AGAIN DO NOT MISS UP, BELIVE IT OR NOT I GET INFORMED ABOUT EVERY
 THING
 IN THIS CASE. HOW? THIS IS MY JOB.
 DO NOT FORGET WHAT I PROMESED YOU TO DO, IF YOU MISS UP AGATN!

A-A

922

Received: from MAILQUEEN by PAWNEE (Mercury 1.20): 12 Jan 98
05:33:14 CDT
Return-path: <theaa2@hotmail.com>
Received: from hotmail.com by PAWNEE.astate.edu (Mercury 1.20):
12 Jan 98 05:33:12 CDT
Received: (gmail 7936 invoked by uid 0): 12 Jan 1998 11:25:54 -
0000
Message-ID: <19980112112554.7935.gmail@hotmail.com>
Received: from 198.80.192.131 by www.hotmail.com with HTTP;
Mon, 12 Jan 1998 03:25:53 PST
X-Originating-IP: [198.80.192.131]
From: "AA Saber" <theaa2@hotmail.com>
To: MKESHAR@pawnee.astate.edu
Subject: Re: Heidi's Records
Content-Type: text/plain
Date: Mon, 12 Jan 1998 03:25:53 PST
X-PMFLACS: 35651712

Hi Margaret
I did not receive anything yet and you said that, you sent it at
dec 5.
whatever, hidie said hi, and she doing just fine.

by
aa

Get Your Private, Free Email at <http://www.hotmail.com>

VS OFFICE Electronic Mail Monday 05/11/98 16:31 Page: 1

To:
Subject: AL-Omary Abduction Case

Distribution:

None, this item is In Progress

To: Ordonez, Miguel A From: Tunis, Jeffrey S
Subject: AL-Omary Abduction Case Date Sent: 05/11/98

al omary is not a dhahran case. the last thing we heard about it was an email on 12/14/97 from you mentioning it and (a dhahran case). we replied 12/20/97 about we know/have nothing about al omary. regards, jeff

----- Original Memo -----
To: Tunis, Jeffrey S From: Ordonez, Miguel A
Subject: AL-Omary Abduction Case Date Sent: 05/10/98

Jeff, Steve Sena is getting requests from the Governor of Arkansas regarding the Al-Omary case. We have not located him yet. Have you developed any leads in Dhahran? I called and left a message but you can E-Mail me. Dick wants me to respond to Sena tomorrow.

----- Reply -----
Thanks. Nothing from Jeddah either. The interesting thing is that Manama reported that an Abdulbasit Ahmed Al-Omary PPTB351121 entered and exited Bahrain on March 22, so he may have passed through the neighborhood. Where he is and how to locate him without totally spooking him remain the big questions. Thanks for your reply.

***EXHIBIT #10
*State Dept Memo
*May 1998**

Dept. of State, RPS/IPS, Margaret P. Craford, Dir
 Release () Exclise () Deny () Declassify
Date: 11/13/98 Exemption: 1, 6



Embassy of the United States of America

Riyadh, Saudi Arabia
May 7, 1999

The Honorable Tim Hutchinson
United States Senate
Room 2527 Federal Building
Little Rock, AR 72201

Dear Senator Hutchinson:

I am writing in response to your letter dated March 20, 1999, concerning the interest of your constituent Margaret McClain in obtaining custody of her daughter, Machael Heidi Al-Omary. I will also write you separately about the case of

First of all, I want you to know that I place a high priority on monitoring all child custody disputes in the Kingdom of Saudi Arabia. During my tenure as ambassador in Riyadh, ~~we have raised child custody issues with the highest levels of the Saudi Government, including King Fahad and Crown Prince Abdullah.~~

All who deal with parental child abduction cases must agree that they are great tragedies. When there is a disagreement in an international and intercultural marriage on where or how to raise children, or when one parent takes a child from one country and culture to another, the difficulties are compounded for everyone involved. The Department of State considers the welfare and protection of U.S. citizen children taken overseas to be a very important and serious matter, and the American mission in Saudi Arabia expends a great deal of time and effort in monitoring these cases and attempting to resolve them.

Unfortunately, as I explained in a letter to Ms. Margaret McClain earlier this year, our efforts have fallen short in determining her daughter's whereabouts. Because of this we have been unable to undertake a welfare and whereabouts visit to check on Heidi's health and well being. ~~We have not been able to locate Heidi or her father through searches of current telephone lists and have not received any response from the other diplomatic missions in Saudi Arabia we had contacted in an attempt to find out if Heidi's father has applied for a visa.~~ I can assure you, though, that our efforts have not stopped and we will continue to try to find Mr. Al-Omary as a means of locating Heidi.

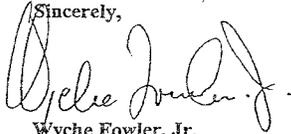
Ms. McClain's proposal for a group visitation of American parents whose children have been abducted to Saudi Arabia is an interesting one. However, it is fraught with difficulties, not the least of which is that Saudi law requires documentation of the permission of the children's parents living here as a condition for obtaining the necessary visas to enter Saudi Arabia. In other words, the two parents of an abducted child must work together to make a visit happen.

*EXHIBIT #11
*Wyche Fowler Letter
*May 1999

We have taken the necessary steps to ensure that Mr. Al-Omary's name is in the visa lookout system. We will also transmit the names of his immediate family and any other person involved in Heidi's kidnapping, as information becomes available to us. Furthermore, we will continue to raise the issue of child custody with the Saudi Government and will not abandon our efforts to locate Heidi.

Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wyche Fowler, Jr.", written in black ink.

Wyche Fowler, Jr.
Ambassador

501
X
RP

Gastaldo, Andrea F
From: Sena, Stephen D
Sent: Tuesday, May 04, 1999 4:31 PM
To: Gastaldo, Andrea F; Kepchar, Allen J
Subject: RE: Machael Heidi Al-Omary

Allen and Andrea - Thank you both for your replies. Since you received the same letters and the Ambassador will be replying, I will just reply to my letters with a short note saying that a the embassy will be replying to the letters directly. It would be fine if you would fax me a copy of each letter.

Thanks for your help, regards, Steve.

[Sena, Stephen D]

-----Original Message-----
From: Gastaldo, Andrea F
Sent: Monday, May 03, 1999 10:12 AM
To: Sena, Stephen D
Subject: RE: Machael Heidi Al-Omary

Dear Steve,

Post received the same exact congressionals from Sen. Hutchinson and is in the process of responding now. They are addressed to the Ambassador so both responses will come from him. We have done up a couple of drafts and are waiting on the DCM to clear the latest which we gave him today (Monday). The telephone number that Mrs. McClain gave us last time worked once and once only. As soon as Mr. Al-Omary realized that the Embassy was on the other end of the telephone, he hung up and had his phone disconnected. He is not listed in the telephone directory of Riyadh under his name or any of the aliases listed on the child abduction flyer. We checked again less than two weeks ago.

As soon as the congressionals clear we can fax you a copy. O.K.?

Andrea*

-----Original Message-----
From: Sena, Stephen D
Sent: Friday, April 30, 1999 4:50 PM
To: Gastaldo, Andrea F; Wernhoener-cuite, Jason; Ogle, Karen L
Cc: Kepchar, Allen J; Sena, Stephen D; Desjardins, Marc L
Subject: Machael Heidi Al-Omary

Good morning all, hope that each of you had an enjoyable weekend.

I have received two letters from Sen. Tim Hutchinson of Arkansas, one on [redacted] and the second on Machael Al-Omary. They are virtually the same letters with an additional paragraph in the Al-Omary letter. Both letters ask the Dept. to have post conduct w/w visits on the children. In the [redacted] case, my reply will state we have done that over the years, the last one was in December and post is in the process of setting up another meeting as we speak (write?). In reply to the Al-Omary letter, if I am not mistaken, the last information I have in the files is that we have not been able to locate Heidi. Margaret McClain, Heidi's mother, alleges that she was able to have someone locate her in Saudi Arabia by going through directory assistance and that she provided the location information about Heidi to the embassy. Do any of you have any information about that assertion? Do we know where she is? If so, has post tried to schedule a w/w visit with Heidi?

X
RP

***EXHIBIT #12
*State Dept Memo
*May 1999**

Dept. of State, RPS/IPS, Margaret P. Grafeld, Dir
 Release () Excise () Deny () Declassify
Date: MAR 28 2001 Exemption CP

In his letter, Sen. Hutchinson wrote that Ms. McClain "also proposed a group visitation to Saudi Arabia of American parents whose children have been abducted and taken to Saudi Arabia. Any assistance you could offer in facilitating such a visit would be much appreciated." I would welcome posts comments on that suggestion, the practicality of this and the probability of it being feasible.

I would appreciate receiving your comments early next week so I may reply to these letters in a timely manner.

As always, thank you for your continuing support on these difficult and ongoing child abduction cases.

Regards, Steve.

From: [REDACTED]
To: [REDACTED]
Date: [REDACTED] 1999 [REDACTED]
Subject: (no subject)

Margaret McClain,
I received an e-mail from you in June, 1999 [REDACTED]
[REDACTED]
[REDACTED] your ex-husband [REDACTED] is an Aramco Employee. He
lives in Dammam, Saudi Arabia and works as a systems analyst. [REDACTED]
[REDACTED]

Your daughter is also in Saudi Arabia. [REDACTED]
she was registered for her healthcare. [REDACTED] at Al Mana Hospital in
Dammam, [REDACTED] she had no significant medical
records. I must assume she is doing ok.

I contacted [REDACTED] a personal friend [REDACTED]
[REDACTED] take down the information concerning
your husband. He is listed as Abdulbaset Ahmed Al Omary, birthdate 9/23/68,
Aramco employee #258-244.
[REDACTED]
[REDACTED] If he
is really wanted by the FBI, they should know how to get him.

Good luck

*EXHIBIT #13
*Anonymous Email
*1999

[REDACTED]

ENCLOSURE

5/22/99
E
F
P

Gastaldo, Andrea F
From: Sena, Stephen D
Sent: Tuesday, May 04, 1999 6:47 PM
To: Wemhoener-cuite, Jason; Gastaldo, Andrea F
Cc: Kepchar, Allen J
Subject: FW: Congressional Letters

Jason and Andrea - While going through my e-mails I came across this exchange of messages with VO that pertains to the congressional letters from Hutchinson re _____ and Al-Omary. When replying to the paragraph about HR 4328, you may want to consider using the language suggested by VO.

My letter to the senator said that a reply under the ambassador's signature would be forthcoming shortly from the embassy. I did not reply to any of the comments in either letter.

Regards, Steve.

-----Original Message-----

From: Aiston, Kevin C
Sent: Friday, April 30, 1999 10:40 AM
To: Sena, Stephen D; Odom, H Edward
Cc: Schuler, James L; Marshall, Mary B; Fischel, Stephen; Gorsky, Jeffrey H; Previti, Barbara J
Subject: RE: Congressional Letters

Ed - Thanks much.

K 2, BC

From: Odom, H Edward
Sent: Friday, April 30, 1999 10:04 AM
To: Sena, Stephen D
Cc: Schuler, James L; Marshall, Mary B; Fischel, Stephen; Aiston, Kevin C; Gorsky, Jeffrey H; Previti, Barbara J
Subject: RE: Congressional Letters

Steve-I think you could say something simple such as "The Office of Children's Issues and the Visa Office will review the case to determine whether the provisions of the new law concerning denial of visas and entry to family members who assist child abductors apply." Or if you are certain the new law will apply "The Office of Children's Issues has asked the Visa Office to enter the names of XXX, XXX and XXX into the visa lookout system and to take any other appropriate action under the new law regarding family members who assist child abductors." Ed

-----Original Message-----

From: Sena, Stephen D
Sent: Thursday, April 29, 1999 3:57 PM
To: Odom, H Edward
Cc: Schuler, James L; Marshall, Mary B; Fischel, Stephen
Subject: Congressional Letters

Hello Ed - I have two Congressional letters I need to reply to for the signature of H. They are both from the Sen Tim Hutchinson and deal with two of my Saudi Arabia child abduction cases. The only difference in the two letters are the names of the children and the left behind parents.

***EXHIBIT #14**
***State Dept Memo**
***May 1999**

Dept. of State, RPS/IPS, Margaret P. Grateid, Dir.
() Release (X) Excise () Deny () Declassify
Date 5/22/99 Exemption K2, BC(1), PP

I would appreciate some language from your office to address the following paragraph in Hutchinson's letter:

"As you may know, in last year's Omnibus Appropriations bill (H.R. 4328), congress amended the INA to deny entry to the US to any alien who is assisting an international child abductor or is an immediate family member of the abductor. I ask your assistance in applying this restriction in the abduction case."

Thanks for your help, regards, Steve.

Steve
Hutchinson

Current Class: UNCLASSIFIED
Current Handling: n/a
Document Number: 1999STATE085368

Page: 1 (ES)
Channel: n/a
4

<<<<.>>>>

UNCLASSIFIED PTQ4091

PAGE 01 STATE 085368 080804Z
ORIGIN OCS-03

INFO LOG-00 CA-02 UTED-00 TEDE-00 L-01 ADS-00 SAS-00
/006R

085368
SOURCE: KODAKA.008148
DRAFTED BY: CA/OCS/CI:SDSENA:SDS -- 05/0-/99 70507
APPROVED BY: CA/OCS/CI:WDFLEMING
-----C5E622 080804Z /38

P 080803Z MAY 99
PM SECSTATE WASHDC
TO AMEMBASSY MANAMA PRIORITY
INFO AMEMBASSY RIYADH PRIORITY
AMCONSUL DHAHRAN PRIORITY
AMCONSUL JEDDAH PRIORITY

UNCLAS STATE 085368

E.O. 12958: N/A
TAGS: KOCI, CASC, (AL-OMARY, MICHAEL HEIDI)
SUBJECT: CHILD CUSTODY CASE, W/W OR MICHAEL HEIDI AL-OMARY

- 1. DEPT RECEIVED A TELEPHONE CALL FROM MS. MARGARET MCCLAIN, MOTHER OF MICHAEL HEIDI AL-OMARY, DPOB: 7/11/92, ARKANSAS. HER NON-CUSTODIAL FATHER, ABDULASET AHMED MOHAMMED AL-OMARY FROM ARKANSAS, ABDUCTED HEIDI ON AUG 14, 1997. POSTS IN SAUDI ARABIA ARE FAMILIAR WITH THIS CASE.

UNCLASSIFIED

PAGE 02 STATE 085368 080804Z

- 2. ACCORDING TO MS. MCCLAIN, SHE HAS RECEIVED INFORMATION FROM HER OWN SOURCES THAT MR. AL-OMARY WORKS FOR ARAMCO OF SAUDI ARABIA IN DHAHRAN. HOWEVER, ACCORDING TO MS. MCCLAIN, HE LIVES IN BAHRAIN, POSSIBLY COMMUTING BETWEEN HIS HOME AND OFFICE VIA THE CAUS-EWAY. MS. MCCLAIN BELIEVES THAT HEIDI MAY BE IN BAHRAIN WITH HER FATHER AND HIS U.S. CITIZEN WIFE JAYNE BRUSSEL SMITH, 12/30/62.
- 3. POST IS REQUESTED TO CHECK WITH THE APPROPRIATE AUTHORITIES IN BAHRAIN TO DETERMINE IF HEIDI HAS

Current Class: UNCLASSIFIED

Page: 1

***EXHIBIT #15**
***State Dept Memo**
***Albright 1999**

Dept of State, RPS/IPS, Margaret P. Grafield, Dir.
 Release () Exempt () Deny () Declassify
Date: 11/11/2001 Exemption: _____

Current Class: UNCLASSIFIED
Current Handling: n/a
Document Number: 1999STATE085368

Page: 2
Channel: n/a

ENTERED THE COUNTRY AND IS LIVING THERE. AT THIS TIME, MS. MCCLAIN HAS NOT ASKED FOR A W/W VISIT IF IN

FACT REIDI IS IN BAHRAIN. (FYI - THE DEPT HAS HEARD FROM ANOTHER SOURCE THAT MS. MCCLAIN MAY BE IN THE PROCESS OF ORGANIZING A RESCUE ATTEMPT OF HEIDI. END FYI). DEPTOFF ADVISED MS. MCCLAIN THAT THERE HAVE BEEN OTHER CASES SIMILAR TO HERS WHERE THE CHILDREN HAVE BEEN ABLE TO DEPART BAHRAIN FOR THE U.S.

4. DEPT APPRECIATES POST 5 ASSISTANCE.
ALBRIGHT

UNCLASSIFIED

<< END OF DOCUMENT >>

Current Class: UNCLASSIFIED

Page: 2

ACS - AI-OMARY case

Kepchar, Allen J

From: Sena, Stephen D
 Sent: Friday, April 09, 1999 11:11 PM
 To: Kepchar, Allen J; Gastaldo, Andrea F; Wemhoener-cuite, Jason; Ogle, Karen L; Desjardins, Marc L
 Subject: FW: From Margaret McClain

Importance: High

Greeting all - I am forwarding you copies of some e-mails that we received today. The comments were made by Margaret McClain whose child Michael Al-Omary was abducted to Saudi a couple of years ago. There was an article in a magazine called Insight Magazine on March 8th that really blasted the Dept. AS Mary Ryan sent a letter to the editor trying to convey our side of events and Ms. McClain took issue with her letter. These comments by Ms. McClain are being sent via the internet on the PARENT network.

Your comments are welcome.

Regards, Steve.

-----Original Message-----
 From: [redacted]
 Sent: Friday, April 09, 1999 1:18 PM
 To: mgahueyah@state.gov
 Cc: senasd@state.gov
 Subject: Fwd: From Margaret McClain

Ann and Steve:

Well, this is some more of what is being distributed through the "10 million strong" PARENT email list...

sorry you have to see this...but thought you ought to know.

Hey, I think you guys are great and I honestly owe State my life...and without you guys, I would have never had the relationship I have today with my kids.

I HAVE OPENED THE LETTER FOR THOSE OF YOU WHO CANNOT...

Subj: State Department
 Date: 4/8/99 6:40:47 PM Eastern Standard Time
 From: [redacted]

Margaret McClain
[redacted]

Mary K. Ryan
 Office of Overseas Citizens' Services
 Bureau of Consular Affairs
 US Department of State
 Room 4811
 Washington DC 20520-4818

Dear Sirs and Mesdames!

I was very appreciative of Insight Magazine's fair and balanced reporting of what goes on international child abduction cases, especially vis a vis the role of the State Department's Office of Children's Issues. I take serious issue with your attack on Insight Magazine's article. As the parent of a stolen child, I have never asked the State Department for

Dept. of State, RPS/IPS, Margaret P. Craighero, Dir.
 Release () Excise () Deny () Declassify
 Date _____ Exemption _____

*EXHIBIT #16
 *State Dept Memo
 *April 1999

anything other than the return of my child. I have not asked you for financial assistance, nor do I expect that my government would spend my tax dollars on such a worthy cause as the repatriation of American children. I have not asked for financial assistance or free legal advice. In fact, after the first few months of frustration with your response to my daughter Heidi's plight, I have purposely distanced myself from your agency because it is well known in the circles of my colleagues that the State Department purposely sabotages any attempts of American parents to locate their children. The US Embassy in Riyadh turns away mothers and children who need assistance, but it bends over backwards to assist Saudi businessmen who want to invest in the US, issues US visa to known accomplices to child abductors and the abductors themselves, or welcomes with open arms any Americans who come to the gates of the Embassy bearing gossip.

I have distanced myself from you, and in fact, have joined the ever-growing number of victims' parents and their legislators who are sick of the wasteful and incompetent practices of your office. Thus, I declare that I am calling for the dismantling of the Office of Children's Issues. In addition, I have been working tirelessly to have your associate, Wyche Fowler, recalled from his Ambassadorship in Riyadh. Your overseas office at the Riyadh Embassy is a comedy of errors if there ever was one. Wyche Fowler wrote to me stating that his people had not been able to locate my child or her kidnapper in almost two years—in spite of the fact that I told him and his office where the kidnapper worked, the town he worked in, the phone number which my other daughter obtained from directory assistance, etc. I turned over emails that my ex-husband had sent to me, and the entire Federal government with its so-called computer experts were not able to trace these emails (or did not want to). It took a young man of my son's acquaintance less than 3 minutes to trace the messages to their exact location. Your entire office is a fiasco, and I strenuously object to having my tax dollars support it any further.

Due to the untiring work of my Congressmen and Senators, and the legislators of other states, your office is now under investigation by the GAO. Restrictions have been placed on you brought about by the passage of new International Child Abduction legislation, as well as Freedom From Religious Persecution legislation. Your office is now required to make more frequent reports on its progress in international child abduction cases.

These developments are no one's fault but your own. Your office is not doing the job it was mandated to do, and now you are scrambling to write scathing letters to editors who write the truth about your incompetence. This is called Damage Control, feeble though the attempt may be.

We the parents of P.A.R.E.N.T. and the Ribbons of Hope Campaign will no longer sit idly by, trusting our government to do what it is supposed to do. We will stay on your office like white on rice until you either shape up or ship out.

The whiny tone of your letter was the most disgusting thing about it. You want more "balanced information," huh? My Senator, who sent me a copy of the magazine from his Washington office, agrees with the people on this side of the equation. In May, I will again be traveling to Washington to meet with my legislators and present my further recommendations about the Office of Children's Issues to them. I will certainly show them a copy of your letter to the editor, if they haven't seen it already. You are not the one who has a right to whine, Ms. Ryan. We parents have every right to whine, but to tell you the truth, we don't. We have been so toughened and strengthened by this process and by what our lives have become that we realize whining will do no good. You have shown yourself to be weak and vulnerable and yes, whiny. Let it be known to all those at the State Department that our mothers and fathers have true courage. Working with these people, I have discovered that every one of them has an inner strength in facing the unthinkable. We are not only strong, but we are tenacious bordering on pig-headed, well-educated, knowledgeable, and we have nothing to lose. So you do not intimidate us in the least. Get this through your heads—we WILL NOT go away. As our President and Founder, Maureen Dabagh said when she faced down a couple of goons from a famous Washington torture-lobby firm, "We have lost everything. We have nothing more to lose. And that is precisely what makes us dangerous."

We know we are a danger to the security of your jobs and your office, because we have gotten so many of our legislators on our side now. Their votes have put your very existence, or at least much of your funding, into question.

Your assertion, Ms. Ryan, that our cases are mere "custody disputes" is totally erroneous. If this is your real impression, then why are you in that

job? Have you ever heard of the INTERNATIONAL PARENTAL KIDNAPPING PREVENTION ACT? Good. That is a step in the right direction. Now, slowly, say "Kid-nap-ping." That's right. The crime is a felony, according to the Act. Now where exactly did you make the leap from a felony as defined by the law to your own interpretation of this law? Who are you, a judge? What gives you the right to interpret the law a la Mary Ryan? How dare you second-guess the legislators who made this law and the judges who have interpreted the crime of international kidnapping as a felony? For your information: IN ALMOST ALL OF THESE CASES, CHILD CUSTODY HAS ALREADY BEEN DECIDED, AWARDED, ESTABLISHED – CASE CLOSED!!! I am the custodial parent of my child; my ex-husband agreed to my having custody; I have his signature on many court documents to prove his agreement. Now you tell me where is the custody dispute?

You are sadly misinformed on so many other fronts. It is impossible to address all of the ridiculous assertions you make.

Let me just close by quoting directly from your own web page that your office "also fulfills U.S. treaty obligations relating to the abduction of children." Baloney! Maybe you solve one or two Hague cases a year, just so you can tout your successes far and wide. I would not call that "fulfilling" my obligations if I were you. To fulfill something means to satisfy its requirements totally. The State Department is a million miles away from fulfilling anything regarding missing children, especially if they are located in countries that provide some economic benefits to the United States.

At your next Embassy Row party, please give my best to Prince Bandar. Just as the State Department broke US law and single-handedly nixed a court decision that was handed down in favor of a victimized US citizen, Steve Flatow and his dead child, I fully expect the State Department to protect Saudi Arabia, Iran, Lebanon, Egypt, Syria, Jordan, and other rogue regimes that hold our children hostage. Far be it from you to ever protect an American citizen. I expect Terry Anderson faces the same fate at your hands. He will no doubt win a judgment in federal court; that used to mean something. But now he can expect the goons from the State Department to step in and protect his kidnapers too. Your office has done too little in the past for any of us to have any faith in you. So we will continue to fight for your dismantling, the sooner the better.

If you are a mother, Ms. Ryan, I pray that this never happens to you or to a child you love. I would not wish this on my worst enemy. If it ever does happen, we are here to help and support American parents. We are the victims, not the criminals, and we will fight for what must be done to save our children from lives of slavery, polygamous marriages, and their loss of identity as Americans. Wouldn't you?

Yours truly,

Professor Margaret McClain
 Director of Legislative Affairs
 P.A.R.E.N.T.
 And Governing Committee
 The Ribbons of Hope Campaign

cc: Senator Tim Hutchinson
 Congressman Asa Hutchinson
 Congressman Marion Berry
 Secretary of State Madeleine Albright

SUBJECT: MARGARET MCCLAIN FINALLY SEES DAUGHTER

1. Summary: Margaret McClain and her adult son, Donnie Keshawarz, arrived in Dhahran on July 3, 2002 to visit McClain's daughter, Heidi. At that time, we learned that Heidi's father, Abdulbaset Al-Omary, had taken Heidi to Riyadh to a relative's house, claiming a family emergency. Consulate drove McClain and Keshawarz to Riyadh, where she finally was able to visit Heidi. Heidi, now nine years old, had not seen her mother since August 1997. End Summary.

2. Consul and SCSFSN met Margaret McClain and her adult son, Donnie Keshawarz, at the Bahrain airport the evening of July 3, 2002. We experienced no problem driving them over the border to Saudi Arabia. After taking them to a hotel for the night, SCSFSN called Al-Omary on his cell phone to arrange for meetings over the weekend, as previously agreed. Al-Omary then dropped a bombshell by saying that he was now in Riyadh. An uncle, he said, was in intensive care, and it had been necessary to go to Riyadh. (Comment: this is the third time Al-Omary has pleaded a family emergency when Heidi was to be visited. The other two times concerned visits by Consul.) Al-Omary said that Heidi was with him and that tickets would be at the airport for McClain and Keshawarz to travel to Riyadh.

3. When Consul contacted McClain at the hotel, she said she did not want to put herself and her son at the mercy of Al-Omary and his family. We arranged a driver and car to take the two to Riyadh early on July 4, arriving in the early afternoon. SCSFSN accompanied them.

4. After the group had checked into a Holiday Inn, SCSFSN contacted Al-Omary, who said he would come in his car and take them to see Heidi. Later that day he came with two other men, one a brother and the other either a relative or friend. (Comment: Al-Omary's modus operandi is to bring two to four relatives/friends with him when a visit to Heidi is planned.) After a short, non-confrontational "get-acquainted" meeting, the brother drove McClain, her son, Al-Omary, SCSFSN, and the other man to a huge villa, apparently for the extended Al-Omary family, in a posh Riyadh suburb.

5. They were led into the family room. The brother

***EXHIBIT #17**
***State Dept Report**
***Summer 2002**

said that this room is the center of the family's activities. It included a TV and a computer for accessing the internet. Al-Omary went upstairs to fetch Heidi. It was evident that Heidi did not want to come at first, as the group could hear her protests from below. She finally came down with her father, dressed in western slacks and shirt. Once down, she hid behind her father for a while and even covered her face with his gutra (headcovering) in an attempt to hide. Al-Omary continued to encourage her to talk to McClain and Keshawarz. McClain was understandably fearful that her visit would end without meaningful contact with her daughter.

6. Then Al-Omary began to play an impromptu game of indoor soccer with Heidi. SCSFSN and Keshawarz joined in. SCSFSN encouraged McClain to do the same. After a few tense moments, the ice was broken. Heidi and McClain began talking; before long, Heidi was telling her mom "knock-knock" jokes. The interaction between the two continued successfully for about three hours. McClain asked Heidi questions about events when Heidi was still in the U.S. and was delighted when Heidi remembered "everything." Heidi's English is excellent, and communication, once the two connected, was no problem. Later McClain commented on Heidi's intelligence and memory. The highlight of the visit for McClain came when Heidi hugged her mother and told her that she missed her. After being driven back to the hotel, McClain, Keshawarz, and SCSFSN celebrated with a dinner out.

7. The next day witnessed a time of confrontation between McClain and Al-Omary. Al-Omary had driven to the hotel, saying the family would be traveling that day and was in the car. (We are not sure whether they were traveling back to Dhahran or somewhere else.) Al-Omary apparently wished to discuss with McClain material on the internet charging him with kidnapping as well as the criminal charges themselves. At one point, McClain became visibly upset and walked away. Clearly, she did not want to talk to her ex-husband. SCSFSN encouraged her to return in order to see her daughter one more time. Finally, McClain was able to walk to the car and tell Heidi goodbye. She gave a Heidi a present, after talking to her a few minutes. It appeared that her time with Heidi was beneficial, even if short and preceded by her emotional meeting with Al-Omary.

8. The next day, July 6, the Consulate car returned McClain and her son to the airport in Bahrain, accompanied by SCSFSN. Before they left, Consul was able to spend about an hour discussing the visit with the two. She asked McClain if the trip was worth it, given the emotional strain of meeting with her ex-husband. She replied unhesitatingly that it was, because of her time with Heidi. She said that she was afraid beforehand that she would not even be able to see Heidi, that her ex-husband might prevent a visit entirely. The visit, regardless of unpleasant stress, was beyond her expectations.

9. Comment: Donnie Keshawarz was undoubtedly a stabilizing influence for his mother. He said his relationship with Al-Omary had always been satisfactory, and throughout the trip he frequently encouraged his mother to begin direct contact with her ex-husband for the sake of keeping in touch with Heidi. McClain was adamant that she would not talk to him and did not want to "give in" to him. Consul said that McClain had to make her own decision about contact with her ex-husband because she was the one who had been hurt. However, she suggested, McClain might want to differentiate between talking to him and "giving in." She then asked how McClain would feel about Donnie and his sister, Roxanne, developing contact with Al-Omary and with Heidi. McClain had no problems with their doing so. Consul suggested that the brother and sister maintain contact with Heidi and her father by e-mail.

10. Comment continued: Should this type of visit ever be proposed again, we believe an arranged visit in a government office might prevent the change of venue that came close to wrecking this one. Although it is easy to fault Al-Omary for his manipulation of events, we believe that he is truly obsessed with the fear, irrational though it is, that we might snatch Heidi back and that is why he made certain that the visit was in Riyadh, safely under his control. Once he believed that Heidi was safe from snatching, he cooperated fully, even overriding Heidi's initial protests, to see that the visit took place. (Al-Omary appears to be an extremely lenient father, even by American standards.) He told McClain that he is not against her having a relationship with her child but that he wants to see that she is raised in a proper Muslim environment. He said that if he had wanted Heidi to break all connections with

her mother, he would not have gone to the lengths he has to see that she is fluent in English. We believe that Al-Omary will not interfere with efforts by Heidi's brother and sister (and probably by McClain herself) to maintain a relationship. We recommend that they be encouraged to do so, through e-mail, letters, and any other means available. End Comment.

Child Custody and U.S. Citizen Departure Cases
Saudi Arabia

RIYADH

1) **Roush - Parental Child Abduction (1986)**

Children: Alia Al-Gheshayan
Aisha Al-Gheshayan

History: Abducted by the Saudi parent when they were 4 and 6 years old. Now both daughters are over 18 years. Since abduction took place, they were never permitted to leave Saudi Arabia. (We are uncertain as to whether they have desire to depart Saudi Arabia.) The Embassy has been involved in this case since it began in 1986. Both young women are living in Saudi Arabia as Saudi citizens. They are considered Saudi only under Saudi law as the children of a male Saudi citizen.

2) **Al-Shalhoob - Parental Child Abduction (1997)**

Child: Yasmeen Al-Shalhoob

History: Yasmeen was abducted by her Saudi father in early 1997. She escaped back to the U.S. in late 1998.

3) **[REDACTED] - Parental Child Abduction (1994)**

Child: [REDACTED]

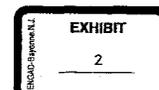
History: Abducted in 1994 by her Lebanese father, [REDACTED]. Nimat resided with her father in Riyadh until he decided to send her to his sister in Sidon, Lebanon because the Embassy pressured him to let the mother see the daughter on regular basis. The State Department revoked the father's U.S. passport.

4) **[REDACTED] - Adult U.S. Citizen with children unable to leave**

Adult Involved: [REDACTED]

History: [REDACTED] is married to a Saudi citizen. Although she is apparently free to leave the Kingdom by herself, her husband will not permit her to take the children. No recent action on the case by the State Department.

***EXHIBIT #18
*State Dept Exhibit 2
*Govt Reform Cmte
*June 2002**



5) Stowers - Adult U.S. Citizen with children unable to leave (1997)

Adult Involved: **Monica Stowers**

History: Ms. Stowers went to Saudi Arabia to visit her son and daughter (Rasheed and Amjad Radwan) 5 years ago. Although Ms. Stowers is apparently free to leave the Kingdom on her own, her children's father will not allow her to take the children. She sought employment and has stayed by her children in Riyadh. No recent action on the case by the State Department.

6) ██████████ - Adult U.S. Citizen with children able to leave

Adult Involved: ██████████

History: ██████████ has five children in current marriage with her Saudi husband and three from a previous marriage. Only the children from the previous marriage were permitted to leave Saudi Arabia. She is still married to her Saudi husband and lives in Riyadh, apparently is free to leave the Kingdom on her own. No recent action on the case by the State Department.

7) ██████████ - Parental Child Abduction (1997)

Child: ██████████

History: Abducted by Romanian-American mother, ██████████. The State Department revoked the mother's U.S. passport and Saudi authorities subsequently deported her to Romania with her son. They then moved to the United Arab Emirates. Mother has refused welfare/whereabouts visits. Efforts underway to try to return mother and child to the U.S.

8) ██████████ - Parental Child Abduction (1998)

Child: ██████████

History: The Saudi father abducted his daughter, ██████████ from the U.S. to live in Riyadh. They subsequently moved to Dhahran. Embassy has conducted welfare/whereabouts visit to ascertain the child's well being. Embassy and Department are pressing for permission for the mother to visit her children in the Kingdom.

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GAO

U.S. General Accounting Office
441 G Street, N.W., Room 4740
Washington, DC 20548



**National Security and
International Affairs Division**

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(202) 512-5245

***EXHIBIT #19
*McClain Report to GAO
*Rolf Nilsson
*May 1999**

**SURVEY OF INTERNATIONALLY ABDUCTED PARENTS: PERCEPTIONS
AND EXPERIENCES RELATING TO U.S. GOVERNMENT AGENCIES'
RESPONSE TO THE CRIME OF INTERNATIONAL KIDNAPPING
[Date of Survey: May 1999]**

ANALYSIS OF SURVEY RESULTS

This survey of 21 parents who are members of P.A.R.E.N.T. (Parents Advocating for Recovery Through Education and Networking Together) represents a total of 28 internationally abducted children, who have been missing for a combined total of 115 years.

It must be emphasized that a substantial number of parents declined to answer the questionnaire for the following reasons:

- (1) fear of reprisal from US law enforcement authorities;
- (2) fear of reprisal from the US State Department, including a decline in the level of cooperation by State Department officials;
- (3) fear of reprisal from foreign governments and their foreign agents;
- (4) fear of reprisal from American agents of foreign governments, including public relations firms such as Hill and Knowlton;
- (5) fear of jeopardizing their cases which may be in litigation in the Hague Court, foreign courts, and American courts.

Preliminary findings indicate that Saudi Arabia is far and away the most blatant violator, both in the number of children held hostage there and in the length of time these children have been missing. This figure represents 21.4% of the children in this study. Children held illegally in Saudi Arabia have been held there for a total of 45 years, or an astounding 39.1% of the total number of years all the children in the survey have been missing. The mean number of years each Saudi hostage has been missing (7.5 years) far surpasses all other country figures in the survey.

The next most blatant violator in the survey, in terms of length of time children have been illegally retained, is Guatemala. But the second most blatant violator, in terms of the number of children held illegally, is Germany. In this study, Germany was found to retain 3 children, or 10.7% of the children represented by the survey. The German hostages have been held for a combined total of 10 years, or 8.7% of the total years. That is an average of 3.3 years per child as of the date this survey was taken. Guatemala holds 2

children (7.1% of those surveyed) for a total of 10 years (8.7% of the total years missing), or an average of 5.0 years per child.

***Please Note: This survey included questions about various government agencies in addition to the Department of State.

SURVEY QUESTIONNAIRE FOR FAMILIES OF INTERNATIONALLY
KIDNAPPED CHILDREN

SUBJECT: Perceptions and Experiences Relating to U.S. Governmental Agencies' Responses to the Crime of International Kidnapping

BACKGROUND AND PURPOSE: Parents of Internationally Kidnapped children must deal with various city, state, and federal governmental agencies in the search for their missing children. As most of you already know, the State Department has publicly through the media denied that there has been any problem with their handling of crimes under the IPKCA (International Parental Kidnapping Crime Act). The purpose of this survey is to gather together all the data that we have into an organized format, and to provide the statistics to the appropriate legislative and other agencies who have pledged their assistance to the cause of missing children in foreign countries. THERE ARE PEOPLE WHO WANT TO HELP, BUT IT IS UP TO US TO PROVIDE THEM WITH THE AMMUNITION.

HYPOTHESIS: The families of internationally kidnapped children are hampered in the search for their loved ones by the incompetence, tardiness, disregard of U.S. laws, intimidation, or other negative factors of U.S. governmental agencies.

DISCLAIMER: The purpose of this survey is to identify areas of needed improvement in the way international kidnapping is handled by the agencies funded to assist us and our precious children. While we understand that many of us have had positive dealings with such agencies and individual officers of these agencies, the purpose of this survey is NOT to document the positive experiences we have encountered. We are in no way saying that every employee of the agencies in question is incompetent, impolite, or uncaring.

PROCEDURE:

1. Fill out the online form below. ****INSERT YOUR OWN COMMENTS AND OBSERVATIONS AT ANY POINT IN THE SURVEY. THE MORE THE BETTER.**
2. When you have completed the online survey, send it back to Margaret McClain by using the REPLY to sender option.
3. Please send it back by May 10, 1999, so that I will have time to assess the results before the P.A.R.E.N.T. Conference.
4. Send a cc: to Maureen Dabbagh at Parent01@aol.com
5. Send your completed questionnaire via e-mail to any or all of the following recipients, or anyone else interested in this problem: the GAO (Government Accounting Office), Senate Judiciary Committee Members, Senate Foreign Relations Committee Members, House International Relations Committee Members, House Children's Caucus Members, your individual legislators, Insight magazine, local and national media that have covered your case, and anyone else of your choosing. [Email addresses to follow]
6. Save a copy of your completed questionnaire to disk for future evidence if needed.
7. Print as many copies of your completed questionnaire as you like, and send it to any state, local, or federal officials who do not have e-mail; to any media outlets you have been in contact with regarding your case; and to any other interested parties.

THE QUESTIONNAIRE

1. A. NAME:

B. ADDRESS:

C. PHONE #:

D. E-MAIL ADDRESS:

2. A. NAME(S)/AGE(S) OF KIDNAPPED CHILD(REN)

.....

B. AGE(S) OF CHILD(REN):

C. LENGTH OF TIME MISSING:

D. COUNTRY TO WHICH CHILD(REN) WAS/WERE REMOVED

.....

3. Which of the following government agencies possess a file or document on your child(ren) and/or the child(ren)'s kidnapper? Write YES for all that apply.

..... A. State Department Office of Children's Issues

..... B. State Department--INTERPOL Office

..... C. State Department--Hague Compliance Office

..... D. FBI

4. Which of the following agencies have you applied to under the FOIA (Freedom of Information Act) to obtain your child(ren)'s file? Write YES for all that apply.

..... A. State Department Office of Children's Issues

How many times have you applied?

..... B. State Department--INTERPOL Office

How many times have you applied?

..... C. State Department--Hague Compliance Office

How many times have you applied?

..... D. FBI

How many times have you applied?

5. If you answered YES to any part of number 4, which of the following agencies responded to your request for a file within 10 business days, as required under the FOIA law? Answer YES for all that apply.

..... A. State Department

..... (1) Office of Children's Issues

..... (2) INTERPOL Office

..... (3) Hague Compliance Office

..... B. FBI

6. Characterize the response to your FOIA request from each of the offices below. Answer YES to all that apply.

A. State Department

..... (1) approved within 10 business days

..... (2) approved later than 10 business days

..... (3) denied within 10 business days

..... (4) denied later than 10 business days

B. FBI

..... (1) approved within 10 business days

..... (2) approved after 10 business days

..... (3) denied within 10 business days

..... (4) denied later than 10 business days

7. If you have received any of your child(ren)'s files, which ones? Answer YES for all that apply.

..... A. State Department Office of Children's Issues

..... B. State Department--INTERPOL Office

..... C. State Department--Hague Compliance Office

..... D. FBI

8. If you have received any requested file(s) how long did it take you to receive the file(s)?

A. It took to receive my State Department file(s).

B. It took to receive my FBI file(s).

9. If you have received any file(s) on your child(ren), describe the file(s) by answering YES or NO to each item below.

..... A. Information in the file(s) seems to be complete.

..... B. Information in the file(s) seems to be truthful and accurate.

..... C. My caseworker or other official had previously discussed with me all information contained in the file(s).

..... D. My caseworker or other official had withheld information in the file(s).

..... E. Parts of my child(ren)'s file(s) were censored or blacked out.

..... F. There is information in my child(ren)'s file that could have helped me or a non-profit missing children's organization locate or recover my child(ren) earlier.

..... G. The file(s) contain information that is unfavorable to me or other members of my family.

..... H. The file(s) contain information that is favorable to the kidnapper or

his/her accomplices, or his/her country.

..... I. There is information in my child(ren)'s file that seems to give more credibility to a non-American suspect than to the American victim.
10. Please give us your overall impressions of your treatment by State Department and/or FBI officials. Answer YES or NO to each item.

A. I have always been treated courteously by

- (1) State Department Office of Children's Issues
- (2) State Department--INTERPOL Office
- (3) State Department--Hague Compliance Office
- (4) the FBI

B. My telephone calls and letters have always been answered by

- (1) State Department Office of Children's Issues
- (2) State Department--INTERPOL Office
- (3) State Department--Hague Compliance Office
- (4) the FBI

C. I have received implied or overt threats of legal or other action by

- (1) State Department Office of Children's Issues
- (2) State Department--INTERPOL Office
- (3) State Department--Hague Compliance Office
- (4) FBI

D. I feel that there have been attempts to violate my Free Speech rights by

- (1) State Department Office of Children's Issues
- (2) State Department--INTERPOL Office
- (3) State Department--Hague Compliance Office

..... (4) FBI

E. I have been told the following by of the State Department or the FBI. Answer YES for all that apply.

..... (1) Your case is a low priority.

..... (2) You will never see your child again.

..... (3) You would have recovered your child if you hadn't been so vocal in your criticism of our office.

..... (4) It is our policy not to discuss an ongoing investigation.

..... (5) Our primary purpose in [name of foreign country] is to protect the United States' economic, military, or national interests.

..... (6) Your file(s) seem to have been misplaced. Let me get back to you.

..... (7) YOU married [name of kidnapper]!

11. Which of the following documents, warrants, or other data have you requested at any time since your child(ren)'s kidnapping? Answer YES to any that apply.

..... (1) local bench warrant

..... (2) Custodial Interference Warrant

..... (3) UFAP (Unlawful Flight) Warrant

..... (4) phone records or taps of accomplices and relatives of kidnapper

..... (5) questioning of accomplices and relatives of kidnapper

..... (6) arrest of accomplices

..... (7) investigation of kidnapper's and accomplices' computer files

..... (8) your child(ren)'s NCIC # (National Crime Information Center)

..... (9) INTERPOL red notice on kidnapper

- (10) INTERPOL yellow notice on child
- (11) INTERPOL diffusion
- (12) Provisional Arrest Request (required for INTERPOL arrest and extradition of kidnapper)
- (13) Denial of visas by US embassies and consulates to kidnapper and family

12. Which of the following information, warrants, or documents have been denied to you? Answer YES for all that apply.

- (1) local bench warrant
- (2) Custodial Interference Warrant
- (3) UFA Warrant
- (4) phone records or taps on kidnapper and accomplices
- (5) questioning of accomplices and relatives of kidnapper
- (6) arrest of accomplices
- (7) investigation of kidnapper's and accomplices' computer files
- (8) NCIC #
- (9) INTERPOL red notice
- (10) INTERPOL yellow notice
- (11) INTERPOL diffusion
- (12) Provisional Arrest Request
- (13) denial of visas to kidnapper and family

**SURVEY OF INTERNATIONALLY ABDUCTED PARENTS: PERCEPTIONS
AND EXPERIENCES RELATING TO U.S. GOVERNMENT AGENCIES'
RESPONSE TO THE CRIME OF INTERNATIONAL KIDNAPPING
[Date of Survey: May 1999]**

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***Please Note: This survey included questions about various government agencies in addition to the Department of State.

**SURVEY QUESTIONNAIRE FOR FAMILIES OF
INTERNATIONALLY KIDNAPPED CHILDREN: AN ANALYSIS OF
SURVEY RESULTS**

TABLE 1: PROFILE OF RESPONDENT VICTIM PARENTS AND THEIR CHILDREN

PARENTS	NO. OF CHILDREN KIDNAPPED	YEARS MISSING	TOTAL YEARS MISSING	COUNTRY RETAINING CHILDREN
S.A.	2	3	6	Iran
W.B.	2	4	8	Japan
J.C.	1	7	7	Guatemala
T.C.	2	2	4	Brazil
M.D.	1	7	7	Syria, *Saudi Arabia
V.D.	1	2	2	Lebanon
D.D.	2	5	10	Saudi Arabia
J.F.	2	1	2	Unknown
M.G.	1	3	3	Switzerland
J.H.	1	5	5	*Czech Repub., Italy, Switz., Denmark, Israel, Greece, Belg.
J.H.	1	5	5	Germany
L.I.	1	2	2	Scotland(UK)
D.K.	1	2	2	Singapore, Malaysia
P.M.	1	3	3	Sweden, Denmark, *Unknown
G.M.	1	4	4	Chile
M.M.	1	2	2	Saudi Arabia
P.R.	2	13	26	Saudi Arabia
H.T.	1	5	5	Unknown
J.T.	1	3	3	Guatemala
E.T.	2	2.5	5	Germany
J.W.	1	3	3	Mexico
N = 21	Total = 28		Total Years = 115	

*Last known place where children are being held

QUESTION #3

3. Which of the following government agencies possess a file or document on your child(ren) and/or the child(ren)'s kidnapper? Write YES for all that apply.

- A. State Department Office of Children's Issues
- B. State Department INTERPOL Office
- C. State Department Hague Compliance Office

TABLE 2: AGENCIES POSSESSING FILES ON INTERNATIONAL KIDNAP VICTIMS

DEPARTMENT	AFFIRMATIVE RESPONSES	% OF TOTAL RESPONDENTS
Children's Issues	18	85.7
INTERPOL Office	10	47.6
Hague Compliance Office	6	28.6

Even though 85.7% of respondents have had files at the State Department opened for them, parents question why 100% of international child abductions are not handled by this office. In some cases, it is the FBI's fault that files have not been opened at the State Department. Especially when the victimized parent is the father, simply because the father has not been named the Custodial parent, the FBI often refuses to open a case. According to the International Parental Kidnapping and other child abduction laws, even state civil laws on Custodial Interference, a custodial parent who kidnaps is in violation of criminal and civil law—particularly when the child is taken across state lines.

One reason INTERPOL is less involved in International child abduction is that state's and district attorneys refuse to issue Provisional Arrest Requests for fear of having to come up with extradition costs at a later date. Money should never be an object when a crime against a child is concerned.

It is indeed shocking that only 28.6% of respondents on this survey have received or filled out Hague Applications from the State Department. Some parents received applications a year after they were requested. Other parents received the applications, filled them out, sent them back, and never heard from the Hague Compliance office again. Some parents have been told, and thus mistakenly believe, that they may not fill out a Hague application because their child was not taken to a Hague country. In effect, the State Department is lying to these parents. A Hague application **must** be completed and on file if the kidnapping parent leaves the non-Hague country and later travels to a Hague country. If a foreign non-resident visitor to a Hague country is apprehended there, the children have a high likelihood of being returned to their American custodial parent, but only with a Hague application in place. In addition, the INTERPOL red and yellow notices and diffusions to 122 countries are essential for a foreign country to apprehend a suspected kidnapper and extradite him or her back to the US.

QUESTION #4

4. Which of the following agencies have you applied to under the FOIA (Freedom of Information Act) to obtain your child(ren)'s file? Write YES for all that apply.

- A. State Department Office of Children's Issues
How many times have you applied?
- B. State Department--INTERPOL Office
How many times have you applied?
- C. State Department--Hague Compliance Office
How many times have you applied?

TABLE 3: RESPONDENTS' FOIA REQUESTS

DEPARTMENT	RESPONDENTS APPLYING UNDER FOIA	% OF TOTAL RESPONDENTS	TOTAL TIMES APPLIED
Children's Issues	7	33.3	10
INTERPOL Office	2	9.5	2
Hague Compliance Office	1	4.8	1

The number of parents applying for files under the FOIA is very small since most parents have expressed that they did not know they could apply for their children's case files.

QUESTION #5

5. If you answered YES to any part of number 4, which of the following agencies responded to your request for a file within 10 business days, as required under the FOIA law? Answer YES for all that apply.

- A. State Department**
 (1) Office of Children's Issues
 (2) INTERPOL Office
 (3) Hague Compliance Office

TABLE 4: FEDERAL AGENCY RESPONSES TO VICTIM PARENTS' REQUESTS UNDER THE FOIA

DEPARTMENT	AFFIRMATIVE RESPONSES	% OF FOIA APPLICANTS
Children's Issues	2	(N = 7) 28.6
INTERPOL Office	0	(N = 2) 0.0
Hague Compliance Office	0	(N = 1) 0.0

The Federal Governmental agencies' responses to FOIA requests has been deplorable. Not only do requests go unanswered for long periods of time that far exceed the 10-day mandated limit for a response, but in most cases, requests are completely ignored, in spite of repeated requests. Some parents reported receiving only partial files, even when their requests were approved.

QUESTION #6

6. Characterize the response to your FOIA request from each of the offices below. Answer YES to all that apply.

A. State Department

- (1) approved within 10 business days
- (2) approved later than 10 business days
- (3) denied within 10 business days
- (4) denied later than 10 business days

TABLE 5: VICTIM PARENTS' PERCEPTIONS OF FEDERAL AGENCY RESPONSES TO FOIA REQUESTS

FEDERAL AGENCY RESPONSE	NUMBER OF PARENTS RECEIVING RESPONSE	% OF TOTAL RESPONDENTS
Approved Within 10 Days	0	0.0
Approved Later Than 10 Days	1	4.8
Denied Within 10 Days	0	0.0
Denied Later Than 10 Days	0	0.0
No Response	5	23.8

Only 1 parent of those applying for files on their children under FOIA actually had his/her application approved, but not within the legally mandated 10-day time limit. In other words, 0.0% of the parents receiving responses to their FOIA requests received the legally mandated response within 10 business days. The most common way for the State Department to handle FOIA requests is simply to ignore them.

QUESTION #7

7. If you have received any of your child(ren)'s files, which ones? Answer YES for all that apply.

- A. State Department Office of Children's Issues
- B. State Department--INTERPOL Office
- C. State Department--Hague Compliance Office

TABLE 6: FILES RECEIVED BY VICTIM PARENTS

DEPARTMENT	PARENTS RECEIVING FILES	% OF TOTAL RESPONDENTS
Children's Issues	3	14.3
INTERPOL Office	0	0.0
Hague Compliance Office	0	0.0

Only 14.3% of the total number of respondents have received FOIA information from the Office of Children's Issues. None have received FOIA information from the INTERPOL office or the Hague Compliance Office.

QUESTION #8

8. If you have received any requested file(s) how long did it take you to receive the file(s)?

- A. It took to receive my State Department file(s).

TABLE 7: TIME ELAPSED WHEN RECEIVING FILES

PARENTS RECEIVING FILES	TOTAL TIME ELAPSED	AVERAGE ELAPSED TIME (N = 3)
3	Approx. 25 months	8.3 months

The Freedom of Information/Privacy Acts state that government agencies must respond within 10 business days when a request is made. If they cannot provide the information requested within 10 business days, the law says these agencies are obligated to provide the requester a reason for the delay within 10 business days. It is obvious from Table 7 and Table 5 that the agencies holding files on our missing children are not complying with federal law in responding to FOIA requests.

QUESTION #9

9. If you have received any file(s) on your child(ren), describe the file(s) by answering YES or NO to each item below.

- A. Information in the file(s) seems to be complete.
- B. Information in the file(s) seems to be truthful and accurate.
- C. My caseworker or other official had previously discussed with me all information contained in the file(s).
- D. My caseworker or other official had withheld information in the file(s).
- E. Parts of my child(ren)'s file(s) were censored or blacked out.
- F. There is information in my child(ren)'s file that could have helped me or a non-profit missing children's organization locate or recover my child(ren) earlier.
- G. The file(s) contain information that is unfavorable to me or other members of my family.
- H. The file(s) contain information that is favorable to the kidnapper or his/her accomplices, or his/her country.
- I. There is information in my child(ren)'s file that seems to give more credibility to a non-American suspect than to the American victim.

TABLE 8: CHARACTERISTICS OF FILES RECEIVED BY VICTIM PARENTS UNDER FOIA

CHARACTERISTICS	UNFAVORABLE CHARACTERISTICS REPORTED	% OF TOTAL PARENTS RECEIVING FILES (N = 3)
Information in files seems complete.	2	66.6
Information in files seems truthful and accurate.	1	33.3
Caseworker had previously discussed information in files.	2	66.6
Caseworker has withheld information in files.	2	66.6
Parts of files were censored or blacked out. There is information in files that could have helped recover child earlier.	1	33.3

Files contain information unfavorable to victim and family.	1	33.3
Files contain information favorable to kidnapper.	2	66.6
Information in files gives more credibility to non-American kidnapper than American victim.	2	66.6

Even when a parent is able to obtain a file under the FOIA/PA, there are serious problems with the content of some of the files. For example, only 33.3% of parents receiving files reported the information contained in them to be truthful and accurate. The fact that government officials are placing misinformation and lies into a missing child's file is deplorable, reprehensible, unethical, and probably illegal. Then there is the problem of caseworkers not wishing to discuss the content of files when a parent asks for information. Could it be that the officials simply wish to cover their own ineptitude, or to deliberately hide facts from searching parents? One almost gets the feeling when speaking to these officials that they are afraid to reveal certain facts to parents because these facts reflect negatively on the countries where children are being held hostage. Germany and Saudi Arabia, big trading partners of the US, are two blatant examples. The State Department does everything it can to present a positive image of these two countries, so that parents will "not cause trouble, "make waves," or exercise their right to free speech, lest we offend these offensive governments. Apparently, it does not matter that these governments have offended us, American citizens, as well as our American children. No parent of a missing child in any foreign country will ever be persuaded by the State Department or any other agency that the hostage-taking country is anything other than uncivilized, terroristic, and abusive toward American children.

Some parents' files are extremely insulting, as a recent issue of *Reader's Digest* (September 1999) publicized. I have personally seen the files in question, as have many other parents of missing children. When a mother is labeled as a trouble-maker, or practically accused of stalking State Department officers, then the State Department has really gone too far. When a father is practically accused of being an unfit father because his name happens to be "Bubba," then the official who wrote this in a file ought to be disciplined, demoted, and fired. My ex's name is "Abdul"; therefore, I feel the State Department ought to label him a "terrorist"—which he, in fact, is. But unfortunately, such a move might offend the State Department's (and Madeleine Albright's) good friends, the Saudis. After all, Madeleine helped the Saudis and the terrorist KLA establish an extremist Islamic Republic in the heart of Europe (Kosovo) to appease them and to keep the oil wells flowing.

Then we have seen the files in which the kidnapers are called "nice," "reasonable," and other glowing terms of endearment by State Department officials. In case the State Department doesn't know it—let me spell it out for them. These "nice" people are internationally wanted felons, with FBI and INTERPOL warrants against them. They are

criminals, and should be treated as such. If these con men and women were able to con the American parents into marrying them to obtain a "green card," then what makes the State Department officials think that they can't be conned too? It is attitudes like these that make the victim parents' jobs in locating their children more difficult. In my own case, my family was able to locate the kidnapper through Directory Assistance in a foreign country, and we told the State Department his work number. He works in the same town as a US Consulate! In two years, they did nothing to even attempt to locate him where I told them he was working. My child is two years older now, and has been subjected to two more years of intense Islamic brainwashing into fanaticism. What chance will she ever have now for a normal, healthy, well-adjusted life?

Another highly suspect and offensive practice is the censorship or "blacking out" of certain parts of missing children's files. It is the parent's right to know everything related to his/her child's case. The only reason a government agency can legally refuse to give such information is if it endangers national security, although everyone knows that this reason has been used as a feeble excuse in past failures to disclose vital facts. It is very doubtful that one missing child has anything to do with "national security."

Parents know that the State Department has on file the home addresses of many of the kidnapers and the stolen children, and that these are blacked out so parents won't send detectives and recovery experts into foreign countries to find their children. Shame on the State Department for withholding information that could help a parent recover a child.

The parents of missing children challenge the US government to provide figures indicating their rate of success in having children returned. For the millions of dollars of taxpayer money per year that goes into the State Department, FBI, NCMEC, and other governmental or quasi-governmental agencies, the number of children recovered through the efforts of these offices is absolutely minuscule. Parents know that due to the government's impotence and unwillingness to act in this matter, they have a much higher success rate when they hire recovery experts. The number of children recovered by this means in the last year alone is already in the double digits. What is the State Department's success rate? I doubt that in the last 15 years, they have not been able to recover more than 10 children through diplomatic or other means.

QUESTION #10

10. Please give us your overall impressions of your treatment by State Department and/or FBI officials. Answer YES or NO to each item.

10A. I have always been treated courteously by

- (1) State Department Office of Children's Issues
- (2) State Department--INTERPOL Office
- (3) State Department--Hague Compliance Office

TABLE 9: VICTIM PARENTS' PERCEPTIONS OF STATE DEPARTMENT'S COURTESY

DEPARTMENT	NEGATIVE RESPONSES	% OF RESPONDENTS
Children's Issues	14	66.7
INTERPOL Office	3	14.3
Hague Compliance Office	4	19.0

An overwhelming number of parents (66.7%) found their treatment by the Office of Children's Issues to be less than courteous.

10B. My telephone calls and letters have always been answered by

- (1) State Department Office of Children's Issues
- (2) State Department--INTERPOL Office
- (3) State Department--Hague Compliance Office

TABLE 10: VICTIM PARENTS' EXPERIENCES WITH RESPONSES

DEPARTMENT	NEGATIVE RESPONSES	% OF RESPONDENTS
Children's Issues	11	52.4
INTERPOL Office	5	23.8
Hague Compliance Office	5	23.8

The majority of parents (52.4%) complained that their phone calls and letters were either not answered, or not answered in a timely manner, by the Office of Children's Issues.

10C. I have received implied or overt threats of legal or other action by

- (1) State Department Office of Children's Issues
- (2) State Department--INTERPOL Office
- (3) State Department--Hague Compliance Office

TABLE 11: PERCEPTIONS OF THREATS RECEIVED BY VICTIM PARENTS

DEPARTMENT	NEGATIVE RESPONSES	% OF RESPONDENTS
Children's Issues	3	14.3
INTERPOL Office	1	4.8
Hague Compliance Office	0	0.0

14.3% of respondents reported receiving overt or implied threats of retribution from the Office of Children's Issues. Although this does not seem to be a huge problem, any threats against American citizens from one of their government agencies is one threat too many.

10D. I feel that there have been attempts to violate my Free Speech rights by

- (1) State Department Office of Children's Issues
- (2) State Department--INTERPOL Office
- (3) State Department--Hague Compliance Office

TABLE 12: VICTIM PARENTS' PERCEPTIONS OF ATTEMPTS TO VIOLATE THEIR FREE SPEECH RIGHTS

DEPARTMENT	POSITIVE RESPONSES	% OF RESPONDENTS
Children's Issues	5	23.8
INTERPOL Office	2	9.5
Hague Compliance Office	0	0.0

23.5% of respondents reported that there had been some attempts by the Office of Children's Issues to violate their right to free speech. It is indeed a sad state of affairs when the US government's officers, who must ALL swear an oath to uphold US laws and the Constitution, so seriously violate their oath. Victims of crime should not be further victimized by their own government.

10E. I have been told the following by of the State Department or the FBI. Answer YES for all that apply.

- (1) Your case is a low priority.
- (2) You will never see your child again.
- (3) You would have recovered your child if you hadn't been so vocal in your criticism of our office.
- (4) It is our policy not to discuss an ongoing investigation.
- (5) Our primary purpose in [name of foreign country] is to protect the United States' economic, military, or national interests.
- (6) Your file(s) seem(s) to have been misplaced. Let me get back to you.
- (7) YOU married [name of kidnapper].

TABLE 13: RESPONSES HEARD FROM FEDERAL OFFICIALS BY VICTIM PARENTS

STATEMENT	NUMBER OF POSITIVE RESPONSES	% OF RESPONDENTS
Your case is a low priority.	9	42.9
You will never see your child again.	2	9.5
You would have recovered your child if you hadn't been so vocal in your criticism of our office.	1	4.8
It is our policy not to discuss an ongoing investigation.	8	38.1
Our primary purpose in [name of foreign country] is to protect the United States' ... interests.	4	19.0
Your file(s) seem(s) to have been misplaced. Let me get back to you.	4	19.0
YOU married [name of kidnapper].	3	14.3

It is amazing and astounding that the Office of Children's Issues and/or the FBI would tell 42.5% (almost half) of victim parents that their cases are a low priority. International Kidnapping is not just a local, state, or federal crime. It is an international crime! If that is not a high priority, then what is, most parents would ask. It is an affront to all of

American society when American citizens are held hostage anywhere in the world, especially when those hostages are the young and innocent. I recommend that parents take the text of the Counter-terrorism Act with them to their local, state, and federal law enforcement authorities when they seek to press charges against the kidnapers. This Act specifically states that the taking of American hostages and/or the conspiracy to commit kidnapping of Americans by foreign citizens is a terrorist action.

An astounding 38.1% of parents reported that officials refuse to discuss their cases with them. What is the government afraid of—that the parents might get their children back on their own when the government fails (as it usually has)? It is every parent's right to know what is being done to recover his or her child. The sanctity of the family is a primary building block of society, and the US government purposely comes between a parent and his/her children in cases of international child abduction.

QUESTION #11

11. Which of the following documents, warrants, or other data have you requested at any time since your child(ren)'s kidnapping? Answer YES to any that apply.

- (1) local bench warrant
- (2) Custodial Interference Warrant
- (3) UFAP (Unlawful Flight) Warrant
- (4) phone records or taps of accomplices and relatives of kidnapper
- (5) questioning of accomplices and relatives of kidnapper
- (6) arrest of accomplices
- (7) investigation of kidnapper's and accomplices' computer files
- (8) your child(ren)'s NCIC # (National Crime Information Center)
- (9) INTERPOL red notice on kidnapper
- (10) INTERPOL yellow notice on child
- (11) INTERPOL diffusion
- (12) Provisional Arrest Request (required for INTERPOL arrest and extradition of kidnapper)
- (13) Denial of visas by US embassies and consulates to kidnapper and family

TABLE 14: DOCUMENTS, WARRANTS, AND INVESTIGATIONS REQUESTED BY VICTIM PARENTS

DOCUMENT, WARRANT, INVESTIGATION	RESPONDENTS REQUESTING	% OF TOTAL RESPONDENTS
Local Bench Warrant	12	57.1
Custodial Interference	13	61.9
UFAP	11	52.4
Kidnapper/Accomplice Phone Records	9	42.9
Questioning, Deposition of Accomplices	13	61.9
Arrest of Accomplices	10	47.6
Investigation of Kidnapper/Accomplice Computer Files	8	38.1
Child(ren)'s NCIC#	13	61.9
INTERPOL Red Notice	11	52.4
INTERPOL Yellow Notice	8	38.1
INTERPOL Diffusion	9	42.9
Provisional Arrest Request	12	57.1

Denial of US Visas to Kidnapper/Accomplices	10	47.6
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The above table indicates that the majority of victim parents have not even asked for documents, warrants, and investigations that would lead to the recovery of their children or the capture of the perpetrators. Anecdotal comments by parents (appended at the end of this study) indicate that many parents do not even know of the existence of some of the requirements for a successful investigation of their cases. The State Department and FBI are both very well aware of the requirements for Provisional Arrest Requests in order for INTERPOL to apprehend a suspect on foreign territory, but these departments are purposely neglecting to mention this requirement to parents. Until the P.A.R.E.N.T. Conference of May 1999, very few parents had been made aware of the necessity for this documentation.

QUESTION #12

12. Which of the following information, warrants, or documents have been denied to you? Answer YES for all that apply.

- (1) local bench warrant
- (2) Custodial Interference Warrant
- (3) UFAP Warrant
- (4) phone records or taps on kidnapper and accomplices
- (5) questioning of accomplices and relatives of kidnapper
- (6) arrest of accomplices
- (7) investigation of kidnapper's and accomplices' computer files
- (8) NCIC #
- (9) INTERPOL red notice
- (10) INTERPOL yellow notice
- (11) INTERPOL diffusion
- (12) Provisional Arrest Request
- (13) denial of visas to kidnapper and family

TABLE 15: DOCUMENTS, WARRANTS, AND INVESTIGATIONS DENIED TO VICTIM PARENTS

DOCUMENT, WARRANT, INVESTIGATION	RESPONDENTS DENIED	% OF TOTAL RESPONDENTS
Local Bench Warrant	2	9.5
Custodial Interference	1	4.8
UFAP	6	28.6
Kidnapper/Accomplice Phone Records	7	33.3
Questioning/Deposition of Accomplices	7	33.3
Arrest of Accomplices	8	38.1
Investigation of Kidnapper/Accomplice Computer Files	5	23.8
Child(ren)'s NCIC #	4	19.0
INTERPOL Red Notice	3	14.3
INTERPOL Yellow Notice	2	9.5
INTERPOL Diffusion	2	9.5
Provisional Arrest Request	5	23.8
Denial of US Visas to Kidnapper/Accomplices	6	28.6

Even though figures in column 3 seem acceptable or even low, it must be kept in mind that many parents did not ask for several of these warrants, documents, or

investigations. In many cases, therefore, the denial rate is 100% of those who requested a document, warrant, or investigation. It is almost inconceivable that many of the parents are not even receiving state Custodial Interference warrants against the kidnapers, especially if the kidnapper is a female who stole a child to a Hague country such as Germany. Law Enforcement officials and State Department caseworkers, who should know that a Provisional Arrest Request is required for any foreign INTERPOL authorities to detain a suspect, are failing to inform victim parents of this requirement. Many local DA's are loathe to provide the PAR for fear of having to pay extradition costs. In the case of a stolen child, these warrants ought to be mandatory and automatic. Parents who are grieving the loss of a child, almost bankrupted by the crime of international kidnapping, and begging for information from authorities, should not be expected to make sure that US laws are carried out. The endless applications for information, warrants, Hague services, etc., only serve to waste valuable time when a child is growing up in a strange and usually unsafe environment. There should not be extended waiting periods.

Due to US government stonewalling tactics, foreign governments like Germany deny parental rights (even visitation) to the American parent if a year has elapsed. The State Department routinely neglects to begin Hague proceedings as soon as a kidnapping to a Hague country is reported. The State Department must get Hague cases before the Hague courts within a few weeks of a child abduction. This means that the State Department must inform parents of their right to file a Hague application, but also to dispense with all the paperwork for parents. The State Department should do the paperwork and have cases opened in the Hague courts immediately. This cannot be done by parents. It is a diplomatic duty of the Secretary of State to get the Germans, Swedes, Swiss, and other Hague countries to make them comply. This would be very easy. Ms. Albright can simply use her position to tell these Hague countries that **no** foreign children kidnapped to the United States will be returned to any Hague countries that refuse to return American children to the United States.

P.A.R.E.N.T. International

Presents

the 1999
Abduction Conference
May 13-15
Hilton Hotel Crystal City
Arlington, VA
(At the Reagan National Airport)
1-800-HILTONS

PROGRAM SCHEDULE

Thursday, May 13, 1999
DEWEYS Conference Room
Hilton Crystal City

9:00 AM informal greetings and warm-up
9:45 AM Introduction and welcome
10:00 AM Introduction of P.A.R.E.N.T. Officers
10:15 AM Gloria Nyberg - Child Watch of North America
11:00 AM Questions from the audience
11:15 AM Introduction of European NGO's
11:45 AM Unveiling the U.N. Posters
12:00 PM Break for lunch
1:30 PM Anne Marie Hutchinson Chair for REUNITE (England)
2:30 PM Questions from the Audience
2:45 PM Parents who have recovered
3:00 PM Charles Goolsby, VOA Federal Warrants. VOA
3:20 PM Questions
3:35 PM Marianne Maulkey, VOICE for the Children
4:00 PM Questions
4:10 PM Nancy Faulkner Ph.D. -abuse
4:45 Questions
5:00 PM Conference Ends
9:00 PM Awards Presentations

***EXHIBIT #20**
***P.A.R.E.N.T. Conference**
Agenda
***May 1999**

Friday, May 14, 1999
Roanoke & Rappahannock

Conference rooms,
Hilton Crystal City

9:00 AM Joe Howard, Director Of German Affairs German non-compliance to the Hague
 9:45 AM Questions
 10:00 AM NCMEC
 10:30 AM Questions
 10:45 AM Violaine Delahais, Director for European Affairs Country to Country treaties, related issues
 11:30 AM Questions
 12:00 PM Break for lunch
 1:30 PM Mary Jo Grotenrath - Justice Department, Fugitive Unit Provisional Arrest Requests
 2: 45 PM. Questions
 3:00 PM Dave Thelen, Committee for Missing children. About the UN posters. Related issues
 5:00 PM Conference day ends

Saturday, May 15
 The Deweys
 Hilton Crystal City

9:00 AM Margaret McClain New legislation in 1998
 9:45 AM Questions
 10:00 AM PIBE (Argentina)
 10:45 AM Questions
 11:00 AM VCA
 11:45 Questions
 12:00 LUNCH
 1:00 PM Steve Nunnally - Using the internet to find missing kids Founder of Knights of Kindness,
 online editor
 1:45 PM Questions
 2:00 PM Maureen Dabbagh Civil Disobedience
 2:30 PM Questions
 2:45PM Gus Zamora Covert Recoveries
 3:30 PM Questions
 3:45 PM Pat Roush - New legislation in 1998
 4: 30PM Questions
 4:45 PM Introducing the recoveries
 5:00 PM Conference Concludes

SUNSET: Candle Light Vigil White House

Parents and those attending are urged to reserve their hotel room as soon as possible. Rooms reserved at the Hilton by those attending the conference will be substantially reduced. You MUST tell the reservation clerk you are with the P.A.R.E.N.T. conference in order to receive the discounted rate.
 *Rooms are \$99 per night. Call 1-800-HOTELS to make your reservations. Shuttle service is available free of charge to and from the Reagan National airport to the hotel.

Candles will be provided for those attending the candle light vigil as well as posters.
 Parents are urged to wear T-shirts, buttons or other article which features their child(ren) during the

601
ABDULBASET A. M. ALOMARY 7-89 3/12 19 92 81-613/841
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STATE UNIVERSITY, AR 72467

Pay To The Order Of IARA USA \$ 35.00
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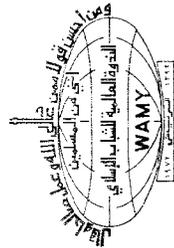
*EXHIBIT #21
*Terrorist Literature
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The Status of Woman in Islam

by Dr. Jamal A. Badawi

لجنة الدعوة الإسلامية
(اللجنة العالمية للشباب الإسلامي)
ISLAMIC DAWAH COMMITTEE
(World Assembly of Muslim Youth)
Tel.: 482-4556 / 484-1686
P.O. Box 10845 Riyadh 11441
Kingdom of Saudi Arabia



WORLD ASSEMBLY OF MUSLIM YOUTH (WAMY)

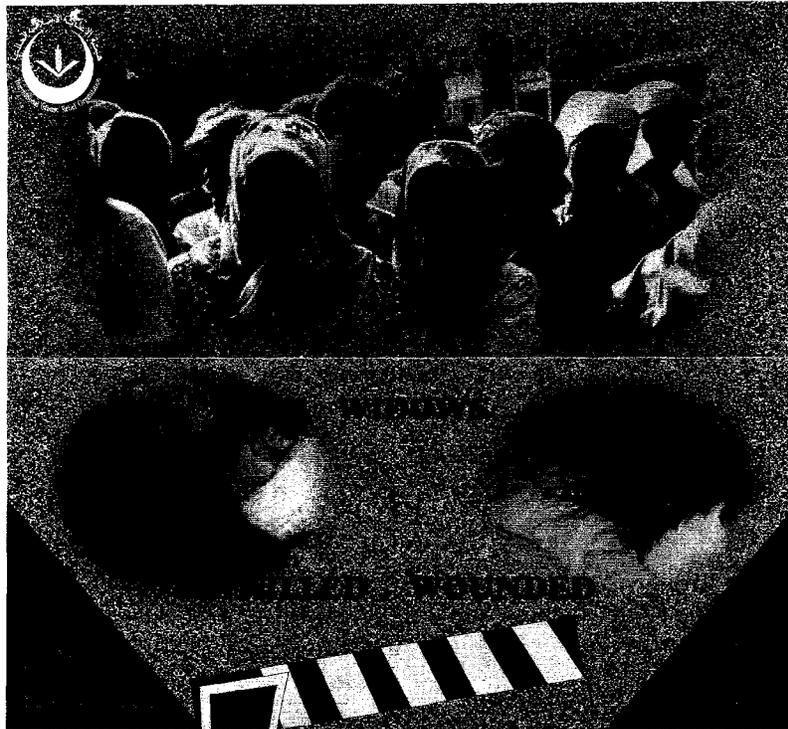
Founded: 1972 H (1972 CE)
 Headquarters: Riyadh - Saudi Arabia
 Nature: First International Islamic Organization dealing specially with youth affairs embracing over 450 Islamic youth/student organizations in the five continents.

- Aims:**
1. Serving the true Islamic ideology based on Tawheed.
 2. Consolidating the factors of ideological unity and strengthening the Islamic faith.
 3. **Intensifying** supporting the constructive role of youth and students in the Islamic world.
 4. **Cooperating** with organizations all over the globe through offering a leadership in the activities and helping them to implement their projects.
 5. **International Conferences:** WAMY holds its international conference every three years. Six such conferences have already taken place - five of them in Riyadh in the years 1972, 1973, 1976, 1979 and 1986 and one in Nairobi, Kenya in 1982. They were attended by representatives of Islamic youth/student organizations from all over the world. The participants selected members of WAMY General Secretariat and discussed issues concerning the Muslim youth.

WAMY also holds/assists in holding local and regional youth camps in different parts of the world all the year round to raise the Muslim youth in leadership and organization.

WORLD ASSEMBLY OF MUSLIM YOUTH (WAMY)
 P.O. Box 10845 Riyadh 11441, Saudi Arabia - Tel: (01) 481633/4841688
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هيئة الإغاثة الإسلامية العالمية
أمريكا الشمالية

AN EXTREMELY URGENT APPEAL FROM IRO IN BOSNIA-
HERCEGOVINA

Reports from Bosnia-Herzegovina continue to dominate all newspapers, headlines and most UN, White House and Capital Hill meetings since the fall of Srebrenica on Tuesday July 11, a city declared by the United Nations as a safe haven for Muslims.

Within few hours Bosnian Serb Militias shattered the UN Troop's promise to protect Srebrenica's defenseless citizens. As soon as they seized the city, the Serbs began deporting its entire Muslim population. Obviously, the Serbs were enjoying their favorite sport of ethnic cleansing.

Nevertheless, the Serbs deliberately deported everyone except males whom they have saved for their other favorite sport, man slaughter. But that was hard to do because the cameras of almost every news agency in the world were watching, so they moved the prisoners to another location, and then they committed a horrible bloody massacre, something that became a fact of life with every city the Serbs seize.

Immediately following the attack, 30,000 helpless women, children and elders started a dangerous journey to safe areas, traveling on foot on an open road exposed to the wilderness and Serb attacks, hoping they will reach safety before it's too late.

Dear brothers/ sisters

We send you this letter at these harsh times that our brothers and sisters in Bosnia are going through. On the open road, 50,000 refugees from Srebrenica joined by others from Zepa, another so called UN safe haven that was evacuated to avoid another massacre, are falling victims to the lack of food, water and medical help, especially the weak elders and pregnant women. It is a very urgent cause that cannot be delayed. We urge you to support IRO to provide the refugees with immediate help. Please donate generously. Thank you... May Allah reward you generously.

Sulaiman A. Al-Ali
Executive Director

* P.S. While writing this letter the cities of Tuzla, Zepa, Bihac, Gorazde and Sarajevo were under tight siege and heavy continuous bombardment by the Serbs. The number of casualties is increasing. It's a full scale tragedy. Please help immediately.

نداء عاجل جداً من مكتب هيئة الإغاثة في البوسنة والهرسك ... لا يحتمل التأخير

احتلت الأنباء الواردة من البوسنة والهرسك مركز الصدارة في نشرات الأخبار وتقارير الصحف واجتماعات السياسة والروساء منذ أن سقطت مدينة سربرينيتسا على يد الصرب في ١١ يوليو والتي كانت الأمم المتحدة قد تعهدت بحماية سكانها المدنيين العزل من أي اعتداء .

وفي ساعات قليلة بسط الصرب سيطرتهم على المدينة وقاموا بتهجير جميع سكانها وذلك لتطهير المدينة من أي وجود مسلم ، ثم قاموا بأسر جميع الرجال المسلمين من سكان المدينة ووضعهم في معسكر اعتقال .

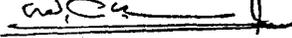
وكالعادة ، لا تكتمل فرحة الميليشيات الصربية بالنصر المؤزر على مدنيين عزل بدون مجزرة دموية يشربون فيها شيئاً من الدماء البشرية حتى ولو اضطروا للإكتفاء بقتل بضعة مئات من المسلمين فقط . ولكن تنفيذ هذا الأمر كان سهلاً بسبب وجود عدسات جميع شبكات الأنباء العالمية ، فقاموا بنقل المعتقلين إلى مكان آخر بعيداً عن أعين المراسلين ، وهناك مارسوا هوايتهم المعتادة بإراقة دماء الأبرياء وهي الهواية التي تجيدها الميليشيات الصربية جيداً .

وعلى الفور امتلأ الطويق الواصل بين سربرينيتسا وتوزلا بأكثر من ٢٠ ألفاً من المدنيين -الذين حولهم الصرب إلى لاجئين في ساعات قليلة- من النساء والأطفال والشيوخ الذين خرجوا نجاة بحياتهم . وهناك في العراء حيث لا ماء ولا دواء ولا غذاء بدأ المرضى والعجزة والحوامل يتساقطون ولا يجدون ما يسد رمقهم .

أخي الفاضل ، أختي الفاضلة

في هذه الظروف القاسية والأوضاع المهلكة التي يعيشها اللاجئون من سربرينيتسا نتوجه إليكم يا أهل الخير والإحسان بهذا النداء العاجل جداً كي تقفوا بما تملكون وبما تجود به أنفسكم مع إخوانكم وأخوانكم المحرومين . فسارعوا إلى نجدتهم لعلنا نستطيع التخفيف من معاناتهم ، ولربما ساهم تبرعك بمبلغ بسيط بإنقاذ حياة مريض على شفا الموت أو بإطعام طفل يصرخ من ألم الجوع أو بإسعاف امرأة على وشك الوضع في الطريق لتنجب طفلاً بوسنياً قد يحمل في المستقبل أمل بلاده وشعبه في الخلاص من العدوان والمعاناة .
ساهموا فوراً ودون تأخير في إنقاذ ضحايا سربرينيتسا ...

مشرف مكاتب هيئة الإغاثة في أمريكا الشمالية



سليمان بن علي العلي

* ملاحظة ... حتى تاريخ إعداد هذه الرسالة كانت مدته توتراً و جيلاً و بيها تشن و جواجرا
وسرايشو قعرهمه لخمبار حشدير مه الرب و قصف متواصل . أما عدد الضحايا
واللاجهير قعر ازيد مسجر ... فلا تتردد اهي بالمساعدة الفورية .

- Secretary General
222 or 226
- Membership Dept.
811
- Islamic Schools Dept.
804
- Islamic Teaching Center
239
- Publications Dept.
235
- Field Services
816

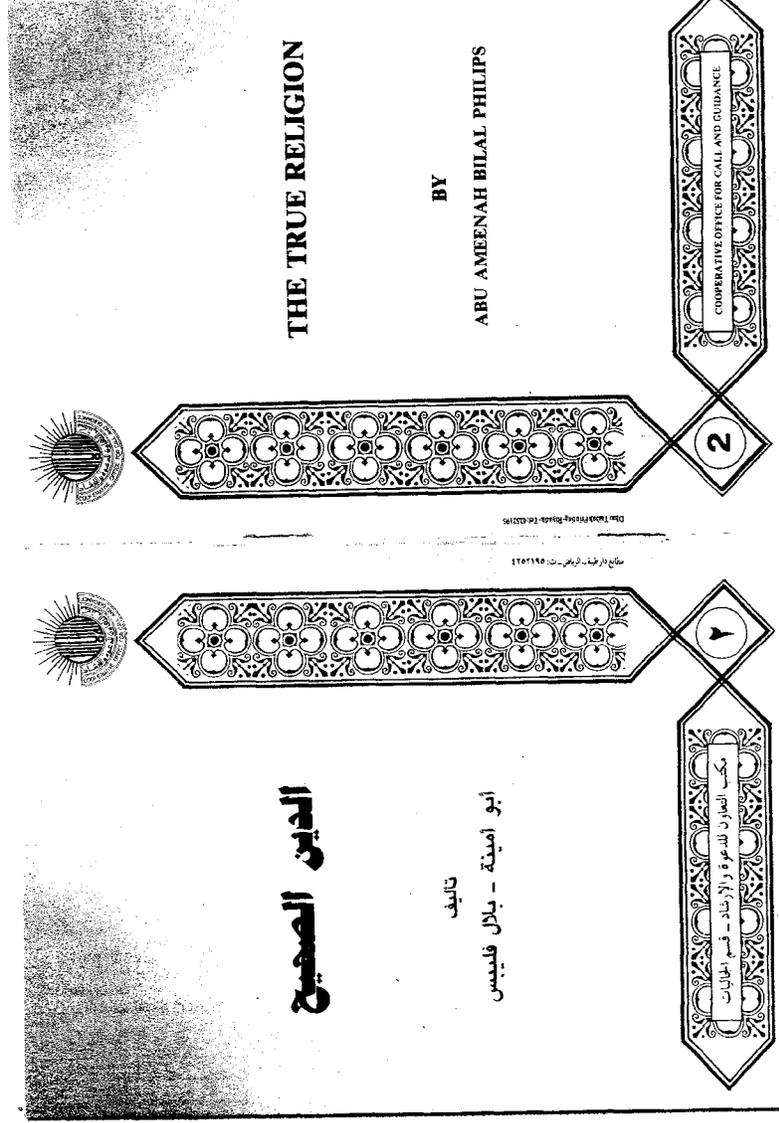
RING! RING! ... Assalamu Alaikum



WA ALAIKUM ASSALAM. We are happy to receive your calls on our new, more efficient telephone system which allows more access to the public. It also allows us to receive messages 24 hours a day. We ask your patience and cooperation as the staff becomes more efficient in its use. In sha'Allah we will continue to improve in this area of communication which is vital to our Islamic work in North America. Following is a list of the most commonly called extensions.

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THE TRUE RELIGION

BY

ABU AMEENAH BILAL PHILIPS

الدين الصحيح

تأليف

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**THE TRUE RELIGION
BY
ABU AMEENAH BILAL PHILIPS**

THE RELIGION OF ISLAM

The first thing that one should know and clearly understand about Islam is what the word "Islam" itself means. The religion of Islam is not named after a person as in the case of Christianity which was named after Jesus Christ, Buddhism after Gotama Buddha, Confucianism after Confucius, and Marxism after Karl Marx. Nor was it named after a tribe like Judaism after the tribe of Judah and Hinduism after the Hindus. Islam is the true religion of "Allah" and as such, its name represents the central principle of Allah's "God's" religion; the total submission to the will of Allah "God". The Arabic word "Islam" means the submission or surrender of one's will to the only true God worthy of worship "Allah" and anyone who does so is termed a "Muslim". The word also implies "peace" which is the natural consequence of total submission to the will of Allah. Hence, it was not a new religion brought by Prophet Muhammad (PBUH) in Arabia in the seventh century, but only the true religion of Allah re-expressed in its final form.

(1) PBUH: peace be upon him.



fervid conviction of the missionaries who propagate it, are so many causes to explain the success of Muhammadan missionary efforts. A creed so precise, so stripped of all theological complexities and consequently so accessible to the ordinary understanding might be expected to possess and does indeed possess a marvellous power of winning its way into the consciences of men.

Edward Monier,
"La Propagande Chretienne et ses Advantages Musulmans" Paris 1890,
quoted by T. W. Arnold in *The Preaching of Islam*, London 1913, pp. 413-414

I am not a Muslim in the usual sense, though I hope I am a "Muslim" as "one surrendered to God", but I believe that embedded in the Quran and other expressions of the Islamic vision are vast stores of divine truth from which I and other occidentals have still much to learn; and Islam is certainly a strong contender for the supplying of the basic framework of the one religion of the future.

W. Montgomery Watt, *Islam and Christianity Today*
London 1983, p. IX.

Further Readings on Islam :

- T. B. Irving, et al. : *The Quran - Basic Teachings*
- Hamuda Abdhali : *Islam in Focus*
- M. Qutb : *Islam : The Misunderstood Religion*
- Maudoodi : *Towards Understanding Islam*
- Maurice Bucaille : *The Bible, The Quran and Science*
- Suzanne Hanef : *What Everyone Should Know About Islam and the Muslims.*

For detailed information on Islam - contact WAMY Headquarters at Riyadh or branch office at Jeddah:
1. WAMY, P. O. Box 10463, Riyadh 11443
Saudi Arabia. Tel. : (01)4641669/4655431

2. WAMY, P. O. Box 8836, Jeddah, Saudi Arabia.
Tel. : (02)6851962

OR : the nearest Muslim Organization or Center in your town.

shattering great empires, overthrowing long-established religions, remoulding the souls of races, and building up a whole new world - world of Islam.

The closer we examine this development, the more extraordinary does it appear. The other great religions won their way slowly, by painful struggle and finally triumphed with the aid of powerful monarchs converted to the new faith. Christianity had its Constantine, Buddhism its Asoka, and Zoroastrianism its Cyrus, each issuing to his chosen cut the mighty force of secular authority. Not so Islam. Arising in a desert land sparsely inhabited by a nomad race previously undistinguished in human annals, Islam sallied forth on its great adventure with the slenderest human backing and against the heaviest material odds. Yet Islam triumphed with seemingly miraculous ease, and a couple of generations saw the Fiery Crescent borne victorious from the Pyrenees to the Himalayas and from the desert of Central Asia to the deserts of Central Africa...

A. M. L. Stoddard, quoted in
Islam - The Religion of All Prophets,
Begum Bawani Waqf, Karachi, Pakistan p. 36.

Islam is a religion that is essentially rationalistic in the widest sense of this term considered etymologically and historically. The definition of rationalism as a system that bases religious beliefs on principles furnished by the reason applies to it exactly. It cannot be denied that many doctrines and systems of theology and also many superstitions from the worship of saints to the use of rosaries and amulets have become grafted on the main trunk of Muslim creed. But in spite of the rich development in every sense of the term, of the teachings of the Prophet, the Quran has invariably kept its place as the fundamental starting point, and the dogma of unity of God has always been proclaimed therein with a grandeur, a majesty, an invulnerable purity and with a note of sure conviction, which it is hard to find surpassed outside the pale of Islam. This fidelity to the fundamental dogma of the religion, the elemental simplicity of the formula in which it is enunciated, the proof that it gains from the

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- ٤- فأصبروا بالولي الأيأاب (٢-١)
- ٥- التوقير والتقدير للمرجطين المسلميين
- ٦- الفساد والأفصاد المعتمد
- ٧- أحوال المسلمين في العالم
- ٨- كيف تكسب أخاً في الله
- ٩- المؤلمة على الأقصى
- ١٠- النفاخ عن الأسلاميين في الجزائر
- ١١- الأمر بالمعروف والنهي عن المنكر
- ١٢- الفتح الرباني لأفغانستان
- ١٣- أورد على الصحافه الكويتيه
- ١٤- لرد على عميد كلية الطب
- ١٥- أحوال المسلمين في بورما
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- ١٨- رسالة إلى محبي الأغاني
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- ٢٧- الحكمه في نزول الأبتلاء
- ٢٨- أورد على ملك الأردن
- ٢٩- السيادة في الحكم لله
- ٣٠- كيفية ملء الفراغ
- ٣١- سياده الحكم لله (٤-١)
- ٣٢- اليسارية في الكويت
- ٣٣- الضياع في أمريكا
- ٣٤- صفة الجنة
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		٢- لا إله إلا الله
		٣- تربية المراهقين
		٤- كيف نتدبر القرآن
		٥- الإتجاهات الفكرية المعاصرة (٢-١)

سلمان العودة

- ١- ثم فسدت قلوبهم-أساسي للمسلمين
- ٢- العالم الحركي بين الواقع والمثالي
- ٣- المعركة الفاصلة مع بني إسرائيل
- ٤- المصلحة و المعسدة- الأمر بالمعروف
- ٥- صورة من حياة المرأة في الجاهلية
- ٦- لقاء مقترح (بجامعه الأمام بيريد)
- ٧- مختارات من زاد العلماء (٢-١)
- ٨- تحرير الأرض أم تحرير الإنسان
- ٩- صلاح الظاهر وصلاح الباطن(٢-١)
- ١٠- سبل إحياء السنه
- ١١- الفرق الناجيه والفرق الضاله
- ١٢- أثر النين في حياة الشعوب
- ١٣- مطارق السنن الأبيه
- ١٤- المرأة المسلمة أسئله ومشكلات
- ١٥- لسنا أغبياء بدرجه كاليه
- ١٦- ويل للعرب من شر قد اقترب
- ١٧- كيف نتحرر من الأوهام (٢-١)
- ١٨- المرأة عوده على يده
- ١٩- التوازن في حياة المسلم
- ٢٠- حفظ القلب و الجوارح
- ٢١- كلمة حق في القضية الجزائريه
- ٢٢- معركة الاسلام و العلمانيه
- ٢٣- الاختلاط والعزله والورع
- ٢٤- نظره في أحاديث الفتن
- ٢٥- هشيم الصحافه الكويتيه
- ٢٦- عوامل تقوية الإيمان
- ٢٧- ربي إني مغلوب فانتصر
- ٢٨- قصة مكالمه هاتفية
- ٢٩- لماذا تخاف من النقد
- ٣٠- قل هو من عند أنفسكم
- ٣١- دورنا في زحمة الأحداث
- ٣٢- خلل في التفكير
- ٣٣- من يحمل هم الاسلام
- ٣٤- الأطفال في حجر الرسول
- ٣٥- مسائل في التوبه
- ٣٦- هموم المرأة
- ٣٧- مصدر عزه الإسلام
- ٣٨- هكذا علم الأنبياء
- ٣٩- آداب الحوار
- ٤٠- المستقبل للإسلام (٢-١)
- ٤١- انكار المنكر (٢-١)
- ٤٢- يأبها الامسان
- ٤٣- الخشوع في الصلاة
- ٤٤- بأهل الكويت
- ٤٥- حديث الساعة
- ٤٦- سلطان العلماء
- ٤٧- صناعة الحياة
- ٤٨- واقع هذه الأمة المرير
- ٤٩- للنساء فقط
- ٥٠- لقاء الهدايه
- ٥١- المراجعات (٢-١)
- ٥٢- مشكلات واقعية للشباب
- ٥٣- أفلا تكون عيداً شكوراً
- ٥٤- طائفة من الحيل النفسية
- ٥٥- الاسلام وحقوق الانسان
- ٥٦- ولكن في التحريش بينهم
- ٥٧- إمام دار الهجرة
- ٥٨- حصاد الغيبة
- ٥٩- ابن جرير-الجهاد في سبيل الله
- ٦٠- جلسه في البدائع
- ٦١- وكن من الشاكرين-ألوان من الجود
- ٦٢- ذل التباعد
- ٦٣- أسئلة وأجوبة
- ٦٤- من هنا وهناك
- ٦٥- ليلة النصف من رمضان
- ٦٦- حديث إلى معتز
- ٦٧- جلسة رمضانية
- ٦٨- خمسة مقترحات
- ٦٩- من للمسلمين
- ٧٠- هموم أخرى للمرأة
- ٧١- أ لإغراق في الجزينات
- ٧٢- التحلل البيض
- ٧٣- إثبات الصفات لله عز وجل
- ٧٤- على طريق الدعوة (٢-١)
- ٧٥- خطر اللسان
- ٧٦- حديث الركب
- ٧٧- الحيل النفسية
- ٧٨- مشاهدات في يوغسلافيا
- ٧٩- ولكن كونوا ربانيين
- ٨٠- للتصير بفتح العالم الإسلامي
- ٨١- وسائل المنصرين
- ٨٢- دروس علمية عامة
- ٨٣- حقيقة التطرف (٢-١)
- ٨٤- الأمة الغافلة
- ٨٥- لماذا يخافون الإسلام
- ٨٦- وقفات مع السبع المعناني
- ٨٧- من لباب الكتب
- ٨٨- فقد أننته بالحرب
- ٨٩- طبيعة المرأة بين السلب و الإيجاب
- ٩٠- المعالم النجيه من شوم قمصية

عائض القرني

- ١- وقفه في حياة معاذ بن جبل وابن الزبير
٢- الفاروق في القرن الخامس عشر
٣- مولد بطل - ينجون نوح الاضاحي
٤- أمه المساكين - أمه المليون شهيد
٥- الشباب طموح ومعاناة (القرني و الموده)
٦- معركة الهجرة - من المنتصر
٧- بآلة ورد الي فتاة الاسلام
٨- كتب في المساحة الاسلامية
٩- حب لأخيك ماتحب لنفسك
١٠- موقلت في طريق الشباب
١١- قضي نهارك مع ابن المبارك
١٢- قراءة في السيرة (١-٣)
١٣- معركة بين حزبيين
١٤- دواء للقلب المريض
١٥- سكرة الموت
١٦- حكم الغناء والانشيد
١٧- لقاء الهديه الثاني
١٨- قل أعوذ برب الناس
٢٠- قل أعوذ برب الفلق
٢١- قراءة في دفتر المصطلحين
٢٢- خصائص أهل السنة والجماعة
٢٣- رساله الي أهل الكويت
٢٤- إقبال الرسول وصحابته على الأخره
٢٥- الذنوب خراب الشعوب
٢٦- أرز ليته في القر
٢٧- هكذا فلنكن العدالة
٢٨- أربعة أمور مهمه
٢٩- أمريكا التي رأيت
٣٠- قل هو الله أحد
٣١- كيف يذبح الاسلام
- ٣٢- أغلاط في قناريخ
٣٣- كيف تكون جباناً
٣٤- لحفظ لله يحفظك
٣٥- بل الرقيق الأطنى
٣٦- الرد على تشبيهه
٣٧- أسمع يا تاريخ
٣٨- ميشرون لا منفرون
٣٩- شهيد القسطنطينيه
٤٠- ذكريات و تنبيهات
٤١- يا فتاة الاسلام
٤٢- رجال صدقوا
٤٣- أسباب السعادة
٤٤- بطل المواجهه
٤٥- لطلب مطعمك
٤٦- لجوائز السخيه
٤٧- طامة الكبرى
٤٨- أمة للقران
٤٩- ثمرات الايمان (١-٢)
٥٠- مكائد الشيطان
٥١- ناشاب محمد
٥٢- ثقافة العصر
٥٣- التفائق العاليه
٥٤- شهيد المحراب
٥٥- لقد كلن أسياً
٥٦- مخافة الله
٥٧- الخطوط الحمراء
٥٨- صرخة فتاة
٥٩- الإبتلاء
٦٠- رساله
٦١- الموظف
- ٦٢- أخيار القافلة - فريق في الجته
٦٣- الفرج بعد الشدة
٦٤- خطاب عالم الأمة
٦٥- بشرى سارة
٦٦- وإ إسلامه
٦٧- اعرف دينك
٦٨- صفات المرأة المسلمة
٦٩- لداعية المطارد
٧٠- الأسد في يرالته
٧١- رسالة إلى الأخت المسلمة
٧٢- بريد المستمعين
٧٣- الإنسان المعنئى
٧٤- قضايها ساخنة
٧٥- فر من الحزبية
٧٦- كفران العشير والحقوق الزوجية
٧٧- فن تأليف الارواح
٧٨- سهام الليل
٧٩- وألف بين قلوبهم
٨٠- رسالة للمغنين والمغنيات
٨١- واجب الأمة بعد زوال الغمه
٨٢- للصلاحه فقط
٨٣- الزواج الناجح

سفر الحوالمى

- ١- المؤامرة على المرأة المسلمة (٢-١)
- ٢- الحكم بغير ما أنزل الله (الطحاوية)
- ٣- أخطار تهديد الأسره المسلمة
- ٤- خصائص أهل السنة والجماعة
- ٥- الوعد الحق و الوعد المغترى (٢-١)
- ٦- حكم المشائر والتقابل
- ٧- فرجة الرب بقوة العبد (٢-١)
- ٨- حكم الاحتفال بأعياد الكفار
- ٩- التفرقات الإسلاميه المعاصرة
- ١٠- سكود المنصرين أحمد نبيدات
- ١١- أهمية الحكم بما أنزل الله
- ١٢- الأحكام الوضعية
- ١٣- أسئلة حول الأحكام الوضعية (٢-١)
- ١٤- رسالة الى فتاة الإسلام (٢-١)
- ١٥- درجات الخوف من الله
- ١٦- أسئلة اللقاء الاسبوعي (١-٤٨)
- ١٧- تحكيم القوانين الوضعية (٢-١)
- ١٨- العقوبات السبع للتوبة
- ١٩- فستتكرون ما أقول لكم
- ٢٠- أسئلة حول الندرس
- ٢١- حفل زواج الحوالمى- الشنقيطي
- ٢٢- مؤامرة تحاك ضدك
- ٢٣- الياسق والقانون المصري
- ٢٤- طريق القبول الجديد
- ٢٥- ياسق جنكيزخان والياسق المصري
- ٢٦- ففروا الى الله
- ٢٧- لتتضح الى الله
- ٢٨- أسباب الإنهيار
- ٢٩- الخوف والرجاء
- ٣٠- أسباب النصر

عبد الوهاب الطيرى

- ١- صراخا للتاريخى مع اليهود والنصارى
 - ٢- بريقيات عاجلة إلى الصحافة الكويتية
 - ٣- عاقبة الغلال-التفكر في قرة الله
 - ٤- نظرة في التنظيم الأساسى للحكم
 - ٥- قراءة في قصة الذين خلفوا
 - ٦- لزهدي في الدين سلاح فعال
 - ٧- سيرة عمر بن عبدالعزير
 - ٨- المسنونية عدل وعون
 - ٩- أين نيمية - تشورى
 - ١٠- معالم من غزوة بدر
 - ١١- وتواصوا بالمرحمة
 - ١٢- محنة المسلمين في بوغسلافيا
 - ١٣- أحداث الجزائر
 - ١٤- أيها المعتدون-الله أمن وأفضل
 - ١٥- الثروة الملوثة
 - ١٦- خطايا القلوب
 - ١٧- ثم تاب عليهم
 - ١٨- زلزال في مصر
 - ١٩- ولد الهدى
 - ٢٠- هكذا طمعتنا المأساة
 - ٢١- صفحات من المأساة
 - ٢٢- رسالة إلى شباب الجهاد
 - ٢٣- الثروات الملوثة
 - ٢٤- غيبة الوعي
 - ٢٥- مسيرة الضلال
 - ٢٦- سفراء الرباه
 - ٢٧- وجاء دور الهندوس
 - ٢٨- أئذ وأيقى
 - ٣١- من أحكام أهل النمه
 - ٣٢- وصايا وقضايا
 - ٣٣- من لأعمال القلب (البعين)
 - ٣٤- أهمية أعمال القلوب (٢-١)
 - ٣٥- من أعمال القلب (الرضا)
 - ٣٦- من أعمال القلب (المحبة)
 - ٣٧- من أعمال القلب (الإخلاص)
 - ٣٨- المممتاز في شرح ابن باز
 - ٣٩- الجواب الصحيح لمن بدل دين المسيح
 - ٤٠- أسئلة اللقاء الاسبوعي (٥٨)
 - ٤١- عطف العمل على الإيمان
 - ٤٢- كلمة عن لوجبات الداعي
 - ٤٣- أسئلة لقاء الاسبوعي (٦١)
- عبد الحميد كشك
- ١- دفاع عن صحيح البخاري
 - ٢- إعجاز القرآن الكريم
 - ٣- إقتربت المساعة
 - ٤- شبهات حول الإسلام
 - ٥- لبيك اللهم لبيك
 - ٦- الفرق بين الحلال و الحرام
 - ٧- النفاق
 - ٨- حوار مع الشيخ كشك
 - ٩- الراقصة زيزي مصطفى
 - ١٠- المشرون سؤالا
 - ١١- ماذا طلب زكريا من ربه
 - ١٢- عن وفاة أبو طالب
 - ١٣- ٧٠٠٠٠٠ إلى الجنة
 - ١٤- لتلتقي بالحبيب محمد صلى الله عليه وسلم
 - ١٥- قصة سليمان مع الهمدند (المرأة المسلمة)
 - ١٦- عقوبة تارك الصلاة

محمد المنجد	سعيد بن مسفر	ناصر العمر
١- جوانب التكامل في شخصيات السلف	١- أحوال الناس في رمضان	١- لوسطية منهج الحياة
٢- الموقف بين الاكتمال بين المسلمين	٢- أحوال العصاة يوم القيامة	٢- السلبية القاتلة والإيجابية الفعالة
٣- عبر من قصص النساء في القرآن	٣- المهلكات والمنجيات	٣- غزواتنا بين التفريط والتعذيب
٤- الأسهم و الثغرات المطبوعه	٤- حجاب المرأة المسلمة	٤- صفحات مشرقة من تاريخ المرأة
٥- وصيات الملتزمين بالدين	٥- التفصاص في المظالم	٥- مقومات الحياة الزوجية
٦- المسلم بين الزهد والورع	٦- الخسران المبين	٦- وفقات مع غزوة الأحزاب
٧- مكائد من تبيس ابليس	٧- رسالة من امرأة	٧- نظرات في سورة الحجرات (١-٢)
٨- مقومات التربية الناجحة	٨- زاد التائبين	٨- كلمات في المنهج
٩- آداب زيارة الأخران	٩- لحدث وعظمت	٩- السكينه ... السكينه
١٠- وليمه الزفاف كيف تكون	١٠- مفسدات الأعمال	١٠- حقيقة السعادة
١١- الحب والبطش في الإسلام	١١- صفة الجنة والنار	١١- فقه الفقه
١٢- كيف تسأل أهل العلم	١٢- التجارة الراجحة	١٢- مشروع مقترح
١٣- دروس من سيرة عمر	١٣- قرارب النجاة	١٣- مقومات السعادة الزوجية (١-٢)
١٤- مفسدات القلوب	١٤- رسالة إلى عريسين	١٤- حقيقة الانتصار
١٥- صدقات مهجورة	١٥- دور المسجد	١٥- الحكمة
١٦- حامل الأمانة	١٦- كيف يصلي المسلم	١٦- قضايا ساخنة
١٧- التساهل في ستر العورات	١٧- صفة الجنة	١٧- فقه الإستشارة
١٨- طريقة اعداد درس التفسير	١٨- لثق الله حيثما كنت	١٨- فقه الواقع
١٩- تأملات في الزوال الاليم	١٩- توجيهات للمرأة المسلمة	١٩- موتوا بغيظكم
٢٠- لمحة عن الفرق المعاصرة	٢٠- دلائل النبوة	٢٠- الدرس الأخير
٢١- لقاءات مع الشباب (١-٣)	٢١- من أين نبأ	٢١- الأرقام الناطقة
٢٢- التحذير من الشرك	٢٢- دلائل النبوه	٢٢- وداعاً حاضري الحرم
٢٣- كيف ندعوا نصرانياً للإسلام	٢٣- رسالة إلى عريسين	٢٣- التفريغ والغطاف
٢٤- ألقاظ عامه مخالفه للشريعه	عبدالرحمن العشماوي	٢٤- التوحيد اولاً
٢٥- الإبهار الإسري	١- من القدس إلى سرايفو	٢٥- ناصر العمر في ضيافة لشيخ ابن باز
٢٦- الخضوع في الصلاة	٢- القصيدة للهب	
٢٧- قصة اسماعيل عليه السلام	٣- وقفة أمام جامع الزيتونة	ناصر العقل
٢٨- خمسة حفاظ بين يديك	٤- أمسية شعرية	١- مفهوم الإفتراق
	٥- نخلة الإباه	٢- معالم على طريق الصحوة
	٦- السرخة الأخيرة من سرايفو	٣- لثق الإسلامى مفهومه ومضابطه (١-٢)
	٧- قضية تحرير المرأة	٤- توجيهات في طريق الصحوة
	٨- برقية عاجلة إلى أفغانستان (١-٢)	

ناصر الدين الألباني

محمد الشنقيطي

- ١- الحياة الطبية
- ٢- وصايا للدعاة
- ٣- القرآن ونعمة الإيمان
- ٤- المحارم
- ٥- من أخلاق المؤمنات
- ٦- جيل القرآن
- ٧- الأخوة الصانقة
- ٨- الحفرق الزوجية

علي بادحدح

- ١- مهمة المسلم في الحياة
- ٢- الموازين الجائرة والحرب السافرة
- ٣- بيوتنا من الداخل (٢-١)
- ٤- حوار هادئ مع شباب الصحوة
- ٥- على خطى السلف
- ٦- المنهج في حماية العقيدة

عبدالله الحماد

- ١- علامات الساعة الصغرى والكبرى
- ٢- عندما رجف المنبر - غزوة أحد
- ٣- جاءت الرحمة تبيها الرافعة
- ٤- لا تغفروا بالندبا
- ٥- أسباب السعادة - أسباب الشقاء
- ٦- صور من الجنة والنار
- ٧- تذكروا الثلاثة الذين خلفوا

١- هم الغرباء

- ٢- فقه الواقع بين الإلزام والتفريط (٢-١)
- ٣- هل نحن متحيزون على جزء من الدين
- ٤- حكم دخول العراق الكويت
- ٥- لماذا نتبع السنن الصالح
- ٦- للحية وما زاد عن القبضة
- ٧- الرد على أعداء السنة
- ٨- مناقشة مع أفران المعتزلة
- ٩- هل النبيل والفرات يديمان من اللجنة
- ١٠- واقع البوسنة والهرسك
- ١١- حكم دخول مجلس الأمة
- ١٢- عداوة اليهود

سعد الجريك

- ١- الشباب بين فقه التطوير والجهاد
- ٢- لانتصروا فلسطين
- ٣- إصلاح ذات البين
- ٤- التوبة الصانقة
- ٥- العلمانية
- ٦- الشباب اللاهوتون
- ٧- أخفروا من عدوك
- ٨- برقيات عاجلة
- ٩- قصص و عبر
- ١٠- المخطفون
- ١١- رسالة السجينات
- ١٢- للاعبون بالنعم
- ١٣- الشباب بين غرور النفس واحتفال الذات
- ١٤- منزلة العلماء
- ١٥- إعرف عدوك
- ١٦- الشباب بين التقليد والأتران
- ١٧- هكذا يخاطب عقل المسلم
- ١٨- لمن العيد اليوم

محمد بن عثمان

- ١- العبرة من القصص - صلة الرحم
- ٢- من أحكام الزكاة والصيام والقيام (٢-١)
- ٣- حكم الصيام والزكاة (٣-١)
- ٤- فتاوي رمضان (٢-١)
- ٥- العقيدة الحموية (١٤-١)
- ٦- شرح الأجرومية (١٤-١)
- ٧- المرأة المسلمة
- ٨- الزكاة وأحكامها
- ٩- أصول الإيمان
- ١٠- أهمية الدعوة إلى الله (٢-١)
- ١١- إلى متى هذا الخلاف

صلاح الراشد

- ١- محبة الله
- ٢- مشاهد من المعصية
- ٣- ابن تيمية (٢-١)

محمد العوضي

- ١- للعلم يدعوا إلى الإيمان
- ٢- جزء العمل الصالح - غض البصر
- ٣- الحجاب
- ٤- حوار الإتهامات (٢-١)
- ٥- مذابح المنه
- ٦- هل لي من توبه

محاضرات مختلفة

- | | |
|--|----------------------------|
| الأمة الإسلامية في مواجهة التحديات (١-٣) | ١- محمد الراشد |
| صرخة إلى وزارة الصحة | ٢- طلال الدوسري |
| أختاه أين أنت غدا | ٣- طلال الدوسري |
| الوصايا العشر | ٤- عبدالرحمن عبدالصمد |
| دمعة حارقة | ٥- أحمد الطويل |
| ليلة عجيبة | ٦- أحمد الطويل |
| رجل و مواقف | ٧- رياض الحقيقل |
| التبوعية بين التأسيس والتكيس | ٨- سليمان الصفيان |
| المرأة المسلمة بين دعاة الإسلام وبين أذعياء التقدم | ٩- عمر الأشر |
| محاسبة النفس | ١٠- مازن الفرج |
| الحجاب | ١١- طيس الجميلي |
| حجاب المرأة المسلمة (١-٢) | ١٢- محمود الطحان |
| مع الصديق رضي الله عنه | ١٣- محمد السلمي |
| التربية للقرآنية | ١٤- محمد امين المصري |
| واقع الأمة | ١٥- سعد العثماني |
| مشاهداتي في بلاد البخارى (١-٢) | ١٦- الجبى |
| أثر حرب الخليج على مسيرة العمل الإسلامي | ١٧- محمد سرور زين العابدين |
| قرب مغلفه وقلوب واجفه | ١٨- محمد حسان |
| شبهات حول الأمر بالمعروف والنهي عن المنكر | ١٩- خالد العذرة |
| الإستراتيجية الإسرائيلية في الثمانينات | ٢٠- بسام يماني |
| التأثير العلماني وأثره على المرأة | ٢١- إبراهيم الناصر |
| الجن وما يقال عنهم | ٢٢- العمري |
| الدعوة إلى الله | ٢٣- د. البشير |
| الهزيمة النفسية عند المسلمين | ٢٤- عبد الله الخاطر |
| شعب الكويت وصموده | ٢٥- جاسم مهمل الياسين |
| رسالة إلى أهل لأسرى والمفقودين | ٢٦- السند |
| مسئولية الكلمة | ٢٧- عبدالله وكيل الشيخ |
| محمد رسول الله صلى الله عليه وسلم (بالإنجليزية) | ٢٨- أحمد نيدات |
| أحداث الجزائر | ٢٩- علي بلحاج |
| سلام أم إستسلام | ٣٠- الجريوع |

تابع محاضرات مختلفة

- | | |
|---|-----------------------------------|
| للخوف | ٦١- عبدالعزيز قارئ |
| توقيف الشيخ عائض القرني | ٦٢- العودة-الحوالي-العمر |
| وصايا للدعاة | ٦٣- عبدالله بن قعود |
| مصدر تقي العقيدة و منهج الإستدلال عند السلف | ٦٤- عبدالرحمن المحمود |
| القضاء والقدر (١-٣) | ٦٥- عبدالرحمن المحمود |
| النصيحة - آداب النصيحة | ٦٦- عبدالعزيز السويدان |
| إذا ضيعت الأمانة | ٦٧- عبدالعزيز السويدان |
| لحومهم مسمومة | ٦٨- المحجيني |
| إحذر قبل أن تزل بك القمم | ٦٩- أحمد الطويل |
| أسئلة و أجوبة | ٧٠- عبدالرحمن عبدالصمد |
| العلاج بالقرآن (١-٢) | ٧١- علي مشرف العمري |
| واقعا و انتظارك المهدي | ٧٢- محمد إسماعيل |
| إحذروا الخوذة والإختلاط | ٧٣- محمد إسماعيل |
| قصص واقعية | ٧٤- علي الحمادي |
| الإستزاء بالله ورسوله | ٧٥- علي الحمادي |
| خواطر دعاء | ٧٦- محمد الشنقطي-الحوالي |
| من عقيات الإبداع الحضاري (١-٢) | ٧٧- أحمد الحمادي |
| الواقعية بين القبول والرفض | ٧٨- عبدالله الزهراني |
| الشورى -الحكم والشورى في الإسلام | ٧٩- خالد عاشور |
| تكريم الإنسان في الكتاب والسنة | ٨٠- بشير البشير |
| الدعوة إلى الله (مترجم) | ٨١- يوسف إسلام |
| ندوة السنة النبوية | ٨٢- الطريوي-عابد السفياني |
| الساعة الحاسمة في حياة المسلم | ٨٣- الحمودي |
| حفل مسابقة السنة لعام ١٤١٣ هجري (١-٢) | ٨٤- إصدار منوع |
| لقاء مفتوح | ٨٥- القرني-العودة-الجلالي-الطريوي |
| خيوط المزا مرة | ٨٦- آل زعيتر-العمر |
| وقفهم إنهم مسئولون | ٨٧- أويكر الجزلزي |
| أسئلة و أجوبة | ٨٨- أويكر الجزلزي |
| المسلم ومصدر التلقي | ٨٩- آل زعيتر |
| عن المجالس النبوية | ٩٠- مجموعة مشايخ |
| الأمر بالمعروف والنهي عن المنكر (١-٢) | ٩١- مجموعة مشايخ |
| أسئلة نسائية | ٩٢- مجموعة مشايخ |
| من سنن الله سبحانه وتعالى (١-٤) | ٩٣- عبدالرحمن عبدالخالق |

تابع محاضرات مختلفة

خواطر داعية	٣١- عباس منفي
هل الإنجيل كلام الله	٣٢- أحمد ديدات
الجهاد في سبيل الله	٣٣- الجلاي
الثوري	٣٤- العبيكان
الولاء والبراء	٣٥- الجلاي
حقيقة الصراع في البوسنة والهرسك	٣٦- طارق الطواري
التطرف السياسية للمرأة في الإسلام	٣٧- ناظم سلطان-أحمد باقر
فكرة التعايش المسلمي	٣٨- عبدالرحيم الطحان
الفرق الضالة	٣٩- عبدالرحيم الطحان
فصل الدين عن الدولة (٢-١)	٤٠- عبدالرحيم الطحان
مفاهيم يجب أن تصحح	٤١- محمد الفراج
أحداث الجزائر	٤٢- محمد الفراج
مفكرونا عبر العالم الإسلامي (٣-١)	٤٣- جمال سلطان
التكثيف قبل التجميع	٤٤- محمد عبدالله
سبعة أيام في البوسنة والهرسك	٤٥- عادل بترجي
السيادة لله	٤٦- محمد إسماعيل
التخلف الاقتصادي والحل الإسلامي	٤٧- الغزالي
حركة المرابطين ودورها في الأمة	٤٨- جاسم مهلول التياسين
حقيقة التأمين	٤٩- الثقيان
المعبودية	٥٠- سليم الهلالي
الطريق إلى التفقه في دين الله	٥١- عابد السفياني
من قصص السعداء والأشقياء	٥٢- ناصر الرميح
وفاء الرسول صلى الله عليه وسلم	٥٣- عمر الدويش
الإستقامة	٥٤- مروان القادري
سنن الله تعالى في الكوارث	٥٥- مروان القادري
أسباب تدمير الأمم	٥٦- مروان القادري
الأمن والخطر في السياحة والسفر	٥٧- لطف الله حاتم
الأصولية الإسلامية (٦-١)	٥٨- سامي محمد
برقية إلى النساء	٥٩- ملال الدوسري
مبادئ وركائز تربوية	٦٠- عبدالعزيز النعيمش

تفسير سورة يوسف	٩٤- الشيخ فتحي
سينا يوسف وسجون العصر	٩٥- عبدالحميد كشك
دورة في العقيدة (١-١٥)	٩٦- د. طارق سويدان
حياة الرسول (ص) في بيته	٩٧- د. يوسف القرضاوي
الذين خدعوا المرأة	٩٨- جمال حبيب
كيف تستعيد الأمة مكانتها	٩٩- عمر الأشقر
الجهاد للكشميري بين القديم والحديث	١٠٠- ليف الدين الترابي
القرني في كلوبنا	١٠١- لمحيسني
التفكير ضوابط ومخاطر	١٠٢- عبدالعزيز عبداللطيف
هذا القرآن فإين البكاء	١٠٣- عتيق راشد
نماذج من أحوال الخاشعين	١٠٤- ناصر الزهراني
مفاسد التلفزيون	١٠٥- لطحان
حكم دخول مجلس الأمة	١٠٦- ابراهيم النبيان
حكم دخول مجلس الأمة	١٠٧- كبار العلماء في السعودية
الماسونية	١٠٨- عبد الرحمن النوسري
حكم الإسلام في التبرعات	١٠٩- مجموعة مشايخ
علاج الأمراض بالقرآن الكريم (١-٢)	١١٠- محمد بن عباد التيمري
خواطر إيمانية	١١١- عبدالحميد الليالي
ولجنا نحو فلسطين	١١٢- أسامة بن لادن
حزب البعث في الميزان	١١٣- سعيد حارب
إسحاق قتل أوصلب المسيح	١١٤- ابراهيم الحريري
الانتفاضة	١١٥- حسن أيوب
الرجال الكتاب	١١٦- أحمد الطويل
حكم دخول مجلس الأمة	١١٧- عبدالعزيز القارئ
عداوة لليهود	١١٨- حمود غزاي
تمام المنقفي الرد على أعداء السنة (١-٢)	١١٩- أبو أسحاق الحويني
إستشراق أم إستغراب	١٢٠- علي التلمة
التفكير ضوابط ومخاطر	١٢١- عبدالعزيز عبداللطيف
حكم التحاكم للقوانين الوضعية	١٢٢- العمر والقحطاني
نجل الأمين العلم	١٢٣- الجربوع
خطر الشيعة	١٢٤- الكلباني
خطبة شيخ الأقصى المبعث في مخيم المبعدين بلبنان	١٢٥- حامد البيتاري
عبدالوهاب الطبريري // التويري	١٢٦- المبعثون من فلسطين ، وداع الشيخان
الغفلة أسبابها ، آثارها ، علاجها	١٢٧- عتيق راشد
تكاثر الفتن	١٢٨- المحيسني

القرآن الكريم

المقرئ / محمد أبو زيد

- ١- من ٣٥ العنكبوت إلى آخر الأحزاب
- ٢- سبأ إلى ٢٦ سورة ص
- ٣- من ٢٧ ص إلى فصلت
- ٤- من ٤٧ يوسف إلى ٢١ النحل
- ٥- من ٤٣ يونس - هود - ٤٦ يوسف

المقرئ / الطر ابلسي

- ١- يس
- ٢- مائيس من سورة البقرة-فصلت-الحشر

المقرئ / خالد البكر

- ١- النساء ٩٠
- ٢- المائدة

المقرئان / السيدس - علي جابر

- ١- من ٢٩ القصص-العنكبوت-لقمان-الجمعه
- ٢- جزء عم مع القنوت
- ٣- جزء تبارك
- ٤- الإسراء
- ٥- سورة ص
- ٦- إبراهيم-الجم-النحل
- ٧- طه-الأنبياء-الحج-المؤمنون ٢٧

المقرئ / خالد القحطاني

- ١- آل عمران
- ٢- النحل ومريم
- ٣- ق والحديد
- ٤- طه والأنبياء
- ٥- الأنفال ويونس
- ٦- الرعد-إبراهيم-الحجر-مريم
- ٧- البقرة (٢-١)
- ٨- جزء عم
- ٩- العنكبوت - السجدة
- ١٠- يوسف - الكهف
- ١١- يونس - هود
- ١٢- الأعراف
- ١٣- ق - الرحمن

المقرئ / هاني الرفاعي

- ١- البقرة (٢-١)
- ٢- جزء عم
- ٣- جزء تبارك
- ٤- الأنفال و التوبة
- ٥- المائدة
- ٦- آل عمران

المقرئ / أحمد العجمي

- ١- آل عمران
- ٢- الشعراء و النمل
- ٣- الرعد و الجاثية و الحجر
- ٤- ق - الواقعة
- ٥- جزء عم مع الدعاء
- ٦- جزء تبارك
- ٧- الاسراء والكهف مع الدعاء
- ٨- يوسف محمد الأحقاف
- ٩- الانعام و ابراهيم مع الدعاء
- ١٠- يس و الصافات
- ١١- قد سمع
- ١٢- ابراهيم والمؤمنون
- ١٣- الفاتحة والبقرة (٢-١)
- ١٤- الأنفال والتوبة
- ١٥- ص والزمر
- ١٦- فصلت والشورى

المقرئ / السيدس

- ١- سبأ و الزمر
- ٢- ختمة القرآن مع الدعاء
- ٣- الحجرات و التحريم
- ٤- آل عمران
- ٥- ص-النخان-ق-الجاثية-الرحمن-الواقعة
- الحديد-الجمعة
- ٦- مريم-طه-الأنبياء
- ٧- يوسف

<u>المقرئ/ الكلباتي</u>	<u>المقرئ/ محمد المنشاوي</u>	<u>المقرئ/ عبدالهادي كناكري</u>
١- سبأ- فاطر- يس- الصافات ٢- المائدة ٣- جزء ٢٨ ٤- يوسف	١- الأفعال ٢- الفرقان	١- البقرة (٢-١) ٢- الكهف ٣- العنكبوت و الروم
<u>المقرئ/ محمود المنشاوي</u>	<u>المقرئ/ المحبيني</u>	<u>المقرئ/ محمد الشعلان</u>
١- الذاريات-الرحمن ٢- جزء ٢٦ ٣- جزء قد سمع (٢٨)	١- الإسراء- ٩٨ مريم ٢- لقمان ٣- آل عمران ٤- الحاقة و بعض سور جزء عم مع الدعاء ٥- الحجر و النحل ٦- جزء تبارك ٧- هود-السجدة-الإنسان	١- القصص و العنكبوت ٢- البقرة
<u>المقرئ/ علي جابر</u>	<u>المقرئ/ عبد الباسط عبدالصمد</u>	
١- جزء ٢٦ ٢- البقرة آية ٨٢	١- الإسراء ٢- فصلات	
<u>المقرئ/ العبيكان</u>	<u>المقرئ/ شيخ الشاطري</u>	
١- يس- الصافات - ٤٥ ص ٢- الحديد	١- المؤمنون والنور ٢- الأعراف ٣- البقرة (٢-١) ٤- يس-الصافات-الجاثية-محمد ٥- السجدة-ص-الحجرات-ق-الإخلاص	
<u>المقرئ/ صلاح الراشد</u>	<u>المقرئ/ طلال مطر</u>	
١- جزء عم ٢- جزء تبارك	١- يوسف ومريم ٢- جزء ٢٧ ٣- قراءة في صلاة التراويح مع الدعاء	

تابع القرآن الكريم مجموعة من المقرئين

سور ص- الزمر- غافر	١- يوسف اليقاص
- الفرقان- السجدة- ق- الرحمن	٢- طارق الحواص
- لقمان- السجدة- الأحزاب	٣- سعد الغامدي
- يوسف- الرعد- ابراهيم	٤- محمد حسان
- التين- النحل- الطارق	٥- سعيد نور
- ابراهيم- النخيل- القيامة- الحاقة	٦- فيصل الحديدي
- الغاشية- الأعلى- الطارق- البروج	٧- المصنف المدرسي الابتدائي
- الزمر- غافر- فصلت	٨- المحبيني- الشريدة- الأحمد
- مريم- غافر- الفتح- الحجرات- ق- الذاريات	٩- حمد الشايع- عمر المعقل- حمد المعقل
جزء الذاريات	١٠- عبدالله بصفر
- تبارك	١١- محمد مأمون
- ١٩	١٢- عادل الكنتري
- ٢٩	١٣- عبدالرحمن عبدالخالق
- ٣٠	١٤- عبدالرحمن عبدالخالق
- عم	١٥- أسامة الكنتري
- عم مع الدعاء	١٦- سمير العمران
سورتي يوسف و الرعد	١٧- محمد ابراهيم النعيم
- يوسف والنحل	١٨- عبدالعزيز السويدان
- هود و يوسف	١٩- صابر عبدالحكيم
- المرسلات و الملك	٢٠- المصنف المدرسي الابتدائي
سورة النساء	٢١- عبدالله النفجان
- الأنعام	٢٢- ابراهيم القرشي
- الكهف	٢٣- عبدالباري محمد
- الأنفال	٢٤- ابراهيم السعدان
- البقرة	٢٥- ادبيخي
- البقرة	٢٦- أمية الحرم
المصحف كامل	٢٧- محمود الحصري
تيسير التجويد	٢٨- عبدالوارث سعيد
جزء قد سمع	٢٩- عبدالله بصفر

جزء تبارك	٣٠- عبدالله بصفر
جزء عم	٣١- عبدالله بصفر
الكهف ومريم	٣٢- محمد النديخي
طه- الأنبياء- الحج	٣٣- محمد النديخي
آل عمران	٣٤- محمد التميم
الأحكام	٣٥- محمد السيد
الكهف	٣٦- خالد القحطاني، ناصر الغلندي، المحيمني
المائدة	٣٧- محمد يوسف
المصحف كامل	٣٨- الحذيفي
الأقوال- طه	٣٩- الشريم
جزء عم	٤٠- محمد يوسف
المائدة	٤١- عبدالله أبو قبان
جزء عم	٤٢- عيسى العجمي

إصدارات متنوعة	الأناشيد
١- الباب المفتوح	١- مجموعة للناشئة (٦-١)
٢- الرحيق المختوم	٢- أناشيد بالإنجليزية (أركان الإيمان)
٣- هكذا يعتقدون	٣- أشعار إسلامية (الغفر)
٤- إسمعي حتى لا تخدعي (٦-١)	٤- صوت الرصاص
٥- حوار مع رمضان	٥- لمن تجمع وأنت تموت ، قصائد في الزهد لأبي العتاهية
٦- عن حكم الحجاب	٦- البركان
٧- تباينير الصباح	٧- وأعتصموا
٨- فتحة النساء	٨- أغازيد الرصاص
٩- حكم الغناء	٩- الإصلاح ٣
١٠- بطاقة دعوة	١٠- وأعدوا
١١- هدم اللذات	١١- عجباً... صدام
١٢- لبيك وأختاه (٦-١)	١٢- رسائل
١٣- رسالة إلى أهل البادية	١٣- روح وريحان
١٤- الخطر القائم (النش)	١٤- الفرسان
١٥- القابضون على الجمر	١٥- جراح سراييفو
١٦- معركة القادسية	١٦- العزائم
١٧- الثقلن المهذب	١٧- حى على الجهاد
١٨- رحلة الرحيل	١٨- وجاهدوا
١٩- موعظة	١٩- جهراء ٢
٢٠- التوصية	٢٠- المجاهدون ٢
٢١- أيقظوا فقد أن الأران	٢١- قوئل الشهداء
٢٢- توبة أهل الفن	٢٢- مناجاة
٢٣- قادمون	٢٣- غلام الأختود
٢٤- توبة حسان	٢٤- صدى الإسلام
٢٥- عصمه الليل	٢٥- للرحلات فقط
٢٦- قصة يوسف	٢٦- الثالث للأناشيد الإسلامية
٢٧- طريق الغف	٢٧- الطريق إلى فك الحصار عن مسلمي اليوسنة
٢٨- منظومة سلم الوصول إلى علم التوحيد	٢٨- رحلة إلى الله
٢٩- معركة اليرموك	
٣٠- إبحري يا فتاة الإسلام	

المؤتمر الحادي عشر للاتحاد الوطني لطلبة الكويت

(فرع الولايات المتحدة)

- ١- أحمد القطان (مبشرات الدعوة في الخليج (٢-١)
- ٢- الافتتاح وكلمة الشيخ أحمد القطان
- ٣- لقاء مفتوح مع الشيخان (أحمد القطان-تظام يعقوبي)
- ٤- ديوانية للنائب مبارك الدولية (قضية الأسرى)
- ٥- ديوانية للنائب أحمد يأقر
- ٦- الإعلام الخليجي . رؤية من الداخل (٢-١)
- ٧- أحمد القطان (حقائق وأرقام عن المسلمين في البوسنة والهرسك)
- ٨- الواقع الخليجي ومسيرة مجلس التعاون (٢-١)
- ٩- النائبان الدولية وبالقمر (مجلس الأمة ودوره في المرحلة المقبلة) (٢-١)
- ١٠- الطريق إلى الوحدة (٢-١)
- ١١- د. الشطي، د. المنجور، د. جعفرانديس (المستقبل الأمني في الخليج) (٢-١)
- ١٢- لقاء مع الملحقة (٢-١)

- ٣١- إلى حواء
- ٣٢- الشفاء بالأعشاب الطبية
- ٣٣- المجلة الطبية
- ٣٤- قصص وعبر للشيخ أحمد القطان
- ٣٥- فتنة النجال
- ٣٦- مشاهد مبيكة
- ٣٧- صراع مع النفس

FORBIDDEN TRUTH

U.S.—TALIBAN SECRET OIL
DIPLOMACY AND THE FAILED
HUNT FOR BIN LADEN

JEAN-CHARLES BRISARD
and GUILLAUME DASQUIÉ

Translated by Lucy Rounds
with Peter Fifield and Nicholas Greenslade

Introductions by Joseph Trento and Wayne Madsen

Thunder's Mouth Press/Nation Books
New York

EXHIBIT #23
Excerpt *Forbidde
Truth

9. SAUDI FUNDAMENTALIST NETWORKS

Three key factors explain Saudi Arabia's role in the expansion of a radical form of Islam: religion, the driving force behind the kingdom's proselytism; the banking system as the instrument of the kingdom's religious ambitions; and oil as a deterrent weapon against the West. The Afghan conflict was the catalyst for these different interests, clearing the way for the expansion of a radical Islam and for those thousands of fighters who volunteered to join the rebellion.

With its oil interests in mind, plus the threat of Arab nationalism, and then the Iranian revolution, Saudi Arabia began to lend its support to the Sunni Islamist movements in the 1970s.¹ The search for a central position of influence within the Muslim and Arab world was, as Richard Labévière notes, one of the country's major preoccupations.² It needed to dominate the religious front in order to keep the peace and maintain its monopoly on the political front. The backbone of support for the Islamist movements was provided by the ~~organization Muslim World League~~, founded in 1962 and funded—~~notably~~—by Aramco, as well as consortiums of Islamic banks, including Faisal-Finance and Al-Baraka.

Saudi Arabia also took advantage of the rise in the price of

centers around the world. In Europe, it funded the construction of mosques in Madrid, Rome, Mantes-la-Jolie, Evry, and Copenhagen.

Clearly, Saudi Arabia has played a decisive role in the spread of hard-line Islam around the world, notably with the help of petrodollars, cleverly used in the framework of Islamization projects. Perfectly integrated into the capitalist system, Saudi Arabia played the market well—so well that its capital has become indispensable in keeping the world economy working smoothly. Since it had such an important energy reserve, the Saudi kingdom found its proselytizing activities protected by the world's superpower, the United States. There was no stopping Saudi Arabia then, even though such violent groups as Hamas in Palestine, the Taliban in Afghanistan, and the GIA in Algeria depended on it.

Osama bin Laden was a by-product of this. In 1978, at the request of Saudi secret service chief Prince Turki Al-Faisal, bin Laden founded an organization to export this combatant Islam on Afghan soil, called the "Islamic Legion." He went to Peshawar in Pakistan to meet Sheikh Abdullah Azzam, a Palestinian who would become his spiritual guide. Responsible for leading the Arab volunteers in the fight against the Soviets, Azzam created the "Afghan bureau," or the reception center for the Arab volunteers, in the early 1980s. Bin Laden soon became the office's financial manager, and eventually replaced Azzam after his assassination in September 1989.

At that time, the Saudis were backing bin Laden, both financially and logistically. This relationship continued, no matter what the Saudis say, until very recently. It continued after his

exile in Sudan, and after the numerous pre-September 11 attacks that have been attributed to him. Several sources, including bin Laden himself during an interview on ABC, reported that until very recently, Turki Al-Faisal and his emissaries made frequent trips to Kandahar in Afghanistan to meet their "protégé," who was gradually becoming something of an undesirable. In an unpublished interview given to a journalist from the French daily *France Soir* in April 1995, bin Laden confirmed this, saying that "the Saudis had chosen [him] to be their representative in Afghanistan."⁵

To support the war effort, Saudi Arabia built a vast network of Islamic charitable and mutual assistance organizations, many of which were, in reality, recruitment and financing centers for bin Laden's activities. These "humanitarian" organizations offered the advantage of being much less controllable from a financial point of view. The largest of these was the **International Islamic Relief Organization (IIRO)**, which financed numerous Islamic "missionaries" and maintained close ties with all of the known Islamic groups. Founded in Jeddah, Saudi Arabia, in 1978, IIRO is based in more than 120 countries. It is an Islamic mutual assistance organization in the health, humanitarian, and agricultural sectors, covering all Islamic fronts, from Bosnia-Herzegovina to Chechnya to Afghanistan.

The association officially admits to being funded by "generous Saudi donors," using the *zakat* system, the religious tax that requires subscribers, whether public or private entities, when purchasing shares to donate a certain amount of their own funds that is separate from the purchase. And so, between

Affara, an intermediary for arms sales, is implicated in the Sawari-2 affair.

It so happens that the IDF was located at the same Oxford address as the **International Islamic Relief Organization (IIRO)**, one of Osama bin Laden's main recruitment centers. Another organization, the Oxford Trust for Islamic Studies, is also located at the same address in England.

Even more troubling, the bin Mahfouz family holding company, SEDCO, has a British subsidiary called SEDCO Services Limited,²⁰ registered on December 6, 1994, in London. As of September 6, 1999, the company's address was the same as that of the International Development Foundation.

Camille Chebeir the President of SEDCO Services, was vice president and CEO of the Saudi National Commercial Bank, headed by Khalid bin Mahfouz. On December 21, 1999, he was appointed a board member of Hybridon Inc. as a representative of SEDCO, which is a shareholder in the American pharmaceutical group.

Mohammed Salim bin Mahfouz is also the founder of the Saudi Sudanese Bank in Khartoum, Sudan.

One of Khalid bin Mahfouz's sons, Abdul Rahman bin Mahfouz, is a manager of the Sudanese branch of the Saudi charity organization Muwafaq (Blessed Relief), suspected of helping to organize the assassination attempt against Egyptian president Hosni Mubarak in Ethiopia in 1995.²¹ This organization, suspected of having ties to Osama bin Laden, is also accused by the CIA of having received funds via the Saudi National Commercial Bank, headed at the time by Khalid bin Mahfouz.

Ramadan celebration just part of exper

ASU home to majority

By Dale Hill
The Herald Staff

Abstinence from food, drink and sexual intercourse is required during the daylight hours of the Islam holy month of Ramadan. Ramadan, the ninth month in the Islamic calendar, began with the appearance of the new moon on Jan. 21. During Ramadan, Moslems around the world fast from dawn to dusk for 30 days.

The Islamic community of Jonesboro meets each evening at the mosque located on the corner of Rogers Street and Johnson Avenue. They break the daily fast with a community meal, then they gather for the evening prayers.

Abdulbaset Al-Omary, assistant director of the Islamic Center of Jonesboro, said there are between 250 and 300 members of the Islamic community in the area. He said most of those are Arkansas State University students but he is not exactly sure because they do not keep membership lists.

Al-Omary, a graduate student in computer science, said the community began because of the Saudi

Project started at ASU in 1982. According to Dr. Eugene Smith, former president of the university, the project was a contract between ASU and U.S. Customs.

Though the main part of the program has expired, Al-Omary said Moslems still come to Jonesboro because of the reputation of the Islamic community.

Al-Omary said he has encountered some difficulties because he is from the Middle East. "I tried to rent a house yesterday," he said. "The owner said he would meet me there in 15 minutes. When I got there with my family, he said the house had already been rented."

Al-Omary said a friend of his who recently moved here had to leave one of his wives behind. The Koran, the Moslem scriptures, allows a man to have up to four wives, as long as he can care for them properly and fairly.

The Code of Federal Regulations states, "An immigrant shall be ineligible under INA (Immigration and Naturalization Act) 212(a)(9)(A) only if the alien is coming to the United States to practice polygamy."

Public Law of June 27, 1952, under the section titled, General Classes of Aliens Ineligible to

Receive Visas and Excluded from Admission, states, "Aliens who are polygamists or who practice polygamy or advocate the practice of polygamy."

Al-Omary said he feels there are many misconceptions about the Moslem faith and way of life. He said, "Jihad means struggle, not war against people. It is a personal and holy struggle to be pure."

According to the Islamic Information and News Network, a subsidiary of the Pakistani News Service, "Islam is a religion of peace and order. Contrary to what many acts of violence by extremist groups may convey, Islam never encourages or tolerates the killing, kidnapping and oppressing of the innocent."

The primary literature of the Moslems, the Koran and the Sayings of Muhammad confirm this.

The Koran teaches that, "Whosoever killeth a human being...it shall be as if he had killed all mankind..." (The Koran 5:32). The Sayings of Muhammad teaches, "A moslem is he from whose tongue and hands people are safe..."

Al-Omary said the terms "Moslem" and "terrorist" used together are offensive. "We are no even allowed to bug our neighbo

*EXHIBIT #25
*Al-Omary Interview
*The Herald

ences of Jonesboro Moslem community

of Jonesboro's Moslems

with loud music," he said. "We live our entire life to please God. I am a student to please God. I work to please God. Doing good things pleases God."

The Islamic Information and News Network claims the Sunnite sect comprises 95 percent of all Moslems. The rest are Shi'ites living mainly in Iran and Iraq.

According to the Encyclopedia Britannica, "It is on the character of the imamate (the office of the imams) and the readings of the Koran that the Shi'is and Sunnis primarily disagree. (For the Shi'ites) The imam is sinless, endowed with supernatural knowledge and power, and capable of interpreting infallibly the Koran."

Al-Omary said, "Sunnah comes from the tradition of the prophet. Shi'ite is in favor of someone. The imam leads in prayer and teaches on Friday night.

"He does not have authority over our life. I am responsible only to God."

He said Louis Farrakhan's Nation of Islam is neither Sunni nor Shi'ite. "We call it Farrakhanism," he said.

"Islam is a religion of peace," he said. "We are a people of faith and peace."



Photo by Doug Coppertoni

Moslem men share the traditional Ramadan meal at sunset in the Islamic mosque on the corner of Rogers Street and Johnson Avenue near the university campus.

0111 Confirmation

Form Confirmation

Thank you for submitting the following information:

Name: Margaret McClain
Company:
Address: 504 West Cherry, Jonesboro AR 72401
Telephone: (870)972-8031
Email: dmclain@insolwvb.net

Comments

Dear Child Watch! Please add my missing child, MACHAEL HEIDI AL-OMARY, to your web page. She has been internationally abducted to Saudi Arabia by her non-custodial father. You may obtain her photo from the "Heidi's Hope" web page at:

<http://www.insolwvb.net/~dmclain/>

[Return to the form.](#)

*EXHIBIT #26
*Child Watch Registration

1012

From: Jim Jennings [Jjennings@HillandKnowlton.com]
Sent: Friday, August 28, 1998 2:35 PM
To: [REDACTED]

[REDACTED] Margaret, and [REDACTED]

My name is Jim Jennings, and I am the Director of National Practices for Hill and Knowlton in the United States, and I have seen recent email traffic about your concerns over meetings at the National Press Club next week. While I am saddened over the human pain you must be suffering, I need to make sure in your efforts during this period that you realise [sic] you have some facts sorely wrong, and are completely mistaken if you believe in any way, shape or form that our company is involved with this matter or representing any aspect of the government of Saudi Arabia on any matter.

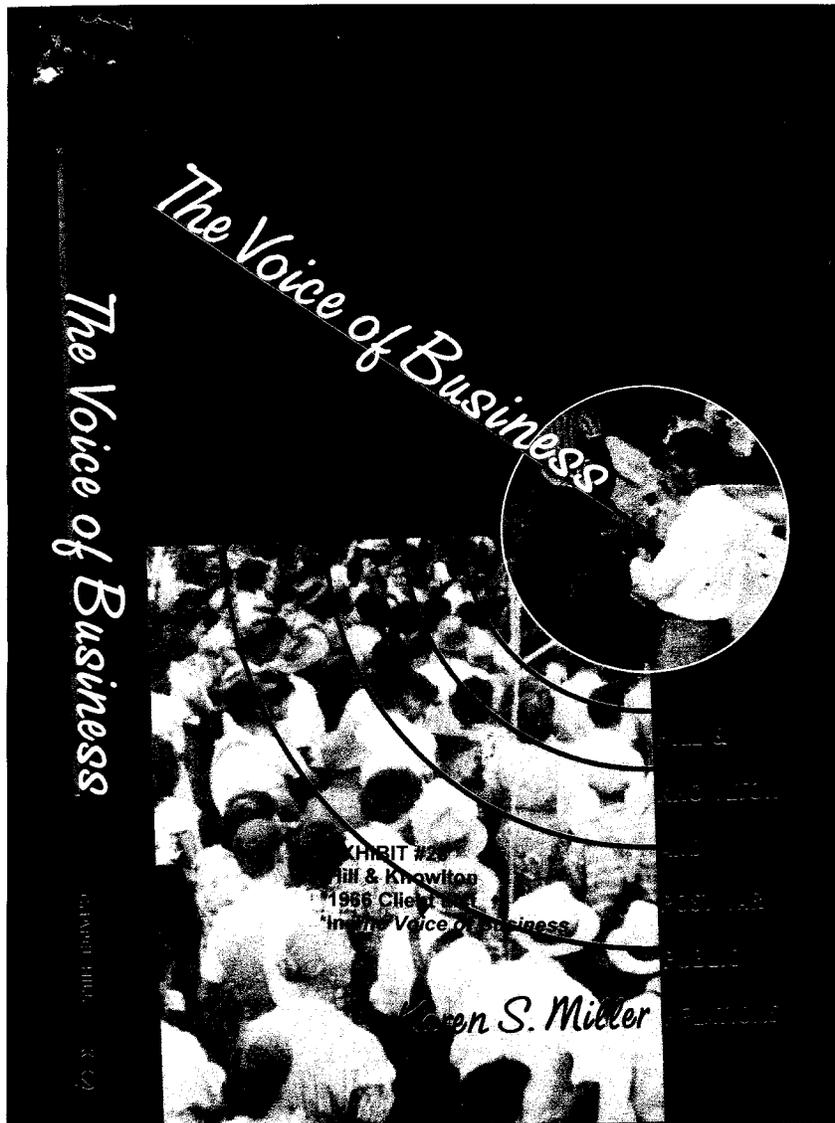
Any such representation under US law must be registered with the Department of Justice under the requirements of the Foreign Agents Registration Act. All registration is open to any public inquiry, and I encourage you to confirm that we do not represent the foreign government you suggest we do but also to confirm to your constituencies that we do. ~~We have been with this firm for 25 years and do not remember a time when we have ever represented~~ [REDACTED] - yet you state boldly in your email that we do, and that we have reserved rooms next week for some event we have utterly nothing to do with.

We reserve rooms regularly for press briefings at the National Press Club as you would expect given the breadth of our corporate clients who are in the news. Indeed we reserved a couple of rooms next week there, but for a corporate client of record, not the Saudi government. You have made a leap in your assumptions which is not factual.

We wish you all the best in the struggle to find your children, but respectfully request that you set the record straight with your constituencies, and in no way include us in some list of companies to be boycotted. You are fighting what you believe is a travesty of justice, and I am sure in that process do not want to commit one yourselves.

Many Thanks.

***EXHIBIT #27
*Hill & Knowlton Email
*August 1998**



APPENDIX CLIENT LISTS

1937 (Hill and Knowlton in Cleveland)

Akron Chamber of Commerce
American Iron and Steel Institute
Austin Company
Berger Manufacturing Company
Block Company
Cleveland Bakers Club
Cleveland Chamber of Commerce
Eaton Manufacturing Company
Electric Vacuum Cl.
Euclid Avenue Association
Greater Akron Association
Great Lakes Exp.
Hill and Knowlton Special (steel research project)
Midland Steel
National City Bank Cleveland
Otis Steel
Petroleum Industrial Committee
Pickand Mather
Republic Steel Corporation
Retail Merchants Board
Standard Oil Company, Ohio
Trundle Eng. Company
Warner-Swasey Company
Youngstown Sheet and Tube

[Source: La Follette Committee Hearings, Exhibit 6305, p. 15523.]

1947-1948 (Hill and Knowlton, Inc., of New York)

Aircraft Industries Association
Air Power League
American Institute of Steel Construction
American Iron and Steel Institute
Aviation Corporation

El Paso Natural Gas Company
 Ernst and Ernst
 Ethyl Corporation
 Falstaff Brewing Corporation
 Farm Service Industries Committee
 Gillette Company
 Lead Industries Association, Inc.
 Licensed Beverage Industries, Inc.
 Life and Casualty Insurance Company
 Lily-Tulip Cup Corporation
 Marathon Oil Company
 Murchison Brothers
 New York Life Insurance Company
 New York University
 Owens-Illinois, Inc.
 Packard Bell Electronics
 Procter and Gamble Company
 Richardson-Merrell, Inc.
 Savings Banks Association of New York State
 Schlumberger Limited
 Southern Railway System
 State Education Department of New York
 Tobacco Institute, Inc.
 Union Pacific Railroad Company
 United Gas Corporation

International Clients:

Alcoa International, Inc.
 First National City Bank
 Gillette Company
 Hong Kong Chamber of Commerce
 Hoover Worldwide Corporation
 Hughes Aircraft Company
 Imperial Tobacco Company of Canada Limited
 Marathon International Oil Company
 Ministry of Tourism, Bahamas
 Monsanto International
 Newsprint Information Committee of Canada
 Philips Phonographic Industries
 Procter and Gamble Company
 World Airways, Inc.

[Source: Donald W. Riegle Jr., "Hill and Knowlton, Inc.—II," Harvard Business School
 Case Study (1966), Box 6, Folder 9, JWH.]

1016

EXHIBITS PROVIDED BY SAMIAH SERAMUR

البنك التجاري الوطني
THE NATIONAL COMMERCIAL BANK
جسرة نخسبان

2 / 1206524

ايصال العميل

PURCHASER'S RECEIPT

JEDDAH 122. 5/4/1989 التاريخ DATE

SUPATIMI BINTI BASUKI اسم المشتري NAME OF PURCHASER

MIANTO

Us\$.476/71 المستفيد BENEFICIARY

القيمة AMOUNT

3/7550	العملة RATE
1790/05	القيمة بالريال EQUIVALENT IN RIYALS
10/-	العمولة COMMISSION
4800/05	المجموع TOTAL

MI

Name	Address	Telephone
SUPATMI	KARJEN BASUKI	SAMBUN RI RWI NO8
KANDAT / KEDIKI	JAWA TIMUR / INDONESIA	64173

KETERANGAN PEMEGANG/DESCRIPTION OF BEARER	
Nama lengkap/full name	<i>NINUK BINTI SCI- KARDI BIN UNTUNG</i>
Tempat & tgl. lahir/place & date of birth	<i>SURABAYA 11 JANUARI- 1956 SERIBU SEMBILAN RATUS LIMA PULUH ENAM</i>
Alamat / address	<i>JL. SIDODADI II / 31 SURABAYA</i>
TANDA-TANDA ISTIMEWA/SPECIAL MARKS	
mata/face	<i>LONBONG COCLATTUA HITAM</i>
rambut/hair	<i>QUAC JABK BROWN BLACK</i>
TANDA-TANDA LAIN/OTHER VISIBLE MARKS	
Paspur ini berisi 48 hal./This passport contains 48 pages.	

PP. NO. A 757105
REG. NO. 1A19H 4947 CGAVU

Tandatangan pemegang/Signature of bearer


PASPOR INI BERLAKU UNTUK SELURUH DUNIA THIS PASSPORT IS VALID FOR ALL PARTS OF THE WORLD	
KECCALI EXCEPT	_____
BERLAKU SAMPAI/VALID UNTIL <i>27 OKTOBER 1988 OCTOBER 27 1988</i>	
DIKELUARKAN/ISSUED	<i>JAKARTA</i>
DI AT:	<i>27 OKTOBER 1986</i>
TGL ON:	<i>OCTOBER 27 1986</i>
OLEH BY:	<i>Kepala Unit Khusus Direktorat Jenderal Imigrasi Sotgas, AKAN</i>
	
Nama & jabatan	<i>HARMONO HARSONO</i>

DIPERPANJANG SAMPAI ENTIENDED UNTIL	
DI AT:	_____
TGL ON:	_____
OLEH BY:	_____
Tandatangan Signature	_____
Nama & jabatan Name & position	_____
DIPERPANJANG SAMPAI EXTENDED UNTIL	
DI AT:	_____
TGL ON:	_____
OLEH BY:	_____
Tandatangan Signature	_____
REG. No.	_____

<p>4</p> <p>THIS PASSPORT IS VALID FOR ALL PARTS OF THE WORLD Kecuali EXCEPT</p>	<p>BERLAKU SAMPAI/VALID UNTIL 27 OCTOBER 1988 27 OCTOBER 27 1988 JAKARTA</p> <p>DJAF: TGL/JON: OLH/RY: DIREKTOR JENDERAL IMIGRASI KAPAL AKAN</p> <p>5</p>
<p>DIPTERJANG SAMPAI/ENDID UNTIL</p> <p>DJAF: TGL/JON: OLH/RY: Tandatangan Signature Nama & Jabatan Name & position</p> <p>REG. No</p>	<p>DIPTERJANG SAMPAI/ENDID UNTIL</p> <p>DJAF: TGL/JON: OLH/RY: Tandatangan Signature Nama & Jabatan Name & position</p> <p>REG. No</p>



JIANGONO HARSONO
NIP. 1951071753



P.T. BHAKTI KARYATAMA MANDIRI

Alamat : Jl. Tebet Timur III - i/No. 20
Tel. 824800 - 8195017 Jakarta - Indonesia
Telex : 46624 - 46625 SABUANA IA

Nama Dirut : Kol. Cin. (Pur)
H. SOEPRAJONO
Alamat Rumah : Jl. Raya Pondok
Cina No. 30 Depok.
Dir. Operasi : HASAN AGIEL,
Alamat Rumah : Jl. Kebon Kacang 31/26
Tel. 3229641
Jakarta Pusat.

1. Perwakilan di Arab Saudi

Nama Perusahaan : MANPOWER SERVICE CORP.
Alamat : P.O. Box. 4220. 31491 DAMMAM
Tlx / Telp. : 8263986 - 8349275
Nama Pimpinan : MOHAMAD AHMAD HADI
Alamat : P.O. Box. 4220 - 31491 DAMMAM
SAUDI ARABIA
Telp. : 8263986 - 8349275

2. Pertolongan/bantuan Kepolisian Arab Saudi

Telp. 999

3. KBRI/Labour Office (LO)

KBRI - Riyadh : P.O. BOX 94343
Telp. 4882-472
L.O. Jeddah : P.O. BOX 10
Telp. 6532356
Al Khobar :
Telp. 894 - 8083
898 - 3574

L.O. : Telp.

4. Pemegang Kartu

Nama : NIAK PT SUKARDI
No. Paspor : A 77401
Dikeluarkan : di JKT
Tgl. 2710-86

Keluarga yang dapat dihubungi :

Nama : NIKARINI BIN WILUNG
Alamat : Jl. SUREPDI 2131 S.S.V.

5. Employer/Kafil

Nama : Fakhri Rus Alkhalid
Alamat :
Tlx / Telp. :

TO:
NY. Kemi / KIDDET
El K Paeman na 568
Timue h MIA Darmoziwowan
Miqqatan - Madiyat
Zuronegic

From

Orlando Miller

P.O. Box 167 CE 882
Zandari 21231
Haudj. Arabio

10/21

* Dalam Isortagia *

Jemberhoma Gurat ini ananpa Mengueap
 Melamat Hari Raya Idul Fitri
 Maaf lahir dan Isortagia
 Maafkan Dajha-Dajha ku yang telah
 Kelalu dan Hor Haya munta maaf, uana
 yang Haya Kirim Terlambat itu Isortagia
 halan mana Haudi kebenanya uana ku
 Dari Darana di Jakarta. Jakarta
 ya belum memberinya tapi Jagan Kujatir
 Huda Haya uruh Haya telpon di
 Banga Dugana Internasional Jakarta
 OHT ya Isortagia. aru ingin Huda
 Isortagia Huda Haya menerima Gurat
 Huda tidak pernah. member Kabar Haya
 Hela dan Huda **لعل الخفايا بقروننا** Dan Karu
 Kalau Karu **بأطيب التحيات** maafkan
 tidak menulis **عذرا لمنزل السعيدة** Karu mu
 Kata-Kata. Mimer

Melamat Hari Raya
 Idul Fitri
 Maaf lahir dan Isortagia
 Semua Keluarga di Magetan
 Maafkan Mimer

1025



1026

NINUK BINTI
SU-KARDY BIN
DONTUNG



**KARTU TANDA PENDUDUK
WARGA NEGARA INDONESIA
PEMERINTAH KABUPATEN DATI II KEDIRI**

Sumber lebarnya adalah lima waktu 14 tempat batal hari tidak masa
berlakunya habis, penduduk yang bersangkutan diberikan kesempatan
kembali permohonan untuk memperoleh Kartu Tanda Penduduk yang
Pemerintah Kabupaten Datu II Kediri

0743373



Primo
Kartu Tanda Penduduk
Kecamatan ...
Kabupaten ...
Provinsi ...

**STATEMENT OF SAMIAH SERAMUR
BEFORE THE COMMITTEE ON GOVERNMENT REFORM
OCTOBER 2, 2002**

Mr. Chairman, members of Congress, last month, I was graced by God to become one of the privileged few to ever see her American child again after being held against her will in Saudi Arabia for over eight years. No words can express how it feels to be able to touch my daughter again, watch her sleep, kiss her goodnight, or see her walking down the street with her head held high.

We thank the Committee on Government Reform for all of its concerted efforts to assist American citizens overseas and especially for its efforts to make it possible to bring my American daughter Maha home. We also want to thank Col. Norville DeAtkine, Ambassador Hume Horan, Admiral James Lyons, Secretary of State Powell, and President Bush for the initiatives taken toward resolving the issues pertaining to American citizens in Saudi Arabia. Last but not least, my daughter Maha and I extend our greatest gratitude to all of the Saudi citizens who risked their lives to assist us throughout all of these years in bringing her home.

We have been asked here today to testify. The core of my testimony is the protection of American citizens overseas, irrespective of political influence, age, or gender. I realize that today's hearings specifically address Saudi Arabia, and I am here to tell you the truth about my case, my daughter's heroic escape for freedom and our two heroes left behind.

For over eight years, I have been refused all but limited, tape-recorded telephone contact with my three children. The U.S. Department of State attempted to conduct "welfare visits" to no avail. Every time I officially requested a Welfare Visit, and the U.S. Department of State made attempts to visit my children, I was warned by my Saudi ex-husband and certain Saudi officials against getting the U.S. government involved. When my children informed me that my son was beaten, I contacted the Department of State. They informed me that since my son was alive, it was in his interest that I do not ask them to contact the local authorities to get involved since the consequences may be even more severe for my son.

This past summer, some Saudi nationals contacted me fearing for the safety of my children. I was able to establish secret contact with Maha June 17 using Microsoft messenger. For over one and a half months, my daughter and I planned her escape to freedom. On July 3, I requested the children's American passports be expedited to me. I received them in America after August 18. I notified the U.S. Department of State that Maha and her family were going on vacation to Malaysia and that my children were begging me to meet them there from where we could return to America.

The U.S. Department of State warned me against going to Malaysia stating that I may be accused of kidnapping and sent to prison. I was informed that I would be subject to Shariah law and that other countries such as Morocco or Bahrain would have been alright, but not Malaysia. They contacted me by telephone daily warning me to

reconsider my plans. I refused. They told me tens of times that I should get an attorney and be prepared for a very long, drawn-out Shariah court hearing. I was told numerous times that I should have a lot of money and be prepared to pay for lodgings that they would suggest to me should we be prevented from leaving Malaysia.

Both the Department of State and a Malaysian embassy official told me to inform my children about the fact that they could be returned to their abusive father and that our plans could have very serious consequences. I refused. The Department of State told me on more than one occasion within the couple of weeks before my departure for Malaysia that they wanted to go meet with the children in Saudi Arabia. I told them that, under no circumstances should they contact the children or attempt to contact them in Saudi Arabia on numerous occasions. DOS then asked to contact the Malaysian government on numerous occasions and informed me that if they could not contact the Malaysian government before my daughter attempted her escape that the escape would not be possible. I informed them on numerous occasions that they should, under no circumstances contact either the Malaysian or Saudi governments.

I was asked for photos of the children for their passports three separate times from two embassies and the Department of State. Correspondence was inaccurately forwarded to the parties concerned in Malaysia to the point that when I arrived, they had none of the photos or emails detailing the abuse suffered by my children. My emails were often returned, bounced off the DOS server. I was asked to come to the Embassy in Malaysia on three occasions before my children arrived, only to be threatened again to reconsider my plans.

To sum it up, my daughter's heroic escape was one of the worst nightmares that any mother could ever imagine, but we pulled through. Now it's time to look back and reflect. We beseech you to use the information from these hearings in a positive way to come up with a solution, a new system with uniform procedures, guidelines, progress reports, checks and balances, a supervisory interagency working group, and accountability to protect, not only American citizens in Saudi Arabia, but all over the world.

Page one of all U.S. Passports reads:

“The Secretary of State of the United States of America hereby requests all whom it may concern to permit the citizen/national of the United States named herein to pass without delay or hindrance and in case of need to give all lawful aid and protection.”

Perhaps it's time those words had meaning.

I welcome your questions, we are here to speak the truth.

LIST OF ATTORNEYS
IN THE CONSULAR DISTRICT OF JEDDAH
SAUDI ARABIA

The Jeddah Consular District is comprised of the administrative districts of the Western Province (Jeddah, Taif, Makkah, Rabigh, Yanbu and Medina) and the Southern Province (Abha, Khamis Mushayt, Najran, Baha, Gizan, etc.). The Eastern Province of the Kingdom of Saudi Arabia lies within the jurisdiction of the American Consulate General in Dhahran. The United States Embassy in Riyadh covers all other districts.

American citizens or residents who require legal services in the Kingdom should understand that courts in Saudi Arabia are based upon Koranic (Shari'ah) law, which is very different from American civil or criminal law. The services of an attorney schooled in Shari'ah law are highly advisable for anyone dealing with legal matters within the Kingdom.

All important legal documents should be sent to or from Saudi Arabia by registered mail. Current rates for first class international air mail from the United States is \$0.45 for the first half ounce and \$0.45 for each additional half ounce up to two ounces.

Please note that law firms in this country cannot perform notarial services: only a court of the Saudi Ministry of Justice has that authorization. Please also note that only legal representatives of Saudi nationality may present cases before a Saudi court, although non-Saudis may process cases for presentation.

THE AMERICAN CONSULATE GENERAL IN JEDDAH ASSUMES NO
RESPONSIBILITY FOR THE PROFESSIONAL ABILITY OR INTEGRITY OF THE
PERSONS WHOSE NAMES APPEAR IN THE ATTACHED LIST.

REVISION DATE: 17NOV92

CREDIT REPORTS

Credit reports can sometimes be obtained locally from banks. The three American banks with affiliations in Jeddah are listed below together with the addresses of their local affiliates:

U.S. BANKS OPERATING IN THE CITY OF JEDDAH

- | | | |
|-----|--|---|
| (1) | National Commercial Bank (NCB)
P.O. Box 3555
Jeddah 21481
Tel: 644-6644
Telex: 605571 SJ | Bank of America
Bank of America Center
P.O. Box 37000
San Francisco, CA 94137
Telex: 34346 WUD |
| (2) | Saudi American Bank
P.O. Box 490
Jeddah 21411
Tel: 653-3555, Ext. 200
Tlx: 601968 SAMBA SJ | Citibank, N.A.
399 Park Avenue
New York, N.Y. 10043
Tel: (212) 559-1000
Tlx: 425911 Martiur |
| (3) | Saudi Investment Bank
P.O. Box 5577
Jeddah 21432
Tel: 653-1010
Fax: 653-2333 | Chase Manhattan Bank NA
1 Chase Manhattan Plaza
New York, N.Y. 10015
Tel: (212) 552-2222
Tlx: 232163 CMB UR |

****ALMIHDAR LAW FIRM****

Kilo 4, Makkah Road
 P.O. Box 1180, Jeddah 21431, Saudi Arabia
 Tel: 687-7326, 687-4909
 Tlx: 602713 CANTAB SJ
 Fax: 687-9668

OFFICE SPECIALIZATION

This firm specializes in petroleum and mining industry law, corporate law, and business and industrial law; handles collections & trade disputes. Contingency element is included in fees.

BIOGRAPHIC DATA: ALI HAMED ALMIHDAR

Saudi citizen, born September 24, 1945, in Asmara. B.A. (1967), LL.M. (1968) and M.A. (1971) Cambridge University (UK). 22 years in legal practice; speaks Arabic and English.

****ABBAS FAIQ GHAZZAWI LAW FIRM****

94 Mohammed Al-Tawil Street, Mushrefah District
 P.O. Box 2335, Jeddah 21451, Saudi Arabia
 Tel: 665-4646, 660-0087
 Tlx: 60096 FAIQ SJ; Fax: 665-9155

OFFICE SPECIALIZATION

This firm specializes in Saudi corporate, fiscal, maritime and business law, and accepts collection cases on a percentage basis (15% to 20% upon recovery with a 2.5% downpayment). Also handles estates, trade disputes, translations, legal briefs and appeals.

(1) BIOGRAPHIC DATA: ABBAS FAIQ GHAZZAWI

Saudi citizen, born 1930, Makkah, Saudi Arabia. Graduate Cairo University, Egypt, 1959.

(2) BIOGRAPHIC DATA: WALID KHOURY RAPHAEL

Lebanese citizen, born 1942.
 Licensed to practice in France (1965, Saint Joseph University, Lyon), and Lebanon (1966). B.A. Economics, American University of Beirut (1966). Specialist in business, maritime and insurance law. Speaks English, Arabic, and French.

(3) BIOGRAPHIC DATA: MAJID A. GHAZZAWI

Saudi citizen; born 1960.
 Bachelor of Law, Ain Shams University, Cairo.
 Specializes in incorporation procedures; authorized to
 practice before all Saudi courts, committees and
 arbitration panels. Speaks English, French and Arabic.

(4) BIOGRAPHIC DATA: MOHAMMAD BIN SAAD AL MOABY

Saudi citizen; specialist in Shariah (Islamic) Law.
 Licensed to practice before all Saudi courts
 and arbitration panels.

(5) BIOGRAPHIC DATA: ELDAW JUBARA BABIKER

Sudanese citizen.
 Bachelor of Law (Hons.), University of Khartoum (1977).
 Specialist in banking, corporate and maritime law.
 Experienced in incorporation procedures.
 Speaks English and Arabic.

(6) BIOGRAPHIC DATA: DHAFER MOHAMMED AL AHMARY

Saudi citizen; King Saud University, Riyadh.
 Experience in litigation before all Saudi courts, committees
 and arbitration panels. Specialist in judgements,
 extensive experience in debt collection.

HRH PRINCE SAAD AL FAISAL BIN ABDUL AZIZ LAW OFFICE

IN ASSOCIATION WITH
ARENT FOX KINTER PLOTKIN & KAHN

P.O. Box 15836, Jeddah 21454
 Tel: 651-9373; Fax: 651-9465.

OFFICE SPECIALIZATION

Specializes in corporate and commercial law services to
 national and international clients, including
 real estate securities, collection cases, estates, litigation
 and arbitration, labor relations, immigration, communications,
 intellectual property, bankruptcy, trade and customs
 regulation, government contracts, criminal fraud, taxation
 banking and financial law, health, antitrust law,
 environmental law, energy issues, and representation
 before the U.S. Congress and Executive Branch.

(1) BIOGRAPHIC DATA: G. COPE STEWART III

American citizen, born August 15, 1941, U.S.A.
A.B. 1963 University of Washington.
J.D. 1966 George Washington University Law School.
27 years in practice; specialist in business law, mergers
and acquisitions, and international investment and banking.
Speaks English.

(2) BIOGRAPHIC DATA: STEVEN R. MILES

American citizen, born March 14, 1958, Heidelberg, Germany.
B.A. 1980 Union College, M.B.A. 1984 Cornell University
Graduate School of Management, J.D. 1984 Cornell
University Law School.
Specialist in business law, dispute resolution, government
licensing, and energy issues. Nine years in practice.
Speaks English.

(3) BIOGRAPHIC DATA: NASSER F. AL-QAWAS

Saudi citizen, born December 4, 1969, Jeddah, Saudi Arabia.
B.A. 1990 King Abdulaziz University Law School.
Specialist in Saudi law and procedures.
One year in practice; speaks Arabic and English.

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The Jeddah Law Office, staffed by resident full-time American
and Saudi attorneys, is linked by computer with Arent
Fox offices in the United States. It represents western
corporations in Saudi Arabia and Gulf Cooperation Council
countries as well as representing Arab investors and
firms conducting business in the United States and Europe.

****NADER LAW OFFICES****

Abu Zinadah Street, Medina Road
 P.O. Box 3595, Jeddah 21481, Saudi Arabia
 Tel: 665-2067
 Telex: 603285 JABER SJ; Fax: 660-8709

OFFICE SPECIALIZATION

Specializes in commercial, maritime, aviation, and Islamic law.
 Experience in insurance claims, foreign investment,
 joint ventures, immigration matters, and disputes involving
 intellectual property, trademarks, and technology transfers.
 Also handles estates, debt collection, incorporation
 proceedings, and criminal cases.

(1) BIOGRAPHIC DATA: MOHAMED M. J. NADER

Saudi citizen; born February 4, 1930, Medina, Saudi Arabia.
 Graduate in Law 1953, Cairo University,
 MBA American Pacific University (Irvine, CA),
 PhD International University, Kansas City, Kansas.

(2) ASSOCIATE ATTORNEYS, NADER LAW OFFICES

Saud M. Al-Kahtani (Saudi)-----Akram M. J. Nader (Saudi)
 Rasiklal K. Shah (Indian)-----Mahdi Zahraa (Syrian)
 A. Z. El-Gerbeed (Egyptian)-----M. I. Alameldin (Egyptian)
 Siddiq M. Ali (Sudanese)-----Mustafa A. Mallasi (Sudanese)
 Kamal M. Owaidah (Palestinian)

****LAW OFFICES OF AHMED ZAKI YAMANI****

Shaker Building, Suite Nos. 101-102, Hail Street,
 P.O. Box 1351, Jeddah 21431, Saudi Arabia
 Tel. 642-9550, 642-9551
 Telex: 605853 GANONI SJ; Fax: 643-7511

OFFICE SPECIALIZATION

Specializes in Islamic law, energy issues, and government
 affairs and procedures. Handles collection cases
 on a contingency basis (modest advance payment required
 to cover disbursements; contingency fees average
 10% percent depending upon amount and nature of claim).

(1) BIOGRAPHIC DATA: AHMAD ZAKI YAMANI
 Saudi citizen, born June 30, 1930, Makkah, Saudi Arabia.
 Graduated 1952, Cairo University, Egypt.
 LL.M. 1955, New York University; LL.M. 1956, Harvard University.
 Speaks Arabic, English and French.

(2) BIOGRAPHIC DATA: AHMED FATHI HUSSEIN
 Egyptian citizen, born March 4, 1931 in Assyout, Egypt.
 Graduate Cairo University, Egypt: Law Degree (1952),
 Advanced Diploma in Private Law (1953), and Advanced Diploma
 in Public Law (1954). Specializes in contract law, corporate
 law, commercial law, civil aviation, litigation, banking
 and joint ventures. 30 years in practice.
 Speaks Arabic, English and French.

(3) BIOGRAPHIC DATA: ZAKI MUSTAFA
 Sudanese citizen, born November 17, 1934.
 Bachelor of Law (1959) University of Khartoum;
 Bachelor of Law (1961) London School of Economics, UK;
 Ph.D. (1969) University of London, UK.
 Specializes in corporate law, contract law, commercial law,
 aviation, insurance, mining and environmental law.
 17 years in practice. Speaks Arabic, English and French.

(4) BIOGRAPHIC DATA: ISMAIL HUSSEIN
 Egyptian citizen, born 1930.
 Law Degree (1952) Cairo University, Egypt.
 Specializes in corporate law, commercial law, licensing, trade
 and labor law, liquidation, and government relations.
 35 years in practice. Speaks Arabic, English and French.

(5) BIOGRAPHIC DATA: LOTFI O. MADANI
 Saudi citizen, born in Jeddah, Saudi Arabia 1952.
 Graduated in Islamic law from Cairo University, Egypt.

****LAW OFFICE OF AHMED Y. KHALAWI****

Al-Amoudi Center, 1st Floor, Office # 103, Madina Road
 P.O. Box 2477, Jeddah 21451, Saudi Arabia
 Tel: 667-3637, 669-0720
 Telex: 606690 NIZAM SJ; Fax: 661-1987

OFFICE SPECIALIZATION

Specializes in corporate and commercial law, banking
 and aviation. Handles collection cases
 on flat fee or percentage basis.

BIOGRAPHIC DATA: AHMED Y. KHALAWI
 Saudi citizen, born 1936, Ghunfuda, Saudi Arabia.
 Graduated from Cairo University (1964);
 Master of Law, McGill University (1971), Montreal, Canada.
 20 years in practice. Speaks Arabic and English.

****LAW FIRM OF FAISAL MAJED MADANI****

Olayan Building, 4th Floor, Office #7
 Mohammed Bin Abdulaziz Street, Off Madina Road
 Opposite Juffali Showroom
 P.O. Box 8602, Jeddah 21492, Saudi Arabia
 Tel: 661-1456; Fax: 665-8811

OFFICE SPECIALIZATION

Specializes in labor and commercial disputes
 and regulations, arbitration, and preparation
 of commercial documents, including contracts, powers
 of attorney, trademark registration,
 and commercial agreements.

(1) BIOGRAPHIC DATA: FAISAL MAJED MADANI

Saudi citizen; 8 years in practice.
 Bachelor of Law (1978) Cairo University;
 Master of Comparative Law (1982) Miami University;
 Master of Law (1984) Tulane University, Louisiana.
 Specializes in commercial law.

(2) BIOGRAPHIC DATA: AYMAN ABDEL SALAM ALI

Egyptian citizen; member Egyptian Bar Association.
 Bachelor of Law (1982) Cairo University, Egypt.
 In practice for 3 years in Egypt (civil, criminal,
 and administrative law) and 7 years in Saudi Arabia.
 Experienced in commercial and labor disputes.

(3) BIOGRAPHIC DATA: TAHIR FAHMI KHAIR-UL DINE

Egyptian citizen, member Egyptian Bar Association.
 Bachelor of Law (1985) Al-Mansourah University, Egypt.
 In practice for 6 years in Egypt (criminal, civil,
 and administrative courts); began practice in the Kingdom
 in 1991. Experienced in commercial and labor law,
 including contract preparation.

****IBRAHIM NAJEM LAW OFFICE****
Al-Bogami Building, Apt. #108
Palestine Road, Juncture of Macraonah Street
P.O. Box 10307, Jeddah 21433, Saudi Arabia
Tel: 673-4391, 672-9189
Telex: 600065 RIBHI SJ; Fax: 672-9189

OFFICE SPECIALIZATION

Specializes in Shari'ah (Koranic) law, customs law, commercial and maritime law. Experience in legal advisory services with respect to Saudi Ministries of Labour & Social Affairs, Commerce and Industry.
Handles collection cases on percentage basis (generally 10-15%), out-of-court settlements in trade disputes, and estate cases. Provides legal counsel on projects and prepares contracts in English and/or Arabic.

BIOGRAPHIC DATA: IBRAHIM NAJEM

Saudi citizen; born 1953, Jeddah, Saudi Arabia.
Bachelor of Law, Cairo University, Egypt (1980).
12 years in practice.

****LAW FIRM OF HASSAN M. ABO AZMAH AND KHALID AHMED OTHMAN****
Al-Qremley Building, Apt. #22, Alshouhada' St, Madina Road
P.O. Box 6808, Jeddah, Saudi Arabia
Tel: 651-9044, 651-9624
Telex: 602467; Fax: 651-2470

OFFICE SPECIALIZATION

Practice in general and commercial law.
Member of general arbitration boards for settlement of commercial disputes.

(1) BIOGRAPHIC DATA: HASSAN M. ABU AZMAH

Saudi citizen. LL.B, Ain Shams University, Cairo (1963).
In practice since 1976. Specializes in cases before the Shariah Courts, Grievances Board, Commercial Dispute Settlement Boards, Negotiable Instruments Committees and Labor Committees.

(2) BIOGRAPHIC DATA: KHALID AHMED OTHMAN
 Saudi citizen. LL.B. Cairo University, Egypt (1974);
 Master of Comparative Law , Southern Methodist University
 Law School, Dallas, Texas (1980).

****MOHAMMED A. MANSOURI LAW OFFICE****
 El-Zaguzook Building, Apt. #11 & #12, Palestine Square
 P.O. Box 7083, Jeddah, Saudi Arabia
 Tel: 665-7973, 660-6395; Fax: 665-7980

OFFICE SPECIALIZATION
 Specializes in commercial and trade disputes,
 Islamic law, and estate law.
 Handles collection cases for 20% of amount collected.

BIOGRAPHIC DATA: MOHAMMED A. MANSOURI
 Saudi citizen, born 1950 at Makkah, Saudi Arabia.
 Graduate Faculty of Law, Cairo University, Egypt (1974).
 11 years in practice. Speaks English and Arabic.

****HUSSEIN SHOUKRY LAW OFFICE****
 Queen's Building, 4th Floor, King Abdulaziz Street
 P.O. Box 667, Jeddah 21421, Saudi Arabia
 Tel: 642-0927, 643-3385, 644-2708, 644-2708
 Telex: 601707 SHOUKR SJ; Fax: 643-3543

OFFICE SPECIALIZATION
 Specializes in commercial, corporate, banking,
 maritime, trademark, patent and business law.
 Also handles estates and commercial/labor disputes.
 Will accept some collection cases on percentage basis.

(1) BIOGRAPHIC DATA: HUSSEIN SHOUKRY
 Saudi citizen; born in Egypt in 1927.
 LL.B (1953), Cairo University, Egypt.
 39 years in practice; owner of the law firm.

(2) BIOGRAPHIC DATA: MOHAMED SAMI BORAEI
 Egyptian citizen. LL.B (1968) Cairo University, Egypt.

(3) BIOGRAPHIC DATA: IDRIS AL-MELEGI
 Egyptian citizen.
 LL.B. Alexandria University, Egypt (1977);
 LL.M. (1986) and J.D. (1986) Chicago College of Law.

(4) BIOGRAPHIC DATA: OMAR A. BORAEL
 Egyptian citizen; Bachelor of Law Cairo University (1981).
 Member of Egyptian Bar Association since 1981.

(5) BIOGRAPHIC DATA: KAMAL H. SHOUKRY
 Saudi citizen. B.Sc. in Civil Engineering,
 University of Petroleum and Minerals, Dhahran, Saudi Arabia
 (1978); Master of International Public Policy,
 Johns Hopkins University (1988);
 M.A. International Relations and International Economics,
 Johns Hopkins University, Washington, D.C.(1991);
 J.D. Washington College of Law, American University,
 Washington, D.C. (1991).

****MOHAMED SARAWAK LAW FIRM****

Shaker Building, Apt. #603, Hail Street
 P.O. Box 14873, Jeddah 21434, Saudi Arabia
 Tel: 643-0609; Telex: 605853 GANONI SJ; Fax: 644-3366

OFFICE SPECIALIZATION

Specializes in litigation, arbitration, banking,
 and contract law. Handle collection cases on basis
 of contingency basis or lump sum arrangements.
 Note: has limited representation before the criminal
 circuit of the Grievances Board and virtually none
 before Shari'ah Courts in criminal cases.

BIOGRAPHIC DATA: MOHAMED SARAWAK

Saudi citizen, born February 13, 1954 at Makkah, Saudi Arabia.
 Bachelor of Civil Law (1980), Ain Shams University,
 Cairo, Egypt. 12 years in practice.
 Speaks English and Arabic.

****MARWAN ANWAR NOWAILATI LAW OFFICE****

Almagrabi building, North Aleskan Building, Al-Tawba St.
 P.O. Box 6641, Jeddah 21452, Saudi Arabia
 Tel: 651-9056; Fax: 651-1636

OFFICE SPECIALIZATION

Specializes in international, contract, commercial, labor,
 corporate, and maritime law. Handles estates and trade
 disputes, and is experienced in trademark infringement cases.

Handles collection cases on contingent basis:
 SR800 per hour, & flat fee on following percentage basis:

Above One Million Saudi Riyals	10%
SR 500,000 to One Million	12%
SR 250,000 to SR500,000	15%
SR 100,000 to SR250,000	18%
Below SR100,000	20%

BIOGRAPHIC DATA: MARWAN ANWAR NOWAILATI
 Saudi citizen, born January 11, 1953, Jeddah, Saudi Arabia.
 Bachelor of Law (1978), University of Cairo, Egypt.
 14 years in practice. Speaks English and Arabic.

****OMAR FAROUK MSALLATI LAW OFFICE****
 Adham Commercial Center, 4th Floor, Medina Road
 P.O. Box 8152, Jeddah 21482, Saudi Arabia
 Tel: 653-3089, 653-3792, 653-3796 and 653-2311
 Fax: 653-3469

OFFICE SPECIALIZATION

Specializes in civil, commercial, marine and Shariah cases;
 also handles estates, trade and commercial disputes,
 arbitration, incorporation and liquidation processing,
 agency and distribution agreements, trade mark and branch
 registration lease agreements, construction agreements,
 Islamic economy contracts and instruments.
 Handles collection cases with fee based on value
 and nature of claim.

(1) BIOGRAPHIC DATA: OMAR FAROUK MSALLATI
 Saudi citizen, born Aug. 6, 1937, Aleppo, Syria.
 Bachelor of Law (1963), Damascus University, Syria.
 29 years in practice. Speaks English and Arabic.

(2) BIOGRAPHIC DATA: MOHAMAD FAROUK SALEM
 Syrian citizen, born May 3, 1935, Aleppo, Syria.
 Bachelor of Law (1961), Damascus University, Syria.
 31 years in practice.

(3) BIOGRAPHIC DATA: MOHAMAD SAFA MAMISH
 Syrian citizen, born Feb. 27, 1932, Lazaiqiah, Syria.
 Bachelor of Law (1958), Damascus University, Syria.
 34 years in practice.

(4) BIOGRAPHIC DATA: FAROUK SAAD AL-HARBI
 Saudi citizen, born 1954 in Amman, Jordan.
 Bachelor of Shari'ah Law (1977),
 Medina Al-Munawarrah University. 15 years in practice.

(5) BIOGRAPHIC DATA: MOHSEN A. MALASH
 Egyptian citizen, born 1946 in Al-Giza, Egypt.
 Bachelor of Law (1969), Ain Shams University, Egypt.
 23 years in practice.

****TALAL JAMIL ABU ALENAIN LAW OFFICE****
 Al-Fikr Al-Islami Street off Medina Road (Toward Downtown)
 behind Adham Commercial Center
 P.O. Box 6057, Jeddah 21442, Saudi Arabia
 Tel: 651-1041; Fax: 651-3404

OFFICE SPECIALIZATION

Specializes in general practice, commercial contracts,
 and international agreements; also handles estates
 and trade disputes. Handles collection cases
 on advance payment basis.

BIOGRAPHIC DATA: TALAL JAMIL ABU AL-ENAIN
 Saudi citizen, born January 29, 1953, Jeddah, Saudi Arabia.
 Graduated from Cairo University in 1979; 10 years in practice.
 Speaks English and Arabic.

****ABDULLA ABDULWAHAB AL-ABBASI LAW OFFICE****
 Villa Al-Abbasi, Makkah Road, Kilo 10
 P.O. Box 5207, Jeddah 21422, Saudi Arabia
 Tel: 620-6744; Fax: 620-6519

OFFICE SPECIALIZATION

Specializes in commercial, civil, maritime, banking, and
 insurance law, estates, trade disputes, and collection cases.

BIOGRAPHIC DATA: ABDULLAH ABDULWAHAB AL-ABBASI
 Saudi citizen, born in 1934, Makkah, Saudi Arabia.
 Bachelor of Law (1964), Cairo University, Egypt.
 25 years in practice. Speaks English and Arabic.

1043

- 14 -

****AL MIRDAD LAW OFFICE****

Abtal Falasteen Street, Off Palestine Street
Villa Mohsen #28
P.O. Box 2379, Jeddah 21451, Saudi Arabia
Tel: 669-2395; Fax: 660-3800

OFFICE SPECIALIZATION

Specializes in commercial and business Law,
foreign capital investment, corporate law, labor law,
negotiations and contracts. Also handles estates,
trade disputes, and collections (advance payment plus
percentage upon collection). Legal fees hourly basis or
annual retainer.

BIOGRAPHIC DATA: SAMI MIRDAD

Saudi citizen, born on May 1, 1948, Makkah, Saudi Arabia.
Doctorate in Law (Cum Laude), University of Rome.
Speaks English, Arabic, Italian, and French.

1044

KINGDOM OF SAUDI ARABIA
JAMEELAH MOHAMMAD
Mother of Prince Fahd Bin Saad
Bin Saud Bin Abdul Aziz
Riyadh - Al Washam District
Al-Iman Abdul Aziz Bin Muhammad Street



المملكة العربية السعودية
نجيلة محمد
والدة الأمير فهد بن سعد بن سعود
ابن عبد العزيز
الرياض - حي الوشم
شارع الامام عبد العزيز بن محمد

No. :
Date : ١٦ / ٩ / ١٤١١ هـ / ٤ / ١٩٩١ م
Enclosure :
Subject : الموضوع

الى من يريه الامر

السلام عليكم ورحمة الله وبركاته

أما بعد

بسمه يا ابن السيرة سامية سیرامول السعوديه الحنيسه ..
ستكون قية رعايتنا ومسؤوليتنا والبرنامه معنا . بعد استقبالنا في المطار
والمجد ووصولنا الى المنكحه السعوديه السعوديه ... وشكراً



والدة الامير فهد بن سعد بن فيصل بن عبدالعزيز

1045

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

وزارة الخارجية
سفارة المملكة العربية السعودية في واشنطن
ROYAL EMBASSY OF SAUDI ARABIA
WASHINGTON, D.C. 20037

May 23, 1994.

Mrs. Samiah M. Seramur
2301 N.E. 6th Street
Pampona Beach, Florida 33062.

Dear Mrs. Seramur:

Enclosed you will find a copy of the case raised in the Legal Supreme Court of Justice by your husband against you requesting that you go back with the children to live with your husband and to try and resolve your problems in a civilized manner and to try and give a chance for your marriage to succeed and to allow the children to live with their father in a loving family atmosphere.

The court has given you thirty days to return with your children to your husband's home and in case of your refusal to go back the Legal Supreme Court of Justice will then retract all your privileges as the wife of Mubarak bin Hameed al Ruhaily with no alimony and custody of the children will go to their father.

Once again we would like to advise you to reconsider returning to your home and your family.

With best regards,


Mohamed A. Al Ghamdi
First Secretary



Royal Embassy Of South Africa
Consular Section
601-New Hampshire Ave, N.W.
Washington, D.C. 20037

1046

1047

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

وزارة الخارجية
سفارة المملكة العربية السعودية في واشنطن
ROYAL EMBASSY OF SAUDI ARABIA
WASHINGTON, D.C. 20037

27 November 1991

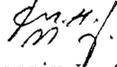
Ms. Saniah M. Seramur
4301 N.E. Sixth Street
Pampona Beach, Florida 33062

Dear Ms. Seramur:

The Foreign Ministry of Saudi Arabia has asked us to notify you that you are required to appear before Shariah High Court in Riyadh in connection with a complaint filed by Mr. Mubarak Humaid Al-Rahaili.

The hearing is scheduled for Sunday, 8 Rajab 1412, which corresponds to 12 January 1992, at 10:00 a.m., in Riyadh High Court.

Sincerely,



Muddassir H. Siddiqui
Legal Counsel

MHS:rk

1048

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

وزارة الخارجية
سفارة المملكة العربية السعودية في واشنطن
ROYAL EMBASSY OF SAUDI ARABIA
WASHINGTON, D.C. 20037

24 March 1992

Ms. Samia M. Seramur
2301 N.E. Sixth Street
Pampona Beach, Florida 33062

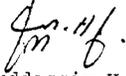
Via Registered Mail

Dear Ms. Seramur:

Since you failed to appear in court on 12 January 1992, a new court date has been set for you. The new date for hearing your case is Monday, 20 April 1992 at 10:00 a.m.

You are asked to appear either personally or through your attorney to answer a complaint filed by your husband, Mr. Mubarak bin Hamad Al-Raheeli.

Sincerely,



Muddassir H. Siddiqui
Legal Counsel

MHS:rk

ROYAL EMBASSY OF SAUDI ARABIA
601 NEW HAMPSHIRE AVE., N.W.
WASHINGTON, D.C. 20037

KT
Notice
626
M.O.
626

Ms. Samia M. Seramif
2301 N.E. Sixth Street
Pampona Beach, Florida 33062





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PREMI

Date: Mon, 17 Jun 2002 16:45:05 +0000

From: "mark seramur" <mseramur@hotmail.com> [add to address book] [add to spam block list]

Subject: Fwd: iNŌË Dr_hannibal (S)lecter Yı ÇáÉfİE ÁáİB!

To: sseramur@angelfire.com

Auction
Domain
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>From: mrmay32@hotmail.com
>To: mseramur@hotmail.com
>Subject: iNŌË Dr_hannibal (S)lecter Yı ÇáÉfİE ÁáİB!
>Date: Sun, 16 Jun 2002 12:26:27 Pacific Daylight Time
>
>hi
mark
im maram attas
from saudi arabia
i want to talk
>u
about samething
needfull
please send me
thanx
>
>-----
>ÇİŌÁ Úáİ áĐÇ ÇáÈNáÇáİ áÈÈááá áá ÇáÇÈŌÇá ÈŌÁá áÈÇŌN áYáNİ EAŌİĐÇÈÈ Áá ÁYŊÇİ
>ŪÇÉáÈÈ Áá ŌááÇÈÈ Yı ÇáÚáá Áá Áİ ŌİŌ ÁİN ÈİÈÇNá.
>
>ÇáÈPá Ááİ <http://messenger.microsoft.com/AR/friend/default.asp> áÈİáİá
>ÇáÈNáÇáİ ÇáĐİ ÈNŌË Yı ÈİA ÇŌÈİİÇáá.
>
>ÁĐÇ BÇá áİİB Windows XP Úáİ İáÇŌB; YÁáÈ áİİB ÈÇáYŪá ÇáÈNáÇáİ ÇáĐİ ÈİÈÇİá!
>YĐŌ İİİ "Windows Messenger" áá ÇáPÇÉáÈ "ÇÈİA" áÈİA ÇŌÈİİÇáá.
>
>ÇĐÈÈ ŪáÇá ÇáÈNİY ÇáÁááÈNááİ ÇáİÇŌ Èİ:
> mrmay32@hotmail.com
>EáİNİ ÇÈÈáÇá ÇáÈÈÈİÈ; Đá ÈÁŌÇYÈİ Ááİ ĐÇÉáÈ İáÇÈ ÇáÇÈŌÇá áİİB ÈÇŌÈİİÇá ÇáŌN
>"ÁŌÇYÈ" ááĐÇ ÇáÚáÇá.
>
>-----
>
>İáááá ÈÇŌÈİİÇá ÇáÈNáÇáİ:
> * ÁNŌÇá NŌÇÉá YáNİÈ* Yáİ ŌNİŪÈ áŌááÈ ááİÇáİÈ!
> * áŪNÝÈ ŪáİáÇ İBáá ÁŌİPÇAB Áá ÁYŊÇİ ŪÇÉáÈÈ áÈŌáİá.
> * ááÈ İáÇŌ ÇáBáÈİáÈN ÇáİÇŌ ÈÁİİ ÇáÁŌİPÇá áÁİŊÇá áİÇİÈÈ ŌáÈİÈ.
> * áŪNÝÈ ŪáİáÇ İĐáá ŌİİB ÈÇáNİ Úáİ NŌÇáÈ.
> * ÈáĐİ ÁŪáÇáÈ Úáİ áŌáá NŌÇÉá ÈNİİ ÁááÈNááİ İİİÈÈ Yı Hotmail.
> * ÁŌÇYÈ NázŌ Ááİ NŌÇÉáá.

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1051

Angelfire

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PREMIER PARTS

Date: Mon, 17 Jun 2002 18:12:18 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

[Auction for America Domain Names -](#)
[Find a better job](#)

Subject: Hello

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: mrmmary32@hotmail.com

Reply To: sseramur@angelfire.com

Dear Mariam Attas,
This is Samiah Seramur. Mark is my brother. Please let me know what you want to talk about? Is it about my children? If so please respond as soon as possible! Thank you very much.
Samiah Seramur

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PREMIER PARTNERS

Date: Wed, 19 Jun 2002 10:40:40 -0400

Auction for America
Domain Names - \$19.95
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From: "Kass, David" <David.Kass@mail.house.gov> [add to address book] [add to spam block list]

Subject: Question

To: "E. Seramur Samantha (E-mail)" <sseramur@angelfire.com>

Dear Ms. Seramur:

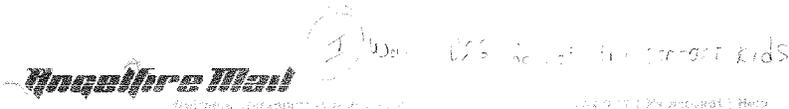
My name is David Kass. I am with the Committee on Government Reform, the Committee that held the hearing last week regarding Americans held against their will in Saudi Arabia. Pat Roush informed me about your case, and I would like to talk about it with you, if you are willing. I have a little bit of background information about your children from the State Department, but I would like to speak with you personally. It is probably best if we could speak on the phone. Could you e-mail me your phone number, or call me at (202) 225-6074?

Thanks very much.

Sincerely,

David Kass
Deputy Chief Counsel
Committee on Government Reform

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Date: Mon, 01 Jul 2002 17:50:11 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Al-Rehaili

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: mealeylg@state.gov

Reply To: sseramur@angelfire.com

Dear Mrs. McAley,

The U.S. consul, Mr. Ryan, here in Malta has been so kind to pass on your address to me so that I could email you directly about the case with my children, American citizens, in S.A. They are Rafiah Michael 10, Maha 10 and Faizal 13.

I understand that the passports are expired. I do need them here in Malta and would be ever so grateful if you could send them, if possible expedited, to the consul at the U.S. embassy here so that I can pick them

Regarding the children, I have had recent contact with them and they are pleading to come home. I have documented statements of the abuse suffered. They fear any action taken by the U.S. embassy in S.A. will endanger their lives. The last time Maha got a letter out to me in 1997, she faced horrible consequences after the U.S. consulate/embassy requested a welfare visit etc. Any action taken by your consulate is taken out severely on my children. They are beaten and imprisoned. Please do not contact their father as they may be killed.

I have tried on innumerable occasions to see them, but all my visits have been refused. It has come to my attention that the DOS stated in a document I sent the children to live with their father. This is inaccurate and I do hope that it can be clarified. My son was sick and he needed medical treatment. The father stated that if I sent him no visits, he would receive it and that the father would begin alimony child support payments. This never occurred. The older daughter went for a visit as well and was refused to return to the states. Upon which time, I decided to return to S.A. to get them back at which time, the DOS informed me that they could not protect me and that my children would be better off having a living mother, no matter where, than a dead one. The DOS stated that if I was placed in prison, they might not even be able to see me. My last daughter was sent to be with her brother and sister since I had no where to go but after I went over if I wasn't allowed back. My children were kept in the U.S. with their father. They were in a visit and subsequently detained. I attempted to follow my children and remain in S.A. but was refused.

Thank you so very much for your assistance in this urgent matter.

I appreciate your time, assistance, and understanding.

http://bc2-mail.angelfire.mailcity.lycos.com/&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/27/02

Angemre

Page 2 of 2

Very Best Regards,
Samish Seremur

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angene

Page 2 of 3

the U.S. Consul, Mr. Ryan, here in Malta was even so kind to pass on your address to me so that I could email you directly about the case with my children, American citizens, in S.A. They are Safiah Mirchaili 10, Maha 10 and Faisal 10.

I understand that the passports are expired. I do need the expired passports here in Malta and would be ever so grateful if you could send them, if possible expedited, to the consul at the U.S. embassy here so that I can pick them up.

Regarding the children, I have had secret contact with them and they are pleading to come home. I have documented statements of the abuse suffered. They fear any action taken by the U.S. embassy in Saudi Arabia will endanger their lives. The last time Naba got a letter out to me in 1997, she faced horrific consequences after the U.S. consulate/embassy requested a welfare visit etc. Any action taken by your consulate is taken out severely on my children. They are beaten and imprisoned. Please do not contact their father as they may be killed and we all fear for their lives.

I have tried on innumerable occasions to see them, but all my visits have been refused. It has come to my attention that the DCS stated in a document I sent the children to live with their father. This is inaccurate and I do hope that it can be clarified. My son was sick and he needed medical treatment. The father stated that if I sent him to visit, he would receive it and that the father would begin a child support payments. This never occurred. The older daughter went for a visit as well and was refused to return to the states. Upon which time, I decided to return to Saudi Arabia to get them back at which time, the DCS informed me that they could not protect me and that my children would be better off having a living mother, no matter where, than a dead one. The DCS stated that if I was placed in prison, they might not even be able to see me. My children were not sent to live with their father. They were visiting and subsequently detained. I attempted to follow my children and return to S.A. but was refused. I have sole custody.

Thank you so very much for your assistance in this urgent matter. I appreciate your time, assistance, and understanding.

Very Best Regards,
Safiah Seramir

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http://be2-mail.angelfire.mailcity.1...0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02

Request PP
July 3
Maha Faisal in U.S.

July 3, 2002

Consulate of the United States of America
Jeddah, Saudi Arabia
Mrs. Mealey

Dear Mrs. Mealey,

The U.S. consul in Malta has been so kind to pass on your address to me so that I could email you directly about the case with my children, American citizens, in S.A. They are Safiah AlRehaili 20, Maha 16 and Faisal 15.

I understand that the two passports for Maha and Faisal at your consulate are expired. I do need the expired passports here in Malta and would be ever so grateful if you could send them, if possible expedited, to the consul at the U.S. embassy here in Malta so that I can pick them up.

Regarding the children, I have had secret contact with them and they are pleading to come home. I have documented statements of the abuse suffered. They fear any action taken by the U.S. embassy in Saudi Arabia will endanger their lives. The last time Maha got a letter out to me in 1997, she faced horrible consequences after the U.S. consulate/embassy requested a welfare visit etc. Any action taken by your consulate is taken out severely on my children. They are beaten and imprisoned. Please do not contact their father as they may be killed and we all fear for their lives. I do appreciate your attempts to assist in seeing to the welfare of my children, all American citizens. But, in this case, they fear for their lives. I have tried on numerous occasions to see them, but all my visits have been refused.

They were visiting in Saudi Arabia and were subsequently detained. I attempted to follow my children to S.A. to bring them home, but was warned that it would be too dangerous. I have sole custody.

Thank you so very much for your assistance in this urgent matter. I appreciate your time, assistance, and understanding. My email address is sseramur@angelfire.com. I attempted to email this letter to no avail. Therefore, I kindly asked the Malta consul to assist by forwarding it on to you for your urgent attention.

Very Best Regards,



Samiah Seramur



WebMail: [s-seramur@angelfire.com](#)

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PREMI

Date: Wed, 3 Jul 2002 03:06:28 -0400

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Domain
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From: "Mariz, John C" <MarizJC@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: FW: Seramur

To: "Mealey, Loren G(Jeddah)" <MealeyLG@state.gov>

Cc: "s-seramur@angelfire.com" <s-seramur@angelfire.com>

Loren: Ms. Seramur has had trouble trying to pass you this, so I will forward it on. I've coed her, so hopefully we will have established a direct connection. Thanks and cheers.

> -----Original Message-----
> From: EnCom Gh [SMTP:engcomgh@comcast.net]
> Sent: Wednesday, July 03, 2002 8:33 AM
> To: Mariz, John C
> Subject: Re: Seramur

> Dear Mr. Ryan,
> I am attaching a letter if you would be so kind to forward it on to Ms. Mealey, it would be greatly appreciated and it would save me the trip down today. It is just that we really do need the passports here within the next two weeks.
> Thank you so much for your kind assistance and have a wonderful Fourth.
> My Very Best Regards,
> Sam Seramur <<July 3.doc>>

Name:	July 3.doc
Size:	27648 byte(s)
Type:	application/msword

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Domain
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Date: Sat, 6 Jul 2002 09:01:51 -0400

From: "Mealey, Loren G" <MealeyLG@state.gov> [add to address book] [add to spam block list]

Subject: Seramur

To: "Jadelhack, Faten S" <JadelhackF5@state.gov>

Cc: "Mariz, John C(Valetta)" <MarizC@state.gov>, "sseramur@angeltire.com" <sseramur@angeltire.com>

Faten, please send Mr. John Mariz in Valletta, Malta, the two Al-Rehaili passports. Also, please print Ms. Seramur's letter (the attachment below screen) for our file. Thanks. Loren

> -----Original Message-----

> From: Mariz, John C
> Sent: Wednesday, July 03, 2002 10:08 AM
> To: Mealey, Loren G(Jeddah)
> Cc: 'sseramur@angeltire.com'
> Subject: FW: Seramur

> Loren: Ms. Seramur has had trouble trying to pass you this, so I will
> forward it on. I've cced her, so hopefully we will have established a
> direct connection. Thanks and cheers.

> -----Original Message-----

> From: EnCom Ch [SMTP:englishcommunications@yahoo.com]
> Sent: Wednesday, July 03, 2002 8:53 AM
> To: Mariz, John C
> Subject: Re: Seramur

> Dear Mr. Ryan,
> I am attaching a letter if you would be so kind to forward it on to Ms.
> Mealey, it would be greatly appreciated and it would save me the trip down
> today. It is just that we really do need the passports here within the
> next
> two weeks.
>
> Thank you so much for your kind assistance and have a wonderful Fourth.
>
> My Very Best Regards,
> Sam Seramur <<July 3.doc>>

Name:	July 3.doc
Size:	27648 byte(s)
Type:	application/msword

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Date: Sun, 21 Jul 2002 22:41:44 +0100 Ag
Dr
Ei
From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to seam book list](#)]
Subject: Re: Seramur
Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)
To: "Mealey, Loren G" <MealeyLG@state.gov>
Reply To: sseramur@angelfire.com

Dear Mr. Mealey,
 In reference to your email to Faten for Maha Alrehailli and Faisal Alrehailli passports to be sent to the Consul in Malta, I visited the Consul here in Malta on Thursday last week and he has not received the passports yet. It is very urgent. Can you please see what the status is? Thank you very much for your time and attention to this matter.
 Very Best Regards,
 Samiah SSeramur
 --

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PREMI

Date: Mon, 22 Jul 2002 08:41:48 -0400

Auction
Domain
Find a!

From: "Mealey, Loren G" <MealeyLG@state.gov> [add to address book] [add to spam block list]

Subject: RE: Seramur

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Cc: "Mariz, John C(Valetta)" <MarizJC@state.gov>

Samiah:

Since I'm not the approving officer, you need to speak with John Mariz. He will make the final determination on issuance. I'm happy to provide him with whatever documents we have from your file in Jeddah. Do make contact with him, however.

Loren

> -----Original Message-----

> From: Samantha E. Seramur [SMTP:sseramur@angelfire.com]

> Sent: Monday, July 22, 2002 2:44 PM

> To: Mealey, Loren G

> Subject: RE: Seramur

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Name: tmp_27526693_34981
Size: 3192 bytes



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Auction
Domain
Find a I

Date: Mon, 22 Jul 2002 02:12:36 -0400
From: "Mealey, Loren G" <MealeyL@state.gov> [add to address book] [add to spam block list]
Subject: RE: Seramur
To: "sseramur@angelfire.com" <sseramur@angelfire.com>
Cc: "Mariz, John C(Valetta)" <MarizJC@state.gov>, "Jadelhack, Faten S" <JadelhackFS@state.gov>

Ms. Seramur:

We sent the package by registered pouch (#4303673) on July 10. If Consul John Mariz will accept true copies of the passports we sent, we will fax it to him so that you can get the passports processed. We do want to help you in anyway we can.

Regards,
Loren Mealey

> -----Original Message-----
> From: Samantha E. Seramur [SMTP:sseramur@angelfire.com]
> Sent: Monday, July 22, 2002 12:42 AM
> To: Mealey, Loren G
> Subject: Re: Seramur

> Dear Ms. Mealey,
> In reference to your email to Faten for Maha Airehaili and Kaisal Airehaili passports to be sent to the Consul in Malta, I visited the Consul here in Malta on Thursday last week and he has not received the passports yet. It is very urgent. Can you please see what the status is?
> Thank you very much for your time and attention to this matter.
> Very Best Regards,
> Samiah SSeramur

> --
>
>
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Date: Tue, 23 Jul 2002 14:57:55 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Update

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: MarizJC@state.gov

Reply To: sseramur@angelfire.com

Dear Mr. Mariz,
I tried to contact you today regarding the email sent by Ms. Mealey in Jeddah in reference to my children's passports. She said that she sent the passports via pouch. I must leave here on August 3, therefore, in order to assist my children, I need either the passports or other documentation to take with me showing that they have it had passports. I will forward you the email I sent to Ms. Mealey yesterday for your review and assistance.
Thank you very much and I look forward to hearing from you soon.
Very Best Regards,
Samantha Seramur

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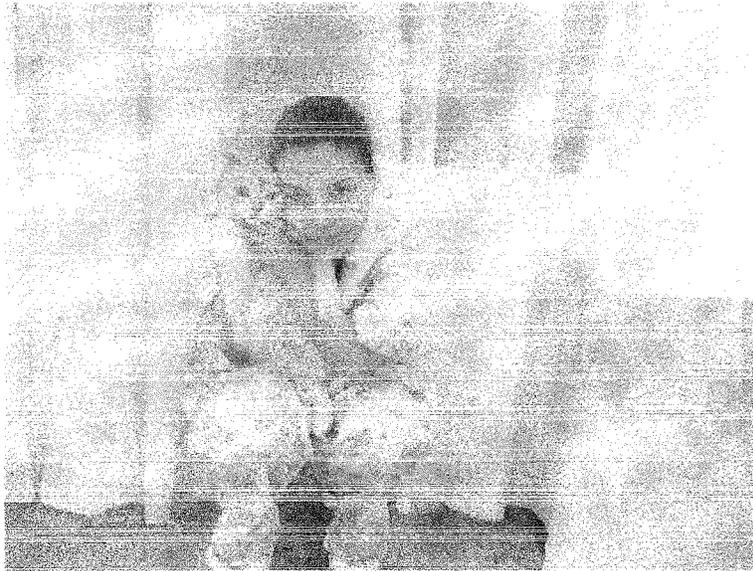
*As requested for
11 photos and photos
of Maha Alrehailli
te Maha
Email to
s-seramur@angelfire.com*

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Date: Tue, 23 Jul 2002 17:41:04 +0100
From: "Samantha E. Seramur" <s-seramur@angelfire.com> [[add to address book](#)] [[add to smart book list](#)]
Subject: Maha Alrehailli
Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)
To: MarizJC@state.gov
Reply To: s-seramur@angelfire.com

11 Photos of Maha Alrehailli attached (DB Sep. 2, 1988).

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http://bc2-mail.angelfire.mailcity...16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9.27.02



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Date: Tue, 23 Jul 2002 17:46:42 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spent block list](#)]
Subject: Photo Safiah Alrehailli Attached
Organization: Angelfire (<http://email.angelfire.malcity.lycos.com:80>)
To: MarizJC@state.gov
Reply To: sseramur@angelfire.com

Photo Safiah Alrehailli (DOB Feb 15, 1980) attached.

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Date: Tue, 23 Jul 2002 17:50:50 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]
Subject: Photo Faisal Alrehailli Attached
Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)
To: MarizJC@state.gov
Reply To: sseramur@angelfire.com

Photo Faisal Alrehailli (DOB Sep. 18, 1986) attached.

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PREMI

Date: Wed, 24 Jul 2002 04:34:53 -0400

From: "Mariz, John C" <MarizJC@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Update

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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Sam: I appreciate the situation; It's now a question of how we can legally renew the passports of your kids. I will pass this information on to my colleagues who are considering this. I'll let you know as soon as I have anything further. Regards.

> -----Original Message-----

> From: Samantha E. Seramur [SMTP:sseramur@angelfire.com]

> Sent: Wednesday, July 24, 2002 10:39 AM

> To: Mariz, John C

> Subject: Update

>

>

> Dear Mr. Mariz,

> In reference to my children, it is a life or death emergency. My
> ex-husband has already been investigated in a Murder for Hire against me
> by the FBI FOIPA number 367.341/190-HO-1047723. He is extremely
> dangerous, should he discover my children's intentions and manage to stop
> us from leaving due to the fact that I do not have passports for my
> children to travel. Every minute is vital.

>

> There is a serious threat that he will kill my children and I, should he
> arrange to stop us. Maha has already attempted suicide and she has stated
> in written testimony (I have this testimony for verification), that she
> will kill herself if she cannot get away from her father. She has wrote
> that she located many photos of myself in his locked up office, taken by
> someone paid to watch me. He cannot get a visa to enter the United
> States, but she stated he was often in Canada.

>

> Maha has been subject to pedophiles, having stayed with my ex-husband's
> wife's family during summers and I fear that her abuse by them will
> continue should she be allowed to remain in the situation she is in. My
> ex-husband's brother in law, beginning at the age of 21 subjected Maha to
> sexual abuse at the age of eleven as she was held against her will, an
> American citizen, by my ex Saudi husband. I definately fear that this
> type of thing will continue, if she cannot get away from the situation she
> is in.

>

> Regarding my son Faisal, Maha refuses to discuss what has happened to him.
> She tells me that she will let me know on the plane and only when we get
> away from her father.

>

> This is just a brief summary for your information and I have all of the
> documents and written statements by my children to verify all of the
> above. Even her friends fear for their lives, having written me begging
> to assist them.

>

> This is not the first time. In 1997, the consulate in Jeddah also
http://bc1-mail.angelfire.mailci...16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/26/02

1070

Angelfire

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> received a letter from my daughter that a teacher smuggled out to me
> desparately seeking our help to get my children, all American citizens out
> of that country.
>
> Thank you very much for your assistance and I do hope that this explains
> the urgency and life and death seriousness of this situation a bit
> further. The situation is, according to all definitions, one of a life or
> death emergency for U.S. citizens abroad. We are planning on traveling
> directly to the United States.
>
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Name:	tmp_25026754_34695
Size:	4087 byte(s)
Type:	application/ms-tnef

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Date: Wed, 24 Jul 2002 08:27:36 +0200

From: "Mariz, John C" <MarizJC@state.gov> [add to address book] [add to spam block list]

Subject: RE: Photo Faisal Alrehailli Attached

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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Sam: You have beautiful children. The first response back from the Department of State in Washington is that I cannot issue a passport to someone who is not physically present before me. A few more people are looking at the issue, but for the time being I am going to operate on that assumption. I have sent messages to our consular staff in Malaysia, if I hear anything more today, I'll give you a call. Regards.

> -----Original Message-----
> From: Samantha E. Seramur [SMTP:sseramur@angelfire.com]
> Sent: Tuesday, July 23, 2002 6:51 PM
> To: MarizJC@state.gov
> Subject: Photo Faisal Alrehailli Attached
>
> Photo Faisal Alrehailli (DOB Sep. 15, 1986) attached.
>
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>>

Name:	tmp_25604178_34759
Size:	2708 byte(s)
Type:	application/ms-tnef

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Date: Wed, 24 Jul 2002 09:31:53 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]

Subject: Update

Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)

To: "Mariz, John C" <MarizJC@state.gov>

Reply To: sseramur@angelfire.com

Dear Mr. Mariz,

In reference to my children, it is a life or death emergency. My ex-husband has already been investigated in a Murder for Hire against me by the FBI FOIPA number 367.341/190-HQ-1047723. He is extremely dangerous, should he discover my children's intentions and manage to stop us from leaving due to the fact that I do not have passports for my children to travel. Every minute is vital.

There is a serious threat that he will kill my children and I, should he arrange to stop us. Maha has already attempted suicide and she has stated in written testimony (I have this testimony for verification), that she will kill herself if she cannot get away from her father. She has wrote that she located many photos of myself in his locked up office, taken by someone paid to watch me. He cannot get a visa to enter the United States, but she stated he was often in Canada.

Maha has been subject to pedophiles, having stayed with my ex-husband's wife's family during summers and I fear that her abuse by them will continue should she be allowed to remain in the situation she is in. My ex-husband's brother in law, beginning at the age of 21 subjected Maha to sexual abuse at the age of eleven as she was held against her will, an AMERICAN citizen, by my ex Saudi husband. I definately fear that this type of thing will continue, if she cannot get away from the situation she is in.

Regarding my son Faisal, Maha refuses to discuss what has happened to him. She tells me that she will let me know on the plane and only when we get away from her father.

This is just a brief summary for your information and I have all of the documents and written statements by my children to verify all of the above. Even her friends fear for their lives, having written me begging to assist them.

This is not the first time. In 1997, the consulate in Jeddah also received a letter from my daughter that a teacher smuggled out to me desparately seeking our help to get my children, all AMERICAN citizens out of t

Thank you very much for your assistance and I do hope that this

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explains the urgency and life and death seriousness of this situation a bit further. The situation is, according to all definitions, one of a life or death emergency for U.S. citizens abroad. We are planning on traveling directly to the United States.

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Date: Wed, 24 Jul 2002 10:40:07 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Sole Custody and Permanent Restraining Order

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Mariz, John C" <MarizJC@state.gov>

Reply To: sseramur@angelfire.com

--

Dear Mr. Mariz,
Please note that I am in possession of a copy of my Final Judgement of Dissolution of Marriage Broward County Florida Case no. 90-27857 granting me sole parental responsibility as defined in F.S. 61046 (12) of my children and a Permanent Restraining Order from their father entered into on June 20, 1991.

Thank you very much for your kind assistance,
Sam Seramur

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Date: Sat, 27 Jul 2002 14:30:37 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Second Photo of Faisal

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Mariz, John C" <MarizJC@state.gov>

Reply To: sseramur@angelfire.com

--
Attached photo two re your request.
Very Best,
Sam

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Date: Mon, 29 Jul 2002 13:51:13 -0400

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From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

[Domain](#)

Subject: Test Email

[Find a i](#)

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Please reply with attachments of all three children's passport photos. Beth

Beth A. Payne
Office of Children's Issues
Consular Affairs
U.S. Department of State
Tel: 202-312-9695
Fax: 202-312-9743

I FIRST Requested to contact Malaya Gov.

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Date: Mon, 29 Jul 2002 22:01:31 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]

Subject: Re: Test Email

Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--

Dear Ms. Payne:

As you requested, please find photographs of Maha (16) attached. Safiah and Faisal follow. Please do not contact the Malaysian government at this time because it may jeopardize bringing my American children out of this life threatening situation, should the Malaysian government contact the Saudi government before they can escape their life and death. Thank you very much. Samiah Seramur

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Date: Tue, 30 Jul 2002 00:17:09 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Maha Alrehailli Closeup

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

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F Inform of FBI case



Webmail: sseramur@angelfire.com

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Date: Tue, 30 Jul 2002 00:12:43 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]
Subject: Faisal Alrehailli Photo
Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)
To: "Payne, Beth A" <PayneBA@state.gov>
Reply To: sseramur@angelfire.com

Dear Ms. PAYNE:
In reference to our discussion last night, please note that the FBI case on my husband entitled ITAR-Murder for Hire: 00: Miami, Armed and Dangerous, file number 166-10171. FOIPA No. 367.341 /190-HO-1047723. They asked me to go into Witness Protection at the time. The date is October 29, 1993. Thank you, Samiah Seramur

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attempt or
lives in danger!
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ready?*

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Date: Tue, 30 Jul 2002 06:56:18 -0400

From: "Payne, Beth A" <PayneBA@state.gov> ([add to address book](#)) ([add to spam block list](#))

Subject: RE: Maha Alrehaili Closeup

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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I got your photographs.

Can you ask Maha tonight whether there is any way the American consul in Jeddah can meet all three of your children outside their home, e.g., at a mall, restaurant, or if there is a chance I can come to the house at a time when they could let me in -- day or night is fine. She can take photos with a polaroid (or use the ones you just emailed), have them sign the applications, make the passports in Jeddah, and FedEx them to you or give them back to the kids. What do you think?

Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]
Sent: Monday, July 29, 2002 7:18 PM
To: Payne, Beth A
Subject: Maha Alrehaili Closeup

--
Attached re your request.

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Name:	tmp_21112362_34235
Size:	2399 byte(s)
Type:	application/ms-tnef

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PREMI Auction Domain Find a I

Date: Tue, 30 Jul 2002 07:02:35 -0400
From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]
Subject: RE: Faisal Alrehailli Photo
To: "sseramur@angelfire.com" <sseramur@angelfire.com>

We have enough abuse doc !!

Thank you. We've confirmed that a complaint was filed, but unfortunately no criminal charges were filed. We do, however, have sufficient documentation of abuse of the children to use that in negotiating with the Malaysian government if necessary. We, of course, will not talk to the Malaysian government without your permission. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]
Sent: Monday, July 29, 2002 7:13 PM
To: Payne, Beth A
Subject: Faisal Alrehailli Photo

Dear Ms. Payne:
In reference to our discussion last night, please note that the FBI case on my husband entitled ITAR-Murder for Hire: 00: Miami, Armed and Dangerous, file number 166-10171. FOIPA No. 367.341 /190-HO-1047723. They asked me to go into Witness Protection at the time. The date is October 29, 1993. Thank you, Samiah Seramur

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Table with 2 columns: Property and Value. Name: tmp_20129455_34112, Size: 2523 byte(s), Type: application/ms-tnef

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PREMIE

Date: Tue, 30 Jul 2002 08:13:32 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Maha Alrehailli Closeup

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Auction f
Domain I
Find a be

Thanks for your response. I will pass this on to the Consul in Jeddah. We will respect your and your childrens' wishes and will make no attempt to contact them in Saudi Arabia. I will call you this evening after I talk to the Consul in Kuala Lumpur. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Tuesday, July 30, 2002 8:14 AM

To: PayneBA@state.gov

Cc: pavneba@aol.com

Subject: RE: Maha Alrehailli Closeup

Dear Ms. Payne:

In reference to your request for the children to meet someone from the U.S. embassy in Jeddah outside their home to take photos and get documents signed for passports to be issued. My children are presently in a life and death situation. Their father has always refused your welfare visits and has taken it out directly on my children through emotional and physical abuse. My daughter has tried to commit suicide and is threatening to do it again if she fails to get away from the situation. The children are imprisoned in their villa and are only allowed out under strict supervision. There is no way that my children can risk their lives to meet someone from the embassy to give them photographs. I sent you all the photographs including close ups.

First I sent them to the Malta Consul and then to you upon your request for their passports. I ask you kindly do not in any way try to contact my children in Saudi Arabia. They will be seriously injured if not killed as a result of such actions. Thank you for your understanding.

Please see documented previous abuse in your file. Very Best Regards, Samiah SEramur

--

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Name:	tmp_16564026_33756
Size:	2955 byte(s)
Type:	application/rps-tref

http://be1-mail.angelfire.mailc...16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/26/02



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Date: Tue, 30 Jul 2002 08:14:07 -0400 (EDT)

From: Mail Delivery Subsystem <MAILER-DAEMON@aol.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Returned mail: User unknown

To: <sseramur@angelfire.com>

from xyzzyz.whowhere.com [209.1.236.99]

*** ATTENTION ***

Your e-mail is being returned to you because there was a problem with its delivery. The address which was undeliverable is listed in the section labeled: "----- The following addresses had permanent fatal errors -----".

The reason your mail is being returned to you is listed in the section labeled: "----- Transcript of Session Follows -----".

The line beginning with "<<<" describes the specific reason your e-mail could not be delivered. The next line contains a second error message which is a general translation for other e-mail servers.

Please direct further questions regarding this message to your e-mail administrator.

--AOL Postmaster

----- The following addresses had permanent fatal errors -----

<payneba@aol.com>

----- Transcript of session follows -----

... while talking to air-xh05.mail.aol.com.:
>>> RCPT To:<payneba@aol.com>
<<< 550 MAILBOX NOT FOUND
550 <payneba@aol.com>... User unknown

Date: Tue, 30 Jul 2002 13:13:35 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]
Subject: RE: Maha Afrehaili Closeup
Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)
To: PayneBA@state.gov
Cc: payneba@aol.com
Reply To: sseramur@angelfire.com

Dear Ms. Payne:

In reference to your request for the children to meet someone from the U.S. embassy in Jeddah outside their home to take photos and get documents signed for passports to be issued. My children are

http://be1-mail.angelfire.mailcity.lycos.com/mail/next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/26/02

presently in a life and death situation. Their father has always refused your welfare visits and has taken it out directly on my children through emotional and physical abuse. My daughter has tried to commit suicide and is threatening to do it again if she fails to get away from the situation. The children are imprisoned in their villa and are only allowed out under strict supervision. There is no way that my children can risk their lives to meet someone from the embassy to give them photographs. I sent you all the photographs included. First I sent them to the Malta Consul and then to you upon your request for their passports. I ask you kindly do not in any way try to contact my children in Saudi Arabia. They will be seriously injured if not killed as a result of such actions. Thank you for your understanding. Please see documented previous abuse in your file. Very Best Regards, Samiah SEI

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Date: 30 Jul 2002 12:02:33 -0000
From: MAILER-DAEMON [[add to address book](#)] [[add to spam block list](#)]
Subject: failure notice
To: sseramur@angelfire.com

Hi. This is the mailer-daemon. I'm afraid I wasn't able to deliver your message to the following addresses. This is a permanent error; I've given up. Sorry it didn't work out.

<PayneBA@state.gov>:
 169.253.4.1 failed after I sent the message.
 Remote host said: 554 Invalid data in message

--- Below this line is a copy of the message.

Return-Path: <sseramur@angelfire.com>
 Received: from Unknown/Local ([?.?.?.?]) by angelfire.com; Tue Jul 30 05:02:18 2002
 To: "Payne, Beth A" <PayneBA@state.gov>
 Date: Tue, 30 Jul 2002 13:02:18 +0100
 From: "Samantha E. Seramur" <sseramur@angelfire.com>
 Message-ID: <IOFCOGLEFGPIBAAA@angelfire.com>
 Mime-Version: 1.0
 X-Sent-Mail: on
 Reply-To: sseramur@angelfire.com
 X-Mailer: MailCity Service
 Subject: RE: Maha Alrehaili Closeup
 X-Sender-IP: 195.158.102.86
 Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)
 Content-Type: text/plain; charset=us-ascii
 Content-Language: en
 Content-Length: 1249
 Content-Transfer-Encoding: 7bit

Dear Ms. Payne:

In reference to your request for the children to meet someone from the U.S. embassy in Jeddah outside their home to take photos and get documents signed for passports to be issued. My children are presently in a life and death situation. Their father has always refused your welfare visits and has taken it out directly on my children through emotional and physical abuse. My daughter has tried to commit suicide and is threatening to do it again if she fails to get away from the situation. The children are imprisoned in their villa and are only allowed out under strict supervision.

There is no way that my children can risk their lives to meet someone from the embassy to give them photographs. I sent you all the photographs.

First I sent them to the Malta Consul and then to you upon your request for their passports. Do not in any way try to contact my children in Saudi Arabia. They will be seriously injured if not killed as a result of such actions. Thank you for your understanding.

Please see documented previous abuse in your file. Very Best Regards, Samiah SE

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Date: Tue, 30 Jul 2002 13:02:18 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]
Subject: RE: Maha Alrehalli Closeup
Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)
To: "Payne, Beth A" <PayneBA@state.gov>
Reply To: sseramur@angelfire.com

Dear Ms. Payne:

In reference to your request for the children to meet someone from the U.S. embassy in Jeddah outside their home to take photos and get documents signed for passports to be issued. My children are presently in a life and death situation. Their father has always refused your welfare visits and has taken it out directly on my children through emotional and physical abuse. My daughter has tried to commit suicide and is threatening to do it again if she fails to get away from the situation. The children are imprisoned in their villa and are only allowed out under strict supervision.

There is no way that my children can risk their lives to meet someone from the embassy to give them photographs. I sent you all the photographs.

First I sent them to the Malta Consul and then to you upon your request for their passports. Do not in any way try to contact my children in Saudi Arabia. They will be seriously injured if not killed as a result of such actions. Thank you for your understanding.

Please see documented previous abuse in your file. Very Best Regards, Samiah SEI

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Date: Tue, 30 Jul 2002 13:13:35 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]
Subject: RE: Maha Alrehaifi Closeup
Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)
To: PayneBA@state.gov
Cc: payneba@aol.com
Reply To: sseramur@angelfire.com

Dear Ms. Payne:

In reference to your request for the children to meet someone from the U.S. embassy in Jeddah outside their home to take photos and get documents signed for passports to be issued. My children are presently in a life and death situation. Their father has always refused your welfare visits and has taken it out directly on my children through emotional and physical abuse. My daughter has tried to commit suicide and is threatening to do it again if she fails to get away from the situation. The children are imprisoned in their villa and are only allowed out under strict supervision.

There is no way that my children can risk their lives to meet someone from the embassy to give them photographs. I sent you all the photographs including First I sent them to the Malta Consul and then to you upon your request for their passports. I ask you kindly do not in any way try to contact my children in Saudi Arabia. They will be seriously injured if not killed as a result of such actions. Thank you for your understanding. Please see documented previous abuse in your file. Very Best Regards, Samiah SE

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Date: Tue, 30 Jul 2002 17:43:10 -0400

From: "Kass, David" <David.Kass@mail.house.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Additional

To: sseramur@angelfire.com

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Dear Sam:

I think you are doing the right thing. You need to make your desires very clear to the State Department, and you need to document everything. You should stay in contact with Beth Payne, and try to know what she is doing to help you. As much as you may not like dealing with her, she is in a position to make this thing work. Also, by staying in touch with her, you will know if State has done something contrary to your interests, and you can let us know. You have done a great job up to this point, and I think you just need to stay the course.

Please let me know what she says after she has spoken to our embassy in Malaysia.

Sincerely,

David

-----Original Message-----

From: Samantha E. Seramur [<mailto:sseramur@angelfire.com>]

Sent: Tuesday, July 30, 2002 3:45 PM

To: Kass, David

Cc: tomlin@cbsnews.com

Subject: Additional

David, I am sincerely terrified of what she will say this time or what she will do. I cant sleep or eat. I am wearing down and must drag myself up to maintain strength to save my children. She intimidated me so horribly the first conversation but I held on. On my way to the U.S. Embassy today, I jotted down the following note, "I am on my way to the Embassy to sign a privacy statement. I am so afraid. Last night harrassed for an hour and now afraid what will happen, if I will have to stand at the window with everyone in the room listening and watching. They make me feel like garbage, a traitor, and that I am causing problems for everyone. I must tell him to do not contact the Malaysian government or any other government. I am afraid. I fear for my life and the lives of my children from my own government. I am so afraid." ENDNOTES. I signed a release of privacy to Amb. Huran and noted on the paper, "Do not provide information to any individual or government other ! than Amb. Hume Horan." I wrote that because I was afraid, really afraid it was a trick.

Sam

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Date: Tue, 30 Jul 2002 20:12:02 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Maha Alrehaili Closeup

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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I'm trying to call you but your mobile phone is busy. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Monday, July 29, 2002 7:18 PM

To: Payne, Beth A

Subject: Maha Alrehaili Closeup

--
Attached re your request.

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Name:	tmp_11152876.33226
Size:	2035 byte(s)
Type:	application/ms-tnef

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Date: Tue, 30 Jul 2002 20:15:39 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: URGENT

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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I'm trying to call you to discuss the information I received from Malaysia but both your cellphone and land line are busy -- Will you please frann or one of the lines so we can talk? I'm going to move my car and will try again in 10". Beth

Name:	tmp_10152725.33146
Size:	1835 byte(s)
Type:	application/ms-tnef

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Date: Tue, 30 Jul 2002 20:39:38 -0400

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From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: I will call you tomorrow

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

I cannot reach you (8:45 pm in WashDC). I will call you when I get into the office tomorrow. Beth

Name:	tmp_08880906.33026
Size:	1729 byte(s)
Type:	application/ms-tnef

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Date: Wed, 31 Jul 2002 03:50:02 +0100

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From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Re: I will call you tomorrow

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--
i am online and cell phone is working. please try it if u can or
contact me tomorrow. Thank you so much for trying so late Ms. Payne.
My cell phone is 356 99488102. Best Regards, Sam

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Date: Wed, 31 Jul 2002 08:51:56 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Re our conversation this morning

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Thanks for this -- I need more information on why Maha's stepbrother would kill her -- is this an honor killing? When was this threat made and to whom? Can you send me other chats detailing the sexual abuse Maha has suffered? Thanks. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Wednesday, July 31, 2002 8:48 AM

To: Payne, Beth A

Subject: Re our conversation this morning

RE: Conversation with Maha Alrehailli July 31, 2002, 5:00 a.m.
Maha is "Dont say u love me unless u really mean it,..."

I am "Hear me out..."

....
"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:
cuz if dad catches me
Hear me out scrive:
i know
"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:
i'm dead

.....
"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:
and she said that u saw abdullah in amer
Hear me out scrive:
abudlla who
"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:
and that he would come and kill me
Hear me out scrive:
what abdullah??
Hear me out scrive:
what???
"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:
stepbro

Hear me out scrive:
oh that is not true

.....End

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Name:	{tmp_07730400_32853}
Size:	2597 byte(s)
Type:	application/ms-tnef

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Date: Wed, 31 Jul 2002 09:32:07 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Plea July 12, Six a.m.

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

This is helpful. On the issue of Maha's abuse, can you provide the following information for me:

Specific allegations(s), date(s), and descriptions of injuries and dangers. Identities of the alleged perpetrators and their relationship with Maha. Witnesses to the incident(s). Details of any physical evidence of the abuse.

Have Sariah and Faisal also been abused? If so, please provide the same information for each of them.

This will help us negotiate with the Malaysian government and will help you prepare for a possible court action in Kuala Lumpur.

Also, do you think Maha is in immediate physical danger, e.g. that someone is going to hurt her within the next week in Jeddah? If so, our Consulate can intervene (of course, only with your permission) to protect her.

Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Wednesday, July 31, 2002 9:26 AM

To: Payne, Beth A

Subject: Plea July 12, Six a.m.

July 12, 6 a.m.
Maha Alrehailli= "Beauty is that which attracts..."

"Beauty is that which attracts your soul, & that which loves to give & not receive." scrive:
mom i don't want to come back here
"Beauty is that which attracts your soul, & that which loves to give & not receive." scrive:
plz

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July 31 ask if Fais abused + say Day July 30 have enough info !!

2nd time ask to intervene in S.A.



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Honor Killing Questions ??

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PREMI

[Auction](#)
[Domain](#)
[find a f](#)

Date: Wed, 31 Jul 2002 09:44:07 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Her Stepbrother

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

What is the basis for the honor killing? What precipated this honor killing?

-----Original Message-----

From: Samantha E. Seramur [<mailto:sseramur@angelfire.com>]

Sent: Wednesday, July 31, 2002 9:44 AM

To: Payne, Beth A

Subject: Her Stepbrother

--

It is an honor killing made on behalf of the family honor, in particular the father such as the time he tried to have me taken care of as documented by FBI Murder for Hire case. The threat was made to her sister who then told Maha.

Her sister said that I saw Abdullah in America as well. I vaguely recall seeing someone that looked very much like him one time in America, but I didn't pay much attention since he had grown and I wasn't sure if it was him. I thought it was just someone that looked similar to him. Now I know that it really was him.

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Name:	tmp_04366704_32506
Size:	2424 byte(s)
Type:	application/ms-tnef

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1099

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Name:	tmp_05367887.32610
Size:	2699 byte(s)
Type:	application/ms-tnef

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PREMI

Date: Wed, 31 Jul 2002 10:35:51 -0400
From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]
Subject: RE: Plea July 12, Six a.m.
To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Auction
Domain
Find a

I will respect your request. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]
Sent: Wednesday, July 21, 2002 10:16 AM
To: Payne, Beth A
Subject: RR: Plea July 12, Six a.m.

In reference to your email, I ask that no one attempt to intervene at this time and that no information be provided to any individuals or entities in Saudi Arabia at this time. I ask that no one contact my children or anyone in Saudi Arabia at this time. Rather than protect my children, it will result in death as Maha stated in her discussion that I sent you prior.

On all previous occasions, my children have been seriously abused following contact attempts from the American Consulate. I ask that no contact be made in this life and death situation for American citizens. If any contact is made at this time by the U.S. government, my children may be killed immediately. Thank you. Samiah Seramur

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Table with 2 columns: Attribute and Value. Name: tmp_00896223.711, Size: 2455 byte(s), Type: application/ms-tnef

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Date: Wed, 31 Jul 2002 12:25:14 -0400

From: "InterScan Notification" <postmaster@state.gov> [add to address book] [add to spam block list]

Subject: Mail delivery failure

To: <sseramur@angelfire.com>

F
A
C
E

***** Message from InterScan Messaging Security Suite for SMTP

Sent >>> RCPT TO:<PayneBA@state.gov>
Received <<< 550 5.7.1 Unable to relay for PayneBA@state.gov

Could not deliver mail to user:
<PayneBA@state.gov>

***** End of message *****

Date:Wed, 31 Jul 2002 17:22:35 +0100
From:"Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]
Subject:Abuse
Organization:Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)
To:"Payne, Beth A" <PayneBA@state.gov>
Reply To:sseramur@angelfire.com

--
Dear Ms. Payne,
Maha has been abused for the past eight years. Please see the State Department file for details. You said you don't have the file from Jeddah. However, the file in Washington also details the abuse as you mentioned in your earlier email. Maha has also been sexually abused by one or more adult men for the past five years--since she was eleven years old--at that time with a 21 year old man to the point that she tried to commit suicide once and wants to do it again if she should be prevented, as an American citizen, from coming home and getting away from her father whom she calls, "a sick man." She is in a state of serious psychological distress and I fear for her life. She is an American citizen and has been threatened with MURDER.

Faisal has been physically abused and mentally for the past eight years. Please see Jeddah or state department file for some of the beatings and other details. You were concerned that he might not speak English. He wrote to me this morning at 5:30 a.m. the following:

Faisal Alrehaili= "Dont say u love me unless u really mean..."
Samiah Seramur= "Hear me out.."

"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:
iwont tooo gotohome

http://bel-mail.angelfire.mailcity.lycos.com/16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/26/02

1102

Angelfire

Page 2 of 2

Hear me out scrive:
i want you to come home my baby so bad

I will continue to work on putting together more details for you.
Thank you for your kind attention.

Very Best Regards,
Samiah Seramur

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http://be1-mail.angelfire.mailci...:16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/26/02



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Date: Wed, 31 Jul 2002 13:47:23 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Re our conversation this morning

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--

RE: Conversation with Maha Alrehailli July 31, 2002, 5:00 a.m.
 Maha is "Dont say u love me unless u really mean it,..."

I am "Hear me out.."

....

"Don't say u love me unless u really mean it,because I might do
 something crazy like believe it!" scribe:
 cuz if dad catches me
 Hear me out scribe:
 i know
 "Don't say u love me unless u really mean it,because I might do
 something crazy like believe it!" scribe:
 i'm dead

.....

"Don't say u love me unless u really mean it,because I might do
 something crazy like believe it!" scribe:
 and she said that u saw abdullah in amer
 Hear me out scribe:
 abudlla who
 "Don't say u love me unless u really mean it,because I might do
 something crazy like believe it!" scribe:
 and that he would come and kill me
 Hear me out scribe:
 what abdullah??
 Hear me out scribe:
 what???
 "Don't say u love me unless u really mean it,because I might do
 something crazy like believe it!" scribe:
 stepbro
 Hear me out scribe:
 oh that is not true

....End

http://be2-mail.angelfire.mailcity.1...:0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02

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(916) (318)

Cannot ask for any more

favors.

Conversation with Beth Payne July 31, Approximately 1400

Ms. Payne said hello Ms. Seramur? I said yes. This is Beth Payne from the State Dept. how are you. I wanted to talk to you a little bit about the conversation we had yesterday with the Embassy in Kuala Lumpur. I must say this is a very very delicate situation unlike countries like Bahrain, Morocco and Jordan, Malaysia is a much more difficult country to work with to have children in this situation leave. First Malaysia is a moderate Muslim country with a moderate Muslim government. They have a very strong Islamic opposition party that is attached to the government. The government recently has really taken quite a lot of risks for the U.S. government on counter-terrorism, making statements against bin Laden, arresting terrorists, but this has put them in a risk position with respect to the Islamic opposition. So they're already in a very delicate position with the Islamic opposition. So, we would be asking them to basically make an exception to two Malaysian laws. The first law being the immigration law requiring that aliens exit the county on the same passports they use to enter but the second would of course be the Shariah law where the Muslim father has presume legal custody of the children unless a court decides otherwise. The embassy is very concerned that if we ask them to violate Shariah law basically, that they would refuse. You should get an attorney and be ready to go to Shariah court. Our government can't ask for any more favors. I told her that Saudi Arabia didn't even adhere to Shariah law. I said if there are problems don't worry, I have some information that can help with Saudi. She said if you are withholding information that can help us with this case with Malaysian government I cut her off immediately and said, I am not withholding any evidence that may assist you in this case with the Malaysian government. I will do everything possible to help my children, American citizens, escape this live threatening situation. I told her also that my ex-husband raped and impregnated my maid in Saudi Arabia and I have all the documentation to prove it. She testified in front of the Indonesian government and the Saudi government sent her home with some money my ex-husband had to pay her money and the Saudi government flew her home. According to Saudi and Islamic law, he should have been stoned. She asked, Do you have this evidence? What evidence do you have? I have all the medical and government employment records and written statements. I answered. She said, Well it doesn't matter since this is Malaysian Shariah court will be in charge of your case, not Saudi Arabia. You better get a lawyer first thing when you get there. I did not respond and I told her that Maha said she will be killed and I have it in writing. She asked me to send her all documents of abuse or anything I have immediately. She said so that Andrew and I can work on it immediately when I get to Malaysia. Again she said they will ask high up in the Malaysian government and I told her not to contact anyone in the Malaysian government until I have my children with me. She asked me to immediately send her the information I have. I went home and did that.

1645 July 31, 2002

Ms. Payne called my cellphone again. She asked if I received her email and had time to answer it regarding documenting the abuses. I told her not yet. She said I just listed some questions about um the abuse. And we can even go through this now if you want over the phone and then maybe you can even ask Maha for some additional information to put together a case that can be taken to the Malaysian gov and that can also help you in the Islamic Shariah court. I told her that she already has a file on all the abuse suffered from my children. I said she told me before that it is a big file full of abuse. She said, Oh well

STATES NO HAVE FILE

I don't have that file. I have requested Jeddah to send me that file. We haven't had communication with you since 1997. Do you mean there has been no abuse since then? I answered, "No, there is a lot. I will answer your email." She said, "Oh cause we can go over it on the phone now." I said, "No, I think it is better in writing since over the phone it is more of a he said, she said and I have to go through the files. I think it is very important in writing." She said, "Oh so we can't do it over the phone? I asked in the email that you specify each abuse, the alleged perpetrators, the dates and injuries and dangers and if there is any physical signs." I told her I will see her email and write her back." Then she said, "Oh well take your time with this. I want you to be very thorough."

Notes immediately after Ms. Paynes second phone call today. After I hung up I started to cry. I feel horribly harassed and violated. She continues to go around in circles trying to snare me in some awful trap when she has all the previous documents of abuse, the threat to murder Maha and suicide attempts. I feel very sick to my stomach. I can't sleep or eat. I must remain strong so I have to force myself to hang in there for my children. We are alone in our struggle. I seriously believe that Ms. Payne is working against me trying to get me to say things that would damage my children's possibilities to escape this life and death situation. She keeps saying oh so there is not abuse and well if there is abuse we want to contact your children. She knows if they contact the children there will be no escape and they will be most likely killed. When I answer her emails with good solid facts, it seems she gets angry and then she asks me things that have nothing to do with the issue like what is the basis of this honor killing? I can't answer those questions. I am afraid, terrified now. No one is with my children and I. We are all fighting for our lives alone. It is the most horrible thing anyone can imagine. I cannot call my family. I must be strong. God help us please. I am putting these thoughts and feelings down on paper in case anything happens. I fear for our lives right now, all of us.



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Date: Wed, 31 Jul 2002 14:11:59 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]
Subject: Suicide Attempt & Threat to Try Again
Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)
To: "Payne, Beth A" <Payne5A@state.gov>
Reply To: sseramur@angelfire.com

July 16, 2002
Maha= "It's not a daydream if you decide..."
I= "Catching Rainbows..."
Zainab is the stepmother. She feeds the children sleeping pills.
I do not know what pills these were.
--
It's not a daydream if you decide to make it your life.. scribe:
i'll kill myself if it doesn't work out
Catching Rainbows scribe:
and what about me
It's not a daydream if you decide to make it your life.. scribe:
i will
It's not a daydream if you decide to make it your life.. scribe:
i tried b4
Catching Rainbows scribe:
how did you slash your wrists
It's not a daydream if you decide to make it your life.. scribe:
but i love myself tooo much
Catching Rainbows scribe:
i did that when i was a kid
It's not a daydream if you decide to make it your life.. scribe:
pills
Catching Rainbows scribe:
zainabs
Catching Rainbows scribe:
sleeping pills=?
It's not a daydream if you decide to make it your life.. scribe:
no weird pills that got me all dizzy and i fell off the stairs
Catching Rainbows scribe:
did you get hurt
Catching Rainbows scribe:
geez those stairs are mable
Catching Rainbows scribe:
marble
It's not a daydream if you decide to make it your life.. scribe:
i couldn't stand up
It's not a daydream if you decide to make it your life.. scribe:
too dizzy
Catching Rainbows scribe:

http://be2-mail.angelfire.mailcity.L...0&bool_next_on_disp_pg=truc&bool_prev_on_disp_pg=tru 9/27/02

^ngelfire

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did anyone find out
It's not a daydream if you decide to make it your life.. scrive:
my ex was with me
Catching Rainbows scrive:
oh
Catching Rainbows scrive:
that guy u told mark about
It's not a daydream if you decide to make it your life.. scrive:
i couldn't even sit
Catching Rainbows scrive:
=?
Catching Rainbows scrive:
geez

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Date: Wed, 31 Jul 2002 14:22:16 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Plea July 12, Six a.m.

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--

July 12, 6 a.m.

Maha Alrehailli= "Beauty is that which attracts..."

'Beauty is that which attracts your soul, & that which loves to give & not receive

mom i don't want to come back here

'Beauty is that which attracts your soul, & that which loves to give & not receive

piz

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PREMIER

Date: Wed, 31 Jul 2002 14:41:16 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

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Subject: Her Stepbrother

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--
It is an honor killing made on behalf of the family honor, in particular the father such as the time he tried to have me taken care of as documented by FBI Murder for Hire case. The threat was made to her sister who then told Maha.

Her sister said that I saw Abdullah in America as well. I vaguely recall seeing someone that looked very much like him one time in America, but I didn't pay much attention since he had grown and I wasn't sure if it was him. I thought it was just someone that looked similar to him. Now I know that it really was him.

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Date: Wed, 31 Jul 2002 15:12:04 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]
Subject: RE: Plea July 12, Six a.m.
Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)
To: "Payne, Beth A" <PayneBA@state.gov>
Reply To: sseramur@angelfire.com

In reference to your email, I ask that no one attempt to intervene at this time and that no information be provided to any individuals or entities in Saudi Arabia at this time. I ask that no one contact my children or anyone in Saudi Arabia at this time. Rather than protect my children, it will result in death as Maha stated in her discussion that I sent you prior.

On all previous occasions, my children have been seriously abused following contact attempts from the American Consulate. I ask that no contact be made in this life and death situation for American citizens. If any contact is made at this time by the U.S. government, my children may be killed immediately.
Thank you. Samiah Seramur

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Date: Wed, 31 Jul 2002 15:46:57 -0400

From: "InterScan Notification" <postmaster@state.gov> [add to address book] [add to spam block list]

Subject: Mail delivery failure

To: <sseramur@angelfire.com>

***** Message from InterScan Messaging Security Suite for SMTP *****

Sent >>> RCPT TO:<PayneBA@state.gov>

Received <<< 550 5.7.1 Unable to relay for PayneBA@state.gov

Could not deliver mail to user:

<PayneBA@state.gov>

***** End of message *****

Date: Wed, 31 Jul 2002 20:44:19 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]
Subject: Abuse Report Fwd: Mail delivery failure
Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)
To: PayneBA@state.gov
Reply To: sseramur@angelfire.com

----- Forwarded Message -----

DATE: Wed, 31 Jul 2002 12:25:14
From: "InterScan Notification" <postmaster@state.gov>
To: <sseramur@angelfire.com>

***** Message from InterScan Messaging Security Suite for SMTP *****

Sent >>> RCPT TO:<PayneBA@state.gov>

Received <<< 550 5.7.1 Unable to relay for PayneBA@state.gov

Could not deliver mail to user:

<PayneBA@state.gov>

***** End of message *****

----- End Forwarded Message -----

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--
 Dear Ms. Payne,
 Maha has been abused for the past eight years. Please see the State Department file for details. You said you don't have the file from Jeddah. However, the file in Washington also details the abuse as you mentioned in your earlier email. Maha has also been sexually abused by one or more adult men for the past five years--since she was eleven years old--at that time with a 21 year old man to the point that she tried to commit suicide once and wants to do it again if she should be prevented, as an American citizen, from coming home and getting away from her father whom she calls, "a sick man." She is in a state of serious psychological distress and I fear for her life. She is an American citizen and has been threatened with MURDER.

Faisal has been physically abused and mentally for the past eight years. Please see Jeddah or state department file for some of the beatings and other details. You were concerned that he might not speak English. He wrote to me this morning at 5:30 a.m. the following:

Faisal Alrehaili= "Dont say u love me unless u really mean..."
 Samiah Seramur= "Hear me out.."

"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:
 iwont tooo gotohome
 Hear me out scrive:
 i want you to come home my baby so bad

I will continue to work on putting together more details for you.
 Thank you for your kind attention.

Very Best Regards,
 Samiah Seramur

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Date: Wed, 31 Jul 2002 15:58:23 -0400

From: "InterScan Notification" <postmaster@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: Mail delivery failure

To: <sseramur@angelfire.com>

***** Message from InterScan Messaging Security Suite for SMTP

Sent >>> RCPT TO:<PayneBA@state.gov>

Received <<< 550 5.7.1 Unable to relay for [PayneBA@state.gov](#)

Could not deliver mail to user:

<PayneBA@state.gov>

***** End of message *****

Date: Wed, 31 Jul 2002 20:25:29 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: AlRehaili Case, Abuse Notes No. 2

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Ms. Payne,

I have been going over the last month's recorded conversations with my children in Saudi Arabia as you requested and have noted the following addition

Maha is extremely distressed exhibiting traumatic stress throughout her conversations. She jumps from one vulgar conversation to child like pleas for help to extreme fear. She has had physical sexual contact with at least one adult relative in an abusive long-term relationship.

Maha states that her father has a "sick mind." She states he goes to the casinos to drink and gamble and that he goes to foreign countries to have s

She also states several times that her brother Faisal is much worse off than she is. She quotes the following:

I'm wasting my time with you... scrive:

faisal has the worst life of all

maram scrive:

why

I'm wasting my time with you... scrive:

really it's very bad 4 him

maram scrive:

oh cause he

I'm wasting my time with you... scrive:

i'll tell u on the plane

http://be1-mail.angelfire.mailcity...16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/26/02



Welcome sseramur@angelfire.com

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PAYNE TOLD ME SHE DIDNT HAVE ABUSE FILE

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Date: Wed, 31 Jul 2002 17:22:35 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]

Subject: Abuse

Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Ms. Payne,
Maha has been abused for the past eight years. Please see the State Department file for details. You said you don't have the file from Jeddah. However, the file in Washington also details the abuse as you mentioned in your earlier email. Maha has also been sexually abused by one or more adult men for the past five years--since she was eleven years old--at that time with a 21 year old man to the point that she tried to commit suicide once and wants to do it again if she should be prevented, as an American citizen, from coming home and getting away from her father whom she calls, "a sick man." She is in a state of serious psychological distress and I fear for her life. She is an American citizen and has been threatened with MURDER.

Faisal has been physically abused and mentally for the past eight years. Please see Jeddah or state department file for some of the beatings and other details. You were concerned that he might not speak English. He wrote to me this morning at 5:30 a.m. the following:

Faisal Alrehailli= "Dont say u love me unless u really mean..."
Samiah Seramur= "Hear me out.."

"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:
iwont tooo gotohome
Hear me out scrive:
i want you to come home my baby so bad

I will continue to work on putting together more details for you. Thank you for your kind attention.

Very Best Regards,
Samiah Seramur

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Date: Wed, 31 Jul 2002 20:25:29 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: AlRehaili Case, Abuse Notes No. 2

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

Te: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Ms. Payne,
I have been going over the last month's recorded conversations with my children in Saudi Arabia as you requested and have noted the following additional

Maha is extremely distressed exhibiting traumatic stress throughout her conversations. She jumps from one vulgar conversation to child like pleas for help to extreme fear. She has had physical sexual contact with at least one adult relative in an abusive long-term relationship.

Maha states that her father has a "sick mind." She states he goes to the casinos to drink and gamble and that he goes to foreign countries to have a

She also states several times that her brother Faisal is much worse off than she is. She quotes the following:

I'm wasting my time with you... scrive:
faisal has the worst life of all
maram scrive:
why
I'm wasting my time with you... scrive:
really it's very bad 4 him
maram scrive:
oh cause he
I'm wasting my time with you... scrive:
i'll tell u on the plane
maram scrive:
ok

Next conversation about Faisal

maram scrive:
is fais scared of his dad
Hold on tightly,let go lightly.. scrive:
no
maram scrive:
oh ok
Hold on tightly,let go lightly.. scrive:
he hates him
maram scrive:

http://be2-mail.angelfire.mailcity.L...0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02

why
 maram scrive:
 does your dad hit him ever
 Hold on tightly,let go lightly.. scrive:
 i'll tell u on the plane
 maram scrive:
 is it that bad
 maram scrive:
 ???
 Hold on tightly,let go lightly.. scrive:
 maybe

 maram scrive:
 did he beat him
 maram scrive:
 just say yes or no
 maram scrive:
 it is easy
 maram scrive:
 its import
 Hold on tightly,let go lightly.. scrive:
 i'll tell u on the plane

 maram scrive:
 but ok
 Hold on tightly,let go lightly.. scrive:
 on the fucking plane

She states that he is not developing properly as a result and needs help badly.

She states that her step mother gives all the children sleeping pills. She states that she wishes her dad would die. She states that Safiah takes sleeping pills so she doesnt have to think. She states that the sleeping pills make you really dizzy.

Those are a few of the things I found on a few recorded conversations.
 I have hundreds and hundreds of pages that I have to go through,
 but I will continue. Thank you very much for your assistance.

Very Best Regards,
 Samiah Seramur

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http://be2-mail.angelfire.mailserv.l...0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02



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PREMIER PART

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Date: Wed, 31 Jul 2002 20:44:20 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]
Subject: Abuse Report Fwd: Mail delivery failure
Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)
To: PayneBA@state.gov
Reply To: sseramur@angelfire.com

----- Forwarded Message -----

DATE: Wed, 31 Jul 2002 12:25:14
From: "InterScan Notification" <postmaster@state.gov>
To: <sseramur@angelfire.com>

***** Message from InterScan Messaging Security Suite for SMTP *****

Sent >>> RCPT TO:<PayneBA@state.gov>
Received <<< 550 5.7.1 Unable to relay for PayneBA@state.gov

Could not deliver mail to user:
<PayneBA@state.gov>

***** End of message *****

----- End Forwarded Message -----

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Angelfire

Page 1 of 1

*So Dos no help??
coordination??*

Angelfire Mail
Welcome sseramur@angelfire.com

*NOT TRUE
FBI complaint
was filed separate
for totally diff
thing =*

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PREMI
Auction
Domain
Find a I

Date: Thu, 1 Aug 2002 10:55:32 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Question

To: "sseramur@angelfire.com" <:sseramur@angelfire.com>

*If Amer report
Dos, sep report
FB*

I understand that you already filed a complaint with the FBI when this occurred. They closed the investigation without issuing an indictment. You are always welcome to report any suspected criminal activity to the FBI. You can do so overseas by reporting the crime to the Regional Security Officer at the U.S. Embassy or Consulate. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Thursday, August 01, 2002 10:51 AM

To: Payne, Beth A

Subject: Question

Dear Ms. Payne,
I was wondering if the FBI should be notified in reference to the Murder threat? Since the step son was apparently following me already? Thank you very much for your response. Samiah Seramur

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Name:	tmp_92409249_31367
Size:	2369 byte(s)
Type:	application/ms-tnef

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PREMIER F

Date: Thu, 1 Aug 2002 13:09:24 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Question

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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If you would like to file a complaint with the FBI, you can either do so through the US Embassy in Malta or wait until you return to the US. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Thursday, August 01, 2002 11:44 AM

To: Payne, Beth A

Subject: RE: Question

--

Dear Ms. Payne,

I did not file a complaint with the FBI when this occurred. This just occurred now as you can see in the notes I sent you. That was a totally different incident.

Thank you,
Samiyah Seramur

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Name:	tmp_90676433_31142
Size:	2205 byte(s)
Type:	application/ms-tnef

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PREMI

Date: Thu, 1 Aug 2002 15:33:02 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: Your Trip to Kuala Lumpur

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Auction
Domain
Find a f

VIP

Dear Ms. Seramur:

As you prepare for your trip to Kuala Lumpur on Saturday, I wanted to put in writing the various issues we have discussed the past few days. I thought this would help you in making the necessary decisions on how best to protect and assist of your children. Please call or email me if you any additional questions.

Andrew Hoye, the American Consul at the U.S. Embassy in Kuala Lumpur is expecting you at the Embassy on Monday morning. If you need to contact someone from the Embassy before then, please call the embassy at 603-2168-5000.

The U.S. Embassy is prepared to issue emergency U.S. passports to your children if they present themselves at the Embassy with evidence of their identity and nationality. Embassy staff are available to assist American citizens with emergencies which occur after hours. Andrew will provide you with the Embassy's after hours contact info.

As we discussed, a person residing or traveling abroad is subject to the laws of the host country and the jurisdiction of its courts. This applies to minors as well as to adults. Therefore, the laws of Malaysia must be respected while you and your children are in that country.

Malaysian law requires that visitors enter and exit the country on the same passport. Malaysian immigration has a computerized system that can easily verify this information when a visitor is departing the country. If your children request assistance in departing Malaysia, the U.S. Embassy may request the Malaysian government waive this requirement...although I must stress that there is no guarantee that the government will grant that request.

In Malaysia, Sharia or Islamic law governs custody disputes. Under Sharia law, children may not be removed from the country without permission of their father. Any attempt to remove children without a father's permission may be viewed as a criminal offense. Embassy officials may try to request the Malaysian government waive this legal requirement for your children, but they cannot assist you in removing the children from Malaysia without prior approval from the government. Embassy officials also have no legal authority to obtain physical custody of children.

If the Malaysian government will not waive these legal requirements, you may need to file a custody case in Sharia court. The U.S. Embassy can provide you with a list of local attorneys to represent you in a court proceeding. While the U.S. Embassy cannot pay attorneys' fees or represent you in court, we can assist you in arranging appropriate representation. The Embassy can also provide you with general information about Malaysia's child custody
http://bel-mail.angelfire.mailci...16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/26/02

It is not Malaysian custody dispute?? May be viewed as criminal offense Kids Malays

Angelfire

Page 2 of 2

*What is safe? If its outside Embassy, ho
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is no
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U.S.
territ
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laws, monitor custody hearings, and request that the hearings be expedited. Embassy officials may not attempt to influence the decision of the courts or testify without specific authorization from the Department of State.

In addition, Embassy officials will assist you and your children in finding a safe location to stay in Kuala Lumpur. While we cannot pay for your accommodations, we can work with you to locate appropriate and affordable accommodations. With your permission, the American Embassy will also intercede as necessary with local authorities to assure the safety of you and your children. While I hope your situation will be resolved quickly, you should be financially prepared for a lengthy stay in the event that the court hearings cannot be expedited.

If the government of Malaysia permits your children to leave Malaysia (Delete this. She might go back to Malta for the United States), Embassy officials can assist you in making flight reservations and can ensure your safe travel to the airport. Please bring sufficient funds to pay for your and your children's tickets.

If the government of Malaysia orders that your children be returned to their father, we cannot prevent that order from being carried out. While we can assist you in making your case known to appropriate government authorities, we must respect any final decisions made by these authorities. If your children are ordered returned to Saudi Arabia, we are prepared to intervene at senior levels in the Saudi government to ensure the physical safety of your children.

Name:	lmp_87684802_30747
Size:	3854 byte(s)
Type:	application/ms-tnef

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PREMIER PLUS

Date: Thu, 01 Aug 2002 15:49:11 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

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Subject: Question

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Ms. Payne,
I was wondering if the FBI should be notified in reference to the Murder threat? Since the step son was apparently following me already? Thank you very much for your response. Samiah Seramur

--

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Date: Thu, 01 Aug 2002 16:42:40 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Question

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--
Dear Ms. Payne,
I did not file a complaint with the FBI when this occurred. This
just occurred now as you can see in the notes I sent you. That was a totally differ
Thank you,
Samiah Seramur

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Date: Thu, 01 Aug 2002 22:53:56 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]

Subject: help

Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)

To: sseramur@angelfire.com

Reply To: sseramur@angelfire.com

http://www.travel.state.gov/finance_assist.html

22 CFR 71.1 and 71.6 provide that consular duties include protection of U.S. citizens
Runaways, Abandoned U.S. Citizen Minors, and Victims of Child Abuse or Other Crimes

In the case of a runaway minor in a foreign country, consular officers cannot compel the return of the minor to the United States, but we try to facilitate a solution.

We can and do work with local authorities in foreign countries to attempt to ensure the protection of U.S. citizen minors abroad. For young children, it is usually a relatively straightforward matter of coordinating with foreign authorities, family in the United States, and if necessary, our colleagues at the U.S. Department of Health and Human Services, the International Social Service (which works in cooperation with HHS to provide and coordinate these services for U.S. repatriates), and appropriate officials in U.S. states to arrange for the repatriation and resettlement of the U.S. citizen minor. For runaway teens who do not want to come home, particularly for teens over age 16, the level of assistance available from the foreign authorities varies from country to country, based on foreign laws regarding the age of consent and age of majority.

For victims of child abuse or other crimes, we also coordinate with state child advocacy centers and our colleagues in the U.S. Department of Justice Office for Victims of Crime, and state victims of crime programs.

VI

A consular officer cannot visit a child without permission from the child's parent, guardian or other custodian in the foreign country. If permission is refused and there is evidence of possible child abuse or neglect, the consular officer will request assistance from the appropriate local authorities. Evidence of child abuse or neglect would include, but not be limited to, police reports, medical reports, social ser

How Will the U.S. Embassy or Consulate Try to Locate the Individual and Obtain Information About the Individual's Welfare and Whereabouts?

Consular officers will use a variety of methods to locate and confirm the welfare of the missing person, including, but not limited to

Using the information you provide to try to locate the person.
Checking with local immigration and police officials if possible.
Checking local hotels, youth hostels and other places where foreigners

http://b1-mail.angelfire.mailcity.com/0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/26/02

(U.S. citizens) are known to stay or visit.
 Checking local hospitals, jails, and, if appropriate, local morgues.
 (Note: In countries where a consular treaty is in force, local authorities
 have certain obligations to inform the nearest U.S. embassy or consulate
 of the arrest, injury, hospitalization, or death of a U.S. citizen.
 See Consular Access and Notification.)

*Did not
 mention
 help*

Q. IF FAMILY OR FRIENDS ARE UNABLE TO PROVIDE FINANCIAL ASSISTANCE,
 ARE THERE OTHER SERVICES AVAILABLE?

A. U.S. citizens destitute abroad in need of help should contact
 the nearest U.S. embassy or consulate or the U.S. Department of
 State, Overseas Citizens Services, Office of American Citizen Services
 and Crisis Management, (202) 647-5225, for information about other
 assistance available to eligible persons.

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PREMIE

Date: Fri, 2 Aug 2002 03:52:07 -0400

Auction f

From: "Mariz, John C" <MarizJC@state.gov> [add to address book] [add to spam block list]

Domain f

Subject: RE: Information

Find a be

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Sam: I have not received the originals yet. You are welcome to the fax copies. You should probably pick them up in person, that would be better than a fax of a fax. Let me know what you'd like to do. Regards.

> -----Original Message-----

> From: Samantha E. Seramur [SMTP:sseramur@angelfire.com]

> Sent: Friday, August 02, 2002 9:55 AM

> To: Mariz, John C

> Subject: Information

>

>

> --

> Dear Mr. Mariz,

> Please let me know if you have received my American children's expired

> passports via diplomatic pouch. If not, I was told you were faxed copies.

> Could I have a copy of those copies please? Thank you very much.

> Samiah Seramur

>

>

> Is your boss reading your email? ...Probably

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Name:	lmp_86206796.30557
Size:	2844 byte(s)
Type:	application/ms-tnef

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PREMIER

Date: Fri, 02 Aug 2002 08:54:24 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]
[Auction f](#)[Domain f](#)[Find a be](#)**Subject:** Information**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** "Mariz, John C" <MarizJC@state.gov>**Reply To:** sseramur@angelfire.com

Dear Mr. Mariz,

Please let me know if you have received my American children's expired passports via diplomatic pouch. If not, I was told you were faxed copies. Could I have a copy of those copies please? Thank you very much.
Samiah Seramur

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PREMIER F

Date: Fri, 02 Aug 2002 09:40:33 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

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Subject: RE: Information

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Mariz, John C" <MarizJC@state.gov>

Reply To: sseramur@angelfire.com

Dear John,
Thank you very much for your quick response. I will be down today to pick them up. It may take me forty minute to get there depending on the state of the roads?? Is that alright? Could you please let the guards know that I will be coming? Thank you very much, Sam Seramur--

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PREMI

Date: Fri, 2 Aug 2002 12:19:34 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Alrehaili Death Wish on Dad and Stepmother

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Auction
Domain
Find a!

Why about allegations? Amc, it w come hon

While I appreciate your concerns, the US Embassy will need to speak with the children about the allegations in order to be in a position to most effectively intervene with the Government of Malaysia. As I mentioned earlier, the US Embassy cannot assist with the children leaving Malaysia illegally. So, if the children need US Embassy assistance in departing Malaysia after the US passports are issued, the US consular officer will need to speak with the children. If the children only want US passports and need no additional assistance or protection from the US Embassy, this is their choice. Unfortunately, while your emails are extremely helpful in our understanding of what is happening, we will need to speak with the children directly and find out from them what they would like the US Embassy to do. If you are not prepared to allow to the children to speak with Embassy officials, you may want to reconsider your plans. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Friday, August 02, 2002 11:13 AM

To: Payne, Beth A

Subject: RE: Alrehaili Death Wish on Dad and Stepmother

Dear Beth,

At this time Maha and Faisal are exhibiting serious post traumatic stress disorder. I do not think that the consul is a trained medical professional able to handle examining my children without possible serious side affects under the extreme additional stress they will be under. I already sent you an email as well that states that Maha does not feel safe to talk about anything until she is on a plane home and even then, if someone who is not a trained medical professional used to dealing with extremely abused children, attempts to examine and question her, I fear she may be much more seriously damaged, possibly irreperably. I have provided you with direct transcripts and the dates and you have documented the abuse as well from Jeddah. What do you suggest in this case? My American children want to come home. Thank you, Sam

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Name: tmp_84097404_28305

http://bel-mail.angelfire.mailci...16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/26/02



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PREMIER

Date: Fri, 2 Aug 2002 13:00:52 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Sleeping Pills

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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I can ask the embassy in Kuala Lumpur whether they have a nurse at the embassy who can assist...

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Friday, August 02, 2002 12:57 PM

To: Payne, Beth A

Subject: Sleeping Pills

Since Maha is very suicidal, is it possible to have a medical professional ask the questions rather than someone that is medically unqualified, which may result in irreparable damage?

This conversation details Safiah Alrehaili taking sleeping pills so she doesnt think.

Maha Alrehaili: "I'm wasting my time..."

Samiah Seramur: "maram..."

July 18, 2002

maram scribe:

ok

maram scribe:

cool

I'm wasting my time with you... scribe:

no just sleeping

I'm wasting my time with you... scribe:

maram scribe:

oh ok she is tired

I'm wasting my time with you... scribe:

taking sleeping pills

maram scribe:

oh i get it a moon is sleeping

maram scribe:

why is she taking those

I'm wasting my time with you... scribe:

she doesn't want to think

maram scribe:

how did she get them

maram scribe:

arent they hard to find

I'm wasting my time with you... scribe:

never mind

maram scribe:

http://bc1-mail.angelfire.com/mail/16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/26/02

oh ok
 maram scrive:
 it is easier if you tell me someting
 maram scrive:
 just a little honey
 I'm wasting my time with you... scrive:
 no
 I'm wasting my time with you... scrive:
 honey
 maram scrive:
 yeah thanks
 maram scrive:
 i know you are worried about me
 I'm wasting my time with you... scrive:
 when i see u

Conversation about Maha being afraid from her dad for the rest of her life
 and catching a plane before he sees her.
 July 18, 2002
 I'm wasting my time with you... scrive:
 can we catch the plane b4 dad sees us?
 maram scrive:
 i will not cal before i go
 maram scrive:
 yep
 maram scrive:
 it is the fastest thing in the world
 maram scrive:
 and everyone is with you
 I'm wasting my time with you... scrive:
 do we have to run all our lives afraid of him?
 maram scrive:
 nope
 maram scrive:
 it is over

end

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Name:	tmp_82778957_30105
Size:	2883 byte(s)
Type:	application/ms-tnef

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PREMI

Date: Fri, 2 Aug 2002 14:56:25 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Threat to Burn House Down and Newspaper Article on Mother

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Auction
Domain
Find a...

This is a very disturbing email exchange due to the allegation that you sold the children to their father for \$30,000. Where is this allegation coming from? Did he give you any money in 1994 when you sent the children to Saudi Arabia? Is there any basis to this allegation. Please understand that the father will most likely bring something like this forward to the Malaysian government and it is better if we know all the information ahead of time so we can best protect your children. Thanks. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Friday, August 02, 2002 2:47 PM

To: Payne, Beth A

Subject: Threat to Burn House Down and Newspaper Article on Mother

June 3, 2002

Maha Alrehaili: "I'm wasting my time.."

Samiah Seramur: "maram..."

--

I'm wasting my time with u.. scrive:

i copied dad's key to his office

I'm wasting my time with u.. scrive:

but i lost it

I'm wasting my time with u.. scrive:

stupid

maram scrive:

dave mathews

maram scrive:

oh cool

maram scrive:

what is in his office

I'm wasting my time with u.. scrive:

he has thousands of tapes of phone calls

maram scrive:

oh my god

maram scrive:

no

I'm wasting my time with u.. scrive:

ya

maram scrive:

wow

I'm wasting my time with u.. scrive:

i stole some

maram scrive:

at least you can listen to my voice

maram scrive:

cool

http://be1-mail.angelfire.mailct...:16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/26/02

Angelfire

Page 2 of 4

maram scribe:
 were they me
 maram scribe:
 or you
 I'm wasting my time with u.. scribe:
 he's got pics of ur passport

 I'm wasting my time with u.. scribe:
 i tried to burn his office
 maram scribe:
 oh wow
 End

Newspaper American Mom Sells Children With my childrens photos. She said it was the Okaz Arabic newspaper.

I'm wasting my time with u.. scribe:
 it's just that i'm scared
 maram scribe:
 of course. its good to be scared
 I'm wasting my time with u.. scribe:
 i don't trust u
 maram scribe:
 i mean its not good but its smart
 maram scribe:
 i understand
 maram scribe:
 but if you want to come home, you will have to trust me sometime
 maram scribe:
 so i can work with you
 I'm wasting my time with u.. scribe:
 i found some pics in dad's office
 maram scribe:
 cool of me
 maram scribe:
 i sent them
 maram scribe:
 to you guys
 I'm wasting my time with u.. scribe:
 he wrote about u in the newspaper
 maram scribe:
 no what did he write
 maram scribe:
 so funny
 maram scribe:
 ignorant
 maram scribe:
 did he write how i was a horrible woman
 maram scribe:
 i feel sorry for him
 maram scribe:
 Allah or God will take care
 I'm wasting my time with u.. scribe:
 ?? ??? ???? ? 30?? ????
 maram scribe:
 i dont understand
 maram scribe:
 thirty thousand
 maram scribe:
 for what
 I'm wasting my time with u.. scribe:
 that was the title
 maram scribe:
 oh my gosh
 maram scribe:

http://bel-mail.angelfire.mailcrl16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/26/02

mother what is the second world
 I'm wasting my time with u.. scribe:
 sells
 maram scribe:
 mother sells thirty thousand
 maram scribe:
 sells what
 I'm wasting my time with u.. scribe:
 mother sells her kids 4 30 thousand dollars
 maram scribe:
 oh my god
 maram scribe:
 oh my god
 maram scribe:
 oh i am sorry
 maram scribe:
 maha i am so sorry
 maram scribe:
 oh i am so sorry
 maram scribe:
 oh you poor baby
 maram scribe:
 what an evil man
 maram scribe:
 oh my god my poor baby
 maram scribe:
 i am so sorry
 I'm wasting my time with u.. scribe:
 so?
 maram scribe:
 oh my god
 maram scribe:
 that is why i am dirt poor dying and killing myself for any hope
 maram scribe:
 of ever seeing you all again
 maram scribe:
 that is oh no
 maram scribe:
 i am so sorry
 maram scribe:
 oh you poor baby
 maram scribe:
 what an evil man
 I'm wasting my time with u.. scribe:
 it's ok
 I'm wasting my time with u.. scribe:
 i got my pic in the newspaper
 maram scribe:
 oh my god i never realized he could ever even think of doing that
 maram scribe:
 oh how
 I'm wasting my time with u.. scribe:

 maram scribe:
 haha
 maram scribe:
 no oh my god he put your photo
 I'm wasting my time with u.. scribe:
 the date on the newspaper was from long ago
 I'm wasting my time with u.. scribe:
 mom
 maram scribe:
 yeah honey
 maram scribe:
 oh it is so terrible i am so sorry
http://bel-mail.angelfire.mailc...16&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/26/02

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Name:	kmp_80708564.29867
Size:	3742 byte(s)
Type:	application/ms-tnef

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*Aug 2, 2002
friend refuses to
come*



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PREMIER PARTNERS

Date: Fri, 2 Aug 2002 15:12:41 -0700 (PDT)

From: Adam Moreno <adammoreno23@yahoo.com> [[add to address book](#)] [[add to spam block list](#)]

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Subject: Re: Number

To: sseramur@angelfire.com

Sam ,
I have recieved information that a lot of people know about the operation. this jeopardizes the whole thing. I have been informed that they hope it goes well but if not they are not going to do anything. their is no guarantee that they will even help at the embassy. this is my first operation and things are going south. 2 senators, sub committee, and several state department officials are aware of this operation. as well as the embassy in KL. word of mouth spreads fast and that will end up killing me. It could be leak the KL authorities and or the abductor. His clout could kill us all.i have lost my job, spent \$600 of my own money on phone bills, many man hours for this to happen. I am going to talk with your brother and doc to evaluate the operation. i so not hesitate to abort if my life is on the line.

Adam
--- "Samantha E. Seramur" <sseramur@angelfire.com>
wrote:
>
> --
> what is going on adam??
>
>
> Is your boss reading your email?Probably
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Yahoo! Health - Feel better, live better
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PREMIER

Date: Fri, 2 Aug 2002 15:17:30 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: ARE YOU ASKING ME IF I SOLD MY CHILDREN?

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Auction for
Domain No
Find a bet

Thanks -- I just wanted to confirm this. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Friday, August 02, 2002 3:10 PM

To: Payne, Beth A

Subject: ARE YOU ASKING ME IF I SOLD MY CHILDREN?

I never received a penny from the children's father after I escaped Saudi Arabia.

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Name:	tmp_79627891.29713
Size:	2145 byte(s)
Type:	application/ms-tnef

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Date: Fri, 2 Aug 2002 15:22:54 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Issue at Hand

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

Auction f
Domain f
Find a be

Yes, but we need to be ready for any allegations the father will make when we go to the government of Malaysia and request they allow your children to depart Malaysia. It is helpful to know ahead of time what types of allegations will be made, so we can provide a clear response. If you can think of anything else the father may raise, it would be helpful for us to know this now so we can prepare a response. Thanks. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Friday, August 02, 2002 3:21 PM

To: Payne, Beth A

Subject: Issue at Hand

Dear Ms. Payne,
I am more concerned with protecting the lives of American citizens, my children, than I am with any Saudi allegations.

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Name:	tmp_78807753.29576
Size:	2362 byte(s)
Type:	application/ms-tnef

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PREMIER PART

Date: Fri, 02 Aug 2002 15:45:00 +0100

[Auction for Amer](#)

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

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Subject: AlRehaili

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--

Dear Ms. Payne,
Please find below Maha's conversation with me last night. She talked about her father in the first line calling him an "asshole" and threatened suicide again if she cannot return home to America.

Maha Alrehaili: "Don't say u love me..."
Samiah Seramur: "Love One Another..."

August 1, 2002

"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:

asshole

Love One Another scrive:

yeah but u know its normal

Love One Another scrive:

he always does that

☐

Love One Another scrive:

be careful

"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:

i was like i'll kill myself

"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:

ok

ok

Love One Another scrive:

no no no

Love One Another scrive:

what about me then??

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PREMIER

Date: Fri, 02 Aug 2002 16:01:05 +0100
From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]
Subject: Alrehailli Death Wish on Dad and Stepmother
Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)
To: "Payne, Beth A" <PayneBA@state.gov>
Reply To: sseramur@angelfire.com

--
Dear Ms. Payne,
The following are statements from Maha hoping that her dad and stepmother will be blown up on a recent trip to Syria. She also states that Faisal is happy to come home to America.

Maha Alrehailli: "Simply Irresistible.."
Samiah Seramur: "Lost Love Eats Pineapple..."

July 22, 2002
Lost Love Eats Pineapple Without Seeds scrive:
so they are going satrday
Lost Love Eats Pineapple Without Seeds scrive:
??
Lost Love Eats Pineapple Without Seeds scrive:
for two days or so??
Simply Irresistible... scrive:
i just told fai
Simply Irresistible... scrive:
lol
Simply Irresistible... scrive:
he's like swear
Simply Irresistible... scrive:
ooo he's so happy
Lost Love Eats Pineapple Without Seeds scrive:
what
Simply Irresistible... scrive:
hey mom
Lost Love Eats Pineapple Without Seeds scrive:
huh
Simply Irresistible... scrive:
maybe their plane will blow up
Simply Irresistible... scrive:
lol
Lost Love Eats Pineapple Without Seeds scrive:
shhh
Simply Irresistible... scrive:
and then no malay
Lost Love Eats Pineapple Without Seeds scrive:
dont write that
Simply Irresistible... scrive:



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Date: Fri, 02 Aug 2002 16:11:15 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]**Subject:** RE: Alreha!! Death Wish on Dad and Stepmother**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** "Payne, Beth A" <PayneBA@state.gov>**Reply To:** sseramur@angelfire.com

Dear Beth,

At this time Maha and Faisal are exhibiting serious post traumatic stress disorder. I do not think that the consul is a trained medical professional able to handle examining my children without possible serious side affects under the extreme additional stress they will be under. I already sent you an email as well that states that Maha does not feel safe to talk about anything until she is on a plane home and even then, if someone who is not a trained medical professional used to dealing with extremely abused children, attempts to examine and question her, I fear she may be much more seriously damaged, possibly irreperably. I have provided you with direct transcripts and the dates and you have documented the abuse as well from Jeddah. What do you suggest in this case? My American children want to come Thank you, Sam

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Date: Fri, 02 Aug 2002 17:17:15 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Conversation About American and Saudi Passports

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com>:80)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Maha Talking About U.S. passport. She calls the Saudi passport, "fucking green."

Maha Alrehailli: "Simply Irresistible..."
Samiah Seramur: "Lost Love Eats Pineapple..."

Lost Love Eats Pineapple Without Seeds scribe:
i have pass
Lost Love Eats Pineapple Without Seeds scribe:
por
Lost Love Eats Pineapple Without Seeds scribe:
ts
Simply Irresistible... scribe:
o really?
Simply Irresistible... scribe:
and the pics in it?
Lost Love Eats Pineapple Without Seeds scribe:
OF COURSE
Simply Irresistible... scribe:
where from the pics?
Lost Love Eats Pineapple Without Seeds scribe:
THE OLD ONES
Simply Irresistible... scribe:
ooo no
Lost Love Eats Pineapple Without Seeds scribe:
CUTE PICS
Simply Irresistible... scribe:
will they be accepted?
Lost Love Eats Pineapple Without Seeds scribe:
whats the prob
Lost Love Eats Pineapple Without Seeds scribe:
oh gosh they are good for ten years
Lost Love Eats Pineapple Without Seeds scribe:
and then you renew them at any u.s. embassy in a minute
Simply Irresistible... scribe:
ok
Lost Love Eats Pineapple Without Seeds scribe:
you are amer
Lost Love Eats Pineapple Without Seeds scribe:
lol
Simply Irresistible... scribe:
what r their colors?
Lost Love Eats Pineapple Without Seeds scribe:
dark blue

http://bel-mail.angelfire.mailcity.lycos.com/mail/0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02

Angelfire

Page 2 of 2

Lost Love Mats Pineapple Without Seeds scrive:
really pretty
Simply Irresistible... scrive:
great not fucking green

End

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Since Maha is very suicidal, is it possible to have a medical professional ask the questions rather than someone that is medically unqualified, which may result in irreparable damage?

This conversation details Safiah Alrehaill taking sleeping pills so she doesnt thi

Maha Alrehaill: "I'm wasting my time..."

Samiah Seramur: "maram.."

July 18, 2002

maram scrive:

ok

maram scrive:

cool

I'm wasting my time with you... scrive:

no just sleeping

I'm wasting my time with you... scrive:

maram scrive:

oh ok she is tired

I'm wasting my time with you... scrive:

taking sleeping pills

maram scrive:

oh i get it a moon is sleeping

maram scrive:

why is she taking those

I'm wasting my time with you... scrive:

she doesn't want to think

maram scrive:

how did she get them

maram scrive:

arent they hard to find

I'm wasting my time with you... scrive:

never mind

maram scrive:

oh ok

maram scrive:

it is easier if you tell me someting

maram scrive:

just a little honey

I'm wasting my time with you... scrive:

no

I'm wasting my time with you... scrive:

http://be1-mail.angelfire.mailcity.lycos.com/mail/0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02

noney
maram scribe:
yeah thanks
maram scribe:
i know you are worried about me
I'm wasting my time with you... scribe:
when i see u

Conversation about Maha being afraid from her dad for the rest of
her life and catching a plane before he sees her.
July 18, 2002

I'm wasting my time with you... scribe:
can we catch the plane b4 dad sees us?
maram scribe:
i will not cal before i go
maram scribe:
yep
maram scribe:
it is the fastest thing in the world
maram scribe:
and everyone is with you
I'm wasting my time with you... scribe:
do we have to run all our lives afraid of him?
maram scribe:
nope
maram scribe:
it is over

end

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Date: Fri, 02 Aug 2002 18:35:49 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Sexual Abused by Adult Relatives

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Ms. Payne,
I really want to work with you and the consul in any way possible to assist my children to come home to America and I thank you for your kind attention. I just thought that abuse, in particular details of sexual abuse, should be handled by a professional that knows how to ask about :

Conversation on how Maha lived with adult relatives in summers and was sexually at July 14, 2002

Maha Alrehailli: "It's not a daydream..."

Unidentified: "Catching Rainbows..."

It's not a daydream if you decide to make it your life.. scrive:
i'm sorry if i woke u up
It's not a daydream if you decide to make it your life.. scrive:
nop
Catching Rainbows scrive:
it alright
Catching Rainbows scrive:
how was your friends house?
It's not a daydream if you decide to make it your life.. scrive:
same as always
Catching Rainbows scrive:
what did you do
It's not a daydream if you decide to make it your life.. scrive:
alot of things that i'd hate my mom to know about
Catching Rainbows scrive:
ok i guess
Catching Rainbows scrive:
are they bad things
It's not a daydream if you decide to make it your life.. scrive:
to me no
It's not a daydream if you decide to make it your life.. scrive:
to u maybe
Catching Rainbows scrive:
what about to me
It's not a daydream if you decide to make it your life.. scrive:
to mom yes
Catching Rainbows scrive:
kid things?
It's not a daydream if you decide to make it your life.. scrive:
nop
It's not a daydream if you decide to make it your life.. scrive:

http://be1-mail.angelfire.mailcity...U&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/27/02

i'm not a kid
 Catching Rainbows scribe:
 ok
 Catching Rainbows scribe:
 yes you are
 It's not a daydream if you decide to make it your life.. scribe:
 no i'm not
 Catching Rainbows scribe:
 16 is still a kid
 It's not a daydream if you decide to make it your life.. scribe:
 no
 Catching Rainbows scribe:
 i am still a kid
 Catching Rainbows scribe:
 and im 18
 Catching Rainbows scribe:
 age doesnt matter
 It's not a daydream if you decide to make it your life.. scribe:
 ya it depends on how u think
 It's not a daydream if you decide to make it your life.. scribe:
 ur mind
 Catching Rainbows scribe:
 yes i know
 It's not a daydream if you decide to make it your life.. scribe:
 i'm very mature
 Catching Rainbows scribe:
 you have only had 16 years to think
 Catching Rainbows scribe:
 for youe age
 Catching Rainbows scribe:
 your
 It's not a daydream if you decide to make it your life.. scribe:
 i've had 8 years of hell
 Catching Rainbows scribe:
 trust me
 Catching Rainbows scribe:
 i thought i was mature and shit when i was 16
 Catching Rainbows scribe:
 but there is a lot more to life
 It's not a daydream if you decide to make it your life.. scribe:
 ur life is different
 It's not a daydream if you decide to make it your life.. scribe:
 mine is more complicated
 It's not a daydream if you decide to make it your life.. scribe:
 harder
 It's not a daydream if you decide to make it your life.. scribe:
 i have to think alot
 It's not a daydream if you decide to make it your life.. scribe:
 calculate every move i make
 Catching Rainbows scribe:
 i know ur probably right
 It's not a daydream if you decide to make it your life.. scribe:
 hiding everything
 It's not a daydream if you decide to make it your life.. scribe:
 but i like it
 Catching Rainbows scribe:
 i do a lot of hiding myself
 It's not a daydream if you decide to make it your life.. scribe:
 o good
 It's not a daydream if you decide to make it your life.. scribe:
 but not from me
 It's not a daydream if you decide to make it your life.. scribe:
 ok?
 Catching Rainbows scribe:
 always thinking one step ahead
http://be1-mail.angelfire.mail.ru...0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02

It's not a daydream if you decide to make it your life.. scribe:
 leave space 4 an excuse
 It's not a daydream if you decide to make it your life.. scribe:
 plan b
 Catching Rainbows scribe:
 u kinda have to sometimes
 Catching Rainbows scribe:
 yes
 It's not a daydream if you decide to make it your life.. scribe:
 always
 Catching Rainbows scribe:
 always
 It's not a daydream if you decide to make it your life.. scribe:
 since ur older than me i'd like to tell u alot off things
 It's not a daydream if you decide to make it your life.. scribe:
 of
 Catching Rainbows scribe:
 how was your internet time time today
 It's not a daydream if you decide to make it your life.. scribe:
 but i don't want anyone else knowing about them
 It's not a daydream if you decide to make it your life.. scribe:
 just u
 It's not a daydream if you decide to make it your life.. scribe:
 would u like that?
 Catching Rainbows scribe:
 i dont want you to tell me yet
 It's not a daydream if you decide to make it your life.. scribe:
 share secrets?
 It's not a daydream if you decide to make it your life.. scribe:
 no not yet
 Catching Rainbows scribe:
 when you get here
 Catching Rainbows scribe:
 ok
 It's not a daydream if you decide to make it your life.. scribe:
 i want to trust u lst
 Catching Rainbows scribe:
 yes that is very good
 Catching Rainbows scribe:
 but i dont want anyl to find out
 Catching Rainbows scribe:
 besides me
 It's not a daydream if you decide to make it your life.. scribe:
 yes no one
 Catching Rainbows scribe:
 your mom can read everything we type
 It's not a daydream if you decide to make it your life.. scribe:
 i don't want any one to know that i tell u
 It's not a daydream if you decide to make it your life.. scribe:
 ya i know
 Catching Rainbows scribe:
 ok
 Catching Rainbows scribe:
 we will talk when you get here
 Catching Rainbows scribe:
 trust me i have many many secrets
 Catching Rainbows scribe:
 i have not told anyl
 Catching Rainbows scribe:
 but im not sure if i could
 Catching Rainbows scribe:
 my life has had a little hell in it to
 It's not a daydream if you decide to make it your life.. scribe:
 can u tell me?
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Catching Rainbows scribe:
 i want to get to know you again 1st
 Catching Rainbows scribe:
 you know?
 Catching Rainbows scribe:
 its been a while
 It's not a daydream if you decide to make it your life.. scribe:
 i wouldn't feel comfortable with telling u my secrets and u not telling me anythir
 Catching Rainbows scribe:
 i agree
 Catching Rainbows scribe:
 you have to get to know me again too
 Catching Rainbows scribe:
 we have to establish a good friendship first
 It's not a daydream if you decide to make it your life.. scribe:
 a very strong one
 Catching Rainbows scribe:
 yes ues
 Catching Rainbows scribe:
 i always hit the wrong keys
 It's not a daydream if you decide to make it your life.. scribe:
 but nobody will know
 It's not a daydream if you decide to make it your life.. scribe:
 me too
 It's not a daydream if you decide to make it your life.. scribe:

 Catching Rainbows scribe:
 ok
 It's not a daydream if you decide to make it your life.. scribe:
 ur sleepy
 Catching Rainbows scribe:
 im waking up now
 Catching Rainbows scribe:
 i have two days left
 Catching Rainbows scribe:
 here
 It's not a daydream if you decide to make it your life.. scribe:
 o so soon
 Catching Rainbows scribe:
 ive been here for 7 days i think

 Catching Rainbows scribe:
 you know
 It's not a daydream if you decide to make it your life.. scribe:
 i'm so scared
 It's not a daydream if you decide to make it your life.. scribe:
 but i don't show it
 Catching Rainbows scribe:
 i wish there was a way for me to help
 It's not a daydream if you decide to make it your life.. scribe:
 u can
 It's not a daydream if you decide to make it your life.. scribe:
 write to me
 Catching Rainbows scribe:
 i wish i could make you not scared
 Catching Rainbows scribe:
 ok than i will
 It's not a daydream if you decide to make it your life.. scribe:

 Catching Rainbows scribe:
 is zack your first real bf
 It's not a daydream if you decide to make it your life.. scribe:
 no
 Catching Rainbows scribe:
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how many have you had
 It's not a daydream if you decide to make it your life.. scribe:
 my 1st bf is getting engaged
 Catching Rainbows scribe:
 wow
 Catching Rainbows scribe:
 how old is he
 It's not a daydream if you decide to make it your life.. scribe:
 22
 Catching Rainbows scribe:
 what the fuck
 Catching Rainbows scribe:
 you dont go out with old guys like that
 It's not a daydream if you decide to make it your life.. scribe:
 i fucked it up with his brother
 It's not a daydream if you decide to make it your life.. scribe:
 he saw us
 Catching Rainbows scribe:
 stay with your age
 It's not a daydream if you decide to make it your life.. scribe:
 and that was it
 It's not a daydream if you decide to make it your life.. scribe:
 no i like older guys
 Catching Rainbows scribe:
 not that old
 It's not a daydream if you decide to make it your life.. scribe:
 he's not old
 Catching Rainbows scribe:
 maybe one or two years
 It's not a daydream if you decide to make it your life.. scribe:
 5 years
 Catching Rainbows scribe:
 yes thats 6 years
 Catching Rainbows scribe:
 too old for my liking
 It's not a daydream if you decide to make it your life.. scribe:
 i live with him in the summers
 It's not a daydream if you decide to make it your life.. scribe:
 sssssssssssssssssssss
 Catching Rainbows scribe:
 with him?
 Catching Rainbows scribe:
 ok
 It's not a daydream if you decide to make it your life.. scribe:
 ya and his family
 Catching Rainbows scribe:
 your dad doesnt care
 It's not a daydream if you decide to make it your life.. scribe:
 he's my stepmother's brother
 Catching Rainbows scribe:
 ok
 Catching Rainbows scribe:
 thats kind wierd
 It's not a daydream if you decide to make it your life.. scribe:
 like my half sister's uncle
 Catching Rainbows scribe:
 ya?
 It's not a daydream if you decide to make it your life.. scribe:
 ya
 It's not a daydream if you decide to make it your life.. scribe:
 he's in the army now
 It's not a daydream if you decide to make it your life.. scribe:
 getting his ass kicked
 End

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Date: Fri, 02 Aug 2002 19:27:03 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)]
[[add to spam block list](#)]**Subject:** Maha Pleading for a "Normal Life"**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** "Payne, Beth A" <PayneBA@state.gov>**Reply To:** sseramur@angelfire.com

--

June 3, 2002

Maha Alrehailli: "I'm wasting my time with.."

Samiah Seramur: "maram..."

I'm wasting my time with u.. scrive:
 i need a normal life
 maram scrive:
 and that is what i will give you
 I'm wasting my time with u.. scrive:
 i've been my own mother
 maram scrive:
 until you are old enough and want to do it yourself
 maram scrive:
 and i can help by setting you up in your own place
 maram scrive:
 and taking care of school etc.
 I'm wasting my time with u.. scrive:
 that's all i want
 I'm wasting my time with u.. scrive:
 so thanx

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Date: Fri, 02 Aug 2002 19:46:35 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]**Subject:** Threat to Burn House Down and Newspaper Article on Mother**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** "Payne, Beth A" <PayneBA@state.gov>**Reply To:** sseramur@angelfire.com

June 3, 2002
 Maha Alrehaali: "I'm wasting my time.."
 Samiah Seramur: "maram..."

--
 I'm wasting my time with u.. scribe:
 i copied dad's key to his office
 I'm wasting my time with u.. scribe:
 but i lost it
 I'm wasting my time with u.. scribe:
 stupid
 maram scribe:
 dave mathews
 maram scribe:
 oh cool
 maram scribe:
 what is in his office
 I'm wasting my time with u.. scribe:
 he has thousands of tapes of phone calls
 maram scribe:
 oh my god
 maram scribe:
 no
 I'm wasting my time with u.. scribe:
 ya
 maram scribe:
 wow
 I'm wasting my time with u.. scribe:
 i stole some
 maram scribe:
 at least you can listen to my voice
 maram scribe:
 cool
 maram scribe:
 were they me
 maram scribe:
 or you
 I'm wasting my time with u.. scribe:
 he's got pics of ur passport

 I'm wasting my time with u.. scribe:
 i tried to burn his office
 maram scribe:
 oh wow

http://be1-mail.angelfire.mailcity.lycos.com/mail/0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02

.
 Newspaper American Mom Sells Children With my childrens photos.
 She said it was the Okaz Arabic newspaper.
 I'm wasting my time with u.. scribe:
 it's just that i'm scared
 maram scribe:
 of course. its good to be scared
 I'm wasting my time with u.. scribe:
 i don't trust u
 maram scribe:
 i mean its not good but its smart
 maram scribe:
 i understand
 maram scribe:
 but if you want to come home, you will have to trust me sometime
 maram scribe:
 so i can work with you
 I'm wasting my time with u.. scribe:
 i found some pics in dad's office
 maram scribe:
 cool of me
 maram scribe:
 i sent them
 maram scribe:
 to you guys
 I'm wasting my time with u.. scribe:
 he wrote about u in the newspaper
 maram scribe:
 no what did he write
 maram scribe:
 so funny
 maram scribe:
 ignorant
 maram scribe:
 did he write how i was a horrible woman
 maram scribe:
 i feel sorry for him
 maram scribe:
 Allah or God will take care
 I'm wasting my time with u.. scribe:
 ?? ??? ???? ? ? 30??? ????
 maram scribe:
 i dont understand
 maram scribe:
 thirty thousand
 maram scribe:
 for what
 I'm wasting my time with u.. scribe:
 that was the title
 maram scribe:
 oh my gosh
 maram scribe:
 mother what is the second world
 I'm wasting my time with u.. scribe:
 sells
 maram scribe:
 mother sells thirty thousand
 maram scribe:
 sells what
 I'm wasting my time with u.. scribe:
 mother sells her kids 4 30 thousand dollars
 maram scribe:
 oh my god
 maram scribe:
http://be1-mail.angelfire.mailcit...0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02

oh my god
 maram scribe:
 oh i am sorry
 maram scribe:
 maha i am so sorry
 maram scribe:
 oh i am so sorry
 maram scribe:
 oh you poor baby
 maram scribe:
 what an evil man
 maram scribe:
 oh my god my poor baby
 maram scribe:
 i am so sorry
 I'm wasting my time with u.. scribe:
 so?
 maram scribe:
 oh my god
 maram scribe:
 that is why i am dirt poor dying and killing myself for any hope
 maram scribe:
 of ever seeing you all again
 maram scribe:
 that is oh no
 maram scribe:
 i am so sorry
 maram scribe:
 oh you poor baby
 maram scribe:
 what an evil man
 I'm wasting my time with u.. scribe:
 it's ok
 I'm wasting my time with u.. scribe:
 i got my pic in the newspaper
 maram scribe:
 oh my god i never realized he could ever even think of doing that
 maram scribe:
 oh how
 I'm wasting my time with u.. scribe:

 maram scribe:
 haha
 maram scribe:
 no oh my god he put your photo
 I'm wasting my time with u.. scribe:
 the date on the newspaper was from long ago
 I'm wasting my time with u.. scribe:
 mom
 maram scribe:
 yeah honey
 maram scribe:
 oh it is so terrible i am so sorry

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**Date:** Fri, 02 Aug 2002 20:10:13 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]**Subject:** ARE YOU ASKING ME IF I SOLD MY CHILDREN?**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** "Payne, Beth A" <PayneBA@state.gov>**Reply To:** sseramur@angelfire.com

I never received a penny from the children's father after I escaped Saudi Arabia.

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PREMIER PARTNE

Auction for America
Domain Names - \$1
Find a better job

Date: Fri, 02 Aug 2002 20:21:08 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]

Subject: Issue at Hand

Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--

Dear Ms. Payne,
I am more concerned with protecting the lives of American citizens,
my children, than I am with any Saudi allegations.

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**PREMIER****Date:** Fri, 02 Aug 2002 22:58:52 +0100

Auction for

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

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[Find a better](#)**Subject:** RE: Issue at Hand**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** "Payne, Beth A" <PayneBA@state.gov>**Reply To:** sseramur@angelfire.com

--

Dear Beth,

Thank you. Since you seem to be interested in the shariah law aspect of this case, you might address the fact that Mubarak Airehaili should have his head chopped off according to shariah law since he raped and impregnated my servants Sufatmi bint Basuki and Tutti bint Sukardi from Indonesia if you are interested in looking at this from the perspective of shariah and the fact that he attempted rape of anyother Sureyah who was there with her husband Diwan. I have their sworn affidatite along with the ultrasound and employment records of the pregnant servant Sufatmi while she was in Saudi Arabia at nine months pregnant and was shipped out. We also have the Indonesian embassy involvement and Jeddah police in that case. I mean that is if you are looking at shariah law.

Best Regards, Sam

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Date: Mon, 05 Aug 2002 05:31:31 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book list](#)]

Subject: Fwd: AlRehaili

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: HoyeAC2@state.gov

Reply To: sseramur@angelfire.com

Dear Mr. Hoye,
My children are American citizens being held against their will and they want to come home. In regards to your requesting me to email you the correspondence Maha sent me, since you stated you did not receive it from Ms. Beth Payne in Washington, please find it below. I thank you for your meeting with me this morning as was requested by Ms. Payne and look forward to seeing you again at 3 p.m. I will do everything possible to cooperate with you in any way to assist my American children and possibly Safiah, an adult, who are being held against their will and want to come home.
Thank you,
Samiah Seramur
--

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DATE: Fri, 02 Aug 2002 15:45:00
From: "Samantha E. Seramur" <sseramur@angelfire.com>
To: "Payne, Beth A" <PayneBA@state.gov>

--

Dear Ms. Payne,
Please find below Maha's conversation with me last night. She talked about her father in the first line calling him an "asshole" and threatened suicide again if she cannot return home to America.

Maha Airehaili: "Don't say u love me..."
Samiah Seramur: "Love One Another.."

August 1, 2002

"Don't say u love me unless u really mean it,because I might do something crazy like believe it!" scrive:
asshole

Love One Another scrive:
yeah but u know its normal

Love One Another scrive:
he always does that

☐

Love One Another scrive:
be careful

"Don't say u love me unless u really mean it,because I might do

http://be1-mail.angelfire.mailcity.lycos.com/mail/?bool_next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/27/02

1162

Angelfire

Page 2 of 2

something crazy like believe it! scrive:
i was like i'll kill myself
"Don't say u love me unless u really mean it,because I might do
something crazy like believe it!" scrive:
ok
Love One Another scrive:
no no no
Love One Another scrive:
what about me then??

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**PREMIER PART****Date:** Mon, 05 Aug 2002 05:33:01 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]**Subject:** Fwd: AlRehaili**Organization:** Angelfire (http://email.angelfire.mailcity.lycos.com:80)**To:** HoyeAC2@state.gov**Reply To:** sseramur@angelfire.com

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DATE: Fri, 02 Aug 2002 15:45:00
 From: "Samantha E. Seramur" <sseramur@angelfire.com>
 To: "Payne, Beth A" <PayneBA@state.gov>

--

Dear Ms. Payne,
 Please find below Maha's conversation with me last night. She talked
 about her father in the first line calling him an "asshole" and
 threatened suicide again if she cannot return home to America.

Maha Alrehaili: "Don't say u love me..."
 Samiah Seramur: "Love One Another.."

August 1, 2002

"Don't say u love me unless u really mean it,because I might do
 something crazy like believe it!" scribe:
 asshole
 Love One Another scribe:
 yeah but u know its normal
 Love One Another scribe:
 he always does that
 UU
 Love One Another scribe:
 be careful
 "Don't say u love me unless u really mean it,because I might do
 something crazy like believe it!" scribe:
 i was like i'll kill myself
 "Don't say u love me unless u really mean it,because I might do
 something crazy like believe it!" scribe:
 ok
 Love One Another scribe:
 no no no
 Love One Another scribe:
 what about me then??

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**PREMIER****Date:** Mon, 05 Aug 2002 05:34:40 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]
[Auction for Domain Nc](#)
[Find a bett](#)
Subject: Fwd: Alrehaill Death Wish on Dad and Stepmother**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** HoyeAC2@state.gov**Reply To:** sseramur@angelfire.com

--

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DATE: Fri, 02 Aug 2002 16:01:05

From: "Samantha E. Seramur" <sseramur@angelfire.com>To: "Payne, Beth A" <PayneBA@state.gov>

--

Dear Ms. Payne,

The following are statements from Maha hoping that her dad and stepmother will be blown up on a recent trip to Syria. She also states that Faisal is happy to come home to America.

Maha Alrehailli: "Simply Irresistible.."
 Samiah Seramur: "Lost Love Eats Pineapple..."

July 22, 2002

Lost Love Eats Pineapple Without Seeds scribe:
 so they are going satrday

Lost Love Eats Pineapple Without Seeds scribe:
 ??

Lost Love Eats Pineapple Without Seeds scribe:
 for two days or so???

Simply Irresistible... scribe:

i just told fai

Simply Irresistible... scribe:

lol

Simply Irresistible... scribe:

he's like swear

Simply Irresistible... scribe:

ooo he's so happy

Lost Love Eats Pineapple Without Seeds scribe:

what

Simply Irresistible... scribe:

hey mom

Lost Love Eats Pineapple Without Seeds scribe:

huh

Simply Irresistible... scribe:

maybe their plane will blow up

Simply Irresistible... scribe:

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DATE: Fri, 02 Aug 2002 18:35:49

From: "Samantha E. Seramur" <sseramur@angelfire.com>

To: "Payne, Beth A" <PavneBA@state.gov>

Dear Ms. Payne,

I really want to work with you and the consul in any way possible to assist my children to come home to America and I thank you for your kind attention. I just thought that abuse, in particular details of sexual abuse, should be handled by a professional that knows how to ask about s

Conversation on how Maha lived with adult relatives in summers and was sexually ab
July 14, 2002

Maha Alrehailli: "It's not a daydream..."

Unidentified: "Catching Rainbows..."

It's not a daydream if you decide to make it your life.. scrive:

i'm sorry if i woke u up

It's not a daydream if you decide to make it your life.. scrive:

nop

Catching Rainbows scrive:

it alright

Catching Rainbows scrive:
how was your friends house?

It's not a daydream if you decide to make it your life.. scrive:

same as always

Catching Rainbows scrive:

what did you do

It's not a daydream if you decide to make it your life.. scrive:

alot of things that i'd hate my mom to know about

Catching Rainbows scrive:

ok i guess

Catching Rainbows scrive:

are they bad things

It's not a daydream if you decide to make it your life.. scrive:

to me no

It's not a daydream if you decide to make it your life.. scrive:

to u maybe

http://be1-maf.angelfire.mailcity.lycos.com/mail/0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/27/02

Catching Rainbows scribe:
what about to me
It's not a daydream if you decide to make it your life.. scribe:
to mom yes
Catching Rainbows scribe:
kid things?
It's not a daydream if you decide to make it your life.. scribe:
nop
It's not a daydream if you decide to make it your life.. scribe:
i'm not a kid
Catching Rainbows scribe:
ok
Catching Rainbows scribe:
yes you are
It's not a daydream if you decide to make it your life.. scribe:
no i'm not
Catching Rainbows scribe:
16 is still a kid
It's not a daydream if you decide to make it your life.. scribe:
no
Catching Rainbows scribe:
i am still a kid
Catching Rainbows scribe:
and im 18
Catching Rainbows scribe:
age doesnt matter
It's not a daydream if you decide to make it your life.. scribe:
ya it depends on how u think
It's not a daydream if you decide to make it your life.. scribe:
ur mind
Catching Rainbows scribe:
yes i know
It's not a daydream if you decide to make it your life.. scribe:
i'm very mature
Catching Rainbows scribe:
you have only had 16 years to think
Catching Rainbows scribe:
for youe age
Catching Rainbows scribe:
your
It's not a daydream if you decide to make it your life.. scribe:
i've had 8 years of hell
Catching Rainbows scribe:
trust me
Catching Rainbows scribe:
i thought i was mature and shit when i was 16
Catching Rainbows scribe:
but there is a lot more to life
It's not a daydream if you decide to make it your life.. scribe:
ur life is different
It's not a daydream if you decide to make it your life.. scribe:
mine is more complicated
It's not a daydream if you decide to make it your life.. scribe:
harder
It's not a daydream if you decide to make it your life.. scribe:
i have to think alot
It's not a daydream if you decide to make it your life.. scribe:
calculate every move i make
Catching Rainbows scribe:
i know ur probably right
It's not a daydream if you decide to make it your life.. scribe:
hiding everything
It's not a daydream if you decide to make it your life.. scribe:
but i like it
Catching Rainbows scribe:
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i do a lot of hiding myself
 It's not a daydream if you decide to make it your life.. scribe:
 o good
 It's not a daydream if you decide to make it your life.. scribe:
 but not from me
 It's not a daydream if you decide to make it your life.. scribe:
 ok?
 Catching Rainbows scribe:
 always thinking one step ahead
 It's not a daydream if you decide to make it your life.. scribe:
 leave space 4 an excuse
 It's not a daydream if you decide to make it your life.. scribe:
 plan b
 Catching Rainbows scribe:
 u kinda have to sometimes
 Catching Rainbows scribe:
 yes
 It's not a daydream if you decide to make it your life.. scribe:
 always
 Catching Rainbows scribe:
 always
 It's not a daydream if you decide to make it your life.. scribe:
 since ur older than me i'd like to tell u alot off things
 It's not a daydream if you decide to make it your life.. scribe:
 of
 Catching Rainbows scribe:
 how was your internet time today
 It's not a daydream if you decide to make it your life.. scribe:
 but i don't want anyone else knowing about them
 It's not a daydream if you decide to make it your life.. scribe:
 just u
 It's not a daydream if you decide to make it your life.. scribe:
 would u like that?
 Catching Rainbows scribe:
 i dont want you to tell me yet
 It's not a daydream if you decide to make it your life.. scribe:
 share secrets?
 It's not a daydream if you decide to make it your life.. scribe:
 no not yet
 Catching Rainbows scribe:
 when you get here
 Catching Rainbows scribe:
 ok
 It's not a daydream if you decide to make it your life.. scribe:
 i want to trust u 1st
 Catching Rainbows scribe:
 yes that is very good
 Catching Rainbows scribe:
 but i dont want anyl to find out
 Catching Rainbows scribe:
 besides me
 It's not a daydream if you decide to make it your life.. scribe:
 yes no one
 Catching Rainbows scribe:
 your mom can read everything we type
 It's not a daydream if you decide to make it your life.. scribe:
 i don't want any one to know that i tell u
 It's not a daydream if you decide to make it your life.. scribe:
 ya i know
 Catching Rainbows scribe:
 ok
 Catching Rainbows scribe:
 we will talk when you get here
 Catching Rainbows scribe:

trust me i have many many secrets
 Catching Rainbows scribe:
 i have not told anyl
 Catching Rainbows scribe:
 but im not sure if i could
 Catching Rainbows scribe:
 my life has had a little hell in it to
 It's not a daydream if you decide to make it your life.. scribe:
 can u tell me?
 Catching Rainbows scribe:
 i want to get to know you again 1st
 Catching Rainbows scribe:
 you know?
 Catching Rainbows scribe:
 its been a while
 It's not a daydream if you decide to make it your life.. scribe:
 i wouldn't feel comfortable with telling u my secrets and u not telling me anythir
 Catching Rainbows scribe:
 i agree
 Catching Rainbows scribe:
 you have to get to know me again too
 Catching Rainbows scribe:
 we have to establish a good friendship first
 It's not a daydream if you decide to make it your life.. scribe:
 a very strong one
 Catching Rainbows scribe:
 yes ues
 Catching Rainbows scribe:
 i always hit the wrong keys
 It's not a daydream if you decide to make it your life.. scribe:
 but nobody will know
 It's not a daydream if you decide to make it your life.. scribe:
 me too
 It's not a daydream if you decide to make it your life.. scribe:

 Catching Rainbows scribe:
 ok
 It's not a daydream if you decide to make it your life.. scribe:
 ur sleepy
 Catching Rainbows scribe:
 im waking up now
 Catching Rainbows scribe:
 i have two days left
 Catching Rainbows scribe:
 here
 It's not a daydream if you decide to make it your life.. scribe:
 o so soon
 Catching Rainbows scribe:
 ive been here for 7 days i think

 Catching Rainbows scribe:
 you know
 It's not a daydream if you decide to make it your life.. scribe:
 i'm so scared
 It's not a daydream if you decide to make it your life.. scribe:
 but i don't show it
 Catching Rainbows scribe:
 i wish there was a way for me to help
 It's not a daydream if you decide to make it your life.. scribe:
 u can
 It's not a daydream if you decide to make it your life.. scribe:
 write to me
 Catching Rainbows scribe:
 i wish i could make you not scared
http://be1-mail.angelfire.mailcti...0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=tru 9/27/02

Catching Rainbows scribe:
ok than i will
It's not a daydream if you decide to make it your life.. scribe:
.....
Catching Rainbows scribe:
is zack your first real bf
It's not a daydream if you decide to make it your life.. scribe:
no
Catching Rainbows scribe:
how many have you had
It's not a daydream if you decide to make it your life.. scribe:
my 1st bf is getting engaged
Catching Rainbows scribe:
wow
Catching Rainbows scribe:
how old is he
It's not a daydream if you decide to make it your life.. scribe:
22
Catching Rainbows scribe:
what the fuck
Catching Rainbows scribe:
you dont go out with old guys like that
It's not a daydream if you decide to make it your life.. scribe:
i fucked it up with his brother
It's not a daydream if you decide to make it your life.. scribe:
he saw us
Catching Rainbows scribe:
stay with your age
It's not a daydream if you decide to make it your life.. scribe:
and that was it
It's not a daydream if you decide to make it your life.. scribe:
no i like older guys
Catching Rainbows scribe:
not that old
It's not a daydream if you decide to make it your life.. scribe:
he's not old
Catching Rainbows scribe:
maybe one or two years
It's not a daydream if you decide to make it your life.. scribe:
5 years
Catching Rainbows scribe:
yes thats 6 years
Catching Rainbows scribe:
too old for my liking
It's not a daydream if you decide to make it your life.. scribe:
i live with him in the summers
It's not a daydream if you decide to make it your life.. scribe:
sshhhhhhhhhhhhhh
Catching Rainbows scribe:
with him?
Catching Rainbows scribe:
ok
It's not a daydream if you decide to make it your life.. scribe:
ya and his family
Catching Rainbows scribe:
your dad doesnt care
It's not a daydream if you decide to make it your life.. scribe:
he's my stepmother's brother
Catching Rainbows scribe:
ok
Catching Rainbows scribe:
thats kind wierd
It's not a daydream if you decide to make it your life.. scribe:
like my half sister's uncle

Catching rainbows scrive:
ya?
It's not a daydream if you decide to make it your life.. scrive:
ya
It's not a daydream if you decide to make it your life.. scrive:
he's in the army now
It's not a daydream if you decide to make it your life.. scrive:
getting his ass kicked
End

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**Date:** Mon, 05 Aug 2002 06:03:51 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]**Subject:** Re Your Request Today. Fwd: Sleeping Pills**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** HoyerAC2@state.gov**Reply To:** sseramur@angelfire.com

--

----- Forwarded Message -----

DATE: Fri, 02 Aug 2002 17:56:47

From: "Samantha E. Seramur" <sseramur@angelfire.com>

To: "Payne, Beth A" <PayneBA@state.gov>

Since Maha is very suicidal, is it possible to have a medical professional ask the questions rather than someone that is medically unqualified, which may result in irreparable damage?

This conversation details Safiah Alrehaili taking sleeping pills so she doesnt thi

Maha Alrehaili: "I'm wasting my time..."

Samiyah Seramur: "maram.."

July 18, 2002

maram scrive:

ok

maram scrive:

cool

I'm wasting my time with you... scrive:

no just sleeping

I'm wasting my time with you... scrive:

maram scrive:

oh ok she is tired

I'm wasting my time with you... scrive:

taking sleeping pills

maram scrive:

oh i get it a moon is sleeping

maram scrive:

why is she taking those

I'm wasting my time with you... scrive:

she doesn't want to think

maram scrive:

how did she get them

maram scrive:

arent they hard to find

I'm wasting my time with you... scrive:

never mind

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maram scribe:
 oh ok
 maram scribe:
 it is easier if you tell me someting
 maram scribe:
 just a little honey
 I'm wasting my time with you... scribe:
 no
 I'm wasting my time with you... scribe:
 honey
 maram scribe:
 yeah thanks
 maram scribe:
 i know you are worried about me
 I'm wasting my time with you... scribe:
 when i see u

Conversation about Maha being afraid from her dad for the rest of
 her life and catching a plane before he sees her.
 July 18, 2002

I'm wasting my time with you... scribe:
 can we catch the plane b4 dad sees us?
 maram scribe:
 i will not cal before i go
 maram scribe:
 yep
 maram scribe:
 it is the fastest thing in the world
 maram scribe:
 and everyone is with you
 I'm wasting my time with you... scribe:
 do we have to run all our lives afraid of him?
 maram scribe:
 nope
 maram scribe:
 it is over

end

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Subject: Re Meeting with Mr. Andrew Hoye Today, URGENT**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** "Payne, Beth A" <PayneBA@state.gov>**Reply To:** sseramur@angelfire.com

Dear Ms. Payne,
 I met with Mr. Andrew Hoye today at approximately 1030 am. He said that he did not receive all of my emails to you. Could you please forward them on to him accordingly? I am trying to send them but am having some problems with local networks and I do not think it is wise to use the local networks. You informed me that you needed the documentation I had of Maha's and Faisal's conversations for the U.S. embassy in Malaysia, so I sent them to you from Malta. Could you please forward them on to Mr. Andrew Hoye accordingly? Thank you very much.
 samiah seramur

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**Date:** Mon, 05 Aug 2002 06:31:59 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]**Subject:** Today's Meeting at App. 1030am with Andrew Hoye**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** David.Kass@mail.house.gov**Reply To:** sseramur@angelfire.com

U.S. Embassy Malay

I went to U.S. embassy this morning for meeting as instructed by Ms. Beth Payne. I went to window after clearing security and entering embassy and gave the window woman my passport. ~Oh, we have been expecting you,"she said and asked me to sit down and wait.

Mr. Andrew Hoye came into the waiting room and asked me to go with him to the consular section for more privacy. I entered an office and there was another man there that he introduced me to as a civilian not an embassy person. he said the man was working at the embassy in 1984-87?? But he said that the man will be working with us on this case.

I sat down and Mr.Hoye informed me that the case is very sensitive and no one at the embassy knows about it. I told him that when i entered the woman at the window knew me and he said yes, she has been working at the embassy for 30 years and is very good and she knows. Then Mr. Hoye told me that he wanted to inform me of a few things and gave me the general info Ms. Payne wrote in her letter. Then he said "There is the potential for the custody dispute to expand here. The Malaysian government may look at it from different terms.

Are your children Muslim?" I informed him that I do not know of my childrens religious orientation since I have not seen them for eight years and that is not something we discuss. Then I told him my daughter Maha says she is not but again, it is not a topic I address with them. MR. Hoye then said, "Your exhusband may fight the issue and it may get raised. There are all sorts of issues and we cant give you legal advice. Are you prepared to hire an attorney if something happens?" I asked, "Like what? What do you mean, for what?" He stated well, in case you get caught. I asked what do you mean i get caught? He said, well if your husband catches your children trying to escape or catches you with them. I said that I dont think i need a lawyer. If my husband catches my children we should be able to stop him from going back to s. a. with the kids. and his friend asked, how? We cant do anything. I said well if you cant, then we can ask the fbi under the murder threat to please contact interpol and have them prevented from leaving the country based on these threats to american citizens and based on the fact that my children are american citizens being held against their will and want to come home. the other man, a civilian said there is no evidence of threats against their lives. I said I had evidence of it in the transcripts from Maha that I sent to Ms. Payne. Mr. Hoye said he did not receive any of Maha's transcripts. I said I found that strange since she specifically asked me for those transcripts for you, to help you. Then I said that I had an FBI Case back in the u.s. and i sent ms. Payne that information as well and thought she would have notified them at the u.s. embassy too. i am afraid

http://be1-mail.angelfire.mailcity.lycos.com/mail/0&bool_next_on_disp_pg=true&bool_prev_on_disp_pg=true 9/26/02

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Angelfire

Page 2 of 2

at this internet cafe. will send this part off now and continue next email. sam

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**PREMIER PART****Date:** Mon, 05 Aug 2002 06:42:17 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]**Subject:** Hello**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** David.Kass@mail.house.gov**Reply To:** sseramur@angelfire.com

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Part Two,
Then the embassy man asked me to sign privacy act statement releasing the info. I told them that I already signed and they said they need one at their embassy too. The strange man said, "I think we would need one here specifically to this embassy." Mr. Hoyer said, "I agree." The strange man told me that chances are that the Malay gov will refuse to help us once we are at the embassy since they are good friends with the Saudi government. MR. Hoyer said they need to contact the Malay Gov and I said not until it is over. They said they will not help us if we notify them after. I said well if they wont help us after it is over, what makes you think they will help us before? They said, well you know it is easier before because it is only circumstantial???? I didnt understand that and said, well, i better send this some american people are here and i am afraid, they are trying to find out the internet this cafe is using whether adsl or what..later, sam

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PREMI

Date: Mon, 5 Aug 2002 08:16:47 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Re Meeting with Mr. Andrew Hoye Today, URGENT

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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I just sent them to Andrew. Unfortunately, I was sending them to an old email address. He has them all now. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Monday, August 05, 2002 1:10 AM

To: Payne, Beth A

Subject: Re Meeting with Mr. Andrew Hoye Today, URGENT

--
Dear Ms. Payne,
I met with Mr. Andrew Hoye today at approximately 1030 am. He said that he did not receive all of my emails to you. Could you please forward them on to him accordingly? I am trying to send them but am having some problems with local networks and I do not think it is wise to use the local networks. You informed me that you needed the documentation I had of Maha's and Faisal's conversations for the U.S. embassy in Malaysia, so I sent them to you from Malta. Could you please forward them on to Mr. Andrew Hoye accordingly?
Thank you very much.
samiah seramur

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Name:	tmp_68938478.28346
Size:	2522 byte(s)
Type:	application/ms-tnef

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PREMIER

Date: Mon, 05 Aug 2002 11:06:09 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]**Subject:** Meeting with Mr. Hoye at 345 pm Aug 4**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** "Kass, David" <David.Kass@mail.house.gov>**Reply To:** sseramur@angelfire.com
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- I arrived at 345 for my meeting with Andrew Hoye instead of 3 oclock being that I had to run around the city and find an internet cafe that I could send him the emails from. After I finished sending him the emails, I had to delete the temporary files from the cafes files so that they wouldnt be public info. So that took a while too. Then I got back to my hotel finally, and I was very nervous since he told me he didnt receive any emails concerning mahas allegations from ms. payne. i was very upset and am really worried about things at this point. so, i decided i had to return as the embassy requested and see what they wanted. i brought the fbi information for them as requested to show them so they would have the case number. mr. hoye let me in his office. I was alone with him and he started asking questions about mahas allegations after i gave him the history of the case again. i then told him how mahas uncles sexually abused her every summer when they lived with her and that faisal was beaten and is now if very bad shape and i dont know exactly what is wrong with him since maha says she will tell me on the "fucking plane."

i asked if he received that conversation and he said no, he only received two emails. I sent more than ten from the ones that I had sent to ms. payne. I informed mr. hoye that i was very surprised that he hadnt received everything from ms. payne and he said that this particular service doesnt send the emails all the time..and that sometimes he gets them in bunches..the two emails he received were about a half hour spart so he said maybe the others will come later in a bunch. I told him that I sent an email to ms. payne asking her to forward to him my emails since it is not so safe for me to be sending out these emails from all these cafes.. I gave him the copies of my moms emails to me outlining the fbi case number and title murder for hire. he made copies. He asked me if i had read the list of attorneys and i said no. he asked me if i had the money for a long drawn out court case. i didnt respond and he asked again. i shrugged. he said "you mean you didnt think if what might happen?" He said I am trying to let you know that there is a "real possibility the Malaysian government will say they will not let you travel on U.S. passports. It is their call." He said he will try with an affidavit to ask them but it will take a long time. I asked what for . He said to take for shariah. "You need to take steps if the Malaysian government says no they cant let the kids out. You need to start thinking if you have the funds to hire a lawyer."

"I mean we're here to help but there are two steps. 1) is to get you passports 2) is to get the kids back which must involve the Malaysian government. Then its between you, your children and your

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EX IN SOME SORT OF FORM. END THIS PART.

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Date: Tue, 06 Aug 2002 04:51:18 +0100

From: "Samantha E. Seranur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Meeting Today with Amb. Followed by Andrew Hoyer

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: David.Kass@mail.house.gov

Reply To: sseramur@angelfire.com

Today 1015 meeting with Amb and her first assistant and Mr. Hoyer.
 Amb. was very receptive and informed me that they will do everything possible to assist. She was very positive and demonstrated a truly caring and informative nature for any Americans overseas. It was a good meeting. Yet following the meeting, Mr. Hoyer asked me to step into his office again where he started to harrass me telling me that I better think it through again and that it will most likely be a very long drawn out process (5 times) and that I should get a lawyer (4 times). He became very angry with me for taking notes. I will continue with exact notes after my meeting. IT was a horrible confrontation that lasted about 30 more minutes of his telling me to get an attorney and that the Malaysian government Shariah law will hand the children back to their father and that is a very possible scenario.

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PREMIE

Date: Fri, 9 Aug 2002 10:30:50 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: Welcome Home to You and Maha

To: "Samantha E. Seramur" <sseramur@angelfire.com>

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Dear Ms. Seramur:

I was thrilled to hear that you and Maha successfully departed Kuala Lumpur for Florida on Thursday. I can only imagine how happy you are to be reunited with Maha after so many years apart.

I'm sure your joy at being with Maha is bittersweet since you are still separated from Faisal and Safia. I would very much like to speak with you upon your return to Florida to talk about how the U.S. government can best protect Faisal and Safia once they return to Jeddah. We have had success recently in obtaining welfare and whereabouts visits with American children and would be very happy to try again to visit with Faisal to verify his well-being.

Also, we have ongoing discussions with Saudi government officials regarding adult American women who wish to depart the Kingdom without permission from their fathers or husbands. We have asked that these adult women be permitted to leave the Kingdom. If you would like us to request a meeting with Safia to discuss her wishes, we would be happy to do so.

Again, I am pleased to share you joy at having Maha back in your life. We are prepared to do everything within our power to ensure the well-being of Faisal and Safia, and hopefully to bring them back to you as well.

Please call me at 202-312-9695 or email me at payneba@state.gov at your earliest convenience.

Beth A. Payne
Office of Children's Issues
Consular Affairs
U.S. Department of State
Tel: 202-312-9695
Fax: 202-312-9743

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PREMIER F

Date: Sun, 11 Aug 2002 20:31:31 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [add to address book] [add to spam block list]

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Subject: Re: Welcome Home to You and Maha

Organization: Angelfire (http://email.angelfire.mailcity.lycos.com:80)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Ms. Payne,
Thank you very much for your welcome home note. We have been resting in California for two days getting ready for the final leg of our trip. We travel tonight to Florida to be reunited with my family there. Maha is just lovely and I am so very proud of her and she is adjusting so well. As far as Faisal is concerned, we are really afraid of what may be happening with him. Maha and I have spent two days talking and things are not well with him at all. From what Maha said, he is tied up, beaten, locked up and more. I would greatly appreciate it if there is some way we could address this. He does want to come home very badly but is very afraid at this time. Please let me know what we can do at this time regarding his situation. Thank you again for your kind welcome and I look forward to talking with you soon. Very Best Regards, Sam Seramur

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PREMI

Date: Mon, 12 Aug 2002 08:04:47 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Welcome Home to You and Maha

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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Nice to hear from you. Please call me at 202-312-9695 when you have time so we can talk about how best to assist Faisal. Or, you can send me your phone number and I'll call you, so you don't have the phone charges. Again, welcome home! Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Sunday, August 11, 2002 3:32 PM

To: Payne, Beth A

Subject: Re: Welcome Home to You and Maha

Dear Ms. Payne,

Thank you very much for your welcome home note. We have been resting in California for two days getting ready for the final leg of our trip. We travel tonight to Florida to be reunited with my family there. Maha is just lovely and I am so very proud of her and she is adjusting so well. As far as Faisal is concerned, we are really afraid of what may be happening with him. Maha and I have spent two days talking and things are not well with him at all. From what Maha said, he is tied up, beaten, locked up and more. I would greatly appreciate it if there is some way we could address this. He does want to come home very badly but is very afraid at this time. Please let me know what we can do at this time regarding his situation. Thank you again for your kind welcome and I look forward to talking with you soon. Very Best Regards, Sam Seramur

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Name:	tmp_65324377.27983
Size:	2777 byte(s)
Type:	application/ms-tnef

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PREMIER PA

Date: Mon, 12 Aug 2002 21:02:28 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

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Subject: RE: Welcome Home to You and Maha

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Beth,

Beautiful Maha and I just arrived at my brothers house in Deerfield.

Thank you so much for your kind words. We are really enjoying our exploratory days and getting to know one another again. It is as if we were never apart. Maha says thank you for all of your efforts on her behalf and hopes to meet with you one day. My brother's telephone number is 954-531-0799. Thank you Beth! Sam

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PREMI

Date: Tue, 13 Aug 2002 13:53:35 +0200

From: "Mariz, John C" <MarizJC@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: passports

To: "'sseramur@angelfire.com'" <sseramur@angelfire.com>

Cc: "Payne, Beth A(CA/OCS/CI)" <PayneBA@state.gov>

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Sam: I am thrilled to learn of your successful reunification with Maha. The expired passports have finally arrived from Jeddah. Please let me know the forwarding address. All the best to you and Maha. Regards.

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PREMI

Date: Tue, 13 Aug 2002 17:36:22 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: Counseling for Maha

To: "SSERAMUR@ANGELFIRE.COM" <SSERAMUR@ANGELFIRE.COM>

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The Children's Services Administration in Ft. Lauderdale, FL can provide counseling for Maha. They specialize in sexual abuse cases, but can also provide counseling on physical abuse. They provide free counseling sessions, both for group and individual sessions. Please call them at 954-765-4159 to arrange for counseling sessions for Maha.

Also, I forgot to mention in our conversation that we received some inquiries from 60 Minutes about your case. We are not permitted by the Privacy Act to discuss the details of your case with any members of the press. If you would like us to speak with 60 Minutes, or any other members of the press, please include this in the message you plan to send me updating your Privacy Act Waiver.

Again, it was great talking to you and to Maha -- you have a lovely daughter! Always feel free to call me at 202-312-9695 if you'd like to talk about anything. Beth

Beth A. Payne
Office of Children's Issues
Consular Affairs
U.S. Department of State
Tel: 202-312-9695
Fax: 202-312-9743

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**PREMIER PAR****Date:** Tue, 13 Aug 2002 23:08:05 +0100**From:** "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]**Subject:** Referral**Organization:** Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)**To:** "Payne, Beth A" <PayneBA@state.gov>**Reply To:** sseramur@angelfire.com
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--Dear Ms. Payne,

Thank you very much for your telephone conversation today. I look forward to receiving any referral you may be able to provide regarding counseling. It is very important at this time and I thank you for your understanding and assistance.

Very Best Regards,
 Sam Seramur

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PREMIER PARTNERS

Date: Tue, 13 Aug 2002 23:10:20 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

[Auction for America Domain Names - \\$19.9](#)
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Subject: Privacy Act

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Ms. Payne:
I grant my permission to talk to Congress about my case regarding my American children Faisal and Safiah.
Very Best Regards,
Samiah Seramur

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Date: Wed, 14 Aug 2002 19:14:16 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

[Auction for America Domain Names - \\$1](#)
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Subject: Privacy Act

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Ms. Payne,
I went to the Deerfield Beach Police Department down the road from my brother's house today and the detective told me over the window that there is nothing they can do for us. He stated that we should call them if anything happens. Is there anyway we can ask the FBI for assistance to change our names or to take other measures? I am not very comfortable with the local police response and we do desperately need to change names.
Very Best Regards,
Sam Seramur

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PREMI

Date: Thu, 15 Aug 2002 07:46:36 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Privacy Act

To: "'sseramur@angelfire.com'" <sseramur@angelfire.com>

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Thanks for the permission. Does this mean you do not grant permission to speak with the Saudi government about Faisal? If not, please clarify that we do have permission to speak with the Saudi government in our efforts to protect Faisal. Thanks!

I'm sorry you did not receive a good response from the local police. Try the FBI Field Office in Miami - tel: 305-944-9101 or the FBI Field office in Jacksonville -- tel: 904-721-1211. Also, there is a Missing Children Clearinghouse that might be able to provide assistance. Their number is 1-888-356-4774. I've also sent an email to a contact who may be able to provide additional resources, particularly on changing one's name.

Jeddah is going to follow-up next week with our request to try to visit with Faisal. I'll keep you posted. Beth

-----Original Message-----

From: Samantha E. Seramur [<mailto:sseramur@angelfire.com>]

Sent: Tuesday, August 13, 2002 6:11 PM

To: Payne, Beth A

Subject: Privacy Act

Dear Ms. Payne:

I grant my permission to talk to Congress about my case regarding my American children Faisal and Safiah.

Very Best Regards,
Samiah Seramur

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Name:	tmp_49282709_26304
Size:	2648 byte(s)
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PREMI

Date: Thu, 15 Aug 2002 08:28:49 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Additional

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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I've sent your request to our Mission in Saudi Arabia to get their thoughts -- I think its a good suggestion. Beth

-----Original Message-----

From: Samantha E. Seramur (<mailto:sseramur@angelfire.com>)

Sent: Thursday, August 15, 2002 8:27 AM

To: Payne, Beth A

Subject: Additional

--

Dear Beth,

Do you think it would be possible to touch on the abuse Maha suffered and how she is safe and happy with her mother now in an effort to sort of let them know that people are aware and have documented abuse that, according to their religion and laws, would demand she be removed from her father anyway. It may help if the Saudi government knew of the horrible conditions so that they dont press or assist her father to have her returned. It may also help in negotiating for Faisal's safe return to America.

Maha thinks that her father wrote articles in the local Arab papers about us previously in an effort to get funds from the Saudi government to help him to get the children back. She said that he wrote that about 30,000 to get money for his attorneys, private detectives etc.

Thank you so very much Beth! I will contact the FBI today. Have a great day and please let me know what else you need. Sam Seramur

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Name:	tmp_33231448_24420
Size:	2695 byte(s)
Type:	application/ms-tnef

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PREMI

Date: Thu, 15 Aug 2002 11:29:30 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: FW: Changing names

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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Domain
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I encourage you to call Ms. Ullman. She is an excellent resource and can help you with things like changing your name and preventing an abduction. Beth

-----Original Message-----

From: UmHani@aol.com [mailto:UmHani@aol.com]

Sent: Thursday, August 15, 2002 11:29 AM

To: PayneBA@state.gov

Subject: Re: Changing names

Howdy Beth -

No problem about giving my name - and having changed my name the minute I got out of Saudi, I know what she can expect.

Know that she will not be able to change her childrens' name (without the father's permission). There have been a few women who have been able to change their social security number, but with mixed effort and results - the SS is important in terms of tracking the person.

She CANNOT prohibit the dad access to the kids, but she can put into place protective measures...over the next 6 months it will be very important what she does and how she does it....and what jurisdiction she is in.

Anyway, give her my phone: (520) 219-0840

Kristine

Name:	tmp_32862153.24387
Size:	2447 byte(s)
Type:	application/ms-tnef

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PREMIER PARTNE

Date: Thu, 15 Aug 2002 13:20:40 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

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Subject: Privacy Act

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--

Dear Ms. Payne,
I hereby grant permission for the DOS to discuss my case concerning my children Faisal, Safiah, and Maha with the Saudi government.
Best Regards,
Samiah Seramur

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Date: Thu, 15 Aug 2002 13:52:58 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

Subject: Privacy Act 2

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

--

Dear Ms. Payne,
Please allow Ms. Janice Tomlin to request and receive information
from DOS on the case concerning my children Safiah, Faisal and Maha Alrehailli acco
Thank you and very best regards,
Samiah Seramur

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Date: Mon, 19 Aug 2002 09:54:44 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: Maha's Father's Phone Number

To: "SSERAMUR@ANGELFIRE.COM" <SSERAMUR@ANGELFIRE.COM>

Will you please ask Maha for her father's cellphone number and their house number? We want to make sure we have the current phone numbers so we can request a meeting with Faisal. Thanks. Beth

Beth A. Payne
Office of Children's Issues
Consular Affairs
U.S. Department of State
Tel: 202-312-9695
Fax: 202-312-9743

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PREMI

Date: Mon, 19 Aug 2002 10:48:22 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: RE: Maha's Father's Phone Number

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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Thanks. I'll keep you posted on our efforts to see Faisal and Safiah.

-----Original Message-----

From: Samantha E. Seramur [<mailto:sseramur@angelfire.com>]

Sent: Monday, August 19, 2002 10:47 AM

To: Payne, Beth A

Subject: Re: Maha's Father's Phone Number

Dear Ms. Payne,
Maha's dad's cellphone number is 055603560 and the home number is 6836728 or 2341620 (beach house number). We have not heard anything yet. Thank you very much. Maha passed her drivers course!
Very Best Regards,
Sam and Maha

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Name:	tmp_94731224_20092
Size:	2241 byte(s)
Type:	application/ms-tnef

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PREMIE

Date: Wed, 21 Aug 2002 08:12:29 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: Privacy Act Waiver for Janice Tomlin

To: "'SSERAMUR@ANGELFIRE.COM'" <SSERAMUR@ANGELFIRE.COM>

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Good morning. I received your fax. Will you send it to me again with your signature. It seems that it's the signature that we need to make it official. Sorry for the inconvenience! Have you heard yet from Faisal or Safiah? Beth

Beth A. Payne
Office of Children's Issues
Consular Affairs
U.S. Department of State
Tel: 202-312-9695
Fax: 202-312-9743

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PREMI Auction Domain Find a!

Date: Wed, 21 Aug 2002 15:41:01 -0400
From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]
Subject: RE: Email
To: "sseramur@angelfire.com" <sseramur@angelfire.com>
Cc: "samseramur@hotmail.com" <samseramur@hotmail.com>

No problem -- that is very easy to do. Beth

-----Original Message-----
From: Samantha E. Seramur [mailto:sseramur@angelfire.com]
Sent: Wednesday, August 21, 2002 3:40 PM
To: Payne, Beth A
Subject: Email

--
Dear Beth,
Could you please copy my other email any correspondence in case my angelfire goes bad. It will be down for servicing they wrote for almost a week. My other email address is samseramur@hotmail.com. Thank you and I am sorry for the inconvenience. Sam

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Date: Wed, 21 Aug 2002 20:40:14 +0100

From: "Samantha E. Seramur" <sseramur@angelfire.com> [[add to address book](#)] [[add to spam block list](#)]

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Subject: Email

Organization: Angelfire (<http://email.angelfire.mailcity.lycos.com:80>)

To: "Payne, Beth A" <PayneBA@state.gov>

Reply To: sseramur@angelfire.com

Dear Beth,

Could you please copy my other email any correspondence in case my angelfire goes bad. It will be down for servicing they wrote for almost a week. My other email address is samseramur@hotmail.com. Thank you and I am sorry for the inconvenience.
Sam

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[Find a best](#)

I just wanted to let you know that a consular officer spoke with Mubarak Al-Rehaili to request a welfare and whereabouts visit with Faisal and Safiah. Mr. Al-Rehaili said he was concerned about Maha's welfare and disconcerted that neither you nor the Department of State contacted him to confirm that Maha was safe and sound in the United States. The consular officer explained the role the Department played in safeguarding Maha's well-being and the basis for that support under the Vienna Convention.

The consular officer recommended that Maha phone her father and tell him directly her desire to remain in the United States. Hopefully, this will put to rest Mr. Al-Rehaili's concerns for Maha's well-being and would encourage him to let us see Faisal and Safiah.

Let me know what you think about this, and if Maha does speak with her father, I'm very interested to know how the conversation goes.

Thanks. Beth

Beth A. Payne
Office of Children's Issues
Consular Affairs
U.S. Department of State
Tel: 202-312-9695
Fax: 202-312-9743

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PRINT

Date: Mon, 26 Aug 2002 12:09:55 -0400**From:** "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]**Subject:** RE: Consular Visit With Faisal and Safiah**To:** "sseramur@angelfire.com" <sseramur@angelfire.com>[Auction](#)[Demand](#)[Find a](#)

Thanks. I appreciate your concerns and will pass them on to the Consulate in Jeddah. We will inform Mr. Al-Rehaili that if he permits our visit with Faisal, then you (not Maha) will speak with him. Beth

-----Original Message-----

From: Samantha E. Seramur [<mailto:sseramur@angelfire.com>]

Sent: Monday, August 26, 2002 12:02 PM

To: Payne, Beth A

Subject: Re: Consular Visit With Faisal and Safiah

Dear Beth,

I have a permanent restraintment order and sole custody of my children. That means that my ex-husband is not allowed to even speak to my children. He talked me into allowing a visit once and it ended up with them being held against their will for eight years. I was not permitted to see them for eight years.

Maha has been through so much abuse. To have her speak with her father might throw her over the edge. She is afraid that he is going to have her killed. I fear that Maha's father will send one of her uncles that sexually abused her to either kill her or kidnap her at this point. Any contact is very dangerous. That is why I never informed the father that we were fine. We needed a few days to get to safety and even now we are not safe. Her uncles are Syrian and I fear that they may come over on tourist visas to try and kidnap her. Safiah noted in earlier correspondence that Maha's step brother Abdullah Al-Rehaili came to the U.S. and I saw him once but didn't recognize him for sure and that he would come to the U.S. and kill Maha if she ran away.

Mubarak Al-Rehaili knew that we were together but not where we were since Maha contacted a friend of her sisters and her other friends and told them to let Safiah and Faisal know that we are fine. I am sure Safiah informed her father.

My eldest daughter Safiah does not ask to come home anymore. She believes Americans are wild dirty infidels. Safiah warned her dad that Maha was talking with me and the possibility of our plans to meet and run in Malaysia. He had Maha and Faisal under his guard there. Maha found five minutes and took it. Safiah has not stated that she wants to come home now. She did a month ago and then retracted. I am not sure what are her wishes at this point.

<http://bc1-mail.angelfire.mailcity...16&bool next on disp pg=true&bool prev on disp pg=tru> 9/26/02

1204

Angelfire

Page 2 of 2

My son Faisal is being tied up, beaten, and locked in his room at times. All food in their house is counted, including the cans of Tuna. Faisal does not eat at home but at a neighbors and runs in the street from morning till night when not locked up. His mental state is questionable since his immaturity is not reflective of his age. Faisal clearly has stated he wants to come home.

Please, could you kindly inform the father that if DOS be allowed to meet with Faisal, I will talk to the father.

Thank you so much Ms. Payne. I look forward to your reply.
Very Best Regards,
Sam

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Name:	tmp_8f00649a.186/1
Size:	3610 byte(s)
Type:	application/ms-tnef

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PREMI

Date: Mon, 26 Aug 2002 12:14:21 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [add to address book] [add to spam block list]

Subject: RE: Consular Visit With Faisal and Safiah

To: "sseramur@angelfire.com" <sseramur@angelfire.com>

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I passed your message on to the Consulate. Unfortunately, Faisal's father can refuse a consular visit. However, only you can judge whether having Maha speak to her father would be detrimental to Maha and I respect this decision. We'll go back to the Faisal's father with your suggestion that you'll call him after a consular visit with Faisal takes place -- if this doesn't work, we can try another tactic. I'll keep you posted. Beth

-----Original Message-----

From: Samantha E. Seramur [mailto:sseramur@angelfire.com]

Sent: Monday, August 26, 2002 11:45 AM

To: Payne, Beth A

Subject: Re: Consular Visit With Faisal and Safiah

Dear Beth,

I have a permanent restraintment order and sole custody of my children. That means that my ex-husband is not allowed to even speak to my children. He talked me into allowing a visit once and it ended up with them being held against their will for eight years. I was also not allowed to visit or see them for eight years. Maha has been through so much abuse and I am having serious difficulty in getting her to counseling. But at least she has opened up with me enough to detail some of the horrible abuse my children have endured. My eldest daughter Safiah does not ask to come home anymore. She believes Americans are wild dirty infidels. My son Faisal is being tied up, beaten, and locked in his room at times. All food in their house is counted, including the cans of Tuna. Faisal does not eat at home but at a neighbors. His mental state is questionable since his immaturity is not reflective of his age.

I do not think considering the above conditions that Maha should talk with her dad? What do you think? I could contact him and let him know but he has refused to talk with me for eight years.

Safiah has not stated that she wants to come home now. Faisal clearly has.

Thank you so much Ms. Payne. I look forward to your reply. Sam

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PREMI

Date: Mon, 16 Sep 2002 16:28:56 -0400

From: "Payne, Beth A" <PayneBA@state.gov> [[add to address book](#)] [[add to spam block list](#)]

Subject: W/W visit with Faisal and Safiah

To: "'SSERAMUR@ANGELFIRE.COM'" <SSERAMUR@ANGELFIRE.COM>,
"SAMSERAMUR@HOTMAIL.COM" <SAMSERAMUR@HOTMAIL.COM>

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Below is a report on attempts to meet with Faisal and Safiah. Mr. Al-Rehaili will not permit a meeting. He would like to speak with Maha, or have a similar report on her well-being -- then, he may permit a meeting with Faisal and Safiah. Please call me at 202-312-9695 to discuss what you and Maha would like to do and how I can help. Beth

September 16, 2002

By E-Mail: SSERAMUR@ANGELFIRE.COM; SAMSERAMUR@HOTMAIL.COM

Dear Ms. Seramur:

I am writing to update you on recent activity in your case and the actions that have been taken to help you resolve it. We have spoken of these actions, but I hope the summary provided will be helpful to you.

A consular officer met with Mubarak Al-Rehaili on August 28. Mr. Al-Rehaili refused to permit a visit with Faisal or Safiah, given his inability to communicate with Maha and the publicity surrounding the case.

According to Mr. Al-Rehaili, Faisal and Safiah are doing well. He feels they are where they choose to be, otherwise they would be in the US with Maha. He said that he knows the State Department is aware of allegations made that he would kill his children. He assured the consular officer that he would not. Mr. Al-Rehaili said his primary concern is educating his children. What they choose to do in their adult lives is up to them. Maha is at the top of her class, and he is concerned that transferring schools may cause her to repeat. He added that he wished Maha had waited and finished high school in Jeddah. He noted that Safiah is studying pre-med at a university in Jeddah, and her goal is to be a pediatrician.

Mr. Al-Rehaili said his home is comfortable. Maha, in particular, had a TV, computer, stereo, and her own key to her room. It was painted and decorated just as she wanted. He offered that he knew Maha used the internet at night, and did not forbid her to do so. She was allowed to visit with friends at their homes. He stated he never changed his telephone number or his residence. Consequently, he says, the children were always within contact of their mother.

Mr. Al-Rehaili told the consular officer that he has seen emails sent by Maha to her girlfriends in Jeddah. The girls' parents showed him the e-mails because they were offended by their contents. He indicated that he
http://bel-mail.angelfire.mailcit...0&boot_next_on_disp_pg=true&boot_prev_on_disp_pg=tru 9/26/02

would appreciate that such exchanges among the girls not involve subject matters considered offensive to Saudi parents, such as wearing bikinis on public beaches, attending acting school, having boyfriends, and Maha's being allowed to have boyfriends in her room.

Mr. Al-Rehaili would like to have contact with Maha. He said that if the State Department is unable to assist him in ascertaining the welfare and whereabouts of Maha, he plans to contact the Saudi Embassy in Washington in the hopes that they can provide assistance. He said he would be pleased, however, to meet with a consular officer to discuss his case whenever requested.

I would be very happy to facilitate communication between Maha and her father. This may encourage Mr. Al-Rehaili to permit a visit with Faisal. If you and Maha would like me to pass along correspondence to Mr. Al-Rehaili, please call me at 202-312-9695 or email me at payneba@state.gov.

Sincerely,

Beth A. Payne

Beth A. Payne
Office of Children's Issues
Consular Affairs
U.S. Department of State
Tel: 202-312-9695
Fax: 202-312-9743

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1208

12-11-93

Mr. Jim Schuler
US Dept. of State
CA-OCS-CCS
Washington, DC 20520-4817

RE: Seramur, Samiah M.

Dear Mr. Schuler:

Please find enclosed, for your information, the most recent order sent to Saudi Airlines ordering them to garnish my ex-husband, Mubarak Humaid AlRehaili's salary. So far, the airlines has failed to abide by the order and my attorney is subsequently preparing a suit against Saudia airlines in New York. The children are doing well and I am completing my masters in political science this next semester.

Sincerely,



Samiah Seramur

1209



**CONSULATE GENERAL OF THE
UNITED STATES OF AMERICA**

Jeddah, Saudi Arabia
March 29, 1995

Ms. Samiah Seramur
2400 Virginia Ave, NW #C1006
Washington, DC 20037

Dear Ms. Seramur:

I wish to acknowledge receipt of the United States passports for your children Faisal and Maha Alrehaili, as well as copies of the same for your daughter Safiah Alrehaili and yourself.

We are pleased to assist you and your children as we are able. Please understand, however, that your case is complicated by the fact that you and your children are considered Saudi nationals by the Saudi government. I am enclosing for your information a recent paper prepared by the U.S. Consulate in Dhahran which discusses the rights of American women in Saudi Arabia. It discusses in detail the unique position of an American woman and her children if they are considered Saudi citizens by the Saudi government. This is not a legal brief, and should not be viewed as such. Legal advice should be sought from a local attorney and I am including a list of attorneys in Jeddah for your information.

In particular, please note that as a Saudi citizen a woman has the right to apply for and obtain a Saudi passport (with the consent of a husband or guardian). She may own property, run a business, and work in Saudi Arabia. In essence, she will be considered a Saudi citizen, not an American citizen, by the Saudi government. The idea of "returning home to the United States" is not an option because it is assumed that as a Saudi, the woman is "at home." According to Sharia law, the woman has custody of her children until the age of 7.

An American-citizen woman married to a Saudi and living in Saudi Arabia is under her husband's sponsorship. She cannot own property other than that which any foreigner can own, and if the marriage ends, she can be deported. Children are in the custody of the father.

The children of a Saudi father are Saudi citizens. This fact greatly limits the ability of the United States government to assist although we will of course pursue our citizens' interests to the extent possible. Although they may hold American passports as well as Saudi, those passports are not honored within the Kingdom of Saudi Arabia. Children need the father's permission to travel. If

*what is defined
extent possible
need of father*

Dear Lauren,
I was instructed
to have you fax my
enclosed letter to
the Consul

Kathleen Manalo
in Saudi Arabia.
via embassy in
Almaty. It is
urgent so I ask
please to have it
ASAP. Thank you

1211

May 9, 1995

Ms. Kathleen H. Manalo
Consul
United States Embassy
Jeddah Saudi Arabia

Dear Ms. Manalo:

Thank you for your very informative letter dated March 29, 1995. I am presently residing in Almaty Kazakhstan where I am running a nonprofit organization called the United States-Kazakhstan Council. At least I am a bit closer to my children here in Almaty. I understand the complications existing in my case being that I am considered a Saudi. As you may know, I was working for the Saudi embassy in Washington and I went to see the Consulate General prior to my departure from the United States and he said to me, "Samia, just remember that you are Saudi and that you must return home." I contacted my children prior to my departure and was able to get through for the first time in weeks. I informed them of my move and my ex-husband was very pleased that I was going to Kazakhstan. It made me a bit uneasy because it is possible that he feels he has access to me now. I will be careful.

It disturbs me greatly that Mr. Al-Rehaili will not allow a consular officer to visit the children. I am also disturbed by the fact that I heard Faisal was beaten. When I talk to Maha, she is wheezing much and she has asthma. I ask her to take her medicine, yet her father is bedouin and feels that it is not necessary. I fear for her health as well. I would highly appreciate it if you could somehow have the school for Maha contact her father and request that she take her medicine. When she wheezes so much her lungs will become damaged and she has chest pains and trouble breathing. In reference to Faigal and the fact that Safiah stated her father beats him, could it be possible to have someone somehow approach Mr. AlRehaili and confirm the fact that they are aware of the beating so that he does not repeat it. If such action is brought out into the open, he will be afraid that people know and not repeat it, yet it must be done so that he does not realize Safiah told anyone. I do not know how that could be arranged, yet I fear for his safety and life as well.

Safiah is a very strong girl and I have no doubt that she will survive this horrendous experience. She always fought for me and I can only pray that she will do the same for her brother and sister. At the moment, I will remain in Almaty. If I go back, I know that I may be subject to various methods of punishment that may lead to my death and that such an event would certainly not assist my children. Even the fact that I am not in the United States puts me in danger of this individual, yet as I stated before, I am careful. At the present, you are my only link with my children and I ask you to assist me in any way possible in the above matters. Please send my mail to the United States Embassy in Almaty, Kazakhstan and they may contact me at 605730 to let me know that I can pick up the correspondence.

I cannot begin to thank you for your time and attention in the above matter.

Sincerely,

Samiah Seramur, 15 Kurmangazy, #2, Almaty Kazakhstan

1212



Embassy of the United States of America

Larissa, we should create a file just for this woman - it will be continuing case.

FAX COVER SHEET

ALMATY, KAZAKHSTAN

FAX NUMBER (7) 3272 63 38 83

DATE: 10 May 1995 COVER + 1 PAGES

FAX NUMBER: (966)(2) 667 6196

TO: *American Citizen's Services Unit*
ATTENTION: *Kathleen H. Manalo, Consul*
FROM: *Lauren W. Catipon, Vice Consul*
SUBJECT: *Case of Ms. Samiah Seramar.*

Sent May 10

Attached is a letter for you from Ms. Seramar. She came to the Embassy for the first time this morning with a request that we forward the letter to you. If you could let me know whatever background information you think we'll need here, as well as whatever new developments arise, we'll be happy to act as the point-of-contact in the case.

I look forward to hearing from you.

IF YOU DO NOT RECEIVE THE TOTAL PAGES INDICATED ABOVE OR IF THIS MESSAGE IS UNREADABLE, PLEASE CONTACT THE AMERICAN EMBASSY IN ALMATY, KAZAKHSTAN.

1213

Handwritten: Embassy
703-276-4444
A.R. Smith

JUN 15 '97 15:42 AMCONSEN JEDDAH 966 2 6693078

P.1

AMERICAN CONSULATE
GENERAL

P.O. Box 149, Jeddah 21411, Saudi Arabia

FAX

Date: June 15, 1997
Number of pages including cover sheet: _____

To: Samia Sumua

Phone: _____
Fax phone: _____
CC: _____

From: KARAW OGLE
CONSULAR SECTION

Phone: 966-2-667-0080
Fax phone: 966-2-669-3098

REMARKS: Urgent For your review Reply ASAP Please comment

AS WE DISCUSSED.

*KARAW OGLE
CONSUL*

June 9, 1997

Dear Mommy

I love more than
any body on earth I miss you
so much Mom do you remember
that little microwave for girls that
you can make little cakes and every
thing can you send it for me?
How is Aunt Kristy and Uncle
Mark, Beth, Eddie? I hope their fine
(especially Grandma) I hope that Sandy
is fine and send my love to
Trish and Robin, Walter and to my
chinese cousin I don't know her name
and to Macky and Scotty and to
grandpa and Marshall if you still see
him Safiah loves you she says
all night and Faisal says your name
when he's asleep I love you so so
soo much

your daughter [hand]

Maha Seremud

I love you so so
much I will remember
you always

1215

-2-

a woman of whatever nationality is married to a Saudi man, he is responsible for her, as she is responsible to him. She may not leave the country without his permission. Additionally, Saudi law also does not recognize a divorce from a foreign court.

If, under Saudi law, you are considered still married to Mubarak al-Rehaili, you may again become his ward. His rights as a husband and father take precedence over any other right. Although we would be happy to assist you if you return to Saudi Arabia, there may be little that can be done if Mr. al-Rehaili does not agree with your wishes.

I realize that you are concerned about your children. I have been able to learn that Safia is slowly adjusting to her environment and is safe and well. However, the children's father will not allow a Consular officer to visit the children.

Please let me know what you decide to do. Rest assured that we are here to do what we can to help you to the extent that we can do so in consonance with prevailing law and regulations.

Sincerely,


Kathleen H. Manalo
Consul

ENC.

*How did she
return?? He
Does have to
procedures,
quarantine
Is it true.*

COMMENTS ON SAUDI LAW
AS IT AFFECTS WOMEN

Status of Women

Shari'a law requires every woman and all minor children under the age of 18 to have a recognized "male guardian," known as "wali amr" in Arabic.

What Is A Guardian?

According to Saudi interpretation of Shari'a law and in the eyes of the government, a guardian acts as the woman's (or child's) legal representative in all personal matters, such as the woman's freedom of movement and other legal or social matters (e.g. marriage, divorce, school activity, etc.).

Who Is A Guardian?

The guardian is usually the woman's father, husband, or an adult brother or son (must be 18 years of age, at least); any one of them can act as guardian without a power of attorney. Absent the above, the woman has the right to appoint her own guardian, usually a father or brother-in-law, a cousin, or a trusted friend (a power of attorney is mandatory). She can do this by presenting a written petition in person to the nearest Shari'a Court (she must also present her passport/ID card); the prospective guardian, together with two witnesses, must also be present (ID cards required). The prospective guardian is issued a court document known as "sak wilaya" in Arabic, which roughly means 'guardian power of attorney,' making his appointment official. The document can, of course, be legally revoked any time the woman desires to do so. To repeat: When the guardian is someone other than the woman's father, husband, brother or son, the law requires the guardian be given a power of attorney by the woman.

Sponsorship

According to Saudi law, all foreign visitors and residents are required to have a sponsor. The sponsor is usually the expatriate worker's employer. The sponsor can be a business firm, a government entity, a public organization or a private Saudi citizen. The majority of employers require expatriate workers to surrender their passports in exchange for the 'iqama' (residence permit), which, by law, should be carried at all times. The expat's welfare and whereabouts is the employer's responsibility. Due to the fact that on occasion some women have been harassed, some even detained, by the mutawas for lack of proper identification, it is advisable for all dependent non-Saudi wives, particularly those who might be mistaken for Arab, to carry a copy of the husband's iqama at all times.

(2 of 5)
Travel

For foreign and internal travel, all Saudi women and their minor children, and foreign women married to Saudi citizens and their minor children, require travel letters from their guardians. Foreign women not married to Saudis, and their children, who are traveling abroad, however, need present only a valid passport and a valid exit or exit/re-entry visa.

- Internal Travel: (1) All travelers must show on demand to Saudi security officials at airports and police checkpoints appropriate identification (i.e., valid passport or iqama). (2) Foreign males and non-dependent females must have valid sponsor's travel letters (permit is usually valid for a maximum of 3 months and must bear photo of traveler(s) and the seal of an immigration office or the chamber of commerce). (3) Women and minor children, irrespective of nationality, must also have guardian letters (permit must bear photo of traveler(s) and immigration/chamber of commerce seal). (4) A woman traveling alone between towns may not use the services of public transport (bus, train or taxi), unless accompanied by a close male relative - known as "muhram" - or one of her children (traveling with another woman is not sufficient).
- (a) Foreign Travel - Departure: (1) Saudi males require only a valid passport. (2) Saudi females and minor children must, in addition to the passport, be in possession of their guardians' consent when traveling unaccompanied by the guardian. (3) When traveling alone, Saudi women married to Saudis also require travel letters (the husband, or guardian, must accompany the woman to the airport to fill out and sign his name on the consent form at the airport in the presence of an immigration officer).
- (b) Foreign Travel - Arrival: An unaccompanied foreign woman traveler arriving from abroad through some Saudi airports may face difficulty leaving the airport unless she is met on arrival by her husband, a close male relative ("muhram"), a guardian, or, in the case of female employees, the employer or his/her representative. This is particularly true of Jeddah's King Abd al-Aziz International Airport (KAIA) and Riyadh's King Khalid International Airport (KKIA) where immigration officials, with few exceptions, will detain on arrival a foreign woman passenger for days, until immigration contacts the husband, guardian, employer, etc., to notify him of the woman's arrival and he shows up in person to obtain her release. If no one shows up, the woman is deported back to her home country. Western women are usually allowed to leave the airport, but those who may be mistaken for Arab women may indeed face difficulties. At Dhahran's international airport, immigration officials detain only house maids and generally leave expat dependent female

family members alone. (All airports have detention rooms, usually located in the restricted arrival section, and the female detainees feed and fetch for themselves by ordering from the airport's coffee shop.)

Expat Rights

An expat may not travel abroad or within the Kingdom without his/her sponsor's written consent. Additionally, an expat may not change jobs, open a bank account, rent/lease a car or apartment, or even buy an automobile, or a boat without his/her sponsor's written permission. Furthermore, certain kinds of vehicles, such as pick up trucks, taxis and buses, are off limits to the expat. The expat is responsible for his own dependent spouse and children in his capacity as their "sponsor." Although an expat is explicitly prohibited from applying for and obtaining his own visa or iqama through an immigration office, the law allows him to do so for family members in his capacity as their sponsor; he may also sign the application forms).

do we want about this?
unequal status report??

American Women Married to Saudis

An Amcit woman married to a Saudi citizen is treated more like a Saudi female than a foreigner. Most, if not all, of the restrictions that apply to Saudi females apply to the foreign spouse of a Saudi male, while only a few, if any, of the privileges do. For example, the Amcit wife resides in the country at her Saudi husband's privilege (after all, he is her sponsor); only he gets custody of the children; she may not own property other foreigners may not, such as real estate; and she risks deportation should her marriage end before her children reach the legal age of 18 (when a Saudi can act as his foreign mother's sponsor). A child born to a Saudi male is a Saudi citizen, regardless of the nationality of the child's mother, or the child's place of birth. Saudi Arabia does not recognize dual nationality (citizenship in two countries); Saudi customs and immigration officials routinely confiscate the foreign passports of dual nationals when the matter is brought to their attention. Confiscated passports are eventually returned to the appropriate diplomatic representatives in Riyadh, usually many months later. In contrast, according to the laws of the United States of America, an American citizen remains an American citizen unless he/she takes certain action, before a United States Consular Officer, to swear away his/her American citizenship.

Acquisition of Saudi Citizenship

A provision in the law allows the foreign spouse of a Saudi male to acquire Saudi citizenship provided she converts to Islam and the couple has obtained prior Interior Ministry approval. The Amcit woman's petition for citizenship must be filed by the husband with the nearest branch office of the Interior Ministry's Civil Status

NOTICE TO AMCIT KIDS U R FATHERS! DO NOT KNOW

(4 of 5)

Bureau (in Arabic: "Maktab al-Ahwal al-Madaniya"). Armed with the marriage certificate, Interior Ministry approval, his nationality ID, his Amcit wife's passport and iqama, children's (if any) birth certificates, the husband must file the petition in person (accompanied by the wife); following processing, the petition is referred to the nearest Shari'a Court for the issuance of a "sak," or deed. The "sak" is a hand-written court document bearing the signatures of the Amcit woman and two witnesses; this document is, in effect, the woman's official renunciation of her American citizenship and her pledge of allegiance to Saudi Arabia. Next, the case returns to the local Civil Status Bureau where the Amcit's U.S. passport and iqama are confiscated and the woman is officially declared a citizen after her name is added to her husband's computerized national ID card known as "bitaqat al-ahwal al-madaniya."

Once this is accomplished, the woman enters a vastly different world: e.g., she can apply for and obtain a Saudi passport (husband's or guardian's consent is necessary); she can own, buy or sell property; she can "sponsor" foreigners, including her American relatives; she can apply for a job according to her qualifications, even dislodge a foreign woman from her job in the spirit of "Saudiization;" etc. The woman's confiscated American passport is later returned to the U.S. Embassy in Riyadh through appropriate diplomatic channels, together with a diplomatic note and an original copy of the "sak."

Differences

Differences between a "Saudi" and a "non-Saudi" Amcit wife of a Saudi citizen are: the "non-Saudi" has the option to return home, while the "Saudi" does not. The "non-Saudi" wife runs the risk of being thrown out by her husband and his family at any time until and unless (a) a child reaches the age of 18, making him old enough to become his mother's sponsor, or (b) she becomes a Saudi. According to the Shari'a, a mother has custody of her child until age 7. In Saudi Arabia, this rule applies only to Saudi mothers.

Divorce

In Saudi Arabia, marriage and divorce ceremonies are performed by Shari'a court judges. In Riyadh, the Court of Matrimony ("Mahkamat al-Nikah" in Arabic) is responsible for all marriages and divorces, while in the Eastern Province divorces and marriages are handled by individual Shari'a Courts. In either case, a court issued "sak al-nikah" (marriage certificate) or "sak al-talaq" (divorce certificate) is necessary for the act to become final and official. It is important to note that the wife has the option to appoint a guardian to represent her (the guardian does not necessarily have to be a Saudi citizen; it can be any Muslim whom the woman can trust). When the petitioner is the wife and, in the case of either couple, when final divorce is involved (i.e., the

third divorce), proceedings can sometimes be extremely time-consuming and Saudi judges always opt for delaying tactics to give the quarreling couple sufficient time to cool down and think things through, even though the husband may, in effect, have already divorced his wife by having already said to her the dreaded "I divorce thee" declaration. So long as the divorce is not the of third stage, a preliminary ('primary' or 'secondary') divorce decree or certificate "sak talaq awal" or "sak talaq thani" is issued. It must, however, be recorded in the Shari'a Court's registry in the presence of two witnesses and, if possible, the woman's "guardian" to become official. The divorce decree "sak al-talaq" is then delivered to the woman or her guardian. It is also important to note that, according to the Shari'a, divorce is classified into three stages: First ("talaq awal"), second ("talaq thani") and last "talaq thaleth"). The couple may remarry after the first and second divorce, provided the mandatory 3 months "idda," i.e., legally prescribed waiting period during which the woman may not remarry, has elapsed. The third divorce, however, is considered final (no exceptions); the man and the woman may not remarry each other unless she marries someone else first and that marriage ends either in divorce or the second husband dies. Please note the "idda" waiting period in the case of a divorce is 3 months, while in the case of death of the husband it is 4 months and 10 days. The Kingdom does not usually recognize a civil marriage between two Muslims; for Americans, an Islamic Center certificate is necessary.

Possible Results of Divorce

- Amcit married to Saudi: Eventual deportation; no custody of children.
- "Saudi" Amcit married to Saudi: Custody of children until age 7; may not remarry another man, other than a Saudi, unless prior Interior Ministry clearance is received; may remain in Kingdom; may own, sell, buy property; run own business, etc.
- Amcit Muslim married to another Amcit Muslim: Must leave country immediately, or after 3 months following expiry of "idda," i.e., legally prescribed waiting period during which the woman may not remarry. The court will award custody of children according to the Shari'a (i.e., the mother gets custody until children reach age 7, they then move in with their father). Note that the Muslim Amcit father may successfully persuade the court to bar the children's departure from the country with their Amcit mother unless the woman can demonstrate to the Court's satisfaction that it is in the children's best interests to depart with her.

02/15/1995

*Info received from
DOS not comprehensive*

1221

Samiah Seramur
924 NE 26th Avenue
Pompano Beach, Florida 33062

To Whom it May Concern;

I am writing you to place a hold on all of the following:

Safiah Mubarak AlRehaili Passport Number: Z6678032-34

Maha Mubarak AlRehaili Passport Number: Z6678033-34

Faisal Mubarak AlRehaili Passport Number: Z6678034-34

I, Samiah Seramur, the above children's mother am an American. Their father is a citizen of Saudi Arabia. I fear that the children will be abducted by their father and taken to Saudi Arabia. Therefore, I ask that the strictest hold be placed on all the above three passports and in no way they be allowed to exit from the United States. The dates of birth are as follows:

Safiah Mubarak AlRehaili - February 14, 1982

Maha Mubarak AlRehaili - September 3, 1985

Faisal Mubarak AlRehaili - September 15, 1986

I appreciate your urgency in the above matter and will forward their custody documents accordingly.

Yours Sincerely,



Samiah Seramur
924 NE 26th Avenue
Pompano Beach, Florida 33062



المملكة العربية السعودية
وزارة الزراعة

جدة

تذكرة مراجعة تأشيرات العمل

الى المتليه العربية السعودية فسي
الرقم ق/ ١٢٤٢ / ع / ١٦٥٢
التاريخ : ١٤ / ١ / ١٤٠٧
الجهة الطالبه : جازل صيد سامل الزحراي
المطلوب : تأشيره واحد فقط

الجدية

العدد

١ - نادره

اند فوسيه

عن الموظف المخصص

[Handwritten signature]

عبدالله بن عبدالعزيز

مجلس طاه
للمستشارين
خافي
١٦٤٤
٢٥١
١٦٤٤
٢٥١

Oh Mama.
 Mama adalah Mazikan yang
 Baik Da Berbudi Luhur
 Dan Pijaksan. mengapa
 ko. ~~aku~~ aku dan istri
 meninggalkan mama. Persoala
 ini mama harus menyadari
 ya mama walau pun aku
 jauh di Indonesia aku tetap
 ingat kepada mama dan
 waesa. Maha Sawiah
 aku akan sering memberi kabar
 lewat surat. IN SyA ALLOH
 Janga lupa
 alamat Diwan
 Limbangan
 Kuta Sari
 Purbalingga
 Jawa Tengah
 INDONESIA

Kepada
 Abuyaku yg Baik
 dan Bebudi & Luhur
 saya atas Nama diwan memberi Tautan
 bahwa saya dan istri tidak sanggup
 mengerjakan tekejanya bukan masalah
 bukan masalah cerwet dan tekejaan
 Tapi usilnya yang tidak menguwalat
 dan membahayakan. tidak usah kita ceritakan
 banyak. mungkin yang di suruh membaca orang
 yg sudah tau persoalannya.

Saya dibawa ke Saudi supaya bekerja
 saya dan istri saya bekerja sebaik dan jujur
 tak pernah bermalasan segala pekerjaan yang
 harus di tejakan saya tejakan. Tak pernah memban
 tah. mumpun saya masih tanggung jawab P.T.
 saya di pilangkan ke P.T. Tapi harus Perwakilan
 P.T. almas yg di jiddah harus tau. Alamat
 Bapak yaitu 90 MORTAB DL MIFROSO
 Po. Box 2983 jiddah 2161 Kingdom of Saudi
 Arabia (KSA) Telp 6510912/6510.138

Masalahnya saya dan istri saya sering
 Terantar bukan tidak ada makanan
 Tapi tidak dikasih waktu makan.

①
 Lombongan 29.30-3.1989

Kepada
 Yth. Iblama Samiah
 di

Jeddah - Saudi Arabia

A salamualaikum Warahmatullahi Wabarakatuh.

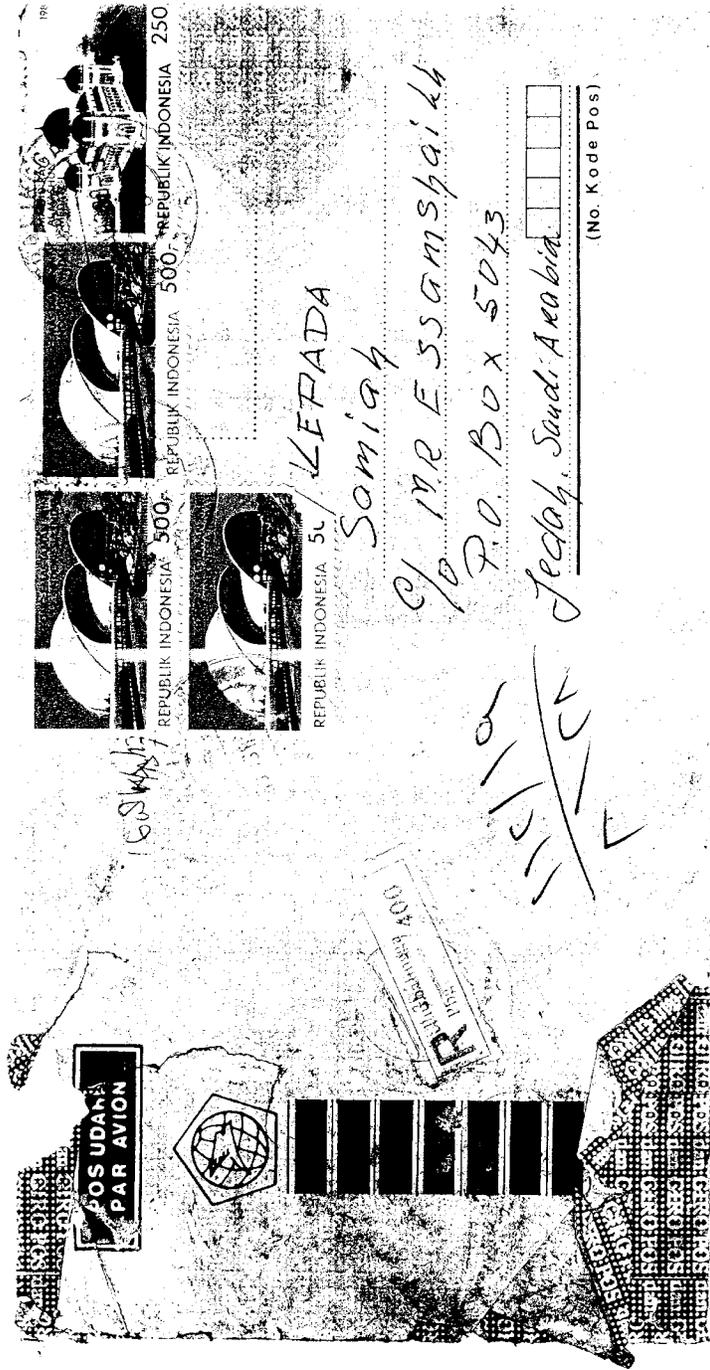
Bersama surat ini kami sampaikan afobar bahwa kami se-
 keluarga dalam keadaan sehat walafiat semuanya, Semoga
 mama sekeluarga begitu pula hendaknya.

Jain dari pada itu kami sangat berterima kasih selagi kepada
 mama atas penghargaan mama terhadap diri kami, sehingga
 sampai sekarang masih memberikan afobar terhadap diri kami
 semoga terus bertubuhan terus-menerus jangan sampai putus
 walaupun hanya pakai surat saja.

Kami agak terkejut setelah menerima surat yang ketiga ini,
 pada hal setiap aku menerima surat terus kita balas semuanya.
 Dan kami menerima kiriman berupa emas/gelang, Foto dan
 uang juga sudah kuterima semoga semua. Kita balas pada 29.27-1-89.
 Kami berata sangat mendoakan kepada mama jadi lah amal yang
 baik semoga menjadi selamat dunia dan akhirat Amin, Amin,
 amin ya Robal molaamin.

Pada surat yang ketiga ini, kalau kiranya mama membutuh-
 kan surat bukti kami bahwa kami diperbuat kejahatan atau telekaman
 oleh majikan loli-laki atau Obaya Ma Mubarak, ini kita
 Lampir kan. Kalau sekiranya masih kurang puas dianggap palsu
 palsu, kami bersedia bersumpah di mata Tuhan
 atau Ka'abah bila penjelasan kami dibuat-buat.





POS UDARA
PAR AVION



RECEIVED
NOV 15 2001
400

15/11/01

REPUBLIC INDONESIA 500

REPUBLIC INDONESIA 500

REPUBLIC INDONESIA 250

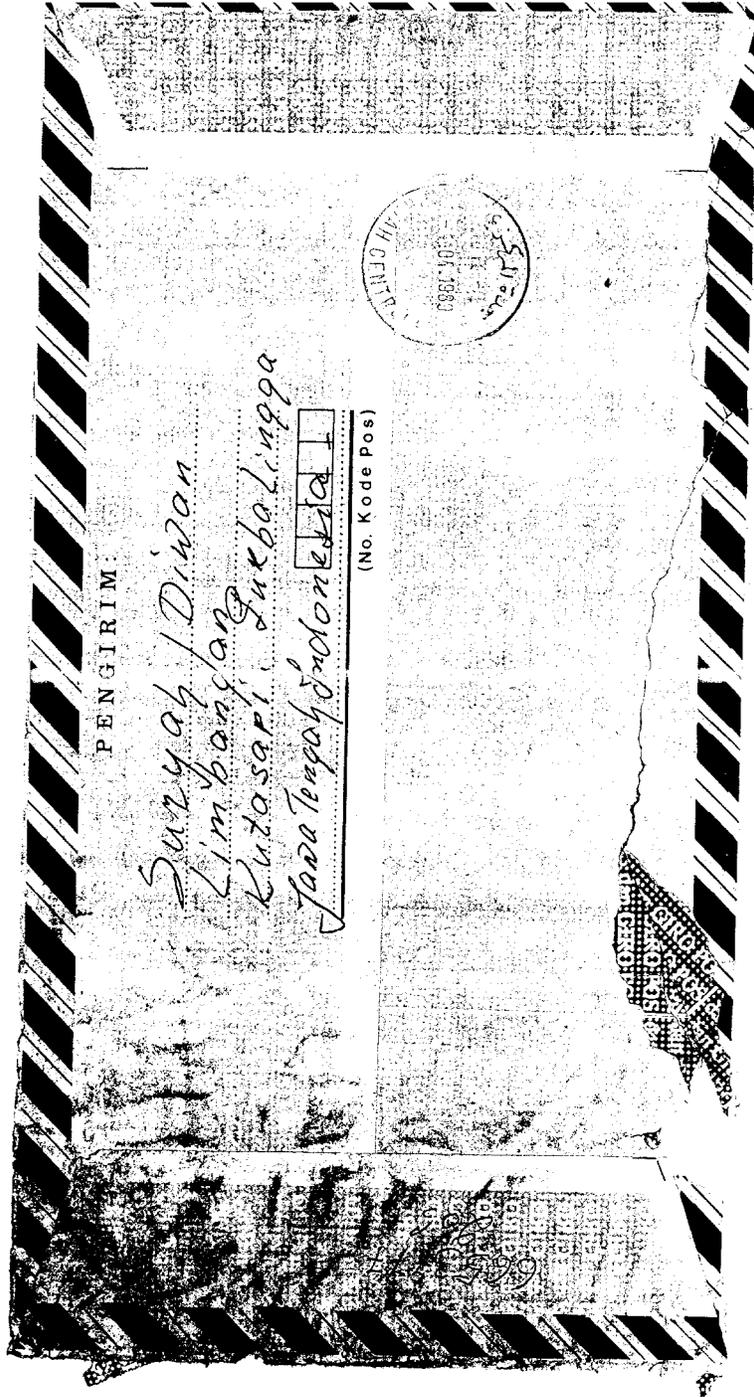
KEPADA
Samiah

C/ MR ESSAMSHAIKH
P.O. Box 5043

Jeddah, Saudi Arabia

(No. Kode Pos)

RECEIVED
NOV 15 2001
400



PENGIRIM

Suryah / Diwan
 Limboangan
 Kutasari, Sukbalingga
 Jawa Tengah, Indonesia

(No. Kode Pos)

P. Jember
 1983
 No. 1736

POSTAL
 SERVICE
 INDONESIA
 CENKUR

No. P. 1000	054/158	16.11.1988
TSL 1		
HARTONO MARSONO, 911		
NIP. 046017253		

No. P. 1000: 054/158
 TSL 1: 16.11.1988
 HARTONO MARSONO, 911
 NIP. 046017253

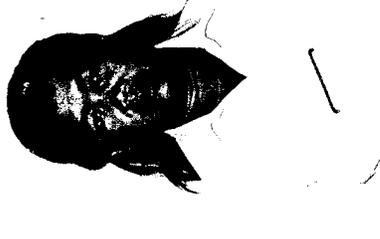
11.406.395 9
 1E19H 4273 EP87A
 24 NOV 1988
 24 OCT 1988

BINA
 BINAWAN pr.

SLIP KEBERANGKATAN

1. Serahkan slip keberangkatan ini kepada petugas Imigrasi di pelabuhan pemberangkatan pada saat saudara berangkat ke Luar Negeri.
2. Simpan dengan baik dan jangan sampai hilang.

1233



Nomor K.T.P	: 000034/0314	
Nama lengkap	: SUPATMI	
Jenis Kelamin	: WANITA	Golongan darah:
Tempat/tgl lahir	: KEDIRI, 1934	
Tinggi/Tidak kawin	: KAWIN	Agama ISLAM
Pekerjaan		
Alamat	: DSN SAMBI	
RT 01	R.W. 01	Kediri, 01 DES 1987
Kelurahan/Desa	: SAMBI	A.N. BUPATI KDH TK. II KEDIRI
Kacamatan	: KAMPUSARI	CAMAT.
Berlaku hingga		
31 DES 1987		Dis. EKO SOEGRHO M.J. NIP. 510027584



**KARTU TANDA PENDUDUK
WARGA NEGARA INDONESIA**
PEMERINTAH KABUPATEN DATI II KEDIRI

Selambat-lambatnya dalam jangka waktu 14 (empat belas) hari sejak masa berlakunya habis, penduduk yang bersangkutan diwajibkan mengajukan kembali permohonan untuk memperoleh Kartu Tanda Penduduk yang baru. Pelanggaran terhadap peraturan ini diancam dengan pidana kurungan/denda.

0767694

[Signature]

Tanda tangan dan atau cap jempol pemegang K.T.P.



nomor KIP : 000050/0995

Nama lengkap : MIANTO

Jenis kelamin : LAKI-LAKI

Tanggal lahir : JUNEANG, 1950

Kawin / tidak kawin : KAWIN

Pekerjaan : TANI

Alamat : DSN SAMBI

R.T. 01 RW 01 Kmd. 01 DSS 1987

Kelurahan/Desa : SAMBI

Kecamatan : KANDAT

Berlaku hingga

31 DES 1989



DM. KO NOESRORO
M.P. 10027884

Al Ansar Hospital

Al Salamah Dist. - Saqr Quraysh St.
Jeddah - C. R. 5129
Tel. 6825105



مستشفى الأنصار
جى كى كى شارع مقرقرش
جدة - ٥١٢٩
تليفون ٦٨٢٥١٠٥

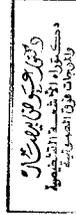
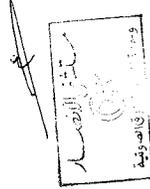
ULTRA SOUND REPORT

Name: SOFATMI BASUKI No.: 1789 Date / 5 Mar, 1989 Requested by Dr.: RAWIA

Part Examined: ABDOMINAL PREGNANCY

Single viable fetus.
Cephalic presentation.
Anterior mature placenta.
Considerable liquor amount.
No evident fetal anomalies seen in the present examination.
The approximate age is about 37 weeks.
Baby boy.

The fetal weight is about 2.5 kg.



Dr. Signature:



مستشفى الأنصار
Al Ansar Hospital

5 MAR 90
(789)

ULTRASOUND DEPARTMENT

Name MRS. SOTAFI BASHFI

ABDOMINAL PREGNANCY

في السلامة - شارع مقر قريش - ص.ب. 3515 جدة 21471 - Tel. 6825105 Kingdom of Saudi Arabia
Al-Salamah Dist. - Saqr Quraysh St. - P.O. Box 3515 Jeddah 21471 - Tel. 6825105 Kingdom of Saudi Arabia

Al Ansar Hospital

Al Salamah Dist. - Saqr Quraysh St.
Jeddah - C. R. 5129
Tel. 6825105



مستشفى الأنصار
جدة - شارع سقر قرش
تليفون ٦٨٢٥١٠٥

LABORATORY REQUEST (28)

CASH / CO

DATE: 3-3-90

NAME: محمد بن عبد الله

PROVISIONAL DIAGNOSIS:

Biochemistry:

- 001/220 Blood Gases
- 003/30 Fasting Blood Sugar
- 004/60 Fasting and Post Prandial
- 007/30 Urea
- 008/30 Creatinine
- 024/30 Uric Acid
- 028/50 Cholesterol
- 027/50 Triglycerides
- 009/30 Total Bilirubin
- 010/30 Direct Bilirubin
- 011/40 Albumin
- 012/45 SGPT
- 014/40 SGOT
- 015/60 Gamma GT
- 019/60 LDH
- 015/40 Total Protein
- 018/40 Albumin

Hormones:

- 401/50 Thyroxine (TA)
- 402/150 T3 Uptake
- 403/150 Thyroid Stimulating Hormone
- 404/250 Parathyroid Hormone
- 405/150 Lutealizing Hormone (LH)
- 406/150 Follicle Stimulating Hormone
- 407/150 Prolactin

Haematology:

- 101/70 Complete Blood Count
- 102/15 W. B. C.
- 103/15 R. B. C.
- 104/15 Hb
- 105/15 Hct
- 108/30 Platelet Count
- E. S. R.
- 110/30 Ristrits
- 117/20 Clotting Time
- 118/20 Chemistry Time
- 119/30 Blood Group & Rh factor

Parasitology & Microbiology:

- 201/30 Complete Urine Analyse 1
- 202/25 Complete Stool Analyse 1
- 204/60 Culture & Sensitivity of

Serology:

- 205/30 Gram Stain
- 302/100 Anti-Straptococcal O Titre
- 305/30 C-Reactive Protein
- 308/30 VDRL
- 309/70 Pregnancy test in serum
- 311/100 Ferritin Antigen
- 307/80 HBsAg

Profiles:

- 601/350 Cardiac Enzymes
- 602/350 Complete Liver function test
- 603/280 Pre-Operative Screen for Coagulation factors
- 604/180 Anti-Natal Profile
- 605/90 Pre-School Profile

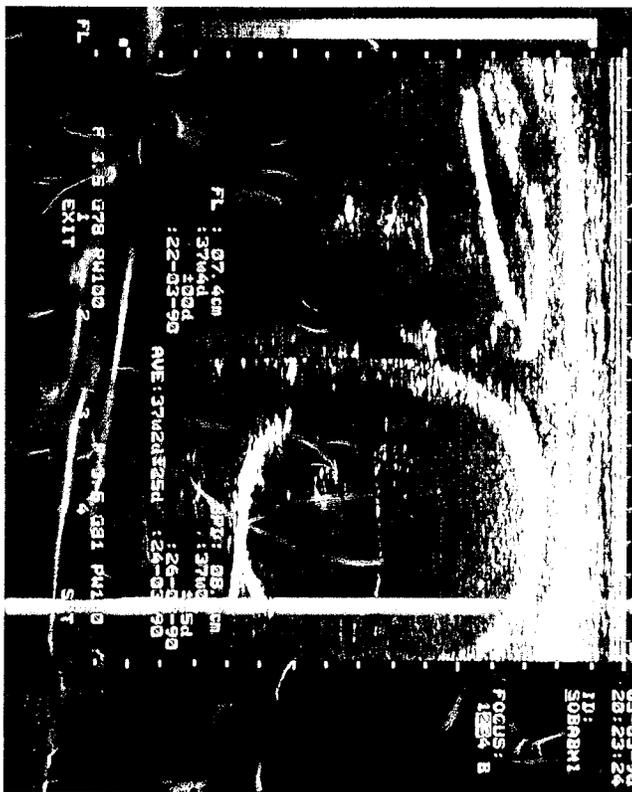
Miscellaneous:

- 502/50 Seminal Analysis
- 503/40 Urine for Pregnancy

OTHERS:

Dr. Signature

[Signature]



Perbuatan-perbuatan yang dialami majikan laki-laki dengan secara kekejaman terhadap hami.

Suriyah BT Sukarjo selaku istri Diwan BT Mawiraji dengan pekerjaan Pembantu Rumah Tangga dengan rasa tanggung jawab.

Manjelang pada hari ke 20 (dua Puluh) hari berkerja dimana kami akan diperkosa oleh Majikan Laki kami di rumah yang tidak dirampokkan, dimana ke Rumah yang akan dihunjuggi kami guna untuk memperbaiki keadaan rumah tersebut dengan jarak Rumah satu sama lainnya berjarak kurang lebih 60. Km.

Setihanya kami ketempat tujuannya yang dimaksud oleh majikan kami dimana berhunjug dengan Majikan Laki kami, setelah memulai berkerja dimana Suami kami disuruh untuk membeli minuman dengan jarak yang jauh, sedangkan yang dekat masih ada.

Seperginya Suami kami untuk membeli minuman, majikan kami mulai berbuat yang seronoh yaitu :

1. sedang membersihkan dapur majikan kami langsung memasuki ruangan sehingga kami mencoba untuk menghindari atas kedatangannya, sebaliknya majikan kami malah mengejar kami akan melakukan perbuatan yang tidak seronoh dengan serta memanggil nama suami kami, karena suami kami belum datang majikan sudah meraih tubuh kami dan langsung ditidukkan dengan cara ditindih dengan tangannya sudah menjamah bagian yang terlarang dan menciumi tubuh kami, akhirnya suami kami tiba saat dimana majikan kami mulai mengganas karena nafsunya dan Suami kami melihat tanda yang mencurigakan karena saat mengetuk pintu majikan kami melepaskan pelukannya dimana Suami kami mendapatkan kami sedang menangih atas peristiwa diatas dan langsung marah dimana suami kami memberikan peringatan atas peristiwa yang dialami dan jangan sampai diulang kembali.
2. Kembalinya kami ketempat tinggal semula kami langsung mengodukon peristiwa yang baru dialami kepada Majikan Nyonya atau Istrinya setelah pengaduannya itu kami dipanggil oleh majikan laki kami dan langsung berbuat kasar yakni dupukul.
3. Setelah Empat hari kemudian Suami kami disuruh untuk membeli celana bayi setelah di mengerti ternyata suami kami kutang

kelas karena kami berdua di Saudi Arabia kurang mengerti karena takut salah membelinya lantas suami kami untuk meminta surat sepotong kertas untuk membeli barang yang dimaksud setelah kami menghadap terjadilah peristiwa pembunuhan sewenang-wenang terhadap kami dimana kami langsung ditendang pantat kami dengan sekuatnya dan mengakibatkan tubuh kami merasakan sakit yang terhinnga sehingga tersa sakit untuk berjalan selama dua hari.

4. pada hari ke 43 kami bekerja dimana dirumah dalam keadaan kami berdua dengan majikan laki yang mana Istri majikan serta anak-anaknya dan suami kami sedang berpergian ke Kedutaan Amerika Serikat, dimana kejadianannya majikan laki kami mengancam akan membunuh kami dengan memperagakannya dengan senjata tajam (Pisau) setelah memperagakannya, kami akan diperbuat yang senonoh dimana saat demikiam bel Rumah berbunyi ditekan dari luar sehingga majikan laki kami membuka pintunya ternyata yang datang adalah Orang Tua Majikan lelaki kami sehingga perbuatannya tidak jadi.
5. pada hari ke 60 (enam puluh) hari dimana Istri majikan kami sakit dan dirawat selama delapan hari dengan kejadian dimana kami dikurung dalam kamar tidak boleh menemui Suami kami dengan dikurung selama lima hari tidak diberikan makan sehingga suami kami terjadi ribut kembali setelah ribut pada hari ke lima kami baru bisa diberikan makan oleh suami kami dan hukumannya tetap dilaksanakan selama delapan hari dan setelah itu Istri kembali dari Rumah Sakit dan memblia kami untuk dibebaskan dari penyiksaan kurungannya.
6. pada tanggal 24 Nopember 1987 pada sore hari dimana Suami kami sedang menjemput Majikan Istrinya sedang Sekolah dimana kejadianannya untuk memberikan suatu kenangan kepada majikan laki yaitu diminta kami untuk memberikan tanda bekas dicium dileher dan diajak untuk bersetubuh dengan majikan laki kami, langsung kami jawab tidak bersedia disaat kejadian itu Istri majikan dan Suami kami datang dan kami mengadukan kejadiannya kepadanya sehingga terjadi Ribut antara majikan kami, sehingga majikan Istri kami meminta kami untuk bersumpah di depan Kakah dan kami bersedia sebaliknya majikan laki tidak bersedia untuk diajak untuk bersumpah sehingga majikan laki langsung pergi meninggalkan kami.
7. ah men bilang kejadian tersebut diatas seh... ujikan

lahi, kami bersedia untuk dipulangkan ke Indonesia
Saat kami akan pulang ke tanah air Indonesia dimana gaji kami selama mengabdikan di rumah majikan kami tidak diberikan dan hanya tiket pesawat ditanggung oleh majikan kami, adapun rincian gaji kami berdua sebagai berikut :

- 1. Suami kami dijanjikan gaji sebesar SR 800
- 2. Istri dijanjikan gaji sebesar SR 600

Dengan kejadian tersebut diatas kami mengajukan kebijaksanaan kepada PT Almas dapat kiranya kami bekerja di Saudi Arabia kembali tanpa mengeluarkan kembali dan yang berangkat hanya Suami sendiri sedang Istri kami tinggal di Tanah Air Indonesia.

Karena keberangkatan kerja di Saudi Arabia semula, kami sudah banyak mengeluarkan banyak biaya untuk keberangkatannya, sehingga uang untuk biaya yang telah dikeluarkan kami dapatkan dengan cara meminjam uang kepada orang lain.

Dengan rasa berat kami untuk kembali ke kampung halaman karena bila kami kembali segera mengembalikan uang pinjamannya.

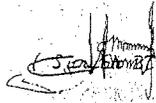
maka dengan kerendahan hati kami sudi kiranya PT Almas untuk menyalurkan kembali bekerja di Saudi Arabia guna menelus utang kami

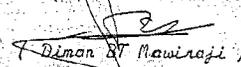
Bilama berkenan diberikan kami memohon untuk tidak diminta biaya kembali seperti semula

Demikian surat Pernyataan kami buat guna pertolongan permohonan kami kepada PT Almas Jl Cideng Barat No. 115 Jakarta.

Atas partisipasi dan bantuan yang akan diberikan kepada kami sebelum dan sesudahnya diucapkan terima kasih.

Hormat kami
Yang menkuat Pernyataan

 (Sukarjo)
Pimpinan PT Almas Corp

 (Diman BT Mawiraji)

Mengetahui :
Pimpinan PT Almas Corp





MERCU BINAWAN pt.

PERJANJIAN KERJA INDIVIDU TKI

PERJANJIAN KERJA ANTAR KERJA ANTARA NEGARA
UNTUK TENAGA KERJA RUMAH TANGGA
اتفاقية عند عمل للعمال للمعمل
خارج البلاد للاعمال المنزلية

Berdasarkan UU No. 14/1969 dan UU No. 1/70
serta Peraturan Menteri Tenaga Kerja No. 4 tahun 1970,
pada hari ini
Tanggal 16 bulan Nov.
tahun 1988 yang bertanda
tangan dibawah ini :

1. Nama : RAMLI SULAIMAN
Jabatan : Manager P.T. MERCU BINAWAN
Alamat : Jln. Gondangdia Lama No. 10 - 12
Jakarta - Pusat.

Bertindak untuk atas nama :

Nama : Binawan, Jeddah Office
Mubarak Hamid, Showil Al. Buhaily

Jabatan :
Alamat : Saudi Arabia

Selanjutnya dalam Perjanjian Kerja ini disebut
sebagai pihak Pertama.

2. Nama : Supatmi Bt. Pasuki
Umur : 30 Tahun
Jenis Kelamin : Wanita
Paspor No. : C.050585
Alamat : Ds. Sambu Kanda 1, Kediri

Selanjutnya dalam Perjanjian Kerja ini disebut
sebagai pihak Kedua.

Kedua belah pihak bersepakat mengadakan PERJANJI-
AN KERJA ANTAR KERJA ANTAR
NEGARA, dengan ketentuan sebagai berikut :

Pasal 1

- a. Pihak Pertama akan mempekerjakan Pihak Kedua
di Saudi Arabia sebagai Pramuwisma
.....
dengan gaji/upah sebesar,
Rp. 600/Bln.
- b. Sebelum pihak kedua diberangkatkan ke Saudi
Arabia, kepadanya dilakukan pemeriksaan kesehatan
oleh Badan atau Dokter yang berwenang atas biaya
sepenuhnya ditanggung Pihak Kedua

بناء على القانون رقم : ١٤ / ١٩٦٩ م
والقانون رقم ٧٠ / ١ وكذلك نظام
وزير القوى العاملة رقم ٤ لعام
١٩٧٠ م ، في هذا اليوم
تاريخ شهر سنة
الموقع اتناء

١ - الاسم
المهنة
العنوان

باسم
الاسم

المهنة
العنوان

ويعتبر المذكور اسلاه في هذا
العقد بالتصرف الاول

٢ - اسم العامل / العاملة
العمر
الجنس
رقم الجواز
العنوان

ويعتبر المذكور اسلاه في هذا
العقد بالتصرف الثاني

الطرفان عندوا هذه الاتفاقية
ووافقوا على ساجنها في ههنا
العقد حسب المواءم الثالثة :

المسادة (١)

أ - يتقوم الطرف الاول بتوظيف الطرف
الثاني في المملكة العربية
السعودية
بمراعاة
ريال سعودي.

ب - يجب على الطرف الثاني اجراء الكشف
الطبي عن طريق الجهاز المعترف او الطبيب
المختص لذلك عليه تحمل كل المصاريف
او التكاليف وذلك قبل ترخيصه الى
المملكة العربية السعودية .

<p>Pasal 2</p> <p>Lamanya Perjanjian Kerja ini adalah dua tahun dan mulai berlaku sejak tanggal keberangkatan sesuai pada pasport yang digunakan oleh pihak Kedua.</p> <p>Perjanjian Kerja ini dapat diperpanjang untuk jangka waktu paling lama satu tahun atas persetujuan kedua belah pihak setelah mendapatkan izin dari KBRI di Saudi Arabia.</p>	<p>المادة (٢)</p> <p>مدة هذا العقد اثنتان وسبعون (٢٦) شهرا من تاريخ مغادرة الطرف الثاني بموجب جواز سفره .</p> <p>ويمكن تمديد هذا العقد لمدة أقصاها سنة أخرى، بشرط موافقة الطرفين بعد الحصول على إذن من سفارة الجمهورية الأردنية في المملكة العربية السعودية .</p>
<p>Pasal 3</p> <p>Semua biaya yang berhubungan dengan keberangkatan pihak kedua ke Negara Saudi Arabia dan kepulangannya ke Indonesia pada waktu masa Perjanjian Kerja berakhir, menjadi tanggung jawab dan beban Pihak Pertama.</p>	<p>المادة (٣)</p> <p>جميع النفقات المتعلقة بغير الطرف الثاني إلى المملكة وعودته إلى أستراليا بعد انتهاء مدة العقد تكون من مسؤولية الطرف الأول .</p>
<p>Pasal 4</p> <p>Pihak Kedua akan menunaikan tugas pekerjaannya dengan sebaik-baiknya serta penuh tanggung jawab sesuai dengan yang diperjanjikan.</p>	<p>المادة (٤)</p> <p>يقوم الطرف الثاني بأداء مهامه بتكامل وجه وبكامل المسؤولية وفقا للاتفاقية .</p>
<p>Pasal 5</p> <p>Pihak Kedua akan menaati segala ketentuan-ketentuan serta tata cara atau adat istiadat yang berlaku di Negara Saudi Arabia Pihak Kedua ditugaskan untuk bekerja.</p>	<p>المادة (٥)</p> <p>سيلتزم الطرف الثاني باطاعة جميع القوانين والأنظمة والتقاليد السائدة في المملكة العربية السعودية، وهي تكتف عمل الطرف الثاني .</p>
<p>Pasal 6</p> <p>Selama bekerja Pihak Kedua akan mengikuti Pihak Pertama apabila Pihak Pertama pindah tempat tinggalnya.</p>	<p>المادة (٦)</p> <p>خلال أداء عمله، يقوم الطيفير الثاني بتابعة الطرف الأول عندما ينتقل من محل إقامته .</p>
<p>Pasal 7</p> <p>Pihak Pertama wajib membayar gaji secara penuh kepada Pihak Kedua setiap akhir bulan dan mengasuransikan Pihak Kedua atas tanggungan Pihak Pertama yang pembayarannya dibayarkan oleh Pihak Kedua lebih dahulu dan bila Pihak Pertama tidak memenuhi maka PPTKI pengirim yang mengunskan claim Pihak Kedua pada Pihak Pertama</p>	<p>المادة (٧)</p> <p>يجب على الطرف الأول دفع الراتب الشهري كاملا للطرف الثاني في آخر كل شهر . ولن الطرف الأول تأمين للطرف الثاني بضمان منه ويكون التسديد المبدي على الطرف الثاني وإذا خلف الطرف الأول عن ذلك فلتشركة استخدام الأيدي العاملة أو المرسله حق المقاضاة للطرف الأول .</p>
<p>Pasal 8</p> <p>Pihak Pertama wajib menyediakan kamar tidur dan perlengkapannya untuk Pihak Kedua juga memenuhi kebutuhan makan dan minum sesuai dengan kebutuhan dan syarat-syarat kesehatan dan keselamatan kerja untuk Pihak Kedua.</p>	<p>المادة (٨)</p> <p>يجب على الطرف الأول اعداد غرفتي النوم والمعدات للطرف الثاني وتأمين حاجات المتاكل والمشرب اللازمين وكذلك الشروط المحيية وسلامة العمل للطرف الثاني .</p>
<p>Pasal 9</p> <p>Pihak Pertama wajib memberikan kesempatan untuk istirahat dan untuk tidur 8 jam kepada Pihak Kedua sesuai dengan sifat pekerjaan dan tingkat usia yang bersangkutan.</p>	<p>المادة (٩)</p> <p>يجب على الطرف الأول اعطاء فرصة للراحة والنوم للطرف الثاني مقدارها (٨) ساعات وفقا لما يتطلبه العمل ومستوى عمر الطيفير الثاني .</p>
<p>Pasal 10</p> <p>Pihak Pertama harus memberikan kesempatan kepada Pihak Kedua untuk mengirim, menerima dan menyampaikan surat tanpa disensor.</p>	<p>المادة (١٠)</p> <p>يجب على الطرف الأول اعطاء فرصة للطرف الثاني لإرسال وفتح سلام وتقديم الرسائل بدون رقابة</p>

Pasal 11

Pihak Pertama akan memberikan kepada Pihak Kedua hadiah sebesar 1 (satu) kali gaji penuh (atau gaji ke-13) setelah satu tahun bekerja.

Pasal 12

Pihak Pertama wajib menghajikan Pihak Kedua satu kali selama masa Perjanjian Kerja ini dilaksanakan.

Pasal 13

Pihak Pertama wajib memperlakukan pihak Kedua secara adil dan bijaksana sesuai dengan harkat dan martabat manusia.

Pasal 14

Pihak Pertama wajib membiayai mengurus pemakaman dan harta yang ditinggalkan oleh Pihak Kedua sesuai dengan fatwa waris apabila tenaga kerja meninggal dunia dengan didampingi perwakilan perusahaan pengirim dan petugas KBRI Arab Saudi.

Pasal 15

Apabila Pihak Kedua menderita sakit, maka Pihak Pertama akan menanggung segala biaya pengobatan dan perawatan sampai sembuh.

Pasal 16

Selama Pihak Kedua menderita sakit seperti tersebut pada pasal 15, Pihak Pertama wajib membayar upah kepada Pihak Kedua secara penuh.

Pasal 17

Apabila Pihak Kedua tidak memenuhi atau tidak melaksanakan kewajiban sebagaimana tersebut pasal-pasal diatas dan ingin pulang ke Indonesia sebelum berakhirnya waktu yang sesuai dengan Perjanjian Kerja, maka Pihak Kedua wajib mengembalikan semua biaya yang telah dikeluarkan oleh Pihak Pertama dalam rangka pemberangkatan Pihak Kedua ke Saudi Arabia maka Pihak Kedua wajib mengembalikan harga ticket pesawat terbang dari Indonesia ke Saudi Arabia kepada Pihak Pertama.

Pasal 18

Ketentuan seperti tersebut pada pasal 17 diatas tidak berlaku apabila pengakhiran Perjanjian Kerja ini oleh Pihak Kedua bukan karena kesalahannya melainkan karena Pihak Pertama tidak melaksanakan kewajibannya sebagaimana tercantum dalam Perjanjian Kerja ini. Dalam hal ini Pihak Kedua berhak mendapatkan upah penuh selama masa sisa kontrak serta mendapat biaya perjalanan pulang.

Pasal 19

Apabila pengusaha mempekerjakan Pihak Kedua secara tidak manusiawi maka Pihak Kedua dapat mengajukan permasalahannya kepada KBRI Saudi Arabia.

المادة (١١)

يستخدم الطرف الأول للطرف الثاني مكافأة ما يعادل راتب شهر واحد (أو الراتب الـ 13) بعد انقضاء سنة واحدة من العمل .

المادة (١٢)

يجب على الطرف الأول اعطاء الفرصة للطرف الثاني لاداء فريضة الحج مرة واحدة خلال سريان عقد العمل .

المادة (١٣)

يجب على الطرف الأول معاملة الطرف الثاني بالعدل والحكمة وفق المبادئ الإنسانية .

المادة (١٤)

يجب على الطرف الأول دفع التكاليف الجارية للدفن والاموال التي تركها الطرف الثاني وفقا لفتوى المرشد الفقهي وقواعد المعاملة بمراعاة مشورته الشركة المرسله ومندوب من السفارة السعودية في المملكة .

المادة (١٥)

إذا عانى الطرف الثاني من المرض فان الطرف الأول سيتحمل جميع نفقات العلاج والرعاية حتى شفائه .

المادة (١٦)

وإذا دام المرض كما ذكر في المادة (١٥)، وجب على الطرف الأول دفع راتبه كاملا .

المادة (١٧)

في حالة عدم اداء الطرف الثاني مسؤلياته او عدم تنفيذها كما ذكر في المواد اعلاه ، ورفض العودة الى السعودية قبل انتهاء الموعد المحدد في عقد العمل هذا، فيتوجب على الطرف الثاني اعادة جميع التكاليف التي انفقها الطرف الأول في الطيار الرحيل للطرف الثاني الى المملكة العربية السعودية ويجب عليه ايضا اعادة قيمة تذكرة اركاب الطائرة التي اشترتها الى المملكة العربية السعودية للطرف الأول .

المادة (١٨)

الأحكام كما ذكر في المادة (١٧) اعلاه غير سارية المفعول إذا كان الطرف الثاني ليس لسبب غلطه ، ولكن كان للطرف الأول لا يقوم بتنفيذ واجباته كما هو وارد في عقد العمل، وفي هذه الحالة، حسب للطرف الثاني الحصول على رواتبه كما سلا طوال المدة المتبقية من العقد وكذلك حصوله على نفقات الرحلة العودة .

المادة (١٩)

إذا وظف الطرف الأول، الطرف الثاني بطرق غير انسانية، يجوز للطرف الثاني تقديم مصلته السعي للسفارة السعودية بالمملكة .

Pasal 20

Pihak Kedua bersedia sebagai Tenaga Kerja dan sanggup menanggung segala resiko yang ada, dan bila ada persolan atau perselisihan masalah ketenaga kerjaan akan menyelesaikan/melaporkan melalui syariah dan polisi setempat, yang dalam pelaksanaannya agar minta bantuan dari Perusahaan Perwakilan Pengerah Tenaga Kerja Indonesia yang berada di Saudi Arabia.

المادة (٢٠) الطرف الثاني على استعداد لتحمل كل المخاطر في مقر عمله، وإذا حدث أي خلافات أو مشاكل متعلقة في مجال عمله، سوف تبلغ وتحل عن طريق مركز الشرطة القريبة والتي يتدخل فيها أيضا وكيل الشركة الممثلة للشؤون العمالية الملكية.

Pasal 21

Jika terjadi perselisihan dan hal-hal yang belum diatur dalam Perjanjian Kerja ini akan dirundingkan oleh kedua belah pihak secara kekeluargaan dengan memperhatikan adat istiadat serta kebiasaan dan ketentuan perundangan yang berlaku di negara setempat serta sesuai dengan yang diperjanjikan.

المادة (٢١) إذا حدثت أي خلافات أو مشاكل ضمن وارد الذكر في هذا العقد، سوف تحل بطريقة عائلية وتأخذ بالاعتبار الاتفاقيات والعادات والتقاليد السائدة في المملكة حسب ما جاء في الاتفاقية.

Pasal 22

Jika terjadi perselisihan antara pemberi kerja dengan tenaga kerja di negara tempat bekerja akan diselesaikan menurut peraturan perundangan dan adat istiadat yang berlaku di negara tersebut dan tenaga kerja (Pihak Kedua) dengan penuh tanggung jawab sanggup menanggung segala akibat yang timbul dari perselisihan tersebut. Tenaga kerja menyadari bahwa keterlibatan Perwakilan RI dalam menyelesaikan perselisihan tersebut hanya bersifat bantuan dan tidak dapat ikut campur urusan dalam negeri pemerintah negara lain.

المادة (٢٢) في حالة حدوث خلاف بين الطرفين في المملكة، حيث يعمل الطرف الأول، سوف تحل بموجب الأنظمة والعادات والتقاليد السائدة في المملكة، والطرف الثاني على استعداد لتحمل المسؤولية كاملة بموجب أعماله إذا ثبت أنه المخلف والطرف الثاني يعنى بأن قد حصل وكيل من الجمهورية الأندونيسية لاتباء الخلاف المذكور، فقط كما عهد ولاستطيع التدخل في شئون البلد الداخلية أي حكومة البلد الآخر.

Pasal 23

Perbedaan atau perbedaan pendapat yang timbul karena pelaksanaan perjanjian kerja ini diselesaikan oleh pihak karyawan dan pengusaha yang menyalurkan karyawan yang bersangkutan sebagai waki, dan oleh karena itu bertindak untuk dan atas nama Pengusaha yang mengerjakan karyawan tersebut dengan mengikut sertakan pihak KBRI setempat.

المادة (٢٣) الخلافات أو أي خلاف رأي تمسك به سبب عقد اتفاقية العمل فإنه سوف يتم حلها بين الطرفين الثاني والكتب الموكيل به من قبل الطرف الأول والتي تم استخدام الممثل العاملة منه في المملكة العربية السعودية والمكتب نفسه يتسوم بالنيابة من الطرف الأول كوكيل له وباسمه، يحل كافة الخلافات المذكورة بتصرفه الشفاهة الأندونيسية في المملكة.

Pasal 24

Perjanjian Kerja ini dibuat oleh kedua belah pihak dalam keadaan sadar dan tanpa paksaan dari pihak manapun.

المادة (٢٤) عقد اتفاقية العمل هذا تم التوقيع عليه من قبل الطرفين من تدخل أو اجبار من أي جهه اخرى.

PIHAK KEDUA
الطرف الثاني

Supatni Bt Basuki
Supatni Bt Basuki

16 NOV 1988

معرفة

MENGETAHUI
A.N. MENTERI TENAGA KERJA
Direktur Jenderal

Bina Hubungan Ketenagakerjaan
dan Pengawasan Norma Kerja



PIHAK PERTAMA,
الطرف الأول

Ramli Sulaiman
Ramli Sulaiman
Manager

REGISTER
PUSAT AKAN
No. : 7149

Atis Mubtija
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NIP. 100113347

**THE SAUDI CLAIM OF PRIVILEGE: MUST
SAUDI LOBBYISTS COMPLY WITH SUBPOE-
NAS IN THE COMMITTEE'S INVESTIGATION
OF CHILD ABDUCTION CASES?**

WEDNESDAY, DECEMBER 4, 2002

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 10:10 a.m., in room 2154, Rayburn House Office Building, Hon. Dan Burton (chairman of the committee) presiding.

Present: Representatives Burton, Maloney, and Norton.

Also present: Senator Blanche Lincoln.

Staff present: Kevin Binger, staff director; James C. Wilson, chief counsel; David A. Kass, deputy chief counsel; Pablo Carrillo and Jason Foster, counsels; Blain Rethmeier, communications director; Allyson Blandford, assistant to chief counsel; Robert A. Briggs, chief clerk; Robin Butler, office manager; Joshua E. Gillespie, deputy chief clerk; Mindi Walker, staff assistant; Corinne Zaccagnini, systems administrator; Sarah Despres, minority counsel; Ellen Rayner, minority chief clerk; and Jean Gosa and Earley Green, minority assistant clerks.

Mr. BURTON. Good morning. A quorum being present, the Committee on Government Reform will come to order.

I ask unanimous consent that all Members' and witnesses' written and opening statements be included in the record. Without objection, so ordered.

I ask unanimous consent that all written questions submitted to witnesses and answers provided by witnesses after the conclusion of this hearing be included in the record. And without objection, so ordered.

I ask unanimous consent that a set of exhibits relating to this hearing be included in the record. Without objection, so ordered.

I ask unanimous consent that all articles, exhibits and extraneous or tabular material referred to be included in the record. And without objection, so ordered.

I ask unanimous consent that Senator Blanche Lincoln be permitted to participate in today's hearing.

And we are very happy to have you here.

And without objection, so ordered.

And I ask unanimous consent that questioning in the matter under consideration proceed under clause 2(j)(2) of House Rule 11 and committee rule 14 in which the chairman and ranking minor-

ity member will allocate time to committee counsel as they deem appropriate for extended questioning not to exceed 60 minutes divided equally between the majority and minority. And without objection, so ordered.

Before I make my opening statement, I think it is important that we talk a little bit about some of the problems that have occurred in the last couple of days.

The spokesman for the Saudi embassy, Mr. Jubeir, has been all over national television indicating that the Saudis are very cooperative and want to work with the U.S. Government in every area possible to make sure that we continue to have a good relationship. And he is a very good spokesman. I watched him on Fox this morning, and I watched him on some other channels; and it is amazing how adept he is at skirting the truth.

I want to cite just a few examples of where we had problems as a government and as a committee in getting the truth from the Saudis. The Saudis said they were not complicitous in kidnapping American children whose mothers had parental rights and had custody of their children. But we know for a fact that the Saudis—even though they had been notified not to give passports to children who were kidnapped, they did. They issued passports to the children of Joanna Tonetti and Margaret McClain even though they knew the American courts had ordered the fathers not to take them out of the country, and the embassy had been contacted in some of these cases. And so they lied about that.

The Roush girls supposedly were on vacation in London during the delegation's visit to Saudi Arabia. That's not so.

The Saudis provided a list of kidnappings of their citizens by the Americans that the United States should address. That's not so.

Dria Davis was kidnapped to the United States with the help of the State Department. That's not so.

The congressional delegation did not request a meeting with Crown Prince Abdullah. The Saudi Government cannot intervene in family matters and urges them to be settled privately. We know that's not so.

Fifteen of the 19 September 11th hijackers were from Saudi Arabia. And I have an article I want to read about that.

The Saudis have held telethons to raise money for the families of suicide bombers. The FBI money has traced money from a suspected al Qaeda advance man back to the Saudi Ambassador's wife. We have a chart on that. The suspect, Omar Ahmad al-Bayoumi, may have assisted two of the hijackers of the plane that hit the Pentagon, and he's now missing.

Besides oil, their main export is anti-American and anti-Semitic propaganda. They funded the extremist madrasas in Pakistan and Afghanistan that created the Taliban. And Prince Nayef bin Abd al-Aziz, Minister of the Interior, said this less than 2 weeks ago, "I presume there's a link between Israeli intelligence and terrorist organizations to attack Muslims through Islam and Palestine. The media is controlled by the Zionists, and we know that Jews have exploited the September 11th events and were able to turn the American public against Arabs and Islam. The question is, who perpetrated the September 11th events and who were the beneficiaries."

And then he says, "I think the Jews themselves." He knows full well that 15 of the terrorists were Saudis and yet he's now saying that the Jews were responsible.

Prince Nayef's attitude is pervasive there. When we went on our CODEL to Saudi Arabia, we stopped in Israel for some meetings there. The Saudis wouldn't even allow our plane to enter their air space after taking off from Israel. We had to make a diplomatic stop in Jordan first. I don't see how they can be seen as reasonable people and allies in the war on terror when they won't even let our airplane fly from Tel Aviv to Riyadh.

On the issue of kidnapped American citizens, the Saudis have completely been inflexible. We recently got a letter from the foreign minister. He said we totally reject anything. The damages are Islamic shira law on which the total system of the state is founded and which one-quarter of the population on this Earth believe. The shira regulates and guarantees all humanitarian rights without any prejudices. It is founded on God's orders which we follow, as well as the good objectives of Islam, mainly justice. And I would like to know where the justice is in denying Pat Roush's daughters for 17 years.

And where is the justice for harboring kidnapers? And we know that's been done, and we know they have been complicitous in this.

So Mr. Jubeir, although he is very adept at making these statements to the media and they've done a good job of it this past week, the fact of the matter is there's a heck of a lot that needs to be explained.

Now, we have contacted their lobbyists to get information that they may have regarding the kidnapping of these children and the complicitousness of the Saudi Government. The lobbyists have said that they are protected. And the Saudi Government has said they are protected by the Vienna Convention and that they are an arm of the Saudi Government, and therefore they don't have to give us any documents that they have. That is totally wrong, according to every lawyer that we have talked to that knows anything about the Vienna Convention; and we have some witnesses here today that are going to talk about that.

So we asked the Saudi lobbyists, some of whom have been here before, to come and testify here today. Their lawyers said they didn't want to testify. And so we told them we would be sending them subpoenas to compel them to testify. When the U.S. Marshals went to serve the subpoenas, they weren't at their homes, they weren't at their offices, and they were nowhere to be found.

Now, you would say, if this was one lobbyist, that would be understandable; but the fact of the matter is, there were three lobbyists from three different concerns, and none of them were anywhere to be found and so they have been hiding and I think that says a lot about the Saudi Government and their openness and their willingness to cooperate with the U.S. Government in helping us solve problems like these kidnappings and the money that's been going through to them, to families of terrorists who have blown themselves up in Israel, and possibly al Qaeda cells. And so we're very disappointed the lobbyists aren't here, but we will be asking some questions that are relevant to them anyhow.

We are meeting, as I said before, to talk today about American children who have been abducted to Saudi Arabia. I don't want to be here today. It's the holidays. Congress is not in session. I don't think any of us, the Senator or the Congresswoman would rather be someplace else, but this is very, very important, and so we're here. But I feel we've reached a stalemate on this issue, and I don't think we can just forget about it.

We've seen very little progress from the Saudis on any of these kidnapping cases. A couple of mothers have received phone calls, and that's about it. The lobbyists for the Saudis, as I said, have refused to comply with our subpoenas, the embassies continue to spread this information; and that's why we are here holding another hearing.

One of the most frustrating things to me is that you just can't get a straight answer from the Saudis. Their spokesman had a press conference at their embassy yesterday and the things he said make it clear that they just don't get it. He said that these cases are private matters and have to be dealt with by the families. Well, that's not true. These are American children who were kidnapped in violation of U.S. court orders. In many of these cases, arrest warrants have been issued for the fathers. In at least two cases that we know of, the Saudi embassy helped the kidnapers by issuing Saudi passports to the children; and they did it after they were informed that the children were not allowed to leave the country.

So the Saudi Government aided and abetted the kidnappings and they are harboring the fugitives. And that's not a private matter. Their government must take responsibility.

I want you to listen to what Prince Bandar wrote in the Wall Street Journal in September, "Some have charged that Saudi Arabia is holding Americans against their will." This is absolutely not true.

I want you to know that's a lie. I've talked to women over there who are absolutely terrified that their husbands would even find out that they were talking to us. One woman said, Just put us in a box with our kids and stick us in the belly of a plane and get us out of here. So when the Saudis say, No Americans are being held against their will, they don't get it. They're misleading. At one hearing alone we heard from five parents who testified that their children are being held against their will. And that's just the tip of the iceberg.

Just in case anyone from the Saudi embassy might be paying attention today, I want to refresh their memory.

Joanna Tonetti: Her three children, Rosemary, Sarah and Abdulaziz, were kidnapped by their Saudi father in August 2000.

Michael Rives: His two children, Lilly and Sami, were kidnapped to Saudi Arabia by their mother in July 2001.

Maureen Dabbagh: Her daughter, Nadia, was kidnapped to Saudi Arabia by her father in 1992.

Margaret McClain: Her daughter, Heidi, was kidnapped by her Saudi father in August 1997.

Sam Seramur: Her three children, Safiah, Maha and Faisal, were abducted in 1994 by their Saudi father during a brief visit to Saudi

Arabia. She has since been reunited with Maha, who was here, but her other two children are still being held in Saudi Arabia.

Deborah Docekal: Her two children, Ramie and Suzanne, were abducted by their Saudi father in 1988 during a brief visit to Saudi Arabia. She has since been reunited with her son, but her daughter is still being held against her will in Saudi Arabia.

Monica Stowers: Her daughter, Amjad, has been held in Saudi Arabia since 1986. We met Amjad in August. The Saudis said they gave her a passport and allowed her to leave. But if you hear the whole story of that, how her father married her off to some guy she didn't even know a week before we got there, I mean, the things—the hoops they jump through to keep her from coming to the United States are unbelievable and it was apparent to me when I talked to her she was scared to death.

Not only that. The religious police came in and threatened our meeting because Amjad's mother didn't have her head properly covered during the meeting. I'm sure she was followed there because they came right in after she got there.

Pat Roush, her two daughters, Alia and Aisha, were abducted by their Saudi father in 1986. Instead of allowing the daughters to meet with their mother in the United States, the Saudis sent them to London and pulled a publicity stunt at the very same time we were going over there. They got them out of the country and they had an entourage of men with them. And the way they were questioned showed very clearly that they were subjective to the men because when the men left the room—they were in the other room while they were questioning, when they came back in, they put on their abayas—it's those things that cover them from head to toe—and they sat meekly in the back of the room while the husbands answered the questions on whether or not any of the statements could be made public.

So they were intimidated, and they should have been allowed to come to the United States and meet with their mother and be questioned here, but that wasn't going to happen.

And those are just the parents who testified before our committee, and I guarantee you after having been over there myself with committee members, there are many more who are afraid to come forward. Some of them were threatened so severely when I talked to them over there that it was just unbelievable—I mean threatened with death and dismemberment and disfigurement. It was awful.

Mr. Al-Jubeir talked a lot about all the progress the Saudis have made. He said they set up a commission and said they are working hard. This is simply one fact they can't hide and that is, according to the State Department the Saudi Government has never returned a single kidnapped American child. Not one. Until the Saudis return one of these children, all of their smooth talk is just a lot of hot air.

Worse, they are actively working against the interests of some of those who were kidnapped. What happened to Pat Roush's daughter was just a PR stunt.

It is no wonder the Saudis haven't returned any kidnapped children. They can't even answer the most basic questions, or they won't. In August, we asked whether Michael Rives' kidnapped chil-

dren were Saudi citizens or American citizens. Now it's December and still no answer. Michael Rives is still waiting to get his kids back.

We asked where Maureen Dabbagh's kidnapped daughter is. The Saudis won't even tell us what country she's in, much less return her. Is that what they call progress?

The bottom line is that we just can't get a straight answer from the Saudi Government. That's why we issued subpoenas to their lobbyists here in Washington. It's not a step I wanted to take, but we have been getting so much double-talk and so much stuff in the media that is just not true, we had to try to find some way to verify the statements that are being made.

We can't subpoena the fathers who are hiding out in Saudi Arabia. The only avenue to try to find out if we're being told the truth is to subpoena the lobbyists who are being paid to represent the Saudis and these PR people told us that they are working on the cases, but nothing ever happens.

In October, we subpoenaed Michael Petruzzello to come and testify, even though he is a paid representative getting about \$200,000 a month from the Saudis. He told us he couldn't speak for them. So we took the next step. We subpoenaed documents from the three main lobbyists who represent the Saudis, which I mentioned earlier. If the internal documents match the public statements, then maybe some of their statements are true. But if the internal documents don't match the public statements, then we will know the Saudis are trying to mislead the Congress, as we believe they have in the past, the mothers and the fathers and the children of the kidnapped children and the U.S. public.

We have been told so many contradictory things that we have to have some way to assess their credibility. If we can't conduct basic fact-finding and we can't get the documents we need to determine the facts as they really are, then Congress cannot conduct oversight; and it is just as simple as that.

The main reason we are here today is that our subpoenas have not been complied with. To those who have observed our investigations over the years, that shouldn't come as any big surprise. I thought we heard just about every excuse in the book, but I was wrong. The Saudis have taken the position their lobbyist documents are covered by the Vienna Convention on diplomatic relations.

I went into that earlier so I won't continue with that, but I've got to tell you, our lawyers have checked on it. We have talked to lawyers from all of the leading institutions here in Washington and elsewhere and nobody agrees with the position they have taken. They are simply hiding behind something that they think will work.

Today we are going to have Professor Eileen Denza of the University College of London here. And I want to read to you a very short quote from her letter of November 18: "It is my opinion that the records which are subject to subpoenas from the Committee on Government Reform of the House of Representatives are not archives or documents of the Saudi mission and so are not protected on the basis of inviolability from disclosure."

Now this is not a trivial case. This affects a lot more than the committee's investigation. If the Saudis' position stands and if the documents of anyone who receives money or direction from an embassy are protected from law enforcement or from our government, it's going to have very serious consequences. For instance, the Foreign Agents Registration Act will become a useless piece of paper. Under FARA, the Foreign Agents Registration Act, foreign agents, lobbyists or foreign governments have to register with the Justice Department. They have to preserve all of their records, which are open to inspection by the Justice Department at any time.

Those are exactly the kinds of records we subpoenaed. If the records of the Saudi lobbyists are suddenly covered by the Vienna Convention, what's going to happen the next time the Justice Department wants to inspect them?

And these are very serious times we're working in. We have terrorists around the world and got all things going on and the threat to the American public and our way of life. And if lobbyists can hide these things under the Vienna Convention, then how's our government going to deal with it?

One question I wanted to ask the lobbyists that have dodged our subpoenas is whether they still have the documents that FARA requires them to keep. If they don't, then they've broken the law. And if they do, we ought to be able to get them through our subpoena. It's pretty clear that the Saudis have fabricated this argument to protect embarrassing documents from disclosure.

They can't cite a single precedent, not one, for their claim. In fact, we found out last night that the Saudi Government has allowed the Justice Department to access records just like the ones we're seeking and they've done that in the past. This makes a mockery of their claim.

We received a report from the Justice Department's Foreign Agents Inspection Unit. They inspected the records of Saudi lobbyist Frederick Dutton. The report noted that the records were available for inspection and contained many memos from the registrant to the Ambassador. The Saudis didn't raise the Vienna Convention then. Why are they raising it now? And that's something our government ought to be very concerned about. Probably because they are hiding embarrassing documents.

What if an embassy pays someone in the United States to conduct espionage? That would make them a paid agent for a foreign embassy. Are they immune from prosecution? Do they not have to comply with lawful subpoenas? That would be the effect of the Saudi position.

So for all these reasons, we can't let this stand. We have to insist on compliance with these subpoenas for the sake of this investigation into child abductions and because of these other serious issues that would arise if we let this precedent stand. That's why I called before us today the three lobbyists and their legal representative.

Now, they're not here. They're hiding someplace, possibly at the Saudi embassy.

I want to finish my opening statement, and then I will let my colleagues make a statement. I want to finish my statement by showing a short video and I want to do this to remind everyone why this is so important. I want everyone to see one more time

what Maha Seramur said. Now this is the young lady that was—said one thing in Saudi Arabia, because she was threatened, and when she came here and was free to say what she wanted to, she said something entirely different because she wasn't scared to death.

So, with that, let's roll the tape and let the American public hopefully see.

[Videotape played.]

Mr. BURTON. I hope everyone got that, "If I had to go back to Saudi Arabia, I would kill myself." And yet when she was in Saudi Arabia and was asked questions about whether or not she wanted to stay or leave, she said something entirely different. That gives you an idea of the kind of terror that these young people and these women live under over there.

And I talked to some of these women, and I want to tell you, it's not right for an American citizen to be treated that way by a foreign government. They do not recognize U.S. law; it's Saudi law, and the man rules. A woman can't leave the house or can't go to the bathroom unless he says it's OK.

And we did something about that in Afghanistan. We raised Cain. I watched Jay Leno's wife talk about the horrible things that were going on in Afghanistan, where the women were treated like dirt.

The same thing goes on in Saudi Arabia. If your ankles are showing, guys walk by, the religious police, and they smack you on the legs with whips. And if you do anything like show your head or face in public, you are subject to going to jail and you can be whipped up to 40 times with a whip while they hold the Koran under their arm. These are things that need to be known by the American people.

If the Saudis want to do that to their women over there, I guess there's not much we can do about that. But when we're talking about American citizens and their kids, that's dead wrong.

Let's watch now a short tape of Dria Davis. Dria's mother and grandmother paid \$200,000 to help her escape from Saudi Arabia after she was kidnapped by her father. I think they sold their house or mortgaged their house. Can you imagine that, having to sell your house to get your kid back?

Her testimony says it all, when it comes to living as a young woman scared and isolated in Saudi Arabia.

Play the tape.

[Videotape played.]

Mr. BURTON. The young lady said it all. And they said one thing in Saudi Arabia and when they were here in a free country—these are American citizens; in a free country, they told the truth. And when Mr. Jubeir, Al-Jubeir, makes those statements like he has the last couple of days, I really get upset, because the media, while they try to keep everything as accurate as possible, are providing a forum for this guy, and he's talking out of both sides of his mouth, day in and day out.

And we need to hold them accountable; if they are an ally of the United States, then they should work with us to return American citizens to the United States. And if they are an ally of the United States, they should make darned sure that they are not allowing

any of their wealth to go to terrorist organizations that are endangering the security of this country.

And I can tell you right now, they have not been doing that, and I doubt seriously if they plan to do it in the future. And that's why our State Department is so important, that they keep the heat on them.

I want to conclude my statement; and I am sorry, to my colleagues, for talking so long. I want to thank Senator Lincoln for joining us today.

It's nice for you to come down from the high perch of the U.S. Senate to join us, but we really appreciate it.

She has shown tremendous leadership over in the Senate in trying to help families of abducted children, and I'm glad she's here, and I congratulate her for her hard work. She has also talked to Senator Lugar and Senator Biden, and she's working very hard to have a hearing over there. So for you ladies who have been suffering, you have somebody who is beating the drum over there pretty hard, and we are very proud of her and happy she's here.

I just wish you were a Republican.

[The prepared statement of Hon. Dan Burton follows:]

**Opening Statement
Chairman Dan Burton
Committee on Government Reform
“The Saudi Claim of Privilege: Must Saudi Lobbyists Comply with
Subpoenas in the Committee’s Investigation of Child Abduction Cases?”
December 4, 2002**

Good Morning.

Today, we’re meeting once again to talk about a very important issue – American children who’ve been abducted to Saudi Arabia. I didn’t really want to be here today. It’s December. Congress has adjourned. I have a lot of other work to do.

But I feel like we’ve reached a stalemate on this issue – and I’m not going to just forget about it.

We’ve seen very little progress at all from the Saudis on any of these cases. A couple of mothers have received phone calls, and that’s about it. The lobbyists for the Saudis have refused to comply with our subpoenas. The embassy continues to spread disinformation. That’s why we’re here today holding yet another hearing.

One of the most frustrating things to me is that you just can’t get a straight answer from the Saudis. Their spokesman gave a press conference at their embassy yesterday. The things he said make it clear that they just don’t get it.

He said that these cases are private matters -- that they have to be dealt with by the families. That’s just not true. These are American children who were kidnapped in violation of court orders. In many of these cases, arrest warrants have been issued for the fathers. In at least two cases that we know of, the Saudi Embassy helped the kidnappers by issuing Saudi passports to the children. And they did it after they were informed that the children were not allowed to leave the country. So the Saudi government aided and abetted the kidnappings, and they are harboring the fugitives. That’s not a private matter. Their government has to take responsibility.

Listen to what Prince Bandar wrote in the Wall Street Journal in September:

“Some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true.”

At one hearing alone, we heard from five parents who testified that their children are being held against their will. And that’s just the tip of the iceberg. Just in case anyone from the Saudi Embassy is paying attention today, I want to refresh their memory.

- Joanna Tonetti Stevenson: Her three children, Rosemary, Sarah and Abdulaziz were kidnapped by their Saudi father in August 2000.
- Michael Rives (Reeves): His two children, Lilly and Sami, were kidnapped to Saudi Arabia by their mother in July 2001.
- Maureen Dabbagh: Her daughter Nadia was kidnapped to Saudi Arabia by her father in 1992.
- Margaret McClain: Her daughter Heidi was kidnapped by her Saudi father in August 1997.
- Sam Seramur: Her three children, Safiah, Maha and Faisal, were abducted in 1994 by their Saudi father during a brief visit to Saudi Arabia. She has since been reunited with Maha, but her other two children are still being held in Saudi Arabia.
- Debra Docekal: Her two children, Ramie and Suzanne, were abducted by their Saudi father in 1988 during a brief visit to Saudi Arabia. She has since been reunited with her son, but her daughter is still being held against her will in Saudi Arabia.
- Monica Stowers: Her daughter, Amjad, has been held in Saudi Arabia since 1986. We met Amjad in August. The Saudis said they gave her a passport and allowed her to leave. But she was clearly intimidated. She was scared to death.
- Pat Roush: Her two daughters, Alia and Aisha, were abducted by their Saudi father in 1986. Instead of allowing her daughters to meet with their mother in the United States, the Saudis sent them to London and pulled a publicity stunt.

Those are just the parents who have testified before our Committee. I guarantee you that there are many more who are afraid to come forward.

Mr. Al-Jubeir talked a lot about all of the progress the Saudis have made. He said they have set up a commission. He said they are working hard. There is one simple fact that they cannot hide: according to the State Department, the Saudi government has never returned a single kidnapped American child. Not one. Until the Saudis return one of these children, all of their smooth talk is just a lot of hot air. Worse, they are actively working against the interests of some who were kidnapped. What happened to Pat Roush's Daughter was just a PR stunt.

It's no wonder the Saudis haven't returned any kidnapped children. They can't even answer the most basic questions – or they won't. In August, we asked whether Michael Rives' (Reeves') kidnapped children were Saudi citizens or American citizens. Now it's December. Still no answer. Michael Rives is still waiting to get his kids back. We asked where Maureen Dabbagh's kidnapped daughter is. The Saudis won't even tell us what country she's in, much less return her. Is this what they call progress?

The bottom line is that we just can't get a straight answer from the Saudi government. That's why we issued subpoenas to their Washington lobbyists. It's not a step I really wanted to take. But we've been getting so much double talk, we have to have some way to try to verify the statements that are being made. We can't force the Saudi diplomats to testify. We can't subpoena the fathers, who are hiding out in Saudi Arabia. The only avenue to try to find out if

we're being told the truth is to subpoena the lobbyists who are being paid to represent the Saudis. These PR people told us that they were working on the cases. But nothing ever happens.

In October, we subpoenaed Michael Petruzello to come in and testify. Even though he's a paid representative of the Saudi Embassy, he told us he couldn't speak for them. So we took the next step. We subpoenaed documents from the three main lobbyists who represent the Saudis. If the internal documents match the public statements, then maybe some of their statements are true. If the internal documents don't match the public statements, then we'll know that the Saudis are trying to mislead the Congress, the mothers and fathers of kidnapped children, and the public.

We've been told so many contradictory things that we have to have some way to assess their credibility. If we can't conduct basic fact-finding, and if we can't get the documents we need to determine what the facts really are, then Congress can't conduct oversight – it's as simple as that.

The main reason we're here today is that our subpoenas haven't been complied with. To those who've observed our investigations over the years, that shouldn't come as any big surprise. I thought we'd heard just about every excuse in the book, but I was wrong.

The Saudis have taken the position that their lobbyists' documents are covered by the Vienna Convention on Diplomatic Relations. That's an interesting theory. The problem is that nobody but the Saudis or their lawyers buy it. Today, we're going to hear from one of the world's foremost authorities on the Vienna Convention – Professor Eileen Denza of University College London. I want to read you a very short quote from her letter of November 18:

"It is my opinion that the records which are the subject of subpoenas from the Committee on Government Reform of the House of Representatives are not archives or documents of the Saudi mission and so not protected on the basis of inviolability from disclosure."

This is not a trivial issue. This affects a lot more than this Committee's investigation. If the Saudi's position stands, and if the documents of anyone who receives money or direction from an embassy are protected from law enforcement, it's going to have serious consequences.

For instance, the Foreign Agents Registration Act will become a useless piece of paper. Under FARA, foreign agents – lobbyists for foreign governments – have to register with the Justice Department. They have to preserve all of their records, which are open to inspection to the Justice Department at any time. Those are exactly the kinds of records we subpoenaed. If the records of the Saudi lobbyists are suddenly covered by the Vienna Convention, what's going to happen the next time the Justice Department wants to inspect them?

One question I wanted to ask the lobbyists that have dodged our subpoena is whether they still have the documents that FARA requires them to keep. If not, they have broken the law.

It's pretty clear that the Saudis have fabricated this argument to protect embarrassing documents from disclosure. They can't cite a single precedent for their claim. In fact, we found out last night that the Saudi government has allowed the Justice Department to access records just like the ones we're seeking. This makes a mockery of their claim. We received a report from the Justice Department's foreign agents inspection unit. They inspected the records of Saudi lobbyist Frederick Dutton. The report noted that the records were available for inspection, and "contained many memos from the registrant to the Ambassador." The Saudis didn't raise the Vienna Convention then. Why are they raising it now? Probably because they're hiding embarrassing documents.

What if an embassy pays someone in the United States to conduct espionage? That would make them a paid agent for a foreign embassy. Are they immune from prosecution? Do they not have to comply with lawful subpoenas? That would be the effect of the Saudi position.

So for all these reasons, we can't let this stand. We have to insist on compliance with these subpoenas – for the sake of this investigation into child abductions, and because of these other serious issues that would arise if we let this precedent stand. That why I've called before us today the three lobbyists and their legal representative.

Let me just repeat that this is not how I wanted to handle this. At the very outset, I was hoping that the Saudis would cooperate with us and we could resolve some of these cases. I flew all the way to Saudi Arabia to try to work with them. Boy was I mistaken. My staff told their staff we would have one simple request – reunite the kidnapped children with their U.S. parent for a visit. That would have at least started the ball rolling. But they pulled a PR stunt with Pat Roush's girls and scared Amjad Radwan into silence. And then they accused me of a million dollar bribe. It was just bad faith. That's all.

I want to finish my statement by showing a short video. I want to do this to remind everyone why this is so important. I want everyone to see one more time what Maha Seramur said. She had just escaped from her Saudi father. She wasn't sure if she was going to be sent back or not. So she wanted to make sure her true feelings were recorded on tape.

[Play Tape]

Now I'm going to show a short tape of Dria Davis. Her mother and Grandmother paid \$200,000 to help her escape from Saudi Arabia after she was kidnapped by her father. Her testimony says it all when it comes to living as a young woman – scared and isolated – in Saudi Arabia.

[Play Tape]

As I conclude my statement, I want to thank Senator Lincoln for joining us today. She has shown tremendous leadership over in the Senate in trying to help families of abducted children, and I want to welcome her today and congratulate her for her hard work.


Committee on Government Reform
 U.S. House of Representatives

Home
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▼ Oversight
▼ Legislation
Schedule
Hearings
Reports
Press
Members

For Immediate Release
December 2, 2002

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Saudi Hearing Background Memo

Burton Challenges Saudi Lobbyists' Claim of Privilege in Abduction Cases

Washington, D.C. - Chairman Dan Burton (R-IN) will convene the House Government Reform Committee this week to examine the recent claim of privilege by Saudi lobbyists who have refused to supply the Committee with subpoenaed records that involve the illegal kidnappings of American citizens to Saudi Arabia.

The Committee on Government Reform will hold a hearing entitled, "The Saudi Claim of Privilege: Must Saudi Lobbyists Comply with Subpoenas in the Committee's Investigation of Child Abduction Cases?" on December 4, 2002, at 10:00 a.m., in Room 2154 of the Rayburn House Office Building.

The Committee has been investigating cases in which U.S. citizens have been kidnapped to Saudi Arabia or otherwise held against their will in Saudi Arabia. The Committee has held three days of hearings on this issue, and in late August, Chairman Burton led a Congressional delegation to Saudi Arabia to raise this issue with senior Saudi government officials.

To date, the three Washington based lobbying firms of Qorvis Communications, Patton Boggs, LLP, and the Gallagher Group, have refused to comply with Congressional subpoenas and have claimed that under the Vienna Convention on Diplomatic Relations, their documents are "archives and documents" of the Saudi Embassy, and are thus "inviolable." Chairman Burton believes there is no precedent for this claim of privilege. Furthermore, the Chairman believes that the claim of privilege, if allowed to stand, would have disastrous consequences for law enforcement investigations of terrorism and espionage.

For more information on this Saudi investigation, please visit the House Government Reform's website at www.reform.house.gov.

Witness List:

Panel I

1. Pat Roush, mother of Alia and Aisha Gheshayan, American citizens abducted to Saudi Arabia
2. Margaret McClain, mother of Heidi Al-Omary, an American citizen abducted to Saudi Arabia
3. Michael Petruzzello, Qorvis Communications
4. Jack Deschauer, Patton Boggs LLP

Mr. BURTON. With that, would you like to make a statement, Senator Lincoln?

Senator LINCOLN. Mr. Chairman, I first want to commend your leadership on the issue of child abductions and the wrongful detention of U.S. citizens in Saudi Arabia. You mentioned that it's normally a break time for us here in Washington and that everybody is scattered far and wide as far as our colleagues are concerned. But this is a very important issue and it is our job to make sure that we continue to address this issue and bring it to the light of the American people and the people abroad to better understand what has happened to these American citizens.

You, Mr. Chairman, have been a true champion of the most vulnerable among us; and I am personally grateful for the chairman's efforts. I think he has led very, very well the campaign here to bring about and bring to light the facts that are involved in these specific cases but, more importantly, in the overall unfortunate circumstances that so many American citizens have found themselves in.

I also appreciate your willingness to allow me to participate in this hearing today to introduce a constituent of mine, Margaret McClain, who I think has done a fabulous job in working with our office and has just persevered under unbelievable circumstances.

I am delighted to join my former colleagues in the House, the fun body—how's that—and delighted to be back over on this side and appreciate the working relationship that we have and I hope that we can continue that in the new year as we look for bringing up hearings in the Senate and bringing a greater awareness to my Senate colleagues about these issues so we can combine our efforts and get some results.

As I mentioned, Margaret McClain, who is with us today, is a resident of Jonesboro, Arkansas; and Ms. McClain's Heidi Al-Omary was abducted in Arkansas at the age of 5 by her noncustodial Saudi-born father, Abdulbasset Al-Omary, and taken to Saudi Arabia in 1997. I would like to point out that Mr. Al-Omary used our system of justice, he used our court system to gain access to his daughter. In pleading with the judge to ask for those unsupervised visits, he used our justice system and then immediately turned in complete disregard and thumbed his nose at the very justice system that provided him that ability to have those visits with his child. And I think that is something that we must focus on, is this complete disregard of our justice system that is there to protect our citizens of this country.

At the time of the abduction, Ms. McClain had legal custody of Heidi and Mr. Al-Omary was permitted unsupervised visitation against the will of Ms. McClain, I believe. In July of this year, Ms. McClain was permitted to travel to Saudi Arabia to visit with her daughter, who is now 10 years old, for approximately 3 hours.

My colleague, Congresswoman Maloney, mentioned when I stepped up to the dais here, as a mother I could understand these issues; and she is so right. My heart and my prayers and my thoughts and my compassion have gone out not only to Mrs. McClain but to all of these other parents who have suffered this incredible separation from their children.

Prior to this visitation in July, Ms. McClain had not seen or spoken to her daughter since Heidi was unlawfully taken from the United States. Even though I know that Ms. McClain was relieved to see her daughter after 5 years of separation, her painful experience is something no law-abiding parent should ever have to endure.

I have become actively involved in Heidi's case because I am outraged. I am outraged that the Saudi Arabians continue to invoke its law and its customs to detain my constituent Heidi Al-Omary in blatant violation of U.S. law and a valid court order. The very court system that Mr. Al-Omary used to gain access to his child is now completely disregarded.

I recognize that the issue of international child abduction is not limited to Saudi Arabia. We know that there are horrific situations all across the globe. However, the status of female abductees in the Kingdom is quite unique, since under Saudi law and custom women have very limited autonomy and will never have a meaningful opportunity to leave, even as adults, if we are unable to get them as children. And the chairman has made many references to the circumstances and the concerns, the problems that these young women and these young girls face as women in this country.

Moreover, Mr. Chairman, as I have become more familiar with the specific facts of Heidi's case and others, I have sadly concluded that our own government has failed to represent the interests of abducted children adequately. Perhaps most telling in Heidi's case is the fact that even though Heidi, a U.S. citizen, was kidnapped in August 1997, our government did not formally ask that she be returned until October 2002. How inexcusable on our part is that?

For too long it seems that the U.S. Government's role in these cases has been to maximize visitation and contacts between U.S. parents and their abducted children in an effort to avoid confrontation with foreign governments. It is sad to say that neither I nor Ms. McClain are satisfied with that approach. It is absolutely unacceptable. I firmly believe that our policy should be to aggressively seek to recover abducted children who are American citizens being held against their will, especially when they are taken to a country that displays contempt for the basic values that we all cherish as Americans.

I, for one, am not prepared to accept any result short of the recovery of Heidi from Saudi Arabia. Ms. McClain, I join you in that fight; and you know that I will be there with you. And I will join the rest of these members here as we work toward that end. I am monitoring the progress of Heidi's case personally, and I fully intend to hold the Saudi Government and the Bush administration accountable to bringing this matter to a satisfactory conclusion. I discussed Heidi's case at length with Secretary Powell on the phone, and he has assured me that he will be personally involved in resolving her case.

It's my understanding that the Saudi Government is currently unwilling to pressure Saudi parents who have abducted American children to comply with that of U.S. custody orders. If the administration is unable to persuade the Saudi Government to reverse its position in these cases, others are prepared to take steps in Congress to ensure that the Saudi Government is fully aware that its

current policy is absolutely unacceptable. To this end, Mr. Chairman, I was pleased to join you in introducing legislation this year that gives the Secretary of State additional authority to deny visas to the extended family members and employers of child abductors.

In addition, I believe the Embassy Sanctuary Resolution that we drafted is an important statement that our government is committed to protecting the rights of American citizens abroad. We never want to see that case happen again where American citizens and American children are taken to a U.S. Embassy abroad and denied sanctuary and actually removed by military. I look forward to working with you, Mr. Chairman, and all of the others again next year on these and other legislative proposals to help resolve parental kidnapping cases worldwide.

In closing, I want to express my appreciation to Margaret McClain and to Pat Roush for their willingness to come forward and share their painful stories today. The fortitude and the perseverance they have exhibited under the most difficult of circumstances is truly inspiring to all of us. I believe the hearing you have convened today will shed light on one of the many obstacles they face in being reunited with their children. And while I am not intimately familiar with every detail of the subpoenas that issued today, I share your concern about the broad scope about the privilege being asserted and how that can impede in the future our ability in Congress to protect the rights of citizens, American citizens now, in the future and certainly in term of our own security in this country.

Mr. Chairman, I thank you for your unbelievable tenacity in this issue in working through this; and I would like to remind all of us and especially the Saudis, who we would like to see as an ally and as a friend, as a good neighbor that we could work with in many of the compromising situations we see across the globe today, but I must remind all of us that a friendship and an alliance is built on mutual respect. And until we can gain the same kind of respect for our laws and our citizens as we provide to those Saudis that live in their own country in respect for their law and respect for their customs, it's going to be hard to understand any type of friendship that will take us forward in the 21 Century. So I hope we can gain that respect and that working relationship with the Saudi Government to move forward and bring resolution to these heart-wrenching situations and cases that we have seen and we have heard from these incredible women today and in the past.

Thank you, Mr. Chairman, for allowing me to be a part of this; and I look forward to working with you next year as we continue in our struggle to make sure that the American people and the Senate and the House are doing all that we can to assist these families.

[The prepared statement of Senator Lincoln follows:]

1266

**Statement of Senator Blanche Lincoln
House Committee on Government Reform
December 4, 2002 at 10:00 a.m.**

- Mr. Chairman, first I want to commend your leadership on the issue of child abductions and wrongful detentions of U.S. citizens in Saudi Arabia.
- You have been a true champion of the most vulnerable among us and I am personally grateful for your efforts.
- Also, I greatly appreciate your willingness to allow me to participate in this hearing to introduce a constituent of mine, Margaret McClain.
- Margaret McClain is a resident of Jonesboro, Arkansas. Ms. McClain's daughter, Heidi Al-Omary, was abducted in Arkansas at the age of 5 by her non-custodial, Saudi-born father, Abdalbasset Al-Omary, and taken to Saudi Arabia in 1997.

1267

- At the time of the abduction, Ms. McClain had legal custody of Heidi and Mr. Al-Omary was permitted unsupervised visitation.
- In July, Ms. McClain was permitted to travel to Saudi Arabia to visit with her daughter, who is now 10 years old, for approximately three hours.
- Prior to that visitation, Ms. McClain had not seen or spoken to her daughter since Heidi was unlawfully taken from the United States.
- Even though I know Ms. McClain was relieved to see her daughter after 5 years of separation, her painful experience is something no law abiding parent should ever have to endure.
- I have become actively involved in Heidi's case because I am outraged that Saudi Arabia continues to invoke its law and religion to detain my constituent, Heidi Al-Omary, in blatant violation of U.S. law and a valid court order.
- I recognize that the issue of international child abduction is not

limited to Saudi Arabia.

- However, the status of female abductees in the Kingdom is quite unique since under Saudi law and custom women have very limited autonomy and most likely will never have a meaningful opportunity to leave - even as adults.
- Moreover, Mr. Chairman, as I have become more familiar with the specific facts of Heidi's case and others, I have sadly concluded that our own government has failed to represent the interests of abducted children adequately.
- Perhaps most telling in Heidi's case is the fact that even though Heidi, a U.S. citizen, was kidnaped in August, 1997, our government did not formally ask that she be returned until October... 2002!
- For too long, it seems the U.S. government's goal in these cases has been to maximize visitation and contact between U.S. parents and their abducted children in an effort to avoid confrontation with foreign governments.

- It is safe to say that neither I nor Ms. McClain are satisfied with that approach.
- I firmly believe that our policy should be to aggressively seek to recover abducted children, especially when they are taken to a country that displays contempt for the basic values we cherish as Americans.
- I, for one, am not prepared to accept any result short of the recovery of Heidi from Saudi Arabia.
- I am monitoring the progress of Heidi's case personally and I fully intend to hold the Saudi government and the Bush Administration accountable for bringing this matter to a satisfactory conclusion.
- I have discussed Heidi's case at length with Secretary Powell and he has assured me that he will be personally involved in resolving her case.

- It is my understanding that the Saudi government is currently unwilling to pressure Saudi parents who have abducted American children to comply with valid U.S. custody orders.
- If the Administration is unable to persuade the Saudi government to reverse its position in these cases, I and others are prepared to take steps in Congress to ensure the Saudi government is fully aware that its current policy is unacceptable.
- To this end, Mr. Chairman, I was pleased to join you in introducing legislation this year that gives the Secretary of State additional authority to deny visas to the extended family members and employers of child abductors.
- In addition, I believe the Embassy Sanctuary Resolution we drafted is an important statement that our government is committed to protecting the rights of American citizens abroad.
- I look forward to working with you again next year on these and other legislative proposals to help resolve parental kidnaping cases worldwide.

1271

- In closing, Mr. Chairman, I want to express my appreciation to Margaret McClain and Pat Roush for their willingness to come forward and share their painful stories today.
- The fortitude and perseverance they have exhibited under the most difficult circumstances is inspiring.
- I believe the hearing you have convened today will shed light on one of the many obstacles they face in being reunited with their children.
- While I am not intimately familiar with every detail of the subpoenas at issue today, I share your concern about the broad scope of the privilege being asserted and how that can impede our ability in Congress to protect the rights of American citizens now and in the future.
- Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Senator Lincoln.

I just would like to say that if the Saudis are paying attention, and I have a sneaking suspicion that they are, that this is not a partisan issue. We have Democrats and Republicans who agree 100 percent on this. I think it is the vast majority of both the House and the Senate. So they ought to be aware that this is not an issue that is going to go away.

With that, my good friend, Mrs. Maloney, is here; and you are recognized.

Mrs. MALONEY. Thank you Mr. Chairman.

I would like to applaud your extraordinary leadership on this issue and the vaccines, for personally going to Saudi Arabia and meeting with the children, for introducing legislation and for continuing to work on this even as we are on break.

And to my dear, good friend and former colleague, we came to Congress together. Blanche left to have her two children, and I am really happy that you have come back to the Senate. She has introduced the Burton bill in the Senate; and not only will she be helping Heidi return to her mother, but this broader bill will really help all American children get back to their homes.

I think that's very, very important; and I am very proud to be working with Mr. Burton as the lead Democratic sponsor on H.R. 5715, which works to help these parents whose children have been abducted and taken overseas. This bill expands the classification of who can be denied visas from the immediate family of child abductors to the extended family and employers in order to put pressure on the abductor to resolve these cases.

I would like to further note that we have heard testimony from former Ambassador Mabus that denying visas to the families of abductors can put pressure on the abductors; and, unfortunately, Ambassador Mabus left the U.S. Embassy shortly after instituting this policy. We hope to pass this bill in the next Congress and have this as a policy that will help families, American families.

After all this moving testimony on Heidi and the two films that Mr. Burton shown, I want to remind everyone why we are here today. We are here to debate whether or not these three public relation firms representing the Saudi Government must release the subpoenaed documents. But we must not forget that the real reason we are here is because American children have been torn apart from their parents and are being held against their will in a foreign country that does not observe them any rights American citizens enjoy in our own country.

I have said over the course of these hearings that our witnesses have presented wrenching accounts, and I would like to thank the two witnesses today for your willingness to share them with us.

I would like to state that I believe the Government Reform Committee acted well within its jurisdiction when it requested the documents in question. Over the course of these hearings, we have been unsatisfied, to say the least, with the level of cooperation and amount of information provided to us by the Saudi Government. At times, information has been withheld. In other cases, information has been patently false. This is unacceptable. I strongly believe that if there is one sentence in all these documents that might help

return one child to his or her mother, then these records must be released.

Second, the Saudi Government has provided a weak interpretation of the Vienna Convention to support their case. The Convention has rules and procedures that govern the privileges and immunities of diplomatic missions. However, there is nothing in the treaty which would extend these diplomatic privileges to outside agents of the mission. In other words, these three lobbying firms should not be accorded any special privilege under the Convention.

In addition, these three firms are registered under the Foreign Agents of Registration Act, known as FARA, which requires registrants to keep records and preserve written communication so these records can be made available to the Justice Department upon request. The Saudi Government claims that if there is any discrepancy between the Vienna Convention and FARA, the Convention should take precedence. To that I say that FARA has been in place for over 60 years and has proved critical over the years, and I am certain that these three firms were aware of the requirements of FARA, and I am disgusted by their decision to deny U.S. law and to not comply.

Finally, we are in a period when our countries require greater cooperation and greater disclosure of information. While I am troubled by the Saudi government's refusal to release these documents, I am hopeful we can work together to achieve greater cooperation, transparency and ultimately to resolve these tragic family situations. These families, these children have a right to know what is contained in these documents; and I look forward to the hearing.

Finally, Mr. Chairman, I would like permission to place into the record an article that is in the—this is the Washington Post today, and I think it's directly related to what we are working on today. It's called, Saudis Deny Dragging Feet on Terrorism.

[The information referred to follows:]

washingtonpost.com: Saudis Deny Dragging Feet on Terrorism <http://www.washingtonpost.com/ac2/wp-dyn/A5602-2002Dec3?lan...>

washingtonpost.com

Saudis Deny Dragging Feet on Terrorism

Adviser Says Kingdom Is Monitoring Charities

By John Mintz
Washington Post Staff Writer
Wednesday, December 4, 2002; Page A10

The Saudi government kicked off an aggressive public relations offensive yesterday, denying it has dragged its feet in fighting terrorism and announcing a series of steps taken since Sept. 11 to ensure that al Qaeda does not receive funds from the kingdom's Muslim charities.

Adel al-Jubeir, a top foreign policy adviser to the de facto Saudi ruler, Crown Prince Abdullah, said at a news conference at the Saudi Embassy in Washington that some of the hundreds of millions of dollars that flow overseas through Saudi charities every year may have gone to the al Qaeda terrorist network. But he said his nation is doing everything it can to choke off the movement of Saudi charitable money to terrorists.

"We cannot allow our money to be used to murder people," al-Jubeir told reporters.

Allegations that the Saudis are soft on terrorism and have created a frenzy of anti-Saudi publicity, al-Jubeir said. "We believe our country has been unfairly maligned. It's 'Let's bash the Saudis' time." Some of the charges "border on hate" against Muslims, he said. In his 20 years here, he said, "I've never seen this in America."

In a report released yesterday, the Saudis detailed numerous measures they have taken since the Sept. 11, 2001, terror attacks to keep better track of charities and prevent their funds from going to Osama bin Laden's organization. The steps include ordering financial audits of Saudi charities; creating a government agency to oversee their activities; setting up a new financial intelligence unit to monitor the movement of charitable funds; and establishing new rules for sending humanitarian donations outside the country.

The Saudi report said that since Sept. 11, Riyadh has frozen 33 suspicious accounts, together worth \$5.6 million, belonging to three individuals. One of those individuals, al-Jubeir said, is Yasin al-Qadi, a Saudi millionaire and philanthropist who has been listed by U.S. officials as a terrorist financier. He has denied the assertion.

Al-Jubeir, who acts as the embassy's main spokesman, said that since the attacks on the World Trade Center and the Pentagon, the Saudi regime has questioned more than 2,000 people about possible ties to al Qaeda and has more than 100 people in custody.

Praising President Bush for saying the war on terrorism is not an attack on Muslims, he called Bush "a God-fearing man, an honorable man."

Officials of the State and Treasury departments yesterday praised Saudi cooperation in the war on terror. "We very much applaud the Saudi efforts," Treasury spokeswoman Michele Davis said.

Of a total \$3 billion to \$4 billion in Saudi annual charitable donations, only about 10 percent is sent overseas, al-Jubeir said. Although the government has found no evidence that money is flowing directly from Saudi individuals or organizations to terrorists, al-Jubeir said, he acknowledged some of the contributions may have indirectly or "inadvertently" ended up in terrorist coffers.

U.S. government officials and terrorism experts say the Saudis must tread lightly in moving against Muslim charities because of anti-American and anti-Jewish currents in Saudi society and the high regard many Saudis have for Muslim extremists.

washingtonpost.com: Saudis Deny Dragging Feet on Terrorism <http://www.washingtonpost.com/ac2/wp-dyn/A5602-2002Dec3?lan..>

Just days ago, for example, Saudi Prince Nayef, minister of the interior, told a Kuwaiti newspaper that the Sept. 11 bombings were not instigated by a group of 19 hijackers that include 15 Saudis, but by Zionists.

"We put big question marks and ask, who committed the events of Sept. 11, and who benefited from them?" Prince Nayef told the newspaper al-Siyassa. "I think they [Zionists] are behind these events."

He said he "greatly suspected" that terrorist organizations "have relations with foreign intelligence that worked against Arabs and Muslims, topped by Israeli intelligence," the newspaper said. "He noted that it is impossible that 19 youths including . . . Saudis carried out the operation of September 11, or that bin Laden or the al-Qaeda organization did that alone."

Rep. Eliot L. Engel (D-N.Y.), a frequent Saudi critic, yesterday denounced Nayef for the comments. "Does this Saudi minister sound like a partner in the war against terrorism?" he asked.

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Mrs. MALONEY. If they can deny information on domestic individual cases, then they can deny information on alleged activities of their charities, on alleged activities of funding suicide bombers and other information that has been disturbingly exposed by the press in this country; and I feel it is extremely important to the families, but it is also important in our cooperation in our fight against terrorism.

So, again, I thank you for really putting—you didn't just put one finger in—you know, the old game, hokey-pokey—you put your whole body into this issue and have been working very hard; and we appreciate it.

[The prepared statement of Hon. Carolyn B. Maloney follows:]

Statement of Congresswoman Carolyn B. Maloney
Full Committee Government Reform Hearing
“The Saudi Claim of Privilege: Must Saudi Lobbyists Comply with Subpoenas in the
Committee’s Investigation of Child Abduction Cases?”
December 4, 2002

Mr. Chairman,
I’d like to thank you for
holding this hearing today
and for keeping the focus
on this important issue.

I’m proud to be the lead Democrat on
your bill (HR 5715) which works to
help those parents whose children have
been abducted and taken overseas.

I would like to remind
everyone why we are
here today.

We will debate whether
or not these three public
relations firms representing

the Saudi government
must release the subpoenaed
documents,
but we must not forget that
the real reason we are
here is because American children
have been torn apart from
their parents and are being
held against their will in a
foreign country that does
not observe the many rights
American citizens enjoy
in this country.

I have said over the course
of these hearings that our
witnesses have presented
wrenching accounts and
I would like to thank you
for your willingness to
share them with us.

First, I would like to state that

I believe that the Government Reform Committee acted well within its jurisdiction when it requested the documents in question.

Over the course of these hearings, we have been unsatisfied with the level of cooperation and amount of information provided to us by the Saudi government.

At times, information has been withheld, in other cases, information has been patently false.

This is unacceptable.

I strongly believe that if there is just one sentence in all of these documents that might return one child

to his or her mother,
then these records must be released.

Second, the Saudi government
has provided a weak interpretation
of the Vienna Convention
to support its case.

The Convention has rules
and procedures that govern
the privileges and immunities
of diplomatic missions.

However, there is nothing
in the treaty which would
extend these diplomatic privileges
and immunities to outside
agents of mission.

In other words,
these three lobbying firms
should not be accorded
any special privilege under the Convention.

In addition, these three firms are registered under the Foreign Agents of Registration Act (FARA) which requires registrants to keep records and preserve written communication so that these records can be made available to the Justice Department upon request.

The Saudi government claims that if there is any discrepancy between the Vienna Convention and FARA, the convention should take precedence.

To that, I say that FARA has been in place for over 60 years and has proven critical over the years. I am certain that these three firms were aware of the requirements of FARA and am disgusted by their decision to defy U.S. law.

Finally, we are in a period when our countries require greater cooperation and greater disclosure of information.

While I am troubled by the Saudi government's refusal to release these documents, I am hopeful that we can work together to achieve greater transparency and ultimately resolve these tragic situations.

These families, these children, have a right to know what is contained in these documents.

Thank you.

Mr. BURTON. You have to explain to me what that game was. You put one finger in and put one finger out. You put one foot in and one foot out. You put the whole body in. It's a compliment.

Ms. NORTON. I'll rescue you from that lesson you were about to receive from my good colleague.

Let me thank you, Mr. Chairman, for what can only be called tenacious work and follow through on an issue where you have been resisted at every turn. I think that your failure to be deterred sends an important lesson to the Saudis, a lesson I hope the Congress and the committee will follow through in the next Congress and especially as we learn more, as we will today, about the consequences of Saudi action.

I think we are all going to see a response from the American people that will—that can even move the Saudis. And I say that, Mr. Chairman, because I recognize that the time of this hearing is entirely coincidental, but I think we have seen what the Saudi Government will do when there is, in fact, pressure. The firestorm that erupted about funds that apparently made their way from the Ambassador's wife to the realm of the hijackers and the outrage of the American people on that brought forth the foreign policy advisor, Mr. Al-Jubeir, to voluntarily offer up apparently all kinds of information about funding—about what the Saudi Arabia—what the Saudi Government has done to trace these funds and to make sure that these charities are, in fact, not contributing to terrorism. I haven't seen this document, but I do know that they weren't willing to say very much about this until, in fact, this caught the attention of the press and of the American people.

Now there was a lot of spin in Mr. Al-Jubeir's press conference, and he is a master of that. He uses the English language better than most Americans. And when he slips, he says, oh, you have to forgive me. My English is a little rusty. This is a man who is absolutely and totally immersed in American culture. He must understand and indeed the entire sophisticated Saudi power structure must understand, therefore, because of their familiarity with our country, how outrageous these crimes are. And what we are dealing with are certainly crimes.

We are taught that we have got to understand that when you go into these countries where people have different cultures we can't change peoples' cultures by ourselves. I couldn't agree more. I think we have to follow the lead of those in those countries who would change those cultures. But, Mr. Chairman, they are now messing with our culture and with our children and our laws. This is no longer a case of you're dealing with the Saudis and how they deal with things. They have not only implicated us in our laws; they are in direct violation of our laws. They have shown no respect for our people as American citizens. They have enslaved some of our children, kidnapped some of our children and their families, forced marriage on some of our children. The notion that we would abide this and that our own government would be complicity in it is a complete and total outrage.

Now your hearings have begun to begin the kind of exposure to this problem that all the subpoenas in the world that they refuse to honor may not do. Because that exposure, I think, is ultimately going to get the kind of response from the American people that

the scandal about the funds of recent days got with some results, apparently, from the Saudi Government.

I regard this issue involving our families and our children as a real task for the Saudis and their relationship to the United States of America. They claim to be allies. They have indeed been allies in many ways. There is a kind of reciprocal dependence: We need their oil; we need their bases. In all such relationships you look for a win-win. When it comes to our children and what is happening to these families, this is a win-lose. The State Department has—can cite no single instance in which a child has been returned. That's what I mean by win-lose. We are losing 100 percent.

What are we going to do about it? The chairman has said, let's subpoena the records, and we get the kind of legal obfuscation that perhaps we should have expected. I expect a number of things will happen. There may be a way to turn to the courts and get damages and other remedies from the courts. There must be treaty obligations involved here. This is an ally where we must have all manner of treaties when those kinds of violations occur. Surely there are remedies that our government can be forced to pursue.

Mr. Chairman, there is about to commence an independent investigation of September 11th that members of the oversight committees in the House and Senate recently opposed, that the President of the United States opposed. Why is there now going to be an independent investigation of September 11th? Because the families who were victimized by September 11th demanded it.

I regard this as an issue which can be resolved if the families who have come forward today, the families that we have heard from before and the other families implicated do for this issue what the September 11th families have done to get an independent investigation of the events and the responsibility leading up to September 11th. So I don't think we should be discouraged that we don't get voluntary cooperation from the Saudi Government or from those involved.

I believe that your work, Mr. Chairman, in bringing the families forward, the public exposure that gives this issue so that the American people can understand what is happening, will lead to a resolution of this issue if we continue to do the work that you have begun. Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Mrs. Eleanor Holmes Norton.

We will now go to our witnesses. Would you all rise, please, and be sworn.

[Witnesses sworn.]

Mr. BURTON. Be seated.

Well, we have had you, Ms. Roush and Ms. McClain, here before. Welcome Professor Denza.

We'll start with you, Mrs. Roush; and we will go to you. Then, Professor, we would like to hear from you about the claims made by the lobbyists.

Ms. Roush.

STATEMENTS OF PATRICIA ROUSH, MOTHER OF ALIA AND AISHA GHESHAYAN; MARGARET MCCLAIN, MOTHER OF HEIDI AL-OMARY; MICHAEL PETRUZZELLO, QORVIS COMMUNICATIONS; JACK DESCHAUER, PATTON BOGGS LLP; JAMIE GALLAGHER, THE GALLAGHER GROUP; AND PROFESSOR EILEEN DENZA, VISITING PROFESSOR OF LAW, UNIVERSITY COLLEGE LONDON

Ms. ROUSH. Good morning, Chairman Burton and members of the committee. It is once again an honor to bring my testimony before this distinguished body in regards to this committee's continued efforts to assist American women and children who are in grave danger inside the walls of Saudi Arabia and are unable to come home to the United States of America.

This hearing, which concerns the Saudi embassy claim of privilege in instructing its lobbyists and public relation specialists to not turn over subpoenaed documents to the committee concerning abducted American citizens, is of the utmost importance in helping to reveal the truth about the role of these firms who do the bidding for the Saudi Arabian government. For 17 years, my daughters and I have been victims of the gamesmanship played by the Saudi Government, State Department and Saudi handlers. It all started almost from the very beginning of the kidnapping of my daughters in 1986.

My past experiences in dealing with the paid representatives of the Saudi Arabian government.

Let's begin with Saudi national Salah Hejailan. His name was sent to me by the State Department just 6 months after my daughters were kidnapped. They advised me there was nothing they could do to get my daughters out of Saudi Arabia, and I had no recourse except to hire a Saudi attorney and go to Islamic court to try to win custody of my U.S. citizen daughters. The State Department knew very well that I would never win in an Islamic court in Saudi Arabia as an American, Christian woman but prodded me to hire an attorney who assured me from the very beginning that he was very well connected to the king's brother, Prince Salmon bin Abdul Azziz, Governor of Riyadh. In fact, he gloated that he was a member of Salmon's court and that his brother was the Saudi Minister of Health and another relative was the former Saudi Ambassador to the United States.

In other words, the State Department had recommended that I hire a member of the Saudi Government to work to get my daughters back when, in fact, the State Department should have been doing everything they could to bring these young girls home. It's like being told by your commander that you have to go to the enemy to save you because, sorry, we're not going to help you.

Due to pressure raised in the U.S. Congress by former U.S. Senator Alan Dixon, the Saudis, through Hejailan, proposed a plan to have my daughters released from Saudi jurisdiction and returned to U.S. soil. Hejailan enjoyed a pristine relationship with the U.S. Embassy in Riyadh and suggested that he be endowed with the title of, "special legal advisor," to the embassy in order to work for the release of my daughters. When the U.S. Embassy in Riyadh suggested this to the State Department, Washington replied that this was totally out of the question. Hejailan could never, never,

never have that title. Then the State Department double-crossed me at the eleventh hour of the final negotiations for the release of my girls and refused to send the then U.S. Ambassador, Walter Cutler, into a meeting to finalize the release of my daughters and informed the embassy to, “remain neutral and impartial.”

Hejailan crowed, “your government won’t help you; your State Department doesn’t want you, you will see your children if and when we decide.” Then he proceeded to bring a camera crew inside the villa where my daughters were being held, and told them to make statements about how they hated me and the United States. When the girls refused to comply, they were taken into a back room and threatened. This was told to me by a witness at that taping, former U.S. Consul General Richard LaRoche, who sat by and merely observed as these two little girls, then 4 and 7 years of age, were intimidated and scared by Hejailan and the nine other men he brought into that villa to make that tape. That was the first time the Saudi Government and their retainers coerced my daughters to disavow their mother and country with the complicity of the Department of State.

In 1995, 9 years later, U.S. Embassy Riyadh Consul Gretchen Welch informed me that Hejailan had at last been bestowed the title of, “legal advisor,” to the U.S. Embassy, and that, “everyone around here values his opinion.” How could a Saudi who works for the Prince of Riyadh be a legal advisor to the U.S. Government? And if the State Department was going to honor him in this way, why wouldn’t they do it when it would have made a great deal of difference in the outcome of the negotiations for my daughters?

Over the years, Hejailan continued to use everything he could to double-cross me and cause me an incredible amount of pain. He penned letters of gratitude praising himself, and faxed them to me, claiming that if I did not sign them, I would not be able to see my children again. Time after time he placed me in a position of a supplicant on my knees to beg for what is mine—the bone of my bone and flesh of my flesh.

Then there was a set-up regarding Walter Cutler and the hold I asked Senator Dixon and Senator Helms to place on Cutler’s second confirmation as U.S. Ambassador to Saudi Arabia after Hume Horan was expelled from the kingdom in 1988 in persona non-gratis. Another betrayal and double-cross with the assistance of Walter Cutler and the State Department. Hejailan also worked with Wyche Fowler to perform dirty trick after dirty trick upon me, including the fabrication and creation of false documents, phony visits, and endless lies and ruses. At one point he screamed at me, “you are being punished for going to the politicians and the press.” He still tries to get involved with these kidnapping cases. As recently as last summer, after the Government Reform Committee hearing on June 12th, Hejailan contacted Monica Stowers in Riyadh and had a deal for her. He might have even had a hand in that whole million-dollar bribe episode and the underhanded scheme to take Amjad Radwan into the marriage with the Saudi Air Force pilot.

Next we have Fred Dutton of the Washington law firm of Dutton & Dutton. Mr. Dutton has represented the Saudi Embassy for almost two decades. He has been instrumental in working with Saudi

Ambassador Prince Bandar, Saudi Foreign Advisor to the Crown Prince-Adel Jubeir, Rehab Mahsoud of the Saudi Embassy, and others in trying to discredit and marginalize me. He met with former U.S. Senator Alan Dixon in May 1987 and told him in no uncertain terms that if Gheshayan was deemed an unfit father to my daughters, the girls would never, never be returned to me, but rather given to another male relative of the family.

Even a few months ago he told my attorney that I had caused a great deal of pain and anguish to many people at the Saudi Embassy in Washington. He repeatedly blocked negotiations, including the deal to release my girls in 1996 with former U.S. Ambassador to Saudi Arabia, Raymond Mabus.

Then in 1998 when I was organizing a press conference at the National Press Club in Washington regarding violations of human rights by the Saudi Government and had invited various parents of victim children and a former U.S. diplomat that was assigned to the U.S. consulate in Jeddah, I met with the Saudi torture lobbyist group, Hill & Knowlton. I had discovered that many of the rooms at the National Press Club had been reserved by Hill & Knowlton for the same day that our press conference was scheduled. I thought it was more than coincidental. Shortly after that, I began receiving e-mails from Jim Jennings, Director of National Practices at Hill & Knowlton. His e-mail states:

I have seen recent e-mail traffic about your concerns over meetings at the National Press Club next week. You are mistaken if you believe in any way, shape, or form that our company is involved with this matter or representing any aspect of the Government of Saudi Arabia on any matter. I have been with this firm for 25 years and do not remember a time when we have ever represented the Saudis; yet you state boldly in your e-mail that we do.

Although Mr. Jennings denied that his firm ever represented the Saudi Government in any shape, way, or form, Hill & Knowlton is mentioned in the book, *Agents of Influence*, by Pat Choate. I would like to read to you a piece from the December 15, 1992 Houston Post:

Human Rights Abusers Pay Lobbyists Millions.

Nations that abuse human rights pay millions every year to Washington insiders, Republicans and Democrats alike, seeking foreign aid and special treatment from the U.S. Government, says a report due out today. "U.S. taxpayers are indirectly supporting the activities of lobbyists, lawyers, and public relations firms who were paid more than 24 million in 1991 to 1992 to represent foreign interests that are persistent abusers of human rights," concludes a report by the Center for Public Integrity.

But I have to say that in my 17 years of fighting Saudis and their torture lobbyists, retainers, and mouthpieces, this last experience with Qorvis Communications has been the most shocking and blatant disregard for human life I have ever seen. It was not even covert. They didn't even do it to me behind closed doors, like Hejailan and Dutton, and then just walk away smirking. No, this time, Adel Jubeir and Qorvis, Gallagher, and Patton Boggs felt so arrogant, so smug, and so confident that they could pull off this scheme in London with my daughters as their little pawns to move

around the planet anywhere and anytime they wanted. They, so to speak, pulled it off in broad daylight.

Michael Petruzzello of Qorvis testified in October that the Saudi Government has been trying so hard to convince my daughters to come to the United States to visit me, but they just couldn't talk the girls into it. Nope. But the girls had a great idea to go to London at the same time Members of the U.S. Congress were in Saudi Arabia trying to free them. Petruzzello also stated that he only knew about the London trip 2 days before the girls were taken there. Does Petruzzello know that perjury is a crime? Does he know that his dealing—he is dealing with flesh and blood? How far would the Saudi officials and Saudi retainers take this cruel and treacherous game to destroy me and my daughters? What is next in line for us? Murder? Will we be “accidented” or “suicided”? Or is a better punishment for all of us to continue to force my daughters to remain in Saudi Arabia for the entire remainder of their lives and never leave, having a baby each year and live lives of total submission and servitude to the males their father sold them to, with absolutely no freedom and no choices at all?

The Saudi officials and American traitors who do their bidding for them just had to come up with a plan to finally stop me, shut me down. I am sure they all sat around some plush office like the one Margaret, Maureen, and I were in at Hill & Knowlton, or perhaps it was out at Bandar's palace in McLean on the Potomac where they kicked around this little hatchet job on me and my daughters, Congressman Burton, and the CODEL. They felt so positive that no one could stop them that they even chose to do the deed the very same weekend that Members of Congress had journeyed to Saudi Arabia to ask the highest Saudi authorities for the release of my U.S. citizen daughters and others like them who were locked up in that treacherous prison known as the Kingdom of Saudi Arabia.

Did they know that these plans involved criminal acts committed by Saudi nationals against U.S. citizens and should not have been taken so lightly? Adel Jubeir had been salivating to make this happen for months, ever since the June 12th hearing. First he went to Burns, State Department Near Eastern Bureau. In July Randy Carlino of American Citizens Services called me and stated that Jubeir told Burns that my daughters would be available to meet with U.S. Embassy consular officers in Riyadh concerning a statement where they wanted to live, but this statement had to be made public. I asked Carlino what Burns told Jubeir. “He said it would appear to be staged.” And then I asked Carlino if Burns had told Jubeir that these were two American citizens and that the U.S. State Department wanted returned as soon as possible. Carlino stated that Burns had not mentioned that to Jubeir.

Then while the CODEL was making plans for the trip to Saudi Arabia and the Saudis and their guys downtown were planning all these television appearances for Jubeir to try to make them look good, Jubeir popped up on television personality Bill O'Reilly's O'Reilly Factor on August 9th. I had been a guest on The Factor earlier in the year and O'Reilly asked Jubeir if my daughters were being held against their will in Saudi Arabia. Jubeir answered, of course not. And then O'Reilly offered—and then Jubeir offered

O'Reilly a chance to interview my daughters. Jubeir knew he had hooked his fish.

O'Reilly's producer, Kristine Kotta, called me. I told her that was absolutely not to be done. It was just what Jubeir had wanted and needed to destroy my girls. O'Reilly called me the next day and I told him to stay out of it. I offered to meet Jubeir on national television on O'Reilly's show, and O'Reilly informed me that Jubeir declined to get on television with me and referred to me as an enemy of the kingdom.

I never heard from O'Reilly again and I assumed the matter was put to rest. I was wrong. Labor Day weekend, while the CODEL was in Saudi Arabia to ask the Saudi authorities for my daughters to return to me in the United States, O'Reilly, Fox Television, the Department of State, and the Associated Press Arab woman reporter who had written many, many favorable articles about the Saudi regime plus Adel Jubeir, his brother Nail Jubeir who works for the Saudi Embassy, and Qorvis Communications, were all very busy, directing, producing, and participating in the sadistic Stalinistic show trial of my innocent daughters that was taking place in London at the Langham Hilton Hotel, forcing them once again at gunpoint to disavow their mother and the United States.

Alia and Aisha had not been allowed to leave Saudi Arabia since they were kidnapped in 1986. When I saw my daughters in Riyadh in 1995, Alia told me that they never left the kingdom, they were never taken to Europe on vacation like their friends were; their father was wanted by Interpol and did not travel. And he kept his promise to me that Alia and Aisha would never be allowed to leave Saudi Arabia. But that was until Adel Jubeir and Qorvis and the others got involved with this scheme.

On August 31, 2002, I had spoken to Chief Counsel Jim Wilson and Chairman Burton in Arabia. A few minutes after that phone call, the State Department called me to inform me that my daughters were somewhere in Europe. Carlino wouldn't tell me what country they were in. Since neither Mr. Wilson nor Congressman Burton had mentioned anything about the girls in Europe, I was perplexed. He asked my permission for a U.S. Embassy consular officer to take down a statement from my daughters. I said no, as I had done in July. No other information was given to me. Carlino never mentioned the Saudi Government involvement in this matter.

The next day, a reporter friend had called me and read the official statement to me that was released by the State Department regarding my daughters—what my daughters told them at the Langham Hotel. Unbeknownst to me at that time, Ms. Diane Andruch, Deputy Assistant Secretary of State for Consular Affairs, had given the order for Acting U.S. Consul General Margaret Higgins, at the U.S. Embassy in London, to make the visit to the girls' hotel suite. And who had contacted the State Department to make this request? Adel Jubeir, supposedly on August 30th. We still don't know who gave Diane Andruch the order for the London Embassy meeting with the girls. Was it the Secretary of State himself?

When the State Department was asked, via written questions by the Committee for Government Reform, why Alia and Aisha did not make the request themselves, the response was that neither Alia

nor Aisha spoke English. But this was simply not true. When I visited my daughters in 1995, with the assistance of U.S. Secretary—U.S. Ambassador to Saudi Arabia Raymond Mabus, my daughter Alia spoke English very well and has 100 percent comprehension of English. So if she really wanted to make her wishes known to the American Embassy in London, she could have called them herself. Instead, her husband called Nile Jubeir, Adel's brother, who then called the U.S. Embassy in London after Adel Jubeir had personally made the arrangements with Washington for the London meeting.

Then Qorvis sent one of their employees from the Washington office, Shareen Soghier, who called herself, "a Saudi media specialist." She sat in on the interview with Fox Television, giving my daughters head signals as to how to answer questions. This "minder" was there to be sure that the girls didn't say anything that the Saudi Government or their paid retainers didn't want them to say.

The Associated Press reporter, Dona Naser, told my daughters—told me that my daughter Alia exclaimed: I don't want to go to the United States or see my mother. And then Aisha chirped: We want her to leave us alone and will not rest until she is dead. This is the same daughter who 1 year ago bravely defied her father and told me on the telephone: Hello, Mom. I love you, Mom. I love you. I love you.

Abu Naser also stated Alia had dark circles under her eyes and the girls jumped when there were two separate knocks on the door of the hotel suite, one room service and then maintenance.

O'Reilly's producer told me that Aisha seemed confused about why they were taken to London and why all those people were paraded into the hotel suite to talk to them. But Alia knew what was going on. I can imagine her lying awake at night, knowing that she was in a free country at last, and knowing that there was no way for her to get away from all those Saudi men. What was she to do? Tell the London Embassy representative that she and Aisha wanted to get out of there? She knew she could never trust the American Embassy or anyone connected to them. They were trapped, whether inside the despotic kingdom or guarded in a hotel suite in London.

When Fox asked Aisha what they were going to do in London, she replied: Visit Big Ben and go to the cinema. This was the same line Jubeir had told William McGurn. The script was rehearsed down to the last detail. Poor Aisha hadn't been to the cinema since she was 3 years old, when I took her and Alia to see E.T. here in the United States. There are no cinemas in Saudi Arabia; and Asia, cloistered up in the kingdom, I'm sure never heard of Big Ben.

Not only were Alia and Aisha kept in this little hothouse controlled environment in a hotel suite in London by the men their father sold them to, their father and his brothers, as was told to me by the O'Reilly producer, but also the Jubeir brothers who worked for the Saudi Government.

For 17 years the Saudi Government has been stating that their Islamic law forbids the government to get involved with these private family matters, but this public relations stunt in London was written and directed by Qorvis, and maybe the others, produced by

the Saudi officials and Jubeir, and taped by the American media under the full blessings of our own U.S. Department of State.

Saudi Foreign Minister Saud bin Faisal sent a recent letter to the Government Reform Committee stating that there should be a clear and joint vision, whose first priority would be the interests of our children, and guarantees their life with freedom and security. He also went on to say: I wish to explain and—I wish to explain and ascertain that the Government of Saudi Arabia had nothing to do with the travel arrangements. You should know that the meeting was initiated by the husbands of the two Gheslayan girls themselves.

So who are we to believe? The State Department states in their written questions to the Committee for Government Reform that Adel Jubeir called Washington NEA Bureau and made the request for the London meeting. Adel Jubeir told William McGurn of the Wall Street Journal that he had made all the arrangements. Michael Petruzzello testified that Jubeir had the idea when he was on the O'Reilly program. And now the Saudi Foreign Minister sent a letter stating that the men that married my daughters were the ones that initiated the travel arrangements. And the Saudi-owned Arab News states that the Saudi Government bore the expenses of their travel with their husbands and children to London in order to allow them total freedom to speak.

In a letter to Chairman Burton, Al-Faisal continues to hide behind their stated belief system as though they are all anointed and far too holy to be questioned about their actions. He says what is really surprising is that you use unacceptable allegations against the kingdom and its Islamic Shari'a laws; therefore, we totally reject anything that damages our Islamic Shari'a on which a total system of the state is founded, and in which one quarter of the population of this Earth believe. This Shari'a regulates and guarantees all humanitarian rights without any prejudices. It is founded on God's orders which we follow as well as the good objectives of Islam, mainly justice.

I am really sick and tired of these criminals, this Saud family who took the Arabian peninsula by force after World War I, and all their degenerate descendants who have stolen the money from the oil revenues from the indigent people of Arabia to continually hide behind this Wahhabi belief system and shove it down the throats of the West as though they are saintly, devoutly religious, righteous men who uphold justice, freedom, and truth.

Quite the opposite is true. Just review the human rights record of this sadistic regime with their secret police, religious police, military police, and torture chambers. This regime who takes their own people's money has nothing to do with freedom or any of the virtues or high principles of mankind. This continual posturing and lying is absurd.

Yesterday, Adel Jubeir held a press conference at the Saudi Embassy to do some damage control on the Haifa incident. Petruzzello was coordinating, of course. Jubeir continued to state that there are only four cases of Saudi abductions. This is a blatant lie. There are hundreds of American women and children in Saudi Arabia that are prevented from leaving. They are afraid of the men that rule them and the Saudi Government. How can you compare Ger-

many and Western Europe with the repressive evil tortures done to these people inside Saudi Arabia? When questioned by a reporter concerning the subpoenaed documents, Jubeir stated: Is Chairman Burton serious about dealing with child custody cases, or is he engaged in a publicity stunt?

Jubeir and his servants are the experts in publicity stunts, not Dan Burton. I haven't met a man of Dan Burton's caliber and integrity on Capitol Hill since former U.S. Senator Alan Dixon retired. He has been working to free American citizens held hostage in a 9th-century hellhole. He deserves our respect, admiration, and support. Everyone in this town should be involved in this issue. Teddy Roosevelt would have sent in the cavalry, and Winston Churchill the RAF. What did G I Joe in the trenches die for? Certainly not for us to forfeit the freedom of American citizens to a despotic regime like Saudi Arabia.

In their response to the written questions, the State Department repeats that their highest priority is protection of American citizens. Consular officers met with my daughters in London at the request of Adel Jubeir, not Alia and Aisha, and against my wishes, knowing full well that the girls never had a chance to speak freely.

The State Department was so eager to make this happen and put a knife in my back and then turn it to appease their Saudi clients, stop me and prevent my innocent daughters from even having a chance at freedom. They knew the girls would be taken back to their Saudi prison. If the Saudis and their American pimps were sadistic and cold-blooded, what about our own State Department?

The State Department feels they are justified. Case closed. In their written response to questions posed by the committee, they state that in the London meeting, Alia and Aisha were told that they were American citizens and could claim their U.S. passports at the American Embassy in Riyadh. What a joke. Prince Saud states that any American citizen woman can leave if she wants to, but no one has left. And U.S. Ambassador to Saudi Arabia Robert Jordan states that he will not expel any U.S. citizen from the embassy in Saudi Arabia like Monica Stowers and her children were escorted out by the Marines. But Jordan failed to state what he would do with these American women once they got to the embassy. He didn't offer to assist them, to offer them passports, get them into an embassy car, and then take them to a U.S. military base and pack them safely on a military plane heading for U.S. soil. No, Mr. Jordan didn't make that promise. It would offend the Saudis and our special relationship with them would be in jeopardy.

Funny thing, last week Prince Bandar's wife, Princess Haifa Al-Faisal, was caught funneling money to the same terrorists that killed almost 3,000 Americans on their way to work one September morning. The New York Times explained that the princess was sitting in her poolhouse, surrounded by her eight children, and received telephone calls offering her support from Barbara Bush and Alma Powell. In 17 years, no one has called me to say how sorry they are for what this government and the Saudi Government have done to my family, but the Saudi Ambassador and his wife are consoled by our highest leaders and their families before the facts are known about their involvement on an attack on our country. But

of course the Saudis are our friends, and this friendship is based on money, and that is all that counts. Let's work backward from that premise.

Meanwhile, Petruzzello stated in the October hearing that he has no opinion about whether or not the Saudi Government is holding Americans against their will in Saudi Arabia. He only writes the scripts, disseminates the propaganda on Capitol Hill, organizes dirty games against two defenseless, innocent women who have suffered nearly all their lives at the hands of the Saudis, and then collects his \$200,000 per month from his Saudi masters. In other words, he will do anything for money.

The Saudi Embassy has instructed all the lobbyists and public relations specialists not to turn over the subpoenaed documents. If they have nothing to hide and are so interested in assisting the committee in resolving these cases, as their attorney Maureen Mahoney from the Washington law firm of Latham & Watkins states, why not just allow the committee to review the documents?

In her letter of November 14th to Chief Counsel Wilson, Ms. Mahoney states that the Saudi—that Saudi Arabia has given very serious conditions—consideration to the issues raised by the committee surrounding the kidnapping of American citizens. She carefully outlines the steps that the Saudi Government has initiated to protect the children and reach an intergovernmental solution.

I can tell you that as a 17-year veteran of the Saudi Government and their retainer schemes and dirty tricks, Ms. Mahoney's statements are nothing but a perpetuation of non-meaningful jargonese expressed by another paid mouthpiece for the Saudis. What she is saying means nothing in reality to my daughters, granddaughter, Monica Stowers' daughter, or the hundreds of other American women and children in Saudi Arabia whose voices cannot be heard and whom I represent in absentia.

The creation of a task force, ongoing dialog with the State Department, means nothing. Prince Bandar's letter to Dan Burton dated October 22nd states, "The embassy retained these firms to assist with its performance of core diplomatic functions." Does Prince Bandar call what happened in London over Labor Day weekend part of the embassy's diplomatic functions? Sending my daughters to London was a public relations stunt to harm the efforts of the chairman and the committee to have my daughters released. It was also a cynical, brutal manipulation of two young women who are victims of contemporary slavery.

This is all part of the continual dissemination of factual misrepresentations to Members of Congress and the media by the Saudi officials and their PR people. These documents are of the utmost importance to reveal the true facts behind what the lobbyists and PR specialists have been doing to American citizens. This has nothing to do with diplomatic relations, and the Saudi Government is once again attempting to hide behind some law or convention to protect itself from being revealed as participating in possible criminal acts and against all humanity which are certainly against all of God's laws.

For the Saudi Arabian Government to hide behind the Vienna Convention for Diplomatic Relations is a scandal and a mockery of that document. These torture lobbyist public relations specialist

law firms are working as foreign agents inside the United States and are not diplomats. I further charge that diplomats such as Adel Jubeir, Nile Jubeir, Prince Bandar, and others like him be expelled from the United States *persona non grata* for their participation in criminal acts against American citizens. We cannot deport Petruzzello and the other U.S. citizens who sold themselves to the Saudis, but we can and must hold them accountable for their dastardly deeds, and may have God have mercy on their souls.

Mr. BURTON. Thank you very much Ms. Roush. I think you covered it all very well.

[The prepared statement of Ms. Roush follows:]

1295

STATEMENT OF PATRICIA M. ROUSH

BEFORE THE COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES

107TH CONGRESS
WASHINGTON, D.C.

DECEMBER 4TH, 2002

INTRODUCTION

Good Morning Chairman Burton and Members of the Committee. It is once again an honor to bring my testimony before this distinguished body in regards to this Committee's continued efforts to assist American women and children who are in grave jeopardy inside the walls of Saudi Arabia and are unable to come home to the United States of America.

This hearing which concerns the Saudi Embassy claim of privilege in instructing its lobbyists and public relations specialists to not turn over subpoenaed documents to the Committee concerning abducted American citizens is of the utmost importance in helping to reveal the truth about the role of these firms who do the bidding for the Saudi government. For seventeen years my daughters and I have been victims of the gamesmanship played by the Saudi government, State Department and Saudi handlers. It all started almost from the very beginning of the kidnapping of my daughters in 1986.

PAST EXPERIENCES DEALING WITH PAID REPRESENTATIVES OF THE SAUDI GOVERNMENT

Let's begin with Saudi national, Salah Hejailan. His name was sent to me by the State Department just six months after my daughters were kidnapped. They advised me there was nothing they could do to get my daughters out of Saudi Arabia and I had no recourse except to hire a Saudi attorney and go to Islamic court to try to win custody of my U.S. citizens daughters. The State Department knew very well that I would never win in an Islamic court in Saudi Arabia as an American, Christian, woman but prodded me to hire an attorney who assured me from the beginning that he was very well connected to

the king's brother, Prince Salmon bin Abdul Azziz, Governor of Riyadh. In fact, he gloated that he was member of Salmon's court and that his brother was the Saudi Minister of Health and another relative was the former Saudi ambassador to the United States. In other words the State Department had recommended that I hire a member of the Saudi government to work to get my daughters back when in fact the State Department should have been doing everything they could to bring these young girls home. Its like being told by your commander that you have to go to the enemy to save you, because "sorry" we're not going to help you.

Due to pressure raised in the U.S. Congress by former U.S. Senator Alan Dixon (D-IL), the Saudis, through Hejailan, proposed a plan to have my daughters released from Saudi jurisdiction and returned to U.S. soil. Hejailan enjoyed a pristine relationship with the U.S. Embassy in Riyadh and suggested that he be endowed with the title of 'special legal advisor' to the embassy in order to work for the release of my daughters. When the U.S. Embassy-Riyadh suggested this to the State Department, Washington replied that this was totally out of the question. Hejailan could never, never have that title. Then the State Department double crossed me at the eleventh hour of the final negotiations for a the release of my girls and refused to send the then U.S. Ambassador - Walter Cutler, into a meeting to finalize the release of my daughters and informed the embassy to "remain neutral and impartial."

Hejailan crowed, "Your government won't help you; your State Department doesn't want you. You will see your children if and when WE decide." He then proceeded to bring a camera crew inside the villa where my daughters were being held and told them

to make statements about how they hated me and the United States. When the girls refused to comply, they were taken into a back room and threatened. This was told to me by a witness at that taping, former U.S. Consul General Richard LaRoche, who sat by and merely observed as these two little girls, then four and seven years of age were intimidated and scared by Hejailan and the nine other men he brought into that villa to make that tape. That was the first time the Saudi government and their retainers coerced my daughters to disavow their mother and country with the complicity of the Department of State.

In 1995 nine years later U.S. Embassy-Riyadh Consul General Gretchen Welch informed me that Hejailan had at last been bestowed the title of “legal advisor” to the U.S. Embassy and that “everyone around here values his opinion.” How could a Saudi who works for the Prince of Riyadh be a legal advisor to the U.S. government? And if the State Department was going to honor him in this way, why wouldn’t they do it when it would have made a great deal of difference in the outcome of the negotiations for my daughters?

Over the years Hejailan continued to use everything he could to double cross me and cause me an incredible amount of pain. He penned ‘letters of gratitude’ praising himself and faxed them to me claiming that if I did not sign them, I would not be able to see my children again. Time after time he placed me in a position of a supplicant on my knees to beg him for what is mine – the bone of my bone and flesh of my flesh. Then there was a “set-up” regarding Walter Cutler and the hold I asked Senator Dixon and

Senator Helms to place on Cutler's second confirmation as U.S. ambassador to Saudi Arabia after Hume Horan was expelled from the Kingdom in 1988. Another betrayal and double cross with the assistance of Walter Cutler and the State Department.

Hejailan also worked with Wyche Fowler to perform dirty trick after dirty trick upon me including the fabrication and creation of false documents, phony visits and endless lies and ruses. At one point he screamed at me, "You are being punished for going to the politicians and the press." He still tries to get involved with these kidnapping cases; as recently as last summer after the Government Reform Committee hearing on June 12th, Hejailan contacted Monica Stowers in Riyadh and had a "deal" for her. He might have even had a hand in that whole million dollar bribe episode and the underhanded scheme to take Amjad Radwan into the marriage with the Saudi Air Force pilot.

Next we have Fred Dutton of the Washington law firm of Dutton & Dutton. Mr. Dutton has represented the Saudi Embassy for almost two decades. He has been instrumental in working with Saudi Ambassador Prince Bandar, Saudi Foreign Advisor to the Crown Prince-Adel Jubeir, Rehab Mahsoud of the Saudi Embassy and others in trying to discredit and marginalize me. He met with former U.S. Senator Alan Dixon in May 1987 and told him in no uncertain terms that even if Gheshayan was deemed an unfit father to my daughters, the girls would never, never be returned to me but rather given to another male relative of the family.

Even a few months ago he told my attorney that I had caused a great of pain and anguish to many people at the Saudi Embassy in Washington. He repeatedly blocked negotiations including the deal to release my girls in 1996 that former U.S. Ambassador

to Saudi Arabia Raymond Mabus had been discussing with Prince Bandar.

Then in 1998 when I was organizing a press conference at the National Press Club in Washington regarding violations of human rights by the Saudi government and had invited various parents of victim children and a former U.S. diplomat that was assigned to the U.S. Consulate in Jeddah, Saudi Arabia, I met with the Saudi torture lobbyist group – Hill & Knowlton. I had discovered that many of the rooms at the National Press Club had been 'reserved' by Hill & Knowlton for the same day that our press conference was scheduled. I thought it was more than coincidental.

Shortly after that I began receiving E-mails from Jim Jennings, the director of National Practices at Hill & Knowlton:

I have seen recent email traffic about your concerns over meetings at the National Press Club next week . . . you are mistaken if you believe in any way, shape or form that our company is involved with this matter or representing any aspect of the government of Saudi Arabia on any matter. I have been with this firm for 25 years and do not remember a time when we have ever represented the Saudis—yet you state boldly in your email that we do.

Although Mr. Jennings denied that his firm ever represented the Saudi government in “any way, shape or form,” Hill & Knowlton is mentioned in a book, *Agents of Influence* by Pat Choate, copyright 1990, as being retained by the Royal Embassy of Saudi Arabia, Saudi Prince Talal, and Adnan Khashoggi. The role of powerful lobbyists such as Hill & Knowlton is further explained in the December 15, 1992, *Houston Post*:

Human Rights Abusers Pay Lobbyists Millions

Nations that abuse human rights pay millions every year to Washington insiders—Republicans and Democrats alike—seeking foreign aid and special treatment from the U.S. government says a report due out today.

“U.S. taxpayers are indirectly supporting the activities of lobbyists, lawyers and public relations firms who were paid more than \$24 million in 1991–92 to represent foreign interests that are persistent abusers of human rights,” concludes a report by the

Center for Public Integrity. The center, a nonprofit group that examines public policy issues, calls its "torturers" lobby report the "first comprehensive, thorough analysis of who does the bidding in Washington for these controversial governments."

Leading the list of lobbyists for nations that abuse human rights was Hill & Knowlton, a well-connected firm with a reputation for handling tough assignments.

My experience with Hill & Knowlton was documented in my book, *At Any Price: How*

America Betrayed My Kidnapped Daughters for Saudi Oil:

Torture Lobbyist Territory

Then we continued to the offices of Hill & Knowlton in the Watergate. At first the guard had reservations about allowing us in, but I told him we wouldn't cause any disturbance. He sympathetically directed us to their suite. At the reception I asked to speak with Tom Buckmaster, the general manager of the Washington office. Maureen and Margaret and I, hot, tired, and perspiring from the protest and confrontation, were escorted into a chic, glass-doored conference room with a full bar. We sank down into the luxuriously padded chairs with our posters at our sides. I said, "Let me do the talking." We were kept waiting for about twenty minutes and just as we were readying ourselves to walk out, Buckmaster came into the room, accompanied by a nervous, bespectacled companion carrying our "file." Buckmaster again denied that they worked for the Saudi embassy. I told them we wanted all of our children released and that all their deception couldn't and wouldn't stop us. I told them to give their boss, Prince Bandar, that message.

Three days after that meeting I received the following certified letter:

Dear Ms. Roush:

We are legal counsel to Hill and Knowlton. You have been repeatedly advised that Hill and Knowlton does not now, nor has it ever, represented the government of Saudi Arabia, its embassy in Washington, DC, or any of its individuals in diplomatic or community matters.

You have persisted in disseminating information about Hill and Knowlton in connection with your allegations of the company's involvement on issues relating to human rights abuses. All of what you have published is false and obviously disseminated with malicious intent, since you have previously been advised of the true facts.

We request that you immediately cease any public statements about Hill and Knowlton that do not reflect the true facts with respect to this issue. If you do not immediately cease this improper, untruthful and intentionally malicious attack on Hill and Knowlton, we will take whatever steps are necessary to properly protect our clients' interests.

Davis & Gilbert

I then sent the following letter to Davis & Gilbert:

Dear Mr. Davis and Mr. Gilbert:

In your letter addressed to me dated September 25, 1998, you stated that you are

legal counsel to Hill & Knowlton, the public relations firm and large international lobbyist group. You emphatically and most aggressively affirmed that your client, Hill & Knowlton, “does not now, nor has it ever, represented the government of Saudi Arabia, its embassy in Washington, DC, or any of its individuals in diplomatic or community matters.”

... It is obvious to me that you are quite misinformed about who your clients are and who your clients were in the past. It is stated quite factually in the national bestseller *Agents of Influence* by Pat Choate, published by Touchstone Books in 1990, that Hill & Knowlton have represented the Royal Embassy of Saudi Arabia (pg 246) and His Royal Highness Prince Talal (pg 236 and pg 256). I have included faxed photocopies of these pages from the book to you in this correspondence. The book also states that Hill & Knowlton have represented the Saudi arms dealer, Adnan Khashoggi (pg 242). I suggest that next time before you send any threatening letters to me or any other victims of Saudi torture, you check things out a bit more thoroughly.

Patricia Roush

I never heard from Davis & Gilbert or Hill & Knowlton again.

Interestingly enough, according to the *New York Post*, the post-9/11 list of spin doctors hired by the Saudis to create a better image includes Hill & Knowlton with a one year contract at \$77,000 per month.

But I have to say that in my seventeen years of fighting Saudis and their torture lobbyists, retainers and mouthpieces this last experience with Qorvis Communications has been the most shocking and blatant disregard for human life I have ever seen. It was not even covert. They didn't even do it to me behind closed doors like Hejailan and Dutton and then just walk away smirking. No, this time Adel Jubeir and Qorvis, Gallagher and Patton Boggs felt so arrogant, so smug and so confident that they could pull off this scheme in London with my daughters as their little pawns to move around the planet anywhere and anytime they wanted. They so to speak “pulled it off in broad daylight.”

Michael Petruzzello of Qorvis testified in October that the Saudi government has been trying so hard to convince my daughters to come to the United States to visit me but they just

couldn't talk the girls into it. Nope. But the girls had a great idea to go to London at the same time members of the U.S. Congress were in Saudi Arabia trying to free them. Petruzzello also stated that he only knew about the London trip two days before the girls were taken there. Does Mr. Petruzzello know that perjury is a crime? Does he know that he is dealing with flesh and blood here? How far will the Saudi officials and Saudi retainers take this cruel and treacherous game to destroy me and my daughters? What's next in line for us – murder? Will we be “accidental” or “suicided”? Or is a better punishment for all of us to continue to force my daughters to remain in Saudi Arabia for the entire remainder of their lives and never leave – having a baby each year and live lives of total submission and servitude to the males their father sold them to with absolutely no freedom and no choices at all.

The Saudi officials and the American traitors who do their bidding for them just had to come with a plan to finally stop me – shut me down. I'm sure they all sat around some plush office like the one Margaret, Maureen and I were at with Hill & Knowlton or perhaps it was out at Bandar's palace in McLean on the Potomac where they “kicked around” this little hatchet job on me and my daughters, Congressman Burton and the CODEL. They felt so positive that no one could stop them that they even chose to do the deed the very same week end that members of Congress had journeyed to Saudi Arabia to ask the highest Saudi authorities for the release of my U.S. citizen daughters and others like them who were locked up in that treacherous prison known as the Kingdom of Saudi Arabia.

Did they know that these plans involved criminal acts committed by Saudi nationals against U.S. citizens and should not have been taken so lightly?

Adel Jubeir had been salivating to make this happen for months – ever since the June 12th

hearing. First he went to Burns – State Department Near Eastern Bureau. In July Randy Carlino of American Citizens Services called me and stated that Jubeir told Burns that my daughters would be available to meet with U.S. embassy consular officers in Riyadh regarding a statement where they wanted to live but this statement had to be made public. I asked Carlino what Burns told Jubeir. “He said he would appear to be ‘staged.’ And then I asked Carlino if Burns had told Jubeir that these were two American citizens and that the U.S. State Department wanted returned as soon as possible. Carlino stated that Burns had not mentioned that to Jubeir.

I called Rod Dreher of National Review and he wrote an article about the Burns-Jubeir meeting.

Then while the CODEL was making plans for the trip to Saudi Arabia and the Saudis and their guys downtown were planning all these television appearances for Adel Jubeir to try to make them look good, Jubeir popped up on television personality Bill O’Reilly’s O’Reilly Factor on August 9th. I had been a guest on The Factor earlier in the year and O’Reilly asked Jubeir if my daughters were being held against their will in Saudi Arabia. Jubeir answered of course not and then offered O’Reilly a chance to interview my daughters. He knew he had hooked his fish.

O’Reilly’s producer, Kristine Kotta, called me. I told her that was absolutely not to be done. And it was just what Jubeir wanted and needed to destroy my girls. O’Reilly called me the next day and I told him to stay out of it. I offered to meet Jubeir on national television on O’Reilly’s show and O’Reilly informed me that Jubeir declined to get on television with me and

referred to me as “an enemy of the kingdom.”

I never heard from O’Reilly again and I assumed the matter was put to rest. I was wrong. Labor Day week while the CODEL was in Saudi Arabia to ask the Saudi authorities for my daughters to return to me in the United States, O’Reilly, Fox television, the Department of State, an Associated Press Arab woman reporter who had written many, many favorable articles about the Saudi regime plus Adel Jubeir, his brother Nail Jubeir who works for the Saudi Embassy and Qorvis Communications were all very busy directing, producing, and participating in the sadistic Stalinistic show trial of my innocent daughters that was taking place in London at the Langham Hilton hotel – forcing them once again, at gunpoint, to disavow their mother and the United States.

Alia and Aisha had not been allowed to leave Saudi Arabia since they were kidnapped in 1986. When I saw my daughters in Riyadh in 1995 Alia told me that they never left the kingdom. They were never taken to Europe on vacation like their friends were. Their father was wanted by Interpol and did not travel. And he kept his promise to me that Alia and Aisha would never be allowed to leave Saudi Arabia. But that was until Adel Jubeir and Qorvis and the others got involved with this scheme.

On August 31, 2002 I had spoken to Chief Counsel Jim Wilson and Chairman Burton in Saudi Arabia. A few minutes after that phone call Randy Carlino from the State Department called me to inform me that my daughters were “somewhere in Europe.” He wouldn’t tell me what country they were in. Since neither Mr. Wilson nor Congressman Burton had mentioned anything about the girls in Europe I was very perplexed. He asked my permission for a U.S.

Embassy consular officer to take down a statement from my daughters. I said no as I had done earlier in July. No other information was given to me. Carlino never mentioned the Saudi government involvement in this matter.

I called Saudi Arabia and Chief Counsel Wilson had no knowledge of the London trip. Later that night I found out that Adel Jubeir had telephoned William McGurn of the Wall Street Journal and gloated to him that the girls were on vacation in London. When asked what they were going to do in London, Jubeir stated, "Visit Big Ben and go to the cinema."

Then the next day a reporter friend had called and read the official statement to me that was released by the State Department regarding what my daughters allegedly told them at the Langham Hilton. Then Carlino called to read me that same statement. I asked him why he asked my permission for the statement to be taken if they were going to do it anyway, and he denied ever asking my permission.

Unbeknownst to me at that time, Ms. Diane Andruch, Deputy Assistant Secretary of State for Consular Affairs had given the order for acting U.S. Consul General Margaret Higgins, at the U.S. Embassy in London to make the visit to the girls' hotel suite. And who had contacted the State Department to make the request – Adel Jubair – supposedly on August 30. We still don't know who gave Diane Andruch the order for the London Embassy meeting with the girls. Was it the Secretary of State himself?

When the State Department was asked via written questions by the Committee for Government Reform why Alia and Aisha did not make the request themselves, the response was that neither Alia nor Aisha speak English. But this simply is not true. When I visited my

daughters in 1995 with the assistance of U.S. Ambassador to Saudi Arabia Raymond Mabus, my daughter, Alia, spoke English very well and has 100% comprehension of English. So if she really wanted to make her wishes known to the American Embassy in London, she could have called them herself. Instead, her husband called Nail Jubeir, Adel's brother, who then called the U.S. Embassy in London after Adel Jubeir had personally made the arrangements with Washington for the London meeting.

Then Qorvis sent one of their employees from the Washington office, Shareen Soghier, who called herself a "Saudi Media Specialist". She sat in on the interview with Fox television – giving my daughters head signals as to how to answer questions. This "minder" was there to be sure that the girls didn't say anything that the Saudi government or their paid retainers didn't want them to say.

The Associated Press reporter, Dona Abu-Naser, wrote that my daughters, Alia, exclaimed, "I don't want to go to the United States or contact my mother" and then Aisha chirped, "We want her to leave us alone and we will not rest until she is dead." This is the same daughter who one year ago bravely defied her father and told me on the only telephone call I have had with her, "Hello Mom. I love you. I love you. I love you."

Abu Naser also stated that Alia had dark circles under her eyes and the girls jumped when there were two separate knocks on the door of the hotel suite – one room service and then maintenance service.

O'Reilly's producer told me Aisha seemed confused about why they were taken to London and why all those people were paraded into the hotel suite to talk to them. But Alia knew what was going on. I can imagine her lying awake at night knowing that she was in a fre

country at last and knowing that there was no way for her to get away from all those Saudi men. What was she to do -tell the London Embassy representative that she and Aisha wanted to get out of there? She knew she could never trust the American Embassy or anyone connected to them. They were trapped whether inside the despotic kingdom or a guarded hotel suite in London.

When Fox asked Aisha what they were going to do in London she replied, "Visit Big Ben and go to the cinema." This was the same line Jubeir had told William McGurn. The script was rehearsed down to the last detail. Poor Aisha hasn't been to the cinema since she was three years old and I took her and Alia to see E.T. here in the United States. There are no cinemas in Saudi Arabia and Aisha, cloistered up in the kingdom, I'm sure never heard of Big Ben.

Not only were Alia and Aisha kept in this little Saudi hothouse controlled environment in a hotel suite in London by the men their father sold them to, and their father and his brothers as was told to me by O'Reilly's producer, but also the Jubeir brothers who work for the Saudi government.

For seventeen years the Saudi government has been stating that their Islamic law forbids the government to get involved with these private, family matters. But this public relations stunt in London was written and directed by Qorvis and maybe the others, produced by the Saudi officials and Jubeir and taped by the American media under the full blessings of our own U.S. Department of State.

Saudi Foreign Minister Saud bin Faisal sent a recent letter to the Government Reform Committee stating that there should be, "...a clear and joint vision whose first priority would be

the interests of the children...and guarantees their life with freedom and security.” He also went on to say, “I wish to explain and ascertain that the government of Saudi Arabia had nothing to do with the travel arrangements. You should know that the meeting was initiated by the husbands of the two Gheshayan girls themselves.”

So who are we to believe? The State Department states in their written questions to the Committee for Government Reform that Adel Jubeir called Washington – NEA bureau and made the request for the London meeting. Adel Jubeir told William McGurn of the Wall Street Journal that he had made all the arrangements. Michael Petruzzello testified that Jubeir had the idea when he was on O’Reilly’s program and now the Saudi Foreign Minister sent a letter stating that the men that married my daughters were the ones that initiated the travel arrangements. And the Saudi owed Arab News states that the Saudi government “bore the expenses of their travel, with their husbands and children, to London in order to allow them total freedom to speak.”

In his letter to Chairman Burton Saud Al-Faisal continues to hide behind their stated belief system as though there are all anointed and far too holy to be questioned about their actions. “What is really surprising is that you used unacceptable allegations against the Kingdom and its Islamic Shari’a laws...Therefore, we totally reject anything that damages our Islamic Shari’a on which a total system of the state is founded, and in which one quarter of the population on this earth believe. This Shar’a regulates and guarantees all humanitarian rights without any prejudices. It is founded on God’s orders which we follow as well as the good objectives of Islam, mainly justice.”

I am really sick and tired of these criminals, this Saud family who took the Arabian peninsula by force after World War I and all their degenerate descendants who have stolen the

money from the oil revenues from the indigent peoples of Arabia, to continually hide behind this Wahhabi belief system and shove it down the throats of the West as though they are a saintly, devoutly religious, righteous men who uphold justice, freedom and truth.

Quite the opposite is true. Just review the human rights record of this sadistic regime with their secret police, religious police, military police and torture chambers. This regime who takes their own people's money has nothing to do with freedom or any of the virtues or high principles of mankind. This continual posturing and lying is absurd.

Yesterday, Adel Jubeir held a press conference at the Saudi embassy to do some damage control on the Haifa incident. Petruzzello was coordinating, of course. Jubeir continued to state that there are only four cases of Saudi abductions. This is a blatant lie. There are hundreds of American women and children in Saudi Arabia that are prevented from leaving. They are afraid of the men that rule them and the Saudi government. How can you compare Germany and Western Europe with the repressive, evil tortures done to these people inside Saudi Arabia? When questioned by a reporter concerning the subpoenaed documents, Jubeir stated, "Is Chairman Burton serious about dealing with child custody case or is he engaged in a publicity stunt?"

Jubeir and his servants are the experts in publicity stunts not Dan Burton. I haven't met a man of Dan Burton's caliber and integrity on Capital Hill since former U.S. Senator Alan Dixon retired. He has been working to free American citizens held hostage in a 9th century hellhole. He deserves our respect, admiration and support. Everyone in this town should be involved in this issue. Teddy Roosevelt would have sent in the calvary and Winston Churchill, the RAF. What did GI Joe in the trenches die for? Certainly not for us to forfeit the

freedom of American citizens to a despotic regime like Saudi Arabia.

In their response to the written questions the State Department repeats that their highest priority is protection of American citizens. Consular officers met with my daughters in London at the request of Adel Jubeir not Alia and Aisha and against my wishes, knowing full well that the girls never had a chance to speak freely. The State Department was so eager to make this happen and put a knife in my back and then turn it to appease their Saudi clients, stop me and prevent my innocent daughters from even having a chance at freedom. They knew the girls would be taken back to their Saudi prison. If the Saudis and their American pimps were sadistic and cold blooded, what about our own State Department.

The State Department feels that they are justified – case closed. In their written response to questions posed by the Committee they state that in the London meeting Alia and Aisha were told that they were American citizens and could claim their U.S. Passports at the American Embassy in Riyadh. What a joke! Prince Saud states that any American citizen woman can leave if she wants to but no one has left. And U.S. Ambassador to Saudi Arabia Robert Jordan states that he will not expel any U.S. citizen from the Embassy in Saudi Arabia like Monica Stowers and her children were escorted out by the Marines. But Jordan failed to state what he would do with these American women once they got to the Embassy. He didn't offer to issue them passports, get them in an Embassy car and take them to a U.S. military base and pack them safely on a military plane heading for U.S. soil. No, Mr. Jordan didn't make that promise. It would offend the Saudis and our "special relation" with them would be in jeopardy.

Funny thing, last week Prince Bandar's wife, Princess Haifa Al-Faisal, was caught

funneling money to the same terrorists that killed almost 3,000 Americans on their way to work one September morning. The New York Times explained that the princess was sitting in her pool house surrounded by her eight children and received telephone calls offering her support from Barbara Bush and Alma Powell. In seventeen years, no one has called me to say how sorry they are for what this government and the Saudi government have done to my family. But the Saudi ambassador and his wife are consoled by our highest leaders and their families before the facts are known about their involvement on an attack on our country. But of course, the Saudis are our friends and this friendship is based on money and that is all that counts. Let's work backwards from that premise.

Meanwhile Michael Petruzzello stated in the October hearing that he has no opinion about whether or not the Saudi government is holding Americans against their will in Saudi Arabia. He only writes the scripts, disseminates the propaganda on Capital Hill, organizes dirty games against two defenseless, innocent women who have suffered nearly all their lives at the hands of the Saudis and then collects his \$200,000 per month from his Saudi masters. In other words, he'll do anything for money.

**WHY THE DOCUMENTS IN QUESTION FROM SAUDI RETAINERS ARE
IMPORTANT IN DETERMINING THE TRUTH OR FALSEHOOD OF
STATEMENTS DISTRIBUTED BY LOBBYISTS FOR THE SAUDIS TO
MEMBERS OF CONGRESS ABOUT MY CASE**

The Saudi Embassy has instructed all the lobbyists and public relations specialists not to turn over the subpoenaed documents. If they have nothing to hide and are so interested in assisting the Committee in resolving these cases as their attorney Maureen Mahoney from the Washington law firm of Latham & Watkins states, why not just allow the Committee to review

the documents?

In her letter of November 14th, 2002 to Chief Counsel James Wilson, Ms. Mahoney states that Saudi Arabia has given very serious consideration to the issues raised by the Committee surrounding the kidnapping of American citizens. She carefully outlines the "steps" that the Saudi government has initiated to protect the children and "reach an intergovernmental solution."

I can tell you that as a seventeen year victim of the Saudi government and their retainer's schemes and dirty tricks Ms. Mahoney's statements are nothing but a perpetuation of non meaningful jargonese expressed by another paid mouthpiece for the Saudis. What she says means nothing in reality to my daughters, granddaughter, Monica Stower's daughter, or the hundreds of other American women and children in Saudi Arabia whose voices cannot be heard and whom I represent in absentia.

The creation of a 'task force'; ongoing dialogue with the State Department; creation of a 'commission' by the Saudi Foreign Ministry; assisting Saudi Embassy staff; and working with the National Center for Missing and Exploited Children – these are ludicrous statements and no one believes them. The Saudi propaganda machine is churning to a halt.

In Prince Bandar's letter to Dan Burton dated October 22, 2002, he states, "The Embassy retained these firms to assist with its performance of core diplomatic functions." Does Prince Bandar call what happened in London over Labor Day weekend, part of the Embassy's diplomatic functions? Sending my daughters to London was a public relations stunt to harm the efforts by the Chairman and the Committee to have my daughters released. It was also a cynical,

brutal manipulation of two young women who are victims of contemporary slavery.

This is all part of the continual dissemination of factual misrepresentations to members of Congress and the media by the Saudi officials and their PR people. These documents are of the utmost importance to reveal the true facts behind what the lobbyists and PR specialists have been doing to American citizens. This has nothing to do with diplomatic relations and the Saudi government is once again attempting to hide behind some law or convention to protect itself

from being revealed as participating in possible criminal acts and acts against humanity which are certainly against all of God's laws.

For the Saudi Arabian government to hide behind the Vienna Convention for Diplomatic Relations is a scandal and a mockery of that document. These torture lobbyists/public relations specialists/law firms are working as foreign agents inside the United States and are not diplomats. I further charge that diplomats such as Adel Jubeir, Nail Jubeir, Prince Bandar and others like them be expelled from the United States *persona non grata* for their participation in criminal acts against U.S. citizens. We cannot deport Petruzzello and the other U.S. citizens who sold themselves to the Saudis but we can and must hold them accountable for their dastardly deeds. And may God have mercy on their souls.

Mr. BURTON. Ms. McClain, we will recognize you now. We want you to tell your whole story as you want to, but we would like to hold it down to 15 minutes if we could. I know that you have a lot you want to say, and, as did Ms. Roush—I mean I can understand the emotion behind this because you have been fighting this battle for so long, so we will be as lenient as we possible can.

And Professor Denza, we will get to you in just a little bit.

Ms. MCCLAIN. Congressman Burton and members of the committee, thank you for asking me to appear here again. I have personally had a long and unpleasant acquaintance with the Saudi public relations machine in Washington. Shortly after the Saudi Embassy aided in the kidnapping of my daughter Heidi Al-Omary in 1997, I contacted——

Mr. BURTON. Excuse me just one moment. I see the four Saudi lawyers back there. Do you guys find something humorous in what's going on here? I've noticed you were laughing. I thought maybe you found something funny.

Thank you. OK. Ms. McClain.

Ms. MCCLAIN. I have personally had a long and unpleasant acquaintance with the Saudi public relations machine in Washington. Shortly after the Saudi Embassy aided in the kidnapping of my daughter Heidi Al-Omary in 1997, I contacted then-Secretary of Transportation Rodney Slater. I took issue with the Department of Transportation's failure to investigate Saudi Arabian Airlines' complicity in the disappearance of my child. I recommended that Saudi Airlines' U.S. landing rights be suspended for knowingly allowing its employees, one of whom is Heidi's uncle, to violate our laws. Foolishly, I believed that Slater, a fellow Arkansan and former colleague at Arkansas State University, would take an interest in a missing Arkansas child.

Little did I know of the very cozy relationship between Slater and the Saudis. I did know, of course, that Slater's alma matter, the University of Arkansas, has been on the receiving end of Prince Bandar's largesse in the form of a \$23.5 million gift to establish a Middle Eastern Studies Center. Little did I suspect, however, that the same public official who so cavalierly turned his back on my daughter would go on to a lucrative position at Patton Boggs, the same outfit that supposedly sits here today scoffing at Congress and protecting the secret communiques of the Saudi terrorists at Bandar's embassy. Patton Boggs' own literature lauds Slater's accomplishments in the areas of national security and his pivotal roles in liberalizing the global aviation marketplace. Need I point out that Slater's concern for national security and liberalization of global aviation allowed our children to be stolen and subsequently allowed 15 Saudi terrorists to enter our country?

In 1999, we victims of Saudi kidnapping plots were attacked further by Bandar's PR gurus. Hill & Knowlton, as Ms. Roush has already mentioned, intercepted our private e-mails and threatened us. Apparently, H&K was upset about two things: one, our upcoming press conference at the National Press Club on the topic of Saudi human rights abuses; and, two, our Texaco/ARAMCO boycott. Texaco is in partnership with ARAMCO on numerous projects. Since ARAMCO is owned by the Saudi royal family, it is they who

give aid, comfort, and lucrative jobs to international kidnapers like my ex-husband.

It is not difficult to guess why the Saudis want secret communications and documents regarding the abductions of our children to be kept out of the public eye. Such revelations would result in further humiliation for the embassy, even more embarrassing than Mr. Adel Jubeir's exposure on 60 Minutes. The release of documents relating to my daughter's case now in the hands of lobbying firms could reveal the existence of the following information: correspondence between the embassy and the kidnapper regarding this matter; correspondence from me informing the embassy of Heidi's legal status; records indicating that the kidnapper was on the embassy payroll at the time of my child's kidnapping; records pointing to the involvement of a high Saudi National Guard official in the harboring of the criminal in the Washington area; financial records relating to the ticketing of the fugitive and my daughter aboard a Saudi airline's flight; the names of other Saudi government officials involved in the kidnapping of my child; falsified birth certificate for my daughter; memos relating to the embassy's knowledge of Al-Omary's and my daughter's whereabouts in 1997 in spite of 2 years of Saudi denials to the U.S. Embassy in Riyadh; and other documents indicating whether the embassy's lobbyists are aware of the Saudi Embassy's complicity in Heidi's kidnapping.

Just as the money trail has led back to the lap of Prince Bandar's family in the September 11th terrorist attacks, so too will it in the kidnappings of American citizens. If the Saudi Embassy has nothing to hide, why have Bandar and his PR machine gone into overdrive to protect known criminals like my ex-husband, a mere lowly computer programmer?

The relationship between the embassy and the September 11th terrorists, the complicity of the Saudi Embassy in the stealing of American children, these are just two examples of the concept of diplomatic immunity gone awry. Now American lobbying firms are trying to give a whole new meaning to the term "diplomatic immunity," as they aid and abet a massive cover-up of Saudi crimes against American children. While the Saudi Embassy continues to break U.S. laws, it scatters its blood money all over Washington. The Saudi PR web of deceit manages to buy or beg air time in the U.S. media to promulgate the Saudi version of history: that the Saudis are our allies; that Wahhabism is a peaceful religion, that Granny Haifa would never, ever send money to terrorists, despite the fact that her family financed a telethon to raise cold hard cash for suicide bombers; and that there are no American children taken to Saudi Arabia against their will. What other lies about the Saudi Government are hidden in the secret vaults of Qorvis, Patton Boggs, and the Gallagher group?

It is indeed a telling circumstance that even Patton Boggs insiders are aghast at some of the dirty work they have been forced to do. One whistleblower called for Patton Boggs to end its relationship with Qorvis. He told Forward magazine in May 2002 that the Saudi-financed PR campaign was scurrilous. Patton Boggs' managing partner, Stuart Pape, reported that several partners had lobbied to drop Saudi Arabia as a client.

In the November 22nd issue of the New York Sun, Mr. Pape revealed that the firm had been, “instructed by the Saudi Embassy to work with Mr. Burton’s committee to find a solution to the Saudi kidnapping problem.” Is this what Patton Boggs calls working with the committee; to seek lies in the refusal to turn over subpoenaed documents? And now the escape of the people I’m talking about.

Well, my daughter and I still don’t have a solution. So what are these lobbyists waiting for? After hearing Adel Jubeir dismiss all but four case of international child abduction yesterday, it is obvious that the Saudis’ idea of a solution is the same as it has always been: Delay, delay; stall, stall; and then delay some more until our girl’s old enough to be sold off to the highest bidder. That is what the solution was for Pat’s and Monica’s daughters, and that is what will happen to Heidi.

Last month, I and other grieving parents had to sit here and bite our tongues as we were subjected to a sickening display of stonewalling and double-talk by Bandar’s mouthpiece, Michael Petruzzello of Qorvis. We came here to tell the truth. Unlike Mr. Petruzzello, we did not have an entourage of lawyers whispering in our ears at every turn, telling us how to make our lies sound good. There isn’t enough cash in the entire Kingdom of Saudi Arabia to make the Saudi royals or their Washington henchmen look any better than they do right now.

In conclusion, I would like to remind the Saudis that they have no need to fork over tons of cash to the likes of Qorvis, Patton Boggs, Gallagher, Hill & Knowlton and others of their ilk.

Let me close by giving the best public relations advice the Saudi Embassy will ever receive—and my expertise won’t cost them one red cent. I’d give the Saudi royals the same counsel given to the Egyptian Pharaoh over 5,000 years ago. And I quote from the Book of Exodus in the words of the Jewish prophet Moses: “Let my people go.”

Mr. BURTON. Thank you very much, Ms. McClain.

Ms. MCCLAIN. You are welcome.

[The prepared statement of Ms. McClain follows:]

1318

**“The Saudi Claim of Privilege:
Must Saudi Lobbyists Comply with Subpoenas
in the Committee’s Investigation of Child Abduction Cases?”**

**Presentation to the
House Committee on Government Reform
Chairman: Congressman Dan Burton**

**By
Margaret McClain
Wednesday, December 4, 2002**

Mr. Burton, Members of the Committee!

Thank you for asking me to appear again. I have personally had a long and unpleasant acquaintance with the Saudi public relations machine in Washington. Shortly after the Saudi Embassy aided in the kidnapping of my daughter, Heidi Al-Omary, in 1997, I contacted then Secretary of Transportation Rodney Slater. I took issue with the Department of Transportation's failure to investigate Saudi Arabian Airlines' complicity in the disappearance of my child. I recommended that Saudi Airlines' U.S. landing rights be suspended for knowingly allowing its employees (one of whom is Heidi's uncle) to violate our laws. Foolishly, I believed that Slater, a fellow Arkansan and former colleague at Arkansas State University, would take an interest in a missing Arkansas child.

Little did I know of the very cozy relationship between Slater and the Saudis. I did know, of course, that Slater's alma mater, the University of Arkansas, had been on the receiving end of Prince Bandar's largesse in the form of a \$23.5 million gift to establish a Middle Eastern Studies Center. Little did I suspect, however, that the same public official who so cavalierly turned his back on my daughter, would go on to a lucrative position at Patton Boggs – the same outfit that sits here today, scoffing at Congress and protecting the secret communiqués of the Saudi terrorists at Bandar's Embassy. Patton Boggs' own literature lauds Slater's accomplishments in the areas of "national security" and his "pivotal roles in liberalizing the global aviation marketplace." Need I point out that Slater's concern for national security and liberalization of global aviation

allowed our children to be stolen and subsequently allowed 15 Saudi terrorists to enter our country?

In 1999, we victims of Saudi kidnapping plots were attacked further by Bandar's PR gurus. Hill and Knowlton intercepted our private emails and threatened us. Apparently, H&K was upset about two things – (1) our upcoming press conference at the National Press Club on the topic of Saudi human rights abuses; and (2) our Texaco/ARAMCO boycott. Texaco is in partnership with ARAMCO on numerous projects. Since ARAMCO is owned by the Saudi royal family, it is they who give aid, comfort, and lucrative jobs to international kidnapers like my ex-husband.

It is not difficult to guess why the Saudis want secret communiqués and documents regarding the abductions of our children to be kept out of the public eye. Such revelations would result in further humiliation for the Embassy -- even more embarrassing than Mr. Al-Jubeir's exposure on *Sixty Minutes*. Exposure of documents relating to my daughter's case would reveal the existence of the following information: correspondence between the Embassy and the kidnapper regarding this matter; correspondence from me informing the Embassy of Heidi's legal status; records indicating that the kidnapper was on the Embassy payroll at the time of my child's kidnapping; records pointing to the involvement of a high Saudi National Guard official in the harboring of the criminal in the Washington area; financial records relating to the ticketing of the fugitive and my daughter aboard a Saudi Airlines flight; the names of other Saudi government officials involved in the kidnapping of my child; falsified birth certificate for my daughter;

internal memos relating to the Embassy's knowledge of Al-Omary's and my daughter's whereabouts in 1997, in spite of two years of Saudi denials to the U.S. Embassy in Riyadh. Just as the money trail has led directly back to the lap of Prince Bandar's family in the 9-11 terrorist attacks, so too will it in the kidnappings of American citizens. If the Saudi Embassy has nothing to hide, why have Bandar and his PR machine gone into overdrive to protect known criminals like my ex-husband, a mere lowly computer programmer? The relationship between the Embassy and the 9-11 terrorists, the complicity of the Saudi Embassy in the stealing of American children – these are just two examples of the concept of diplomatic immunity gone awry.

While the Saudi Embassy continues to break U.S. laws, it scatters its blood money all over Washington. The Saudi PR web of deceit manages to buy or beg airtime in the U.S. media to promulgate the Saudi version of history – that the Saudis are our allies; that Wahhabism is a peaceful religion; that Granny Haifa would never ever send money to terrorists despite the fact that her family financed a telethon to raise cold hard cash for suicide bombers; and that there are no American children taken to Saudi Arabia against their will. What other lies about the Saudi government are hidden in the secret vaults of Qorvis, Patton Boggs, and the Gallagher Group?

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In the November 22 issue of the *New York Sun*, Mr. Pape revealed that his firm had been " 'instructed by the Saudi Embassy to work with Mr. Burton's committee . . . to find a solution' " to the Saudi kidnapping problem. Is this what Patton Boggs calls "working with" the committee – deceit, lies, and the refusal to turn over subpoenaed documents?

Last month, I and other grieving parents had to sit here and bite our tongues as we were subjected to a sickening display of stonewalling and double-talk by Bandar's mouthpiece, Michael Petruzzello of Qorvis. We came here to tell the truth. Unlike Mr. Petruzzello, we did not have an entourage of lawyers whispering in our ears at every turn, telling us how to make lies sound good. There isn't enough cash in the entire Kingdom of Saudi Arabia to make the Saudi royals or their Washington henchmen look any better than they do right now.

In conclusion, I'd like to remind the Saudis that they have no need to fork over tons of cash to the likes of Qorvis, Patton Boggs, Gallagher, Hill and Knowlton, and others of their ilk. Let me close by giving the best public relations advice the Saudi Embassy will ever receive, and my expertise won't cost them one red cent! I give the Saudi royals the same counsel given to the Egyptian Pharaoh over 5,000 years ago. And I quote from the book of Exodus in the words of the Jewish prophet Moses: "Let my people go!"

Mr. BURTON. That is a very cogent statement.

Professor Denza, do you have a statement?

Ms. DENZA. Thank you, Mr. Chairman.

Mr. BURTON. You might pull your mic a little closer, because sometimes it's hard to pick up. And—is your mic on?

Ms. DENZA. I think it is on now.

Mr. BURTON. Thank you.

Ms. DENZA. I would like to begin, before coming on to the exact definition of the term “archives and documents under the Vienna Convention,” with a very important provision which governs all the privileges and immunities set out in the Vienna Convention on diplomatic relations. And that's Article 41, first paragraph, and it begins: “without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving state. They also have a duty not to intervene or interfere in the internal affairs of that state.”

It is very clearly accepted now as a proposition of modern international law that there is no question short of specific exemptions or exceptions for embassies or their diplomats not to be legally bound. And the Foreign Agent Registration Act, which has been in existence for about 60 years, has a very clear application to the operations of foreign states in the United States. The policy of the act is—it seems to a lawyer from outside, is that it is quite acceptable for the propaganda activities, if I can use that expression, to be carried on, but they must be carried on within the framework of transparency.

There are no specific exemptions in the Foreign Agent Registration Act. The three firms we are dealing with are all registered under the act, and I don't believe that there ever has been any complaint by any foreign state that somehow this act was incompatible with their ordinary operations. And, of course, I accept it is an essential diplomatic function of the Ambassador and his staff to be put in the position of, in this case, Saudi Arabia. It used to be said that the Ambassador was the eyes, the ears, and the mouth of the dissenting state. But no one has ever seen any problem with the act.

The act, of course, has to operate within the exact terms of the specific privileges and immunities. But part of my reason, before I come to that, for setting out 41 and the background is that I see no reason for construing the term “archives and documents” in this case which—it's an unusual, it's an unprecedented claim. I see no reason for pushing the definition of “archives and documents” out.

I will turn now to the definition and the terms of Article 24 of the Vienna Convention, which says very shortly that the archives and documents of the mission shall be inviolable at any time and wherever they may be.

Now the inviolability of archives is, in the history of diplomatic laws, a relatively recent development. I think it is fair to say that until the early years and perhaps about the time that the Foreign Agent Registration Act was being passed, it was generally regarded as only applying to archives on the premises of the mission. And that's perhaps what one thinks of as archives—ancient documents

on parchment, old treaties, records of memoir which are held physically, securely in the embassy.

The question of the status of archives outside mission premises came very sharply into focus in 1946 in a leading case in Canada where the Canadian courts of appeals had to decide on whether embassy archives from the embassy of the Soviet Union were admissible. What had happened was that a Soviet cipher clerk had defected, and when he defected, he had taken with him incriminating documents which showed the existence in Canada in the early years of the cold war of a whole network of spies; and that extended not only to Soviet citizens, it extended very importantly to a Canadian member of parliament. And that was the Rose who—it was tried and appealed from conviction, arguing that there was no other evidence against him except the stolen embassy documents, and he couldn't be convicted.

Now, there were a variety of reasons given by the court for rejecting admissibility and allowing the conviction to stand on the basis of the archives. One of them, I noticed with some interest, was that one of the judges actually said that the relevant documents, which were documents of an espionage bureau within the Soviet embassy, not directly within the control of the Ambassador, were not embassy documents. I think that's—there may be some importance in that reference to control.

Now, going to 1961, the Rose case was very much in the minds of the negotiators. Certain propositions were clearly established that archives and documents of the mission were inviolable at any time. That was really referring to the possibility of reach of diplomatic relations and wherever they may be. And I think primarily what was in the minds of the negotiators was not that somehow archives and documents could cover up the whole of the in-and-out correspondence of the mission; it was looking at the possibility that the archives were in the custody of a member of the mission physically going to a meeting, administrative foreign affairs, going to the airport without being an accredited courier, possibly even without having a mission status, or that they had actually physically been lost or stolen, and that accident shouldn't deprive them of their character.

The Convention also made clear that the documents don't require to be identified by visible official marks, and of course, in that the position is different from that of diplomatic bags.

Now, there have not been very many cases about archives on the whole. The most sensitive things tend to be rather carefully safeguarded. But the case which I've referred to in the opinion which I've given to the committee is very relevant. It describes the test for archives is that the documents must belong to or be in the possession of the mission. And I think that case, which depended on legislation which carried over the specific terms of the Vienna Convention—while, of course, it clearly would not be binding on the U.S. court, would be very persuasive, a decision at the highest level, the House of Lords, and it was unanimous. And, as I understand it, the test of the belonging to or in the possession of is—I think seems to be generally accepted in the informal discussions there have been.

Now, there was a slight lacuna in the ten council, international ten council in that the international ten council, to narrow the issues, said they were not concerned with the documents in the possession of an agent or bailie of the council. The reason for that concession, as I recollect—because I actually was one of these appearing in the case—was that there seemed no one reason to support that the documents which had found their way into the public domain had actually done so by being given to agents or bailies. So, the House of Lords don't specifically deal with agency.

I think—I've been thinking about what the test is on the question of documents where there may be some degree of an agency relationship. One possibility is that at that point one looks to local law to interpret. Of course, this is not my area of expertise, but the common law is fairly uniform.

I don't think there are huge differences. I don't believe, under English law, that the documents of consultants, advisors to an embassy would be regarded as the property of the embassy. The basic starting principle of the common law, as I understand it, is that when a letter is sent, the physical property in the documents passes to the recipient. There could, of course, be special terms, but as I understand it, there have been no special terms here. And, of course, there may be other issues of copyright, for example, which I think, again, are not material.

The test of local law to determine ownership is perhaps not entirely satisfactory because it could lead to—possibly to a lack of uniformity not only among the 180 states who are parties to the Convention, but also, as I understand, within the different jurisdictions in the—in the United States. It would be rather difficult to determine the question differently in the law of Virginia, in the law of District of Columbia.

It may be there that the right test is to look for—at whether there are any circumstances in which documents originating in an embassy, but sent outside could remain protected. And thinking objectively about it, it seems to me that really ought only to be the case where one is perhaps talking about an agent who is purely a mouthpiece for the embassy; and I underlined the possibility of an interpreter or translator sent a document in the foreign language, the language of the sending state, in order to translate it with no substantive input into the content. And I think it's arguable that, in that case, the document would continue to be an archive.

That seems to me very different from the position of public relations specialists whose function is very much to advise; and then that takes me back to the policy of the act that advice on how to present the case for your government is quite proper. It's perfectly proper for the Ambassador to employ local expertise, but he must respect and obey the local law which provides the framework.

So, coming back, it does in fact remain my own conclusion—although, of course, ultimately the question might require—might well require to be tested in a court of law—but that in the present circumstances, these documents, which cover, of course, opinions generated outside the embassy—and I find it very interesting to listen to the kinds of documents listed by the previous witness as to what we are talking about, many of these not in any sense being embassy memoranda or secret communications between the Saudi

Ambassador and his government, but quite different kinds of information, perfectly properly held within the scope of the act, and as it seems to me, perfectly clearly accessible.

I'd just like to also deal with the question of the correspondence of the mission, because that takes us over to a different article of the Convention, Article 27, which deals with freedom of communication. And that has been argued in the exchanges that there have been about the status of the documents.

Article 27.2 says that the official correspondence of the mission shall be inviolable. Now, it is clear from—to some extent from the records of the Convention that what was meant by a correspondence was really material in transit. There is no indication of the records of the conference that they were meaning that any letter that came from an embassy to anyone in the receiving state was inviolable. It was a question of the agents of the receiving states not intercepting this—and, of course, in this article there are a great many cases of interception of an embassy's communications. And again perhaps—I think it probably is the case that letters actually in transit to an embassy are inviolable in that they can't be intercepted in the post.

There is—I think it is also helpful in looking at the extent of the protection given by Article 27 to look back at the beginning of Article 27, which is, in my view, the most important article in the Vienna Convention. And what the Article 27, at the beginning, says is, "The receiving state shall permit and protect free communication on the part of the mission for all official purposes." Now, the critical point I think is the next sentence, which says, "In communicating with the government, the other missions and consulates of the sending state wherever situated, the mission may employ all appropriate means, including diplomatic couriers and messages in code or cipher." And there are also references to the diplomatic wires.

One sees from the beginning of 27, which I think should be carried over to paragraph 2 of Article 27, that this is not really dealing with the correspondence between the mission and the outside world; it is really dealing with internal correspondence. It means that a state which can't afford to send a courier and a bag can put a letter in the post, address it to the government ministry of foreign affairs, and that letter, if it accidentally is lost or if it is intercepted or stolen, is not admissible in evidence. And again, I think the test on 27.2 is legally the same as that applies in the case of archives and documents.

There is very little case law on 27.2 for the simple reason that it is the practice of government not to send delicate, sensitive, controversial letters through the open post; they send them by hand of a diplomatic agent or they send them by hand of the courier. But I don't think that 27.2 gives a wider protection to any of the documents that we are concerned with.

So simply to sum up in one sentence, it is not my view that the documents in the—which are clearly in the possession of the firms which have been subpoenaed are entitled to inviolability. And it is also my view, having—in the light of the correspondence I've seen, that the implications of accepting the proposition put forward that these archives are inviolable would be very far-reaching and very

dangerous. And I realize that the committee are very well aware of this.

Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Professor.

Professor, do you have any concern that the legal theory being put forward by the Saudis could be used to cloak the documents of spies, terrorists, and other individuals who receive funds and directions from embassies?

Ms. DENZA. So far as documents, yes. I think that was what I was alluding to in my concluding—concluding words. I think there is no distinction of principle.

Mr. BURTON. Let me just interrupt, because I want to make sure in layman's language everyone understands. As I understand your statements and all of the research that you have done, if it's between the embassy and other internal governmental agencies, that is held inviolate.

Ms. DENZA. Indeed. Yes.

Mr. BURTON. But if it is correspondence or some kind of transmission between an embassy government or government entity to a public relations firm that is in the control of the public relations firm, then that is not inviolate?

Ms. DENZA. I believe that is the correct position. These documents are not inviolable.

Mr. BURTON. Now, let me ask you about your credentials, because I think this is very, very important. You advise—as I understand it, you advise the British Government and the U.S. State Department regarding the Vienna Convention. Is that correct?

Ms. DENZA. I was a legal advisor within the British Foreign Office for a number of years. I think my main credentials really are that I have written what I think is the standard book on the Vienna Convention and diplomatic relations. And I did work on these issues when I was working within government.

Mr. BURTON. So you are considered probably, and I don't—I know you are probably very modest. But you are probably one of the foremost experts on the Vienna Convention.

Ms. DENZA. I've always been very, very interested in it. When I joined the Foreign Office as an assistant legal advisor, the first thing I was asked to do was to—which was after the conclusion of the Vienna Convention—was to write an article. And the article grew over a period of about 10 years into a book. And there has been a more—a second edition, which, of course, I've written outside government and therefore which—without using any privileged information.

Mr. BURTON. Excuse me for 1 second. In the letters of the lawyers for the Saudi Embassy, which you have received, they claim that a court could conduct an in-camera review of documents in a case of espionage and find that law enforcement's need for the documents outweighs the embassy's interests in keeping them secret. Do you think there is any support for such a theory, or are the Saudis just making that theory up to draw attention away from the disastrous consequences of the privilege claim?

Ms. DENZA. It is my view that this idea will not work in the context of inviolable documents. I've—except that the position may be different if you're dealing with a privilege conferred by local law;

for example, the privilege of the executive or the privilege of the lawyer. It's then perhaps possible for a national court, a domestic court, to carry out a balancing act.

When you're dealing with inviolable documents, which if they are inviolable essentially belong to a foreign government, I don't think this is practical or possible. Either the documents are inviolable or they're not inviolable.

Of course, some of the documents may also be covered by claims to privilege, which is not my concern; that's a legal professional privilege where there may be more than one ground advanced to protect the documents. And, of course, I'm not saying anything about what's the position, if it was argued they were covered by legal professional privilege; but I don't think there's any support in any of the cases for the idea that an inviolability—the court of the receiving State—in this case the United States—can properly balance the interests of the foreign state against the interests of its own judicial system. Such balancing as is done has to be done by the actual terms of the convention.

Mr. BURTON. Thank you. We have a little bit more tape I'd like to run and then we'll get back to our questions and wrap this up.

[Tape played.]

Mr. BURTON. I think that pretty much says it all.

I asked questions of the State Department when they were here. One of the questions was, has the State Department expressed any concern to the Saudi Government regarding its role in the kidnapping of Heidi Al-Omary? And the answer they wrote back to me in writing was the Department has no evidence that the Saudi Government played a role in the kidnapping of Heidi.

And that is just so disgusting because it's so evident that the Saudi Government knew about it, they were informed about it, and they went ahead and granted the passports anyhow. And I'm disappointed in our State Department for making that kind of a statement because it's so evident that they were complicitous.

Professor Denza, let me just ask you one more question. Is there any reason to think that the definition of inviolability under the Vienna Convention would differ depending upon whether the Justice Department or Congress was asking for the documents?

Ms. DENZA. No. Inviolability implies that neither the executive nor the legislative nor the judicial authorities in the receiving State can use any legal powers of compulsion to require documents to be supplied; or, in the case of personal immunity, a person to appear. That was very clearly helpfully set out in the judgment in the international case to which I referred.

Mr. BURTON. So if a public relations firm had correspondence and other information in their control, in your opinion, whether it was the Justice Department, the administration or the Congress, the legislative branch, subpoenaed those, they would be able to get them?

Ms. DENZA. That's right. If they're not inviolable, then the ordinary process of U.S. law apply.

Mr. BURTON. OK. Let me just ask Ms. Roush and Ms. McClain just a couple of questions here, and then we'll—I'll make a final statement and then we'll wrap this up.

Ms. Roush, you have lot of experience dealing with Saudi lobbyists. Have they been honest with you in the past?

Ms. ROUSH. No, sir. They have manipulated me and they've lied to me and betrayed me and used me.

Mr. BURTON. Have you ever received assurances from the Saudi lobbyists that they're working on the return of your children and that the Saudi Government was working in good faith and what was really going on?

Ms. ROUSH. No. They have continually betrayed me and deceived me, and the Saudi Government and their paid mouthpieces have worked hand in hand for 17 years to keep me from my daughters.

Mr. BURTON. Let me ask both of you this question. It's my understanding that both of you have been threatened in the past by Saudi lobbyists. Can you tell us how they were threatening you?

Ms. McCLAIN. They have threatened us via e-mail. They have threatened us with legal action on occasion if we did not drop boycotts that we were involved in. And they just boycotted our press conference that we had here in Washington. That was kind of an implied threat, I felt.

Ms. ROUSH. Yes, when we were dealing with Hill & Knowlton, the torture lobbyists in Washington, they sent me a letter that is included in the file, saying they were going to sue me because in fact they did not represent the Saudi Government. Which I sent a letter back to them stating under—in the book Agents of Influence by Pat Choate in 1990, they were listed as not only representing the Saudi Arabian Government, but Prince Talal and Adnan Koshaggi.

Mr. BURTON. Did the lobbyists from Hill & Knowlton lie to you regarding their relationship with the Saudi Government? That's what you just commented about. They did lie to you.

Ms. ROUSH. Yes, they lied; blatantly lied.

Mr. BURTON. You believe that permanent damage was done to your daughters by what happened on August 31st in London, correct?

Ms. ROUSH. Oh, sir, sir, what they did to my daughters in London is unspeakable. It's inhuman. It's—these people, Petruzello and etc., they should be held responsible for what they did to my daughters, let alone what they did to me that weekend. I truly thought that this was all coming down around me, all my work to get my daughters back. But never mind what they did to me. I can't even imagine Alia and Aisha and Alia's baby in that hotel room in London, and that woman from Qorvis was there, and they were coordinating all this, and O'Reilly's producer. And they knew they were in a free country and they couldn't get out, d they were forced to say things against their mom, again and again and again. And then they were taken back to Saudi Arabia, knowing full well that they couldn't get out. They knew that was a chance. Alia did. Aisha was probably so confused by it all, but certainly Alia knew what was happening.

And it's frightful to realize the power of the Saudi Arabian Government and the power of these lobbyists, how they manipulate, how they manipulated my daughters. It's unspeakable and it's against all of our laws and the laws of the Lord.

Mr. BURTON. Do you think it's important that we obtain the documents from the lobbyists so that we can see what was really going on and why they sent your daughters to London?

Ms. ROUSH. I think that's exactly true. I think it's so important because they're hiding so much about the interference—the participation of the public relations firms with what happened not only in the very past past, but also concerning this whole scheme, this whole Stalinistic show trial in London. I mean, I think there are documents there. It's my belief, sir, that there are such incriminating documentation that they might even be able to go to jail because of what they did.

Mr. BURTON. The Saudis claim that they're trying to resolve the kidnapping of your daughter, Ms. McClain. Have you seen any evidence of that?

Ms. MCCLAIN. I have not seen any evidence that they're trying to resolve this. I just found out from an article on the Internet that they had told Patton Boggs to go ahead and try to resolve these. I haven't had any calls from Patton Boggs saying we'd like to work with you on this. So the answer is no.

Mr. BURTON. The Saudis and the U.S. State Department deny that the Saudi Embassy was complicit in your daughter's kidnapping. Do you believe them?

Ms. MCCLAIN. That is patently false. Several years before my daughter was ever kidnapped, I sent all my legal documents to Prince Bandar, to all the Saudi consulates in the United States. I believe there was one in Houston at the time and I think the other one was in Los Angeles. They all have those documents. I sent them registered. I sent them certified. I had them translated into Arabic so they knew exactly what they said. And I said, this child does not have permission from me or from the court to leave the United States of America with her father. And Prince Bandar knew that.

Mr. BURTON. So the State Department, en they say they have no evidence that this—that the Saudis were complicitous, the State Department must have their eyes covered.

Ms. MCCLAIN. I don't know if the State Department has that evidence or not. I've told the State Department. I don't know if the Saudis have turned those documents over to the State Department or shared that information with them. But—

Mr. BURTON. But you think the State Department ought to help us in our quest to get these documents from the public relations firm so that we can check that out.

Ms. MCCLAIN. Definitely. The State Department, the Justice Department, the FBI, needs to get involved in this. I don't think this is any less bad than embassy officials writing letters and checks to terrorists. You know, to me this is just as bad. My children are victims of terrorism.

Ms. ROUSH. It's worse. It involves our flesh and blood.

Mr. BURTON. Let me just end up by saying—and I want to thank my staff for all the hard work they've been doing on this. Jim and David and Kevin, you guys work very hard and I really appreciate it. You guys ought to give them a pat on the back when you get a chance.

Let me end up by saying this. We're at the end of the year and I see some of the lawyers for the public relations firms out there. And I'm sure that they understand that at the end of a session like this, it's hard to go ahead and get legal actions taken. And so I'm confident that they feel they can run out the clock on us. But it isn't going to work because we're going to continue this next year. We now have the Senate that's going to work with us. And I promise you that we will continue to beat on this issue until something is resolved.

And the people are getting \$200,000 \$300,000 a month or however much they get representing the Saudis, need to give them some good advice. And that is, resolve these cases. Show the American people and these mothers that they really do want to solve these problems and do care, and that the Wahhabis over there are not controlling the government—as many of us, myself included, think that they are to a large degree—and that they're going to be concerned about the human rights and the rights of American citizens who have been kidnapped here in the United States and taken overseas.

So this isn't going to go away. It's something that will continue. I won't be chairman next year, but I don't know if you guys know much about me. But I won't keep my light hidden under a basket, and I'll make sure that we push the right buttons to continue to move this thing forward. So you ladies, don't give up hope. There's still—still some good possibility that we'll get this thing resolved eventually.

And with that, thank you all for being here. We stand adjourned.

[Whereupon, at 12:37 p.m., the committee was adjourned.]

[Additional information submitted for the hearing record and a complete set of exhibits follow:]

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His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
Ambassador
Royal Embassy of Saudi Arabia
601 New Hampshire Avenue, N.W.
Washington, D.C. 20037

Dear Prince Bandar:

I have received your letter of October 22, 2002, as well as the replies from the various law firms involved in this matter, refusing to produce the records subpoenaed by the Committee, and claiming that the records are protected by the Vienna Convention on Diplomatic Relations. I do not believe that your letter is a satisfactory reply to the three subpoenas the Committee has issued to Patton Boggs, LLP, Qorvis Communications, and The Gallagher Group. This is a claim without any support in the legal precedents of the United States or, to the best of our knowledge, any other signatory to the Vienna Convention. It is also a claim which has been explicitly rejected in the attached analysis by a leading expert on the Vienna Convention, Professor Eileen Denza. Simply put, the Vienna Convention extends broad protections to diplomatic agents of a foreign government, as well as some more limited protections to foreign nationals who are employed by a diplomatic mission in other capacities, but it has no application to American citizens who choose to sell their services as public relations/lobbying mouthpieces for foreign interests. To the contrary, the Foreign Agents Registration Act, which was enacted by Congress in 1937, makes clear that the activities of such "propagandists," including the documents they generate, send and receive in the course of those activities, are to be subject to the "spotlight of pitiless publicity" so that the American people may be fully informed of both the identity of the propagandists and the nature of the activities they undertake on behalf of their foreign masters. It is ludicrous to suggest, as you and your lawyers do, that when the United States ratified the Vienna Convention some 25 years after the enactment of FARA, it intended to shroud in absolute secrecy the very same activities of these propagandists.

As a preliminary matter, it is important that you understand the Committee's need for the subpoenaed records. Since the beginning of this year, the Committee has been investigating abductions of U.S. citizens to Saudi Arabia. For at least 20 years, the Saudi government has refused to provide meaningful cooperation to the U.S. government in resolving kidnapping cases. The Committee hoped that if public attention was brought to this matter, the Saudi government

His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
 November 21, 2002
 Page 2 of 8

would finally work seriously to solve the problem. However, for the last several months, it appears that the Saudi government has worked to undermine the Committee and its efforts to bring American citizens home. The Saudi government has made numerous misleading statements about the kidnapping cases and about the Committee's efforts. It has engaged in publicity stunts, for example, flying the Gheshayan sisters to London to deliver a statement rather than having them meet with their mother in the United States. These actions have led me to question whether the Saudi government has any intention of working with the U.S. government in good faith to resolve these kidnapping cases. I believe that the documents sought by the Committee's subpoenas should answer this question. If indeed, the Saudi government has no intention of resolving these cases and intends only to undermine the U.S. government's efforts, it will certainly shape the Congress' legislative response to this situation.

I am extremely troubled that you have decided to raise these highly questionable legal privileges in response to the Committee's subpoena. It appears that you are raising a privilege that has never been raised before in this context to prevent the Congress and the American public from learning what your lobbyists and public relations agents were doing to respond to these kidnapping cases. This leads me to wonder: what is the Saudi government trying to hide? I am afraid that this claim of privilege is just the latest in a series of unfortunate actions taken by the Saudi government in these kidnapping cases. Apparently it is not enough for the Saudi government to hold American citizens against their will, lie about its actions, and in some cases to be complicit in the kidnapping. Now the Saudi government is attempting to prevent the Congress from learning what role the Saudi government's American lobbyists have played in this matter. This claim of privilege has no support in the law, and is intended only to keep the facts from Congress and the American parents of the kidnapped children who are trying to learn what the Saudi government is doing to return their children.

I. The Subpoenaed Documents Are Not Protected by the Vienna Convention on Diplomatic Relations

The main argument you have put forth is that the documents of your lobbyists are protected from disclosure by the Vienna Convention on Diplomatic Relations. Specifically, you have claimed that the lobbyists' records are "archives and documents of the mission" which are "inviolable" under the Vienna Convention. This appears to be an unprecedented claim which conflicts with the lobbying firms' longstanding legal obligations under the Foreign Agents Registration Act ("FARA"). Moreover, there is no support for the Saudi position, either in the text of the Vienna Convention, or in the supporting caselaw. Indeed, the world's leading expert on the Vienna Convention, Professor Eileen Denza, has issued a written opinion supporting the Committee's position on this point. Finally, the practical ramifications of your argument have deeply troubling consequences for the nation's efforts to combat terrorism.

A. The Lobbyists' Legal Responsibilities Under FARA

The three entities subpoenaed by the Committee, Patton Boggs, Qorvis Communications, and The Gallagher Group ("the subpoenaed firms"), are all registered agents of the Saudi government under FARA. FARA was passed to:

His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
 November 21, 2002
 Page 3 of 8

[P]ublicize the nature of subversive or other similar activities of such foreign propagandists, so that the American people may know those who are engaged in this country by foreign agencies to spread doctrines alien to our democratic form of government, or propaganda for the purpose of influencing American public opinion on a political question.

H. Rep. 1381, 75th Cong., 1st Sess. (1937). Under FARA, all registrants must disclose, among other things, a statement of the registrant's business and a statement of the nature of the work the registrant performs for the foreign principal. 22 U.S.C. § 612(a). In addition, the registrant must keep "such books of account and other records with respect to all his activities . . . as the Attorney General, having due regard for the national security and the public interest, may by regulation prescribe[.]" 22 U.S.C. § 615. Department of Justice regulations specify that FARA registrants must keep and preserve, among other things, "[a]ll correspondence, memoranda, cables, telegrams, teletype messages, and other written communications to and from all foreign principals and all other persons, relating to the registrant's activities on behalf of, or in the interest of any of his foreign principals." 28 C.F.R. § 5.500(a)(1). The registrant must also keep "[a]ll correspondence, memoranda, cables, telegrams, teletype messages, and other written communications to and from all persons, other than foreign principals, relating to the registrant's political activity, or relating to political activity on the part of any of the registrant's foreign principals." 28 C.F.R. § 5.500(a)(2). All of these records "shall be open at all reasonable times to the inspection of any official charged with the enforcement of" FARA. 22 U.S.C. § 615.

Therefore under federal law, the subpoenaed firms are required to keep all of their records of correspondence with the Saudi government or regarding their activities on behalf of the Saudi government. These records are open to Justice Department inspection at "all reasonable times." The Justice Department has frequently exercised its rights under 22 U.S.C. § 615 to obtain and inspect the records of individuals and entities registered under FARA.¹ See *Emerson v. Department of Justice*, 603 F. Supp. 459, 462 (D.D.C. 1985) ("Often copies of papers in the registrant's file are obtained for further examination. . . . Some of these papers may include diary entries, entertainment guest lists, explanation of certain expenditures and other details of the registrant's activities, including activities that are not required to be reported.") The documents sought by the Committee, are in large part, if not in their entirety, documents required to be maintained and open to Justice Department inspections under FARA. Given this fact, it is difficult for me to understand your argument that these precise documents are "inviolable" under the Vienna Convention on Diplomatic Relations. Indeed, FARA was intended to address fact patterns much like the one before the Committee, in which foreign governments retain American firms and individuals to present propaganda to mislead the American public regarding their highly questionable activities.

B. The Lack of Legal Support for the Saudi Government's Position

While your letter and those of your lawyers were very well drafted and cited many cases, the simple fact is that there is no support for the proposition that the subpoenaed records are

¹ In fact, according to records provided to the Committee by the Department of Justice, it appears that the records of at least one Saudi lobbyist have in the past been inspected under FARA.

His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
 November 21, 2002
 Page 4 of 8

"archives and documents of the mission." Most illustrative of this fact is that Professor Eileen Denza has drafted the attached legal opinion in support of the Committee's position on this question. Professor Denza is a member of the Faculty of Laws at University College London and is the author of *Diplomatic Law*, the leading treatise on the Vienna Convention. As you can see from the attached letter, Professor Denza believes that "the records which are the subject of subpoenas from the Committee on Government Reform of the House of Representatives are not archives or documents of the Saudi mission and so not protected on the basis of inviolability from disclosure." When one reviews the text of the Vienna Convention, it is clear why Professor Denza supports the Committee's position. Article 24 of the Vienna Convention states that "[t]he archives and documents of the mission shall be inviolable at any time and wherever they may be." However, there is nothing in the Vienna Convention suggesting that documents generated by or in the possession of lobbyists and public relations specialists are in fact "archives and documents of the mission." You have not cited any caselaw claiming that documents generated by such individuals are protected under Article 24. Rather, you have relied on a tenuous series of analogies which in reality, provide no support for your position.

First, you claim that under "settled law," the documents in the possession of the Saudi lobbyists are the property of the Saudi Embassy, and that they are therefore subject to the provisions of the Vienna Convention. The main case you cite in support of this proposition is *In re Grand Jury Proceedings*, 727 F.2d 941 (10th Cir. 1984). However, an examination of that case shows that it arose in a setting where a lawyer's records had been subpoenaed, the client directed the lawyer to comply with the subpoena, and the lawyer refused, claiming that he was protected from production by the Fifth Amendment to the U.S. Constitution and the attorney work product doctrine. The court held that for Fifth Amendment purposes, the lawyer did not possess the documents in a "purely personal capacity" and therefore was not entitled to invoke his Fifth Amendment rights over them. The case might be relevant precedent if the Saudi government directed the lobbying firms to comply with the Committee's subpoenas and the firms refused. However, it certainly does not establish that the documents of a lobbyist should be considered "archives and documents of the mission" within the meaning of the Vienna Convention.

The other cases which you cited, *In re Stone*, 672 A.2d 1032 (D.C. 1995), *In re Karr*, 722 A.2d 16 (D.C. 1998), and *In re Bernstein*, 707 A.2d 371 (D.C. 1998), stand for the proposition that a client should receive a copy of the case file upon request at the end of the representation. These cases do not suggest that all documents generated by or obtained by a lawyer or lobbyist in the course of his work are the property of the client. They also do not suggest that in situations where a lobbyist does have to return certain records upon the request of the client that the lobbyist cannot maintain copies of those records. The cited cases also do not address the case before the Committee, where in fact there is an ongoing representation. Most significantly, the Saudi lobbyists are under a statutory obligation to maintain copies of the records, and this obligation would supersede any request from their client or the caselaw you have cited. FARA requires registered agents to keep copies of records relating to their representation for three years following the termination of their representation of the foreign principal. While the cases you have cited do not clearly establish an ownership interest by the Saudi Embassy in the subpoenaed records, it is clear that if such an interest exists, it is severely limited by FARA's requirement

His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
 November 21, 2002
 Page 5 of 8

that the registered agent maintain the records and that the Justice Department have access to the records.

Most importantly, you have not cited any authority which suggests that the documents in the possession of consultants for an embassy are "archives and documents of the mission." In fact, as she discusses in her attached letter, Professor Denza believes that the most relevant precedent supports the Committee's position. The main case you have cited for the proposition that the subpoenaed records are protected under the Vienna Convention is *In re Liberian Eastern Timber Corp. v. The Government of the Republic of Liberia*, 659 F. Supp. 606 (D.D.C. 1987). However, *Liberian Eastern Timber Corp.* deals with the attachment of Embassy bank accounts, that is, funds belonging to the Embassy and necessary to perform Embassy functions. As Professor Denza has written to the Committee, there is a major difference between a litigant's attempt to attach the funds which belong to an Embassy, and the Committee's attempt to subpoena records belonging to lobbying firms:

There have been a series of cases in several jurisdictions, this case being one of them, which now establish that embassy bank accounts are entitled to protection under customary international law. The case cannot be used in order to enlarge the protection given under a different Article of the Vienna Convention where the wider construction cannot be supported by either the words of the Convention, by practice, or by authorities in other jurisdictions.

The remainder of the cases cited by your lawyers have little to do with the issue before the Committee. For example, your attorneys have cited an Office of Legal Counsel opinion drafted regarding a claim of executive privilege by President Clinton. In that case, President Clinton claimed executive privilege in response to a Congressional subpoena for records containing presidential communications relating to U.S. foreign policy in Haiti. Of course, executive privilege is a constitutionally based privilege which protects certain presidential communications. It goes without saying that executive privilege – a privilege for the U.S. President under the U.S. Constitution – is not available to the Saudi government and its consultants, lobbyists and public relations agents. Your attorneys have also cited a series of cases arising under the Freedom of Information Act regarding the deliberative process privilege. Of course, these cases have nothing to say about the Vienna Convention or Congress' right to obtain records in the possession of lobbyists and public relations specialists for foreign governments.² The fact that your attorneys have spent so many pages discussing cases which are so inapplicable to the facts before the Committee demonstrates the lack of support for your position.

² It should be noted that the deliberative process privilege discussed in the cases cited by your lawyers would not be available to U.S. government agencies in response to a Congressional subpoena. It would be an anomalous result indeed to provide private parties lobbying on behalf of foreign governments with the benefit of the deliberative process privilege when it is not available to the U.S. government in response to Congressional subpoenas.

His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
 November 21, 2002
 Page 6 of 8

C. The Disturbing Ramifications of the Saudi Position

It is also important to consider the ramifications of your argument. First, if your position were correct, a foreign mission could employ a U.S. citizen to break the law, and then cloak any documents about that activity in diplomatic immunity. Even a spy could be hired by a foreign mission, and then claim that his documents are protected by the Vienna Convention if they were sought by the FBI. I see no reason why spies like Robert Hanssen, Aldrich Ames, or Jonathan Pollard could not claim that they were agents of foreign embassies, and that their documents were protected from disclosure by the Vienna Convention. If this argument were allowed to stand it could potentially cripple future espionage investigations,³ and would distort the fundamental purpose of the Vienna Convention. Second, and perhaps most significantly, your interpretation of the Vienna Convention would eviscerate FARA. FARA was passed to "protect the national defense, internal security, and foreign relations of the United States by requiring public disclosure by persons engaging in propaganda activities for or on behalf of foreign governments, foreign political parties, and other foreign principals so that the Government and the people of the United States may be informed of the identity of such persons and may appraise their statements and actions in the light of their associations and activities." *Meese v. Keene*, 481 U.S. 465, 469 (1987) (quoting 56 Stat. 248-49 (1942)). To ensure that filings made under FARA are accurate, the Justice Department has the right to obtain a wide array of documents relating to a registrant's representation of a foreign entity. Yet, your argument would keep the Department from obtaining any of these records. This interpretation would virtually bar the Justice Department from enforcing FARA. It is noteworthy that in the 30 years that the United States has been a signatory to the Vienna Convention, the Justice Department has repeatedly obtained records from representatives of foreign governments, and yet apparently, not once has a foreign government made the claim that you are advancing.

It is unthinkable that Congress, through silence or inadvertence, relinquished its vital oversight responsibilities over registered foreign agents. A number of courts have held that statutory nondisclosure provisions, when they are not explicitly applicable to Congress, cannot be used to deny Congress access to information. *See, e.g., FTC v. Owens-Corning Fiberglass Corp.*, 626 F.2d 966, 970 (D.C. Cir. 1980); *Exxon Corp. v. FTC*, 589 F.2d 582, 585-86 (D.C. Cir. 1978); *Moon v. CIA*, 514 F. Supp. 836, 840-41 (SDNY 1981). Likewise, there is nothing in the Vienna Convention which makes the nondisclosure provisions of the Convention applicable to the documents at issue, much less a Congressional request for such documents.

II. Testimony by Representatives of the Subpoenaed Firms is Not Privileged

Just as disturbing as your claim that the subpoenaed documents are privileged is your apparent belief that testimony by lobbyists and consultants for the Saudi government is privileged as well. Your letter did not make this argument clear, but your lawyers made it clear in their recent meeting with Committee staff that you believe that the Committee cannot compel your lobbyists and consultants to testify regarding their activities. You are apparently making this claim despite the fact that the Committee has already subpoenaed your top public relations

³ The argument you have made could potentially allow attorneys for previously convicted spies like Hanssen, Ames or Pollard to go back and argue against their convictions.

His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
 November 21, 2002
 Page 7 of 8

consultant, Michael Petruzzello, and he testified extensively about his work for the Saudi government.

Your claim is also inconsistent with the Vienna Convention itself, which explicitly identifies the persons who are entitled to assert privileges against providing evidence. Article 31(2) of the Vienna Convention provides that a "diplomatic agent is not obliged to give evidence as a witness." This privilege is also expressly extended to members of the administrative and technical staff of the mission, so long as these members are not nationals or permanent residents of the receiving state. Art. 37(2). Such nationals or permanent residents are entitled to only such privileges and immunities as the receiving State chooses to provide them. Art. 38. By contrast, your claim would extend a privilege against providing evidence to U.S. nationals who are not even employees of the mission, and who do not fall within any of the categories of protected persons identified by the Convention. See Art. 1. Indeed, Professor Denza has written to the Committee that "[l]obbyists and public relations specialists providing professional services to the Embassy of Saudi Arabia would not on that basis be exempt from an obligation to testify as witnesses."

Moreover, even individuals who, unlike the lobbyists and consultants here, occupy positions which the Vienna Convention was designed to protect are not exempt from compulsion to provide evidence unless and until the State Department has been notified of their appointment in the manner required by the Convention. *Vulcan Iron Works, Inc. v. Polish American Machinery Corp.*, 479 F. Supp. 1060, 1064-65 (S.D.N.Y. 1979). This requirement preserves the State Department's ability to reject appointments it finds objectionable, and ensures that the class of persons protected by the Convention is clearly defined. If the government of Saudi Arabia truly intended and expected that its consultants and lobbyists would be protected by the Vienna Convention, it would have so notified the State Department when they were retained.

III. Attorney-Client Privilege and Attorney Work Product

You also objected to the production of any documents protected by the attorney-client privilege and attorney work product doctrine. Of course, Congress is not obligated to recognize common law privileges like the attorney-client privilege. See, e.g., *Proceedings Against Ralph Bernstein and Joseph Bernstein*, H. Rep. No. 99-462, 99th Cong., 2d Sess. 13 notes 12-14 (1986). Even if the Committee were disposed to accept such a claim in this case, it is doubtful that many of the documents are covered by the attorney-client privilege. Only one of the three subpoena recipients is a law firm. It also appears that most of the work being carried out, even by the law firm, is related to lobbying, not legal work, and would therefore not be protected by the attorney-client privilege. See *In re grand Jury Subpoenas dated March 9, 2001* at 43-44 (S.D.N.Y. 2001). See also *Federal Deposit Insurance Corporation v. Hurwitz*, No. Misc. 01-0287 (D.D.C. July 25, 2002).⁴ Similarly, Congress is not obligated to recognize the attorney

⁴ It is interesting to note that in the Hurwitz case, Judge Thomas Penfield Jackson allowed the FDIC to proceed with a subpoena of records relating to the lobbying activities of Patton Boggs. According to a press account, Judge Jackson informed counsel for Patton Boggs that "he would be inclined to agree with him 'if you were, in fact, defense counsel' but added: 'You are not. You provided services of a different nature.'" James V. Grimaldi, FDIC Case Against Texas Businessman Hurwitz Moves Forward with Approval of Subpoena, *The Washington Post* (August 12, 2002).

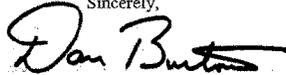
His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
November 21, 2002
Page 8 of 8

work product doctrine. Even if the Committee did allow such a claim in this case, it is unlikely that any of the documents at issue would be properly classified as attorney work product, given the absence of any anticipated litigation in this matter. Nevertheless, if you believe that any of the subpoenaed documents are the proper subject of an attorney-client privilege or attorney work product claim, we invite you to make such a claim and provide a detailed privilege log.

Conclusion

In summary, there is no support for your position that the subpoenaed records are subject to protection under the Vienna Convention. Therefore, I reject your claim of privilege, and request that the subpoenaed records be produced to the Committee. If the subpoenaed parties do not comply with my request, I will consider appropriate action to enforce the subpoenas and obtain the requested information.

Sincerely,



Dan Burton
Chairman

cc: The Honorable Colin Powell, Secretary of State
The Honorable John Ashcroft, Attorney General
The Honorable Henry A. Waxman, Ranking Minority Member
Maureen E. Mahoney, Latham & Watkins
Robert Luskin, Patton Boggs LLP
Leslie Kiernan, Counsel for Qorvis Communications
Peter Romatowski, Counsel for The Gallagher Group

Attachment



Faculty of Laws

UNIVERSITY COLLEGE LONDON

BENTHAM HOUSE ENDSLEIGH GARDENS LONDON WC1H 0EG

Tel: 020 7679 2000 Fax: 020 7387 9597

18 November 2002

Dear Mr Burton,

Thank you for your letter of 12 November 2002. I have considered the arguments put forward by and on behalf of the Embassy of Saudi Arabia in support of their claim that records in possession of three firms of lobbyists retained to work for them are entitled to be regarded as 'archives and documents of the mission'. I am assuming that the relations between the three firms and the Saudi Embassy are based on a contract for professional services between one of the three firms, Qorvis Communications, and the Kingdom of Saudi Arabia. The other two firms are in contractual relations with Qorvis Communications and not with Saudi Arabia or with the Ambassador. On that basis it is my opinion that the records which are the subject of subpoenas from the Committee on Government Reform of the House of Representatives are not archives or documents of the Saudi mission and so not protected on the basis of inviolability from disclosure.

I will respond to your questions in order:-

1. Article 24 of the Vienna Convention on Diplomatic Relations reflects pre-existing customary international law, but also goes beyond it. It establishes, for example, that archives not situated on mission premises are entitled to inviolability. Nor do the archives of the mission (unlike the diplomatic bag) require to be identified by visible official marks indicating their character.

Subsequent practice has given a wide construction to the term 'archives and documents' by including modern methods of storage of information. The 1963 Vienna Convention on Consular Relations states that 'consular archives' includes all the papers, documents, correspondence, books, films, tapes and registers of the consular post, together with the ciphers and codes, the card-indexes and any article of furniture intended for their protection or safekeeping. This wide description has always been regarded as applicable to the 1961 Vienna Diplomatic Convention, particularly since the immunities accorded to diplomatic missions are generally wider than those accorded to consular posts.

To be entitled to inviolability, however, archives and documents must be 'of' the mission. The test generally applied is that they must belong to or be in the possession

of the mission. It may be noted that at the Vienna Conference, the United States proposed, and later withdrew an amendment which would have defined archives as

'the official records and reference collections belonging to or in the possession of the mission'

Although the first part of this amendment is clearly too narrow, the second part of the proposed definition: 'belonging to or in the possession of the mission' has been confirmed by subsequent practice. These or very similar words appear in a number of agreements conferring privileges and immunities on international organisations where the context suggests that they were intended to be declaratory of the meaning of Article 24 of the Vienna Convention on Diplomatic Relations.

The relevance of the test of ownership or possession to protection as 'archives and documents' was explored very thoroughly by English courts in 1987 in the context of the collapse of the International Tin Council (ITC). The ITC archives were entitled under international agreement, given effect in United Kingdom domestic law, to the same inviolability as was accorded to the official archives of a diplomatic mission. The ITC intervened in the case of *Shearson Lehman Brother Inc. and Another v. Maclaine Watson & Co. Ltd. and Another* seeking to claim inviolability for documents originating in the ITC but which had found their way into the hands of third parties. You will find the successive judgments of the English High Court, the Court of Appeal and the House of Lords conveniently together in 77 International Law Reports, beginning at p. 107.

At first instance, Webster, J, accepted (p. 122) that if a document was deliberately sent to a third party 'its archival character and its inviolability are lost'. On appeal, Dillon, LJ, maintained (p. 130) that documents in the hands of independent experts consulted by the International Tin Council ceased to be archives of the organisation. When the case reached the House of Lords, the Tin Council conceded that inviolability could not arise 'with respect of any documents held by third parties on loan from the ITC or otherwise as bailees or agents for the ITC' (p. 152). Lord Bridge held (p. 155) that 'a document communicated to a third party by an officer or employee of the ITC with actual authority, express or implied, or with ostensible authority, no longer belongs to the ITC and hence no longer enjoys inviolability as part of the official archives.' The House of Lords judgment, given the agreement and legislation which was in issue, is of equal application to archives of a diplomatic mission. It was a unanimous judgment, and I believe that it would be a persuasive authority in United States courts.

2. The case of *In re Liberian Eastern Timber Corporation v. The Government of the Republic of Liberia* is not authority for the argument that documents sent with authority to a third party for the purposes of obtaining

professional advice remain 'archives and documents of the mission'. It relates to the entirely separate question of whether embassy bank accounts are immune from attachment or execution. The Vienna Convention on Diplomatic Relations gives inviolability to property of a diplomatic mission (other than archives, which are treated separately) only where it is on the premises of the mission. There have been a series of cases in several jurisdictions, this case being one of them, which now establish that embassy bank accounts are entitled to protection under customary international law. The case cannot be used in order to enlarge the protection given under a different Article of the Vienna Convention where the wider construction cannot be supported either by the words of the Convention, by practice, or by authorities in other jurisdictions.

3. Lobbyists and public relations specialists providing professional services to the Embassy of Saudi Arabia would not on that basis be exempt from an obligation to testify as witnesses. The only persons entitled to exemption from the duty to testify are diplomatic agents notified and accepted as such, as well as other members of the mission entitled under the terms of Articles 37 and 38 of the Vienna Convention on Diplomatic Relations. Beyond those categories, employees and agents of the Kingdom of Saudi Arabia might be able to assert a claim of sovereign immunity if asked to give evidence on official matters. This is a more difficult area, but I understand that the persons concerned are in fact independent contractors rather than officials or agents of Saudi Arabia.

For completeness I should add that I have considered whether the documents sought might be entitled to inviolability as 'official correspondence of the mission' under Article 27.2 of the Vienna Convention on Diplomatic Relations. There is virtually no practice establishing the extent of protection given under Article 27.2 of the Convention, for reasons which I set out in my commentary on the provision (*Diplomatic Law*, 2nd ed. pp. 163 - 184). In my view, however, correspondence to a third party not being an employee of the sending State is not entitled to inviolability once it has been received and become the property of the recipient.

Yours sincerely,



Eileen Dunza

Visiting Professor of Law

Dan Burton
Chairman, Committee on Government Reform
House of Representatives
Congress of the United States

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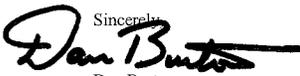
November 25, 2002

His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
 Ambassador
 Royal Embassy of Saudi Arabia
 601 New Hampshire Avenue, N.W.
 Washington, D.C. 20037

Dear Prince Bandar:

As you are aware, the Committee has been working for over one year to help U.S. citizens who have been abducted to Saudi Arabia. As you are also aware, I have publicly questioned your government's conduct regarding child abductions, and I have been very clear in my statements that I believe your government has acted in extreme bad faith on this issue. Recently, in an effort to obtain additional facts, I subpoenaed records from three lobbying firms that have been doing the Kingdom's bidding on the abduction issue. You refused to comply with this lawful subpoena, and claimed instead that the lobbyists' records were "archives and documents" of the Saudi Embassy and, as such, were protected by the Vienna Convention on Diplomatic Relations. As you are aware, I have rejected your legal arguments.

Until two days ago, I was puzzled by why you would fight the Committee so hard regarding these documents. Now I understand. This weekend almost every newspaper and television network covered a story about funds from your own family that may have ended up in the hands of two men who attempted to kill every man and woman in the Pentagon. Obviously, the principles you asserted regarding the Vienna Convention in the context of the child abduction issue could be used to frustrate U.S. efforts to investigate possible links between your Embassy, your family, and the September 11 terrorists. You now have an opportunity, however, to withdraw your specious Vienna Convention claim and allow expeditious fact finding to occur in both the area of the funding of terrorists and the area of child abductions. Legitimate principles of diplomatic immunity have not been threatened by the Justice Department, the State Department, or the United States Congress. Do not, however, attempt to expand these privileges in a manner that would be antithetical to the interests of both of our countries.

Sincerely,

 Dan Burton
 Chairman

cc: The Honorable Henry A. Waxman, Ranking Minority Member

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RECEIVED

OCT 22 2002

HOUSE COMMITTEE ON
GOVERNMENT REFORM

سفارة المملكة العربية السعودية
في واشنطن

ROYAL EMBASSY OF SAUDI ARABIA
601 NEW HAMPSHIRE AVENUE, N. W.
WASHINGTON, D. C. 20037

OFFICE OF
THE AMBASSADOR

October 22, 2002

The Honorable Dan Burton
United States House of Representatives
2185 Rayburn House Office Building
Washington, DC 20515-1406

Re: Subpoenas Issued By The Government Reform
Committee of the United States House of Representatives

Dear Chairman Burton:

As you are aware, the Royal Embassy of Saudi Arabia to the United States has been engaged in diplomatic discussions with the State Department concerning a variety of important issues germane to international child custody disputes. In an effort to develop a comprehensive and productive response to these difficult issues, the Embassy retained outside lawyers and consultants who have assisted us with our deliberations. I have now been advised that your committee has issued subpoenas *duces tecum* to these firms requesting the production of all documents relating to their representation of the Embassy in this matter.¹ Although we fully intend to continue our on-going efforts with the State Department to develop a bilateral mechanism for resolving these cases, and to work constructively with your Committee, we are deeply concerned by the Committee's issuance of subpoenas to lawyers and consultants retained in connection with the performance of diplomatic functions. For the reasons set forth herein, we

¹ Subpoenas *duces tecum* were issued to Patton Boggs, LLP, Qorvis Communications, and The Gallagher Group.

The Honorable Dan Burton
United States House of Representatives
Page 2

have directed our representatives not to produce the contents of any files relating to the work performed on behalf of the Embassy.²

In order to protect the proper functioning of diplomatic relations in the United States -- not only for Saudi Arabia, but for all nations -- my Government is invoking its privileges under the Vienna Convention on Diplomatic Relations, April 18, 1961, 23 U.S.T. 3327, TIAS No. 7502 ("Vienna Convention") and related legal doctrines.³ The Vienna Convention was ratified for the express purpose of "ensur[ing] the efficient performance of the functions of diplomatic missions as representing States." As part of that assurance, the Vienna Convention provides that, "[t]he archives and documents of the mission shall be inviolable at any time and wherever they may be." Article 24. The Convention further provides that "[t]he receiving State shall permit and protect free communication on the part of the mission for all official purposes." Article 27. As the Attorney General of the United States explained when advising the President to withhold documents subpoenaed by a House Committee in 1996, the "successful conduct of international diplomacy" requires "confidentiality," and "those who assist [the President] must be free to explore alternatives . . . in a way many would be unwilling to express except privately." Opinion re Assertion of Executive Privileges for Documents Concerning Conduct of Foreign Affairs with Respect to Haiti (September 20, 1996). The Convention accordingly must be interpreted to ensure that records and communications relating to the performance of a foreign government's diplomatic functions are not the proper subject of compulsory process in the United States.

These important principles of diplomatic immunity are fully applicable here. The Embassy retained these firms to assist with its performance of core diplomatic functions, which the Vienna Convention defines to include (1) "representing the sending State in the receiving State"; (2) "protecting in the receiving State the interests of the sending State and of its nationals"; (3) "negotiating with the Government of the receiving State"; (4) "ascertaining by all lawful means conditions and developments in the receiving State"; and (5) "promoting friendly

² We also object to the production of any documents protected by the attorney-client privilege and attorney work product doctrines.

³ Saudi Arabia is a signatory to the Vienna Convention. In addition, Congress has extended the protections of the Vienna Convention to all foreign missions in the United States. See 22 U.S.C. § 254(b).

The Honorable Dan Burton
United States House of Representatives
Page 3

relations” between the States. Article 3.⁴ And the “fortuity that documents sought by a Congressional subpoena are not in the hands of a party claiming injury from the subpoena” does not “immunize that subpoena from challenge by that party.” *United States v. American Telephone & Telegraph Co.*, 567 F.2d 121, 129 (D.C. Cir. 1977). The Embassy accordingly has the right under the Convention to assert diplomatic immunity with respect to official requests for files relating to work performed by consultants on behalf of the Embassy.⁵

My Government will continue to cooperate closely with your Government on the child custody issues, but I firmly believe that issuance of subpoenas to embassy consultants threatens the diplomatic interests of all countries. No nation, including the United States, can effectively pursue its diplomatic mission in foreign countries without the freedom to communicate confidentially with lawyers and consultants.⁶ As the dean of the diplomatic corps in the United States, I feel a special responsibility -- for the good of all nations -- to ensure that this important principle is upheld, which is consistent with Congress’s commitment under the Vienna Convention to “permit and protect free communication on the part of the mission[s] for all official purposes.”

⁴ In *Risk v. Halvorsen*, 936 F.2d 393 (1991) the Ninth Circuit confirmed that actions taken by the Norwegian Consulate in connection with a child custody dispute represented consular functions immune from challenge in United States courts.

⁵ See, e.g., *In re Liberian Eastern Timber Corp. v. The Government of the Republic of Liberia*, 659 F. Supp. 606 (D.D.C. 1987) (refusing to permit attachment of Embassy bank accounts located “off the premises of the mission” because the Vienna Convention must be construed in a manner that will permit embassies to “function efficiently.”)

⁶ Indeed, the Chair of the House International Relations Committee explained last fall that it was essential for U.S. foreign policy to pursue “public diplomacy efforts overseas” to improve the image of America in Muslim countries, and that it would be important to consult experts “in the private sectors whose careers have focused on the creation of images both here and around the world.” The Honorable Henry J. Hyde, “The Role of Public Diplomacy in Support of the Anti-Terrorist Campaign” (October 10, 2001).

The Honorable Dan Burton
United States House of Representatives
Page 4

I want to assure you that my Government is committed to the resolution of these cases in a manner that protects the interests of the children, who are the true victims in these situations. We have established a task force within our Government dedicated to the development of a bilateral mechanism that will resolve the outstanding cases and help to prevent additional cases from occurring in the future. I also remain willing to have representatives of my Embassy meet with you to provide the information you need, and I look forward to working with your Government and your Committee to finding a workable solution to these issues of critical concern to both of our nations.

Sincerely,



Bandar bin Sultan bin Abdulaziz
Ambassador

cc: The Honorable Henry Waxman

Subpoena Duces Tecum

By Authority of the House of Representatives of the Congress of the United States of America

To ... Corvis Communications

You are hereby commanded to produce the things identified on the attached schedule before the ... Full ... Committee on ... Government Reform ... of the House of Representatives of the United States, of which the Hon. Dan Burton ... is chairman, by producing such things in Room 2157 ... of the Rayburn ... Building ... , in the city of Washington, on October 22 ... 2002 ... , at the hour of

To ... Allison Rlandford or U.S. Marshals Service ... to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this ... 8th ... day of ... October ... , 2002

Dan Burton ... Chairman.

Attest: [Signature] ... Clerk.



Subpoena forGorvis Communications...

Serve: Michael Petruzzello

1211 Connecticut Avenue, NW, Ste. 608

Washington, DC 20036

before the Committee on the

Government Reform

Served TO: Gorvis Communications

By: Allison Blendford

Via Facsimile 10/10/02

11:15 am



..... House of Representatives

SCHEDULE A

**Subpoena Duces Tecum
Government Reform Committee
United States House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515**

Qorvis Communications
Serve: Michael Petruzzello
Qorvis Communications
1211 Connecticut Avenue, N.W., Suite 608
Washington, DC 20036

The Committee hereby subpoenas certain records. Please provide logs which indicate each record's Bates number, author, description, and source file. If you have any questions, please contact Chief Counsel James C. Wilson at (202) 225-5074.

Definitions and Instructions

(1) For the purposes of this subpoena, the word "record" or "records" shall include, but shall not be limited to, any and all originals and identical copies of any item whether written, typed, printed, recorded, redacted or unredacted, transcribed, punched, taped, filmed, graphically portrayed, video or audio taped, however produced or reproduced, and includes, but is not limited to, any writing, reproduction, transcription, photograph, or video or audio recording, produced or stored in any fashion, including any and all activity reports, agendas, analyses, announcements, appointment books, briefing materials, bulletins, cables, calendars, card files, computer disks, cover sheets or routing cover sheets, drawings, computer entries, computer printouts, computer tapes, external and internal correspondence, diagrams, diaries, documents, electronic mail (e-mail), facsimiles, journal entries, letters, manuals, memoranda, messages, minutes, notes, notices, opinions, statements or charts of organization, plans, press releases, recordings, reports, Rolodexes, statements of procedure and policy, studies, summaries, talking points, tapes, telephone bills, telephone logs, telephone message slips, records or evidence of incoming and outgoing telephone calls, telegrams, telexes, transcripts, or any other machine readable material of any sort whether prepared by current or former employees, agents, consultants or by any non-employee without limitation. "Record" or "records" shall also include all other records, documents, data and information of a like and similar nature not listed above.

(2) For purposes of this subpoena, the terms "refer" or "relate" and "concerning" as to any given subject means anything that constitutes, contains, embodies, identifies, mentions, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.

(3) This subpoena calls for the production of records, documents and compilations of data and information that are currently in your possession, care, custody or control, including, but not limited to, all records which you have in your physical possession as well as any records to which you have access, any records which were formerly in your possession, or which you have put in storage or anyone has put in storage on your behalf. Unless a time period is specifically identified, the request includes all documents to the present.

(4) The conjunctions "or" and "and" are to be read interchangeably in the manner that gives this subpoena the broadest reading.

(5) No records, documents, data or information called for by this subpoena shall be destroyed, modified, redacted, removed or otherwise made inaccessible to the Committee.

(6) If you have knowledge that any subpoenaed record, document, data or information has been destroyed, discarded or lost, identify the subpoenaed records, documents data or information and provide an explanation of the destruction, discarding, loss, deposit or disposal.

(7) When invoking a privilege as to any responsive record, document, data or information as a ground for withholding such record, document, data or information, list each record, document, compilation of data or information by data, type, addressee, author (and if different, the preparer and signatory), general subject matter, and indicated or known circulation. Also, indicate the privilege asserted with respect to each record, document, compilation of data or information in sufficient detail to ascertain the validity of the claim of privilege.

(8) This subpoena is continuing in nature. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date shall be provided immediately upon location or discovery subsequent thereto.

Subpoenaed Items

Please provide the Committee with the following records:

1. All records relating to the following individuals:
 - a. Patricia Roush, Khalid Gheshayan, Alia Gheshayan, or Aisha Gheshayan;
 - b. Ethel Stowers, Monica Stowers, Nizar Radwan, Amjad Radwan, or Rasheed Radwan;
 - c. Miriam Hernandez-Davis or Dria Davis (a.k.a. Yasmeeen Shalhoub);
 - d. Samiah Seramur (a.k.a. Samantha Seramur), Mubarak Al-Rehaili, Safiah Al-Rehaili, Maha Al-Rehaili, or Faisal Al-Rehaili;
 - e. Debra Docekal, Jihad Basrawi, Ramie Basrawi, or Suzanne Basrawi;
 - f. Joanna Stephenson Tonetti, Abdullah Al-Arifi, Rosemary Al-Arifi, Sarah Al-Arifi, or Abdulaziz Al-Arifi;
 - g. Margaret McClain, Abdulbaset Al-Omary, or Machael Heidi Al-Omary;

- h. Michael Rives, Roua Al-Adel, Lilly Rives, or Sami Rives;
 - i. Maureen Dabbagh, Mohamad Dabbagh, or Nadia Dabbagh.
- 2. All records from January 2002 to the present relating to child abduction, child custody, and child retention cases relating to the Kingdom of Saudi Arabia;
- 3. All records from January 2002 to the present relating to the House Government Reform Committee's investigation and hearings into abductions of U.S. citizens to Saudi Arabia;
- 4. All records relating to the August-September 2002, Congressional Delegation to Saudi Arabia headed by Chairman Dan Burton;
- 5. All billing records for work performed for the Kingdom of Saudi Arabia, Royal Embassy of Saudi Arabia, or any Saudi businesses or individuals;
- 6. All records relating to filings for Saudi clients filed under the Foreign Agents Registration Act.

Subpoena Duces Tecum

By Authority of the House of Representatives of the Congress of the United States of America

To Patton Boggs LLP

You are hereby commanded to produce the things identified on the attached schedule before the Full Committee on Government Reform of the House of Representatives of the United States, of which the Hon. Dan Burton is chairman, by producing such things in Room 215Z of the Rayburn Building, in the city of Washington, on October 22, 2002, at the hour of

To Allysen Blandford or U.S. Marshals Service to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 8th day of October, 12 2002

Dan Burton
Chairman

Attest:
Jeff Wondol
Clerk



Subpoena for Fattouh Rogga, LLP.....
 Serve: Jack Deschauer.....
 2550 M St., N.W.....
 Washington, DC 20037.....
 before the Committee on the.....
 Government Reform.....

Served To: Fattouh Rogga.....
 By: Alyson Bland Ford.....
 via facsimile 10/11/02.....

Alyson Bland Ford

House of Representatives

SCHEDULE A

**Subpoena Duces Tecum
Government Reform Committee
United States House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515**

Patton Boggs LLP
Serve: Jack Deschauer
Patton Boggs
2550 M Street, N.W.
Washington, D.C. 20037

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 - b. Ethel Stowers, Monica Stowers, Nizar Radwan, Amjad Radwan, or Rasheed Radwan;
 - c. Miriam Hernandez-Davis or Dria Davis (a.k.a. Yasmeen Shalhoub);
 - d. Samiah Seramur (a.k.a. Samantha Seramur), Mubarak Al-Rehaili, Safiah Al-Rehaili, Maha Al-Rehaili, or Faisal Al-Rehaili;
 - e. Debra Docekal, Jihad Basrawi, Ramie Basrawi, or Suzanne Basrawi;
 - f. Joanna Stephenson Tonetti, Abdullah Al-Arifi, Rosemary Al-Arifi, Sarah Al-Arifi, or Abdulaziz Al-Arifi;
 - g. Margaret McClain, Abdulbaset Al-Omary, or Machael Heidi Al-Omary;

- h. Michael Rives, Roua Al-Adel, Lilly Rives, or Sami Rives;
 - i. Maureen Dabbagh, Mohamad Dabbagh, or Nadia Dabbagh.
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Subpoena Duces Tecum

By Authority of the House of Representatives of the Congress of the United States of America

To The Gallagher Group

You are hereby commanded to produce the things identified on the attached schedule before the Full Committee on Government Reform of the House of Representatives of the United States, of which the Hon. Dan Burton is chairman, by producing such things in Room 2157 of the Rayburn Building, in the city of Washington, on October 22, 2002, at the hour of

To Allyson Blandford or U.S. Marshals Service to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 8th day of October, 2002

Handwritten signature of Dan Burton, Chairman.

Attest: Handwritten signature of Jeff Wanda, Clerk.



Subpoena for The Gallagher Group
 Serve: James Gallagher
 1800 N. Kent St., Ste. 907
 Arlington, VA 22209
 before the Committee on the
 Government Reform

Served To: The Gallagher Group
 by: Allyson Blandford
 via facsimile 10/10/02

11:20 AM
 ag

House of Representatives

SCHEDULE A

**Subpoena Duces Tecum
Government Reform Committee
United States House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515**

The Gallagher Group
Serve: James P. Gallagher
1800 North Kent Street, Suite 907
Arlington, Virginia 22209

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RECEIVED

OCT 22 2002

HOUSE COMMITTEE ON
GOVERNMENT REFORM

سفارة المملكة العربية السعودية
في واشنطن

OFFICE OF
THE AMBASSADOR

ROYAL EMBASSY OF SAUDI ARABIA
601 NEW HAMPSHIRE AVENUE, N. W.
WASHINGTON, D. C. 20037

October 22, 2002

The Honorable Dan Burton
United States House of Representatives
2185 Rayburn House Office Building
Washington, DC 20515-1406

Re: Subpoenas Issued By The Government Reform
Committee of the United States House of Representatives

Dear Chairman Burton:

As you are aware, the Royal Embassy of Saudi Arabia to the United States has been engaged in diplomatic discussions with the State Department concerning a variety of important issues germane to international child custody disputes. In an effort to develop a comprehensive and productive response to these difficult issues, the Embassy retained outside lawyers and consultants who have assisted us with our deliberations. I have now been advised that your committee has issued subpoenas *duces tecum* to these firms requesting the production of all documents relating to their representation of the Embassy in this matter.¹ Although we fully intend to continue our on-going efforts with the State Department to develop a bilateral mechanism for resolving these cases, and to work constructively with your Committee, we are deeply concerned by the Committee's issuance of subpoenas to lawyers and consultants retained in connection with the performance of diplomatic functions. For the reasons set forth herein, we

¹ Subpoenas *duces tecum* were issued to Patton Boggs, LLP, Qorvis Communications, and The Gallagher Group.

DCS45403.1



The Honorable Dan Burton
United States House of Representatives
Page 2

have directed our representatives not to produce the contents of any files relating to the work performed on behalf of the Embassy.²

In order to protect the proper functioning of diplomatic relations in the United States -- not only for Saudi Arabia, but for all nations -- my Government is invoking its privileges under the Vienna Convention on Diplomatic Relations, April 18, 1961, 23 U.S.T. 3327, TIAS No. 7502 ("Vienna Convention") and related legal doctrines.³ The Vienna Convention was ratified for the express purpose of "ensur[ing] the efficient performance of the functions of diplomatic missions as representing States." As part of that assurance, the Vienna Convention provides that, "[t]he archives and documents of the mission shall be inviolable at any time and wherever they may be." Article 24. The Convention further provides that "[t]he receiving State shall permit and protect free communication on the part of the mission for all official purposes." Article 27. As the Attorney General of the United States explained when advising the President to withhold documents subpoenaed by a House Committee in 1996, the "successful conduct of international diplomacy" requires "confidentiality," and "those who assist [the President] must be free to explore alternatives . . . in a way many would be unwilling to express except privately." Opinion re Assertion of Executive Privileges for Documents Concerning Conduct of Foreign Affairs with Respect to Haiti (September 20, 1996). The Convention accordingly must be interpreted to ensure that records and communications relating to the performance of a foreign government's diplomatic functions are not the proper subject of compulsory process in the United States.

These important principles of diplomatic immunity are fully applicable here. The Embassy retained these firms to assist with its performance of core diplomatic functions, which the Vienna Convention defines to include (1) "representing the sending State in the receiving State"; (2) "protecting in the receiving State the interests of the sending State and of its nationals"; (3) "negotiating with the Government of the receiving State"; (4) "ascertaining by all lawful means conditions and developments in the receiving State"; and (5) "promoting friendly

² We also object to the production of any documents protected by the attorney-client privilege and attorney work product doctrines.

³ Saudi Arabia is a signatory to the Vienna Convention. In addition, Congress has extended the protections of the Vienna Convention to all foreign missions in the United States. See 22 U.S.C. § 254(b).

The Honorable Dan Burton
 United States House of Representatives
 Page 3

relations" between the States. Article 3.⁴ And the "fortuity that documents sought by a Congressional subpoena are not in the hands of a party claiming injury from the subpoena" does not "immunize that subpoena from challenge by that party." *United States v. American Telephone & Telegraph Co.*, 567 F.2d 121, 129 (D.C. Cir. 1977). The Embassy accordingly has the right under the Convention to assert diplomatic immunity with respect to official requests for files relating to work performed by consultants on behalf of the Embassy.⁵

My Government will continue to cooperate closely with your Government on the child custody issues, but I firmly believe that issuance of subpoenas to embassy consultants threatens the diplomatic interests of all countries. No nation, including the United States, can effectively pursue its diplomatic mission in foreign countries without the freedom to communicate confidentially with lawyers and consultants.⁶ As the dean of the diplomatic corps in the United States, I feel a special responsibility -- for the good of all nations -- to ensure that this important principle is upheld, which is consistent with Congress's commitment under the Vienna Convention to "permit and protect free communication on the part of the mission[s] for all official purposes."

⁴ In *Risk v. Halvorsen*, 936 F.2d 393 (1991) the Ninth Circuit confirmed that actions taken by the Norwegian Consulate in connection with a child custody dispute represented consular functions immune from challenge in United States courts.

⁵ See, e.g., *In re Liberian Eastern Timber Corp. v. The Government of the Republic of Liberia*, 659 F. Supp. 606 (D.D.C. 1987) (refusing to permit attachment of Embassy bank accounts located "off the premises of the mission" because the Vienna Convention must be construed in a manner that will permit embassies to "function efficiently.")

⁶ Indeed, the Chair of the House International Relations Committee explained last fall that it was essential for U.S. foreign policy to pursue "public diplomacy efforts overseas" to improve the image of America in Muslim countries, and that it would be important to consult experts "in the private sectors whose careers have focused on the creation of images both here and around the world." The Honorable Henry J. Hyde, "The Role of Public Diplomacy in Support of the Anti-Terrorist Campaign" (October 10, 2001).

The Honorable Dan Burton
United States House of Representatives
Page 4

I want to assure you that my Government is committed to the resolution of these cases in a manner that protects the interests of the children, who are the true victims in these situations. We have established a task force within our Government dedicated to the development of a bilateral mechanism that will resolve the outstanding cases and help to prevent additional cases from occurring in the future. I also remain willing to have representatives of my Embassy meet with you to provide the information you need, and I look forward to working with your Government and your Committee to finding a workable solution to these issues of critical concern to both of our nations.

Sincerely,



Bandar bin Sultan bin Abdulaziz
Ambassador

cc: The Honorable Henry Waxman

1367



2550 M Street, NW
Washington, DC 20037-1350
202-457-6000

Facsimile 202-457-6315
www.pattonboggs.com

RECEIVED

October 22, 2002

OCT 22 2002

HOUSE COMMITTEE ON
GOVERNMENT REFORM

Robert D. Luskin
202-457-6190
Rluskin@pattonboggs.com

The Hon. Dan Burton
Chairman, Committee on
Government Reform
House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515-6143

RECEIVED
OCT 22 2002
HOUSE COMMITTEE ON
GOVERNMENT REFORM

Re: Subpoena to Patton Boggs LLP

Dear Chairman Burton:

I have been asked to respond on behalf of Patton Boggs LLP to a subpoena from the Committee on Government Reform, which was served upon us on October 10, 2002, by agreement with your counsel, James Wilson. The subpoena directs Patton Boggs to produce a variety of documents relating to the firm's representation of the Royal Embassy of Saudi Arabia; it concerns generally the investigation your Committee has been conducting into child custody issues involving Saudi Arabia.

As you are aware, subpoenas to law firms are the exception. Before a government attorney may ask that a grand jury subpoena be directed to a lawyer or law firm, for example, the Department of Justice requires the prior approval of the Assistant Attorney General for the Criminal Division, and only then when it appears that the material may not be obtained from any alternative source without compromising an ongoing criminal investigation. See United States Attorneys Manual, § 9-11.255. This scrupulousness arises from the importance of the attorney client relationship in our system of justice and the common sense fact that requiring a lawyer to become a witness in relation to his own client runs the grave risk of destroying that relationship. It arises, too, from the fact that lawyers are not free agents when it comes to subpoenas directed to documents about our clients. To the contrary, the ethical rules by which we are bound require us to assert any colorable privilege our client may possess. As the District of Columbia Bar has made clear: "All of the authorities of which we are aware that have addressed this question uniformly suggest that a lawyer has an obligation in the legislative process to raise all available, legitimate objections to a Congressional subpoena for confidential client information." District of Columbia Bar, Committee on Ethics, Opinion No. 288, Adopted February 16, 1999. Likewise, the prevailing law in the District of Columbia confirms that client files, while in our





The Hon. Dan Burton
 October 22, 2002
 Page 2

control, are nevertheless the property of our clients, who may ask for their unconditional return at any time.¹

The Committee has by now, we understand, already received a letter from the Royal Embassy of Saudi Arabia that, while emphasizing Saudi Arabia's readiness to work towards constructive solutions to the problems you are addressing, confirms that Patton Boggs and others of its retained professionals have been directed to assert all applicable privileges to the Committee's subpoena. We have been similarly instructed, by letter dated October 21, 2002, from Prince Bandar bin Sultan bin Abdulaziz, Ambassador to the United States, "not to produce the contents of any files relating to the work performed on behalf of the Embassy." (a copy of the letter is attached hereto).

In brief, we understand that the Vienna Convention on Diplomatic Relations, April 18, 1961, 23 U.S.T. 3327, T.I.A.S. No. 7502 ("Vienna Convention"), to which Saudi Arabia and the United States are signatories, to provide that "[t]he archives and documents of the mission shall be inviolable at any time and wherever they may be." Article 24. These protections, intended for the express purpose of 'ensure[ing] the efficient performance of the functions of diplomatic missions as representing States,' are fully applicable here. As Prince Bandar's letter confirms, we have been retained by the Embassy to assist with the performance of what the Vienna Convention characterizes as core diplomatic functions, including (i) "representing the sending State in the receiving State"; (ii) "protecting in the receiving State the interests of the sending State and of its nationals" and (iii) "negotiating with the Government of the receiving State" (iv) "ascertaining by all lawful means conditions and developments in the receiving State"; and (v) "promoting friendly relations" between the States. Vienna Convention, Article 3. In analogous circumstances, the United States District Court for the District of Columbia has held that the immunity conferred by the Vienna Convention, codified in Section 5 of the Diplomatic Relations Act of 1978, 22 U.S.C. § 254d, requires that a subpoena issued to an Ambassador to testify in a criminal case be quashed. *United States v. Michael Deaver*, 1987 WL 13365 (D.D.C.). It is well-settled that a party asserting a privilege may do so even if the documents are sought from a third party, *United States v. American Telephone & Telegraph Co.*, 567 F.2d 121, 129 (D.C. Cir. 1977). The "fortuity that documents sought by a Congressional subpoena are not in the hands of a party claiming injury from the subpoena" does "immunize that subpoena from challenge by that party," *ibid.*; nor does it relieve Patton Boggs of its obligation to assert the privilege on behalf of its client.

¹ The District of Columbia has an "entire file" approach, which means that "the entire contents of the client's file" must be returned upon request. See D.C. Bar Op. 283 (1988). The failure to return the "entire file" may expose an attorney to disciplinary proceedings and sanctions. *In re Andrew M. Steinberg*, 720 A.2d 900 (D.C. 1998) (suspending attorney for, *inter alia*, refusal to return client files).



The Hon. Dan Burton
 October 22, 2002
 Page 3

Additionally, a substantial number of the documents in our possession are also protected by the attorney client privilege, which protects communications to counsel which (a) intended to be confidential; (b) made primarily for the purpose of obtaining legal advice or assistance; and (c) necessary for that purpose. *Coleman v. American Broadcasting Companies*, 106 F.R.D. 201, 205 (D.D.C. 1985); *Covington & Burling v. Food & Nutrition Service*, 774 F. Supp. 314, 323 (D.D.C. 1990). As the Court of Appeals for the Seventh Circuit has made clear, the privilege applies equally to counsel retained to review Congressional hearings, analyze legislation, and prepare for testimony. *Westinghouse Elec. Corp. v. Kerr-McGee Corp.*, 580 F.2d 1311, 1313, 1320 (7th Cir.), cert. denied, 439 U.S. 955 (1978); see also *United States v. Conservation Chem. Co.*, No. 82-0983-CV-W-5, 1986 U.S. Dist. LEXIS 25730 at *25 (W.D. Mo. May 8, 1986).

Consequently, we must respectfully decline to produce the documents outlined in Schedule A to the subpoena that relate to our representation of the Embassy of Saudi Arabia.

Additionally, it appears that request five of Schedule A., which calls upon us to produce “[a]ll billing records for work performed for the Kingdom of Saudi Arabia, Royal Embassy of Saudi Arabia, or any Saudi businesses or individuals,” (emphasis supplied) could be construed to ask for records pertaining to any client of the firm, whenever retained, that has some undefined affiliation with Saudi Arabia.² Under this construction of request five, for example, if Patton Boggs had undertaken the representation of a Saudi citizen 25 years ago in an immigration matter, the billing records arising from such representation would be responsive to the request and would be required to be produced. To be sure, materials related to the representation of private individuals or entities would not be subject to the direction we have received from the Embassy of Saudi Arabia. They would, however, be protected from production under the Due Process Clause of the Fifth Amendment unless the Committee is prepared to demonstrate the manner in which such documents are pertinent to a legitimate legislative inquiry. *Watkins v. United States*, 354 U.S. 178, 214-15 (1957). As you know, a congressional committee may not compel a witness to disclose information that falls outside the scope of its mandate. The Supreme Court has articulated that the Committee’s burden to demonstrate pertinence in terms that leave no room for doubt:

² Request number six likewise seeks “[a]ll records relating to filings for Saudi clients filed under the Foreign Agents Registration Act.” This request could likewise be construed as encompassing clients other than the Embassy of Saudi Arabia; to that extent, the same analysis applies. We have not construed request number six to seek the FARA filings themselves, which are public records available to the Committee; but we understand that the Embassy of Saudi Arabia would not interpose an objection to the production of those public filings related to Patton Boggs’ representation of the Embassy of Saudi Arabia, if that is what you seek, and we would, therefore, agree to produce such filings upon request.



The Hon. Dan Burton
October 22, 2002
Page 4

Unless the subject matter has been made to appear with undisputable clarity, it is the duty of the investigative body, upon objection of the witness on grounds of pertinency, to state for the record the subject under inquiry at that time and the manner in which the propounded questions are pertinent thereto. To be meaningful, the explanation must describe what the topic under inquiry is and the connective reasoning whereby the precise questions asked relate to it.

Id. at 214-15.

As we understand it, the Committee has been engaged in an inquiry concerning, as you have recently characterized it, "Saudi Arabia and child abduction cases." *See* Transcript of Proceedings, October 2, 2002 (Statement of Chairman Burton). Under the circumstances, it would appear beyond question that billing records that Patton Boggs may maintain for other "Saudi businesses or individuals," however that term is defined, bear no rational relationship to the Committee's inquiry. Before we will consider producing such documents or conducting a necessary privilege review, we will require, at a minimum, that the Committee satisfy its obligations under *Watkins* to "state for the record the subject under inquiry . . . and the manner in which the propounded questions are pertinent thereto."³

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Robert D. Lusk'.

Robert D. Lusk

cc: The Hon. Henry Waxman

³ Even if documents relating to Patton Boggs' representation of other parties were relevant to the Committee's inquiry, we would nevertheless be under an ethical obligation to assert any applicable privileges, including the attorney-client privilege and the work product doctrine.

1371

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October 22, 2002

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OCT 22 2002

HOUSE COMMITTEE ON
GOVERNMENT REFORM

Honorable Dan Burton
Chairman
Committee on Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

Re: Subpoena to Qorvis Communications

Dear Mr. Chairman:

I am writing on behalf of our client, Qorvis Communications, in response to the Committee's subpoena dated October 8, 2002.

The subpoena seeks documents relating to Qorvis' client, the Royal Embassy of the Kingdom of Saudi Arabia. Qorvis has been advised by His Excellency Prince Bandar bin Sultan bin Abdulaziz, Saudi Arabia's Ambassador to the United States, that Saudi Arabia has invoked the provisions of the Vienna Convention, 21 U.S.T. 77 *et seq.*, and related legal doctrines in connection with the Committee's subpoena. (See enclosed Letter of His Excellency Prince Bandar bin Sultan bin Abdulaziz to Qorvis dated October 21, 2002.) Qorvis has, accordingly, been directed by the Ambassador "not to produce any files relating to [its] representation of the Embassy." The Ambassador has also instructed Qorvis to withhold from production all documents protected from disclosure by the attorney-client privilege and attorney work product doctrine.

Under these circumstances, Qorvis is unable to produce documents requested by the subpoena. I understand that the Embassy is communicating directly with the Committee in an effort to ensure that the Committee receives the information it needs consistent with the Vienna Convention and related privileges. We will await further communications from the Committee and from the Embassy regarding resolution of these issues. In the meantime, we will continue our ongoing review of Qorvis files to determine whether responsive documents exist and whether any such documents are protected from disclosure by the attorney-client privilege, attorney work product doctrine or other applicable privileges.

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ZUCKERMAN SPAEDER LLP

Honorable Dan Burton

October 22, 2002

Page 2

As a separate matter, Paragraphs 5 and 6 of the subpoena request documents relating to "any Saudi businesses or individuals" (Paragraph 5) and "Saudi clients" (Paragraph 6) represented by Qorvis. Insofar as these requests seek documents outside the immunity invoked by the Embassy, any such documents, if they exist, would appear to be outside the scope of the Committee's mandate and therefore not properly subject to subpoena.

We enclose at this time, in response to Paragraph 6, a copy of Qorvis' filing with the Department of Justice under the Foreign Agents Registration Act (FARA).

Qorvis intends to cooperate with the Committee's inquiry in whatever manner it can consistent with its legal obligations. We understand from Prince Bandar's letter to the Committee that the Embassy "has every intention of cooperating with the United States in an effort to solve the problems associate with international child custody disputes," and look forward to a prompt resolution of these issues.

Sincerely,



Leslie Berger Kierman

LBK/mb
Enclosure

cc: Honorable Henry Waxman

1373

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WRITER'S DIRECT NUMBER:

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pjromatowski@jonesday.com

JP001376
589842-660001

October 22, 2002

BY HAND

The Hon. Dan Burton
Chairman, Committee on Government Reform
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

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OCT 22 2002

HOUSE COMMITTEE ON
GOVERNMENT REFORM

Re: Subpoena dated October 8, 2002 addressed to The Gallagher Group

Dear Chairman Burton:

This is in response to the Committee's October 8, 2002 subpoena to this firm's client, The Gallagher Group, LLC.

Enclosed please find documents (bearing the Bates Numbers GALL00001 through 030) reflecting certain filings by The Gallagher Group under the Foreign Agents Registration Act.

As the Committee is aware, The Gallagher Group represents the Royal Embassy of Saudi Arabia to the United States ("the Embassy") with respect to the matters that are the subject of the subpoena. His Excellency the Ambassador has recently re-emphasized to The Gallagher Group that the Government of the Kingdom of Saudi Arabia "has every intention of cooperating with the United States in an effort to solve the problems associated with international child custody disputes." At the same time, however, the Embassy has advised The Gallagher Group that "[i]n order to protect the proper functioning of diplomatic relations in the United States -- not only for Saudi Arabia, but for all nations --" the Government of the Kingdom of Saudi Arabia is invoking its privileges under the Vienna Convention on Diplomatic Relations, and related legal doctrines, "to assert diplomatic immunity with respect to official requests for files relating to work performed by consultants on behalf of the Embassy." Accordingly, by letter dated October 21, 2002, His Excellency Bandar bin Sultan bin Abdulaziz, Ambassador to the United States, has instructed The Gallagher Group "not to produce the contents of any files relating to the work performed on behalf of the Embassy."

WAI-1514429v1

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*ASSOCIATE FIRM



Hon. Dan Burton
October 22, 2002
Page 2

As Prince Bandar's letter confirms, The Gallagher Group was retained by the Embassy to assist with the performance of core diplomatic functions as defined by the Vienna Convention, including (1) "representing the sending State in the receiving State"; (2) "protecting in the receiving State the interests of the sending State and of its nationals"; (3) "negotiating with the Government of the receiving State"; (4) "ascertaining by all lawful means conditions and developments in the receiving State"; and (5) "promoting friendly relations" between the States. Vienna Convention, Article 3. As such, in light of the specific direction it has received from the Embassy, and because of the substantial principles of diplomatic immunity implicated by the Committee's subpoena, The Gallagher Group respectfully declines to produce further documents in response to the subpoena, pending resolution of this matter between the Committee and the Government of the Kingdom of Saudi Arabia.

In addition, we should note that our review of the files indicates that certain of the documents raise important questions of attorney-client privilege. In some cases The Gallagher Group itself has a claim of privilege. In other cases, The Gallagher Group is a stakeholder in custody of documents as to which the Embassy or another party may have claims of privilege. In each case, further review by the interested parties is necessary, and The Gallagher Group has an obligation to maintain the confidentiality of any such materials sufficiently to allow an orderly assertion and determination of all privileges.

In conclusion, we wish to emphasize the final instruction from the Embassy, requesting that The Gallagher Group assist the Government of the Kingdom of Saudi Arabia with its "continuing efforts to ensure that the Committee obtains the information it needs through means consistent with the Vienna Convention and related privileges." We understand that the Embassy will be communicating directly with the Committee toward this end. The Gallagher Group looks forward to the Committee's successful resolution of these procedural issues with the Embassy, and to assisting in any proper way in the Committee's investigation.

Thank you for your cooperation.

Very truly yours,



Peter J. Romatowski

Enclosures

cc: Hon. Henry Waxman (w/encl.)

1375

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November 14, 2002

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HOUSE COMMITTEE ON
GOVERNMENT REFORM

James C. Wilson, Esq.
Chief Counsel
Committee on Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, 20515

Re: Issuance of Subpoenas to Embassy Consultants

Dear Jim:

As I indicated in my letter of November 6, 2002, I thought it would be useful to provide the Committee with a written summary of the legal principles supporting the Royal Embassy of Saudi Arabia's objections under diplomatic privileges and immunities¹ to the subpoenas *duces tecum* issued by your Committee to a law firm and two public and government relations firms representing the Embassy. As you are aware, these firms were retained to advise the Embassy concerning its efforts to secure a diplomatic resolution of the international child custody issues under investigation by your Committee (as well as other matters not at issue here). The Saudi Embassy, like other foreign embassies throughout the world, depends upon the expert advice of lawyers and other firms in order to perform its diplomatic mission to the United States, and it sought the advice and counsel of these firms on this matter with an expectation of confidentiality. The subpoenas nevertheless seek to compel disclosure of documents reflecting the Embassy's deliberations on these important issues of foreign relations during the course of ongoing diplomatic negotiations with the United States government. This is an issue of serious concern to the Kingdom of Saudi Arabia and we appreciate your willingness to give careful consideration to the Embassy's conclusion that efforts to enforce these subpoenas would constitute a breach of the treaty governing diplomatic relations that was signed by both nations. See Vienna Convention on Diplomatic Relations and Optional Protocol on Disputes, April 18, 1961, 23 U.S.T. 3327, TIAS No. 7502 ("Vienna Convention").²

¹ As we indicated previously, the Embassy also objects to these subpoenas on other legal grounds, including attorney-client privilege.

² Congress has also extended the protections of the Vienna Convention to missions of foreign countries that are not signatories to the Convention. See 22 U.S.C. § 254b.



LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 2

As we discussed at our meeting last week, I am not aware of any occasion when similar information has been subpoenaed by a committee of Congress or by a court. As a result, there does not appear to be any judicial precedent that directly resolves the scope of the privileges and immunities conferred by the Vienna Convention for confidential documents located in the files of an Embassy consultant. Nevertheless, the express language of the treaty, the signatories' statement of purpose, settled principles of treaty interpretation, and judicial precedents construing the scope of the privileges and immunities established by the Vienna Convention uniformly support the Embassy's assertion of privilege in these circumstances. The Convention cannot reasonably be read to authorize compulsory disclosure of a foreign embassy's deliberations concerning ongoing negotiations with the United States government merely because the embassy found it necessary to obtain expert advice for the effective performance of its foreign policy deliberations. The signatories to the treaty have instead agreed to protect the confidentiality of this sensitive information, and we sincerely hope that the Committee will honor the Embassy's request to resolve these issues in a manner consistent with the framework established by the Convention.

ANALYSIS

I. THE VIENNA CONVENTION GOVERNS THE LEGALITY OF THE COMMITTEE SUBPOENAS

At our meeting last week, you questioned whether the Vienna Convention governs the validity of the Committee subpoenas. For the reasons set forth, there can be no doubt that it does.

First, your suggestion that Congress is not bound by the terms of the Convention is inconsistent with the text of the treaty, the terms of the United States ratification, and Supreme Court precedent. The obligations of the treaty are not imposed on the State Department; they are imposed on "the receiving State." *See, e.g.*, Articles 22, 27. The "receiving State" obviously includes all three branches of the United States government, and the ratification history confirms this common sense conclusion. When the treaty was signed by the President in 1972, he issued a proclamation explaining that the terms of the Convention "shall be observed and fulfilled with good faith . . . by the *United States of America*." Presidential Proclamation, 23 U.S.T. 3227-28 (emphasis added). The Supreme Court has similarly observed that treaties ratified by the United States are binding "upon the government," *Kennett v. Chambers*, 55 U.S. 38, 46 (1852), and that "the nation-state, not subdivisions within one nation, is the focus of the Convention and the perspective of our treaty partners." *El Al Israel Airlines, Ltd. v. Tsui Yuan Tseng*, 525 U.S. 155, 175 (1999) (holding that each state is bound by a treaty even in the absence of express language of preemption).

Second, you suggested that the Convention may not apply because the signatory on the agreement with Qorvis Communications is described as the "Kingdom of Saudi Arabia" rather than the Embassy. The Royal Embassy of Saudi Arabia, however, is a part of the

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James C. Wilson, Esq.
 November 14, 2002
 Page 3

Government of Saudi Arabia, just as the United States Embassy to Saudi Arabia is a part of the Government of the United States. It is accordingly of no consequence that the retention agreement with Qorvis Communications is signed on behalf of the "Kingdom of Saudi Arabia." The Qorvis agreement letters of November 14, 2001 and August 7, 2002 are addressed to "HRH Prince Bandar Bin Sultan, Ambassador of the Royal Embassy of Saudi Arabia"; the client is described as the "Royal Embassy of Saudi Arabia" in the Statement of Projected Expenditures; and the "Royal Embassy of Saudi Arabia" is identified as the "foreign principal" in each of the consultants' registration statements filed under the Foreign Agents Registration Act ("FARA"). The agreements and related public filings accordingly leave no doubt that these contracts required services to be performed on behalf of the Saudi government's Diplomatic Mission to the United States – the subject of the Vienna Convention.³ See Preamble at fourth paragraph.

II. THE VIENNA CONVENTION PROHIBITS THE COMPULSORY DISCLOSURE OF THE DOCUMENTS COVERED BY THE COMMITTEE SUBPOENAS

A. The Express Language Of The Convention Provides Broad Protection For Embassy Communications That Makes No Exception For Confidential Communications With Consultants

The Vienna Convention establishes the broadest form of immunities recognized under American law. By way of example, the Convention provides that "[t]he person of a diplomatic agent shall be inviolable," and a diplomat who commits any crime – no matter how heinous – "shall not be liable to any form of arrest or detention." Article 29. The Convention nevertheless makes clear that the privileges and immunities conferred by the Convention are not designed "to benefit individuals." They are instead created for the protection of "diplomatic missions as representing States." Preamble at fourth paragraph. The Convention accordingly establishes a number of provisions protecting the documents, correspondence, and communication of the Embassy, in addition to creating broad personal immunities for diplomats and other employees.

The breadth of the protection for Embassy communications is apparent from three related and reinforcing provisions of the treaty that plainly encompass the documents demanded by the Committee subpoenas. First, Article 24 establishes that "[t]he archives and documents of the mission shall be inviolable at any time and wherever they may be." The subpoenas nevertheless demand compulsory production of "documents of the mission" that are in the possession of Embassy consultants. The working files and correspondence of its consultants were commissioned and paid for by the Embassy, and belong to the Embassy under settled law. See, e.g., *In re Grand Jury Proceedings*, 727 F.2d 941, 944 (10th Cir. 1984) ("Any ownership rights which inure in the file belong to the client who has presumably paid for the professional services and preparations made by the attorney. . . . So far as we can determine, it is a general

³ The Convention uses the term "mission" to refer to the embassy of a foreign state.

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James C. Wilson, Esq.
 November 14, 2002
 Page 4

principle of law that client files belong to the client and indeed the court may order them surrendered to the client or another attorney on the request of the client subject only to the attorney's right to be protected in receiving compensation from the client for work done."); *In re Stone*, 672 A.2d 1032, 1034, 1042 (D.C. 1995) (attorney files are "property that the client is entitled to receive" at the end of the representation); *In re Karr*, 722 A.2d 16, 19-20 (D.C. 1998) (same); *In re Bernstein*, 707 A.2d 371, 376 (D.C. 1998) (same). Moreover, the language of Article 24 expressly provides that the Embassy's documents retain their "inviolab[ility] . . . wherever they may be." The fact that they are in possession of an agent of the Embassy, and not on the premises of the mission, is accordingly irrelevant under the unequivocal language of the treaty. See also *United States v. Am. Tel. & Tel. Co.*, 567 F.2d 121, 129 (D.C. Cir. 1977) (the "fortuity that documents sought by a congressional subpoena are not in the hands of a party claiming injury from the subpoena" does not "immunize that subpoena from challenge by that party").⁴

Second, Article 27 further provides that, "[t]he official correspondence of the mission shall be inviolable," and that "[o]fficial correspondence means *all* correspondence relating to the mission and its functions." Article 27 ¶ 2 (emphasis added). Yet the Committee's subpoenas unquestionably seek to compel disclosure of "correspondence relating to the mission and its functions" despite the treaty obligation to ensure that such correspondence "shall be inviolable."

Third, Article 27 provides that, "[t]he receiving State shall permit and protect free communication on the part of the mission for all official purposes." Article 27 ¶ 1. The promise of "free communication" expressly extends to communications "for *all* official purposes," and makes no exception for communications with persons who are not employed by the Embassy. Nor can there be any doubt that the principles of "free communication" referenced in Article 27 contemplate respect for the Embassy's interest in confidentiality. As the Supreme Court has recognized, the "specter of compelled disclosure" unquestionably impairs a government's "[f]reedom of communication." *United States v. Nixon*, 418 U.S. 683, 708 n.17 (1974) (quoting *Carl Zeiss Stiftung v. V. E. B. Carl Zeiss, Jena*, 40 F.R.D. 318, 325 (D.D.C. 1966)).⁵ Instead of "permit[ing] and protect[ing] free communication," however, the Committee subpoenas seek to invade the confidentiality of documents created for "official purposes."

⁴ The Embassy does not contend that Article 24 applies to documents that have voluntarily been given to third parties who have not been retained to serve as agents of the Embassy. When a principal entrusts an agent with documents for confidential use in serving the interests of the principal, however, the principal does not forfeit its interest in preserving the confidentiality of documents and information. See, e.g., *United States v. Am. Tel. & Tel. Co.*, 567 F.2d at 129.

⁵ The text of Article 27 makes it plain that preservation of confidentiality is one of the key attributes of the protections afforded by Article 27. For example, the article provides that foreign states may use "messages in code or cipher" and that the diplomatic bag "shall not be opened." Article 27 ¶¶ 1, 3.

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James C. Wilson, Esq.
November 14, 2002
Page 5

B. Compulsory Disclosure Of The Documents At Issue Would Seriously Undermine The Purposes Of The Vienna Convention

Even if the treaty's "words lend themselves to divergent interpretations" – which they do not – the Supreme Court recently held that the language of a treaty should be interpreted in the manner "most faithful" to "the cardinal purpose" expressed in the Preamble. *El Al Israel Airlines*, 525 U.S. at 168-70. That principle of treaty interpretation is dispositive here.

The Preamble to the Vienna Convention explains that the "purpose of [the] privileges and immunities" established by the Convention is to "ensure the efficient performance of the functions of diplomatic missions as representing States." Article 3 ¶ 1 of the Convention further defines the "functions of diplomatic missions" to include:

- (a) representing the sending State in the receiving State;
- (b) protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law;
- (c) negotiating with the Government of the receiving State;
- (d) ascertaining by all lawful means conditions and developments in the receiving State, and reporting thereon to the Government of the sending State;
- (e) promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations.

The Embassy's interpretation of the treaty is the only interpretation consistent with this statement of purpose because confidential communications with expert advisors are essential for "ensur[ing] the efficient performance of the functions of diplomatic missions as representing States." Preamble at fourth paragraph.

First, a foreign Embassy's need for expert advice concerning "the Government of the receiving State," the "conditions and developments in the receiving State," as well as legal advice, cannot seriously be doubted. Public filings under FARA for the current period alone reveal that dozens of foreign embassies have retained legal and public and government relations consultants to assist with the performance of their diplomatic functions in the United States. Moreover, the need for expert advice in the United States is greatest for those countries with "differing constitutional and social systems," and the Vienna Convention was expressly designed to create privileges and immunities that would promote "diplomatic intercourse" irrespective of such differences. Preamble at third paragraph. It would accordingly undermine the purposes of the Convention to penalize the nations most in need of local expertise. And recent history confirms that even a government with resources as vast as our own depends upon expert input in matters of foreign affairs. The Chair of the House International Relations Committee recently explained that it was essential for U.S. foreign policy to pursue "public diplomacy efforts overseas" to improve the image of America in Muslim countries, and that it would be important to consult experts "in the private sectors whose careers are focused on the creation of images

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James C. Wilson, Esq.
 November 14, 2002
 Page 6

both here and around the world.” The Honorable Henry J. Hyde, *The Role of Public Diplomacy In Support of the Antiterrorist Campaign* (Oct. 10, 2001).

Second, numerous precedents confirm that the “efficient performance” of diplomatic functions depends upon government officials’ ability to consult their advisors on a confidential basis. As the Supreme Court explained in *United States v. Nixon*, 418 U.S. at 705, “the valid need for protection of communications between high Government officials and those who advise and assist them in the performance of their manifold duties” through preservation of “confidentiality” is “too plain to require further discussion.” In the Court’s view, “[h]uman experience teaches that those who expect public dissemination of their remarks may well temper candor with a concern for appearances and for their own interests to the detriment of the decisionmaking process.” *Id.* Although the Court found that this privilege – which is “fundamental to the operation of Government” (*id.* at 708) – must sometimes give way to a showing of compelling necessity, it emphasized that the need for confidentiality is at its zenith when governmental communications concern “diplomatic” issues. *Id.* at 706; *see also New York Times Co. v. United States*, 403 U.S. 713, 728-30 (1971) (“[I]t is elementary that the successful conduct of international diplomacy . . . require[s] both confidentiality and secrecy. . . . [I]t is the constitutional duty of the Executive . . . to protect the confidentiality necessary to carry out its responsibilities in the field of international relations.”).

For this reason, the Attorney General of the United States advised the President to withhold documents subpoenaed by a House committee in 1996 because “those who assist [the President] must be free to explore alternatives . . . in a way many would be unwilling to express except privately.” *Opinion Re Assertion Of Executive Privileges For Documents Concerning Conduct Of Foreign Affairs With Respect To Haiti* (Sept. 20, 1996) (quoting *United States v. Nixon*, 418 U.S. at 708). The documents withheld from Congress included “confidential communications” and “documents reflect[ing] . . . the deliberations of the NSC and its staff in connection with their advice and assistance to the President regarding his policy and activities in Haiti.” *Id.* Indeed, the Assistant Attorney General for the Office of Legal Counsel, Theodore Olson, prepared an opinion that documented similar refusals by Executive Branch officials to provide information demanded by Congress throughout our nation’s history. *History Of Refusals By Executive Branch Officials To Provide Information Demanded By Congress: Part I – Presidential Invocations Of Executive Privilege Vis-à-vis Congress*, 6 Op. O.L.C. 751 (1982). The opinion emphasized that the Executive Branch had repeatedly refused to provide Congress with documents relating to diplomatic negotiations.

Indeed, this line of precedent can be traced to 1796 when President Washington refused to comply with the House of Representatives’ request to disclose documents relating to the negotiation of a treaty with Great Britain. President Washington explained that, “[t]he nature of foreign negotiations requires caution; and their success must often depend on secrecy; and even, when brought to a conclusion, a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely impolitic: for this might have pernicious influence on future negotiations; or produce immediate

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James C. Wilson, Esq.
November 14, 2002
Page 7

inconveniences, perhaps danger and mischief, in relation to other Powers. . . . To admit, then, a right in the House of Representatives to demand, and to have, as a matter of course, all the papers respecting a negotiation with a foreign Power, would be to establish a dangerous precedent." *Id.* at 753.

Other Presidents throughout our nation's history have echoed these concerns and emphasized that the need to withhold the documents from Congress is greatest when diplomatic negotiations have not been concluded. *See, e.g., id.* at 756, 765. Yet that is precisely what the Committee subpoenas demand. The legitimacy of the Embassy's claim that disclosure of the documents requested by the Committee would undermine the efficient performance of its diplomatic functions is accordingly beyond question.⁶

Federal courts have also recognized the importance of confidential communications to government officials even outside the context of diplomatic relations by enforcing a "deliberative process" privilege in civil discovery and under the Freedom of Information Act. This privilege protects from disclosure "documents reflecting advisory opinions, recommendations and deliberations comprising part of a process by which governmental decisions and policies are formulated." *Dep't of the Interior v. Klamath Water Users Protective Ass'n*, 532 U.S. 1, 8 (2001) (quoting *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 150 (1975)). The Supreme Court has explained that "[t]he deliberative process privilege rests on the obvious realization that officials will not communicate candidly among themselves if each remark is a potential item of discovery and front page news," and that the object of the privilege is "to enhance 'the quality of agency decisions' by protecting open and frank discussion among those who make them within the Government." *Id.* at 8-9 (citations omitted).

The federal courts have had no difficulty recognizing that the same principles apply to communications between agencies and outside consultants hired by the agency, and have routinely extended the privilege to cover such consultants. *Klamath*, 532 U.S. at 9-11 (collecting cases, but finding it unnecessary to resolve the issue). Indeed, it has long been the "established rule" in the D.C. Circuit that the deliberative process privilege covers "communications between an agency and an external consultant, when made for the purpose of aiding the agency's deliberative process." *Pub. Citizen, Inc. v. Dep't of Justice*, 111 F.3d 168, 169 (D.C. Cir. 1997); *see also Ryan v. Dep't of Justice*, 617 F.2d 781, 789-90 (D.C. Cir. 1980) (reaching issue despite the fact that the district court did not, because "we do not believe there is any doubt as to the proper resolution of this case"); *Formaldehyde Inst. v. Dep't of Health & Human Svcs.*, 889 F.2d 1118, 1120 (D.C. Cir. 1989) ("The law speaks clearly on this issue"). "In the course of its day-to-day activities, an agency often needs to rely on the opinions and

⁶ If the Executive branch believes that its international diplomacy would be undermined by sharing confidential documents with Congress – even though the President and Congress are on the same team – it goes without saying that Congressional access to confidential documents prepared by and for foreign governments would have an even greater detrimental impact on its diplomatic interests.

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James C. Wilson, Esq.
 November 14, 2002
 Page 8

recommendations of temporary consultants, as well as its own employees. Such consultations are an integral part of its deliberative process” *Ryan*, 617 F.2d at 789-90. “It is ‘irrelevant’ whether the author of the documents is ‘a regular agency employee or a temporary consultant,’” because “[i]f it is to effectively deliberate, an agency may need or want to ‘enlist the help of outside experts skilled at unravelling [the] knotty complexities’ of ‘problems outside their ken.’” *Pub. Citizen*, 111 F.3d at 170-71 (citations omitted). The courts have regarded the policy arguments for extending the privilege to outside consultants to be so strong that they have considered it an easy question despite relatively inhospitable statutory language (FOIA literally protects from disclosure only “intra-agency memorandums or letters”), and the settled law that “FOIA exemptions are to be narrowly construed,” *FBI v. Abramson*, 456 U.S. 615, 630 (1982), cited by *Klamath*, 532 U.S. at 8. In contrast, the language and purposes of the Vienna Convention provide an even stronger basis for recognizing the confidentiality of communications between an embassy and outside consultants hired to assist with the performance of diplomatic functions.⁷

Finally, the Supreme Court has emphasized that the language of a treaty should not be interpreted to produce “anomal[ous]” results. *El Al Israel Airlines*, 525 U.S. at 171. As we discussed in our meeting, there is no question that the Convention protects confidential communications between embassies and expert consultants retained as part-time employees. In the performance of their important diplomatic functions, however, embassies may often find it more efficient to seek the confidential advice of outside consultants retained as agents. Requiring embassies to structure their relationship with such consultants as a part-time employment rather than as a simple agency serves no purpose, and may interfere with the “efficient performance of the functions of diplomatic missions.” In a variety of contexts, courts have squarely held that privileges and immunities needed to further important interests do not depend upon the employment status of the actor. See, e.g., *Boyle v. United Techs. Corp.*, 487 U.S. 500, 512 (1988) (“It makes little sense to insulate the Government against financial liability for the judgment that a particular feature of military equipment is necessary when the Government produces the equipment itself, but not when it contracts for the production.”); *Fed. Trade Comm’n v. GlaxoSmithKline*, 294 F.3d 141, 148 (D.C. Cir. 2002) (holding that the attorney-client privilege extended to communications with “public relations and government affairs consultants” who were not employed by the company because “there is no reason to distinguish between a person on the corporation’s payroll and a consultant hired by the corporation if each acts for the corporation and possesses the information needed by attorneys in rendering legal advice”) (quoting *In re Cooper Market Antitrust Litig.*, 200 F.R.D. 213, 219 (S.D.N.Y. 2001)).

⁷ Given the strength of this precedent, it is highly likely that the federal courts would recognize a common law privilege for these documents even if the court concluded that the treaty did not itself create a privilege.

LATHAM & WATKINS

James C. Wilson, Esq.
 November 14, 2002
 Page 9

C. Judicial Precedent Interpreting The Vienna Convention Supports The Embassy's Objection To The Subpoenas

Judicial precedent construing the Vienna Convention has been quite limited. There are nevertheless two cases of particular relevance. Both provide strong support for the Embassy's assertion of privilege.

First, the federal district court for the District of Columbia interpreted the Convention to confer immunity from attachment for embassy bank accounts "despite the absence of [any] specific provision" in the language of the treaty. *Liberian E. Timber Corp. v. Government of the Republic of Liberia*, 659 F. Supp. 606, 608 (D.D.C. 1987). In reaching this conclusion, the court relied heavily on its observation that the Embassy "hardly could function efficiently without local bank accounts." *Id.* The court reached this result even though bank accounts were not included within the list of property expressly exempt from attachment under the terms of Article 22(3). *Id.* The court determined that this Article should not be read to "provide the exclusive authority in the Vienna Convention to determine which property enjoys diplomatic immunity." *Id.* Instead, the court emphasized that the treaty revealed an intent to protect property of the mission "wherever [it] may be" (citing Article 24), and accordingly found that funds held by an agent off the premises of the mission were immune from seizure. *Id.* In contrast, the privileges asserted by the Embassy in this case find direct support in the language of the Convention. And the court's holding provides confirmation that the Embassy's interest in the efficient performance of its functions must be afforded paramount importance when interpreting the Vienna Convention.

Second, the Second Circuit refused to adopt a narrowing interpretation of the broad immunities suggested by the language of the Convention in *767 Third Avenue Associates v. Permanent Mission of the Republic of Zaire to the United Nations*, 988 F.2d 295 (2d Cir. 1983). In that case, a private landlord leased space to the Republic of Zaire for use as its mission to the United Nations. After repeated non-payment of rent, the landlord sued to evict the foreign mission from the landlord's property. The district court granted the relief requested based on the conclusion that the language of the Convention should not be read to vitiate the private property interests of the landlord. The State Department filed an amicus in support of the foreign mission and the Second Circuit reversed the district court.

The Second Circuit determined that the district court's judgment "fail[ed] to take into full account the plain language of Article 22," which "contain[ed] the advisedly categorical strong word 'inviolable'" – a word "which makes no provision for exceptions." *Id.* at 298. Although the court found that "protection from eviction from privately-owned leased premises was not specifically addressed by any of the treaties," this provided no basis for creating an "unspecified exception to the rule safeguarding a mission's inviolability." *Id.* (quoting district court). The court emphasized that the doctrine of "functional necessity" requires the United States to recognize privileges for foreign missions "with the understanding that American diplomats abroad will be afforded the same protections from intrusions by the host state," and the

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James C. Wilson, Esq.
November 14, 2002
Page 10

“most secure way to guarantee this protection, the United States tells us, is through blanket immunities and privileges without exception.” *Id.* at 300. The court explained that “creating an exception to mission inviolability in this country” would increase the risk that “American missions abroad would be exposed to incursions that are legal under a foreign state’s law,” and threaten the “fragile” security of “American nationals residing in foreign countries.” *Id.* at 300-01. The court “recognize[d] that there are negative policy implications from [its] ruling” because the “economic burden of inviolability . . . falls most heavily upon the private landlord, not on the government that urges inviolability.” *Id.* at 302. Nevertheless, “an interest in fairness to the landlord does not justify creating a judicial gloss on the concept of mission inviolability.” *Id.* The court emphasized that even “the perpetration . . . of unlawful acts” from mission premises could not alter the doctrine of “inviolability.” *Id.* (citation omitted).

The court’s reasoning is directly relevant here because Articles 24 and 27, which concern the Embassy’s freedom to communicate, both establish that documents and official correspondence are “inviolable.” It is accordingly of no consequence that the Committee has a legislative interest in reviewing the documents or that it may view the Saudi Government’s policies concerning international child custody cases as unlawful. These considerations do not alter the scope of the protections afforded by the Convention. *See also Risk v. Halvorsen*, 936 F.2d 393 (9th Cir. 1991) (confirming that actions taken by the Norwegian Consulate in connection with a child custody dispute represented consular functions immune from challenge in United States courts even though the actions at issue violated the criminal law of California).⁸

III. THE PROVISIONS OF THE FOREIGN AGENTS REGISTRATION ACT DO NOT ABROGATE IMMUNITIES CONFERRED BY THE CONVENTION

At our meeting, you suggested that the terms of the Foreign Agents Registration Act authorized the issuance of the Committee’s subpoena notwithstanding the language of the Vienna Convention. As a threshold matter, the terms of the Convention would govern if there were any conflict with FARA because the United States ratified the treaty long after the relevant provisions of FARA were adopted. *See, e.g., Fong Yue Ting v. United States*, 149 U.S. 698, 720-21 (1893). More fundamentally, however, the language and purposes of FARA can readily be read to respect Vienna Convention privileges. There is accordingly no cause for interpreting the Act to supercede the language of the Convention. As Chief Justice Marshall explained in

⁸ Even if a court were to conclude that some of the documents encompassed by the subpoenas fall outside the absolute protections conferred on documents of the mission and official correspondence, and that a balancing of interests was required for other types of official communications protected by Article 27, that inquiry would have to be conducted by a court *in camera*. *See, e.g., Attorney Gen. of the United States v. Covington & Burling*, 411 F. Supp. 371 (D.D.C. 1976). Moreover, the authorities discussed *supra* make it apparent that a foreign embassy’s interest in the confidentiality of documents concerning ongoing diplomatic deliberations would unquestionably outweigh the Committee’s generalized interest in reviewing these documents.

LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 11

Murray v. Schooner Charming Betsy, 6 U.S. (2 Cranch) 64, 118 (1804), “an Act of Congress ought never to be construed to violate the law of nations if any other possible construction remains.” See also Restatement (Third) of the Foreign Relations Law of the United States § 114 (1987) (“Where fairly possible, a United States statute is to be construed so as not to conflict with international law or with an international agreement of the United States.”).

The plain language of FARA should not be read to vitiate protection for the confidentiality of the documents at issue because they do not fall within the limited category of documents that Congress required to be “public,” *i.e.*, “copies of informational materials.” 22 U.S.C. § 614(c) (previously defined as “political propaganda”). This category of documents, by definition, excludes the confidential documents encompassed by the Committee’s subpoena. Embassies do not hire consultants to indoctrinate them. They pay them for advice. There is accordingly no provision of FARA which establishes that the confidential communications sought by the Committee subpoena must be subject to public disclosure.

Nor is there any language in 22 U.S.C. § 615 that purports to vitiate privileges established by the treaty (or otherwise). This provision merely authorizes the Attorney General to require preservation and inspection of “such books of accounts and other records with respect to [the agent’s] activities” as are “necessary or appropriate for the enforcement of the provisions of this subchapter.” 22 U.S.C. § 615. That language can readily be construed to exclude privileged documents from the category of material subject to inspection by the Attorney General for the purpose of enforcing the Act. Given that this is a “possible construction” of the language, a court must adopt this interpretation in preference to any interpretation that would vitiate privileges conferred by the treaty. *Murray*, 6 U.S. (2 Cranch) at 118.⁹ Even if a court were to read FARA to supercede privileges when necessary for “enforcement of this subchapter,” however, that reading would have no bearing on the issue here. The Committee subpoenas have nothing whatsoever to do with the “enforcement” of FARA.

The Embassy’s interpretation of FARA is also firmly supported by precedent. The United States District Court for the District of Columbia has already held that FARA was not intended to supercede privileges created by other laws. In *Attorney General of the United States v. Covington & Burling*, 411 F.Supp. 371 (D.D.C. 1976), the Attorney General sought an

⁹ This actually represents the better reading of the language under ordinary principles of statutory construction as well. See, *e.g.*, *Green v. Bock Laundry Machine Co.*, 490 U.S. 504, 521 (1989) (“A party contending that legislative action changed settled law has the burden of showing that the legislature intended such a change.”). Given the specific and mandatory nature of the Vienna Convention immunities, the sensible presumption is that even later-enacted statutes do not displace those protections in the absence of unmistakable and specific evidence of Congressional intent to do so. New federal criminal laws are not, for example, ever regarded as abrogating diplomatic immunity. And recognizing that 22 U.S.C. § 615 is subject to Vienna Convention immunities does not render that section a nullity; indeed, the lion’s share of FARA filings do not even pertain to matters involving foreign embassies.

LATHAM & WATKINS

James C. Wilson, Esq.
 November 14, 2002
 Page i2

injunction ordering Covington & Burling to allow officials of the Justice Department to inspect documents relating to the firm's representation of the Republic of Guinea concerning a commercial project to exploit bauxite resources. Covington declined to permit the Attorney General to inspect confidential communications with Guinea concerning legal matters. The Attorney General argued that "no such privilege exists under the Act," and the district court rejected that view. *Id.* at 373. The court declined to read the language of the Act to vitiate privileges because "the function of § 615 is to insure that the public is in fact being accurately informed under the Act, but to do so in a way which does not unnecessarily intrude on the activities of an agent." *Id.* at 376. The court accordingly concluded that a registered agent "may validly claim the attorney-client privilege to withhold from disclosure to delegates of the Attorney General documents or portions thereof which are required to be kept under the Act" so that "an impartial judicial officer" could review the documents in order to ensure that the Attorney General would obtain the information it needed "without compromising the attorney-client relationship." *Id.* at 376. The court accordingly denied the Attorney General's motion for an injunction ordering the inspection of the documents because Covington & Burling "may validly assert the attorney-client privilege with regard to these documents." *Id.* at 377.

That reasoning is dispositive here. There is certainly no basis to afford attorney client privilege -- a creation of the common law -- greater deference than the diplomatic privileges and immunities embodied in an international treaty ratified by the United States. Thus, even if the issue here concerned the enforcement of FARA -- which it undisputedly does not -- the documents in the consultants' files would not be subject to compulsory disclosure.

CONCLUSION

The Kingdom of Saudi Arabia has given very serious consideration to the issues raised by the Committee and has already initiated a series of concrete steps to reach an inter-governmental solution that will protect the interests of the children, help to bring the families closer together, and prevent future disputes. These steps have included:

- Preparation and submission of a written proposal to Secretary of State Colin Powell recommending the establishment of a task force or ad hoc committee to examine the possibility of reaching a bilateral protocol on the issue of international child custody disputes. The Kingdom has advanced that proposal by directing its lawyers to research and analyze the issues that would need to be addressed in such a treaty and to make recommendations on how to proceed. This effort has led to the review of expert literature and treaties now in place between Islamic and western nations which could serve as a model for such a bilateral agreement. The government has also requested the assistance of other outside experts to assist in this diplomatic process.

- Productive and on-going discussions with the U.S. State Department focused on identifying child custody disputes and working towards a positive resolution of each case.

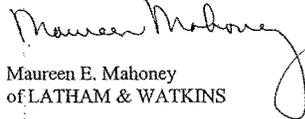
LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 13

- Creation of a committee within the Saudi Foreign Ministry, with representation from other relevant ministries, to assist with the resolution of the issues pertaining to international child custody disputes.
- Assignment of Saudi Embassy staff to work on individual cases identified by the Government Reform Committee. This process has already led to progress on at least one case, involving Mrs. Tonetti, who has had several phone conversations with her children and whose proposed custody agreement has been forwarded through the Embassy to her former husband in Saudi Arabia. The Embassy staff is spending a considerable amount of time working on these issues and it appears that progress is being made on several other cases as well.
- A meeting with the U.S.-based National Center for Missing and Exploited Children. This organization, located in Alexandria, Virginia, is the world's leading center in the effort to address the issues of missing and exploited children. Their international division has extensive experience in identifying the underlying issues that lead to international child custody disputes, in fostering resolution of the specific individual cases that arise, and in identifying and addressing the policy issues essential to a protocol or agreement to address the issue in the future.
- Providing direction to its attorneys to work in close cooperation with the Government Reform Committee staff to further progress on individual cases and on a global resolution of these issues of serious international concern.

The Embassy has accordingly continued its efforts in earnest to reach a resolution of these diplomatic issues. It has also advised this Committee that it would work cooperatively to provide factual information necessary for the Committee's work on these issues. We are confident this goal can be achieved in a manner that does not impair the Embassy's need for confidential communications with its advisors. Thank you again for your cooperation in this matter. We look forward to hearing from you.

Very truly yours,


Maureen E. Mahoney
of LATHAM & WATKINS

cc: David Kass, Esq. (by hand)
Michael Stern, Esq. (by hand)
Mike Yeager, Esq. (by hand)

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November 18, 2002

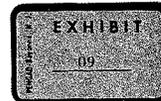
The Honorable Colin L. Powell
 Secretary of State
 2200 C Street, N.W.
 Washington, D.C. 20520

Dear Secretary Powell:

As you know, the Committee on Government Reform has been investigating kidnappings of United States citizens to Saudi Arabia. As part of that investigation, the Committee has issued subpoenas to three firms lobbying for the Saudi government. The three firms have refused to comply with the subpoenas, claiming that they are protected from producing the records by the Vienna Convention on Diplomatic Relations.

My staff has already met with your staff to discuss a number of issues relating to the claim of privilege by the Saudi lobbyists. As the Committee considers how to proceed in this matter, it would be useful to obtain further information on this issue from the State Department. Therefore, please provide answers to the following questions:

1. Are the records sought by the Committee "archives and documents of the mission" which are protected by the Vienna Convention on Diplomatic Relations?
2. If the Saudi position in this matter were correct, would the records of any consultant for any foreign government be protected from disclosure? For example, if a private detective were hired by a foreign government to harass and intimidate U.S. parents of kidnapped children, would the private detective's records be protected by the Vienna Convention?
3. If the Saudi position in this matter were correct, please describe the impact of the position on the war on terrorism and other law enforcement efforts. For example, if the Justice Department believed that a U.S. citizen under contract with a foreign embassy was engaged in terrorist funding, would that individual's documents be protected from disclosure by the Vienna Convention?
4. Does the State Department believe that inspections of records belonging to registered foreign agents for foreign governments carried out by the Department of Justice under 22

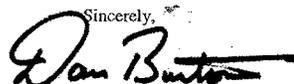


1389

The Honorable Colin L. Powell
November 18, 2002
Page 2 of 2

U.S.C. § 615 violate the Vienna Convention on Diplomatic Relations? If so, has the State Department ever informed the Justice Department of its opinion?

Thank you for your assistance in this matter. I would appreciate a reply to these questions by November 25, 2002.

Sincerely,

Dan Burton
Chairman

cc: The Honorable Henry A. Waxman, Ranking Minority Member

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His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
 Ambassador
 Royal Embassy of Saudi Arabia
 601 New Hampshire Avenue, N.W.
 Washington, D.C. 20037

Dear Prince Bandar:

I have received your letter of October 22, 2002, as well as the replies from the various law firms involved in this matter, refusing to produce the records subpoenaed by the Committee, and claiming that the records are protected by the Vienna Convention on Diplomatic Relations. I do not believe that your letter is a satisfactory reply to the three subpoenas the Committee has issued to Patton Boggs, LLP, Qorvis Communications, and The Gallagher Group. This is a claim without any support in the legal precedents of the United States or, to the best of our knowledge, any other signatory to the Vienna Convention. It is also a claim which has been explicitly rejected in the attached analysis by a leading expert on the Vienna Convention, Professor Eileen Denza. Simply put, the Vienna Convention extends broad protections to diplomatic agents of a foreign government, as well as some more limited protections to foreign nationals who are employed by a diplomatic mission in other capacities, but it has no application to American citizens who choose to sell their services as public relations/lobbying mouthpieces for foreign interests. To the contrary, the Foreign Agents Registration Act, which was enacted by Congress in 1937, makes clear that the activities of such "propagandists," including the documents they generate, send and receive in the course of those activities, are to be subject to the "spotlight of pitiless publicity" so that the American people may be fully informed of both the identity of the propagandists and the nature of the activities they undertake on behalf of their foreign masters. It is ludicrous to suggest, as you and your lawyers do, that when the United States ratified the Vienna Convention some 25 years after the enactment of FARA, it intended to shroud in absolute secrecy the very same activities of these propagandists.

As a preliminary matter, it is important that you understand the Committee's need for the subpoenaed records. Since the beginning of this year, the Committee has been investigating abductions of U.S. citizens to Saudi Arabia. For at least 20 years, the Saudi government has refused to provide meaningful cooperation to the U.S. government in resolving kidnapping cases. The Committee hoped that if public attention was brought to this matter, the Saudi government



November 21, 2002
Page 2 of 8

would finally work seriously to solve the problem. However, for the last several months, it appears that the Saudi government has worked to undermine the Committee and its efforts to bring American citizens home. The Saudi government has made numerous misleading statements about the kidnapping cases and about the Committee's efforts. It has engaged in publicity stunts, for example, flying the Gheshayan sisters to London to deliver a statement rather than having them meet with their mother in the United States. These actions have led me to question whether the Saudi government has any intention of working with the U.S. government in good faith to resolve these kidnapping cases. I believe that the documents sought by the Committee's subpoenas should answer this question. If indeed, the Saudi government has no intention of resolving these cases and intends only to undermine the U.S. government's efforts, it will certainly shape the Congress' legislative response to this situation.

I am extremely troubled that you have decided to raise these highly questionable legal privileges in response to the Committee's subpoena. It appears that you are raising a privilege that has never been raised before in this context to prevent the Congress and the American public from learning what your lobbyists and public relations agents were doing to respond to these kidnapping cases. This leads me to wonder: what is the Saudi government trying to hide? I am afraid that this claim of privilege is just the latest in a series of unfortunate actions taken by the Saudi government in these kidnapping cases. Apparently it is not enough for the Saudi government to hold American citizens against their will, lie about its actions, and in some cases to be complicit in the kidnapping. Now the Saudi government is attempting to prevent the Congress from learning what role the Saudi government's American lobbyists have played in this matter. This claim of privilege has no support in the law, and is intended only to keep the facts from Congress and the American parents of the kidnapped children who are trying to learn what the Saudi government is doing to return their children.

I. The Subpoenaed Documents Are Not Protected by the Vienna Convention on Diplomatic Relations

The main argument you have put forth is that the documents of your lobbyists are protected from disclosure by the Vienna Convention on Diplomatic Relations. Specifically, you have claimed that the lobbyists' records are "archives and documents of the mission" which are "inviolable" under the Vienna Convention. This appears to be an unprecedented claim which conflicts with the lobbying firms' longstanding legal obligations under the Foreign Agents Registration Act ("FARA"). Moreover, there is no support for the Saudi position, either in the text of the Vienna Convention, or in the supporting caselaw. Indeed, the world's leading expert on the Vienna Convention, Professor Eileen Denza, has issued a written opinion supporting the Committee's position on this point. Finally, the practical ramifications of your argument have deeply troubling consequences for the nation's efforts to combat terrorism.

A. The Lobbyists' Legal Responsibilities Under FARA

The three entities subpoenaed by the Committee, Patton Boggs, Qorvis Communications, and The Gallagher Group ("the subpoenaed firms"), are all registered agents of the Saudi government under FARA. FARA was passed to:

November 21, 2002
Page 3 of 8

[P]ublicize the nature of subversive or other similar activities of such foreign propagandists, so that the American people may know those who are engaged in this country by foreign agencies to spread doctrines alien to our democratic form of government, or propaganda for the purpose of influencing American public opinion on a political question.

H. Rep. 1381, 75th Cong., 1st Sess. (1937). Under FARA, all registrants must disclose, among other things, a statement of the registrant's business and a statement of the nature of the work the registrant performs for the foreign principal. 22 U.S.C. § 612(a). In addition, the registrant must keep "such books of account and other records with respect to all his activities . . . as the Attorney General, having due regard for the national security and the public interest, may by regulation prescribe." 22 U.S.C. § 615. Department of Justice regulations specify that FARA registrants must keep and preserve, among other things, "[a]ll correspondence, memoranda, cables, telegrams, teletype messages, and other written communications to and from all foreign principals and all other persons, relating to the registrant's activities on behalf of, or in the interest of any of his foreign principals." 28 C.F.R. § 5.500(a)(1). The registrant must also keep "[a]ll correspondence, memoranda, cables, telegrams, teletype messages, and other written communications to and from all persons, other than foreign principals, relating to the registrant's political activity, or relating to political activity on the part of any of the registrant's foreign principals." 28 C.F.R. § 5.500(a)(2). All of these records "shall be open at all reasonable times to the inspection of any official charged with the enforcement of" FARA. 22 U.S.C. § 615.

Therefore under federal law, the subpoenaed firms are required to keep all of their records of correspondence with the Saudi government or regarding their activities on behalf of the Saudi government. These records are open to Justice Department inspection at "all reasonable times." The Justice Department has frequently exercised its rights under 22 U.S.C. § 615 to obtain and inspect the records of individuals and entities registered under FARA.¹ See *Emerson v. Department of Justice*, 603 F. Supp. 459, 462 (D.D.C. 1985) ("Often copies of papers in the registrant's file are obtained for further examination. . . . Some of these papers may include diary entries, entertainment guest lists, explanation of certain expenditures and other details of the registrant's activities, including activities that are not required to be reported.") The documents sought by the Committee, are in large part, if not in their entirety, documents required to be maintained and open to Justice Department inspections under FARA. Given this fact, it is difficult for me to understand your argument that these precise documents are "inviolable" under the Vienna Convention on Diplomatic Relations. Indeed, FARA was intended to address fact patterns much like the one before the Committee, in which foreign governments retain American firms and individuals to present propaganda to mislead the American public regarding their highly questionable activities.

B. The Lack of Legal Support for the Saudi Government's Position

While your letter and those of your lawyers were very well drafted and cited many cases, the simple fact is that there is no support for the proposition that the subpoenaed records are

¹ In fact, according to records provided to the Committee by the Department of Justice, it appears that the records of at least one Saudi lobbyist have in the past been inspected under FARA.

November 21, 2002
Page 4 of 8

"archives and documents of the mission." Most illustrative of this fact is that Professor Eileen Denza has drafted the attached legal opinion in support of the Committee's position on this question. Professor Denza is a member of the Faculty of Laws at University College London and is the author of *Diplomatic Law*, the leading treatise on the Vienna Convention. As you can see from the attached letter, Professor Denza believes that "the records which are the subject of subpoenas from the Committee on Government Reform of the House of Representatives are not archives or documents of the Saudi mission and so not protected on the basis of inviolability from disclosure." When one reviews the text of the Vienna Convention, it is clear why Professor Denza supports the Committee's position. Article 24 of the Vienna Convention states that "[t]he archives and documents of the mission shall be inviolable at any time and wherever they may be." However, there is nothing in the Vienna Convention suggesting that documents generated by or in the possession of lobbyists and public relations specialists are in fact "archives and documents of the mission." You have not cited any caselaw claiming that documents generated by such individuals are protected under Article 24. Rather, you have relied on a tenuous series of analogies which in reality, provide no support for your position.

First, you claim that under "settled law," the documents in the possession of the Saudi lobbyists are the property of the Saudi Embassy, and that they are therefore subject to the provisions of the Vienna Convention. The main case you cite in support of this proposition is *In re Grand Jury Proceedings*, 727 F.2d 941 (10th Cir. 1984). However, an examination of that case shows that it arose in a setting where a lawyer's records had been subpoenaed, the client directed the lawyer to comply with the subpoena, and the lawyer refused, claiming that he was protected from production by the Fifth Amendment to the U.S. Constitution and the attorney-work product doctrine. The court held that for Fifth Amendment purposes, the lawyer did not possess the documents in a "purely personal capacity" and therefore was not entitled to invoke his Fifth Amendment rights over them. The case might be relevant precedent if the Saudi government directed the lobbying firms to comply with the Committee's subpoenas and the firms refused. However, it certainly does not establish that the documents of a lobbyist should be considered "archives and documents of the mission" within the meaning of the Vienna Convention.

The other cases which you cited, *In re Stone*, 672 A.2d 1032 (D.C. 1995), *In re Karr*, 722 A.2d 16 (D.C. 1998), and *In re Bernstein*, 707 A.2d 371 (D.C. 1998), stand for the proposition that a client should receive a copy of the case file upon request at the end of the representation. These cases do not suggest that all documents generated by or obtained by a lawyer or lobbyist in the course of his work are the property of the client. They also do not suggest that in situations where a lobbyist does have to return certain records upon the request of the client that the lobbyist cannot maintain copies of those records. The cited cases also do not address the case before the Committee, where in fact there is an ongoing representation. Most significantly, the Saudi lobbyists are under a statutory obligation to maintain copies of the records, and this obligation would supersede any request from their client or the caselaw you have cited. FARA requires registered agents to keep copies of records relating to their representation for three years following the termination of their representation of the foreign principal. While the cases you have cited do not clearly establish an ownership interest by the Saudi Embassy in the subpoenaed records, it is clear that if such an interest exists, it is severely limited by FARA's requirement

November 21, 2002
Page 5 of 8

that the registered agent maintain the records and that the Justice Department have access to the records.

Most importantly, you have not cited any authority which suggests that the documents in the possession of consultants for an embassy are "archives and documents of the mission." In fact, as she discusses in her attached letter, Professor Denza believes that the most relevant precedent supports the Committee's position. The main case you have cited for the proposition that the subpoenaed records are protected under the Vienna Convention is *In re Liberian Eastern Timber Corp. v. The Government of the Republic of Liberia*, 659 F. Supp. 606 (D.D.C. 1987). However, *Liberian Eastern Timber Corp.* deals with the attachment of Embassy bank accounts, that is, funds belonging to the Embassy and necessary to perform Embassy functions. As Professor Denza has written to the Committee, there is a major difference between a litigant's attempt to attach the funds which belong to an Embassy, and the Committee's attempt to subpoena records belonging to lobbying firms:

There have been a series of cases in several jurisdictions, this case being one of them, which now establish that embassy bank accounts are entitled to protection under customary international law. The case cannot be used in order to enlarge the protection given under a different Article of the Vienna Convention where the wider construction cannot be supported by either the words of the Convention, by practice, or by authorities in other jurisdictions. The remainder of the cases cited by your lawyers have little to do with the issue before the Committee. For example, your attorneys have cited an Office of Legal Counsel opinion drafted regarding a claim of executive privilege by President Clinton. In that case, President Clinton claimed executive privilege in response to a Congressional subpoena for records containing presidential communications relating to U.S. foreign policy in Haiti. Of course, executive privilege is a constitutionally based privilege which protects certain presidential communications. It goes without saying that executive privilege – a privilege for the U.S. President under the U.S. Constitution – is not available to the Saudi government and its consultants, lobbyists and public relations agents. Your attorneys have also cited a series of cases arising under the Freedom of Information Act regarding the deliberative process privilege. Of course, these cases have nothing to say about the Vienna Convention or Congress' right to obtain records in the possession of lobbyists and public relations specialists for foreign governments.² The fact that your attorneys have spent so many pages discussing cases which are so inapplicable to the facts before the Committee demonstrates the lack of support for your position.

² It should be noted that the deliberative process privilege discussed in the cases cited by your lawyers would not be available to U.S. government agencies in response to a Congressional subpoena. It would be an anomalous result indeed to provide private parties lobbying on behalf of foreign governments with the benefit of the deliberative process privilege when it is not available to the U.S. government in response to Congressional subpoenas.

November 21, 2002
Page 6 of 8

C. The Disturbing Ramifications of the Saudi Position

It is also important to consider the ramifications of your argument. First, if your position were correct, a foreign mission could employ a U.S. citizen to break the law, and then cloak any documents about that activity in diplomatic immunity. Even a spy could be hired by a foreign mission, and then claim that his documents are protected by the Vienna Convention if they were sought by the FBI. I see no reason why spies like Robert Hanssen, Aldrich Ames, or Jonathan Pollard could not claim that they were agents of foreign embassies, and that their documents were protected from disclosure by the Vienna Convention. If this argument were allowed to stand it could potentially cripple future espionage investigations,³ and would distort the fundamental purpose of the Vienna Convention. Second, and perhaps most significantly, your interpretation of the Vienna Convention would eviscerate FARA. FARA was passed to "protect the national defense, internal security, and foreign relations of the United States by requiring public disclosure by persons engaging in propaganda activities for or on behalf of foreign governments, foreign political parties, and other foreign principals so that the Government and the people of the United States may be informed of the identity of such persons and may appraise their statements and actions in the light of their associations and activities." *Meese v. Keene*, 481 U.S. 465, 469 (1987) (quoting 56 Stat. 248-49 (1942)). To ensure that filings made under FARA are accurate, the Justice Department has the right to obtain a wide array of documents relating to a registrant's representation of a foreign entity. Yet, your argument would keep the Department from obtaining any of these records. This interpretation would virtually bar the Justice Department from enforcing FARA. It is noteworthy that in the 30 years that the United States has been a signatory to the Vienna Convention, the Justice Department has repeatedly obtained records from representatives of foreign governments, and yet apparently, not once has a foreign government made the claim that you are advancing.

It is unthinkable that Congress, through silence or inadvertence, relinquished its vital oversight responsibilities over registered foreign agents. A number of courts have held that statutory nondisclosure provisions, when they are not explicitly applicable to Congress, cannot be used to deny Congress access to information. See, e.g., *FTC v. Owens-Corning Fiberglass Corp.*, 626 F.2d 966, 970 (D.C. Cir. 1980); *Exxon Corp. v. FTC*, 589 F.2d 582, 585-86 (D.C. Cir. 1978); *Moon v. CIA*, 514 F. Supp. 836, 840-41 (SDNY 1981). Likewise, there is nothing in the Vienna Convention which makes the nondisclosure provisions of the Convention applicable to the documents at issue, much less a Congressional request for such documents.

II. Testimony by Representatives of the Subpoenaed Firms is Not Privileged

Just as disturbing as your claim that the subpoenaed documents are privileged is your apparent belief that testimony by lobbyists and consultants for the Saudi government is privileged as well. Your letter did not make this argument clear, but your lawyers made it clear in their recent meeting with Committee staff that you believe that the Committee cannot compel your lobbyists and consultants to testify regarding their activities. You are apparently making this claim despite the fact that the Committee has already subpoenaed your top public relations

³ The argument you have made could potentially allow attorneys for previously convicted spies like Hanssen, Ames or Pollard to go back and argue against their convictions.

His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
November 21, 2002
Page 7 of 8

consultant, Michael Petruzzello, and he testified extensively about his work for the Saudi government.

Your claim is also inconsistent with the Vienna Convention itself, which explicitly identifies the persons who are entitled to assert privileges against providing evidence. Article 31(2) of the Vienna Convention provides that a "diplomatic agent is not obliged to give evidence as a witness." This privilege is also expressly extended to members of the administrative and technical staff of the mission, so long as these members are not nationals or permanent residents of the receiving state. Art. 37(2). Such nationals or permanent residents are entitled to only such privileges and immunities as the receiving State chooses to provide them. Art. 38. By contrast, your claim would extend a privilege against providing evidence to U.S. nationals who are not even employees of the mission, and who do not fall within any of the categories of protected persons identified by the Convention. See Art. 1. Indeed, Professor Denza has written to the Committee that "[l]obbyists and public relations specialists providing professional services to the Embassy of Saudi Arabia would not on that basis be exempt from an obligation to testify as witnesses."

Moreover, even individuals who, unlike the lobbyists and consultants here, occupy positions which the Vienna Convention was designed to protect are not exempt from compulsion to provide evidence unless and until the State Department has been notified of their appointment in the manner required by the Convention. *Vulcan Iron Works, Inc. v. Polish American Machinery Corp.*, 479 F. Supp. 1060, 1064-65 (S.D.N.Y. 1979). This requirement preserves the State Department's ability to reject appointments it finds objectionable, and ensures that the class of persons protected by the Convention is clearly defined. If the government of Saudi Arabia truly intended and expected that its consultants and lobbyists would be protected by the Vienna Convention, it would have so notified the State Department when they were retained.

III. Attorney-Client Privilege and Attorney Work Product

You also objected to the production of any documents protected by the attorney-client privilege and attorney work product doctrine. Of course, Congress is not obligated to recognize common law privileges like the attorney-client privilege. See, e.g., *Proceedings Against Ralph Bernstein and Joseph Bernstein*, H. Rep. No. 99-462, 99th Cong., 2d Sess. 13 notes 12-14 (1986). Even if the Committee were disposed to accept such a claim in this case, it is doubtful that many of the documents are covered by the attorney-client privilege. Only one of the three subpoena recipients is a law firm. It also appears that most of the work being carried out, even by the law firm, is related to lobbying, not legal work, and would therefore not be protected by the attorney-client privilege. See *In re grand Jury Subpoenas dated March 9, 2001* at 43-44 (S.D.N.Y. 2001). See also *Federal Deposit Insurance Corporation v. Hurwitz*, No. Misc. 01-0287 (D.D.C. July 25, 2002).⁴ Similarly, Congress is not obligated to recognize the attorney

⁴ It is interesting to note that in the Hurwitz case, Judge Thomas Penfield Jackson allowed the FDIC to proceed with a subpoena of records relating to the lobbying activities of Patton Boggs. According to a press account, Judge Jackson informed counsel for Patton Boggs that "he would be inclined to agree with him 'if you were, in fact, defense counsel' but added: 'You are not. You provided services of a different nature.'" James V. Grimaldi, FDIC Case Against Texas Businessman Hurwitz Moves Forward with Approval of Subpoena, *The Washington Post* (August 12, 2002).

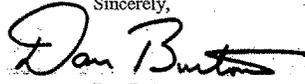
His Royal Highness Prince Bandar bin Sultan bin Abdulaziz
November 21, 2002
Page 8 of 8

work product doctrine. Even if the Committee did allow such a claim in this case, it is unlikely that any of the documents at issue would be properly classified as attorney work product, given the absence of any anticipated litigation in this matter. Nevertheless, if you believe that any of the subpoenaed documents are the proper subject of an attorney-client privilege or attorney work product claim, we invite you to make such a claim and provide a detailed privilege log.

Conclusion

In summary, there is no support for your position that the subpoenaed records are subject to protection under the Vienna Convention. Therefore, I reject your claim of privilege, and request that the subpoenaed records be produced to the Committee. If the subpoenaed parties do not comply with my request, I will consider appropriate action to enforce the subpoenas and obtain the requested information.

Sincerely,



Dan Burton
Chairman

cc: The Honorable Colin Powell, Secretary of State
The Honorable John Ashcroft, Attorney General
The Honorable Henry A. Waxman, Ranking Minority Member
Maureen E. Mahoney, Latham & Watkins
Robert Luskin, Patton Boggs LLP
Leslie Kiernan, Counsel for Qorvis Communications
Peter Romatowski, Counsel for The Gallagher Group

Attachment



Faculty of Laws

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Tel: 020 7679 2000 Fax: 020 7387 9597

18 November 2002

Dear Mr Burton,

Thank you for your letter of 12 November 2002. I have considered the arguments put forward by and on behalf of the Embassy of Saudi Arabia in support of their claim that records in possession of three firms of lobbyists retained to work for them are entitled to be regarded as 'archives and documents of the mission'. I am assuming that the relations between the three firms and the Saudi Embassy are based on a contract for professional services between one of the three firms, Qorvis Communications, and the Kingdom of Saudi Arabia. The other two firms are in contractual relations with Qorvis Communications and not with Saudi Arabia or with the Ambassador. On that basis it is my opinion that the records which are the subject of subpoenas from the Committee on Government Reform of the House of Representatives are not archives or documents of the Saudi mission and so not protected on the basis of inviolability from disclosure.

I will respond to your questions in order:-

1. Article 24 of the Vienna Convention on Diplomatic Relations reflects pre-existing customary international law, but also goes beyond it. It establishes, for example, that archives not situated on mission premises are entitled to inviolability. Nor do the archives of the mission (unlike the diplomatic bag) require to be identified by visible official marks indicating their character.

Subsequent practice has given a wide construction to the term 'archives and documents' by including modern methods of storage of information. The 1963 Vienna Convention on Consular Relations states that 'consular archives' includes all the papers, documents, correspondence, books, films, tapes and registers of the consular post, together with the ciphers and codes, the card-indexes and any article of furniture intended for their protection or safekeeping. This wide description has always been regarded as applicable to the 1961 Vienna Diplomatic Convention, particularly since the immunities accorded to diplomatic missions are generally wider than those accorded to consular posts.

To be entitled to inviolability, however, archives and documents must be 'of' the mission. The test generally applied is that they must belong to or be in the possession

of the mission. It may be noted that at the Vienna Conference, the United States proposed, and later withdrew an amendment which would have defined archives as

'the official records and reference collections belonging to or in the possession of the mission'

Although the first part of this amendment is clearly too narrow, the second part of the proposed definition; 'belonging to or in the possession of the mission' has been confirmed by subsequent practice. These or very similar words appear in a number of agreements conferring privileges and immunities on international organisations where the context suggests that they were intended to be declaratory of the meaning of Article 24 of the Vienna Convention on Diplomatic Relations.

The relevance of the test of ownership or possession to protection as 'archives and documents' was explored very thoroughly by English courts in 1987 in the context of the collapse of the International Tin Council (ITC). The ITC archives were entitled under international agreement, given effect in United Kingdom domestic law, to the same inviolability as was accorded to the official archives of a diplomatic mission. The ITC intervened in the case of *Shearson Lehman Brother Inc. and Another v. Maclaine Watson & Co. Ltd. and Another* seeking to claim inviolability for documents originating in the ITC but which had found their way into the hands of third parties. You will find the successive judgments of the English High Court, the Court of Appeal and the House of Lords conveniently together in 77 International Law Reports, beginning at p. 107.

At first instance, Webster, J, accepted (p. 122) that if a document was deliberately sent to a third party 'its archival character and its inviolability are lost'. On appeal, Dillon, LJ, maintained (p. 130) that documents in the hands of independent experts consulted by the International Tin Council ceased to be archives of the organisation. When the case reached the House of Lords, the Tin Council conceded that inviolability could not arise 'with respect of any documents held by third parties on loan from the ITC or otherwise as bailees or agents for the ITC' (p. 152). Lord Bridge held (p. 155) that 'a document communicated to a third party by an officer or employee of the ITC with actual authority, express or implied, or with ostensible authority, no longer belongs to the ITC and hence no longer enjoys inviolability as part of the official archives.' The House of Lords judgment, given the agreement and legislation which was in issue, is of equal application to archives of a diplomatic mission. It was a unanimous judgment, and I believe that it would be a persuasive authority in United States courts.

2. The case of *In re Liberian Eastern Timber Corporation v. The Government of the Republic of Liberia* is not authority for the argument that documents sent with authority to a third party for the purposes of obtaining

professional advice remain 'archives and documents of the mission'. It relates to the entirely separate question of whether embassy bank accounts are immune from attachment or execution. The Vienna Convention on Diplomatic Relations gives inviolability to property of a diplomatic mission (other than archives, which are treated separately) only where it is on the premises of the mission. There have been a series of cases in several jurisdictions, this case being one of them, which now establish that embassy bank accounts are entitled to protection under customary international law. The case cannot be used in order to enlarge the protection given under a different Article of the Vienna Convention where the wider construction cannot be supported either by the words of the Convention, by practice, or by authorities in other jurisdictions.

3. Lobbyists and public relations specialists providing professional services to the Embassy of Saudi Arabia would not on that basis be exempt from an obligation to testify as witnesses. The only persons entitled to exemption from the duty to testify are diplomatic agents notified and accepted as such, as well as other members of the mission entitled under the terms of Articles 37 and 38 of the Vienna Convention on Diplomatic Relations. Beyond those categories, employees and agents of the Kingdom of Saudi Arabia might be able to assert a claim of sovereign immunity if asked to give evidence on official matters. This is a more difficult area, but I understand that the persons concerned are in fact independent contractors rather than officials or agents of Saudi Arabia.

For completeness I should add that I have considered whether the documents sought might be entitled to inviolability as 'official correspondence of the mission' under Article 27.2 of the Vienna Convention on Diplomatic Relations. There is virtually no practice establishing the extent of protection given under Article 27.2 of the Convention, for reasons which I set out in my commentary on the provision (*Diplomatic Law*, 2nd ed. pp. 183 - 184). In my view, however, correspondence to a third party not being an employee of the sending State is not entitled to inviolability once it has been received and become the property of the recipient.

Yours sincerely,



Eileen Donza
Visiting Professor of Law

Dan Burton
Chairman, Committee on Government Reform
House of Representatives
Congress of the United States

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HOUSE COMMITTEE ON
GOVERNMENT REFORM

وزارة الخارجية
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ROYAL EMBASSY OF SAUDI ARABIA
WASHINGTON, D. C.

OFFICE OF
THE AMBASSADOR

November 19, 2002

The Honorable Dan Burton
Chairman
Government Reform Committee
United States House of Representatives
2185 Rayburn House Office Building
Washington, DC 20515-1406

Dear Chairman Burton:

I have the pleasure to forward to you the enclosed letter from His Royal Highness
Prince Saud Al-Faisal, Minister of Foreign Affairs.

An unofficial translation of the letter is also enclosed.

With best personal regards.

Sincerely,



Bandar bin Sultan bin Abdulaziz
Ambassador

Encl. a/s
BbSbA/hs





(Unofficial Translation)

The Honorable Dan Burton
Chairman
Government Reform Committee
United States House of Representatives
2185 Rayburn House Office Building
Washington, DC 20515-1406

Dear Chairman Burton:

His Royal highness Prince Abdullah bin Abdulaziz Al Saud, Crown Prince, Deputy Prime Minister and Commander of the National Guard, asked me to reply, on his behalf, to your letter addressed to His Royal Highness on September 12, 2002, in which you mentioned that it was meant to continue the dialogue you had with me during your recent visit to the Kingdom concerning the cases of children born to Saudi fathers and American mothers.

First, I would like to express my regret over the misinformation and offenses about the Kingdom and its regulations which were included in your letter. Such remarks do not help to proceed with the dialogue, understanding and cooperation on an issue we consider very important and deserves sufficient attention from both parties in order to achieve a clear and joint vision whose first priority would be the interests of the children, and would also pave the way for establishing a clear understanding between the parents which guarantees a good atmosphere for their children to grow, and guarantees their life with freedom and security. This principle was, and still is, the basic foundation and main outset for any dealing of the subject from our part. In this context, I expressed in my message to Secretary Powell that the Saudi Government is prepared to work constructively with the US government. I made a practical suggestion on how to begin cooperation; through establishing a working committee between our two governments to achieve a bilateral protocol which aims at providing an acceptable framework and an appropriate joint source to solve the problems that might arise in this area. The protocol should be founded on the principle of looking for the interests of the children and assist in creating an atmosphere of understanding



The Honorable Dan Burton
(Page 2)

between the parents, organizing the visitation rights and defining the responsibility of the two governments in observing the protocol and guaranteeing the equal respect for the rules and regulations of the two countries. When this is achieved, it will be a good start to establish an exemplary international agreement that will regulate similar cases in the international community. This is something that we look forward to achieve, and reiterate the dedication of the responsible officials in the Kingdom to achieve an objective solution.

You mentioned in your letter that you were "frustrated" because you were not able to meet with the Crown Prince. I wish to remind you of what was relayed to you that his previous engagements did not allow the chance for your meeting. But since he is personally interested in this issue, he asked me to meet with you at that time. During our meeting I advised you of the complete vision of the Kingdom including the suggestion mentioned in this letter which aims virtually at solving this problem within a legal context and without resorting to politicizing such cases and using them for purposes other than humanitarian purposes – as mentioned in your letter. Such a direction would only complicate the matter and drift away from the most appropriate context for its solution. It also contributes to a drift in the visions and distracts attention from looking into cordial solutions based on understanding, and legal solutions based on justice and equality. These are the most appropriate options to take, to which we are still open and, undoubtedly, the friendly US government shares this vision with us.

Regarding the two case mentioned in your letter, you accused the Saudi government of arranging a meeting in London for the two Gheshayan girls with American officials and a TV producer, and of urging them to make a statement expressing their desire to remain in the Kingdom. I wish to explain and ascertain that the government of Saudi Arabia had nothing to do with the travel arrangements. You should know that the meeting was initiated by the husbands of the two Gheshayan girls themselves. As for Amjad Radwan, she has her own Saudi passport and she can travel to the US whenever she desires to do so without any restrictions.

What is really surprising is that you used unacceptable allegations against the Kingdom and its Islamic Shari' a laws. You have used inappropriate and unjustifiable expressions that do not follow the regulations of a civil dialogue, and accused the Kingdom with terms that are not appropriate to be used by a responsible official like



The Honorable Dan Burton
(Page 3)

yourself holding a job at the Congress which we respect and appreciate and consider as a representative of the civilized culture and thinking of the American Nation. Therefore, we are confident that your personal views do not represent the views of the American people whom we trust in its respect of our values and principles.

Therefore, we totally reject anything that damages our Islamic Shari' a on which a total system of the state is founded, and in which one quarter of the population on this earth believe. This Shari'a regulates and guarantees all humanitarian rights without any prejudices. It is founded on God's orders which we follow as well as the good objectives of Islam, mainly justice.

Finally, I wish to reiterate the Kingdom's preparedness to cooperate with the US government to achieve a clear and joint vision about these issues in accordance with the suggestion mentioned earlier.

With my best regards.

Sincerely,

Saud Al-Faisal
Minister of Foreign Affairs
Kingdom of Saudi Arabia

/hs

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NOV 22 2002

HOUSE COMMITTEE ON
GOVERNMENT REFORM

United States Department of State

Washington, D.C. 20520

NOV 22 2002



Dear Mr. Chairman:

On November 18, 2002, you wrote to advise that, as part of the Committee's investigation into kidnapping of U.S. citizens to Saudi Arabia, subpoenas have been issued to two consulting firms and one law firm representing the Kingdom. You further advised that the three firms have refused to comply with the subpoenas, claiming that they are protected from producing the records by the Vienna Convention on Diplomatic Relations. You have thus asked the Department's view concerning a number of issues relating to the claim of privilege by these entities under the Vienna Convention and other legal precedents.

We note preliminarily that this issue potentially implicates our ability to protect U.S. Government information overseas. We employ, for example, contractors in connection with the provision of security who have access to nonpublic information. Certain diplomatic relations activities may also involve public affairs and other contractors. Irrespective of legal considerations, the practice of subpoenas of non-public foreign government information by legislative bodies may not be one that it is in United States interests to encourage.

In addition, the legal issues involved in responding to the Committee's questions, which concern not only international law but also domestic legal considerations, are novel and complex. In the latter connection, as you note, the questions presented touch on the responsibilities of, and thus must be coordinated with, other agencies.

The Honorable
Dan Burton, Chairman,
Committee on Government Reform,
House of Representatives.

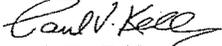


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Accordingly, it will not be possible to provide you with a response by the November 25 deadline requested. We are, however, actively reviewing the relevant legal questions in order to provide you with a further response.

Sincerely,


Paul V. Kelly
Assistant Secretary
Legislative Affairs

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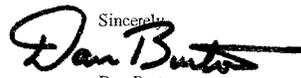
November 25, 2002

His Royal Highness Prince Bandar bin Abdulaziz
 Ambassador
 Royal Embassy of Saudi Arabia
 601 New Hampshire Avenue, N.W.
 Washington, D.C. 20037

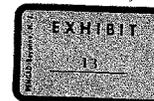
Dear Prince Bandar:

As you are aware, the Committee has been working for over one year to help U.S. citizens who have been abducted to Saudi Arabia. As you are also aware, I have publicly questioned your government's conduct regarding child abductions, and I have been very clear in my statements that I believe your government has acted in extreme bad faith on this issue. Recently, in an effort to obtain additional facts, I subpoenaed records from three lobbying firms that have been doing the Kingdom's bidding on the abduction issue. You refused to comply with this lawful subpoena, and claimed instead that the lobbyists' records were "archives and documents" of the Saudi Embassy and, as such, were protected by the Vienna Convention on Diplomatic Relations. As you are aware, I have rejected your legal arguments.

Until two days ago, I was puzzled by why you would fight the Committee so hard regarding these documents. Now I understand. This weekend almost every newspaper and television network covered a story about funds from your own family that may have ended up in the hands of two men who attempted to kill every man and woman in the Pentagon. Obviously, the principles you asserted regarding the Vienna Convention in the context of the child abduction issue could be used to frustrate U.S. efforts to investigate possible links between your Embassy, your family, and the September 11 terrorists. You now have an opportunity, however, to withdraw your specious Vienna Convention claim and allow expeditious fact finding to occur in both the area of the funding of terrorists and the area of child abductions. Legitimate principles of diplomatic immunity have not been threatened by the Justice Department, the State Department, or the United States Congress. Do not, however, attempt to expand these privileges in a manner that would be antithetical to the interests of both of our countries.

Sincerely,

 Dan Burton
 Chairman

cc: The Honorable Henry A. Waxman, Ranking Minority Member



FORM LETTER TO PRINTING MAIL DC #2

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November 27, 2002

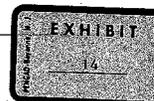
James C. Wilson, Esq.
Chief Counsel
Committee on Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Jim:

I have received a copy of Chairman Burton's November 21, 2002 letter to Prince Bandar bin Sultan bin Abdulaziz with the attached letter from Professor Eileen Denza at University College London.¹ We have reviewed these letters with great care, but they have not altered the conclusion of the Royal Embassy of Saudi Arabia to the United States (the "Embassy") that enforcement of the Committee's subpoenas would violate the Vienna Convention. The reasons for that conclusion were explained in detail in my November 14 letter to you. Without repeating all of the points I made in that letter, I would like to comment upon a number of matters covered, and not covered, by Chairman Burton's letter and Professor Denza's.

Before turning to the specific issues, however, I would like to respond to Chairman Burton's claim that the Embassy's reliance on the Vienna Convention in this context is "unprecedented," and the implication that the Embassy's position is somehow illegitimate because it has not cited any case law decided under that treaty which squarely resolves these issues. There are no cases resolving these issues in part because the subpoenas issued by the Committee are entirely unprecedented. We are not aware of, and you have not identified, any prior instance in which the government of any signatory country has attempted to subpoena the correspondence and internal records of an Embassy's consultants and agents. I hope that we could agree that this matter raises several important questions of first impression and focus our discussion on the language and purposes of the Convention, as well as the inferences that can be

¹ I have also recently received a copy of a letter from Chairman Burton to the Ambassador dated November 25, 2002, which attempts to link these issues to this weekend's news stories concerning the possible redirection of charitable donations made by his wife, Princess Haifa al-Faisal, to persons connected to the September 11 attacks. The Ambassador and his family of course take very seriously any possibility that their personal funds may have inadvertently been diverted in such a way, and are currently investigating what happened. It should be obvious, however, that the application of the Convention to subpoenas issued to lawyers and consultants is entirely irrelevant to the discovery of Princess Haifa's own records. Princess Haifa al-Faisal is a diplomat and her personal records are indisputably "inviolable" under the Convention, even under the Committee's interpretation. See Article 30.



LATRAM & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 2

drawn from analogous precedent. The apparent novelty of this situation is a reason to proceed with great care and deliberation, and with respect for opposing points of view; it is not a reason to resolve any of these questions one way or the other.

I. Professor Denza's Letter Does Not Reach Any Final Conclusions As To The Proper Resolution Of This Dispute, And Indeed Supports The Embassy's Interpretation Of The Convention On Several Points

I spoke with Professor Denza by telephone about these issues Monday morning.² Professor Denza accepts that her opinion is intended to relate to the construction of relevant provisions of the Vienna Convention, and that the correct application of these provisions to the present circumstances seems to involve questions of the property and agency law of the United States on which she has no expertise. Her opinion makes clear that it is based on certain assumptions as to the legal ownership of the relevant documents.

As you are aware, the Embassy has consistently maintained that the consultants whose documents you have subpoenaed are its agents, and that all of the documents belong to the Embassy under background property law principles. In our discussion yesterday, Professor Denza agreed that the Embassy would have a strong argument that the documents under subpoena are "documents of the mission" within the meaning of Article 24 if they in fact belong to the Embassy under District of Columbia law. Professor Denza is professionally qualified in England and has no qualifications or expertise in DC law.

Professor Denza also confirmed that because of the concession by the International Tin Council (referred to in her Opinion) the House of Lords in the case of *Shearson Lehman Bros. Inc. and others v. Maclaine Watson & Co. Ltd. and others* did not directly address the hypothetical status of documents given to a bailee or agent of the ITC. As Lord Bridge's judgment makes clear:

It was conceded before your Lordships *that in these circumstances it was unnecessary to consider the possibility* that any ITC document now in the hands of a third party, or any original ITC document referred to as the basis of any derivative document, was originally obtained by any dishonesty either on the part of the third party who first obtained it or on the part of any member of the staff of the ITC who first communicated it to that third party. It was further conceded before your Lordships *that no question now arises* with respect to any documents held by third parties on loan from the ITC or otherwise as bailees or agents for the ITC.

(Emphasis added). The Lords therefore properly accepted as a premise for the rest of their decision that none of the documents in dispute had been given to agents of the ITC. Later in his

² Professor Denza has agreed that this letter's characterization of her views is accurate. Professor Denza expressed the views herein after she had an opportunity to review my letter of November 14, which I forwarded to her after receiving Chairman Burton's letter.

LATHAM & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 3

opinion, for example, Lord Bridge explained that "in accordance with the assumed facts, the concessions excluding dishonesty, loan, bailment or agency as the basis of the original transmission from the ITC . . . entitle and oblige your Lordships to assume that the original transmission whereby all these documents initially passed out of the possession and control of the ITC into the possession and control of third parties was effected by officers or employees of the ITC acting in the course of their employment."

The assumption that none of the documents were entrusted to agents of the ITC was critical to the Lords' decision. The principal holding of the case is that documents voluntarily given by the ITC to a non-agent third party lose their "inviolable" status, because they no longer belong to the ITC under background property/agency law. Lord Bridge explained that "if A, an individual, communicates a document to B in the absence of any relationship of lender and borrower, bailor and bailee, or principal and agent, the ordinary inference must be that property in the document communicated passes to B when he receives it." (Emphasis added). Such a document "no longer belongs to the ITC and hence no longer enjoys inviolability as part of the official archives." But (as the italicized language above demonstrates) the Lords' opinion was quite careful to distinguish situations in which the documents were conveyed to an agent. Although the issue was not technically before them because of the ITC's concession, the Lords' reasoning strongly implies that documents conveyed to a borrower, bailee or agent would have remained "inviolable" under the Convention.

As Professor Denza pointed out in our conversation, the critical question in interpreting Article 24 of the Convention in this context is whether the materials under subpoena are "archives and documents of the mission." And, as the ITC case confirms, that question ultimately turns on the background agency and property law, and the relationship between them.

II. The Attorneys And Consultants Whose Files Have Been Subpoenaed By The Committee Are Agents Of The Embassy, And The Files In Question Therefore Belong To The Embassy, Under Settled U.S. Law

The attorneys and consultants whose files are at issue in this matter are clearly agents of the Embassy under U.S. agency law, and the Committee has never contended otherwise. As the Committee has consistently pointed out, all of them are in fact registered foreign agents under the U.S. Foreign Agents Registration Act ("FARA"). The duties they were retained to perform include both advising the Embassy and representing the Embassy (including speaking on its behalf) in discussions with the U.S. government, the media, and other groups. This is a quintessential agency relationship.

My November 14 letter cited several cases which specifically hold that correspondence with, and documents generated by, agents like these belong to the client under settled property law principles. Chairman Burton's letter disparages these precedents (primarily on the ground that they were not decided in the Vienna Convention context), but offers absolutely no contrary authority on the actual issue. That omission does not surprise me, as I would have thought it entirely beyond dispute that materials that an agent is hired to produce and subsequently paid for

LATHAM & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 4

belong to the principal, as do materials entrusted to an agent in the course of an agency relationship. That is certainly true in the United States, and the International Tin Council case strongly implies that it is true at least in the United Kingdom as well.

Chairman Burton's letter attempts to distinguish *In re Grand Jury Proceedings*, 727 F.2d 941 (10th Cir. 1984), on the ground that it was decided in the context of an attorney's assertion of the Fifth Amendment privilege against self-incrimination. Respectfully, I fail to understand his reasoning. The issue did arise in the context of a criminal case against the lawyer, but the court's holding was that the lawyer could not invoke the Fifth Amendment privilege *because the documents belonged to his client, not to him*. The court held that "[a]ny ownership rights which inure in the file belong to the client who has presumably paid for the professional services and preparations made by the attorney," and that "[s]o far as we can determine, it is a general principle of law that client files belong to the client and indeed the court may order them surrendered to the client . . . subject only to the attorney's right to be protected in receiving compensation from the client for work done." 727 F.2d at 944 (emphasis added). That caveat is a reference to the established law that an attorney has a lien on his work product until he or she is paid for it. See, e.g., D.C. Rules of Professional Conduct 1.8(j). But that merely confirms the general principle that the work ultimately belongs to the client; a person cannot have a lien on something that belongs to them.

Chairman Burton's discussion of the attorney discipline cases is similarly puzzling. See *In re Stone*, 672 A.2d 1032 (D.C. 1995); *In re Karr*, 722 A.2d 16 (D.C. 1998); *In re Bernstein*, 707 A.2d 371 (D.C. 1998). Those cases interpreted an ethics rule requiring an attorney to surrender to the client all "property that the client is entitled to receive" at the end of the representation. The D.C. courts considered it obvious that the attorney's file on the client was "property that the client is entitled to receive," just like money or any other tangible property entrusted to the lawyer by the client. Chairman Burton's letter argues that these cases do not hold that the attorney cannot retain a copy of the file. The cases do not address that question either way, but I fail to see its relevance. Even if permitted, such a copy would have to be made on the lawyer's own time and with the lawyer's own money. And no such copies have been made by the Embassy's attorneys and consultants here. His suggestion that the attorney discipline cases involved a terminated rather than ongoing representation is also a *non sequitur*. Surely you would not contend that a client's file belongs to her agent during the agency relationship and becomes the property of the client only if the agent is fired—or that your position regarding the application of the Vienna Convention would change if the Embassy were to fire these agents today.

Chairman Burton's suggestion that FARA's document maintenance requirements are inconsistent with the Embassy's ownership of these documents is easier to understand, but also ultimately unpersuasive. Ownership rights that are subject to regulatory requirements are quite common in the law. FARA certainly constrains the *use* of these documents during the three years that the Embassy's consultants are required to retain them for potential inspection by the Department of Justice. But those constraints imply nothing about who ultimately *owns* the documents, and who is therefore entitled to receive them when that period is up.

LATHAM & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 5

III. Chairman Burton's Letter Entirely Fails To Address The Embassy's Interpretation Of Article 27 Or The Purposes Of The Convention

Chairman Burton's letter suggests that the Embassy's "main argument" has been that its consultants' records are "archives and documents of the mission" which are "inviolable" under Article 24 of the Convention. The Embassy's claim of privilege in these documents has never been dependent on Article 24, because it has also relied on Article 27's related guarantees that "[t]he official correspondence of the mission shall be inviolable," and that "[t]he receiving State shall permit and protect free communication on the part of the mission for all official purposes." Chairman Burton's letter completely fails to respond to the Embassy's arguments based on Article 27 of the Convention. Professor Denza's letter briefly mentions Article 27 at the end, but only to restate her conclusion (and the holding of *Shearson Lehman Bros.*) that "correspondence to a third party not being an employee of the sending State is not entitled to inviolability once it has been received and become the property of the recipient." As explained above, the Embassy agrees that official correspondence would ordinarily be subject to subpoena when sent to a third party who is not an agent, but that principle is irrelevant to the present situation because all the documents at issue are in possession of an agent of the Embassy.

Article 27 ¶ 2's guarantee that "[t]he official correspondence of the mission shall be inviolable" is important in this context because it illustrates the Convention's consistent recognition that an embassy must communicate with many persons and entities outside of the embassy and its official personnel in order to fulfill their functions. The Convention defines "official correspondence" as "all correspondence relating to the mission and its functions." Art. 27 ¶ 2. Those "functions" include, *inter alia*, "negotiating with the Government of the receiving State," "ascertaining by all lawful means conditions and developments in the receiving State," and "promoting friendly relations between the sending State and the receiving State." Art. 3 ¶ 1. Those are precisely the functions for which the Embassy has sought the assistance of the attorneys and consultants here.

Even if a reviewing court ultimately determined that some of the materials covered by the Committee's subpoenas are not entitled to complete inviolability under the Convention, however, the Embassy is confident that the court would hold that the Convention's guarantee of "free communication on the part of the mission for all official purposes," Art. 27 ¶ 1, provides significant protection for confidential communications with agents retained to advise and assist with the performance of core diplomatic functions. At a bare minimum, a reviewing court will require an *in camera* review of the documents in question to permit a balancing of the Embassy's legitimate interests under the Convention against the Committee's reasons for wanting to review them.

The Embassy's confidence on that point stems from an analysis of the cardinal purpose of the Convention, which is to "ensure the efficient performance of the functions of diplomatic missions as representing States." Chairman Burton's letter does not dispute the Embassy's showing that the Supreme Court has placed substantial weight on the stated purposes when

LATHAN & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 6

interpreting treaties; or its analysis of the Convention's purposes; or its conclusion that "the efficient performance of the functions of diplomatic missions" depends upon the right to conduct confidential communications with advisors like the ones retained by the Embassy.

In the most closely analogous situations that have yet arisen, the United States Supreme Court and lower federal courts have consistently recognized that the efficient functioning of the United States government requires "executive" and "deliberative process" privileges protecting the ability of government officials to have confidential communications with advisors, both inside and outside of the government. In *United States v. Nixon*, 418 U.S. 683 (1974), for example, the Supreme Court recognized a privilege protecting the President's confidential communications with advisors—subject, of course, to an *in camera* balancing of the President's need for confidentiality against any legitimate countervailing interests in disclosure.³ And in a series of cases interpreting the related common law "deliberative process" privilege, as incorporated by statute into the Freedom of Information Act, the U.S. Court of Appeals for the D.C. Circuit has held that "[i]t is 'irrelevant' whether the author of the documents is 'a regular agency employee or a temporary consultant,'" because "[i]f it is to effectively deliberate, an agency may need or want to 'enlist the help of outside experts skilled at unraveling [the] knotty complexities' of 'problems outside their ken.'" *Pub. Citizen v. Dep't of Justice*, 111 F.3d 168, 170-71 (D.C. Cir. 1997) (citations omitted).

Chairman Burton's letter responds that executive privilege is "a privilege for the U.S. President under the U.S. Constitution" and therefore "is not available to the Saudi government." That observation is true but entirely beside the point. The Embassy has never suggested that these privileges apply to it directly. The Embassy's point is that, in deciding whether "the efficient performance of the functions of diplomatic missions" requires the ability to have free and confidential communications with consultants, a U.S. court will naturally look for the resolution of analogous questions elsewhere in the law. And the closest available analogies are, undeniably, the executive and deliberative process privilege cases.

Chairman Burton's assertion that U.S. agencies may not interpose Freedom of Information Act "deliberative process" exemptions in response to a Congressional subpoena is similarly beside the point. These documents and communications are protected by the Vienna Convention, not FOIA. It merely happens that the only U.S. cases to consider whether a governmental entity has a legitimate need for confidential communications with outside consultants were decided under FOIA—and consistently hold that such consultations are

³ The Supreme Court held in *Nixon* that the President's "broad, undifferentiated claim of public interest in the confidentiality of [his] conversations" must be balanced *in camera* against the Special Prosecutor's important interests in criminal law enforcement. 418 U.S. at 706. Importantly for present purposes, however, the Court indicated that even an *in camera* balancing might be inappropriate in a case involving "a claim of need to protect military, diplomatic, or sensitive national security secrets." *Id.*

LATHAM & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 7

essential to the decisionmaking process. A court interpreting the Vienna Convention is likely to arrive at the same conclusion, for the same reasons.⁴

In the end, there simply cannot be any serious dispute that the Embassy's interpretation of the treaty is consistent with the text of Article 27 because enforcement of the subpoenas would unreasonably impair its "freedom to communicate" with advisors "for official purposes." Nor can there be any serious dispute that the Embassy's interpretation is squarely supported by the express purposes of the Convention. In these circumstances, Supreme Court precedent would require adoption of the Embassy's interpretation. See *El Al Israel Airlines, Ltd. v. Tsui Yuan Tseng*, 525 U.S. 155, 168-70 (1999) (treaties should be interpreted in the manner "most faithful" to the "cardinal purpose" of the treaty).

IV. The Embassy's Interpretation Of The Convention Does Not Conflict With The Foreign Agents Registration Act

Chairman Burton's letter asserts that the Foreign Agents Registration Act "makes clear that the activities of . . . 'propagandists,' including the documents they generate, send and receive in the course of those activities, are to be subject to the 'spotlight of pitiless publicity' so that the American people may be fully informed of both the identity of the propagandists and the nature of the activities they undertake on behalf of their foreign masters." We are frankly surprised that he would use the legislative history he quotes in such a misleading way.

FARA does indeed require that foreign agents provide written disclosures on a registration statement concerning the nature of their activities and that the "informational materials" (formerly defined as "political propaganda") generated by registered agents be made public and identified as such. 22 U.S.C. § 614(e). And the legislative history that Chairman Burton quotes does indicate that the purpose of those provisions is to ensure that such political propaganda is subject to the "spotlight of pitiless publicity." H. Rep. 1381, 75th Cong., 1st Sess. (1937). As you are well aware, however, this dispute has nothing to do with the accuracy of the registration statement or the "informational materials" for which FARA requires public disclosure. The Embassy's attorneys and consultants have publicly disclosed all such materials. The private correspondence and deliberative documents the Committee has subpoenaed plainly do not fall into that statutory category, and the Committee has never suggested that they do. To the contrary, your argument has been (and remains) that the materials in question fall within the "books of account and other records," that FARA and its implementing regulations require registered agents to retain *privately*, for inspection upon request by the officials in the Criminal Division of the United States Department of Justice for the purpose of enforcing FARA itself. See 22 U.S.C. § 615; 28 C.F.R. § 5.500.

⁴ While FOIA exemptions of course do not directly apply when Congress subpoenas agency records, we have no doubt that the D.C. Circuit would refer to its closely analogous FOIA precedents when evaluating an agency's assertion of privilege in that context. Moreover, there is no doubt that Congress is bound by the Vienna Convention for the reasons explained in my November 14 letter (which Chairman Burton does not dispute).

LATHAM & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 8

As I pointed out in my last letter, however, the Committee is not the Department of Justice and these subpoenas have absolutely nothing to do with the enforcement of FARA. Furthermore, as I pointed out in my November 14 letter and Chairman Burton's letter does not even discuss, the United States District Court for the District of Columbia has squarely held that FARA's record-keeping requirements do not trump privileges created by other law. That court has held that FARA registrants may withhold even from the Justice Department any materials protected by the attorney-client privilege, and that the court—through an *in camera* review—will decide which documents are privileged and which are not. *Attorney General of the United States v. Covington & Burling*, 411 F.Supp. 371 (D.D.C. 1976). The Committee's position that all privileges with respect to documents in a registrant's files are waived or abrogated by FARA is therefore inconsistent with settled law. And there is no conceivable basis for concluding that FARA leaves intact the common law attorney-client privilege while abrogating privileges created by the Vienna Convention — particularly in light of the rule that statutes cannot be interpreted to conflict with a treaty "if any other possible construction remains," *Murray v. Schooner Charming Betsy*, 6 U.S. (2 Cranch) 64, 118 (1804), and the fact that the Convention was ratified several decades *after* FARA was passed.

Chairman Burton's suggestion that the Embassy's interpretation of FARA would "shroud in absolute secrecy the very same activities" that FARA requires to be exposed to the "spotlight of pitiless publicity" is therefore plainly incorrect. And his assertion that FARA requires public disclosure of the documents at issue is irreconcilable with Supreme Court precedent interpreting FARA. The Supreme Court explained in *Viereck v. United States*, 318 U.S. 236, 241 (1943) that the "general purpose of the legislation was to identify agents of foreign principals" who might "spread[] foreign propaganda, and to require them to make public record of the nature of their employment," through the public disclosures required by the registration statement itself. The Court accordingly held in *Viereck* that the Act must not be read to require public disclosure of any information beyond that expressly mandated for inclusion in the registration statement (and the provisions mandating the public filing of propaganda). Yet that is precisely what your Committee seeks to demand here: disclosure of confidential documents that Congress did not require foreign agents to file with the public. FARA is accordingly not implicated here.

V. Chairman Burton's Letter's Discussion Of "Disturbing Ramifications" Seriously Overstates The Embassy's Position

Chairman Burton's letter suggests that the Embassy's interpretation of the Convention will give diplomatic missions *carte blanche* to retain U.S. citizens to break the law with impunity, and will "cripple future espionage investigations" by permitting spies to claim that the documents in their possession are protected embassy records. These concerns are seriously exaggerated.

The Committee's subpoenas do not seek documents from suspected spies, or in connection with an espionage investigation. They seek the confidential files and communications of agents that the Embassy has retained for advice and assistance in connection with ongoing diplomatic negotiations between the Kingdom of Saudi Arabia and the United

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James C. Wilson, Esq.
 November 27, 2002
 Page 9

States Department of State. As I explained in my last letter, these are precisely the kinds of sensitive deliberative materials relating to diplomatic negotiations that the executive branch of the United States government has refused to share with Congress going back to the administration of George Washington.

There is no need to consider the extreme scenarios raised by Chairman Burton at this time, because this dispute can be resolved entirely on the basis of Article 27's protections for "official correspondence" and "free communication for all official purposes." Article 27 ¶¶ 1, 2. The activities of these agents, and the Embassy's purposes for retaining them, fall squarely within the Convention's description of the appropriate "functions of diplomatic missions," Article 3 ¶ 1, and are therefore clearly "official" correspondence and communications under Article 27. Hiring an agent to engage in espionage is plainly *not* within the legitimate functions of a diplomatic mission, and the documents held by such an agent would accordingly be entitled to no protection under Article 27. *See, e.g.*, Article 3 (the functions of a mission include "ascertaining by *all lawful means* conditions and developments in the receiving state"). The Embassy believes that a reviewing court could evaluate a sufficiently credible allegation of espionage by reviewing the disputed documents *in camera*. This matter can therefore be resolved entirely on the basis of Convention principles that pose none of the dangers Chairman Burton identifies.

Presented with the kind of abuses Chairman Burton suggests, a reviewing court could also decide that documents not on embassy premises, and in the hands of an agent hired for egregiously illegal and blatantly non-diplomatic purposes, are not "archives and documents of the mission" under Article 24. There would be numerous potential routes to such a holding. Because the contact of agency between the embassy and the agent would be void for illegality, for example, it is by no means clear that such an agent's documents would *belong to* the embassy under background property law. Documents stolen from the U.S. government certainly would not, for obvious reasons. The Embassy sees no need to speculate at this time about the proper resolution of extreme hypothetical scenarios, when the situation at hand involves unquestionably legitimate activity and falls so squarely within the core of the Convention's purposes.

VI. Chairman Burton's Letter Misunderstands The Embassy's Position Relating To Testimonial Immunities

Chairman Burton's letter suggests that I stated in an earlier meeting with the Committee's staff that the Embassy's attorneys and consultants could not be compelled to give testimony before the Committee. I apologize for any confusion, but the position I articulated was considerably more limited than that. As Chairman Burton's letter correctly points out, the Vienna Convention specifies the persons who are entitled to an absolute, personal immunity against giving evidence. The Embassy does not contend that its attorneys and consultants fall into any of those categories.

Although the Embassy recognizes that its attorneys and consultants have no personal testimonial immunity, however, it believes that under certain limited circumstances such persons would be entitled to assert *the Embassy's own* privileges under the Convention. If, for example,

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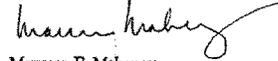
James C. Wilson, Esq.
November 27, 2002
Page 10

a document is "inviolable" under Articles 24 and 27, it would not be consistent with the structure or purposes of the Convention to compel *anyone* to read it into the record, or otherwise testify concerning its contents. The Convention's guarantee that such documents are inviolable "at any time and wherever they may be" would be hollow if it could be so easily evaded.

Professor Denza's letter leaves open the possibility that "employees and agents of the Kingdom of Saudi Arabia might be able to assert a claim of sovereign immunity if asked to give evidence on official matters," but states that she "understand[s] that the persons concerned are in fact independent contractors rather than officials or agents of Saudi Arabia." As explained above, these persons are in fact the Embassy's agents under the relevant sources of law in the United States. In any event, the Embassy agrees that its agents could be subpoenaed to testify about a variety of non-confidential matters even as they pertain to official functions. The scope of testimonial immunity would be no greater than the scope of the Embassy's privilege for confidential communications and records established by the provisions of the treaty.

As you know, we have made repeated offers to discuss ways that we could provide you with information—such as historical facts relevant to your inquiry—without abrogating the important privileges established by the Convention. To date, you have indicated that your sole interest is to review all the documents so that you can make your own assessment of the Embassy's good faith. That inflexible position is unacceptable. Please let me know if you have any interest in pursuing other avenues of discussion.

Sincerely,



Maureen E. Mahoney
of LATHAM & WATKINS

cc: David Kass, Esq. (by hand)
Michael Stern, Esq. (by hand)
Mike Yeager, Esq. (by hand)



United States Department of State

Washington, D.C. 20520

NOV 29 2002

Dear Chairman Burton:

Secretary Powell received your letter dated November 26, 2002 in which you request that the Department provide a witness from the Office of the Legal Advisor to testify at a hearing on December 4, 2002 entitled: "The Saudi Claim of Privilege: Must Saudi Lobbyists Comply with Subpoenas in the Committee's Investigation of Child Abduction Cases."

In your previous letter to the Secretary dated November 18, 2002, you requested that the Department provide the Committee with responses by November 25 to four questions regarding the Saudi claim of privilege. The Department responded on November 22 that it would not be possible to respond in such a short time frame because "the legal issues involved . . . concern not only international law but also international legal issues [that] are novel and complex" and that the questions "potentially implicate[] our ability to protect U.S. Government information overseas" and "touch on the responsibilities of, and must be coordinated with, other agencies."

In these circumstances, your letter of November 26 requesting that the Department provide a witness to testify on December 4th on the questions set out in your letter of November 18 is somewhat surprising. While the Department has begun to research the subject and has alerted the Department of Justice to the need to address your questions and coordinate our response, we are not now able to add anything to our letter of November 22. Nor do we expect to have answers to your questions by December 4.

Accordingly, the Department of State requests that, if you proceed with the hearing on December 4, its letter of November 22 be included in the record as the statement of the Department's position. A witness from this Department would not be in a position to provide the Committee with any further information at that time.

The Honorable
Dan Burton, Chairman,
Committee on Government Reform,
House of Representatives.



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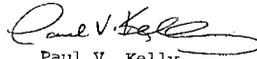
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We trust this response proves helpful. If we can provide any further information, please contact my Deputy Assistant Secretary for House Affairs, Carl Raether, at 647-2623.

Sincerely,



Paul V. Kelly
Assistant Secretary
Legislative Affairs

DAN BURTON, INDIANA,
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December 3, 2002

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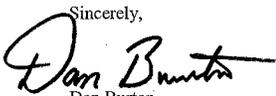
BERNARD SANDERS, VERMONT,
 INDEPENDENT

The Honorable John Ashcroft
 Attorney General
 United States Department of Justice
 Washington, D.C. 20530

Dear General Ashcroft:

It is my understanding from your staff that the Justice Department has not developed a position regarding the claim of privilege by the Saudi government before the Committee. As you know, the Saudi government has claimed that the documents of its American lobbyists are protected from disclosure by the Vienna Convention on Diplomatic Relations. I believe that the Saudis' claim of privilege has obvious and widespread consequences for law enforcement and homeland security. The documents of any individual who receives money and direction from a foreign embassy could be considered inviolable and off limits to any investigation. This theory could protect the documents of spies, terrorists, and a host of other lawbreakers from law enforcement access. This privilege, if upheld would also eviscerate the Foreign Agents Registration Act, effectively eliminating any oversight of individuals who promote foreign government interests in the United States.

Given the widespread consequences of this claim of privilege, I am disappointed that the Justice Department has decided not to weigh in on this matter. I would be willing to delay the government panel of the hearing if the Department could develop a position within the next week or two. However, the Department is not willing to do so. I believe that by avoiding taking a position on this subject, the Justice Department may be providing encouragement to the Saudi Embassy and others who would keep critical documents from law enforcement. I request that a representative from the Justice Department appear before the Committee to testify and answer questions regarding this subject. Thank you for your assistance.

Sincerely,

 Dan Burton
 Chairman

cc: The Honorable Henry A. Waxman, Ranking Minority Member



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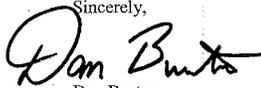
The Honorable Colin L. Powell
Secretary of State
2200 C Street, N.W.
Washington, D.C. 20520

Dear Secretary Powell:

I have received the letter of November 29, 2002, in which Assistant Secretary Paul V. Kelly informed me that the State Department will not provide the Committee with answers to its questions regarding the claim of privilege by the Saudi government under the Vienna Convention at its December 4, 2002, hearing. I am surprised that the State Department would decline to take a position on this issue at this time. Department staff have been aware of the Saudi claim of privilege since October 28, yet, after a month of research and analysis, they are still unprepared to answer the most basic questions about it. I would be willing to postpone the government panel of the hearing for a week if the Department was willing to provide the Committee with a definitive answer at that time, but I saw no indication in Mr. Kelly's letter that the Department was willing to do so.

The Saudis' claim of privilege has obvious and widespread consequences for law enforcement and homeland security. The documents of any individual who receives money and direction from a foreign embassy could be considered inviolable and off limits to any investigation. This theory could protect the documents of spies, terrorists, and a host of other lawbreakers from law enforcement access. It is inconceivable to me, then, that the Department of State, which has an important role in interpreting the Vienna Convention, would not have a clear position on this issue after a month of analysis. I still request that a representative from the State Department appear before the Committee to testify and answer questions regarding this subject. Thank you for your assistance.

Sincerely,



Dan Burton
Chairman

cc: The Honorable Henry A. Waxman, Ranking Minority Member





SAUDI ARABIA'S FIRST ENGLISH DAILY
03 December 2002 / 28 Ramadhan 1423



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Dangers of politicizing mixed marriages

By Abdul Aziz Husain Al-Suwaiyyegh

In an interview with the Associated Press in London, Aliya and Aysha, two Saudi girls, spoke to Dona Abu Al-Naser about the breakdown of their parents' marriage. Their father is Saudi while their mother is American. Dona explains that both girls were brought up in a conservative Saudi family and over the past 17 years have seen their mother only once. She has battled fiercely to have the girls brought to the United States. Dona repeats a statement by the younger daughter, Aliya, 23: "I don't want to go to the US or contact my mother." Aysha, who is 29, said: "We want her to leave us alone and we will not rest until she is dead." From her home in San Francisco, Pat Roush, their mother, says: "My daughters love me and I love them." She accuses the Saudi government of forcing the girls to reject her.

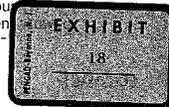
I myself have followed cases in which problems have arisen between American wives and Saudi husbands — problems leading to strained family life, loss of love and eventually to divorce. It is important to first clarify that this phenomenon is neither strange nor is it unique to Saudi husbands. These are problems that arise between husbands and wives all over the world, in "normal" as well as in "mixed marriages" — where the partners are of different nationalities.

What is strange about "mixed marriages" is that social and marital problems are transformed into thorny political issues which could damage relations between two countries long linked by friendship and mutual interests. Even more ludicrous is that the Saudi government should be accused by certain individuals of forcing husbands and children to act in a way that is against their interests. What possible self-interest could motivate the Saudi government to take such a stand? The adoption by a government of a certain political stance is usually linked to a goal that serves the interest of that state or government. Have those who spread these accusations asked themselves what interest would be served by denying a mother her daughters or a husband his wife? What interest does it serve for the Saudi government to forbid Roush's daughters from contacting her or going back to her?

An 18-member delegation from the US Congress visited Saudi Arabia last week. Congressman Dan Burton, chairman of the Committee on Government Reform in the US Congress, headed the delegation. In June, prior to his visit to the Kingdom, Burton led a session in which he delivered a speech concerning US-Saudi relations — the major part of which dealt with what he termed "the case of weak people" or more specifically, the cases of marital problems between Saudi husbands and their American wives. In his speech, Burton accused the Saudi government of refusing to respect American law and said that Saudi laws regarding the rights of women and children were wrong. According to Burton, not only had the Saudi government refused assistance in solving such cases, it had also established what he called "safe houses" for Saudi husbands in a country that regards women and children as private property.

The aim of this delegation's visit was to verify the facts surrounding Roush's case and other similar cases. This is exactly what the Saudi government

Opinion
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them to do despite its conviction that such cases are governed by social relations and law rather than by foreign affairs. The Saudi Minister for Foreign Affairs, Prince Saud Al-Faisal, considers matters of marital discord between some Saudi husbands and their American wives as neither a Saudi-American problem nor a governmental problem. It is a family problem. In spite of that, the Saudi government did its utmost to urge the sisters, Aliya and Aysha, to discuss the case. Furthermore, it bore the expenses of their travel, with their husbands and children, to London in order to allow them total freedom to speak or indeed to travel from London to the US or even to seek refuge in the US Embassy in London if they so wished.

As reported by the Associated Press, an American diplomat visited the sisters and confirmed that she found them in good health and that they had told her they did not wish to travel to the US at that time. Despite all her efforts, including providing the sisters with American passports, the sisters refused her offer. In spite of the fact that the sisters are considered American by birth, they both confirmed that neither of them held an American passport. Aysha insists: "The US is not our country. Even if our mother is American, if we were to go there, we would not be happy. We would be lost." At the same time, the sisters speak with great love of their father and say that he constantly asks them whether they would like to speak with their mother on the phone. Aysha confirms, "He did not forbid us from seeing our mother if we wished."

Who is it then that is subjecting them to torture and nightmares disregarding their wish? The sisters confirm that it is their mother who is doing it through her public campaign. Aysha says of her mother: "She has appeared on television and insulted us and our religion. This approach does not help us have any feelings for her."

When the Associated Press journalist asked them if they had any final words to say to their mother, Aliya said: "We are proud to be Saudi women. Our men treat us with respect and we live well. Just make her leave us alone. Many years have passed and we do not need her." As for Aysha, her final words were: "If she truly loves us and wants us to be happy, then let her leave us to live in peace with our husbands in Saudi Arabia without any scandals in the newspapers or on television."

The problem is that despite all this, their mother, in an e-mail to the Associated Press, said that there was no guarantee her daughters had spoken freely in London. She went on to say: "It pains me that the government of Saudi Arabia and their mentally retarded father and his family have tortured them and have now subjected them to this nightmare in London." She declared that she would not give up and would not stop working to get back "my Aliya and my Aysha".

In the end, of course, marital disputes are human ones whose effects are not limited to the partners. They affect also the children, who are the fuel that keep the fire burning. Prince Saud clarified in his meeting with the delegation from the Congress that the subject of disputes in mixed marriages is considered "a human tragedy that should not be politicized." He confirmed that his country was not only concerned with, but was also committed to, dealing with these cases and that the Saudi government had created a special committee to review each case in an attempt to find a solution acceptable to both sides. Prince Saud also asked that both countries work side by side to find practical solutions to these tragic cases. The solutions "should guarantee the rights of both parents and, more importantly, should safeguard the rights of the children who are the real victims in such cases."

In my opinion, the Saudi government has presented endless evidence of its good intentions and showed its commitment to finding a solution to the marital disputes the delegation investigated. The invitation extended to the delegation

and giving its members full freedom to meet with any of the children of American mothers and giving them the chance to speak without witnesses merely confirms the extent of the Saudi efforts. The government has no objective except to work for a solution that guarantees the rights of both sides and especially the rights of the children. The attempts to use these cases as tools to harm the Saudi government and distort the image of the Saudi citizen is unacceptable. For every case of a failed marriage between Saudis and Americans, there are many more successful ones where the wives and families live peacefully together whether in Saudi Arabia or in the US. Marriage is a relationship between two people that may last so long as either person lives or it may end the very first day. I remember the story of a newly married couple who began their honeymoon with an argument during which their voices were raised and things ended in divorce. Upon grumbling to one of his friends about his bad luck, the friend commented: "Marriage resembles a barrel filled half with honey and half with onions. It seems, my friend, that you have opened the barrel from the wrong end."

— *Abdul Aziz Husain Al-Suwaiyyegh is director of the Foreign Ministry's office in the Western Province.*

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1425

FROM : JUSTICE

FAX NO. : 9167234111

Sep. 18 2002 09:11AM P4

bj:
Date: 98-08-28 15:44:31 EDT
From: JJenning@HilandKnowlton.com (Jim Jennings)
To: Saudithet@aol.com (Saudithet@aol.com), dmcclain@insolvwb.net (dmcclain@insolvwb.net)

Pat, Margaret, and Monica,

My name is Jim Jennings, and I am the Director of National Practices for Hill and Knowlton in the United States, and I have seen recent email traffic about your concerns over meetings at the National Press Club next week. While I am saddened over the human pain you must be suffering, I need to make sure in your efforts during this period that you realize you have some facts sorely wrong, and are completely mistaken if you believe in any way, shape or form that our company is involved with this matter or representing any aspect of the government of Saudi Arabia on any matter.

202 -
944-5102

Any such representation under US law must be registered with the Department of Justice under the requirements of the Foreign Agents Registration Act. All registration is open to any public inquiry, and I encourage you to confirm that we do not represent the foreign government you suggest we do but also confirm to your constituencies that we do. I have been with this firm for 25 years and do not remember a time when we have ever represented the Saudis - yet you state boldly in your email that we do, and that we have reserved rooms next week for some event we have utterly nothing to do with.

We reserve rooms regularly for press briefings at the National Press Club as you would expect given the breadth of our corporate clients who are in the area. Indeed we reserved a couple of rooms next week there, but for a corporate client of record, not the Saudi government. You have made a leap in your assumptions which is not factual.

We wish you all the best in your struggle to find your children, but respectfully request that you set the record straight with your constituencies, and in no way include us in some list of companies to be boycotted. You are fighting what you believe is a travesty of justice, and I am sure in that process do not want to commit one yourselves.

Many Thanks.

----- Headers -----
Return-Path: <JJenning@HilandKnowlton.com>
Received: from rly-ya05.mx.aol.com (rly-ya05.mail.aol.com [172.18.144.197]) by air-ya05.mx.aol.com (49.1) with SMTP; Fri, 28 Aug 1998 15:44:31 -0400
Received: from firewall.hilandknowlton.ca (hilandknowlton.ca [199.53.205.2]) by rly-ya05.mx.aol.com (8.8.8.8.S/AOL-4.0.0) with SMTP id PAA10680 for <Saudithet@aol.com>; Fri, 28 Aug 1998 15:42:05 -0400 (EDT)
Received: by gateway id <R2BY02KN>; Fri, 28 Aug 1998 15:37:14 -0400
Message-ID: <41059ABED9DED111A0E800805F9F590B67FA71@WASEXCH1>
From: Jim Jennings <JJenning@HilandKnowlton.com>
To: "Saudithet@aol.com" <Saudithet@aol.com>, "dmcclain@insolvwb.net" <dmcclain@insolvwb.net>
Date: Fri, 28 Aug 1998 15:34:33 -0400
MIME-Version: 1.0

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1426

FROM : JUSTICE

FRX NO. : 9167234111

Sep. 18 2002 09:10AM P2

DAVIS & GILBERT LLP
1740 BROADWAY
NEW YORK, NEW YORK 10019
(212) 468-4800

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(212) 468-4888
DIRECT DEAL NUMBER
(212) 468-
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707 WESTCHESTER AVENUE
SUITE 210
WHITE PLAINS, NY 10604
(914) 993-0800

September 25, 1998

CERTIFIED RETURN RECEIPT REQUESTED
FEDERAL EXPRESS

Ms. Pat Roush
Center For Middle East Women's Rights
52 Justin Drive
San Francisco, California 94112

Dear Ms. Roush:

We are legal counsel to Hill and Knowlton.

You have been repeatedly advised that Hill and Knowlton does not now, nor has it ever, represented the government of Saudi Arabia, its embassy in Washington, DC, or any of its individuals in diplomatic or community matters.

You have persisted in disseminating false information about Hill and Knowlton in connection with your allegations of the company's involvement on issues relating to human rights abuses. All of what you have published is false and obviously disseminated with malicious intent, since you have previously been advised of the true facts.

We request that you immediately cease any public statements about Hill and Knowlton that do not reflect the true facts with respect to this issue.

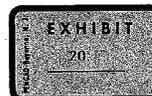
If you do not immediately cease this improper, untruthful and intentionally malicious attack on Hill and Knowlton, we will take whatever steps are necessary to properly protect our clients interests.

Cc: Doug Burton
Associate Editor, Insight Magazine
3600 New York Avenue, NW
Washington, DC 20002

Best Regards


#1260842p@02/7/5049999

09/25/98 5:00 PM



1427

FROM : JUSTICE

FAX NO. : 9167234111

Sep. 18 2002 09:11AM P3

December 28, 1998

Davis & Gilbert
1740 Broadway
New York, New York 10019

VIA TELEFAX

Dear Mr. Davis and Mr. Gilbert:

In your letter addressed to me dated September 25, 1998 you stated that you are legal counsel to Hill and Knowlton the public relations firm and large international lobbyist group. You emphatically and most aggressively affirmed that your client, Hill and Knowlton, "does not now, nor has it ever, represented the government of Saudi Arabia, its embassy in Washington, DC, or any of its individuals in diplomatic or community matters".

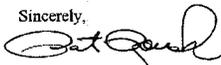
You also emphasized quite strongly that I was, "disseminating false information about Hill and Knowlton in connection with your allegations of the company's involvement on issues relating to human rights abuses. All of what you have published is false and obviously disseminated with malicious intent, since you have previously been advised of the true facts".

You also made a threatening statement to me at the end of your letter which reads, "If you do not immediately cease this improper, untruthful and intentionally malicious attack on Hill and Knowlton, we will take whatever steps are necessary to properly protect our clients interests".

It is obvious to me that you are quite misinformed about whom your clients represent and have represented in the past. It is stated quite factually in the national bestseller, "Agents of Influence" by Pat Choate published by Touchstone Books in 1990 that Hill and Knowlton have represented the Royal Embassy of Saudi Arabia (pg 246) and His Royal Highness Prince Talal (pg 236 and pg 256). I have included faxed photocopies of these pages from this book to you in this correspondence. The book also states that Hill and Knowlton have represented the Saudi arms dealer, Adnan Khashoggi (pg 242).

I suggest that next time before you send any threatening letters to me or any of the other victims of Saudi torture, you check things out a bit more thoroughly.

Sincerely,



Pat Roush

Cc: Doug Burton-Insight Magazine
Ben Souens-Harpers Magazine
Michael Wildes, Esq.-Wildes&Weinberg





18 April 1961

Vienna Convention on Diplomatic Relations, 1961

The States Parties to the present Convention,

Recalling that peoples of all nations from ancient times have recognized the status of diplomatic agents,

Having in mind the purposes and principles of the Charter of the United Nations concerning the sovereign equality of States, the maintenance of international peace and security, and the promotion of friendly relations among nations,

Believing that an international convention on diplomatic intercourse, privileges and Immunities would contribute to the development of friendly relations among nations, irrespective of their differing constitutional and social systems,

Realizing that the purpose of such privileges and immunities is not to benefit individuals but to ensure the efficient performance of the functions of diplomatic missions as representing States,

Affirming that the rules of customary international law should continue to govern questions not expressly regulated by the provisions of the present Convention,

Have agreed as follows:

Article 1

For the purpose of the present Convention, the following expressions shall have the meanings hereunder assigned to them:

- (a) the "head of the mission" is the person charged by the sending State with the duty of acting in that capacity;
- (b) the "members of the mission" are the head of the mission and the members of the staff of the mission;
- (c) the "members of the staff of the mission" are the members of the diplomatic staff, of the administrative and technical staff and of the service staff of the mission;
- (d) the "members of the diplomatic staff" are the members of the staff of the mission having diplomatic rank;
- (e) a "diplomatic agent" is the head of the mission or a member of the diplomatic staff of the mission;
- (f) the "members of the administrative and technical staff" are the mem

<http://usinfo.state.gov/topical/pol/terror/vienna61.htm>



the staff of the mission employed in the administrative and technical service of the mission;

(g) the "members of the service staff" are the members of the staff of the mission in the domestic service of the mission;

(h) a "private servant" is a person who is in the domestic service of a member of the mission and who is not an employee of the sending State;

(i) the "premises of the mission" are the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purposes of the mission including the residence of the head of the mission.

Article 2

The establishment of diplomatic relations between States, and of permanent diplomatic missions, takes place by mutual consent.

Article 3

1. The functions of a diplomatic mission consist, *inter alia*, in:

- (a) representing the sending State in the receiving State;
- (b) protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law;
- (c) negotiating with the Government of the receiving State;
- (d) ascertaining by all lawful means conditions and developments in the receiving State, and reporting thereon to the Government of the sending State;
- (e) promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations.

2. Nothing in the present Convention shall be construed as preventing the performance of consular functions by a diplomatic mission.

Article 4

1. The sending State must make certain that the *agreement* of the receiving State has been given for the person it proposes to accredit as head of the mission to that State.

2. The receiving State is not obliged to give reasons to the sending State for a refusal of *agreement*.

Article 5

1. The sending State may, after it has given due notification to the receiving States concerned, accredit a head of mission or assign any member of the diplomatic staff, as the case may be, to more than one State, unless there is express objection by any of the receiving States.

2. If the sending State accredits a head of mission to one or more other States it may establish a diplomatic mission headed by a charge d'affaires ad interim in each State where the head of mission has not his permanent seat.

3. A head of mission or any member of the diplomatic staff of the mission may act as representative of the sending State to any international organization.

Article 6

Two or more States may accredit the same person as head of mission to another State, unless objection is offered by the receiving State.

Article 7

Subject to the provisions of Articles 5, 8, 9 and 11, the sending State may freely appoint the members of the staff of the mission. In the case of military, naval or air attaches, the receiving State may require their names to be submitted beforehand, for its approval.

Article 8

1. Members of the diplomatic staff of the mission should in principle be of the nationality of the sending State.

2. Members of the diplomatic staff of the mission may not be appointed from among persons having the nationality of the receiving State, except with the consent of that State which may be withdrawn at any time.

3. The receiving State may reserve the same right with regard to nationals of a third State who are not also nationals of the sending State.

Article 9

1. The receiving State may at any time and without having to explain its decision, notify the sending State that the head of the mission or any member of the diplomatic staff of the mission is *persona non grata* or that any other member of the staff of the mission is not acceptable. In any such case, the sending State shall, as appropriate, either recall the person concerned or terminate his functions with the mission. A person may be declared *non grata* or not acceptable before arriving in the territory of the receiving State.

2. If the sending State refuses or fails within a reasonable period to carry out its obligations under paragraph 1 of this Article, the receiving State may refuse to recognize the person concerned as a member of the mission.

Article 10

1. The Ministry for Foreign Affairs of the receiving State, or such other ministry as may be agreed, shall be notified of:

(a) the appointment of members of the mission, their arrival and their final departure or the termination of their functions with the mission;

(b) the arrival and final departure of a person belonging to the family of a

member of the mission and, where appropriate, the fact that a person becomes or ceases to be a member of the family of a member of the mission;

(c) the arrival and final departure of private servants in the employ of persons referred to in sub-paragraph (a) of this paragraph and, where appropriate, the fact that they are leaving the employ of such persons;

(d) the engagement and discharge of persons resident in the receiving State as members of the mission or private servants entitled to privileges and immunities.

2. Where possible, prior notification of arrival and final departure shall also be given.

Article 11

1. In the absence of specific agreement as to the size of the mission, the receiving State may require that the size of a mission be kept within limits considered by it to be reasonable and normal, having regard to circumstances and conditions in the receiving State and to the needs of the particular mission.

2. The receiving State may equally, within similar bounds and on a nondiscriminatory basis, refuse to accept officials of a particular category.

Article 12

The sending State may not, without the prior express consent of the receiving State, establish offices forming part of the mission in localities other than those in which the mission itself is established.

Article 13

1. The head of the mission is considered as having taken up his functions in the receiving State either when he has presented his credentials or when he has notified his arrival and a true copy of his credentials has been presented to the Ministry for Foreign Affairs of the receiving State, or such other ministry as may be agreed, in accordance with the practice prevailing in the receiving State which shall be applied in a uniform manner.

2. The order of presentation of credentials or of a true copy thereof will be determined by the date and time of the arrival of the head of the mission.

Article 14

1. Heads of mission are divided into three classes, namely:

- (a) that of ambassadors or nuncios accredited to Heads of State, and other heads of mission of equivalent rank;
- (b) that of envoys, ministers and internuncios accredited to Heads of State;
- (c) that of charges d'affaires accredited to Ministers for Foreign Affairs.

2. Except as concerns precedence and etiquette, there shall be no differentiation between heads of mission by reason of their class.

Article 15

The class to which the heads of their missions are to be assigned shall be agreed between States.

Article 16

1. Heads of mission shall take precedence in their respective classes in the order of the date and time of taking up their functions in accordance with Article 13.
2. Alterations in the credentials of a head of mission not involving any change of class shall not affect his precedence.
3. This article is without prejudice to any practice accepted by the receiving State regarding the precedence of the representative of the Holy See.

Article 17

The precedence of the members of the diplomatic staff of the mission shall be notified by the head of the mission to the Ministry for Foreign Affairs or such other ministry as may be agreed.

Article 18

The procedure to be observed in each State for the reception of heads of mission shall be uniform in respect of each class.

Article 19

1. If the post of head of the mission is vacant, or if the head of the mission is unable to perform his functions, a charge d'affaires ad interim shall act provisionally as head of the mission. The name of the charge d'affaires ad interim shall be notified, either by the head of the mission or, in case he is unable to do so, by the Ministry for Foreign Affairs of the sending State to the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed.
2. In cases where no member of the diplomatic staff of the mission is present in the receiving State, a member of the administrative and technical staff may, with the consent of the receiving State, be designated by the sending State to be in charge of the current administrative affairs of the mission.

Article 20

The mission and its head shall have the right to use the flag and emblem of the sending State on the premises of the mission, including the residence of the head of the mission, and on his means of transport.

Article 21

1. The receiving State shall either facilitate the acquisition on its territory, in accordance with its laws, by the sending State of premises necessary for its mission or assist the latter in obtaining accommodation in some other way.
2. It shall also, where necessary, assist missions in obtaining suitable

accommodation for their members.

Article 22

1. The premises of the mission shall be inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission.
2. The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.
3. The premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution.

Article 23

1. The sending State and the head of the mission shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the mission, whether owned or leased, other than such as represent payment for specific services rendered.
2. The exemption from taxation referred to in this Article shall not apply to such dues and taxes payable under the law of the receiving State by persons contracting with the sending State or the head of the mission.

Article 24

The archives and documents of the mission shall be inviolable at any time and wherever they may be.

Article 25

The receiving State shall accord full facilities for the performance of the functions of the mission.

Article 26

Subject to its laws and regulations concerning zones entry into which is prohibited or regulated for reasons of national security, the receiving State shall ensure to all members of the mission freedom of movement and travel in its territory.

Article 27

1. The receiving State shall permit and protect free communication on the part of the mission for all official purposes. In communicating with the Government and the other missions and consulates of the sending State, wherever situated, the mission may employ all appropriate means, including diplomatic couriers and messages in code or cipher. However, the mission may install and use a wireless transmitter only with the consent of the receiving State.
2. The official correspondence of the mission shall be inviolable. Official correspondence means all correspondence relating to the mission and its functions.

3. The diplomatic bag shall not be opened or detained.
4. The packages constituting the diplomatic bag must bear visible external marks of their character and may contain only diplomatic documents or articles intended for official use.
5. The diplomatic courier, who shall be provided with an official document indicating his status and the number of packages constituting the diplomatic bag, shall be protected by the receiving State in the performance of his functions. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.
6. The sending State or the mission may designate diplomatic couriers ad hoc. In such cases the provisions of paragraph 5 of this Article shall also apply, except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the diplomatic bag in his charge.
7. A diplomatic bag may be entrusted to the captain of a commercial aircraft scheduled to land at an authorized port of entry. He shall be provided with an official document indicating the number of packages constituting the bag but he shall not be considered to be a diplomatic courier. The mission may send one of its members to take possession of the diplomatic bag directly and freely from the captain of the aircraft.

Article 28

The fees and charges levied by the mission in the course of its official duties shall be exempt from all dues and taxes.

Article 29

The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

Article 30

1. The private residence of a diplomatic agent shall enjoy the same inviolability and protection as the premises of the mission.
2. His papers, correspondence and, except as provided in paragraph 3 of Article 31, his property, shall likewise enjoy inviolability.

Article 31

1. A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of:
 - (a) a real action relating to private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
 - (b) an action relating to succession in which the diplomatic agent is involved as executor, administrator, heir or legatee as a private person and not on behalf of

the sending State;

(c) an action relating to any professional or commercial activity exercised by the diplomatic agent in the receiving State outside his official functions.

2. A diplomatic agent is not obliged to give evidence as a witness.
3. No measures of execution may be taken in respect of a diplomatic agent except in the cases coming under sub-paragraphs (a), (b) and (c) of paragraph 1 of this Article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.
4. The immunity of a diplomatic agent from the jurisdiction of the receiving State does not exempt him from the jurisdiction of the sending State.

Article 32

1. The immunity from jurisdiction of diplomatic agents and of persons enjoying immunity under Article 37 may be waived by the sending State.
2. Waiver must always be express.
3. The initiation of proceedings by a diplomatic agent or by a person enjoying immunity from jurisdiction under Article 37 shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.
4. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of the execution of the judgement, for which a separate waiver shall be necessary.

Article 33

1. Subject to the provisions of paragraph 3 of this Article, a diplomatic agent shall with respect to services rendered for the sending State be exempt from social security provisions which may be in force in the receiving State.
2. The exemption provided for in paragraph 1 of this Article shall also apply to private servants who are in the sole employ of a diplomatic agent, on condition:
 - (a) that they are not nationals of or permanently resident in the receiving State; and
 - (b) that they are covered by the social security provisions which may be in force in the sending State or a third State.
3. A diplomatic agent who employs persons to whom the exemption provided for in paragraph 2 of this Article does not apply shall observe the obligations which the social security provisions of the receiving State impose upon employers.
4. The exemption provided for in paragraphs 1 and 2 of this Article shall not preclude voluntary participation in the social security system of the receiving State provided such participation is permitted by that State.

5. The provisions of this Article shall not affect bilateral or multilateral agreements concerning social security concluded previously and shall not prevent the conclusion of such agreements in the future.

Article 34

A diplomatic agent shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except:

- (a) indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) dues and taxes on private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
- (c) estate, succession or inheritance duties levied by the receiving State, subject to the provisions of paragraph 4 of Article 39;
- (d) dues and taxes on private income having its source in the receiving State and capital taxes on investments made in commercial undertakings in the receiving State;
- (e) charges levied for specific services rendered;
- (f) registration, court or record fees, mortgage dues and stamp duty, with respect to immovable property, subject to the provisions of Article 23.

Article 35

The receiving State shall exempt diplomatic agents from all personal services, from all public service of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.

Article 36

1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes, and related charges other than charges for storage, cartage and similar services, on:

- (a) articles for the official use of the mission;
- (b) articles for the personal use of a diplomatic agent or members of his family forming part of his household, including articles intended for his establishment.

2. The personal baggage of a diplomatic agent shall be exempt from inspection, unless there are serious grounds for presuming that it contains articles not covered by the exemptions mentioned in paragraph 1 of this Article, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the receiving State. Such inspection shall be conducted only in the presence of the diplomatic agent or of his authorized representative.

Article 37

1. The members of the family of a diplomatic agent forming part of his household shall, if they are not nationals of the receiving State, enjoy the privileges and immunities specified in Articles 29 to 36.
2. Members of the administrative and technical staff of the mission, together with members of their families forming part of their respective households, shall, if they are not nationals of or permanently resident in the receiving State, enjoy the privileges and immunities specified in Articles 29 to 35, except that the immunity from civil and administrative jurisdiction of the receiving State specified in paragraph 1 of Article 31 shall not extend to acts performed outside the course of their duties. They shall also enjoy the privileges specified in Article 36, paragraph 1, in respect of articles imported at the time of first installation.
3. Members of the service staff of the mission who are not nationals of or permanently resident in the receiving State shall enjoy immunity in respect of acts performed in the course of their duties, exemption from dues and taxes on the emoluments they receive by reason of their employment and the exemption contained in Article 33.
4. Private servants of members of the mission shall, if they are not nationals of or permanently resident in the receiving State, be exempt from dues and taxes on the emoluments they receive by reason of their employment. In other respects, they may enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

Article 38

1. Except insofar as additional privileges and immunities may be granted by the receiving State, a diplomatic agent who is a national of or permanently resident in that State shall enjoy only immunity from jurisdiction, and inviolability, in respect of official acts performed in the exercise of his functions.
2. Other members of the staff of the mission and private servants who are nationals of or permanently resident in the receiving State shall enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

Article 39

1. Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the receiving State on proceeding to take up his post or, if already in its territory, from the moment when his appointment is notified to the Ministry for Foreign Affairs or such other ministry as may be agreed.
2. When the functions of a person enjoying privileges and immunities have come to an end, such privileges and immunities shall normally cease at the moment when he leaves the country, or on expiry of a reasonable period in which to do so, but shall subsist until that time, even in case of armed conflict. However, with respect to acts performed by such a person in the exercise of his functions as a member of the mission, immunity shall continue to subsist.

3. In case of the death of a member of the mission, the members of his family shall continue to enjoy the privileges and immunities to which they are entitled until the expiry of a reasonable period in which to leave the country.

4. In the event of the death of a member of the mission not a national of or permanently resident in the receiving State or a member of his family forming part of his household, the receiving State shall permit the withdrawal of the movable property of the deceased, with the exception of any property acquired in the country the export of which was prohibited at the time of his death. Estate, succession and inheritance duties shall not be levied on movable property the presence of which in the receiving State was due solely to the presence there of the deceased as a member of the mission or as a member of the family of a member of the mission.

Article 40

1. If a diplomatic agent passes through or is in the territory of a third State, which has granted him a passport visa if such visa was necessary, while proceeding to take up or to return to his post, or when returning to his own country, the third State shall accord him inviolability and such other immunities as may be required to ensure his transit or return. The same shall apply in the case of any members of his family enjoying privileges or immunities who are accompanying the diplomatic agent, or travelling separately to join him or to return to their country.

2. In circumstances similar to those specified in paragraph 1 of this Article, third States shall not hinder the passage of members of the administrative and technical or service staff of a mission, and of members of their families, through their territories.

3. Third States shall accord to official correspondence and other official communications in transit, including messages in code or cipher, the same freedom and protection as is accorded by the receiving State. They shall accord to diplomatic couriers, who have been granted a passport visa if such visa was necessary, and diplomatic bags in transit the same inviolability and protection as the receiving State is bound to accord.

4. The obligations of third States under paragraphs 1, 2 and 3 of this Article shall also apply to the persons mentioned respectively in those paragraphs, and to official communications and diplomatic bags, whose presence in the territory of the third State is due to *force majeure*.

Article 41

1. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State. They also have a duty not to interfere in the internal affairs of that State.

2. All official business with the receiving State entrusted to the mission by the sending State shall be conducted with or through the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed.

3. The premises of the mission must not be used in any manner incompatible with the functions of the mission as laid down in the present Convention or by other rules of general international law or by any special agreements in force between the sending and the receiving State.

Article 42

A diplomatic agent shall not in the receiving State practise for personal profit any professional or commercial activity.

Article 43

The function of a diplomatic agent comes to an end, *inter alia*:

- (a) on notification by the sending State to the receiving State that the function of the diplomatic agent has come to an end;
- (b) on notification by the receiving State to the sending State that, in accordance with paragraph 2 of Article 9, it refuses to recognize the diplomatic agent as a member of the mission.

Article 44

The receiving State must, even in case of armed conflict, grant facilities in order to enable persons enjoying privileges and immunities, other than nationals of the receiving State, and members of the families of such persons irrespective of their nationality, to leave at the earliest possible moment. It must, in particular, in case of need, place at their disposal the necessary means of transport for themselves and their property.

Article 45

If diplomatic relations are broken off between two States, or if a mission is permanently or temporarily recalled:

- (a) the receiving State must, even in case of armed conflict, respect and protect the premises of the mission, together with its property and archives;
- (b) the sending State may entrust the custody of the premises of the mission, together with its property and archives, to a third State acceptable to the receiving State;
- (c) the sending State may entrust the protection of its interests and those of its nationals to a third State acceptable to the receiving State.

Article 46

A sending State may with the prior consent of a receiving State, and at the request of a third State not represented in the receiving State, undertake the temporary protection of the interests of the third State and of its nationals.

Article 47

1. In the application of the provisions of the present Convention, the receiving State shall not discriminate as between States.

2. However, discrimination shall not be regarded as taking place:
 - (a) where the receiving State applies any of the provisions of the present Convention restrictively because of a restrictive application of that provision to its mission in the sending State;
 - (b) where by custom or agreement States extend to each other more favourable treatment than is required by the provisions of the present Convention.

Article 48

The present Convention shall be open for signature by all States Members of the Nations or of any of the specialized agencies or Parties to the Statute of the International Court of Justice, and by any other State invited by the General Assembly of the United Nations to become a Party to the Convention, as follows: until 31 October 1961 at the Federal Ministry for Foreign Affairs of Austria and subsequently, until 31 March 1962, at the United Nations Headquarters in New York.

Article 49

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 50

The present Convention shall remain open for accession by any State belonging to any of the four categories mentioned in Article 48. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 51

1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.
2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 52

The Secretary-General of the United Nations shall inform all States belonging to any of the four categories mentioned in Article 48:

- (a) of signatures to the present Convention and of the deposit of instruments of ratification or accession, in accordance with Articles 48, 49 and 50;
- (b) of the date on which the present Convention will enter into force, in accordance with Article 51.

Article 53

The original of the present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States belonging to any of the four categories mentioned in Article 48.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

DONE at Vienna, this eighteenth day of April one thousand nine hundred and sixty-one.

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Memorandum



Subject Dutton & Dutton, P.C. Registration No. 2591 Section 5 Inspection	Date November 12, 1982
To Eileen M. Lucas Registration Unit	From Terry J. Andolshek <i>TJA</i> Auditor Registration Unit

Introduction

As a supplement to the inspection report, this memorandum will serve as an audit report of the captioned subject's compliance with financial reporting requirements of the Foreign Agents Registration Act.

Scope of Audit

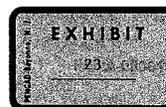
The writer has reviewed the financial books and records of the registrant related to the foreign principals for the period of June, 1975 through December, 1981. The review was conducted in accordance with certain generally accepted auditing standards and, accordingly, included such tests of the accounting records and other auditing procedures as were considered necessary in the circumstances.

Opinion

In the writer's opinion, except for the inadequate disclosure of entertainment disbursements as discussed in the notes to financial records, the registrant's disclosure in items 11, 14 and 15 of its supplemental statements presents in reasonable detail the receipts and disbursements related to the foreign principal.

Notes to Financial Records

Although the entertainment disbursements were presented in reasonable detail as far as amounts are concerned, the disclosure as to the purpose of certain disbursements was inadequate. Specifically, the registrant failed to report several parties held in honor of the foreign principal which were attended by



- 2 -

among others, Members of Congress, ^{members of} the Executive Branch of the U.S. Government and the press. The dates of the parties and guest lists are shown on Exhibits A-J. The index for exhibits is shown below.

Recommendation

Registrant should be required to amend its response to item 15(a) to disclose the purpose of the entertainment disbursements as shown on Exhibits A-J.

Exhibit Index re: Reporting Period

A	-	6/12/75
B	-	12/12/75
C	-	12/12/76
D	-	6/12/77
E	-	6/12/78
F	-	6/12/79
G	-	12/12/79
H	-	6/12/80
I	-	12/12/80
J	-	6/12/81

Dutton & Dutton, P.C., #2591
Amendments Requested of Item 9(a) of
Initial Registration Statement Filed June 12, 1975
(To Disclose Purpose of Entertainment Disbursements)

I. Date: April 9, 1975

Purpose: Party in Honor of Farouk Akhdar, Deputy Minister
of Central Planning for Saudi Arabia

Guests: Farouk Akhdar
M/M Hassan Yassin
James Abouresk
M/M Carl Marcy

II. Date: April 16, 1975

Purpose: Party in Honor of Sheik Ahmed Zaki Yamani, Oil
Minister of Saudi Arabia

Guests: Sheik Yamani
Ibrahim Obaid
M/M Hassan Yassin
M/M Ernest Hollings
M/M John Culver
George McGovern
M/M Henry Reuss
Eugene Burdick
Patrick Caddell
Barbara Gamarekian
M/M John E. Corette
John Brademas

Amendments Requested of Item 15(a) of
Supplemental Statement For the Period Ending December 12, 1975

- I. Date: October 4, 1975
- Purpose: Party in Honor of Farouk Akhdar, Deputy Minister of Planning for Saudi Arabia
- Guests: Farouk Akhdar
His two brothers-in-law
M/M George Clifford
Martin Nolan
M/M William Broom
Margo Diener
Barbara Gamarekian
- II. Date: November 15, 1975
- Purpose: Party in Honor of Saudi Arabian Ambassador to the U.S. and Mrs. Alireza
- Guests: Ambassador and Mrs. Ali Alireza
M/M Philip Geyelin
M/M Roger Mudd
M/M Douglas Kiker
M/M George Will
M/M Paul Warnecke
M/M Winston Lord
M/M Hassan Yassin
Mónica Edwards
Mrs. Robert Kennedy
- III. Date: December 9, 1975
- Purpose: Party in Honor of Saudi Arabian Ambassador to the U.S. and Mrs. Alireza
- Guests: Ambassador and Mrs. Alireza (were unable to attend)
Mónica Edwards
Stuart Symington
M/M Rowland Evans
M/M Gary Hart
J. William Fulbright
M/M Hayes Gorey
Frank Jungers

Amendments Requested of Item 15(a) of
Supplemental Statement for the Period Ending December 12, 1976

I. Date: October 27, 1976

Purpose: Party in Honor of HRH Prince Turki al Faisal and
Princess Nauf, HRH Prince Khalid al Faisal and
Princess Al Anare - The Chief of Saudi Intelligence
and the Governor of the Assir respectively .

Guests: Prince Turki and Princess Nauf
Prince Khalid and Princess Al Anare
Ambassador and Mrs. Alireza
Monica Edwards
Said Badib
Margaret Osmer
M/M James Abouresk
M/M William Fulbright
M/M Donald Oberdorfer
Christopher Dutton
Nancy Turk
M/M Dean Brown
Prince Khalid aide

Amendments Requested of Item 15(a) of
Supplemental Statement Filed for the Period Ending June 12, 1977.

I. Date: December 16, 1976

Purpose: Party in Honor of the Saudi Arabian Ambassador to
the U.S. and Mrs. Alireza

Guests: Ambassador and Mrs. Alireza
Monica Edwards
M/M Richard Harwood
M/M James Abouresk
Alireza's sister

II. Date: March 14, 1977

Purpose: Party in Honor of Sheik Abdullah Masery, Chief
Archeologist of Saudi Arabia, Deputy Minister of
Education

Guests: Abdullah Masery
Conrad Cafritz
Peggy Cooper
M/M William Greider
Carrie Johnson

Amendments Requested of Item 15(a) of
Supplemental Statement Filed for the Period Ending June 12, 1978

I. Date: February 22, 1978

Purpose: Party in Honor of H.E. Dr. Ghazi Al Gosaibi, Minister
of Industries and the Electricity of Saudi Arabia

Guests: H.E. Ghazi and Mrs. Al Gosaibi
M/M Frank Ikard
M/M Richard Harwood
Ambassador and Mrs. Alireza
Daniel Callahan
Shaik Sharif
Christopher Dodd
Morris Draper
Roberta Hornig
Leo Ryan and daughter
M/M Clifford Alexander
M/M Sander Vanocur
Shaik Abdul-Aziz Al Turki
M/M John Culver
Ralph Nader
M/M Leo Daly
Sheikh Al Zamel

Amendments Requested for Item 15(a) of
Supplemental Statement Filed for the Period Ending June 12, 1979

I. Date: April 9, 1979

Purpose: Farewell party in Honor of Hugette Alireza, outgoing
wife of Saudi Ambassador

Guests: Hugette Alireza Betty Fulbright
Monica Edwards
Betty Beale
Joanne Herring
Gretchen Gorog
Ann Duncan
Stacy Dutton
Antoinette Hatfield
Betty Hart
Dorothy Cox
Jayne Ikard
Wedah Salah
May Kabbani

II. Date: April 20, 1979

Purpose: Party in Honor of Major Bandar bin Sultan and Haifa

Guests: Bandar bin Sultan and Haifa bin Faisal
Col. Moumina & wife
Col. Madi & wife
Barry Wiksten & guest
Patrick Caddell & Debbie French
M/M Jerry Rafshoon
Jerry Wilson
M/M Rowland Evans
General and Mrs. Ernest Graves
M/M Norman Kempster
M/M David McGiffert
M/M Lemar Hunt
M/M Robert Herring
Joseph Albright
Morris Draper
Roberta Hornig
M/M Richard Harwood
Judy Miller
Steven Ratner
M/M Thomas Eagleton
William Quandt
M/M Hassan Yassin

III. Date: May 4, 1979

Purpose: Party in Honor of Abdullah al Saud, Ministry of
Central Planning

Guests: Abdullah al Saud
Nancy Collins
Mrs. Leo Daly
Connie Gallagher & guest
M/M Leamon Hunt
Bob Lebling & guest
M/M Jim Cannan
M/M Roger Merrick
M/M Jules Katz
M/M David Taylor
Judy Miller
M/M James Knight
J.P. Smith and Regina Fraind

Amendments Requested of Item 15(a) of
Supplemental Statement Filed for the Period Ending December 12, 1979

I. Date: July 28, 1979

Purpose: In Honor of H.E. Dr. Ghazi Algosaibi and Mrs. Algosaibi
Minister of Industries and Electricity of Saudi Arabia.

Guests: Dr. and Mrs. Algosaibi
M/M Mahsoon Jalal
M/M Arthur House
M/M Joseph Albright
M/M Roger Mudd
Eugene McCarthy
Marya McLaughlin
Patrick Caddell

II. Date: September 29, 1979

Purpose: In Honor of Major Bandar bin Sultan

Guests: Bandar bin Sultan
Cassie Mackin
M/M Chistopher Ogden
J.P. Smith/Regina Fraind
M/M Walter Taylor

III. Date: November 7, 1979

Purpose: In Honor of new Saudi Ambassador to the U.S. H.E. Faisal
and Mme Alhegelan

Guests: Ambassador and Mrs. Alhegelan
M/M Howard Metzenbaum
M/M Lloyd Cutler
M/M William Miller
M/M Clifford Alexander
M/M Lloyd Bentsen
M/M John Culver
George McGovern
M/M Richard Stone
M/M James Exon
M/M Charles Duncan
Richard Moore
Patrick Caddell
M/M Frank Carlucci
Morris Draper
Robert Hunter
Kit Dobelle
M/M Murray Gart
M/M Joseph Kraft
M/M Carl Rowan
M/M Hedrick Smith

M/M Christopher Ogden
Richard Valerani
Jim Hoagland and Elizabeth Becker
Donald Oberdorfer
M/M Bernard Gwertzman
M/M Henry Bradsher
Roberta Hornig
Betty Beale/George Graebner
Joseph Sisco
Wallace MacDonald
Mr. Tarazi
John Brademas
Clement Zablocki

Amendments Requested of Item 15(a) of
Supplemental Statement Filed for the Period Ending June 12, 1980

I. Date: March 27, 1980

Purpose: In Honor of Major Bandar bin Sultan

Guests: Bandar bin Sultan
M/M Murray Gart
Leslie Stahl
Bob Woodward
Patrick Caddell

II. Date: May 28, 1980

Purpose: In Honor of HRH Prince Bandar bin Sultan

Guests: Prince Bandar
General and Mrs. David Jones
M/M Lloyd Cutler
M/M Gerald Rafshoon
Steven Roberts
M/M Christopher Ogden
Patrick Caddell/Storey Shea
Douglas Kiker
M/M Lloyd Bentsen
Bob Woodward
M/M Richard Cohen
Mrs. Peter Jay
Edmund G. Brown
Marcia Binns
M/M Robert Ajemian
M/M Arthur House
M/M Robert Pierpont
M/M Frank Carlucci
Richard Erb/Joanna Shelton
M/M Chester A. Carter
Dr./M William Cooper
Mrs. Daniel Kolb
M/M James Doyle
Col/M Robert Lilac
Prince Mohammad bin Nouaf
Nancy Collins
M/M Casmir Yost
Marianne Means/Warren Weaver
David Long
M/M Ken Bacon
David McGiffert
Don Sutherland
Mrs. Terrence Smith
M/M Norman Kempster

1454

Abram Chayes
ChuChu Djani
Jill Shuker
Joe Amperson
John Ash

FARA-00013

Amendments Requested of Items 15(a) of
Supplemental Statement Filed for the Period Ending December 12, 1980

- I. Date: August 2, 1980
- Purpose: In Honor of Faisal Bashir
Deputy Minister of Central Planning
- Guests: Faisal Bashir
Strobe Talbot/Brooke Shearer
Steven Rattner
M/M Arthur House
The Duttons
(Part of this guest list misplaced - 16 people total)
- II. Date: November 3, 1980
- Purpose: In Honor of HRH Prince Abdullah al Saud
Royal Commission on Planning
- Guests: Prince Abdullah
M/M Sander Vanocur
Mrs. Leo Daly
M/M Christopher Ogden

Amendment Requested of Item 15(a) of
Supplemental Statement Filed for the Period Ending June 12, 1981

I. Date: May 29, 1981

Purpose: Dinner for Prince Turki bin Faisal, Saudi Arabia
Chief of Intelligence

Guests: Prince Turki bin Faisal
Shaish Ahmad Badeeb
Shaish Khadil
Sander Vanocur - ABC
Carl Bernstein - ABC
Margaret Jay - NPR
Robert Purpoint - CBS
Terrance Smith - N.Y. Times
Dan Sutherland - Christain Science Monitor
Richard Cohen & son - Washington Post
Henry Bradson - Washington Star
Nicholas Flumesch - Los Angeles Times

INTRODUCTION

[REDACTED]

4/27/82

3/10/82 WDC

3/15-18/82 Columbia SC

Hutton + Hutton, P.C.
Reg # 2591

4/6-12/82

Captioned registrants were inspected in March-April, 1982
 by Thomas Andolshek and Fontenelle and Mrs. Lucas of the Registration
 Unit. While each inspection was conducted in a routine fashion,
 it should be noted that the timing of the inspections was
 prompted by charges in the New Republic magazine
 that the three registrants engaged in
 significant political activities to influence Congressional approval
 of the sale of ^{F-15 aircraft and the} AWACS ^{intelligence package} ~~process~~ to Saudi Arabia. Information
 gathered from the ~~various~~ ^{separate} inspections was considered as a whole,
~~and impressions of information~~ ^{separately and} and in interviews conducted
 subsequent to the evaluation of the inspection materials each
 registrant was questioned about references to him in the files of
 the registrants. ~~Additional~~ ^{Additional} information was
 requested from each registrant, but no evidence of activities on
 the ~~scale~~ ^{scale} alleged by the magazine article was
 discovered.

Dutton and Dutton, P.C.
 Reg # 2591
 (formerly: Frederick G. Dutton)

BACKGROUND

The initial registration statement was filed on June 12, 1975, reporting representation of Petromin, the General Petroleum and Mineral Organization for Saudi Arabia. On November 28, 1975 Dutton filed exhibits to report the representations of the Embassy of Saudi Arabia; on January 17, 1977 to represent the Industrial Studies + Development Center of Saudi Arabia (which ~~became~~ was succeeded in interest by the Saudi Basic Industries Corporation, and maintained the same contractual agreement with the registrant). Petromin was terminated as a foreign principal in December, 1975, and SABIC in December, 1979. Registrant's activities on behalf of these foreign principals had consisted of legal counsel on their business affairs.

Representation of the Embassy, which continues at the present, has been primarily limited to legal counsel and advice, with the exceptions of the F-15 and AWACS matters. In connection with these two issues, the registrant reported disseminating printed materials; meeting with and accompanying SA officials to meetings.

FARA-00017

with U.S. Government officials, the media and others; advising S.A. officials on their activities; ^{and} assisting with public relations firms retained by the Embassy; ~~and assisting SA officials~~

INSPECTION FINDINGS.

Registrant's records appeared to be complete, and were made available at his Washington, D.C. office over a period of several days beginning on April 6, 1982. Registrant ~~had~~ ^{regretted} copies of ~~many~~ ^{memos} suggestions to the Ambassador, suggesting ~~that~~ ^{that certain activities be undertaken}. The files contained many memos from the registrant to the Ambassador with suggested activities for the Ambassador or other Saudi officials. The registrant explained ~~that~~ that these suggestions were rarely, if ever, acted upon. The registrant ~~was~~ ^{was} ~~able to~~ ^{answered} all questions concerning his records and activities in a satisfactory manner, and (his partner/wife) ^{law} provided us with the only additional information requested, party guest lists, before the inspection was completed.

CONCLUSIONS

Registrant appears to be in full compliance with the Act. No further action necessary at this time.

Name of registrant: Dotton + Dotton, P.C. (Formerly: Frederick G. Dotton)	Initial registration date: 6/12/75	File No. Reg. No. 2591 Lit. No.
Address:	Foreign Principal(s)	Type of registration PR Person to contact
Reporting period covered by inspection: From 6/12/75 to 12/12/81 Date inspection commenced: 4/7/82		Telephone No.
Deficiencies: check boxes for each type of deficiency (a) failure to maintain required books and records (b) filing false, misleading, or inadequate financial information (c) failure to file dissemination reports for propaganda material (d) failure to label propaganda material (e) false, misleading or inadequate reporting of activities (f) failure to file required short form statements (g) failure to file required exhibits (h) failure to make disclosures as required by Section 4(e) (i) destruction or secreting of records (j) Other deficiencies (list)	Time Spent in preparation _____ Time Spent in travel _____ Time Spent on inspection _____ Time Spent writing report _____ Total time charged to the examination and report _____ Recommended action: None..... Send deficiency letter..... <input checked="" type="checkbox"/> Further examination for possible enforcement action..... Appropriate enforcement action..... Other (describe below).....	
Date this report submitted	Date reviewed and approved	
Examinator's signature	By Chief or Deputy Chief	

ATTENTION TO THIS PAGE SHOULD BE AN EXAMINATION CHECK LIST AND ALL DEFICIENCIES SHOULD ALSO BE INCORPORATED INTO A COMPLETE MEMORANDUM REPORT. THE SIGNATURE OF EACH DEFICIENCY LISTED ABOVE WITH APPROPRIATE CITATIONS TO THE RELEVANT SECTION OF THE ACT AND RULES, WHEN FILED TOGETHER WITH THE REPORT, MUST BE

ARAB TIMES

THE FIRST ENGLISH LANGUAGE DAILY IN FREE KUWAIT
Established in 1977

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'Brothers' betray ... Zionists ally with terror against us

Media poisons minds

By Ahmed Al-Jarallah

Editor-in-Chief, the Arab Times
RIYADH, Nov 23: Saudi Minister of Interior Prince Nayef bin AbdulAziz has launched a scathing attack on the ideologies of the Wahhabi sect, which he has described as "the most dangerous form of the problem" in the Arab and Islamic World. "I can say without hesitation all of our problems emanate from the Muslim Brotherhood Movement. The Movement recruited some people and established groups against the Kingdom, and have been active in the Kingdom since the 1970s," he said in the Arab Times. He added the Kingdom had opened the door to members of the Movement, who had been threatened with execution in their countries, but instead of returning this favour the Movement had turned it into a weapon against the Kingdom. He said the Movement has inflicted much harm on the Kingdom.

Continued on Page 3



Prince Nayef bin AbdulAziz



Continued from Page 1

and had a devastating impact on the Arab and Islamic World. "Unfortunately, the attack on the Holy Kaaba, which the Kingdom had succeeded in foiling in two weeks, was instigated through sources and references representing the Movement in Kuwait," he added.

Prince Nayef, who stresses that there are no sleeping al-Qaeda cells in Saudi Arabia, does not believe al-Qaeda Chief Osama bin Laden and his organisation were behind the Sept 11, 2001 attacks in the United States. "I presume there is a link between Israeli intelligence and terrorist organisations to attack Muslims through Islam and Palestine," he added.

He said: "I assume some terrorist organisations have contacts with foreign intelligence operating against Arabs and Muslims, particularly Israeli intelligence. Do you want me to believe that 19 youth including 17 Saudis were able to carry out the Sept 11 attack and that bin Laden or al-Qaeda organisation were to do that on their own. I find this impossible to believe."

He added recent campaigns, especially those accusing Saudis of being terrorists, and the talk on interfering in educational curricula has caused much hatred towards the US. "Ties between the governments of Saudi Arabia and US are strong, but the media is controlled by the Zionists and we know the Jews have exploited the Sept 11 events and were able to turn the American public against Arabs and Islam," he lamented.

The following is the full transcript of the interview:

Question: Your Royal Highness Prince Nayef bin AbdulAziz when you paid a visit to the Authority in charge of promoting good deeds, what was your impression and what was the outcome of the visit?

Answer: During the visit we held a meeting with Mufti Sheikh AbdulAziz bin Ibrahim, Chairman of Senior Scholars Commission, the Chancellor of the Supreme Judicial Council Sheikh Saleh Al-Lahidan and several other officials and clerics.

Since this Authority is directly dealing with the public in general, we at the Ministry of Interior must help them and eventually facilitate their activities. The dialogue was open and did not take any official line. It was rather natural and normal.

The Authority is known to be in charge of promoting good deeds and not representing a repressive system, but rather was a part and parcel of the state machinery abiding by the country's public order.

This Authority was established by the late King AbdulAziz (may God rest his soul in peace) in accordance with the provisions of the Holy Quran. Likewise, all officials in this Authority are an integral part of the state and work according to instructions issued by various authorities in the country.

We would like to say the meeting was fruitful. During the meeting we discussed the organisational aspects of the Authority and its requirements of distinguished scholars capable of keeping intact religious procedures.

In this context statistics show most of the Authority's deeds were free of mistakes. But unfortunately, the negative points came to the forefront.

During the meeting, the Mufti highlighted the Authority's charter and duties. He also called on the preachers to show tolerance in guiding the public. The preachers' commitment to the Mufti's instructions in this connection helped surmount the negative aspects given the fact promotion of the good deeds fell within the state's principles.

As such the state had established the Authority to promote good deeds and its staff members enjoyed a sufficient religious culture based on the Holy Quran and teachings of Prophet Mohammed (PBUH).

Q: Do I understand that you require the Authority not to transform into a repressive organisation or a shadow government as may be perceived in some countries of the region.

A: No... no I don't want them to be transformed into a repressive body. Any mistakes or violations attributed to the Authority men will undermine their image, particularly since these men are dealing directly with the people and discuss with them some sensitive and personal issues. Moreover, the mistakes and violations could be blown out of proportion.

During my meeting with the Authority officials we had agreed upon the establishment of an institute to train the Authority's staff members, and also that no one would be allowed to join the Authority without taking part in the prescribed training course.

Q: Some people have branded the Saudi Authority in charge of promoting good deeds, as well as its counterparts in other GCC countries, as shadow governments.

A: This logic is definitely incorrect. But let me point out the staff members of these authorities dealt directly with sensitive public issues and several observations were recorded over the activities of these authorities.

However, employees of the Authority are an integral part of the state body and any mistake perpetrated by them will be recorded against the state and any good deed practised by them will be in favour of the state.

Q: It has been said the Saudi Authority in charge of promoting good deeds does not enjoy freedom.

A: The freedom does not exist, simply because the Authority is part and parcel of the state body and all its employees, including the chairman, his deputy and the other senior aides are official employees.

In this context, I would like to point out none of the Authority's field officers are allowed to 'raid' any house unless a warrant to this effect has been issued by the Amir of the relevant province.

Likewise, the officers are not allowed to punish anyone except through the state's concerned institutions given the fact we are an Islamic country not secular.

Q: During my visits to other GCC countries, I heard interior ministers of members states saying the security situation in their countries was good but they were concerned about the Kingdom of Saudi Arabia especially since al-Qaeda sleeper cells existed in the Kingdom. I would like to hear from you on this subject.

A: I thank our brethren in other GCC countries — ministers of interior — for their concern towards our national security. This shows they have a sense of security. But in this connection, let me tell you the sleeper cells also exist in the other GCC countries.

However, to brand al-Qaeda members as sleeper cells is an exaggeration, because in our community and like in any other community around the globe, there are people who may be having specific tendencies and we are dealing with these people as misguided persons and work to lead them to the right path.

Those who fail to fall in line will be referred to the judicial authority. In the meantime, we would like to point that such groups in the Kingdom are relatively less than those existing in other countries.

For example people talked about gatherings and organisations via the Kingdom through the Internet. As you are aware gatherings in the Kingdom are forbidden, but if at all this happened, it happened in the framework of the country's Gatherings Law and aimed at giving counsel to officials or for the purpose of consultation.

An American journalist once published a story saying Iran had extradited to the Kingdom 160 persons although the actual figure was 16. The journalist did not give any justification for inflating the figure. This journalist had reported something which had nothing to do with the facts on the extradition of the relevant people. Needless to say the journalist intended to publish incorrect information. However, our doors will remain open for the mediemen from any country to familiarize themselves directly with the situation in the Kingdom.

Once a UN envoy, a Sri Lankan national, responsible for following up the judicial cases visited the Kingdom, interviewed all concerned officials and familiarized himself with the Saudi judicial and investigation system. Likewise, we discussed with him several issues because on the internal front, we have nothing to hide.

The hostile campaign waged against us by the American media and some European newspapers particularly the UK will not frighten us, but needless to say the campaign was disturbing to us because it was unjustified and does not serve the interests of any party.

However, we had repeatedly addressed these people to tell them their stance towards the Arab world in general and the Palestinian cause in particular had transformed the Arab world into haters of the West.

So what shall I tell them to ameliorate their image before the Arab people but not before the Arab governments. In the meantime, I would like to tell them 'you neither pay concern to the Arab governments nor its people'. The recent Western campaign to brand Saudi nationals as terrorists and intervention in the school curriculums of Arab countries including the textbooks related to Islamic Sharia only helped to aggravate the situation and increased the Arab people's hatred towards America, although in general the American people are not guilty and are good.

Meanwhile, the relationship between the Saudi government and the American administration is obviously strong, especially since the Americans have repeatedly confirmed the strength of the ties which were established during the reign of the late King AbdulAziz and the administration of the late American president Franklin D. Roosevelt. This relationship will remain strong in spite of the Zionist media campaign.

The Jews have exploited the Sept 11 events to undermine the image of Arabs before the American people to instigate the latter against the Arabs and Muslims. The question is: Who perpetrated the Sept 11 events and who were the beneficiaries? think the Jews themselves.

Q: Some people claim the Saudi jails are full.

A: Yes, there are jails as long as there are ordinary criminals and crimes such as theft and drug smuggling but in this context, I would like to point out the jails they are talking about (jails holding political prisoners) do not exist in the Kingdom.

Let me tell you, when we waged a campaign against terrorism, we detained about 600 persons including those who were held for interrogation and their number did not exceed 100. These people, however, either undertook not to be involved in any illegal activity and regretted their behaviour or were referred to judicial authority.

In light of the above, Saudi jails do not hold an 'army' of political prisoners. But unfortunately some media circles have been publishing incorrect information without verifying the facts. Given such an atmosphere, the historic and strong leadership is capable of proving its steadfastness and confronting these lies.

Q: You are in favour of an agreement to fight terrorism. Earlier you had a feeling that something was going to happen. Cooperation is seen on the Arab front, do you think this cooperation has failed to put a stop to terrorist attacks.

A: Thank you for this question. Actually the agreement was signed at the Arab League meeting by Arab Interior Ministers in 1998. We studied the agreement thoroughly before signing it, but it was not implemented in the manner it should have been, simply because the media failed to explain to the Arab citizens the information and awareness campaigns for them to understand and interact.

None of this happened and none of the Arab interior or justice ministers explained the same to their people. Once I was following an interview of Qatar's former minister of justice on al-Jazeera satellite channel and he said, "the agreement was meant to protect leaders, kings and presidents."

During the awareness and follow-up committee meeting, we again suggested that information ministers meet with interior ministers, prior to the Sept 11 incidents, because Saudi Arabia was already a victim of two major terrorist attacks at Al-Khobar and Al-Ollaiyah. We also knew about some 'movements' in Afghanistan, Sudan and other countries.

Algeria, Tunis, Egypt and some of the GCC states suffered too and the Kingdom of Saudi Arabia expected these countries to cooperate in the fight against terrorism after signing the security pact. Now I can say we have an advanced security cooperation with Egypt, Jordan and of late with the Sudan. We are also trying to promote more cooperation between GCC states.

The information media as a tool has a vital role to spread awareness to protect the youth from falling prey to terrorism and to protect the reputation of your beliefs and religion from being defamed by suspected people.

I very much suspect terror organizations have ties with foreign intelligence agencies who work against the interests of Arabs and Muslims to hurt us through our beliefs and the Palestinian cause, and one such unit is the



Saudi Minister of Interior Prince Nayef bin AbdulAziz (right) seeing off the Editor-in-Chief of the Arab Times Ahmed Al-Jarallah (left) and colleague Casssem Ayouni (2nd left) after the interview.

Israeli intelligence agency. They want us to believe 19 young men, 17 of them Saudis were able to execute this operation (Sept 11 attacks) and that bin Laden and/or al-Qaeda organization did this alone. Impossible! I don't believe it.

I have been a securityman for over 30 years and my experience tells me persons who carried out this attack are extraordinary people who executed the plan with precision and exploded themselves in midair. Although these acts are against the teachings of Islam, at a time when Islam should have been introduced as a religion of love, peace and security to promote harmony between nations.

Recently we arrested some people and they were legally convicted, one of them was 'killed' and four were executed on the same day. The King did not order their execution but the court did. The courts represent the nation and they are legitimate Shariah courts. The verdict was issued by 13 judges - three affiliated to the Court of First Instance, five to the Court of Cassation and five to the Supreme Permanent Judicial Committee. They all represent the conscience of the nation.

Q: Prince Khalaf, Prince Sultan, and you always talk about your rights as a moderate nation. Can you explain the meaning of this term? And why you talk about it?

A: Moderate is a legitimate term. Islam does not preach fundamentalism because being open and soft is not acceptable in man's dealings. The concept of Islam as a moderate religion is a legitimate concept. Islam taught us how to deal with ourselves and others and nothing is more important than freedom and dignity of a human being.

We are in need of scientists who can explain some facts of this great religion not only for us Muslims but also to the rest of the world to enable them to sense the purity of this great religion.

Q: Let me ask you about the peculiarity of Saudi Arabia, does it irritate your allies?

A: We share our life with them, this is our nature, it has not changed since the late King AbdulAziz (may God bless his soul) unified

this country and accordingly we dealt with all nations of the world. The Soviet Union was the first to approve of the Kingdom and our relations remained intact until the dawn of Communism. We have old ties with America, China, Britain and France, and we also have open relations with almost all the European countries. Our relations with these countries are political and economical, based mainly on mutual respect and we are not aware if these 'special' ties bother anyone.

Q: All Saudi officials confirm the Americans have not asked for a change in school curricula?

A: We haven't heard any American official speaking in this regard, but this assumption was given by the media, but no one told us to change our curricula.

Q: What is your opinion about the curricula?

A: Our curricula is fine and a lot of scientific advances have taken place. Islamic-wise, high school students are required to know Islam, to know about halal & haram (right & wrong), to repay their parents and how to deal with people. They cannot be judges or preachers, but can enroll in specialized colleges if they want to promote their knowledge. Also I saw a large number of students are majoring in Calculus which I think is crowded already.

Due to changes in the world's curricula which concentrates on understanding rather than memorizing to help people manage their lives with knowledge they have gained, we must carefully ascertain the teachings do not cross the limits which may prove to be unwise and not based on knowledge.

Q: You have been in Ministry of Interior for more than 30 years, do you remember once that Saudi securitymen used violence against the people?

A: The ministry has not used violence but took firm measures to prevent incidents from happening. The worst thing that happened during my time was aggression against the holy places (Al Haram) which ended in two weeks' time.

The aggressors intended to attack Al Haram but they did not succeed. Regrettably the aggressors were Kuwait-based. Some of

them were affiliated to Muslim Brotherhood others to Tablighi Group, but all our problems came from Muslim Brotherhood, I say this as a responsible man.

Muslim Brotherhood members fled to Saudi Arabia after their countries began persecuting them. Saudi Arabia gave them a safe haven and allowed them to live in dignity and have a decent living. A few years later this country even gave them jobs and offered them means to promote themselves to earn a living. Some of them became teachers in schools and university doors were opened for

MIDEAST

'Brothers' betray ...

Continued from Page 3

them. But they didn't forget their old beliefs and began recruiting people and establishing movements against the Kingdom. They harmed the country which offered them help and if they have something to say against the Kingdom, let them do so but not inside the Kingdom.

I remember when one of the well-known Brotherhood members — who was naturalized and lived in the Kingdom for 40 years — was asked who is your icon? He said Hasan Al Baana. This means the man is still loyal to his old beliefs, the ideas of Muslim Brotherhood which have harmed the Arab world.

Frankly speaking, the Muslim Brotherhood has caused Saudi Arabia a great deal of pain. For instance Hasan Al Turabi lived in the kingdom, taught at the King AbdulAziz University and I considered him a friend. He used to visit me, but when he attained power he turned against the Kingdom. Once a Saudi delegation went to Sudan to deliver to Al Turabi an airport which was funded by the Kingdom, and the man did not even say, "Thank you." Muslim Brotherhood is the reason behind all the troubles in the Arab world and maybe the entire Islamic world.

Q: Is it the fault of the Kingdom that it is not transparent with disputes?

A: Not at all. When Kuwait was attacked many scholars including Abdul Rahman Khudzoa, Al-Ghazooobi, Turabi, Al-Zindani, Arabkar and others came to meet the King and the Crown Prince. "Do you accept the Iraqi invasion of Kuwait? Is Kuwait returning Iraq?" we asked them. They simply said they had come just to listen and hear the opinion. When they reached Iraq they surprised us by issuing a statement supporting the Iraqi invasion of Kuwait. Was it reasonable? Was invading another country, expelling its people and trying to wipe it out from the world map justifiable?

After becoming the prime minister of Turkey Arabkar came to Saudi Arabia for the second time. I asked him, "Mr Prime Minister, you were supposed to support Kuwait and advise Saddam Hussein to withdraw from Kuwait." I believe you have come across so many things like this in Kuwait. I hope the Muslim Brotherhood will realize their mistake. There is no meaning in dealing with each people and I will not allow that while I am in power. Those who do not agree to the ideals of Brotherhood are being accused of being "kafir" (infidels). Those who want to climb a political ladder must use legitimate means and not by killing, destruction or terrorising people and slaughtering them like sheep. The Almighty Allah and his holy Prophet (PBUH) will not be pleased with this.

Q: Your Highness, is the Kingdom devoid of the sleeping al-Qaeda cells?
A: There are no al-Qaeda cells in the Kingdom. If there is something like that we are alert and we follow up everything. We know our country and we are determined to strengthen it. If someone is astray from wisdom, reasoning and path of God, "we are strong enough to take care of him. Islam has asked us to bring peace, safety and security and we should do it."

Unfortunately, there are some youths who have been brainwashed and in fact they know very little. They claim to be the Muftis and Sheikhs of Islam and believe it is the only form of Islam and not what has been propagated by the Holy Prophet (PBUH).

Q: Most people in the GCC states and Saudi Arabia are complaining the King represents a minority rather than a majority. And that the state machinery makes a compromise with them, but most of the people keep silent and no one is there to defend them?
A: The matter is different with us. Imams (sermon preachers) are state employees in Saudi Arabia. We have 50,000 mosques including the mosques where the Friday prayers are being held. Do you think all 50,000 Imams have the same level-headedness? They must abide by orders of the Ministry of Islamic Affairs. Those who are not committed to their duties but poison the minds of people will be replaced. We co-exist with the reality of prosperity and downfall. Islam has been misused by foreign circles for their vested interests.

Q: It is said the real security is the economic security. Being the Minister of Interior do you have any economic initiatives so as not to face any security problems in future?

A: Public security of the country means crime, killing and terrorism. There are two securities — mental and economic security. If both are intact it will reflect on public security. Economic development and mental development control the security system. Here intellectuals have to work to achieve mental security and economists have to work to achieve economic security and we will help both of them. For economic development the capital must flow in a secure environment and achieving stability and security is the first and foremost factor to achieve economic development.

Economic drive is witnessed in all commercial activities; it is seen in shares, real estate, investment and the entire market. Purchasing power is very good... domestic goods have reached up to 700 billion Saudi riyals and we are looking forward to bring about economic prosperity to the people. Again the economic security, mental security and public security have to play an important role.

Q: Do you see privatization as the segment of wealth distribution?

A: It is not wealth distribution. But we hope all citizens will make use of this opportunity. Our aim is to provide jobs for all citizens. I am saying this because of my responsibility as head of the manpower council. We have assured all citizens that "Saudiization" is the state policy. To achieve this, all citizens must work hard and businessmen must help us for this. More than seven million people work in Saudi Arabia. They work and get their wages but they are a burden on state utilities and in some cases they create security problems. On the other hand, the hard currency going out of the country every year is estimated at between 40-50 billion Saudi riyals. This money could have gone to our citizens if they were competent, but competency is governed by its own rules.

Citizens must work hard, they must be obedient and abide by the working hours. We are establishing training centers and ask companies to appoint good candidates. There are 1,000 Saudis working in Al-Zamil Company airconditioning firm. The state has established social securities system but even with this there are needy people.

Q: How do you feel about the security measures compared with the past?

A: There is nothing to be concerned about. Being responsible for security I am always alert. I cannot guarantee about the unexpected events. I am part of this world and anything may befall me. The Sept 11 event was a bolt from the blue for the US. No one expected this in a country which possesses a state of the art security system. The only thing we can do is we should be alert always and expect the worse.

Q: I have asked you and others this question before. What is the secret behind the repeated talk about the conflict among the rulers in Saudi Arabia?

A: I remember you asking me this question. In fact there is nothing like what you have said. I can tell you this is a political gaffe and has no end. This will exist in all media and even on the Internet. Nonetheless, I have said the continuation of the Saudi leadership is based on the teachings of the Holy Quran, "You obey Almighty Allah and his Messenger (Prophet) and the rulers." We are the soldiers of the Crown Prince and the Custodian of the Two Holy Mosques. The Saudi leadership and his subordinates always uphold the idea of serving the society in the footsteps of our great father King Abdul Aziz.

Let them say whatever they want, we are not concerned and we are not at all affected by it. These people will be disappointed and their dream will not be fulfilled. We will always obey our ruler and serve our country.

Q: Is there any security cooperation between the GCC countries at a level of satisfaction, or is it a mere exaggeration?

A: There is cooperation, but it has not reached our ambitions. The GCC is very important and its link will create a strong economic and social base. Therefore security of these countries is important and there should be more cooperation.

1465

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December 9, 2002

Hon. Dan Burton, MC
Chairman, Government Reform Committee
2157 Rayburn Building
US House of Representatives
Washington DC 20015

Dear Congressman Burton,

I watched your meeting about Saudi Arabia and the custody issue on C-Span. The New York Post of December 6, 2002 states: "For the past six months or so, Chairman Dan Burton (R-Ind.) has doggedly pursued the Saudi royal family and its closest ally - the State Department - to help ensure the safe return of abducted children to their left-behind American parents."

It is reported that you took a Congressional delegation to Saudi Arabia to negotiate the return of Patricia Roush's two daughters. I heard the flimsy statement of Patricia Roush in your Committee.

I was surprised that members of your Committee were attacking Saudi Arabia and attacking Ambassador Adel Al Jubeir, Advisor to the Saudi Arabian Crown Prince, who made a press conference to state that Saudi Arabia is a true friend and ally of the United States for the last 70 years. He stated that Saudi Arabia supports the United States in its war against terrorism. He stated that Saudi Arabia was the first country in the world to fight Osama Bin Laden and was a victim of his terrorism in Riyadh and Alkhobar.

The hearing of your Committee is part of the vicious campaign which is being made against Saudi Arabia. It is deplorable that the United States Congress should be used for this hate campaign against Saudi Arabia. You personally seem to be pro-Israel because you received \$62,500 from pro-Israel PACs.

Your Committee ignores the rights of Saudi fathers to have custody of their daughters,



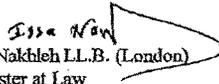
who are Saudi citizens, although they may also be U.S. citizens. According to private International Law, the Saudi Arabian law governs their rights. You also know that the daughters of Patricia Roush were interviewed in London by a United States Consular Officer who took the girls' statement with an open microphone in the room while Saudi officials were outside the door. The two girls stated that they love their mother, but they want to live in Saudi Arabia with their father.

Your Committee issued subpoenas to force the lawyers of the Saudi Arabian Embassy to testify about their communications with the Embassy. Your Committee should ask for the opinion of the U.S. Department of State about this matter, which will give you the right position in accordance with International Law. You requested Prof. Eileen Denza of the University College, London, to testify. She delivered a confused statement. I am a graduate of the University of London and I took legal courses in the University College, London, between 1936-1939. Your legal advisors should advise you about the inviolability of diplomatic envoys which is respected by the courts and should be respected by Congress.

It is disgraceful that the United States Congress is controlled by the Israeli lobby. It starts investigations against Saudi Arabia and other Arab countries. It adopts legislation and resolutions against the Arabs in favor of Israel. The law passed by Congress to force the United States President to move the United States Embassy from Tel Aviv to Jerusalem is illegal. It is contrary to eight resolutions of the United Nations Security Council which decided that the occupation of Jerusalem by Israel is illegal. But the United States Congress does not consider or support the principles of International Law and Justice with regard to Israel.

I hope that the Government Reform Committee will stop this hate campaign against Saudi Arabia, and, in a non-malicious manner, soberly investigate the inordinate influence of the Israeli lobby in the Legislative and Executive Branches of the U.S. Government.

Respectfully yours,


Issa Nakhleh LL.B. (London)
Barrister at Law
Legal Adviser to the Saudi Arabian Mission to the United Nations

1467



United States Department of State

Washington, D.C. 20520

DEC - 4 2002

Dear Mr. Chairman:

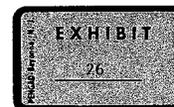
This written statement, provided for the Committee's consideration in its December 4 hearing, entitled: "The Saudi Claim of Privilege: Must Saudi Lobbyists Comply with Subpoenas in the Committee's Investigation of Child Abduction Cases," responds to your letter of December 3, 2002. This statement reflects the State Department's views. It does not reflect the views of other concerned agencies and/or Departments.

We understand that the Committee's concerns about children wrongfully abducted to or retained in Saudi Arabia have led it to issue subpoenas to three firms that work under contract with the Embassy of Saudi Arabia and, further, that the Embassy has taken the position that the requested information and documents constitute embassy "archives" and "correspondence" which are accordingly protected by the Vienna Convention on Diplomatic Relations.

To our knowledge, your subpoenas constitute the first time a legislature in any country has attempted to compel the production of records from a contractor for an embassy in that country. Thus, your subpoenas have raised novel issues. In your letter to Secretary Powell of November 18, 2002, you requested that the Department provide the Committee with responses to four questions regarding the Saudi claim that the documents are privileged. As we have previously explained, we are not in a position to present our views. I can, however, identify some issues your questions raise for the Department of State.

The State Department believes strongly in the need for proper law enforcement in the United States. For example, we do not expect the Vienna Convention to protect U.S. citizens who are not attached to a foreign mission and who might be recruited by foreign missions here to

The Honorable
Dan Burton, Chairman,
Committee on Government Reform,
House of Representatives.



undertake illegal activities such as espionage. We also understand the need of the Congress and its committees to exercise its oversight role and conduct investigations. In analyzing the Convention's proper interpretation, U.S. agencies would have to consider whether protection of information such as that sought by the Committee's subpoenas would adversely affect U.S. law enforcement interests on the ability of Congress to carry out its legislative responsibilities. The converse is also true: U.S. agencies would have to consider whether a narrow view of the Convention might hamper the conduct of U.S. foreign policy and other activities necessary to protect our national security overseas.

The State Department contracts overseas with local nationals and personnel firms to fill some embassy positions. Unlike U.S. citizen employees sent overseas by the Department, local nationals do not generally have immunity from compulsory process, so they must appear in a court or elsewhere if they receive a subpoena. While these people do not generally have access to U.S. Government classified information, they do in a number of cases have access to nonpublic information. In a number of instances, the Department has asserted that the official information in the possession of the local national is "archival" under the Vienna Convention and thus inviolable. Our experience has been that when local nationals decline to answer questions about their official activities on behalf of the U.S. Government, the examining law enforcement officer or other authority does not pursue the issue. Were countries to take the view that local personnel working under contract with the U.S. Government could be compelled to release information otherwise protected as Embassy archives, we would object strongly.

These concerns extend to situations involving outside contracting. For example, the Department uses outside contractors for embassy construction. In the latter use, cleared U.S. contractors and personnel build our embassies in sensitive posts working with information we provide them. To the best of our knowledge at present, there has never been a situation in which foreign authorities have pressed one of these contractors to produce such information. If that were to happen, we would want to argue that the information is protected under the Vienna Convention. We would also consider other possible privileges and protections, such as state secrets, that

might apply to these, and other, situations. We would have greater difficulty making this argument persuasively if, in the United States, the information of foreign embassies given to contractors is subject to compulsory process and release.

The protections of the Vienna Convention are written broadly. It is beyond debate that embassy information in the embassy is inviolable and immune from process and that information in the hands of accredited diplomats and other embassy personnel is protected. Under Article 24, Embassy archives are immune "wherever they may be" and "at any time." Under Article 27, embassy official correspondence is "inviolable" and the state where the embassy is located must protect free communication of the embassy. We would want these provisions to be applied in a manner that allows our own embassies to fulfill their functions of representing the U.S. Government abroad without shielding improperly foreign governments' information about wrongdoing.

The reach of the Vienna Convention in this area has rarely been tested in court. There is little reported practice. That may be because countries have not tested in a contentious setting the outer limits of the Convention by attempting to obtain information widely considered protected. The materials the Committee has assembled rely on one case, the decision of the United Kingdom's House of Lords in Shearson, Lehman Brothers, Inc. v. Maclaine Watson & Co., Ltd. In that case, the House of Lords concluded that information passed to third parties by the International Tin Council lost its inviolability. However, Lord Bridge's analysis noted the absence of "any relationship of lender and borrower, bailor and bailee or principal and agent."

You have also asked if the interpretation of the Vienna Convention favored by the Saudi Embassy would protect from disclosure documents related to a foreign embassy's employment of a U.S. citizen to harass and intimidate U.S. parents or to assist in terrorist funding. We would vigorously oppose such activities by foreign embassies. While we agree that it is useful to determine the Convention's scope and the breadth of the Convention's protections, hypothetical questions of this nature are not necessarily the best way to do this. We are certainly not aware that the Committee's subpoenas to the Saudi

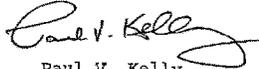
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consultants in this case have any connection to terrorist financing.

We appreciate the opportunity to bring these points to the committee's attention and request that they be included in the record of the hearing. A witness could provide the Committee today with no further information than what is presented here.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul V. Kelly". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Paul V. Kelly
Assistant Secretary
Legislative Affairs

1471

مملكة البحرين



المملكة العربية السعودية
وزارة الخارجية
مكتب الوزير

September 17, 2002

The Honorable Colin Powell
Secretary of State
The State Department
Washington, DC

Dear Secretary Powell:

I am writing to propose to you the formation of a task force or ad hoc committee between our two governments to examine the possibility of reaching a bilateral protocol on the issue of child abduction.

We believe that the bilateral protocol should seek to protect the interests of the children in question, and help bring families together. It should address the issue of visitation rights, and the responsibility of both governments to work within their respective legal systems to prevent the abduction of children. Or ideally, an international agreement could be fashioned that would address the broader interests of the children of broken marriages involving parents of more than one nationality. Such an agreement could also deal with custody rights by working to help bring together the families without resorting to differing legal systems.

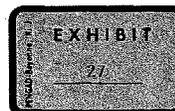
As you are aware, the issue of child abduction is a global one, and the cases involving the Kingdom represent less than one percent of all cases involving an American parent and a parent from another country. There are also a number of cases where children were abducted out of Saudi Arabia and brought to the U.S. against the wishes of their Saudi parent, and the orders of Saudi courts. I am enclosing a list of four urgent cases from a number of cases that we will convey to you later.

Mr. Secretary, we strongly believe that the time has come to create a practical mechanism for dealing with this issue between our two countries, and we are ready to begin exploring possibilities with your government. In this context, I would appreciate hearing from you about any ideas you might have on the most appropriate manner to begin this process.

With best regards,

Sincerely,

Saud Al-Faisal
Minister of Foreign Affairs





المملكة العربية السعودية
وزارة الخارجية
مكتب الرياض

SUMMARIES OF CASES RELATING TO SAUDI CITIZENS OF AMERICAN MOTHERS

1. Yasmin Khalid Al-Shalhub
Khalid Abdul-Aziz Al-Shalhub daughter Yasmin is believed to have been abducted by her American mother and left the Saudi Arabia through diplomatic assistance on a U.S. military aircraft. All diplomatic and legal channels have been exhausted to return Yasmin to her father in the Kingdom, or to work out visitation rights.
2. Sami Jalal Moghrab & Yasmin Jalal Moghrab
Jalal Ali Moghrab's two children were abducted by their American mother to an undisclosed destination. It was discovered later that the children were at the U.S. consulate in Jeddah prior to their departure to the United States. It is believed the children have been transferred to the United States.
3. Abdul-Aziz Naser Alhjumedi's case of his three abducted children by their American mother is currently a U.S. court. The mother has refusal to allow the father visitation rights in the U.S.
4. Khalid Saad Al-Shabrami
Saad Fahad Al-Shabrami's ex-wife, Jennifer, won a court order allowing her to meet with her son Khalid. Although the father has no objection to the visitation, he wishes that the meeting take place under the supervision of the concerned Saudi authorities, fearing abduction by the mother.

**THE SAUDI CLAIM OF PRIVILEGE: MUST
SAUDI LOBBYISTS COMPLY WITH SUBPOE-
NAS IN THE COMMITTEE'S INVESTIGATION
OF CHILD ABDUCTION CASES?**

WEDNESDAY, DECEMBER 11, 2002

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 10:15 a.m., in room 2154, Rayburn House Office Building, Hon. Dan Burton (chairman of the committee) presiding.

Present: Representatives Burton, Weldon, Duncan, Ballenger, Norton and Cummings.

Staff present: James C. Wilson, chief counsel; David A. Kass, deputy chief counsel; Jason Foster, counsel; Caroline Katzen, professional staff member; Blain Rethmeier, communications director; Allyson Blandford, assistant to chief counsel; Robert A. Briggs, chief clerk; Robin Butler, officer manager; Joshua E. Gillespie, deputy chief clerk; Michael Layman, legislative assistant; Nicholis Mutton, deputy communications director; Leneal Scott, computer systems manager; Corinne Zaccagnini, systems administrator; Phil Barnett, minority chief counsel; Sarah Despres, minority counsel; Ellen Rayner, minority chief clerk; and Jean Gosa and Earley Green, minority assistant clerk.

Mr. BURTON. Good morning. A quorum being present, the Committee on Government Reform is called to order. I ask unanimous consent that all Members and present witnesses' opening statements be included in record. Without objection.

I ask unanimous consent that all written questions submitted to witnesses and answers provided by witnesses after the conclusion of this hearing be included in the record. Without objection, so ordered.

I ask unanimous consent that a set of exhibits relating to this hearing be included in the record. Without objection, so ordered.

I ask unanimous consent that all articles, exhibits and extraneous or tabular material referred to be included in the record. Without objection, so ordered.

I also ask unanimous consent that questioning in the matter under consideration proceed under clause 2(j)(2) of House Rule 11, the Committee Rule 14, in which the chairman and ranking minority member allocate time to committee counsel as they deem appropriate for extended questioning, not to exceed 60 minutes, divided

equally between the majority and the minority. Without objection, so ordered.

Before we start, my good friend Cass Ballenger from North Carolina is here and he'd like to recognize one of the witnesses. So, Cass, we will recognize you.

Mr. BALENGER. Thank you, Mr. Chairman. I just wanted to put in a good word for a friend of mine, who has worked with me in El Salvador back in the days when that was not the most popular thing. You and I were some of the couple that did a great deal of work there. And he was—I met him through the Republican Study Committee, which was a fairly substantial organization in our modern—in the days when we were in the minority.

And I would just like to put in a good word for Jamie Gallagher, who has been married to a staff member of mine whose—his mother-in-law happens to be campaign chairman for me in one of my strong counties. So don't beat him up too badly, if you would, sir.

Mr. BURTON. We're not here, Cass, to beat up on anybody. We just want to find out some facts about kidnapped kids.

Mr. BALENGER. Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Cass. Nice seeing you, Buddy, and merry Christmas to you.

Let me also saw that Margaret McClain just gave me a bag of pecans which were picked from a tree in her yard by her daughter Heidi before she was kidnapped 5 years ago, and she has been freezing these and saving these for special occasions.

I really almost hate to eat these, but I do appreciate the thought, and maybe 1 day Heidi will be back here and she can help you pick some more pecans. A couple of weeks ago—it is nice seeing you again, Mr. Petruzzello. Couldn't find you last week, But we are glad you are here today.

A couple of weeks ago, Prince Nayef, the Saudi Interior Minister, blamed the Jews for September 11th. He stated, "the Jews have exploited the September 11th events to undermine the image of Arabs before the American people to instigate the latter against the Arabs and Muslims. The question is, is who perpetrated the September 11th attacks and who were the beneficiaries? I think the Jews themselves."

This man, Prince Nayef, is the Saudi equivalent of the FBI Director here in the United States. He is supposed to be tracking down al-Qaeda terrorists in Saudi Arabia. He also has a role in resolving these kidnapping cases. I don't think he is on our side if he thinks that the Jews are responsible for September 11th. If he is part of the Saudi initiative to solve the abduction cases, it is not only easy to see where the bad faith comes from, it is hard to summon up much optimism for the future.

I start this hearing by discussing Prince Nayef because it is important for the public to understand who we are dealing with and what kind of people are in control of the Saudi government.

Once you understand that, you know why it is important to have this kind of scrutiny regarding the kidnapping of Americans to Saudi Arabia. You also understand the enormous frustration we feel when Saudi officials and their mouthpieces lie to us. This is the 5th day of hearings by this committee on the subject of Americans kidnapped by Saudi Arabia and to Saudi Arabia.

Why are we holding these hearings? Simply put, the U.S. Government has a choice. It can continue with the status quo, the way these cases have been managed for the last 20 years by the State Department, or it can face the facts.

The status quo is not working. For 20 years the Saudis have refused to admit that there is a problem. They deny that they are even holding kidnapped Americans. They deny that they have been complicit in kidnappings. The State Department seems to go along with that. It has taken the State Department years to even request that the kidnapped Americans be returned. Who knows if they will ever actually place pressure on the Saudis to return them.

I don't think we should stand for the Saudis' behavior any longer. In the 1 year the committee has been looking at this issue, we have seen dozens of examples of Saudi deception and deceit. And I will outline just a few examples of the ways in which the Saudi government has lied and distorted the facts.

Just a couple of days ago we received a call and a letter from a person who described himself as a legal advisor to the Saudi Mission to the United Nations. I don't know if he is who he says he is. I hope not. He told us that there are no kidnappings, and that under international law a Saudi father has the right to take his daughters.

He also said that the committee's investigation was part of a vicious campaign, and that Congress is controlled by the Israeli lobby. This person's thinking is echoed in many ways by the Saudi Foreign Minister. He wrote to me a few weeks ago saying, "we reject anything that damages our Islamic Sharia, on which a total system of the state is founded."

Now, this Sharia regulates and guarantees all humanitarian rights without any prejudices. That is what he said. Let me translate. He was saying that the Saudis don't have a problem if one of their citizens travels to the United States and kidnaps a U.S. citizen. He was saying that he doesn't care if our laws are broken.

He even told us when we met that Saudi Arabia doesn't recognize our laws. When we go there, we are supposed to obey their laws. So why shouldn't they obey our laws? The Saudi Foreign Minister also sent a letter to Secretary of State Powell in which he accused four American women of kidnapping their children from Saudi Arabia.

Now, that might have sounded good. But, like most of the other Saudi talking points, it was a lie. In two of the cases cited by Prince Saud, the American children still live in Saudi Arabia. In another one of the cases, the American girl was kidnapped from America, held for 2 years and then escaped.

If the Saudi Arabia government is so calculated in its deceptions, how can we believe them on any issue? The things we are complaining about aren't simple misstatements. They are calculated, carefully crafted lies. They are told for a purpose, and they were told by their Foreign Minister to me, and that is not very encouraging.

In a letter to the Wall Street Journal, Saudi Ambassador Prince Bandar stated that, "some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true," Prince Bandar said. Prince Bandar's statement is completely false.

This committee has heard testimony from just a few of the many American parents whose children are held in Saudi Arabia. Even Prince Bandar's own paid mouthpieces can't defend this statement. They don't even try because it is so dishonest.

They may take huge sums of money from their Saudi masters, but they won't tell a whopper that big. In fact, it looks like some of the PR experts, three of them at Mr. Petruzzello's firm, are so tired of representing the Saudis that they quit. You might want to elaborate on that, Mr. Petruzzello.

The Saudi lobbyists have been saying how hard they have been working to resolve the outstanding cases of kidnappings. The truth is that no children have been voluntarily returned by the Saudi government, not one. Even worse, there is not even an indication that the Saudis are working to get the answers to basic factual questions about the kidnappings.

Michael Rives' two kids have been held for 2 years. In August we asked whether there was any legal basis to hold those children in Saudi Arabia. There still isn't any answer. The Saudis just want to run out the clock, and that isn't going to work.

I could go on with dozens of examples of Saudi bad faith. They accused me of offering a \$1 million bribe to Amjad Radwan to make her come to the United States, and they flew Pat Roush's daughters to London so they could try to make a mockery of the congressional delegation that I led to Saudi Arabia. So these examples just go on and on.

So that brings us to why we are here today. Because the Saudi government could not get its story straight, because it could not tell us what was going on with these cases that we had raised, we issued three document subpoenas to their lobbyists. They refused to comply. Instead they came up with an unprecedented claim of privilege. They claim that the documents of these lobbyists and PR specialists are archives and documents of the Saudi Embassy, entitled to protection under the Vienna Convention on Diplomatic Relations.

Let me translate. The Saudis are hiding these documents. They are stonewalling. They are obstructing Congress. It is just that simple.

Last night the Saudis made an offer whereby a third party could review the documents and answer questions about them. Now, that is not going to be acceptable to the committee, but it is really important because it shows that these documents are not sacred. They just don't want us, the committee, the government of the United States to look at them.

We tried to have this hearing last week. We invited the three Saudi lobbyists to testify. They refused. We then told them we would issue subpoenas. Their lawyers refused to accept them. The lawyers claimed that a subpoena issued after adjournment was invalid, which is not the case. Then when we tried to serve the lobbyists, they were nowhere to be found. They weren't at their houses, they weren't at their offices, they weren't anywhere to be found, and we sent the U.S. Marshals out and you guys might have just left town, I don't know, or gone to the Saudi Embassy. Just another example of Saudi cooperation.

So we had to come back again this week. I am glad that we are here and we can discuss some of those issues. I appreciate you gentlemen showing up today.

I am sure that the Saudis thought if they could skip that one hearing we would just go away and the issue would go away. Well, it is not quite so easy. We are holding this hearing again. Ms. Roush and Ms. McClain have traveled back to Washington again to attend this hearing. The Saudi lobbyists have caused a lot of inconvenience and wasted a lot of time. But we are patient and we will finally hear from them today.

It is my understanding that the Saudi lobbyists may claim privilege over a lot of matters today. This is unfortunate, because when he appeared before the committee 2 months ago Michael Petruzzello answered questions about his communications with the Saudi Embassy staff. According to one of the Saudi Embassy's lawyers, the Saudi government chose to disclose information to the committee at that hearing, and it is now choosing not to disclose information to the committee.

Now, that is a major point. The Saudis certainly aren't obligated to raise this privilege. Why are they blocking the committee? The answer is simple. They don't want us to know what is in those documents.

Now, last week's hearing was useful. We heard testimony from the world's leading authority. Now this is—I know that somebody here is going to say that there is a question about this lady's credentials. But let me say that she is the leading authority in the world on the Vienna Convention, and she is used by the government of England and the government of the United States whenever there is a question about the Vienna Convention.

So I know Ms. Mahoney is going to try to say that she doesn't know what she is talking about. But I want to stress for everybody, she is the leading authority in the world on the Vienna Convention. So, Ms. Mahoney, when you get to that, just bear that in mind.

Last week's hearing was useful. We heard testimony from Ms. Eileen Denza. Professor Denza stated quite clearly that it is not my view, and I am quoting here, it is not my view that the documents, which are clearly in the possession of the firms which have been subpoenaed, are entitled to inviolability. It is also my view that the implications of accepting the proposition put forward that these archives are inviolable would be very far reaching and very dangerous, end quote.

Let me repeat what she said. Very far reaching and very dangerous. When Professor Denza was asked if the Saudi legal theory could be used to protect documents of spies and terrorists, their theory, she said yes. I think there is no distinction in principle.

Now, I want everyone from the State Department and the Justice Department to hear that. Let me read that to you one more time. That is important. She is the leading authority in the world. When Professor Denza was asked if the Saudi legal theory could be used to protect the documents of spies and terrorists, we are concerned about that right now, she said yes. I think there is no distinction of principle.

Now, I want everyone from the State Department and the Justice Department to hear that. I presume there is some of you here

today because we asked you to be here. According to world's leading authority on the Vienna Convention, the Saudi theory is wrong. And it could be used to protect not only these documents that we want, but also documents about terrorism, espionage, and any other activity that is directed by a foreign embassy.

The Saudi theory would also put an end to the Foreign Agents Registration Act, a vitally important law which makes sure that the government and the public know about the activities of agents of foreign governments. I look forward to hearing from the witnesses from the State Department and what they have to say about this matter.

Finally, I want to note that I am deeply disappointed that the Justice Department has declined to appear at this hearing. As I just indicated, this claim of privilege has implications that directly impact the Justice Department and their efforts to investigate terrorism.

However, they informed me yesterday that they would not testify at this hearing, because they're concerned about offering an opinion in a matter where they are later asked to prosecute a contempt citation. If we don't get some answers, I assure you that there will be a move to have a contempt citation in the next Congress. I will see to that, a contempt citation.

I don't think this objection makes very much sense. We aren't going to ask for any advisory opinion about our subpoena. I think that the Justice Department is really failing to defend its considerable interest in this matter, and I can understand the quandary that the State Department and the Justice Department is in, especially since we have a base in Saudi Arabia and that we may be going into a conflict with Iraq.

So I understand that there is a lot of things in this mix. But the thing that needs to be realized by State and Justice and our government is there is Americans who have been kidnapped, who have been held against their will by a government that is supposed to be an ally of ours, and we ought to be doing everything we can to get them back, and we should not be closing our eyes and winking just because we have a base there. There is a lot of places that we could put bases if we need to do our job. We have got floating bases all over the Persian Gulf, and we have got other places that have asked us to put our bases in close proximity to Iraq.

So this just doesn't wash with me. As far as the issue of oil is concerned, as I have said before, we get about 15 percent of our oil from that area right now, not the 50 some percent we used to, and they are not in a position economically like they were 25 or 30 years ago. They have a balance of payments deficit instead of a surplus. So it is unbelievable to me that our government would continue to close their eyes to these things and try to ameliorate the situation with the Saudis when we are talking about American citizens who are being held against their will.

Now, before we go to our panel, I think it is important that we once again set the stage for this hearing. So I want the staff to show a video of some of the testimony we have had so that anyone who is paying attention can see what we are talking about.

So would you roll the tape, please?

[Video played.]

Mr. BURTON. I think what we will do is maybe at the conclusion of the hearing run the rest of this tape, because I think it is very, very important that the American people who may be watching this on C-SPAN get the flavor of really the problem that we have.

But anyhow, to move on with the hearing, did you have any opening statement you would like to make, Dr. Weldon?

[The prepared statement of Hon. Dan Burton follows:]

OPENING STATEMENT
"THE SAUDI CLAIM OF PRIVILEGE: MUST SAUDI LOBBYISTS COMPLY WITH
SUBPOENAS IN THE COMMITTEE'S INVESTIGATION OF CHILD ABDUCTION
CASES? – DAY II"
CHAIRMAN DAN BURTON
DECEMBER 11, 2002

A couple of weeks ago, Prince Nayef, the Saudi Interior Minister, blamed the Jews for September 11. He stated "the Jews have exploited the September 11 events to undermine the image of Arabs before the American people to instigate the latter against the Arabs and Muslims. The question is: who perpetrated the September 11 events and who were the beneficiaries? I think the Jews themselves." This man, Prince Nayef, is the Saudi equivalent of the FBI director. He is supposed to be tracking down Al Qaeda terrorists in Saudi Arabia. He also has a role in resolving these kidnapping cases. I don't think he is on our side if he thinks the Jews are responsible for September 11. If he is part of the

Saudi initiative to solve the abduction cases, it's not only easy to see where the bad faith comes from, it's hard to summon up much optimism for the future.

I start this hearing by discussing Prince Nayef because it's important for the public to understand who we are dealing with, and what kind of people are in control of the Saudi government. Once you understand that, you know why it is so important to have this kind of scrutiny regarding the kidnapping of Americans to Saudi Arabia. You also understand the enormous frustration we feel when Saudi officials and their mouthpieces lie to us.

This is the fifth day of hearings by this Committee on the subject of Americans kidnapped to Saudi Arabia. Why are we holding these

hearings? Simply put, the U.S. government has a choice. It can continue with the status quo, the way these cases have been managed for the last 20 years by the State Department, or it can face the facts. The status quo isn't working. For 20 years, the Saudis have refused to admit that there is a problem. They deny that they are even holding kidnapped Americans. They deny that they have been complicit in kidnappings. The State Department seems to go along with it. It has taken the State Department years to even request that the kidnapped Americans be returned. Who knows if they will ever actually place pressure upon the Saudis to return them.

I don't think we should stand for the Saudis' behavior any longer. In the one year the Committee

has been looking at this issue, we've seen dozens of examples of Saudi deception and deceit. I will outline just a few examples of the ways in which the Saudi government has distorted the facts:

- Just a couple of days ago, we received a call and a letter from a person who described himself as a legal adviser to the Saudi Mission to the U.N. I don't know if he is who he says he is. I hope not. He told us that "there are no kidnappings," and that under international law, a Saudi father has a right to take his daughters. He also said that the Committee's investigation was part of a "vicious campaign" and that Congress is controlled by the Israeli lobby.

- This person's thinking is echoed in many ways by the Saudi Foreign Minister. He wrote to me a few weeks ago saying, "we reject anything that damages our Islamic Sharia (*sha-ree-ah*) on which a total system of the state is founded[.] This Sharia regulates and guarantees all humanitarian rights without any prejudices." Let me translate. He was saying that the Saudis don't have a problem if one of their citizens travels to the U.S. and kidnaps a U.S. citizen. He was saying that he doesn't care if our laws are broken. He even told us when we met that Saudi Arabia doesn't recognize our laws. When we go there, we are supposed to obey their laws. Why shouldn't they obey our laws?

- The Saudi Foreign Minister also sent a letter to Secretary of State Powell in which he accused four American women of kidnapping their children from Saudi Arabia. That might have sounded good, but like most other Saudi talking points, it was a lie. In two of the cases cited by Prince Saud, the American children still live over in Saudi Arabia. In another one of the cases, the American girl was kidnapped from America, held for two years, and then escaped. If the Saudi government is so calculated in its deceptions, how can we believe them on any issue? The things we are complaining about aren't simple misstatements. They are calculated, carefully crafted lies. They are told for a purpose. And they were told by their foreign minister. That's not very encouraging.

- In a letter to the Wall Street Journal, Saudi Ambassador Prince Bandar stated that “some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true.” Prince Bandar’s statement is completely false. This Committee has heard testimony from just a few of the many American parents whose children are held in Saudi Arabia. Even Prince Bandar’s own paid flacks can’t defend his statement. They don’t even try because it is so dishonest. They may take huge sums of money from their Saudi masters, but they won’t tell a whopper that big. In fact, it looks like some of the PR experts – 3 of them at Mr. Petruzzello’s firm – are so tired of representing the Saudis that they quit.

- The Saudi lobbyists have been saying how hard they have been working to resolve the outstanding cases of kidnappings. The truth is that no children have been voluntarily returned by the Saudi government. None. Even worse, there is not even any indication that the Saudis are working to get the answers to basic factual questions about the kidnappings. Michael Rives' two kids have been held for two years. In August we asked whether there was any legal basis to hold those children in Saudi Arabia. There still isn't any answer. The Saudis just want to run out the clock.
- I could go on with dozens of examples of Saudi bad faith. They accused me of offering a million

dollar bribe to Amjad Radwan to make her come to the U.S. They flew Pat Roush's daughters to London so that they could try to make a mockery of the Congressional delegation to Saudi Arabia. The examples go on and on.

That brings us to why we are here today. Because the Saudi government could not get its story straight, because they could not tell us what was going on with the cases we had raised, we issued three document subpoenas to their lobbyists. They refused to comply. Instead, they came up with an unprecedented claim of privilege. They claim that the documents of these lobbyists and PR specialists are "archives and documents" of the Saudi Embassy, entitled to protection under the Vienna Convention on Diplomatic Relations. Let

me translate. The Saudis are hiding these documents. Stonewalling. Obstructing Congress. It's that simple.

Last night, the Saudis made an offer whereby a third party could review the documents and answer questions about them. That's not going to be acceptable to us. But it's really important because it shows that these documents aren't sacred. They just don't want us to look at them.

We tried to have this hearing last week. We invited the three Saudi lobbyists to testify. They refused. We then told them we would issue subpoenas. Their lawyers refused to accept them. Their lawyers claimed that a subpoena issued after adjournment was invalid. Then, when we tried to

serve the lobbyists, they were nowhere to be found. Just another example of Saudi “cooperation.”

I am sure the Saudis thought that if they could skip that one hearing, we would go away and the issue would go away. Well, it’s not quite so easy. We’re holding this hearing again. Mrs. Roush and Mrs. McClain have traveled back to Washington to attend this hearing. The Saudi lobbyists have caused a lot of inconvenience and wasted a lot of time, but we will finally hear from them.

It’s my understanding that the Saudi lobbyists may claim privilege over a lot of matters today. This is unfortunate because when he appeared before the Committee two months ago, Michael Petruzzello answered questions about his communications with

Saudi Embassy staff. According to one of the Saudi Embassy's lawyers, the Saudi government chose to disclose information to the Committee at that hearing, and it is now choosing not to disclose information to the Committee. That's a major point. The Saudis certainly aren't obligated to raise this privilege. Why are they blocking the Committee? The answer is simple. They don't want us to know what is in those documents.

Last week's hearing was useful. We heard testimony from the world's leading authority on the Vienna Convention, Professor Eileen Denza. Professor Denza stated quite clearly that "it is not my view that the documents . . . which are clearly in the possession of the firms which have been subpoenaed are entitled to inviolability. It is also

my view . . . that the implications of accepting the proposition put forward that these archives are inviolable would be very far-reaching and very dangerous.” Let me repeat that: “very far-reaching and very dangerous.” When Professor Denza was asked if the Saudi legal theory could be used to protect the documents of spies and terrorists, she stated “yes . . . I think there is no distinction of principle.”

I want everyone from the State Department and Justice Department to hear that. According to the world’s leading authority on the Vienna Convention, the Saudi theory is wrong, and it could be used to protect not just these documents, but also documents about terrorism, espionage, and any other activity that is directed by a foreign embassy. The Saudi

theory would also put an end to the Foreign Agents Registration Act, a vitally important law which makes sure that the government and the public know about the activities of agents of foreign governments. I look forward to hearing what the witnesses from the State Department have to say about this matter.

Finally, I want to note that I am deeply disappointed that the Justice Department has declined to appear at this hearing. As I just indicated, this claim of privilege has implications that directly impact the Justice Department and their efforts to investigate terrorism. However, they informed me yesterday that they would not testify at this hearing because they are concerned about offering an opinion in a matter where they are later

asked to prosecute a contempt citation. I don't think that this objection makes very much sense. We weren't going to ask for any advisory opinion about our subpoena. I think that the Justice Department is really failing to defend its considerable interests in this matter.

Mr. WELDON. Yes, Mr. Chairman. I just want to commend you once again for your tenacity in pursuing this issue. The holding of American citizens hostage in Saudi Arabia is increasingly becoming a problem. Were it not for your leadership in bringing this to the attention of the committee and to the Congress, I don't know if there would be any forum for those people to really have their grievances addressed.

I do want to say at the outset that not knowing you were going to be having this important hearing today, I scheduled a hearing for the Civil Service Subcommittee, which will be starting in about 20 minutes. Hopefully our hearing won't go that long and I will be able to come back later and join you.

But I consider this issue of extreme importance, and I yield back.

Mr. BURTON. Thank you, Doctor. And I appreciate your help yesterday as well.

We will now hear testimony from our first witness panel.

Pat Roush, Margaret McClain, Michael Petruzzello, Jack Deschauer, Jamie Gallagher, Maureen Mahoney, and Morton Rosenberg.

So would you please rise so I can swear you in.

[Witnesses sworn.]

Mr. BURTON. We have heard lengthy testimony from you, Ms. McClain and Ms. Roush in the past. So if you could keep your testimony, I would like to try to keep everybody to 5 minutes today if we can so we can get to questions. So we will start with you, Ms. McClain.

STATEMENTS OF MARGARET McCLAIN, MOTHER OF HEIDI AL-OMARY; PATRICIA ROUSH, MOTHER OF ALIA AND AISHA GHESHAYAN; MICHAEL PETRUZZELLO, QORVIS COMMUNICATIONS; JACK DESCHAUER, PATTON BOGGS LLP; JAMES P. GALLAGHER, THE GALLAGHER GROUP; MORT ROSENBERG, CONGRESSIONAL RESEARCH SERVICE; AND MAUREEN MAHONEY, LATHAM & WATKINS

Ms. McCLAIN. Chairman Burton and members of the Government Reform Committee, it was clear to everyone who was present at these hearings last week that the Saudi's Washington public relations firms have further damaged their credibility. Dodging this committee's subpoenas was an inexcusable cowardly act. If these firms and their clients of the Saudi Embassy have no criminal activity to hide, then what are they so afraid of?

In the wake of September 11th, these firms have already learned that their association with the criminal enterprises of the Saudis have begun to cost them dearly in terms of their reputations. The spate of recent defections from Qorvis by some of the firm's brightest minds should be an indication of troubles to come. There is an old saying where I come from: You lie down with dogs, you get fleas.

My own relationship with the Saudis entangled me in their web of deceit and violence, but these public relations firms are not looking past the dollar signs in their dealings with an extremely demonic and virulent entity.

Patton Boggs, Qorvis and the Gallagher Group are in bed with a family reminiscent of the crime families that once held decent

Americans hostage. My daughter, Heidi, and I have lived as hostages of the Saudis for several years. But, after September 11th, our whole country has been prey to their Machiavellian schemes.

These public relations firms imagine themselves to be immune from the Saudi's venomous aims. But let me disabuse them of that notion. The Saudis have a long history of letting others do the dirty work for them, leaving their partners on the short end of any deal.

When I appeared here a week ago, I was most encouraged by the remarks of Senator Blanche Lincoln from my home State, wherein she announced new legislation to deal with Saudi and any our child stealers. Senator Lincoln spoke of proposed legislation which would make it mandatory for the State Department to deny U.S. visas not only to the kidnapers, their accomplices, and their families, but to their employers as well.

My child's kidnapper is employed at the ARAMCO Oil Co. I would be only too glad to see all of the Saudi ARAMCO employees stationed at the huge complex in Houston expelled. In addition, any ARAMCO personnel from Dhahran which plans to travel to the United States, including the CEO, Mr. al-Jummah, could be kept out of our country under such legislation.

Mr. al-Jubeir from the Saudi Embassy has given his PR advisers a mandate to try to resolve what he calls child custody issues. This is a ridiculous statement, meant to act as a distraction. PR firms are not law enforcement and thus hardly qualified to handle kidnappings. Their job is to spin the news in their client's favor, and their real mandate is to make the whole embarrassing issue of the Saudi Embassy's complicity in child stealing disappear.

Mr. al-Jubeir needs to be informed that there is no child custody issue in my daughter's case. I have legal custody, and my ex-husband willingly signed a divorce and custody decree issued in an American court. The kidnapper held legal residency status in the United States, and so placed himself under the jurisdiction of American law, and even swore an oath of loyalty to the United States. In this oath, he denied his allegiance to the Saudi royals.

Any involvement of Saudi-financed PR firms in my daughter's case is a blatant conflict of interest and therefore out of the question. Furthermore, Mr. al-Jubeir's suggestions that the National Center on Missing and Exploited Children should be involved in negotiations for my daughter's life is totally off base.

I ask if anyone here has wondered why al-Jubeir has been touting the accomplishments of the International Section at the National Center. There are personnel at the National Center who are or have been on the Saudi Embassy payroll, who have had access to the records of our missing children, who have stabbed various parents in the back at one time or another, and I reject the involvement of these Saudi plants at any cost.

Mr. al-Jubeir went on at length about a bilateral solution to these kidnappings. Who are these bilateral players he is talking about? Translated into ordinary English, he means that the criminals at the Saudi Embassy, their hired guns at the PR and detective firms, their plants in the NCMEC, their pro-Saudi friends at the State Department, and the fugitive Saudi kidnapers themselves will be dictating all of the terms.

Basically al-Jubeir's plan just gives the criminal who stole my daughter a get out of jail free card. I do not believe our government should negotiate with criminals. Nothing short of the unconditional return of our American children is acceptable.

Those matters are criminal cases, not child custody disputes. If Saudi Arabia is serious about resolving these cases, then they must send our children home immediately and arrest and extradite the kidnapers for trial in the United States. My daughter's kidnapper faces multiple county, State, Federal and Interpol charges for which he must be held to account.

In the past the Saudis mouthpieces have intercepted my e-mails, threatened Pat Roush, Monica Stowers, Maureen Dabbagh and me. They invade our privacy and keep voluminous files on all of us, which they dutifully turn over to their Saudi handlers. This brings me to one of the disturbing aspects of the recent behavior of Qorvis, Patton Boggs and the Gallagher Group. In reading the subpoenas issued to representatives of the three firms, I came across a most distressing information that these firms at the instigation of the Saudis have apparently engaged the services of private detectives to dig up dirt on the parents of their kidnapped victims in an attempt to harass, intimidate and victimize us further.

Perhaps this explains the mysterious hang-up phone calls in the middle of the night, the hacking of our computers and Web pages, and the Arabic speaking phone stalkers that have been pursuing some parents. In the wake of our 1998 announcement that we would be boycotting ARAMCO's partner Texaco, one of our missing children's Web sites was accessed thousands of times from inside Saudi Arabia, and then repeatedly hacked.

That is when the harassment from PR began. Coincidence? I think not. I am beginning to feel like the rape victim under cross-examination by the rapist's lawyer. That is how I feel about the rapacious Saudi Embassy and their lackeys. They take sadistic pleasure in torturing and enslaving innocent women and children and then twisting the knife in the wound.

While cash-flows from the Saudi Embassy to kidnapers and terrorists, the wives of present and former U.S. officials have paid a courtesy call on the Saudi Ambassador's wife to commiserate with her in her embarrassment. Her embarrassment—

Mr. BURTON. Could you sum up? Because, like I said, I want to make sure that we stay as close to 5 minutes as possible. But thank you.

Ms. MCCLAIN. Just a minute.

Mr. al-Jubeir bemoans the fact that the attitude of Americans toward his country is bordering on hate. Let me remind the Saudi Embassy that the murder of American civilians, the teaching of hate against us in their schools, their espionage on American victims, their refusal to cooperate with the Government Reform Committee, and the stealing and selling of our women and children, these are not conducive to a big love fest between us and the Saudis.

Thank you.

[The prepared statement of Ms. McClain follows:]

1498

The Saudi Claim of Privilege: Must Saudi Lobbyists
Comply with Subpoenas in the Committee's
Investigation of Child Abduction Cases?

Part II

Presented to
The House Committee on Government Reform
Chairman Dan Burton

By
Margaret McClain
December 11, 2002

Chairman Burton and Members of the Government Reform
Committee!

It was clear to everyone who was present at these hearings last week that the Saudis' Washington public relations firms have further damaged their credibility. Dodging this Committee's subpoenas was an inexcusably cowardly act. If these firms and their clients at the Saudi Embassy have no criminal activity to hide, then what are they so afraid of? In the wake of 9-11, these firms have already learned that their association with the criminal enterprises of the Saudis have begun to cost them dearly in terms of their reputations. The spate of recent defections from Qorvis by some of the firm's brightest minds should be an indication of troubles to come. There's an old saying where I come from: "You lie down with dogs; you get fleas."

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once held decent Americans hostage. My daughter Heidi and I have lived as hostages of the Saudis for several years, but after 9-11, our whole country has been prey to their Machiavellian schemes. These public relations firms imagine themselves to be immune from the Saudis' venomous aims, but let me disabuse them of that notion. The Saudis have a long history of letting others do the dirty work for them, leaving their partners on the short end of any deal.

When I appeared here a week ago, I was most encouraged by the remarks of Senator Blanche Lincoln from my home state, wherein she announced new legislation to deal with Saudi and any other child stealers. Senator Lincoln spoke of proposed legislation which would make it mandatory for the State Department to deny U.S. visas not only to the kidnapers, their accomplices, and their families, but to their employers as well. My child's kidnapper is employed at the ARAMCO Oil Company. I would be only too glad to see all the Saudi ARAMCO employees stationed at the huge complex in Houston expelled. In addition, any ARAMCO personnel from Dhahran with plans to travel to the U.S., including the CEO Mr. Al-Jumamah, could be kept out of our country under such legislation.

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custody issues." This is a ridiculous statement, meant to act as a distraction. PR firms are not law enforcement, and thus hardly qualified to handle kidnappings. Their job is to spin the news in their clients' favor, and their real mandate is to make the whole embarrassing issue of the Saudi Embassy's complicity in child-stealing disappear. Mr. Al-Jubeir needs to be informed that there is no child custody issue in my daughter's case; I have legal custody, and my ex-husband willingly signed a divorce and custody decree issued in an American court. The kidnapper held legal residency status in the United States, and so placed himself under the jurisdiction of American law, and even swore an oath of loyalty to the United States. In this oath, he denied his allegiance to the Saudis royals.

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had access to the records of our missing children, who have stabbed various parents in the back at one time or another, and I reject the involvement of these Saudi plants at any cost.

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their lackeys -- they take sadistic pleasure in torturing and enslaving innocent women and children and then twisting the knife in the wound.

While cash flows from the Saudi Embassy to kidnapers and terrorists, the wives of present and former U.S. officials have paid a courtesy call on the Saudi Ambassador's wife to commiserate with her in her embarrassment. Her embarrassment is nothing compared to the losses we mothers have suffered at the hands of Saudi criminals; nothing compared to what the families of the 9-11 victims have undergone due to the Saudi Embassy's financing of murderers; nothing compared to the enslavement of our little children. The Saudi Ambassador's mouthpiece, Mr. Al-Jubeir, bemoans the fact that the attitude of Americans toward his country is "bordering on hate." Let me remind the Saudi Embassy that the murder of American civilians, the teaching of hate against us in their schools, their espionage on American victims, their refusal to cooperate with the Government Reform Committee, and the stealing and selling of our women and children -- these are not conducive to a big love-fest between us and the Saudis.

Mr. BURTON. Thank you, Ms. McClain. Ms. Roush.

Ms. ROUSH. Good morning. I don't have a prepared statement this morning. But I would like to make a couple of points. First of all, Ms. Diane Andruch I see is on the witness list. She is representing the State Department. She is the same little lady who sat here in the last couple of hearings with her little scarves on and her little pert hairdos.

In the meantime, she was the hatchet job lady for my daughters and gave the order that these characters to my left to be able to do that little deed they did to my daughters in London. I would like for the committee to address Ms. Andruch and ask her why she gave the order when al-Jubeir requested it for the American Embassy to send someone to that hotel in London to interview my daughters without my knowledge, when Randy Carolino called me and asked me for my permission to make this happen, and I said no, and they went ahead and did that anyway.

The second point I would like to make is, there is a letter here addressed to the committee chairman by Ms. Leslie Kiernan, who is the representative of Mr. Petruzzello from Zuckerman Spaderman. In the letter she says that the committee—Mr. Petruzzello will appear, but she objects to the way that the committee treated Mr. Petruzzello the last time that he was here.

I am wondering if Ms. Kiernan and Mr. Petruzzello and the Patton Boggs representative and Jamie Gallagher realize what they have done to my daughters. And if they object to Mr. Petruzzello and the others being here, as exemplified by last week's little shenanigans with him running away, with all of them running away from Federal marshals, what do they have to hide?

Do they ever think about, does it ever keep them awake at night what they have done to my innocent daughters? They object to being here and being asked some questions from the committee concerning this dastardly deed. I think not.

What are they hiding? Why won't they produce those documents? I believe that these documents are so incriminating that we can trace evidence to Prince Bandar and to al-Jubeir. Al-Jubeir is the spin doctor who is referred to in the Weekly Standard this week, under the article Spin Doctors, as a lying son of a bitch. I think he is a pathological liar and a menace to America. He has caused me and my family a great deal of pain, and he should be held responsible for this, and he should be kicked out of the United States *persona non gratis*.

And Petruzzello, the people from Patton Boggs and Jamie Gallagher should be held responsible for what they did to my daughters. But I can tell you one thing, Mr. Chairman, the clock—they may think the clock is going to run out for you, but the clock will never run out for me.

I am going to bring this to world forums, and my book is coming out and a film. So help me God, the clock will never run out, and they will be held responsible one way or the other.

Thank you.

Mr. BURTON. Thank you, Ms. Roush.

Mr. Petruzzello.

Mr. PETRUZZELLO. Mr. Chairman, members of the committee, my name is Michael Petruzzello. I am the Managing Partner of Qorvis

Communications, an outside communications firm for the Saudi Embassy in Washington.

I am here today in response to the committee's subpoena. As I explained when I testified before the committee in October of this year, Qorvis Communication was hired late last year to assist the Saudi Embassy on media and communication matters in the United States. The vast majority of our communications work is related to the war on terrorism and bilateral U.S.-Saudi relations. We do not set or implement policy.

I understand that I am being asked to testify today regarding Qorvis' response to the committee's document subpoena and the Vienna Convention. I am not an attorney, and I am not the person at Qorvis who is responsible for subpoena compliance. In addition, I am not an expert on the Vienna Convention.

As I understand it, counsel has advised the committee that the Royal Embassy of Saudi Arabia has asserted that the documents are protected by the Vienna Convention, as well as other legal privileges.

Pending a resolution of these legal issues between the Embassy and the committee, Qorvis cannot produce the documents. I do not believe I can add anything to the committee's consideration of these legal matters.

Furthermore, as the committee is aware, I have already testified at great length regarding the underlying child abduction issue.

Before closing, I would like to respond to the accusation that I acted improperly by not appearing at the hearing last week. Nothing could be further from the truth. I worked all day Tuesday and tried to prepare for the hearing in the event I was called, and I did not evade service. I was home Tuesday night and Wednesday morning.

With that, I will answer any questions I can.

Mr. BURTON. The U.S. Marshal came to both your office and your house but you say you were home?

Mr. PUTNAM. I was not home at that—when they came to my house.

Mr. BURTON. Well, we will ask your colleagues from the other PR firms where they were, too, because all three of you were missing, couldn't find you. But we will take you at your word.

Mr. Deschauer.

Mr. DESCHAUER. Mr. Chairman, Dr. Weldon, I am John J. Deschauer, Jr. I am an attorney at the law firm of Patton Boggs. The Embassy of Saudi Arabia retained us in November 2001 to provide them with legal advice and counsel regarding developments within the executive and legislative branches of the U.S. Government affecting the U.S.-Saudi Arabian bilateral relationship.

In June of this year, after your committee held its first hearing on the subject of international child custody cases and the Kingdom of Saudi Arabia, we were specifically asked to counsel the government, again through the Embassy, on the legal issues concerning the subject of child custody, and to provide advice to the government of Saudi Arabia on ways to bridge the gap between two very different legal systems in ways that protect the interests of the children in question and help to reunite them with their families.

At the outset, let me acknowledge that it has been this committee's personal involvement and public hearings that have brought this very serious issue to the forefront. At the same time as a parent myself, I have read every word spoken by the parents who have testified before this committee. I can only begin to imagine the pain that these people have suffered in these cases.

While we are advising our client on the legal issues involved, I cannot nor will I—cannot nor will not put out of my mind the harrowing stories that these parents have hold.

The Kingdom of Saudi Arabia believes international child custody is a serious global problem. It is the position of the Saudi government, as made in their public statements, that every effort must be made to develop a resolution that protects and promotes the interests of the child, while recognizing the rights of both parents.

Accordingly, our firm has been asked by our client to provide it with legal advice concerning the subject of international child custody, existing and potential multilateral and bilateral frameworks, and possible U.S.-Saudi protocols to address these issues.

You have asked me here today to testify about the application of the Vienna Convention to the subpoena sent to Patton Boggs on October 10, 2002 by committee counsel, James Wilson.

The subpoena directs a variety of documents relating to this firm's representation of the Royal Embassy of Saudi Arabia. I am not an expert in either Vienna Convention or the attorney-client privilege. I have attempted to address these issues in my written statement.

I would also like to address the circumstances surrounding last week's hearing. I want to make it clear that I am appearing voluntarily, that my inability to appear last week was the result of a last-minute notice and a long-planned personal trip, and that the embassy in no way instructed or otherwise encouraged me not to appear.

I am here voluntarily today and ready to answer your questions within the bounds of my ethical obligations to my client.

Thank you, sir.

[The prepared statement of Mr. Deschauer follows:]

STATEMENT OF JOHN J. DESCHAUER
BEFORE THE HOUSE COMMITTEE ON GOVERNMENT REFORM
DECEMBER 11, 2002

I am John J. Deschauer, Jr., an attorney at the law firm, Patton Boggs. We were retained by the Embassy of Saudi Arabia in November of 2001 to provide them with legal advice and counsel regarding developments within the Executive and Legislative Branches of the U.S. Government affecting the United States - Saudi Arabian bi-lateral relationship.

In June of this year, after your Committee held its first hearing on the subject of international child custody cases and the Kingdom of Saudi Arabia, we were specifically asked to counsel the Government, again through the Embassy, on the legal issues concerning the subject of child custody and to provide advice to the Government of Saudi Arabia on ways to bridge the gap between two very different legal systems in ways that protect the interests of the children in question and helps to reunite them with their families. At the outset, let me acknowledge that it has been this Committee's personal involvement and its public hearings that have brought this very serious issue to the forefront.

At the same time, as a parent myself, and I have read every word spoken by the parents who have testified before your Committee, I can only begin to imagine the pain that these people have suffered in these cases. While we are advising our client on the legal issues involved, I cannot nor will not put out of my mind, the harrowing stories that these parents have told.

The Kingdom of Saudi Arabia believes that international child abduction is a serious global problem. According to one report, there are 350,000 cases of child abduction *every year* in the United States. The same report noted that there are 10,000 cases involving U.S. children held in foreign countries because of custody disputes between one parent of U.S. citizenship and one of a different nationality.¹ According to the U.S. Department of State, they have been

¹ "The Epidemic of Parental Child-Snatching: An Overview, Attempts to Prevent Parental Child Abduction; applicable United States Laws, and the Hague Convention." [Http://travel.state.gov/je_prevention.html](http://travel.state.gov/je_prevention.html)

contacted about the cases of approximately 16,000 children either abducted from the United States or prevented from returning to the United States by a parent since the 1970s.

The problem is so prevalent the State Department has established the Office of Children's Issues to develop and coordinate policies and programs and provide direction to Foreign Service posts on international parental child abduction. According to that office, about half the cases brought to its attention involve "children abducted from the United States to other countries and most of those cases involve Mexico, Canada, U.K., Germany and France." From available statistics, it is clear that international child abduction has become a global epidemic. Needless, to say, the highly charged emotional issues that lead a parent to abduct a child make the resolution of these cases very difficult and complex. It is the position of the Saudi Government that every effort must be made to develop a resolution that protects and promotes the interests of the child while recognizing the rights of both parents. Accordingly, our firm has been instructed by the Saudi Embassy to work constructively with your Committee, appropriate federal agencies, and other organizations to develop legal approaches for addressing these issues.

You have asked me here today to testify about the application of the Vienna Convention to the subpoena sent to Patton Boggs on October 10, 2002 by the Committee Counsel, James Wilson. The subpoena directs a variety of documents relating to this firm's representation of the Royal Embassy of Saudi Arabia. I want to state at the outset that I am not an expert in either the Vienna Convention or the attorney-client privilege. I will nevertheless attempt briefly to explain our position.

As you are aware, subpoenas to law firms are the exception. Before a government attorney may ask that a grand jury subpoena be directed to a lawyer or law firm, for example, the Department of Justice requires the prior approval of the Assistant Attorney General for the Criminal Division, and only then when it appears that the material may not be obtained from any alternative source without compromising an ongoing criminal investigation. *See* United States Attorneys Manual, § 9-11.255. This scrupulousness arises from the importance of the attorney client relationship in our system of justice and the common sense fact that requiring a lawyer to become a witness in relation to his own client runs the grave risk of destroying that relationship.

It arises, too, from the fact that lawyers are not free agents when it comes to subpoenas directed to documents about our clients. To the contrary, the ethical rules by which we are bound require us to assert any colorable privilege our client may possess. As the District of Columbia Bar has made clear: "All of the authorities of which we are aware that have addressed this question uniformly suggest that a lawyer has an obligation in the legislative process to raise all available, legitimate objections to a Congressional subpoena for confidential client information." District of Columbia Bar, Committee on Ethics, Opinion No. 288, Adopted February 16, 1999. Likewise, the prevailing law in the District of Columbia confirms that client files, while in our control, are nevertheless the property of our clients, who may ask for their unconditional return at any time.

The Committee has received a letter from the Royal Embassy of Saudi Arabia that, while emphasizing Saudi Arabia's readiness to work towards constructive solutions to the problems you are addressing, confirms that Patton Boggs and others of its retained professionals have been directed to assert all applicable privileges to the Committee's subpoena. We have been similarly instructed, by letter dated October 21, 2002, from Prince Bandar bin Sultan bin Abdulaziz, Ambassador to the United States, "not to produce the contents of any files relating to the work performed on behalf of the Embassy."

In brief, we understand that the Vienna Convention on Diplomatic Relations, April 18, 1961, 23 U.S.T. 3327, TIAS No. 7502 ("Vienna Convention"), to which Saudi Arabia and the United States are signatories, to provide that "[t]he archives and documents of the mission shall be inviolable at any time and wherever they may be." Article 24. These protections, intended for the express purpose of "ensure[ing] the efficient performance of the functions of diplomatic missions as representing States," are fully applicable here. As Prince Bandar's letter confirms, we have been retained by the Embassy to assist with the performance of what the Vienna Convention characterizes as core diplomatic functions, including (i) "representing the sending State in the receiving State"; (ii) "protecting in the receiving State the interests of the sending State and of its nationals" and (iii) "negotiating with the Government of the receiving State" (iv) "ascertaining by all lawful means conditions and developments in the receiving State"; and (v) "promoting friendly relations" between the States. Vienna Convention, Article 3. In

analogous circumstances, the United States District Court for the District of Columbia has held that the immunity conferred by the Vienna Convention, codified in Section 5 of the Diplomatic Relations Act of 1978, 22 U.S.C. § 254d, requires that a subpoena issued to an Ambassador to testify in a criminal case be quashed. *United States v. Michael Deaver*, 1987 WL 13365 (D.D.C.). It is well-settled that a party asserting a privilege may do so even if the documents are sought from a third party, *United States v. American Telephone & Telegraph Co.*, 567 F.2d 121, 129 (D.C. Cir. 1977). The “fortuity that documents sought by a Congressional subpoena are not in the hands of a party claiming injury from the subpoena” does “immunize that subpoena from challenge by that party,” *ibid.*; nor does it relieve Patton Boggs of its obligation to assert the privilege on behalf of its client.

Additionally, a substantial number of the documents in our possession are also protected by the attorney client privilege, which protects communications to counsel which (a) intended to be confidential; (b) made primarily for the purpose of obtaining legal advice or assistance; and (c) necessary for that purpose. *Coleman v. American Broadcasting Companies*, 106 F.R.D. 201, 205 (D.D.C. 1985); *Covington & Burling v. Food & Nutrition Service*, 774 F. Supp. 314, 323 (D.D.C. 1990). As the Court of Appeals for the Seventh Circuit has made clear, the privilege applies equally to counsel retained to review Congressional hearings, analyze legislation, and prepare for testimony. *Westinghouse Elec. Corp. v. Kerr-McGee Corp.*, 580 F.2d 1311, 1313, 1320 (7th Cir.), *cert. denied*, 439 U.S. 955 (1978); *see also United States v. Conservation Chem. Co.*, No. 82-0983-CV-W-5, 1986 U.S. Dist. LEXIS 25730 at *25 (W.D. Mo. May 8, 1986).

I would also like to address the circumstances surrounding last week’s hearing. I was invited to testify before the Committee on the issue of the Vienna Convention and its applicability to the Committee’s subpoena. We received the invitation on the evening of November 27th after our offices had closed for the Thanksgiving Holiday.

On the first business day after the Thanksgiving Holiday, Monday morning, December 2nd, we responded by informing the Committee that I was not the expert on the Vienna

Convention and was not the custodian of the records. We offered to designate a witness from Patton Boggs and suggested that the Committee invite Ms. Maureen Mahoney of Latham and Watkins as the expert witness concerning the Vienna Convention. The Committee counsels knew Ms. Mahoney to be the expert and had in fact met with her and received two letters from her on the subject. The Committee counsels even knew that Ms. Mahoney had discussed the issues with Professor Denza.

Despite this proffer, we received a letter from Mr. Wilson, again after our office had closed for the day on the evening of December 2nd. That short letter announced a different reason the Committee wanted me to appear and asked whether we would accept service by fax.

On Tuesday, December 3rd, we replied and declined to accept informal service and restated our position that with proper notice of the subject matter and adequate time to prepare, Patton Boggs would make me available or designate a witness to appear. By the time the Marshal attempted to serve me, on Tuesday evening, I was out of town on a trip that my wife had arranged at least two weeks earlier. When extending the original invitation, the Committee never attempted to ascertain my availability on December 4th.

Nevertheless, on the morning of December 4th, Ms. Maureen Mahoney, the lead attorney for the Embassy on the Vienna Convention issue was present in the hearing, willing and able to testify. Yet the Committee refused to permit her to testify. Also, prior to the hearing, our counsel on this matter, Mr. Robert Luskin, delivered a letter to the Committee again stating my

1513

willingness to appear voluntarily, without the need for a subpoena, at any time, provided that I received adequate notice of the time and subject matter that I was expected to testify about.

Despite this request, on Friday, December 6th, we learned that the Committee was planning to hold another hearing today from a newspaper opinion column, which by the way, completely mischaracterized or ignored the facts I have just related. We again wrote to the Committee and again volunteered my appearance and asked for notice. It was only after we sent a letter to the Committee asking about this hearing that we received a letter from the Committee informing us of today's hearing and its interest in having me testify.

I am voluntarily here today and ready to answer your questions.

Mr. BURTON. Thank you, Mr. Deschauer.
Mr. Gallagher.

Mr. GALLAGHER. Mr. Chairman, Dr. Weldon, my name is Jamie Gallagher. I am 39 years old, self-employed in a consultant and lobbying business, the Gallagher Group, LLC. I am not a lawyer. My counsel, James D. Wareham, is here with me today.

For 4½ years, I served as the Senior Policy Analyst for the Republican Study Committee here in the U.S. House of Representatives. During that period, Mr. Chairman, you served as the Study Committee's vice chairman, and I was fortunate to work closely with you and your staff on a wide range of issues.

From there I served as Director of Congressional Affairs at the Defense Base Closure and Realignment Commission from 1991 and 1993. I then joined the staff of Senator Judd Gregg, your former colleague, as Legislative Director.

I subsequently served as his Administrative Assistant, and ran his Washington, DC, office. In 1995, I joined the lobbying firm of Boland and Madigan as a vice president. In January 2000, I left Boland and Madigan to fulfill my entrepreneurial dreams and start my own lobbying and consulting business.

On November 15, 2001, I was retained by the Royal Embassy of Saudi Arabia, through Qorvis Communications, LLC, to advise the Embassy on its relationship with the U.S. Congress, and to a lesser extent with the executive branch. I often confer with Members of Congress and their staff on matters of mutual interest.

On October 8, 2002, this committee subpoenaed the Gallagher Group in connection with its investigation of whether any children of Saudi and American parents who are being kept by one parent in Saudi Arabia wish to return to the United States, but have been prevented from doing so.

I was not retained by the Embassy to advise them on the handling of cases under investigation and have no direct knowledge about any of those cases.

Immediately after receiving the subpoena, I gathered all documents requested by the committee. All of the documents were prepared or maintained in my capacity as a registered agent of the Embassy. Upon learning of this committee's demand for documents belonging to the Embassy, the Saudi Ambassador wrote me on October 21, 2002, to request that I refrain from producing the documents to this committee, because they are protected by the Vienna Convention.

After reviewing analyses prepared by counsel for the Embassy, a letter prepared by the staff of this committee, and consultation with my own counsel, I concluded I must honor the Saudi Ambassador's request. I am not a lawyer and I know very little about the complexities of the Vienna Convention.

U.S. Department of State, the Department of Justice and the Royal Embassy of Saudi Arabia are far more competent than I to express a view on the scope of the Vienna Convention. As I understand it, both the Departments of State and Justice believe the Embassy has raised this issue in good faith, and both agencies are in the process of carefully studying the Convention and analogous legal precedents.

I hold the institution of the House of Representatives in highest possible esteem. Indeed, I spent many years working as a staff and the Members in this body. I believe firmly, however, that I am not qualified to address the legal questions addressed by this committee's effort to obtain access to documents belonging to and reflecting confidential advice provided to the Saudi Embassy. In addition, I have not been involved in handling the cases that are at the core of this committee's investigation.

In conclusion, I am appearing here today to be interrogated on a highly technical legal matter with which I am nearly entirely unfamiliar. I ask the committee to respect the position that I am in and recognize the limited value to be afforded by my testimony.

[The prepared statement of Mr. Deschauer follows:]

**OPENING STATEMENT OF JAMES P. GALLAGHER
FOR THE DECEMBER 11, 2002 HEARING BEFORE THE
COMMITTEE ON GOVERNMENT REFORM OF
THE UNITED STATES HOUSE OF REPRESENTATIVES**

My name is Jamie Gallagher. I am 39 years old. I am self-employed. My consulting and lobbying business is The Gallagher Group, LLC. I am not a lawyer. My counsel, James D. Wareham, is here with me today.

For four and a half years, I served as the Senior Policy Analyst for the Republican Study Committee in the United States House of Representatives. During that period, Mr. Chairman, you served as the Study Committee's Vice Chairman and I was fortunate to work closely with you and your staff on a wide range of issues. From there, I served as Director of Congressional Affairs at the Defense Base Closure and Realignment Commission from 1991-1993. I then joined the staff of Senator Judd Gregg, your former colleague, as Legislative Director. I subsequently served as his Administrative Assistant and ran his Washington, DC office. In 1995, I joined the lobbying firm of Boland and Madigan as a vice president. In January 2000, I left Boland and Madigan to fulfill my entrepreneurial dreams and start my own small lobbying and consulting business.

On November 15, 2001, I was retained by the Royal Embassy of Saudi Arabia, through Qorvis Communications, LLC, to advise the Embassy on its relationship with the United States Congress and, to a lesser extent, with the Executive Branch. I often confer with Members of Congress and their staff on matters of mutual interest.

On October 8, 2002, this Committee subpoenaed The Gallagher Group in connection with its investigation of whether any children of Saudi and American parents who are being kept by one parent in Saudi Arabia wish to return to the United States, but have been prevented from

doing so. I was not retained to advise the Embassy on the handling of the cases under investigation and have no direct knowledge about any of those cases.

Immediately after receiving the subpoena, I gathered all documents requested by the Committee. All of the documents were prepared or maintained in my capacity as a registered agent of the Embassy. Upon learning of this Committee's demand for documents belonging to the Embassy, the Saudi Ambassador wrote me on October 21, 2002 to request that I refrain from producing the documents to this Committee because they are protected by the Vienna Convention. After reviewing analyses prepared by counsel for the Embassy, and a letter prepared by the staff of this Committee, and after consultation with my own counsel, I concluded that I must honor the Saudi Ambassador's request.

I am not a lawyer, and I know very little about the many complexities of the Vienna Convention. The United States Department of State, the Department of Justice, and the Royal Embassy of Saudi Arabia are all far more competent than I to express a view on the scope of the Vienna Convention. As I understand it, both the Departments of State and Justice believe that the Embassy has raised this issue in good faith, and both agencies are in the process of carefully studying the Convention and analogous legal precedents.

I hold the institution of the House of Representatives in the highest possible esteem. Indeed, I spent many years working as a staff member in this body. I believe firmly, however, that I am not qualified to address the legal questions raised by this Committee's effort to obtain access to documents belonging to, and reflecting confidential advice provided to, the Saudi Embassy. In addition, I have not been involved in handling the cases that are at the core of this Committee's investigation.

1518

In conclusion, I am appearing here today to be interrogated on a highly technical legal matter with which I am nearly entirely unfamiliar. I ask that the Committee respect the position I am in and recognize the limited value to be afforded by my testimony.

Mr. BURTON. Mr. Gallagher, before we go to Mr. Rosenberg, I would just like to ask you, you do know that when an agency or an individual gets a subpoena from the U.S. Congress and they refuse to honor that subpoena, they run the risk of being held in contempt by the Congress. You do understand that?

Mr. GALLAGHER. Yes, Mr. Chairman.

Mr. BURTON. I just wanted to make sure that you understood that, because the Saudi Government, even though they are a client of yours, they are asking you not to do that, they have no authority to put you in legal jeopardy. But the subpoena that we have sent does, and we intend to pursue those documents, because we think they are very important as far as these women and kids are concerned.

Mr. Rosenberg.

Mr. ROSENBERG. Thank you, Mr. Chairman, Dr. Weldon. My name is Morton Rosenberg. I am a specialist in American public law at the Congressional Research Service at the Library of Congress.

You have asked me here today to address two legal questions that have been raised in your proceedings. One is the lack of the authority to hold this hearing and to issue subpoenas during an adjournment of the Congress and to enforce those subpoenas.

And, second, you have asked me to say something about the efficacy of the attorney/client privilege claims before congressional committees. I have submitted a written statement which at length deals with these issues. I will shorten, briefly give you my conclusions.

The Patton Boggs assertion to your committee that your committee has no authority to engage in investigative oversight activity after the adjournment sine die of the House appears to lack a substantive basis. It is founded essentially on two Office of Legal Counsel opinions, the Justice Department's Office of Legal Counsel opinions which rely essentially on the fact that when Congress adjourns it can't pass any laws. And from that they deduce that not being able to pass laws, they can't do oversight, they can't investigate, they can't prepare for when Congress comes back in session.

This is, of course, reputed by the fact that we are here today. That is some evidence of your authority. But the House and the Senate, by rules of their respective Houses, have authorized all of their standing committees to meet, hold investigative hearings, and to issue subpoenas during adjournments and recesses.

Those rules are authorized by the Congress, which authorizes each House to promulgate rules for their activities. The allowance of committees to operate during recesses and adjournments have been recognized as far as back as 1790 by Thomas Jefferson in his writings. Indeed, if a proper contempt resolution is issued by a standing committee during this adjournment period, it may be reported by the Speaker of the House, who after due consideration of the committee's report, may forward it to the U.S. Attorney for the District of Columbia for prosecution.

The only pertinent court opinion on the Senator Bayh issue supports your legislative authority. In that opinion, the Seventh Circuit Court of Appeals vacated an order of a direct court which challenged the right of a committee to act during a recess in the effi-

cacy of a subpoena and said that court rather surprisingly denies the right of Congress to conduct business through its committees after it adjourns, even though all adjournment means is that the Congress is in recess. The Congress does not end until the congressional term expires. In this year it's January 3rd.

With respect to the congressional practice with respect to the common law testimonial privileges, that also has been recognized as being a matter that is in the discretion of the Chair and ultimately in the committee that is issuing subpoenas. Your committee and other committees, especially over the last—this discretion has been recognized since the 19th century, and over the last 25 years has been developed extensively, to the extent that committees like yours test each assertion of attorney-client privilege, which is welcomed individually, with particular regard whether a court would accept such a claim.

On the basis of the record before you, it would appear quite unlikely that the three firms retained by the Saudi embassy would meet the high burden necessary to establish such a claim. Of significant import, I believe, is the correspondence with the—the correspondence with the committee does not indicate that the firms are doing predominantly legal work for the Embassy but rather lobbying work or consulting work which courts have consistently found insufficient to invoke the privilege.

You have invited, however, in your subpoenas and in your letters, these firms to present privilege logs, which hopefully would establish that they are doing actual legal work for the Embassy, and those, you know, could be considered by you then. As of now, though, it's my understanding that there has been no attempt to support their claims.

I would be pleased to answer questions about both of these legal issues if you wish.

Mr. BURTON. Thank you, Mr. Rosenberg; and we appreciate always your legal expertise and the information you give this committee.

[The prepared statement of Mr. Rosenberg follows:]



STATEMENT

OF

**MORTON ROSENBERG
SPECIALIST IN AMERICAN PUBLIC LAW
CONGRESSIONAL RESEARCH SERVICE**

BEFORE THE

HOUSE COMMITTEE ON GOVERNMENT REFORM

CONCERNING

**THE LEGAL SUBSTANTIALITY OF CLAIMS OF TESTIMONIAL PRIVILEGE
AND LACK OF AUTHORITY OF A CONGRESSIONAL COMMITTEE TO
SUBPOENA RECORDS FROM DOMESTIC FIRMS UNDER CONTRACT TO
THE EMBASSY OF SAUDI ARABIA TO PROVIDE LOBBYING AND PUBLIC
RELATIONS SERVICES**

PRESENTED ON

DECEMBER 11, 2002

Mr. Chairman and Members of the Committee

My name is Morton Rosenberg. I am a specialist in American Public Law in the American Law Division of the Congressional Research Service (CRS). Among my areas of professional concern at CRS are the problems raised at the interface of Congress and the Executive, and Congress and private sector persons, which involve the scope and application of congressional oversight and investigative prerogatives. Over the years I have been involved in advising Congress in a number of investigations, including Iran-Contra, Rocky Flats, Whitewater, Travelgate, Filegate, campaign fund raising during the 1996 election, and the Clinton impeachment inquiry, as well as significant oversight disputes with private sector entities. My involvement has been advising Members and staff, majority and minority, on such matters as organization of the probes, subpoena issuance and enforcement, the conduct of hearings, and contempt of Congress resolutions, and it has required my dealing with a wide variety of legal and practical issues.

You have asked me here today to provide legal and historical background to assist the Committee in assessing the legal substantiality of claims of testimonial privilege and lack of authority of your Committee to subpoena records from domestic firms under contract to the Embassy of Saudi Arabia to provide lobbying and public relations services. The claims have arisen in the course of an investigation the Committee instituted earlier this year regarding the removal of children who are United States citizens to Saudi Arabia and the refusal of that Kingdom's government to assist in the repatriation of those children to their citizen parents who remain in the United States. After extensive efforts to gather information and effect an accommodation for the return of the children, which included an unsuccessful visit to the Kingdom by senior Committee staff, subpoenas were duly issued by the Committee on October 8, 2002, to three domestic firms -- Patton Boggs, LLP, Qorvis Communication, and the Gallagher Group -- who have been retained by the Embassy to "advise the Embassy and represent [] the Embassy (including speaking on its behalf) in discussions with the U.S. government, the media, and other groups."¹ All three firms are registered as foreign agents pursuant to the requirements of the Foreign Agents Registration Act (FARA).²

On October 22, 2002, the the Saudi Arabian Ambassador notified the Chairman that it had directed the three firms not to respond to the Committee's subpoenas on the grounds that the Embassy "retained these firms to assist in the performance of core diplomatic functions" which are protected from disclosure by Sections 24 and 27 of the 1961 Vienna Convention on Diplomatic Relations (Vienna Convention).³ On the same date the three firms informed the Chairman of the Ambassador's direction to claim diplomatic privilege, and in addition each asserted claims of attorney-client and work product privilege. More recently, by letter of December 3, 2002, Patton Boggs raised the question of the continued authority of the Committee to issue and enforce subpoenas since the House of Representatives adjourned *sine die* on November 22, 2002.

¹ Letter to James C. Wilson, Chief Counsel, House Committee on Government Reform from Maureen E. Mahoney, Latham and Watkins, dated November 27, 2002. (Mahoney Letter).

² 22 U.S.C.A. 611-621 (2002).

³ 23 U.S.T. 3327, TIAS No. 7503 (April 18, 1961).

Last week you heard testimony from an expert on the Vienna Convention, Professor Eileen Denza of University College London, who concluded that neither Section 24 or Section 27 of that treaty prevented congressional access to the subpoenaed documents: “[I]t is not my view that the documents in the --- which are clearly in the possession of the firms which have been subpoenaed are entitled to inviolability. And it is also my view, having -- in light of the correspondence I’ve seen, that the implications of accepting the proposition put forward that these archives are inviolable would be very far-reaching and very dangerous.” I will therefore confine my testimony to the remaining questions of the authority of your Committee to engage in investigatory activities during a *sine die* adjournment of the House and the efficacy of assertions of testimonial privileges in the congressional forum. The discussion will proceed as follows. I will briefly review the legal basis for investigative oversight and then describe the nature and scope of the congressional subpoena power and how it is enforced. This part of my testimony will conclude with a discussion of the Committee’s investigatory authority during *sine die* adjournment. Next I will turn to the law and practice with respect to the assertion of common law testimonial privilege before congressional committees and conclude with an assessment of the efficacy of such claims in the instant circumstances.

The Legal Basis for Oversight

Numerous Supreme Court precedents recognize a broad and encompassing power in Congress to engage in oversight and investigation that would reach all sources of information necessary for carrying out its legislative function. In the absence of a countervailing constitutional privilege or a self-imposed statutory restriction upon its authority, Congress and its committees have plenary power to compel production of information needed to discharge their legislative functions from executive agencies, private persons, and organizations. Within certain constraints, the information so obtained may be made public. Thus, an inquiring committee need only show that the information sought is within the broad subject matter of its authorized jurisdiction, is in aid of a legitimate legislative function, and is pertinent to the area of concern.

Although there is no express provision of the Constitution that specifically authorizes Congress to conduct investigations and take testimony for the purposes of performing its legitimate functions, numerous decisions of the Supreme Court have firmly established that the investigatory power of Congress is so essential to the legislative function as to be implied from the general vesting of legislative power in Congress.⁴ Thus, in *Eastland v. United States Servicemen’s Fund*, the Court explained that “[t]he scope of its power of inquiry . . . is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.”⁵ In *Watkins v. United States*, the Court described the breadth of the power of inquiry: “The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes.”⁶ The Court went on to emphasize that Congress’s investigative power is at its peak when the subject is alleged waste, fraud, abuse, or maladministration within a government department. The investigative power, it stated, “comprehends probes into departments of the Federal

⁴ *McGrain v. Daugherty*, 272 U.S. 135 (1927).

⁵ 421 U.S. at 504, n. 15 (quoting *Barenblatt v. United States*, 360 U.S. 109, 111).

⁶ 354 U.S. 178, 187 (1957).

Government to expose corruption, inefficiency, or waste.”⁷ “[T]he first Congresses,” it continued, held “inquiries dealing with suspected corruption or mismanagement of government officials”⁸ and subsequently, in a series of decisions, “[t]he court recognized the danger to effective and honest conduct of the Government if the legislative power to probe corruption in the Executive Branch were unduly hampered.”⁹ Accordingly, the Court stated, it recognizes “the power of the Congress to inquire into and publicize corruption, maladministration, or inefficiencies in the agencies of Government.”¹⁰

The Subpoena Power

The power of inquiry, with the accompanying process to enforce it, has been deemed “an essential and appropriate auxiliary to the legislative function.”¹¹ A properly authorized subpoena issued by a committee or subcommittee has the same force or effect as a subpoena issued by the parent House itself.¹² To validly issue a subpoena, individual committees or subcommittees must be delegated this authority. Both Senate¹³ and House¹⁴ rules presently empower all standing committees and subcommittees to require the attendance and testimony of witnesses and the production of documents. Special or select committees must be specifically delegated that authority by Senate or House resolution.¹⁵ The rules or practices of standing committees may restrict the issuance of subpoenas only to full committees or in certain instances allow issuance by a committee chairman alone, with or without the concurrence of the ranking minority member.

Committees may issue subpoenas in furtherance of an investigation within their subject matter jurisdiction as defined by Senate¹⁶ and House¹⁷ rules which confer both legislative and oversight jurisdiction. Subpoenas may be issued on the basis of either source of authority.

A witness seeking to challenge the legal sufficiency of a subpoena, *i.e.*, the committee's authority, alleged constitutional rights violations, subpoena breadth, has only limited remedies available to raise such objections. The Supreme Court has ruled that courts may not enjoin the issuance of a congressional subpoena, holding that the Speech or Debate

⁷ *Id.*

⁸ *Id.* at 182.

⁹ *Id.* at 194-195.

¹⁰ *Id.* at 200 n. 33.

¹¹ *McGrain v. Daugherty*, *supra*, 273 U.S. at 174-75.

¹² *Id.* at 158.

¹³ Senate Rule XXVI(1)(All Senate rules hereinafter cited were in effect as of 2001 unless otherwise indicated.)

¹⁴ House Rule XI(2)(m)(1)(All House rules hereinafter cited were in effect as of 2001 unless otherwise indicated.)

¹⁵ See, *e.g.*, S.Res. 23, 100th Cong. (Iran-Contra); Sen. Res. 495, 96th Cong. (Billy Carter/Libya).

¹⁶ Senate Rule XXV.

¹⁷ House Rule X.

Clause of the Constitution¹⁸ provides "an absolute bar to judicial interference" with such compulsory process.¹⁹ As a consequence, a witness' sole remedy generally is to refuse to comply, risk being cited for contempt, and then raise objections as a defense in a contempt prosecution.

Challenges to the legal sufficiency of subpoenas must overcome formidable judicial obstacles. The standard to be applied in determining whether the congressional investigating power has been properly asserted was articulated in *Wilkinson v. United States*: (1) the committee's investigation of the broad subject matter area must be authorized by Congress; (2) the investigation must be pursuant to "a valid legislative purpose"; and (3) the specific inquiries must be pertinent to the broad subject matter areas which have been authorized by the Congress.²⁰

With respect to authorization, a committee's authority derives from the enabling rule or resolution of its parent body. In construing the scope of such authorizations, the Supreme Court has adopted a mode of analysis not unlike that ordinarily followed in determining the meaning of a statute: it looks first to the words of the authorizing rule or resolution itself, and then, if necessary, to the usual sources of legislative history, including floor statements, reports and past committee practice.²¹

As to the requirement of "valid legislative purpose," the Supreme Court has made it clear that Congress does not have to state explicitly what it intends to do as a result of an investigation.²² When the purpose asserted is supported by reference to specific problems which in the past have been, or in the future may be, the subject of appropriate legislation, it has been held that a court cannot say that a committee of Congress exceeds its power when it seeks information in such areas.²³

Also, in determining the pertinency of questions to the subject matter under investigation, the courts have required only that the specific inquiries be reasonably related to the subject matter under investigation.²⁴ An argument that pertinence must be shown "with the degree of explicitness and clarity required by the Due Process Clause" has been held to confuse the standard applicable in those rare cases when the constitutional rights of individuals are implicated by congressional investigations with the far more common situation of the exercise of legislative oversight over the administration of the law which does not involve an individual constitutional right or prerogative. It is, of course, well established that the courts will intervene to protect constitutional rights from infringement

¹⁸ U.S. Const. Art. I, sec. 6, cl. 1.

¹⁹ *Eastland v. United States Servicemen's Fund*, 421 U.S. 491, 503-07 (1975).

²⁰ 365 U.S. 399, 408-09 (1961).

²¹ *Barenblatt v. United States*, 360 U.S. 109, 117 (1959); *Watkins v. United States*, *supra*, 354 U.S. at 209-215.

²² *In re Chapman*, 166 U.S. 661, 669 (1897).

²³ *Shelton v. United States*, 404 F.2d 1292, 1297 (D.C. Cir. 1968), *cert. denied*, 393 U.S. 1024 (1969).

²⁴ *Sinclair v. United States*, *supra*, 279 U.S. at 299; *Ashland Oil, Inc. v. F.T.C.*, 409 F.Supp. at 305.

by Congress, including its committees and Members.²⁵ But "[w]here constitutional rights are not violated, there is no warrant to interfere with the internal procedures of Congress."²⁶

Finally, it is useful to note that the obligation to comply with a legitimate committee request for information and documents is not dependent on the issuance of compulsory process. As indicated previously, the witness found in contempt in the *Sinclair* case for refusing to respond to questions posed by the Committee appeared *voluntarily*. Further, the courts have held that the legal obligation to surrender documents requested by the chairman of a congressional committee arises at the time of the official request²⁷, and have agreed in construing 18 U.S.C. 1505, a statute proscribing the obstruction of congressional proceedings, that the statute is broad enough to cover obstructive acts in anticipation of a subpoena.²⁸ Thus a refusal to comply with a letter request could engender a contempt citation in the proper circumstances.

The Contempt Power

While the threat or actual issuance of a subpoena often provides sufficient leverage for effective compliance with investigative information demands, it is through the contempt power that Congress may act with ultimate force in response to actions which obstruct the legislative process in order to punish the contemnor and/or to remove the obstruction. The Supreme Court early recognized the power as an inherent attribute of Congress' legislative authority, reasoning that if it did not possess this power, it "would be exposed to every indignity and interruption that rudeness, caprice or even conspiracy may mediate against it."²⁹

There are three different kinds of contempt proceedings available. Both the House and Senate may cite a witness for contempt under their inherent contempt power or under a statutory criminal contempt procedure. The Senate also has a third option, enforcement by means of a statutory civil contempt procedure. The three proceedings may be briefly described.³⁰

²⁵ See, e.g., *Yellin v. United States*, 374 U.S. 109, 143, 144 (1969); *Watkins v. United States*, *supra*; *United States v. Ballin*, 144 U.S. 1, 5 (1892).

²⁶ *Exxon Corporation v. F.T.C.*, 589 F.2d 582, 590 (D.C. Cir. 1978).

²⁷ See, e.g., *Ashland Oil Co. v. FTC*, 598 F.2d 977, 980-81 (D.C. Cir. 1976).

²⁸ See, e.g., *United States v. Mitchell*, 877 F.2d 297, 300-01 (9th Cir. 1979) ("To give section 1505 the protective force it was intended, corrupt endeavors to influence congressional investigations must be proscribed even when they occur prior to formal committee authorization."); *United States v. Tallent*, 407 F.Supp 878, 888 (N.D.Ga. 1975); *United States v. North*, 708 F.Supp. 372 (D.D.C. 1988); *United States v. North*, 708 F.Supp. 389 (D.D.C. 1988) (holding that the defendants' acts constituted the felony offenses of obstruction of Congress and of making false statements, even though the inquiry letters and responses occurred in the absence of committee votes and subpoenas or oaths).

²⁹ *Anderson v. Dunn*, 19 U.S. (6 Wheat) 204 (1821).

³⁰ For a more comprehensive treatment of the history and legal development of the congressional contempt power, see Jay R. Shampansky, *Congress' Contempt Power*, CRS Report No. 86-83A, February 28, 1986.

(a) Inherent Contempt

Under the inherent contempt power, the individual is brought before the House or Senate by the Sergeant-at-Arms, tried at the bar of the body, and can be imprisoned in the Capitol jail. The purpose of the imprisonment or other sanction may be either punitive or coercive. Thus, the witness can be imprisoned for a specified period of time as punishment, or for an indefinite period (but not, at least in the case of the House, beyond the end of the Congress) until he agrees to comply. When a witness is cited for contempt under the inherent contempt process, prompt judicial review is available by means of a petition for a writ of *habeas corpus*. In an inherent contempt proceeding, although Congress would not have to afford the contemnor the whole panoply of procedural rights available to a defendant in a criminal case, notice and an opportunity to be heard would have to be granted. Also, some of the requirements imposed by the courts under the statutory criminal contempt procedure might be mandated by the due process clause in the case of inherent contempt proceedings.³¹

The inherent contempt power has not been exercised by either House in over sixty years because it has been considered to be too cumbersome and time consuming for a modern Congress with a heavy legislative workload that would be interrupted by a trial at the bar.

(b) Statutory Contempt

Recognizing the problems with use of the inherent contempt process, a statutory criminal contempt procedure was enacted in 1857 which, with only minor amendments, is codified today at 2 U.S.C. §§192 and 194. Under 2 U.S.C. § 192, a person who has been subpoenaed to testify or produce documents before the House or Senate or a committee and who fails to do so, or who appears but refuses to respond to questions, is guilty of a misdemeanor, punishable by a fine of up to \$100,000 and imprisonment for up to one year. Section 194 establishes the procedure to be followed if the House or Senate refers a witness to the courts for criminal prosecution. A contempt citation must be approved by the subcommittee, the full committee, and the full House or Senate (or by the presiding officer if Congress is not in session). The criminal procedure is punitive in nature. It is not coercive because a witness generally will not be able to purge himself by testifying or supplying subpoenaed documents after he has been voted in contempt by the committee and the House or the Senate. Under the statute, after a contempt has been certified by the President of the Senate or the Speaker of the House, it is the "duty" of the U.S. Attorney "to bring the matter before the grand jury for its action." It remains unclear whether the "duty" of the U.S. Attorney to present the contempt to the grand jury is mandatory or discretionary, since the sparse case law that is relevant to the question provides conflicting guidance.³²

This potential conflict between the statutory language of §194 and the U.S. Attorney's prosecutorial discretion was highlighted by the inability of the House of Representatives in 1982 to secure a contempt prosecution against the Administrator of the Environmental Protection Agency, Ann Burford. Burford, at the direction of President Reagan, had asserted

³¹ See, *Groppi v. Leslie*, 404 U.S. 496 (1972).

³² See Todd D. Peterson, Prosecuting Executive Branch Officials for Contempt of Congress, 66 NYUL Rev. 563 (1991); Hearing, "Prosecution of Contempt of Congress," Before the Subcomm. on Administrative Law and Governmental Relations, House Comm. on the Judiciary, 98th Cong. 1st Sess. 21-35 (1983) (Statement and Testimony of Stanley Brand).

executive privilege as grounds for refusing to respond to a subpoena demand for documents. She was cited for contempt by the full House and the contempt resolution was certified by the Speaker and forwarded to the U.S. Attorney for the District of Columbia for presentment to the grand jury. Relying on his prosecutorial discretion he deferred doing so pending a court challenge to the contempt citation, and after that suit was dismissed he further delayed submission while settlement negotiations were proceeding. Ultimately the Executive turned over the disputed documents and the House withdrew its contempt citation.

The Burford controversy may be seen as unusual, involving highly sensitive political issues of the time. In the vast majority of cases there is likely to be no conflict between the interests of the two political branches, and the U.S. Attorney can be expected to initiate prosecution in accordance with § 194.

(c) Civil Contempt

As an alternative to both the inherent contempt power of each House and criminal contempt, Congress enacted a civil contempt procedure which is applicable only to the Senate.³³ Upon application of the Senate,³⁴ the federal district court is to issue an order to a person refusing, or threatening to refuse, to comply with a Senate subpoena. If the individual still refuses to comply, he may be tried by the court in summary proceedings for contempt of court, with sanctions being imposed to coerce his compliance. Civil contempt might be employed when the Senate is more concerned with securing compliance with the subpoena or with clarifying legal issues than with punishing the contemnor. Civil contempt can be more expeditious than a criminal proceeding and it also provides an element of flexibility, allowing the subpoenaed party to test his legal defenses in court without necessarily risking a criminal prosecution. Civil contempt is not authorized for use against executive branch officials refusing to comply with a subpoena.

Committee Investigatory and Enforcement Authority During *Sine Die* Adjournment

As indicated previously, the Patton Boggs law firm has asserted doubt as to the authority of the Committee to issue or enforce subpoenas after the House of Representatives has adjourned *sine die*, which occurred on November 22, 2002. For this proposition Patton Boggs relies on two Department of Justice Office of Legal Counsel (OLC) opinions.³⁵ The OLC opinions appear contrary to law and congressional practice.

The factual linchpin of the OLC opinions is that the House and Senate cannot enact legislation when they are not in session. From that obvious point, however, it does not follow, as the opinions would suggest, that during adjournment *sine die* the House, in support of its constitutional functions, cannot carry on other activities that will help the House discharge its continuing duty to oversee the Executive's conduct of policy or that may lead to legislative proposals in a future session. Even during adjournments *sine die*, both the

³³ See 2 U.S.C. 288d and 28 U.S.C. 1364.

³⁴ Usually brought by the Senate Legal Counsel. 2 U.S.C 288 d(a).

³⁵ 1996 WL 118 5162 (OLC)("Congressional subpoena issued after an adjournment *sine die* of Congress lacks any legal force and effect and does not impose any legal obligation to comply with the subpoena."); 6 Op. OLC 744 (1982)(subpoenas issued before the adjournment of *sine die* of Congress lack continuing effect).

House and the Senate retain, by internal rule, full authority to continue the oversight and information gathering processes necessary for an informed performance of its constitutional duties. And, as the Supreme Court has recognized, the inherent authority of legislative committees and their subcommittees to conduct investigations includes the subpoena authority.³⁶

Although the purpose for a subpoena must relate to a proper constitutional function of the House or Senate, valid subpoena authority is not limited to those times when both Houses are in legislative session. It is an established principle that Congress can investigate matters that may in the future be the subject of legislation, whether or not particular legislative action has begun or is impending.³⁷

The mere fact that legislative proposals cannot be brought to the floor of a house during adjournment cannot prohibit legislators from refining their legislative positions, nor does it preclude legislative committees and subcommittees from conducting hearings and preparing and issuing reports in contemplation of possible future legislative action.

Congress itself has long understood that it has the constitutional authority to permit its committees to meet and conduct inquiries – sustained when necessary by the subpoena power – during *sine die* adjournments. By rule, the House has long authorized its standing committees and subcommittees “to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it considers necessary; ... and to require by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents as it deems necessary.”³⁸ The Senate has an analogous rule.³⁹

The Constitution has expressly given the House and the Senate the right to establish just such a rule as part of their right to determine the rules of their proceedings.⁴⁰ Thomas Jefferson also recognized that Congress necessarily had the power to authorize its Members to meet and conduct business at whatever times Congress chose.⁴¹ No sound basis exists for arguing that a house of Congress is not fully within its constitutional authority in authorizing its committees to conduct business at any time.

³⁶ See *McGrain v. Daugherty*, 273 U.S. 135, 174-75 (1927).

³⁷ See, e.g., *Eastland v. United States Servicemen's Fund*, 421 U.S. 491, 509 (1975) (“The very nature of the investigative function – like any research – is that it takes the searchers up some ‘blind alleys’ and into nonproductive enterprises. To be a valid legislative inquiry there need be no predictable end result.”); *Watkins*, 354 U.S. at 187 (describing Congress’ investigatory power as encompassing “proposed or possible needed statutes” and “surveys if defects in our social, economic or political systems”); *In Re Chapman*, 166 U.S. 661, 669 (1897) (explaining that Congress need not explain what it intends to do with information gathered in investigation).

³⁸ House Rule XI, (2)(m)(1),

³⁹ Rule XXVI(i), Standing Rules of the Senate.

⁴⁰ See U.S. Const. Art. I, §5 (“Each House may determine the Rules of its Proceedings....”).

⁴¹ See Thomas Jefferson, *Constitutionality of Residence Bill of 1790*, reprinted in 2 *The Founders’ Constitution* 300 (Philip B. Kurland & Ralph Lerner, eds., 1987).

The House and Senate rules authorizing continuing oversight by standing committees are not the only evidence of Congress' concern that its investigative prerogatives not be impeded during recesses and adjournments. 2 U.S.C. 194, the statute through which criminal punishment may be imposed on contumacious congressional witnesses, also provides a mechanism for Congress to enlist the assistance of the courts in supporting its subpoena power even during a period of *sine die* adjournment. This section was enacted to overcome a judicially imposed limitation on Congress' inherent contempt power that precluded Congress itself from holding a contemnor in custody beyond the end of a Congress.⁴² As originally enacted, Section 194 required a committee to report a contumacious witness to the full chamber as a prerequisite for certification of the matter to the Department of Justice. The statute made no provision, however, for reporting and certifying contempt when Congress was not in session.⁴³

In 1936, Congress amended Section 194 to permit congressional committees to report contumacious witnesses to Speaker of the House or the President of the Senate for certification to the Department of Justice when Congress was not in session.⁴⁴ In a letter promoting the amendment, the Attorney General urged that the amendment make clear that Congress could certify criminal contempts to the Justice Department not only during recesses, but also during periods of adjournments.⁴⁵ Furthermore, the Executive branch has prosecuted witnesses whose contempts were certified during *sine die* adjournments, and the courts handling these cases have never expressed doubt that Congress has this authority.⁴⁶

Finally no case law of which we are aware supports the claim that a House subpoena issued after the *sine die* adjournment of the second session of a Congress is invalid. On the contrary, the Seventh Circuit has rejected the related claim that a House subpoena issued after *sine die* adjournment lacked validity.⁴⁷ In vacating a contrary order of the district court, Judge Posner explained that the order:

⁴² See *Anderson v. Dunn*, 19 U.S. at 226-30; *Marshall v. Gordon*, 243 U.S. at 542.

⁴³ See Act of Jan. 24, 1857, ch. 19, 11 Stat. 155, 156.

⁴⁴ See Act of July 13, 1936, ch. 884, 49 Stat. 2041.

⁴⁵ See Letter from Homer Cummings, Attorney General, to Hatton W. Sumners, Chairman of House Committee on the Judiciary, July 10, 1935, reprinted in H.R. Rep. No. 1567, 74th Cong., 1st Sess. 2 (1935).

⁴⁶ See e.g., *Wilson v. United States*, 369 F.2d 198, 200 (D.C. Cir. 1966) (presuming, in case holding that section 194 does not require that Speaker of House or President of Senate automatically make criminal referral, that presiding officer has discretionary authority to make such referral during period of adjournment); *Fields v. United States*, 164 F.2d 97, 98-99 (D.C. Cir. 1947) (affirming contempt conviction of witness whose refusal to comply with House subpoena in August 1946 occurred during *sine die* adjournment of 79th Congress), cert. Denied, 332 U.S. 851 (1948); see also 4 Deschler's Precedents of the U.S. House of Representatives, Ch. §§ 22.5, 2.6, at 193-95 (1977) (reciting fact of Speaker of House's certification during *sine die* adjournment of, among others, Norton Anthony Russell and Donald Wheeldin for prosecution by U.S. attorney); *Russell v. United States*, 369 U.S. 749, 742 (1962) (confirming that government prosecuted Russell); *Wheeldin v. United States*, 283 F.2d 535 (9th Cir. 1960) (confirming that the government prosecuted Wheeldin), cert. denied, 355 U.S. 977 (1961).

⁴⁷ See *Harris v. Board of Governors of the Federal Reserve System*, 938 F.2d 720, 723-224 (7th Cir. 1991).

rather surprisingly denies the right of Congress to conduct business through its committees after it adjourns, even though all “adjournment” means is that the Congress is in recess; the Congress doesn’t end until the congressional term expires. U.S. Const., Amend, XX § 1; cf, 2 U.S.C. §194; *United States v. American Tel. & Tel. Co.*, 551 F.2d 384, 390 (D.C. Cir. 1976).⁴⁸

The *Harris* decision thus recognizes that each Congress retains its full constitutional authority for the duration of its constitutional term, unlimited by decisions about when to convene in legislative session.

The Efficacy of Claims of Attorney-Client, Work Product and Deliberations Process Privileges Before Congressional Committees

The assertion of common law testimonial and evidentiary privileges by witnesses in the congressional forum is problematic. The precedents of the House of Representatives and the Senate, which are founded on Congress’ inherent constitutional prerogative to investigate, establish that acceptance of a claim of attorney-client privilege, work product immunity, or deliberative process privilege rests in the sound discretion of a committee, regardless of whether a court would uphold the claim in the context of litigation, and that committee resolutions of such claims have involved a pragmatic assessment of the needs of the individual committee to accomplish its legislative mission and the potential burdens and harms that may be imposed on the claimant of the privilege if it is denied.

(a) The Attorney-Client Privilege

In actual practice, the exercise of committee discretion whether to accept a claim of attorney-client privilege has turned on a “weighing [of] the legislative need for disclosure against any possible resulting injury.”⁴⁹ More particularly, the process of committee resolution of claims of privilege has traditionally been informed by weighing considerations of legislative need, public policy, and the statutory duty of congressional committees to engage in continuous oversight of the application, administration, and execution of laws that fall within their jurisdiction,⁵⁰ against any possible injury to the witness. In the particular circumstances of any situation, a committee may consider and evaluate the strength of a claimant’s assertion in light of the pertinency of the documents or information sought to the subject of the investigation, the practical unavailability of the documents or information from any other source, the possible unavailability of the privilege to the claimant if it were to be raised in a judicial forum, and the committee’s assessment of the cooperation of the witness in the matter, among other considerations. A valid claim of privilege, free of any taint of waiver, exception or other mitigating circumstance, would merit substantial weight. But any

⁴⁸ 938 F.2d 723

⁴⁹ Hearings, “International Uranium Cartel”, Subcomm. on Oversight and Investigations, House Comm. on Interstate and Foreign Commerce, 95th Cong., 1st Sess., Vol. 1, 123 (1977).

⁵⁰ See 2 U.S.C. 190d (1994).

serious doubt as to the validity of the asserted claim would diminish its compelling character.⁵¹ Moreover, the conclusion that recognition of non-constitutionally based privileges is a matter of congressional discretion is consistent with both traditional British parliamentary and the Congress' historical practice.⁵²

The legal basis for Congress' practice in this area is based upon its inherent constitutional prerogative to investigate which has been long recognized by the Supreme Court as extremely broad and encompassing, and which is at its peak when the subject is fraud, abuse, or maladministration within a government department.⁵³ The attorney-client privilege is, on the other hand, a judge-made exception to the normal principle of full disclosure in the adversary process which is to be narrowly construed and has been confined to the judicial forum.⁵⁴ The privilege has been deemed subject to a variety of exceptions, including communications between a client and attorney for the purpose of committing a crime or perpetrating a fraud or other obstruction of law at some future time, and to a strict standard of waiver.⁵⁵ Indeed, the proliferation of exceptions to the privilege led a panel of the Court of Appeals for the Eighth Circuit to comment that "the White House assumes the attorney-client privilege is more predictable than it actually is."⁵⁶

More particularly, with respect to the attorney-client privilege, a claimant must establish (1) a communication, (2) made in confidence, (3) to an attorney, (4) by a client, (5) for the

⁵¹ See, e.g., "Contempt of Congress Against Franklin L. Haney," H. Rept. No. 105-792, 105th Cong., 2d Sess. 11-15 (1998); "Proceedings Against John M. Quinn, David Watkins, and Matthew Moore (Pursuant to Title 2, United States Code, Sections 192 and 194)," H.Rept. No. 104-598, 104th Cong., 2d Sess. 40-54 (1996); "Refusal of William H. Kennedy, III, To Produce Notes Subpoenaed by the Special Committee to Investigate Whitewater Development Corporation and Related Matters", Sen. Rept. No. 104-191, 104th Cong. 1st Sess. 9-19 (1995); "Proceedings Against Ralph Bernstein and Joseph Bernstein," H. Rept. No. 99-462, 99th Cong. 2d Sess. 13, 14 (1986); Hearings, "International Uranium Control," before the Subcommittee on Oversight and Investigations, House Committee on Interstate and Foreign Commerce, 95th Cong., 1st Sess. 60, 123 (1977).

⁵² See, Investigative Oversight: An Introduction to the Law Practice and Procedure of Congressional Inquiry, CRS Rept. No. 95-464A, 43-55 (April 7, 1995). See also, Glenn A. Beard, Congress v. the Attorney-Client Privilege: A "Full and Frank" Discussion", 35 Amer. Crim. L. Rev. 119 122-127 (1997) ("[C]ongressional witnesses are not legally entitled to the protection of the attorney-client privilege, and investigating committees therefore have discretionary authority to respect or overrule such claims as they see fit.") (Beard); Millett, The Applicability of Evidentiary Privileges for Confidential Communications Before Congress, 21 John Marshall L. Rev. 309 (1988).

⁵³ *McGrain v. Daugherty*, 272 U.S. 135, 177 (1926); *Watkins v. United States*, 354 U.S. 178, 187 (1957); *Eastland v. United States Servicemen's Fund*, 421 U.S. 491, 504 n.15 (1975).

⁵⁴ *Westinghouse Electric Corporation v. Republic of the Philippines*, 951 F.2d 1414, 1423 (3d Cir. 1991).

⁵⁵ See generally, Paul R. Rice, Attorney-Client Privilege in the United States, chaps. 8:2-8:15 and 9 (1993)(Rice). However, at least two federal circuits have held that disclosures to congressional committees do not waive claims of privilege elsewhere. See, *Florida House of Representative v. Dept. of Commerce*, 961 F.2d 941, 946 (11th Cir. 1992); *Murphy v. Department of the Army*, 613 F.2d 1151, 1155 (D.C. Cir. 1979).

⁵⁶ *In re Grand Jury Subpoena Duces Tecum*, 112 F. 3d 910, 921 (8th Cir. 1997), cert. denied sub. nom. *Office of the President v. Office of the Independent Counsel*, 117 S. Ct. 2482 (1997).

purpose of seeking or obtaining legal advice.⁵⁷ "The privilege does not extend, however, beyond the client's confidential communication to the attorney."⁵⁸ The only communications protected by the privilege, then, are those that will disclose what the client said in confidence to the lawyer. But it does not protect the facts contained within communications.⁵⁹

The burden of establishing the existence of the attorney-client privilege rests with the party asserting the privilege.⁶⁰ Blanket assertions of the privilege have been deemed "unacceptable"⁶¹ and are strongly disfavored.⁶² The proponent must conclusively prove each element of the privilege, but the mere fact that an individual communicates with an attorney does not make his communication privileged.⁶³

Moreover, courts have held that communications by an attorney in response to the client are not automatically privileged. These courts have reasoned that an attorney's communication can be privileged only derivatively, if the disclosure of the attorney's communication would reveal the content of the client's confidential communication to the attorney.⁶⁴ Also, when advice to a client is based on information supplied to the attorney from the public record it has been held to be non-privileged.⁶⁵

Further, the case law has consistently emphasized that one of the essential elements of the attorney-client privilege is that the attorney be acting as an attorney and that the communication be made for the purpose of securing legal services. The privilege therefore does not attach to incidental legal advice given by an attorney acting outside the scope of his role as attorney. "Acting as a lawyer" encompasses the whole ambit of legal functions. "When he acts as an advisor, the attorney must give *predominantly* legal advice to retain his

⁵⁷ See, e.g., 8 Wigmore, Evidence, Sec. 2292, at 554 (McNaughton rev. ed 1964); *United States v. United Shoe Machinery Corp.*, 89 F.Supp. 357, 358-359 (D. Mass. 1950).

⁵⁸ *In re Fishel*, 557 F.2d 209, 211 (9th Cir. 1977).

⁵⁹ *Upjohn v. United States*, 449 U.S. 884, 395 (1981)("The privilege only protects disclosure of communications; it does not protect disclosure of the underlying facts by those who communicated with the attorney."); Rice, *supra*, ch. 5:1, at 288.

⁶⁰ See, e.g., *In re Grand Jury Investigation No. 83-2-35*, 723 F.3d 447, 450-51 (6th Cir. 1983)

⁶¹ *SEC v. Gulf & Western Industries, Inc.*, 518 F.Supp. 675, 682 (D.D.C. 1981).

⁶² *In re Grand Jury Investigation No. 83-2-35*, *supra*, 723 F.2d at 454; *United States v. White*, 970 F.2d 328, 334 (7th Cir. 1992)("A blanket claim of privilege which does not specify what information is protected will not suffice.").

⁶³ *In re Grand Jury Subpoena Duces Tecum*, 112 F.3d 912 (8th Cir. 1997)(rejecting applicability of common interest doctrine to communications at a meeting with White House Counsel's Office attorneys and private attorneys for the First Lady.); *United States v. Tedder*, 801 F.2d 1437, 1442-43 (4th Cir. 1986)(friend's communication with attorney held not privileged despite the fact that friend was both lawyer and colleague in the same firm when he spoke to her not as a professional legal advisor, did not seek legal advice from her, and did not expect communications to remain confidential.); *United States v. Costanzo*, 625 F.2d 455, 468 (3d Cir. 1980)("[I]t is true that '[a] communication is not privileged simply because it is made by or to a person who happens to be a lawyer.'").

⁶⁴ Rice, ch. 5:2, at 306-312.

⁶⁵ *Community Saving and Loan Ass'n v. Federal Home Bank Board*, 68 FRD 378, 382 (E.D. Wisc. 1975).

client's privilege of non-disclosure, not solely, or even largely, business advice."⁶⁶ The court in *SCM Corp. v. Xerox Corp.* pertinently discusses the process of sorting out matters that have both business and legal components:

The mere mention of business considerations is not enough to compel the disclosure of otherwise privilege material.....Here it is not clear that the decisions were the type in which business personnel defer to the recommendation of legal staff. Licensing decisions may contain a legal component, but are not inherently dependent on legal advice; they are essentially business decisions. Legal advice should remain protected along with "nonlegal considerations" discussed between client and counsel that are relevant to that consultation, but when the ultimate decision then requires the exercise of business judgment and when what were relevant nonlegal considerations incidental to the formulation of legal advice emerge as the business reasons for and against a course of action, those business reasons considered among executives are not privileged. They are like any other business evaluations and motivations and do not enjoy any protection because they were alluded to by conscientious counsel. To protect the business components in the decisional process would be a distortion of the privilege. The attorney-client privilege was not intended and is not needed to encourage businessmen to discuss business reasons for a particular course of action...."⁶⁷

In order to ascertain whether an attorney is acting in a legal or business advisory capacity the courts have held it proper to question either the client or the attorney regarding the general nature of the attorney's services to his client, the scope of his authority as agent, and the substance of matters which the attorney, as agent, is authorized to pass along to third parties.⁶⁸ Indeed, proper invocation of the privilege may be predicated on revealing facts tending to establish the existence of an attorney-client relation.⁶⁹

Finally, it may be noted that the courts have held that work by law firms that is predominately lobbying in nature is not legal work and is not protected by the attorney-client privilege.⁷⁰

⁶⁶ *Zenith Radio Corp. v. Radio Corp. of America*, 121 F. Supp. 792, 794 (D.Del. 1954).

⁶⁷ 70 FRD 508, 517 (D. Conn. 1976). See also *Thomas v. Pansey Ellen Products, Inc.*, 672 F.Supp. 237, 243 (W.D.N.C. 1987)("It is client confidences, not attorney advice that are protected by the privilege").

⁶⁸ *Colton v. United States*, 306 F.2d 633, 636, 638 (2d Cir. 1962); *U.S. v. Tellier*, 255 F.2d 441 (2d Cir. 1958); *J.P. Foley & Co., Inc. v. Vanderbilt*, 65 FRD 528; 526-27 (S.D.N.Y. 1974).

⁶⁹ See, e.g., *In re John Doe, Esq.*, 603 F.Supp. 1164, 1167 (E.D.N.Y. 1985) and *In re Arthur Treachers Franchise Litigation*, 92 FRD 429 (E.D. Pa. 1981), cases illustrating how probing the questioning may be to determine whether an attorney was in fact "acting as a lawyer."

⁷⁰ See, e.g., *In re Grand Jury Subpoena Dated March 9, 2001*, 179 F.Supp. 270, 285 (S.D.N.Y. 2001); *Federal Deposit Insurance Corporation v. Hurwitz*, No. Misc. 01-0287 (D.D.C. July 25, 2002); *U.S. Postal Service v. Phelps Dodge Refining Co.* 852 F.Supp. 156 (E.D.N.Y. 1994); *North*

(continued...)

While no court has recognized the inapplicability of common law testimonial privileges in congressional proceedings in a decision directly addressing the issue,⁷¹ an opinion issued by Legal Ethics Committee of the District of Columbia Bar in February 1999, provides substantial support for the longstanding congressional practice.⁷² The occasion for the ruling arose as a result of an investigation of a Subcommittee of the House Commerce Committee into the circumstances surrounding the planned relocation of the Federal Communications Commission to the Portals office complex.⁷³ During the course of the inquiry, the Subcommittee sought certain documents from the Portals developer, Mr. Franklin L. Haney. Mr. Haney's refusal to comply resulted in subpoenas for those documents to him and the law firm representing him during the relocation efforts. Haney and the law firm asserted attorney-client privilege in their continued refusal to comply. The law firm sought an opinion from the D.C. Bar's Ethics Committee as to its obligations in the face of the subpoena and a possible contempt citation, but the Bar Committee notified the firm that the question was novel and that no advice could be given until the matter was considered in a plenary session of the Committee.⁷⁴ The firm continued its refusal to comply until the Subcommittee cited it for contempt, at which time the firm proposed to turn over the documents if the contempt citation was withdrawn. The Subcommittee agreed to the proposal.⁷⁵

Subsequently, on February 16, 1999, the D.C. Bar's Ethics Committee issued an opinion vindicating the action taken by the firm. The Ethics Committee, interpreting D.C. Bar Rule of Professional conduct 1.6(d)(2)(A),⁷⁶ held that an attorney faced with a congressional subpoena that would reveal client confidences or secrets

has a professional responsibility to seek to quash or limit the subpoena on all available, legitimate grounds to protect confidential documents and client secrets. If, thereafter, the Congressional subcommittee overrules these objections,

⁷⁰ (...continued)

Carolina Electric Membership Corp. v. Carolina Power & Light Co. 110 F.R.D. J11, S17 M.D. N.C. 1986).

⁷¹ The Supreme Court has recognized that "only infrequently have witnesses . . . [in congressional hearings] been afforded the procedural rights normally associated with an adjudicative proceeding." *Hannah v. Larche*, 363 U.S. 420, 425 (1960); see also, *United States v. Fort*, 443 F. 2d 670 (D.C. Cir. 1970), *cert. denied*, 403 U.S. 932 (1971) (rejecting the contention that the constitutional right to cross-examine witnesses applied to a congressional investigation); *In the Matter of Provident Life and Accident Co.*, E.D. Tenn., S.D., CIV-1-90-219, June 13, 1990 (per Edgar, J.) (Noting that the court's earlier ruling on an attorney-client privilege claim was "not of constitutional dimensions, and is certainly not binding on the Congress of the United States".).

⁷² Opinion No. 288, "Compliance With Subpoena from Congressional Committee to Produce Lawyers' Files Containing Client Confidences or Secrets," Legal Ethics Committee, District of Columbia Bar, February 16, 1999. (D.C Ethics Committee Opinion).

⁷³ See, H. Report No. 105-792, *supra* note 3, at 1-6, 7-8, 15-16.

⁷⁴ See, "Meeting on Portal Investigation (Authorization of Subpoenas; Receipt of Subpoenaed Documents and Consideration of Objections); and Contempt of Congress Proceedings Against Franklin L. Haney," H. Comm. On Commerce, 105th Cong., 2d Sess. 48-50 (1998).

⁷⁵ *Id.*, at 101-105.

⁷⁶ Under Rule 1.6(d)(2)(A) a lawyer may reveal client confidences or secrets only when expressly permitted by the D.C. Bar rules or when "required by law or court order."

orders production of the documents and threatens to hold the lawyer in contempt absent compliance with the subpoena, then, in the absence of a judicial order forbidding the production, the lawyer is permitted, but not required, by the D.C. Rules of Professional Conduct to produce the subpoenaed documents. A directive of a Congressional subcommittee accompanied by a threat of fines and imprisonment pursuant to federal criminal law satisfies the standard of “required by law” as that phrase is used in D.C. Rule of Professional conduct 1.6(d)(2)(A).

The D.C. Bar opinion urges attorneys to press every appropriate objection to the subpoena until no further avenues of appeal are available, and even suggests that clients might be advised to retain other counsel to institute a third-party action to enjoin compliance,⁷⁷ but allows the attorney to relent at the earliest point when he is put in legal jeopardy. The opinion represents the first (and thus far the only) bar in the nation to directly and definitively address the merits of the issue. It, however, was expected to arouse a controversial and sensitive debate,⁷⁸ particularly if congressional committees choose to subpoena client documents from attorneys as a matter of course.

(b) The Work Product Doctrine

The work product immunity,⁷⁹ another judge-made evidentiary exception, has always been recognized as a qualified privilege which may be overcome by a sufficient showing of need. The Supreme Court indicated, in the very case in which it created the doctrine, that “[w]e do not mean to say that all ... materials obtained or prepared with an eye toward litigation are necessarily free from discovery in all cases.”⁸⁰ Thus the courts have repeatedly held that the work product privilege is not absolute, but rather is only a qualified protection

⁷⁷ A direct suit to enjoin a committee from enforcing a subpoena has been foreclosed by the Supreme Court’s decision in *Eastland v. United States Servicemen’s Fund*, 421 U.S. 491, 501 (1975), but that ruling does not appear to foreclose an action against a “third party,” such as the client’s attorney, to test the validity of the subpoena or the power of a committee to refuse to recognize the privilege. See, e.g., *United States v. AT&T*, 567 F. 2d 121 (D.C. Cir. 1977) (entertaining an action by the Justice Department to enjoin AT&T from complying with a subpoena to provide telephone records that might compromise national security matters).

⁷⁸ See, e.g., W. John Moore, “First Save All The Lawyers,” *National Law Journal*, July 24, 1999 at 2170.

⁷⁹ Some courts refuse to call the doctrine a privilege at all. In *City of Philadelphia v. Westinghouse Electric Corp.* 210 F.Supp. 483, 485 (E.D. Pa. 1962), *mandamus and prohibition denied sub nom. General Electric Corp. v. Kirkpatrick*, 312 F.2d 742 (3d Cir. 1962), the court stated that the work product principle “is not a privilege at all; it is merely a requirement that very good cause be shown if the disclosure is made in the course of a lawyer’s preparation of a case.”

⁸⁰ *Hickman v. Taylor*, 329 U.S. 495, 511 (1974).

against disclosure,⁸¹ and that the burden is on the party asserting it to establish its applicability.⁸²

The qualified immunity from discovery of an attorney's work product recognized by the Supreme Court in *Hickman v. Taylor*,⁸³ is now codified in Rule 23(b)(3) of the Federal Rules of Civil Procedure.⁸⁴ The Rule provides that in a civil action there is qualified immunity from discovery when materials are:

1. "documents and tangible things;"
2. "prepared in anticipation of litigation or for trial;" and
3. "by or for another party or for that other party's representative."

To overcome the qualified immunity, the party seeking discovery must make a showing of: (1) substantial need for the materials; and (2) inability to obtain the substantial equivalent of the information without undue hardship. Upon such a showing, the qualified immunity from discovery is overcome and the court will order the materials produced.⁸⁵

The federal rules do not define what is meant by the term "litigation" or "in anticipation of." However, the Special Master's Guidelines for the Resolution of Privilege Claims, approved and adopted by the district court in *United States v. American Telephone & Telegraph Co.*,⁸⁶ contain a detailed discussion of both phrases that reflects precedent to that time and has been influential since then. The Special Master defined "litigation" as including "a proceeding in a court or administrative tribunal in which the parties have the right to cross-examine witnesses or to subject an opposing party's presentation of proof to equivalent disputation."⁸⁷

We are aware of no court that has held the work product doctrine applicable to a legislative proceeding. A recent federal appellate ruling discussed below, support the

⁸¹ See, e.g., *Central National Insurance Co. v. Medical Protective Co. of Forth Worth*, 107 F.R.D. 393, 395 (E.D. Mo. 1985); *Chepanno v. Champion International Corp.*, 104 F.R.D. 395, 396 (D. Ore. 1984).

⁸² *Barclays American Corp. v. Kane*, 746 F.2d 653, 656 (10th Cir. 1984); *Nutmeg Insurance Co. v. Atwell Vogel & Sterling*, 120 F.R.D. 504, 510 (W.D. La 1988).

⁸³ 329 U.S. 495 (1947).

⁸⁴ Rule 26(b)(3) provides in pertinent part: "Trial Preparation: Materials . . . [A] party may obtain discovery of documents and tangible things . . . prepared in anticipation of litigation or for trial by or for another party or by or for that other party's representative (including the other party's attorney, consultant, surety, indemnitor, insurer, or agent) only upon a showing that the party seeking discovery has substantial need of the materials in the preparation of the party's case and that the party is unable without undue hardship to obtain the substantial equivalent of the materials by other means. In ordering discovery of such materials when the required showing has been made, the Court shall protect against disclosure of the mental impressions, conclusions, opinions, or legal theories of an attorney or other representative of a party concerning the litigation."

⁸⁵ See generally, 8 Wright, Miller and Marcus, *Federal Practice and Procedure*, Sections 2021-2028 (1994).

⁸⁶ 86 F.R.D. 603 (D.D.C. 1980).

⁸⁷ 86 F.R.D. at 627.

proposition that it is not applicable. The definition is also consonant with the language of Rule 26(b)(3) which exclusively uses terms such as “party,” “litigation,” “trial” and “discovery” which are alien to the legislative hearing process.⁸⁸

In a 1997 Eighth Circuit decision, *In re Grand Jury Subpoena Duces Tecum*,⁸⁹ involving, *inter alia*, a White House claim of work product immunity in the face of a grand jury subpoena for notes taken by White House Counsel’s Office attorneys during meetings with First Lady Hillary Rodham Clinton, a divided panel rejected the applicability of the work product doctrine on the ground that it had not been shown that the attorneys involved were preparing for or anticipating some sort of “adversarial proceeding” involving the First Lady. It held that neither the independent counsel investigation then in progress nor a possible congressional investigative hearing provided the element of “anticipation of litigation or trial” necessary to invoke the immunity:

The White House’s argument that its lawyers were preparing for the OIC’s investigation is simply unpersuasive; as we have stated previously, the OIC is not investigating the White House, nor could it do so. White House officials may be under investigation on account of their individual acts, but we know of no authority allowing a client such as the White House to claim work product immunity for materials merely because they were prepared while some other person, such as Mrs. Clinton, was anticipating litigation. Cf. *In re California Pub. Utils. Comm’n*, 892 F.2d 778, 781 (9th Cir. 1989) (concluding that non-party to litigation may not assert work product doctrine).

As a fall-back position, the White House suggests that anticipated congressional hearings will suffice as well as anticipated litigation. The Restatement seems to agree with the White House. See Restatement § 136 cmt. h (stating that litigation “includes a proceeding such as a grand jury or a coroner’s inquiry or an investigative legislative hearing”). Neither the White House, Mrs. Clinton, nor the Restatement cites any authority for this proposition, however, and we have discovered none. Cf. *P. & B. Marina, L.P. v. Logrande*, 136 F.R.D. 50, 58-59 (E.D.N.Y. 1991) (finding letters from lobbyist to client not protected work product), *aff’d*, 983 F.2d 1047 (2d Cir. 1992) (table). Even if it could

⁸⁸ Wright, Miller and Marcus, *supra*, Section 2024 at 338-357; 86 F.R.D. at 627-30.

⁸⁹ 112 F. 3d 910 (8th Cir. 1997), *cert. denied sub. nom. Office of the President v. Office of the Independent Counsel*, 117 S. Ct. 2482 (1997).

be said that the White House anticipated a congressional investigation of the White House itself, rather than merely of individuals who work at the White House, and even if we consider a congressional investigation to be an adversarial proceeding, the only harm that could come to the White House as a result of such an investigation is political harm. As in our discussion of the common-interest doctrine, we decline to endorse the position of the White House where it is based on nothing more than political concerns.⁹⁰

Conclusions

The Patton Boggs assertion that your Committee has no authority to engage in investigative oversight activity after adjournment *sine die* of the House lacks substantive basis. The House and Senate by rules of their respective houses have authorized all their standing committees to meet, hold investigative hearings, and to issue subpoenas during adjournments and recesses. Indeed, if a proper contempt resolution is issued by a standing committee during the adjournment period, it may be reported to the Speaker of the House who, after due consideration of the committee's report, may forward it to the U.S. Attorney for the District of Columbia for prosecution. The only pertinent court opinion on the *sine die* issue supports legislative investigatory actions during the adjournment period. Finally, a number of contempt of Congress citations have been forwarded for prosecution by the Speaker during such periods without challenge.

The congressional practice with respect to claims of common law testimonial privileges is to test each assertion individually, with particular regard to whether would accept such a claim. On the basis of the record now before us it would appear unlikely that that the three contractors with the Saudi Embassy would meet the high burden necessary to establish such a claim. Of significant import, the correspondence with the Committee does not indicate that the firms are doing predominately legal work for the Embassy, but rather lobbying or political consulting, which the courts have consistently found insufficient to invoke the privilege.

⁹⁰ 112 F.3d at 924-925.

Mr. BURTON. Ms. Mahoney.

Ms. MAHONEY. Thank you, Mr. Chairman.

My name is Maureen Mahoney, and I'm an attorney at the law firm of Latham & Watkins. I have represented the Embassy on issues pertaining to sovereign immunity and diplomatic unity for over 20 years now. I am predominantly a constitutional and appellate lawyer, but I consider myself an expert on these issues.

I want to acknowledge at the outset that we understand that these are very important issues for the committee, and they are very important for the U.S. State Department and for all foreign embassies in the United States and abroad. We don't take lightly the invocation of these lives, but I've studied these matters in great depth, and I want the chairman to understand that it is personally my opinion that the Embassy has properly interpreted the treaty and that it would be a breach of this treaty for the committee to try to hold these consultants and lawyers in contempt for failure to produce the documents that have been requested. I truly believe that. I think it's the right answer, and I think if we litigated this issue ultimately a court would decide in our favor.

I have attached to my testimony two letters that I've written to the committee which explain the legal issues in some great depth, and I would ask that they be entered into the record of this hearing.

I'd like to address three basic issues.

The first is why I think that our interpretation of the committee—of the convention, of the treaty, is the correct one, why it's reasonable, most consistent with the language and purposes. Second, I'd like to talk a little bit about Professor Denza's opinion, which I understand you are relying upon quite heavily, and explain why I don't think it's persuasive. And, third, I'd like to talk a little bit about the issue of what implications our assertion of privilege has here for espionage and terrorist investigations, that sort of thing.

First, I just want to put in the most plain and practical terms what the issue here is, and it's really whether the Vienna Convention, which is a very broad convention that's designed to promote diplomatic relations in the United States, protects an embassy's right to consult with local advisers in this country and in other countries on a confidential basis, whether that's something that the convention is designed to promote. This answer affects not only the interests of the Saudi Embassy but every embassy here in the United States in the conduct of foreign affairs here and throughout the world.

I'd like to make the first point, which is the language of the convention strongly supports the Embassy's interpretation in this case in two respects. First, Article 24 makes it explicit that the archives and documents of the mission, the documents of the mission are inviolable at any time and wherever they may be. It is not simply documents that are in the possession of the Embassy but also documents that belong to the Embassy that are located someplace else.

Article 27 says that the U.S. Government, the receiving state, must promote and protect free communication on the part of the mission for all official purposes. That makes it clear that one of the responsibilities of the United States as a nation is to make sure

that diplomatic missions can do their job by having free communication; and courts have repeatedly said that means—can mean confidential communication if there's a need for it in order to perform their functions.

In addition, the express purposes of the convention are very important, because our courts repeatedly say that treaties have to be interpreted in a manner that promotes the purposes of the convention, and here the express purpose is to ensure the efficient performance of the functions of diplomatic missions. Those functions are broadly defined to include ascertaining by all lawful means, conditions and developments in the host country, negotiating with the government of the host country and promoting friendly relations between both countries. These purposes are directly implicated here.

Looking at the purposes, I think we have to recognize that, especially for countries that have cultures that are more different than our own, there is a great need to have local expertise, to have American advisers. Now, the Embassy could hire these advisers on a part-time basis and have them be at the Embassy, but there's no reason in the law why they should be required to do that in order to get their services. Instead, it is commonplace for embassies, and I think for the U.S. Government as well, to hire consultants, local experts, on a contractual basis to serve as agents; and that's what they have done here.

Chairman Henry Hyde of the House International Relations Committee recently held hearings about the importance of improved public relations to U.S. foreign policy and explained the need to hire these very kinds of experts to help advise the United States how to promote its foreign policy interests throughout the world. So I don't care that the Saudi Government is the only government that has a need for outside expertise. The question, then, really is, is there a need for these communications to be confidential?

I think, Mr. Chairman, you've recognized before that things work best if there can be candid advice from advisers about how to proceed, to make recommendations about what is the best course of proceeding in these child custody matters and elsewhere. They can't get that candid advice if they're not going to be able to have confidential communications.

There is right now—in fact, the U.S. Supreme Court has said that it is too plain to question whether there is a need for governments to have confidential communications when trying to decide how to proceed. Right now, we are in the middle of a circumstance where this committee is investigating these issues and where the Saudi government is attempting to negotiate a resolution with the State Department, and yet the committee says it wants to see the confidential communications that relate to this ongoing diplomatic negotiation. That would seriously undermine the ability of the Embassy to get candid and confidential communications.

I have to acknowledge that there has not been a U.S. court that has directly addressed this issue, but that doesn't say that there isn't strong support for our interpretation in a variety of contexts. And the reason it hasn't been addressed I think is because it hasn't been done before. I don't believe this committee, or at least not that

I know of, has ever tested the Vienna Convention in this way before by seeking these kinds of confidential documents from an embassy's consultants.

But I think the important thing here is to understand that in a variety of contexts the executive branch and U.S. courts have recognized the need for confidential communications when deliberating about issues of diplomatic negotiations. This goes all the way back to 1796 when George Washington refused to provide information to Congress relating to ongoing diplomatic negotiations and said that these kinds of negotiations often depend on secrecy and a full disclosure of all the measures, demands or eventual concessions which may have been proposed or contemplated might have a pernicious influence—

Mr. BURTON. Would the gentlelady yield just a moment? Wasn't George Washington, in effect, using executive privilege as the President in that case?

Ms. MAHONEY. Yes, he was.

Mr. BURTON. Well, we're not talking about executive—the President using executive authority in this particular case.

Ms. MAHONEY. Mr. Chairman, what we're talking about is a convention that says that the U.S. Government has an obligation to protect and promote free communications for official purposes by a government, by a sovereign. This is a foreign sovereign, and the point here is that as part far back as 1796 George Washington told this Congress that it would undermine the operations of the U.S. Government to share that information, very similar information, with congressional committees, even though they were on the same team, and yet—

Mr. BURTON. Ms. Mahoney, we've gone beyond the 5 minutes, but you and I can have a little dialog here, because I think it's very important that we go into this in some detail. It sounds like to me that the Saudi Embassy is prepared, using you as their legal adviser, to go to court to try to protect these documents, and I can understand that. And whether or not I agree with you or whether or not Ms. Denza agrees with you, who's the foremost expert on the Vienna Convention, the fact of the matter is this could be tied up in court for a long time and this could end up being a moot point.

So let me just ask you this. Let's just say, for example, that the Saudi Embassy and the Saudi Government knew something about the 15 terrorists from Saudi Arabia that blew up the World Trade Center and attacked the Pentagon here in the United States and let's say there was some correspondence that was transmitted between their lobbying firm and the Saudi Embassy that may have shed some light on this. And let's just say that there might be some more possible terrorist attacks that might be in the offing that might be enumerated or, if not enumerated, maybe some information might be in those documents that would lead us to preventing the possible attack that might occur. Are you telling us that, because of this privilege, we couldn't get that information, the U.S. Congress?

Ms. MAHONEY. Mr. Chairman, if the Saudi Government has retained agents in the United States to assist in the—in acts of terrorism, that agency relationship would be void for illegality from the get-go. There would be no protection for documents in the pos-

session of the third party under those circumstances. I do not believe that an American court would say that under those circumstances that was a proper agency relationship or that the documents would be the property of the Embassy.

Mr. BURTON. So now we're talking about kidnapped children, kidnapped from the United States. Now, can you tell me the difference?

Ms. MAHONEY. Yes, Mr. Chairman.

Mr. BURTON. Wait a second. We're talking about breaking a law with the complicit support of the Saudi Embassy. In the case of the Terre Hautean young woman, her daughters were taken, three of them. The court of jurisdiction had contacted the Saudi Embassy, told them that they were not to take those children out of the country. They knew of the divorce decree and who had custody. The father said he wouldn't take them out of the country. He went directly to the Saudi Embassy, got three passports for the children, and the mother hasn't seen them since. They're in Saudi Arabia. Now, that's a kidnapping case. Now, we're talking the difference here between a terrorist case and a kidnapping case, and I want you to define the difference.

Ms. MAHONEY. Mr. Chairman, these consultants and lawyers have not been hired to assist the Saudi Embassy in kidnapping.

Mr. BURTON. Well, we don't know what's in those transmissions. We don't know what's in that correspondence. Just like if there was a terrorist involvement and that correspondence took place, we wouldn't know that unless we saw the documents.

Ms. MAHONEY. Mr. Chairman, there are a variety of sources of information; and courts often draw lines based on the information that the U.S. Government has. The U.S. Government doesn't have any information that these firms, which have been assisting the Saudi Embassy and responding to your concerns and working with the State Department, have been hired as part of an illegal scheme to engage in criminal wrongdoing—

Mr. BURTON. Ms. Mahoney, let me just say this. We talked to Mr. Petruzzello when he was last here and he said he didn't know anything about a lot of these issues, but when we pushed him, he told us he was involved in the writing of letters, in the writing of all kinds of documents that showed very clearly that the Saudi Government was not involved in any way and was not guilty of involving themselves in these things. I mean, he was involved—and he said that under oath—he was involved in writing these documents.

Now, why, if he was involved in these documents, would that not be a part of the problem?

Ms. MAHONEY. Well, because he wasn't hired to commit illegal acts, Mr. Chairman. That—I don't think there's been any suggestion that there is evidence to indicate that these consultants and lawyers have been hired to—

Mr. BURTON. But that's not the point. But he may, through the correspondence he may have, be aware, or his firm may have in their possession, evidence about illegal acts. Just like if there was a terrorist attack and there was some correspondence that might be relevant to that, they would have that in their files as well. So I don't see the difference.

Ms. MAHONEY. Mr. Chairman, the Embassy could certainly have—any embassy, not the Saudi Embassy, any embassy in the United States could have information that the U.S. Government might like to have, documents that are in their possession or that they own that are located elsewhere, but that doesn't mean what the U.S. Government is entitled to have them. It is a signed treaty that says it will respect the protections of the treaty, and those protections require the United States to promote and protect free communication, and they also require them to respect the inviolability of documents that belong to the Embassy how and where they're located.

Mr. BURTON. I won't belabor this. I will just say that I have heard of your credentials. I know that you're a very, very brilliant attorney and you've done an outstanding job over the last several years, many years, and you've represented the Saudi Embassy many times and I think you acquit yourself very, very well. But the fact of the matter is the foremost authority in the world on the Vienna Convention testified last year that she does not agree with your—but you are being paid by the Saudi Embassy, which you've admitted, and I understand you're going to take their position, and I understand that it's likely that if we press this that you'll go to court to keep the American people from knowing what was in those—that correspondence.

Now, let me just go on, because I feel very strongly about this. We have here women who have had their children kidnapped while under a court order to stay in the United States. Their kids have not been seen since and may never be seen again. They can't even talk to these kids. Some of these women that I talked to in Saudi Arabia told me that their lives were threatened on a regular basis by their husbands if they didn't walk the talk and do exactly what they said.

If you lived in Saudi Arabia, if you lived there and was married to a Saudi and he said, "Don't leave the house," and you did, there's nothing the government could do if he beat the hell out of you and made your life a hell on earth. And you're an American citizen, and we've got American citizens over there that are suffering like that right now, and we're trying every way we can to get these kids and these women back.

One woman told me she wanted to be put in a box with her kids and sent out of the country in the belly of a plane, if necessary. She said, anything to get us out of here because of the hell we're living in. And it was not an isolated case. And the bottom line is all of these machinations that are taking place right now by the Saudi government, their lobbyists and you—I'm sure they're legal, but the point is, wrong is being done, and they can't get their kids back, and all these roadblocks that are being thrown up, and you're—I'm sure you could throw up a legal roadblock that would tie this thing up, and you probably will, for months.

And the thing that bothers me is nothing is going to be done about these kids or these women—nothing—and you keep saying the State Department is responsible for doing that. Well, I agree, they should be putting pressure on them, but they haven't done anything, and our Justice Department isn't doing anything. And, God forbid, the administration really hasn't done much, and I have

high regard for it. But the fact of the matter is these kids aren't coming home. They're American citizens.

We had one case where a woman went to get her kids, took them to the Embassy, said, this is American soil, we want our kids to go—we want to go to America; and the Embassy official had a Marine pick the kids up and take them to the front gate. The woman was arrested, and the kids were sent back. The girl was 12 years old, and because there was a reprisal that was going to take place, the father married her off at 12 years old to a man she didn't even know.

Now, you know, that sort of thing goes on, and what you're saying now is that the Saudi Arabian Government has a legal right for us not to get documents that may or may not prove that they were complicit in this kidnapping, and kidnapping is a felony, and you're saying that there's a difference between that and terrorist activity. And I just don't see the difference.

Ms. MAHONEY. Mr. Chairman, if the Saudi Embassy was complicit, by, for instance, issuing a visa, that is not kidnapping under U.S. law. I mean, there is a case on this in the Ninth Circuit—

Mr. BURTON. It wasn't a visa. It was a passport.

Ms. MAHONEY. Well, whatever. I mean, I think the point is the same. These are serious issues. They're obviously serious issues. It's commendable for the committee to look into them, but, at the same time, it is the responsibility of the U.S. Government to honor its obligations under the treaty to go about its processes in a way where it acquires the information in a manner that's consistent with the treaty.

The Saudi Government has offered to provide information in a variety of different ways; and I have to say, Mr. Chairman, I was very troubled by the letter that I received from counsel for your staff today and by the opening comments that essentially said that the fact that I have tried to reach some sort of compromise that would allow the committee to get access to underlying facts without having to disclose the confidential deliberations that are reflected in these documents was an indication that the Embassy didn't really care about inviolability after all, that this wasn't really important—

Mr. BURTON. Well, let me comment about that letter, because I approved it. I approved that letter, so don't blame the counsel. Blame me.

Let me just tell you this. The Embassy said that they would give these documents to a third party, and the third party would give us information of those documents that was relevant to our investigation. The problem with that, counsel, is that we don't know that the third party is going to give us all of the information that's relevant to our investigation. We don't know that the third party is going to be honorable.

The Saudi Government has paid \$200,000 to Mr. Petruzzello's firm a month—I don't know how much he's paying to everybody else or you, but I don't know whoever the third party that would get these documents might not be getting a pretty good hunk of money from them as well.

Now, let me just finish—and, as a result, this committee is trying to find out why these kids are stuck over in Saudi Arabia and these women are stuck over in Saudi Arabia. We might never get the facts.

Now, I don't know whether you're aware of it, and this is a little different subject, but the Saudi Embassy and the Saudi Government has been faced with a lot of problems lately.

One of the problems is, after a suicide bomber blows up themselves, killing a lot of people in the Middle East, they end up paying the family some money, because they've gone through some suffering.

Also, the Saudi Ambassador, Mr. Bandar, to the United States, his wife gave money to some people that was a conduit, we believe, to the terrorists that attacked us on September 11th at the World Trade Center and the Pentagon.

Now, both of those things are in question right now. So, you know, we don't have the greatest feeling of honesty and integrity coming out of the Saudi Embassy.

Then we have an expert from the Vienna Convention that says we're entitled to these documents that we have subpoenaed from these lobbyists who are getting \$200,000 a month, and what do we get? We get nothing but a person coming up here whose expertise on the Vienna Convention may be very good, but you're certainly not known as the foremost authority. But you said very clearly that if this is tested in court, in court, that you feel like your position would be upheld.

Now, there's a—I know you don't mean it this way, but there's an implied threat there that if we pursue this, this is going to end up in court and it will drag on for months and months and months and maybe years. You know what I'm talking about. You know how the courts are. And so these women and these kids aren't coming home, and the Saudi Government once again with their money and their stonewalling will be able to stop the American government through our very good, open, legal system from getting to the truth and getting to an honest resolution of this.

The fact of the matter is, these are American citizens we're talking about who are there against their will, who want to come home, and they can't, and the Saudi Government is blocking it. And you're going to do a great job, I'm sure, as you have in the past, legally to make sure that happens.

Ms. MAHONEY. Mr. Chairman, could I respond for a moment to Professor Denza's opinion? I promise to be brief.

But you have referred to her so many times as the leading authority, and I do think it's very important to point out that Professor Denza's opinion about this actually changed several times and that it was not actually firmly grounded in the language or purposes of the Convention. And, in particular, when you sent a letter sending her opinion in the first instance, you said, Professor Denza believes that the most relevant precedent supports the committee's position. It was a decision by a British court that she had relied upon in her opinion to say that any document an embassy voluntarily gives to a third property cannot be the property of the embassy under Article 24.

But she actually misread the holding of that case, Mr. Chairman. In fact, the court actually held that the, “property in the document,” would pass to a third-party recipient, “in the absence of any relationship of principal and agent.”

That’s exactly what we have here, is documents that are passing between the principal and the agent. So the case—the one case she said was relevant actually supports our interpretation, not hers. So——

Mr. BURTON. Ms. Mahoney, we’re not here today to get into the legal arguments that you may be preparing for a court of law, and we don’t have the time to go into all the legal fine points about this. So let me go on and get on with the other questions that we want to ask the panel, because we’re going to be here a long time. We’ll get back to you with some more questions.

[The prepared statement of Ms. Mahoney follows:]

STATEMENT OF MAUREEN E. MAHONEY
BEFORE THE HOUSE COMMITTEE ON GOVERNMENT REFORM
DECEMBER 11, 2002

My name is Maureen Mahoney, and I am an attorney at the law firm of Latham & Watkins. I have advised the Royal Embassy of Saudi Arabia on issues involving diplomatic and sovereign immunities for more than twenty years.

I want to acknowledge at the outset that the Committee has raised important questions about the scope of its legal authority to subpoena documents from Embassy consultants. But after studying the matter in depth, I am firmly convinced that those subpoenas violate the treaty obligations of the United States under the Vienna Convention on Diplomatic Relations—and that any U.S. court would, after reviewing the matter, come to the same conclusion. I have attached to my testimony two letters that I have written to the Committee which explain the legal basis for that conclusion in depth, and I ask that they be entered into the record of this hearing.

Put in the most plain and practical terms, the issue at stake here is whether the Vienna Convention protects an embassy's right to consult with local advisors in the host country on a confidential basis. The answer to that question will affect not only the ability of foreign embassies to consult with American advisors here in Washington, but also the ability of American embassies all around the world to seek confidential advice from local experts when they need it.

By making “[t]he archives and documents of the mission . . . inviolable *at any time and wherever they may be,*” and by promising “free communication on the part of the mission for all official purposes,” the plain language of the Vienna Convention makes it clear that it was intended to protect documents located outside of the embassy itself, and

communications with persons outside of the embassy. In addition, the Convention's Preamble states that the purpose of these privileges and immunities is to "ensure the efficient performance of the functions of diplomatic missions." The Convention defines those "functions" to include negotiating with the government of the host country, ascertaining by all lawful means conditions and developments in the host country, and promoting friendly relations between both countries.

It is quite clear, in my opinion, that embassies will frequently need expert local advice in order to perform all of those functions, particularly in countries that have governments, legal systems, and cultural traditions that are unfamiliar. Even the United States government, with its vast resources, sometimes has a need for outside advice – including government and public relations advice of the sort provided to Saudi Arabia by these consultants. For example, Chairman Henry Hyde of the House International Relations Committee has held several hearings over the past year about the importance of improved public relations to U.S. foreign policy, and has explained that in order to improve its image around the world the U.S. must "tap[] into the private sector's vast expertise in the creation and promotion of compelling messages and images."¹

Although the U.S. courts have never had an opportunity to decide this precise question under the Vienna Convention, they have consistently held in other contexts that the efficient functioning of the *U.S.* government requires the ability to keep certain deliberations about policy matters strictly confidential, and that the government's need for confidentiality extends to conversations with outside consultants. That need for confidentiality is strongest in the context of diplomatic negotiations. The U.S. executive branch has consistently refused requests by Congress for documents relating to treaty negotiations, going back to the

¹ Floor statement by the Honorable Henry J. Hyde, introducing the Freedom Promotion Act of 2002 (July 22, 2002). Available at http://www.house.gov/international_relations.

administration of George Washington—who explained in 1796 that the success of foreign negotiations “must often depend on secrecy,” and that “a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated . . . might have a pernicious influence on future negotiations.”

In light of those analogous precedents, I am confident that a U.S. court would similarly interpret the language of the Vienna Convention to protect an embassy’s ability to consult agents and advisors like these on a confidential basis. The documents which the Committee has subpoenaed include confidential communications and deliberations relating to ongoing negotiations between the Embassy and the U.S. State Department—concerning, among other things, a potential treaty to govern the resolution of child custody disputes between citizens of both countries. These are precisely the kinds of communications that the United States has long recognized must be confidential.

At last week’s hearing, a London law professor stated her opinion that the Convention does not protect documents like these. With due respect to Professor Denza, I believe she is simply wrong. Professor Denza agreed that under settled law the Convention protects all documents that *belong to* an embassy as a matter of property right, even if they are not in the embassy’s immediate possession. She also conceded that, as a U.K. lawyer, she has no expertise on the relevant U.S. property law. As I and now Professor Charles Wolfram have explained to the Committee, these documents clearly belong to the Embassy under settled U.S. law.

Professor Denza merely expressed her personal opinion that the interpretation of the Convention *should not* follow background property law principles in this context for policy reasons that she did not really explain. I do not think her conclusion is persuasive for three

primary reasons. First, she did not give any weight to the express purpose of the Convention to promote the efficient functioning of the Embassy. The U.S. Supreme Court, however, has squarely held that the interpretation “most faithful” to the express purposes of the treaty should control. As the D.C. Circuit has repeatedly held, it makes no sense to say that a government can have confidential communications with advisors if it hires them as part-time employees but not if it hires them as outside consultants. Second, Professor Denza’s interpretation of the Convention is contrary to the only relevant precedent that she identified. In your letter of November 21, 2002, you asserted that “Professor Denza believes that the most relevant precedent supports the Committee’s position.” Indeed, the opinion from Professor Denza attached to your letter asserted that a British Court held that any document an Embassy voluntarily gives to a third party cannot be the property of the Embassy under Article 24. As Professor Denza later acknowledged, she misread the holding of the case. The Court actually held that the “property in the document” would pass to a third party recipient “*in the absence of any relationship of . . . principal and agent.*” There is no dispute that the documents at issue here are in the possession of *agents* of the Embassy. Third, a careful review of the correspondence and her testimony will also reveal that Professor Denza expressed three different interpretations of the Convention in the space of less than a week. This illustrates that her analysis was not based on firm research, and explains why Adel al-Jubeir expressed a belief the day before the hearing that Professor Denza had changed her views after her first letter to the Committee. Indeed she had; but she changed them a second time the following day.

I know that the Committee has also expressed concerns about the potential implications of the Embassy’s interpretation of the Convention. As I have explained in my prior letters to the Committee, I do not believe that there is any danger that respecting the Convention

in this context will seriously interfere either with the enforcement of FARA, or with future espionage investigations. First, respecting the Convention in this context will not prevent the enforcement of FARA. The purpose of FARA has never been to publicize confidential advice. Its purpose is to permit the American people to identify and keep track of any political propaganda *publicly* spread at the behest of foreign principals. If the Embassy is correct that confidential communications and documents in the files of its consultants are privileged from disclosure under the Vienna Convention, those consultants would still have to disclose under FARA their relationship to the Embassy, any public information they disseminated on its behalf, and their own financial records showing what the Embassy did and did not pay for. In addition, the majority of FARA registrants do not work for embassies. Given that, I do not think the Committee's concern that the Embassy's interpretation will "gut" FARA is well-founded. In addition, the federal district court here in D.C. has also already held that FARA does not trump privileges created by other law. The diplomatic privileges established by the treaty are every bit as important as the claims of attorney-client privilege the court upheld in that case.

Second, I do not believe that the principles we have been discussing under the Convention would pose any problem for future espionage investigations. Article 27 of the Convention only protects communications made for "official purposes," and espionage is plainly outside the legitimate functions of a diplomatic mission as defined by the Convention. Similarly, Article 24 protects documents outside of the actual possession of an embassy only if they *belong to* the embassy under principles of property law. While documents sent to or prepared by an agent in the course of a lawful agency relationship ordinarily belong to the principal under U.S. law, I see no reason why the same would be true of documents possessed by someone hired for wholly unlawful purposes. Indeed, I believe a reviewing court would have no difficulty

concluding that an agency relationship established to further espionage was entirely void for illegality as a matter of U.S. agency law. And of course any documents or secrets stolen from the U.S. government would never be held to *belong to* anyone other than the U.S. government.

Thank you for inviting me to testify today, and for engaging in a dialogue on these difficult and important issues. The Embassy would very much like to find a resolution of this dispute that gets the Committee the information it needs while respecting the confidentiality of the Embassy's diplomatic deliberations. I have initiated discussions with your staff on this issue and hope that we will be able to continue that dialogue.

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November 27, 2002

James C. Wilson, Esq.
Chief Counsel
Committee on Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Jim:

I have received a copy of Chairman Burton's November 21, 2002 letter to Prince Bandar bin Sultan bin Abdulaziz with the attached letter from Professor Eileen Denza at University College London.¹ We have reviewed these letters with great care, but they have not altered the conclusion of the Royal Embassy of Saudi Arabia to the United States (the "Embassy") that enforcement of the Committee's subpoenas would violate the Vienna Convention. The reasons for that conclusion were explained in detail in my November 14 letter to you. Without repeating all of the points I made in that letter, I would like to comment upon a number of matters covered, and not covered, by Chairman Burton's letter and Professor Denza's.

Before turning to the specific issues, however, I would like to respond to Chairman Burton's claim that the Embassy's reliance on the Vienna Convention in this context is "unprecedented," and the implication that the Embassy's position is somehow illegitimate because it has not cited any case law decided under that treaty which squarely resolves these issues. There are no cases resolving these issues in part because the subpoenas issued by the Committee are entirely unprecedented. We are not aware of, and you have not identified, any prior instance in which the government of any signatory country has attempted to subpoena the correspondence and internal records of an Embassy's consultants and agents. I hope that we could agree that this matter raises several important questions of first impression and focus our discussion on the language and purposes of the Convention, as well as the inferences that can be

¹ I have also recently received a copy of a letter from Chairman Burton to the Ambassador dated November 25, 2002, which attempts to link these issues to this weekend's news stories concerning the possible redirection of charitable donations made by his wife, Princess Haifa al-Faisal, to persons connected to the September 11 attacks. The Ambassador and his family of course take very seriously any possibility that their personal funds may have inadvertently been diverted in such a way, and are currently investigating what happened. It should be obvious, however, that the application of the Convention to subpoenas issued to lawyers and consultants is entirely irrelevant to the discovery of Princess Haifa's own records. Princess Haifa al-Faisal is a diplomat and her personal records are indisputably "inviolable" under the Convention, even under the Committee's interpretation. See Article 30.

LATHAM & WATKINS

James C. Wilson, Esq.
 November 27, 2002
 Page 2

drawn from analogous precedent. The apparent novelty of this situation is a reason to proceed with great care and deliberation, and with respect for opposing points of view; it is not a reason to resolve any of these questions one way or the other.

I. Professor Denza's Letter Does Not Reach Any Final Conclusions As To The Proper Resolution Of This Dispute, And Indeed Supports The Embassy's Interpretation Of The Convention On Several Points

I spoke with Professor Denza by telephone about these issues Monday morning.² Professor Denza accepts that her opinion is intended to relate to the construction of relevant provisions of the Vienna Convention, and that the correct application of these provisions to the present circumstances seems to involve questions of the property and agency law of the United States on which she has no expertise. Her opinion makes clear that it is based on certain assumptions as to the legal ownership of the relevant documents.

As you are aware, the Embassy has consistently maintained that the consultants whose documents you have subpoenaed are its agents, and that all of the documents belong to the Embassy under background property law principles. In our discussion yesterday, Professor Denza agreed that the Embassy would have a strong argument that the documents under subpoena are "documents of the mission" within the meaning of Article 24 if they in fact belong to the Embassy under District of Columbia law. Professor Denza is professionally qualified in England and has no qualifications or expertise in DC law.

Professor Denza also confirmed that because of the concession by the International Tin Council (referred to in her Opinion) the House of Lords in the case of *Shearson Lehman Bros. Inc. and others v. Maclaine Watson & Co. Ltd. and others* did not directly address the hypothetical status of documents given to a bailee or agent of the ITC. As Lord Bridge's judgment makes clear:

It was conceded before your Lordships *that in these circumstances it was unnecessary to consider the possibility* that any ITC document now in the hands of a third party, or any original ITC document referred to as the basis of any derivative document, was originally obtained by any dishonesty either on the party of the third party who first obtained it or on the part of any member of the staff of the ITC who first communicated it to that third party. It was further conceded before your Lordships *that no question now arises* with respect to any documents held by third parties on loan from the ITC or otherwise as bailees or agents for the ITC.

(Emphasis added). The Lords therefore properly accepted as a premise for the rest of their decision that none of the documents in dispute had been given to agents of the ITC. Later in his

² Professor Denza has agreed that this letter's characterization of her views is accurate. Professor Denza expressed the views herein after she had an opportunity to review my letter of November 14, which I forwarded to her after receiving Chairman Burton's letter.

LATHAM & WATKINS

James C. Wilson, Esq.
 November 27, 2002
 Page 3

opinion, for example, Lord Bridge explained that "in accordance with the assumed facts, the concessions excluding dishonesty, loan, bailment or agency as the basis of the original transmission from the ITC . . . entitle and oblige your Lordships to assume that the original transmission whereby all these documents initially passed out of the possession and control of the ITC into the possession and control of third parties was effected by officers or employees of the ITC acting in the course of their employment."

The assumption that none of the documents were entrusted to agents of the ITC was critical to the Lords' decision. The principal holding of the case is that documents voluntarily given by the ITC to a non-agent third party lose their "inviolable" status, because they no longer belong to the ITC under background property/agency law. Lord Bridge explained that "if A, an individual, communicates a document to B *in the absence of any relationship of lender and borrower, bailor and bailee, or principal and agent*, the ordinary inference must be that property in the document communicated passes to B when he receives it." (Emphasis added). Such a document "no longer belongs to the ITC and hence no longer enjoys inviolability as part of the official archives." But (as the italicized language above demonstrates) the Lords' opinion was quite careful to distinguish situations in which the documents were conveyed to an agent. Although the issue was not technically before them because of the ITC's concession, the Lords' reasoning strongly implies that documents conveyed to a borrower, bailee or agent would have remained "inviolable" under the Convention.

As Professor Denza pointed out in our conversation, the critical question in interpreting Article 24 of the Convention in this context is whether the materials under subpoena are "archives and documents *of the mission*." And, as the ITC case confirms, that question ultimately turns on the background agency and property law, and the relationship between them.

II. The Attorneys And Consultants Whose Files Have Been Subpoenaed By The Committee Are Agents Of The Embassy, And The Files In Question Therefore Belong To The Embassy, Under Settled U.S. Law

The attorneys and consultants whose files are at issue in this matter are clearly agents of the Embassy under U.S. agency law, and the Committee has never contended otherwise. As the Committee has consistently pointed out, all of them are in fact registered foreign agents under the U.S. Foreign Agents Registration Act ("FARA"). The duties they were retained to perform include both advising the Embassy and representing the Embassy (including speaking on its behalf) in discussions with the U.S. government, the media, and other groups. This is a quintessential agency relationship.

My November 14 letter cited several cases which specifically hold that correspondence with, and documents generated by, agents like these belong to the client under settled property law principles. Chairman Burton's letter disparages these precedents (primarily on the ground that they were not decided in the Vienna Convention context), but offers absolutely no contrary authority on the actual issue. That omission does not surprise me, as I would have thought it entirely beyond dispute that materials that an agent is hired to produce and subsequently paid for

LATHAM & WATKINS

James C. Wilson, Esq.
 November 27, 2002
 Page 4

belong to the principal, as do materials entrusted to an agent in the course of an agency relationship. That is certainly true in the United States, and the International Tin Council case strongly implies that it is true at least in the United Kingdom as well.

Chairman Burton's letter attempts to distinguish *In re Grand Jury Proceedings*, 727 F.2d 941 (10th Cir. 1984), on the ground that it was decided in the context of an attorney's assertion of the Fifth Amendment privilege against self-incrimination. Respectfully, I fail to understand his reasoning. The issue did arise in the context of a criminal case against the lawyer, but the court's holding was that the lawyer could not invoke the Fifth Amendment privilege *because the documents belonged to his client, not to him*. The court held that "[a]ny ownership rights which inure in the file belong to the client who has presumably paid for the professional services and preparations made by the attorney," and that "[s]o far as we can determine, *it is a general principle of law that client files belong to the client* and indeed the court may order them surrendered to the client . . . subject only to the attorney's right to be protected in receiving compensation from the client for work done." 727 F.2d at 944 (emphasis added). That caveat is a reference to the established law that an attorney has a lien on his work product until he or she is paid for it. *See, e.g.*, D.C. Rules of Professional Conduct 1.8(i). But that merely confirms the general principle that the work ultimately belongs to the client; a person cannot have a lien on something that belongs to them.

Chairman Burton's discussion of the attorney discipline cases is similarly puzzling. *See In re Stone*, 672 A.2d 1032 (D.C. 1995); *In re Karr*, 722 A.2d 16 (D.C. 1998); *In re Bernstein*, 707 A.2d 371 (D.C. 1998). Those cases interpreted an ethics rule requiring an attorney to surrender to the client all "property that the client is entitled to receive" at the end of the representation. The D.C. courts considered it obvious that the attorney's file on the client was "property that the client is entitled to receive," just like money or any other tangible property entrusted to the lawyer by the client. Chairman Burton's letter argues that these cases do not hold that the attorney cannot retain a copy of the file. The cases do not address that question either way, but I fail to see its relevance. Even if permitted, such a copy would have to be made on the lawyer's own time and with the lawyer's own money. And no such copies have been made by the Embassy's attorneys and consultants here. His suggestion that the attorney discipline cases involved a terminated rather than ongoing representation is also a *non sequitur*. Surely you would not contend that a client's file belongs to her agent during the agency relationship and becomes the property of the client only if the agent is fired—or that your position regarding the application of the Vienna Convention would change if the Embassy were to fire these agents today.

Chairman Burton's suggestion that FARA's document maintenance requirements are inconsistent with the Embassy's ownership of these documents is easier to understand, but also ultimately unpersuasive. Ownership rights that are subject to regulatory requirements are quite common in the law. FARA certainly constrains the *use* of these documents during the three years that the Embassy's consultants are required to retain them for potential inspection by the Department of Justice. But those constraints imply nothing about who ultimately *owns* the documents, and who is therefore entitled to receive them when that period is up.

LATHAM & WATKINS

James C. Wilson, Esq.
 November 27, 2002
 Page 5

III. Chairman Burton's Letter Entirely Fails To Address The Embassy's Interpretation Of Article 27 Or The Purposes Of The Convention

Chairman Burton's letter suggests that the Embassy's "main argument" has been that its consultants' records are "archives and documents of the mission" which are "inviolable" under Article 24 of the Convention. The Embassy's claim of privilege in these documents has never been dependent on Article 24, because it has also relied on Article 27's related guarantees that "[t]he official correspondence of the mission shall be inviolable," and that "[t]he receiving State shall permit and protect free communication on the part of the mission for all official purposes." Chairman Burton's letter completely fails to respond to the Embassy's arguments based on Article 27 of the Convention. Professor Denza's letter briefly mentions Article 27 at the end, but only to restate her conclusion (and the holding of *Shearson Lehman Bros.*) that "correspondence to a third party not being an employee of the sending State is not entitled to inviolability once it has been received and become the property of the recipient." As explained above, the Embassy agrees that official correspondence would ordinarily be subject to subpoena when sent to a third party who is not an agent, but that principle is irrelevant to the present situation because all the documents at issue are in possession of an agent of the Embassy.

Article 27 ¶ 2's guarantee that "[t]he official correspondence of the mission shall be inviolable" is important in this context because it illustrates the Convention's consistent recognition that an embassy must communicate with many persons and entities outside of the embassy and its official personnel in order to fulfill their functions. The Convention defines "official correspondence" as "all correspondence relating to the mission and its functions." Art. 27 ¶ 2. Those "functions" include, *inter alia*, "negotiating with the Government of the receiving State," "ascertaining by all lawful means conditions and developments in the receiving State," and "promoting friendly relations between the sending State and the receiving State." Art. 3 ¶ 1. Those are precisely the functions for which the Embassy has sought the assistance of the attorneys and consultants here.

Even if a reviewing court ultimately determined that some of the materials covered by the Committee's subpoenas are not entitled to complete inviolability under the Convention, however, the Embassy is confident that the court would hold that the Convention's guarantee of "free communication on the part of the mission for all official purposes," Art. 27 ¶ 1, provides significant protection for confidential communications with agents retained to advise and assist with the performance of core diplomatic functions. At a bare minimum, a reviewing court will require an *in camera* review of the documents in question to permit a balancing of the Embassy's legitimate interests under the Convention against the Committee's reasons for wanting to review them.

The Embassy's confidence on that point stems from an analysis of the cardinal purpose of the Convention, which is to "ensure the efficient performance of the functions of diplomatic missions as representing States." Chairman Burton's letter does not dispute the Embassy's showing that the Supreme Court has placed substantial weight on the stated purposes when

LATHAM & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 6

interpreting treaties; or its analysis of the Convention's purposes; or its conclusion that "the efficient performance of the functions of diplomatic missions" depends upon the right to conduct confidential communications with advisors like the ones retained by the Embassy.

In the most closely analogous situations that have yet arisen, the United States Supreme Court and lower federal courts have consistently recognized that the efficient functioning of the *United States* government requires "executive" and "deliberative process" privileges protecting the ability of government officials to have confidential communications with advisors, both inside and outside of the government. In *United States v. Nixon*, 418 U.S. 683 (1974), for example, the Supreme Court recognized a privilege protecting the President's confidential communications with advisors—subject, of course, to an *in camera* balancing of the President's need for confidentiality against any legitimate countervailing interests in disclosure.³ And in a series of cases interpreting the related common law "deliberative process" privilege, as incorporated by statute into the Freedom of Information Act, the U.S. Court of Appeals for the D.C. Circuit has held that "[i]t is 'irrelevant' whether the author of the documents is 'a regular agency employee or a temporary consultant,'" because "[i]f it is to effectively deliberate, an agency may need or want to 'enlist the help of outside experts skilled at unraveling [the] knotty complexities' of 'problems outside their ken.'" *Pub. Citizen v. Dep't of Justice*, 111 F.3d 168, 170-71 (D.C. Cir. 1997) (citations omitted).

Chairman Burton's letter responds that executive privilege is "a privilege for the U.S. President under the U.S. Constitution" and therefore "is not available to the Saudi government." That observation is true but entirely beside the point. The Embassy has never suggested that these privileges apply to it directly. The Embassy's point is that, in deciding whether "the efficient performance of the functions of diplomatic missions" requires the ability to have free and confidential communications with consultants, a U.S. court will naturally look for the resolution of analogous questions elsewhere in the law. And the closest available analogies are, undeniably, the executive and deliberative process privilege cases.

Chairman Burton's assertion that U.S. agencies may not interpose Freedom of Information Act "deliberative process" exemptions in response to a Congressional subpoena is similarly beside the point. These documents and communications are protected by the Vienna Convention, not FOIA. It merely happens that the only U.S. cases to consider whether a governmental entity has a legitimate need for confidential communications with outside consultants were decided under FOIA—and consistently hold that such consultations are

³ The Supreme Court held in *Nixon* that the President's "broad, undifferentiated claim of public interest in the confidentiality of [his] conversations" must be balanced *in camera* against the Special Prosecutor's important interests in criminal law enforcement. 418 U.S. at 706. Importantly for present purposes, however, the Court indicated that even an *in camera* balancing might be inappropriate in a case involving "a claim of need to protect military, diplomatic, or sensitive national security secrets." *Id.*

LATHAM & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 7

essential to the decisionmaking process. A court interpreting the Vienna Convention is likely to arrive at the same conclusion, for the same reasons.⁴

In the end, there simply cannot be any serious dispute that the Embassy's interpretation of the treaty is consistent with the text of Article 27 because enforcement of the subpoenas would unreasonably impair its "freedom to communicate" with advisors "for official purposes." Nor can there be any serious dispute that the Embassy's interpretation is squarely supported by the express purposes of the Convention. In these circumstances, Supreme Court precedent would require adoption of the Embassy's interpretation. See *El Al Israel Airlines, Ltd. v. Tsui Yuan Tseng*, 525 U.S. 155, 168-70 (1999) (treaties should be interpreted in the manner "most faithful" to the "cardinal purpose" of the treaty).

IV. The Embassy's Interpretation Of The Convention Does Not Conflict With The Foreign Agents Registration Act

Chairman Burton's letter asserts that the Foreign Agents Registration Act "makes clear that the activities of . . . 'propagandists,' including the documents they generate, send and receive in the course of those activities, are to be subject to the 'spotlight of pitiless publicity' so that the American people may be fully informed of both the identity of the propagandists and the nature of the activities they undertake on behalf of their foreign masters." We are frankly surprised that he would use the legislative history he quotes in such a misleading way.

FARA does indeed require that foreign agents provide written disclosures on a registration statement concerning the nature of their activities and that the "informational materials" (formerly defined as "political propaganda") generated by registered agents be made public and identified as such. 22 U.S.C. § 614(c). And the legislative history that Chairman Burton quotes does indicate that the purpose of those provisions is to ensure that such political propaganda is subject to the "spotlight of pitiless publicity." H. Rep. 1381, 75th Cong., 1st Sess. (1937). As you are well aware, however, this dispute has nothing to do with the accuracy of the registration statement or the "informational materials" for which FARA requires public disclosure. The Embassy's attorneys and consultants have publicly disclosed all such materials. The private correspondence and deliberative documents the Committee has subpoenaed plainly do not fall into that statutory category, and the Committee has never suggested that they do. To the contrary, your argument has been (and remains) that the materials in question fall within the "books of account and other records," that FARA and its implementing regulations require registered agents to retain *privately*, for inspection upon request by the officials in the Criminal Division of the United States Department of Justice for the purpose of enforcing FARA itself. See 22 U.S.C. § 615; 28 C.F.R. § 5.500.

⁴ While FOIA exemptions of course do not directly apply when Congress subpoenas agency records, we have no doubt that the D.C. Circuit would refer to its closely analogous FOIA precedents when evaluating an agency's assertion of privilege in that context. Moreover, there is no doubt that Congress is bound by the Vienna Convention for the reasons explained in my November 14 letter (which Chairman Burton does not dispute).

LATHAM & WATKINS

James C. Wilson, Esq.
November 27, 2002
Page 8

As I pointed out in my last letter, however, the Committee is not the Department of Justice and these subpoenas have absolutely nothing to do with the enforcement of FARA. Furthermore, as I pointed out in my November 14 letter and Chairman Burton's letter does not even discuss, the United States District Court for the District of Columbia has squarely held that FARA's record-keeping requirements do not trump privileges created by other law. That court has held that FARA registrants may withhold even from the Justice Department any materials protected by the attorney-client privilege, and that the court—through an *in camera* review—will decide which documents are privileged and which are not. *Attorney General of the United States v. Covington & Burling*, 411 F.Supp. 371 (D.D.C. 1976). The Committee's position that all privileges with respect to documents in a registrant's files are waived or abrogated by FARA is therefore inconsistent with settled law. And there is no conceivable basis for concluding that FARA leaves intact the common law attorney-client privilege while abrogating privileges created by the Vienna Convention — particularly in light of the rule that statutes cannot be interpreted to conflict with a treaty “if any other possible construction remains,” *Murray v. Schooner Charming Betsy*, 6 U.S. (2 Cranch) 64, 118 (1804), and the fact that the Convention was ratified several decades *after* FARA was passed.

Chairman Burton's suggestion that the Embassy's interpretation of FARA would “shroud in absolute secrecy the very same activities” that FARA requires to be exposed to the “spotlight of pitiless publicity” is therefore plainly incorrect. And his assertion that FARA requires public disclosure of the documents at issue is irreconcilable with Supreme Court precedent interpreting FARA. The Supreme Court explained in *Viereck v. United States*, 318 U.S. 236, 241 (1943) that the “general purpose of the legislation was to identify agents of foreign principals” who might “spread[] foreign propaganda, and to require them to make public record of the nature of their employment,” through the public disclosures required by the registration statement itself. The Court accordingly held in *Viereck* that the Act must not be read to require public disclosure of any information beyond that expressly mandated for inclusion in the registration statement (and the provisions mandating the public filing of propaganda). Yet that is precisely what your Committee seeks to demand here: disclosure of confidential documents that Congress did not require foreign agents to file with the public. FARA is accordingly not implicated here.

V. Chairman Burton's Letter's Discussion Of “Disturbing Ramifications” Seriously Overstates The Embassy's Position

Chairman Burton's letter suggests that the Embassy's interpretation of the Convention will give diplomatic missions *carte blanche* to retain U.S. citizens to break the law with impunity, and will “cripple future espionage investigations” by permitting spies to claim that the documents in their possession are protected embassy records. These concerns are seriously exaggerated.

The Committee's subpoenas do not seek documents from suspected spies, or in connection with an espionage investigation. They seek the confidential files and communications of agents that the Embassy has retained for advice and assistance in connection with ongoing diplomatic negotiations between the Kingdom of Saudi Arabia and the United

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James C. Wilson, Esq.
November 27, 2002
Page 9

States Department of State. As I explained in my last letter, these are precisely the kinds of sensitive deliberative materials relating to diplomatic negotiations that the executive branch of the United States government has refused to share with Congress going back to the administration of George Washington.

There is no need to consider the extreme scenarios raised by Chairman Burton at this time, because this dispute can be resolved entirely on the basis of Article 27's protections for "official correspondence" and "free communication for all official purposes." Article 27 ¶¶ 1, 2. The activities of these agents, and the Embassy's purposes for retaining them, fall squarely within the Convention's description of the appropriate "functions of diplomatic missions," Article 3 ¶ 1, and are therefore clearly "official" correspondence and communications under Article 27. Hiring an agent to engage in espionage is plainly *not* within the legitimate functions of a diplomatic mission, and the documents held by such an agent would accordingly be entitled to no protection under Article 27. *See, e.g.*, Article 3 (the functions of a mission include "ascertaining by *all lawful means* conditions and developments in the receiving state"). The Embassy believes that a reviewing court could evaluate a sufficiently credible allegation of espionage by reviewing the disputed documents *in camera*. This matter can therefore be resolved entirely on the basis of Convention principles that pose none of the dangers Chairman Burton identifies.

Presented with the kind of abuses Chairman Burton suggests, a reviewing court could also decide that documents not on embassy premises, and in the hands of an agent hired for egregiously illegal and blatantly non-diplomatic purposes, are not "archives and documents of *the mission*" under Article 24. There would be numerous potential routes to such a holding. Because the contract of agency between the embassy and the agent would be void for illegality, for example, it is by no means clear that such an agent's documents would *belong to* the embassy under background property law. Documents stolen from the U.S. government certainly would not, for obvious reasons. The Embassy sees no need to speculate at this time about the proper resolution of extreme hypothetical scenarios, when the situation at hand involves unquestionably legitimate activity and falls so squarely within the core of the Convention's purposes.

VI. Chairman Burton's Letter Misunderstands The Embassy's Position Relating To Testimonial Immunities

Chairman Burton's letter suggests that I stated in an earlier meeting with the Committee's staff that the Embassy's attorneys and consultants could not be compelled to give testimony before the Committee. I apologize for any confusion, but the position I articulated was considerably more limited than that. As Chairman Burton's letter correctly points out, the Vienna Convention specifies the persons who are entitled to an absolute, personal immunity against giving evidence. The Embassy does not contend that its attorneys and consultants fall into any of those categories.

Although the Embassy recognizes that its attorneys and consultants have no personal testimonial immunity, however, it believes that under certain limited circumstances such persons would be entitled to assert *the Embassy's own* privileges under the Convention. If, for example,

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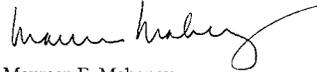
James C. Wilson, Esq.
November 27, 2002
Page 10

a document is "inviolable" under Articles 24 and 27, it would not be consistent with the structure or purposes of the Convention to compel *anyone* to read it into the record, or otherwise testify concerning its contents. The Convention's guarantee that such documents are inviolable "at any time and wherever they may be" would be hollow if it could be so easily evaded.

Professor Denza's letter leaves open the possibility that "employees and agents of the Kingdom of Saudi Arabia might be able to assert a claim of sovereign immunity if asked to give evidence on official matters," but states that she "understand[s] that the persons concerned are in fact independent contractors rather than officials or agents of Saudi Arabia." As explained above, these persons are in fact the Embassy's agents under the relevant sources of law in the United States. In any event, the Embassy agrees that its agents could be subpoenaed to testify about a variety of non-confidential matters even as they pertain to official functions. The scope of testimonial immunity would be no greater than the scope of the Embassy's privilege for confidential communications and records established by the provisions of the treaty.

As you know, we have made repeated offers to discuss ways that we could provide you with information—such as historical facts relevant to your inquiry—without abrogating the important privileges established by the Convention. To date, you have indicated that your sole interest is to review all the documents so that you can make your own assessment of the Embassy's good faith. That inflexible position is unacceptable. Please let me know if you have any interest in pursuing other avenues of discussion.

Sincerely,



Maureen E. Mahoney
of LATHAM & WATKINS

cc: David Kass, Esq. (by hand)
Michael Stern, Esq. (by hand)
Mike Yeager, Esq. (by hand)

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November 14, 2002

James C. Wilson, Esq.
Chief Counsel
Committee on Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, 20515

Re: Issuance of Subpoenas to Embassy Consultants

Dear Jim:

As I indicated in my letter of November 6, 2002, I thought it would be useful to provide the Committee with a written summary of the legal principles supporting the Royal Embassy of Saudi Arabia's objections under diplomatic privileges and immunities¹ to the subpoenas *duces tecum* issued by your Committee to a law firm and two public and government relations firms representing the Embassy. As you are aware, these firms were retained to advise the Embassy concerning its efforts to secure a diplomatic resolution of the international child custody issues under investigation by your Committee (as well as other matters not at issue here). The Saudi Embassy, like other foreign embassies throughout the world, depends upon the expert advice of lawyers and other firms in order to perform its diplomatic mission to the United States, and it sought the advice and counsel of these firms on this matter with an expectation of confidentiality. The subpoenas nevertheless seek to compel disclosure of documents reflecting the Embassy's deliberations on these important issues of foreign relations during the course of ongoing diplomatic negotiations with the United States government. This is an issue of serious concern to the Kingdom of Saudi Arabia and we appreciate your willingness to give careful consideration to the Embassy's conclusion that efforts to enforce these subpoenas would constitute a breach of the treaty governing diplomatic relations that was signed by both nations. *See* Vienna Convention on Diplomatic Relations and Optional Protocol on Disputes, April 18, 1961, 23 U.S.T. 3327, TIAS No. 7502 ("Vienna Convention").²

¹ As we indicated previously, the Embassy also objects to these subpoenas on other legal grounds, including attorney-client privilege.

² Congress has also extended the protections of the Vienna Convention to missions of foreign countries that are not signatories to the Convention. *See* 22 U.S.C. § 254b.

LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 2

As we discussed at our meeting last week, I am not aware of any occasion when similar information has been subpoenaed by a committee of Congress or by a court. As a result, there does not appear to be any judicial precedent that directly resolves the scope of the privileges and immunities conferred by the Vienna Convention for confidential documents located in the files of an Embassy consultant. Nevertheless, the express language of the treaty, the signatories' statement of purpose, settled principles of treaty interpretation, and judicial precedents construing the scope of the privileges and immunities established by the Vienna Convention uniformly support the Embassy's assertion of privilege in these circumstances. The Convention cannot reasonably be read to authorize compulsory disclosure of a foreign embassy's deliberations concerning ongoing negotiations with the United States government merely because the embassy found it necessary to obtain expert advice for the effective performance of its foreign policy deliberations. The signatories to the treaty have instead agreed to protect the confidentiality of this sensitive information, and we sincerely hope that the Committee will honor the Embassy's request to resolve these issues in a manner consistent with the framework established by the Convention.

ANALYSIS

I. THE VIENNA CONVENTION GOVERNS THE LEGALITY OF THE COMMITTEE SUBPOENAS

At our meeting last week, you questioned whether the Vienna Convention governs the validity of the Committee subpoenas. For the reasons set forth, there can be no doubt that it does.

First, your suggestion that Congress is not bound by the terms of the Convention is inconsistent with the text of the treaty, the terms of the United States ratification, and Supreme Court precedent. The obligations of the treaty are not imposed on the State Department; they are imposed on "the receiving State." *See, e.g.*, Articles 22, 27. The "receiving State" obviously includes all three branches of the United States government, and the ratification history confirms this common sense conclusion. When the treaty was signed by the President in 1972, he issued a proclamation explaining that the terms of the Convention "shall be observed and fulfilled with good faith . . . by the *United States of America*." Presidential Proclamation, 23 U.S.T. 3227-28 (emphasis added). The Supreme Court has similarly observed that treaties ratified by the United States are binding "upon the government," *Kennett v. Chambers*, 55 U.S. 38, 46 (1852), and that "the nation-state, not subdivisions within one nation, is the focus of the Convention and the perspective of our treaty partners." *El Al Israel Airlines, Ltd. v. Tsui Yuan Tseng*, 525 U.S. 155, 175 (1999) (holding that each state is bound by a treaty even in the absence of express language of preemption).

Second, you suggested that the Convention may not apply because the signatory on the agreement with Qorvis Communications is described as the "Kingdom of Saudi Arabia" rather than the Embassy. The Royal Embassy of Saudi Arabia, however, is a part of the

LATHAM & WATKINS

James C. Wilson, Esq.
 November 14, 2002
 Page 3

Government of Saudi Arabia, just as the United States Embassy to Saudi Arabia is a part of the Government of the United States. It is accordingly of no consequence that the retention agreement with Qorvis Communications is signed on behalf of the "Kingdom of Saudi Arabia." The Qorvis agreement letters of November 14, 2001 and August 7, 2002 are addressed to "HRH Prince Bandar Bin Sultan, Ambassador of the Royal Embassy of Saudi Arabia"; the client is described as the "Royal Embassy of Saudi Arabia" in the Statement of Projected Expenditures; and the "Royal Embassy of Saudi Arabia" is identified as the "foreign principal" in each of the consultants' registration statements filed under the Foreign Agents Registration Act ("FARA"). The agreements and related public filings accordingly leave no doubt that these contracts required services to be performed on behalf of the Saudi government's Diplomatic Mission to the United States – the subject of the Vienna Convention.³ See Preamble at fourth paragraph.

II. THE VIENNA CONVENTION PROHIBITS THE COMPULSORY DISCLOSURE OF THE DOCUMENTS COVERED BY THE COMMITTEE SUBPOENAS

A. The Express Language Of The Convention Provides Broad Protection For Embassy Communications That Makes No Exception For Confidential Communications With Consultants

The Vienna Convention establishes the broadest form of immunities recognized under American law. By way of example, the Convention provides that "[t]he person of a diplomatic agent shall be inviolable," and a diplomat who commits any crime – no matter how heinous – "shall not be liable to any form of arrest or detention." Article 29. The Convention nevertheless makes clear that the privileges and immunities conferred by the Convention are not designed "to benefit individuals." They are instead created for the protection of "diplomatic missions as representing States." Preamble at fourth paragraph. The Convention accordingly establishes a number of provisions protecting the documents, correspondence, and communication of the Embassy, in addition to creating broad personal immunities for diplomats and other employees.

The breadth of the protection for Embassy communications is apparent from three related and reinforcing provisions of the treaty that plainly encompass the documents demanded by the Committee subpoenas. First, Article 24 establishes that "[t]he archives and documents of the mission shall be inviolable at any time and wherever they may be." The subpoenas nevertheless demand compulsory production of "documents of the mission" that are in the possession of Embassy consultants. The working files and correspondence of its consultants were commissioned and paid for by the Embassy, and belong to the Embassy under settled law. See, e.g., *In re Grand Jury Proceedings*, 727 F.2d 941, 944 (10th Cir. 1984) ("Any ownership rights which inure in the file belong to the client who has presumably paid for the professional services and preparations made by the attorney. . . . So far as we can determine, it is a general

³ The Convention uses the term "mission" to refer to the embassy of a foreign state.

LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 4

principle of law that client files belong to the client and indeed the court may order them surrendered to the client or another attorney on the request of the client subject only to the attorney's right to be protected in receiving compensation from the client for work done."); *In re Stone*, 672 A.2d 1032, 1034, 1042 (D.C. 1995) (attorney files are "property that the client is entitled to receive" at the end of the representation); *In re Karr*, 722 A.2d 16, 19-20 (D.C. 1998) (same); *In re Bernstein*, 707 A.2d 371, 376 (D.C. 1998) (same). Moreover, the language of Article 24 expressly provides that the Embassy's documents retain their "inviolab[ility] . . . wherever they may be." The fact that they are in possession of an agent of the Embassy, and not on the premises of the mission, is accordingly irrelevant under the unequivocal language of the treaty. *See also United States v. Am. Tel. & Tel. Co.*, 567 F.2d 121, 129 (D.C. Cir. 1977) (the "fortuity that documents sought by a congressional subpoena are not in the hands of a party claiming injury from the subpoena" does not "immunize that subpoena from challenge by that party").⁴

Second, Article 27 further provides that, "[t]he official correspondence of the mission shall be inviolable," and that "[o]fficial correspondence means *all* correspondence relating to the mission and its functions." Article 27 ¶ 2 (emphasis added). Yet the Committee's subpoenas unquestionably seek to compel disclosure of "correspondence relating to the mission and its functions" despite the treaty obligation to ensure that such correspondence "shall be inviolable."

Third, Article 27 provides that, "[t]he receiving State shall permit and protect free communication on the part of the mission for all official purposes." Article 27 ¶ 1. The promise of "free communication" expressly extends to communications "for *all* official purposes," and makes no exception for communications with persons who are not employed by the Embassy. Nor can there be any doubt that the principles of "free communication" referenced in Article 27 contemplate respect for the Embassy's interest in confidentiality. As the Supreme Court has recognized, the "specter of compelled disclosure" unquestionably impairs a government's "[f]reedom of communication." *United States v. Nixon*, 418 U.S. 683, 708 n.17 (1974) (quoting *Carl Zeiss Stiftung v. V. E. B. Carl Zeiss, Jena*, 40 F.R.D. 318, 325 (D.D.C. 1966)).⁵ Instead of "permit[ing] and protect[ing] free communication," however, the Committee subpoenas seek to invade the confidentiality of documents created for "official purposes."

⁴ The Embassy does not contend that Article 24 applies to documents that have voluntarily been given to third parties who have not been retained to serve as agents of the Embassy. When a principal entrusts an agent with documents for confidential use in serving the interests of the principal, however, the principal does not forfeit its interest in preserving the confidentiality of documents and information. *See, e.g., United States v. Am. Tel. & Tel. Co.*, 567 F.2d at 129.

⁵ The text of Article 27 makes it plain that preservation of confidentiality is one of the key attributes of the protections afforded by Article 27. For example, the article provides that foreign states may use "messages in code or cipher" and that the diplomatic bag "shall not be opened." Article 27 ¶¶ 1, 3.

LATHAM & WATKINS

James C. Wilson, Esq.
 November 14, 2002
 Page 5

B. Compulsory Disclosure Of The Documents At Issue Would Seriously Undermine The Purposes Of The Vienna Convention

Even if the treaty's "words lend themselves to divergent interpretations" – which they do not – the Supreme Court recently held that the language of a treaty should be interpreted in the manner "most faithful" to "the cardinal purpose" expressed in the Preamble. *El Al Israel Airlines*, 525 U.S. at 168-70. That principle of treaty interpretation is dispositive here.

The Preamble to the Vienna Convention explains that the "purpose of [the] privileges and immunities" established by the Convention is to "ensure the efficient performance of the functions of diplomatic missions as representing States." Article 3 ¶ 1 of the Convention further defines the "functions of diplomatic missions" to include:

- (a) representing the sending State in the receiving State;
- (b) protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law; (c) negotiating with the Government of the receiving State; (d) ascertaining by all lawful means conditions and developments in the receiving State, and reporting thereon to the Government of the sending State; (e) promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations.

The Embassy's interpretation of the treaty is the only interpretation consistent with this statement of purpose because confidential communications with expert advisors are essential for "ensur[ing] the efficient performance of the functions of diplomatic missions as representing States." Preamble at fourth paragraph.

First, a foreign Embassy's need for expert advice concerning "the Government of the receiving State," the "conditions and developments in the receiving State," as well as legal advice, cannot seriously be doubted. Public filings under FARA for the current period alone reveal that dozens of foreign embassies have retained legal and public and government relations consultants to assist with the performance of their diplomatic functions in the United States. Moreover, the need for expert advice in the United States is greatest for those countries with "differing constitutional and social systems," and the Vienna Convention was expressly designed to create privileges and immunities that would promote "diplomatic intercourse" irrespective of such differences. Preamble at third paragraph. It would accordingly undermine the purposes of the Convention to penalize the nations most in need of local expertise. And recent history confirms that even a government with resources as vast as our own depends upon expert input in matters of foreign affairs. The Chair of the House International Relations Committee recently explained that it was essential for U.S. foreign policy to pursue "public diplomacy efforts overseas" to improve the image of America in Muslim countries, and that it would be important to consult experts "in the private sectors whose careers are focused on the creation of images

LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 6

both here and around the world.” The Honorable Henry J. Hyde, *The Role of Public Diplomacy In Support of the Antiterrorist Campaign* (Oct. 10, 2001).

Second, numerous precedents confirm that the “efficient performance” of diplomatic functions depends upon government officials’ ability to consult their advisors on a confidential basis. As the Supreme Court explained in *United States v. Nixon*, 418 U.S. at 705, “the valid need for protection of communications between high Government officials and those who advise and assist them in the performance of their manifold duties” through preservation of “confidentiality” is “too plain to require further discussion.” In the Court’s view, “[h]uman experience teaches that those who expect public dissemination of their remarks may well temper candor with a concern for appearances and for their own interests to the detriment of the decisionmaking process.” *Id.* Although the Court found that this privilege – which is “fundamental to the operation of Government” (*id.* at 708) – must sometimes give way to a showing of compelling necessity, it emphasized that the need for confidentiality is at its zenith when governmental communications concern “diplomatic” issues. *Id.* at 706; *see also New York Times Co. v. United States*, 403 U.S. 713, 728-30 (1971) (“[I]t is elementary that the successful conduct of international diplomacy . . . require[s] both confidentiality and secrecy. . . . [I]t is the constitutional duty of the Executive . . . to protect the confidentiality necessary to carry out its responsibilities in the field of international relations.”).

For this reason, the Attorney General of the United States advised the President to withhold documents subpoenaed by a House committee in 1996 because “those who assist [the President] must be free to explore alternatives . . . in a way many would be unwilling to express except privately.” *Opinion Re Assertion Of Executive Privileges For Documents Concerning Conduct Of Foreign Affairs With Respect To Haiti* (Sept. 20, 1996) (quoting *United States v. Nixon*, 418 U.S. at 708). The documents withheld from Congress included “confidential communications” and “documents reflect[ing] . . . the deliberations of the NSC and its staff in connection with their advice and assistance to the President regarding his policy and activities in Haiti.” *Id.* Indeed, the Assistant Attorney General for the Office of Legal Counsel, Theodore Olson, prepared an opinion that documented similar refusals by Executive Branch officials to provide information demanded by Congress throughout our nation’s history. *History Of Refusals By Executive Branch Officials To Provide Information Demanded By Congress: Part I – Presidential Invocations Of Executive Privilege Vis-à-vis Congress*, 6 Op. O.L.C. 751 (1982). The opinion emphasized that the Executive Branch had repeatedly refused to provide Congress with documents relating to diplomatic negotiations.

Indeed, this line of precedent can be traced to 1796 when President Washington refused to comply with the House of Representatives’ request to disclose documents relating to the negotiation of a treaty with Great Britain. President Washington explained that, “[t]he nature of foreign negotiations requires caution; and their success must often depend on secrecy; and even, when brought to a conclusion, a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely impolitic: for this might have pernicious influence on future negotiations; or produce immediate

LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 7

inconveniences, perhaps danger and mischief, in relation to other Powers. . . . To admit, then, a right in the House of Representatives to demand, and to have, as a matter of course, all the papers respecting a negotiation with a foreign Power, would be to establish a dangerous precedent." *Id.* at 753.

Other Presidents throughout our nation's history have echoed these concerns and emphasized that the need to withhold the documents from Congress is greatest when diplomatic negotiations have not been concluded. *See, e.g., id.* at 756, 765. Yet that is precisely what the Committee subpoenas demand. The legitimacy of the Embassy's claim that disclosure of the documents requested by the Committee would undermine the efficient performance of its diplomatic functions is accordingly beyond question.⁶

Federal courts have also recognized the importance of confidential communications to government officials even outside the context of diplomatic relations by enforcing a "deliberative process" privilege in civil discovery and under the Freedom of Information Act. This privilege protects from disclosure "'documents reflecting advisory opinions, recommendations and deliberations comprising part of a process by which governmental decisions and policies are formulated.'" *Dep't of the Interior v. Klamath Water Users Protective Ass'n*, 532 U.S. 1, 8 (2001) (quoting *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 150 (1975)). The Supreme Court has explained that "[t]he deliberative process privilege rests on the obvious realization that officials will not communicate candidly among themselves if each remark is a potential item of discovery and front page news," and that the object of the privilege is "to enhance 'the quality of agency decisions' by protecting open and frank discussion among those who make them within the Government." *Id.* at 8-9 (citations omitted).

The federal courts have had no difficulty recognizing that the same principles apply to communications between agencies and outside consultants hired by the agency, and have routinely extended the privilege to cover such consultants. *Klamath*, 532 U.S. at 9-11 (collecting cases, but finding it unnecessary to resolve the issue). Indeed, it has long been the "established rule" in the D.C. Circuit that the deliberative process privilege covers "communications between an agency and an external consultant, when made for the purpose of aiding the agency's deliberative process." *Pub. Citizen, Inc. v. Dep't of Justice*, 111 F.3d 168, 169 (D.C. Cir. 1997); *see also Ryan v. Dep't of Justice*, 617 F.2d 781, 789-90 (D.C. Cir. 1980) (reaching issue despite the fact that the district court did not, because "we do not believe there is any doubt as to the proper resolution of this case"); *Formaldehyde Inst. v. Dep't of Health & Human Svcs.*, 889 F.2d 1118, 1120 (D.C. Cir. 1989) ("The law speaks clearly on this issue"). "In the course of its day-to-day activities, an agency often needs to rely on the opinions and

⁶ If the Executive branch believes that its international diplomacy would be undermined by sharing confidential documents with Congress – even though the President and Congress are on the same team – it goes without saying that Congressional access to confidential documents prepared by and for foreign governments would have an even greater detrimental impact on its diplomatic interests.

LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 8

recommendations of temporary consultants, as well as its own employees. Such consultations are an integral part of its deliberative process” *Ryan*, 617 F.2d at 789-90. “It is ‘irrelevant’ whether the author of the documents is ‘a regular agency employee or a temporary consultant,’” because “[i]f it is to effectively deliberate, an agency may need or want to ‘enlist the help of outside experts skilled at unravelling [the] knotty complexities’ of ‘problems outside their ken.’” *Pub. Citizen*, 111 F.3d at 170-71 (citations omitted). The courts have regarded the policy arguments for extending the privilege to outside consultants to be so strong that they have considered it an easy question despite relatively inhospitable statutory language (FOIA literally protects from disclosure only “intra-agency memorandums or letters”), and the settled law that “FOIA exemptions are to be narrowly construed,” *FBI v. Abramson*, 456 U.S. 615, 630 (1982), cited by *Klamath*, 532 U.S. at 8. In contrast, the language and purposes of the Vienna Convention provide an even stronger basis for recognizing the confidentiality of communications between an embassy and outside consultants hired to assist with the performance of diplomatic functions.⁷

Finally, the Supreme Court has emphasized that the language of a treaty should not be interpreted to produce “anomal[ous]” results. *El Al Israel Airlines*, 525 U.S. at 171. As we discussed in our meeting, there is no question that the Convention protects confidential communications between embassies and expert consultants retained as part-time employees. In the performance of their important diplomatic functions, however, embassies may often find it more efficient to seek the confidential advice of outside consultants retained as agents. Requiring embassies to structure their relationship with such consultants as a part-time employment rather than as a simple agency serves no purpose, and may interfere with the “efficient performance of the functions of diplomatic missions.” In a variety of contexts, courts have squarely held that privileges and immunities needed to further important interests do not depend upon the employment status of the actor. *See, e.g., Boyle v. United Techs. Corp.*, 487 U.S. 500, 512 (1988) (“It makes little sense to insulate the Government against financial liability for the judgment that a particular feature of military equipment is necessary when the Government produces the equipment itself, but not when it contracts for the production.”); *Fed. Trade Comm’n v. GlaxoSmithKline*, 294 F.3d 141, 148 (D.C. Cir. 2002) (holding that the attorney-client privilege extended to communications with “public relations and government affairs consultants” who were not employed by the company because “there is no reason to distinguish between a person on the corporation’s payroll and a consultant hired by the corporation if each acts for the corporation and possesses the information needed by attorneys in rendering legal advice”) (quoting *In re Cooper Market Antitrust Litig.*, 200 F.R.D. 213, 219 (S.D.N.Y. 2001)).

⁷ Given the strength of this precedent, it is highly likely that the federal courts would recognize a common law privilege for these documents even if the court concluded that the treaty did not itself create a privilege.

LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 9

C. Judicial Precedent Interpreting The Vienna Convention Supports The Embassy's Objection To The Subpoenas

Judicial precedent construing the Vienna Convention has been quite limited. There are nevertheless two cases of particular relevance. Both provide strong support for the Embassy's assertion of privilege.

First, the federal district court for the District of Columbia interpreted the Convention to confer immunity from attachment for embassy bank accounts "despite the absence of [any] specific provision" in the language of the treaty. *Liberian E. Timber Corp. v. Government of the Republic of Liberia*, 659 F. Supp. 606, 608 (D.D.C. 1987). In reaching this conclusion, the court relied heavily on its observation that the Embassy "hardly could function efficiently without local bank accounts." *Id.* The court reached this result even though bank accounts were not included within the list of property expressly exempt from attachment under the terms of Article 22(3). *Id.* The court determined that this Article should not be read to "provide the exclusive authority in the Vienna Convention to determine which property enjoys diplomatic immunity." *Id.* Instead, the court emphasized that the treaty revealed an intent to protect property of the mission "wherever [it] may be" (citing Article 24), and accordingly found that funds held by an agent off the premises of the mission were immune from seizure. *Id.* In contrast, the privileges asserted by the Embassy in this case find direct support in the language of the Convention. And the court's holding provides confirmation that the Embassy's interest in the efficient performance of its functions must be afforded paramount importance when interpreting the Vienna Convention.

Second, the Second Circuit refused to adopt a narrowing interpretation of the broad immunities suggested by the language of the Convention in *767 Third Avenue Associates v. Permanent Mission of the Republic of Zaire to the United Nations*, 988 F.2d 295 (2d Cir. 1983). In that case, a private landlord leased space to the Republic of Zaire for use as its mission to the United Nations. After repeated non-payment of rent, the landlord sued to evict the foreign mission from the landlord's property. The district court granted the relief requested based on the conclusion that the language of the Convention should not be read to vitiate the private property interests of the landlord. The State Department filed an amicus in support of the foreign mission and the Second Circuit reversed the district court.

The Second Circuit determined that the district court's judgment "fail[ed] to take into full account the plain language of Article 22," which "contain[ed] the advisedly categorical strong word 'inviolable'" – a word "which makes no provision for exceptions." *Id.* at 298. Although the court found that "protection from eviction from privately-owned leased premises was not specifically addressed by any of the treaties," this provided no basis for creating an "unspecified exception to the rule safeguarding a mission's inviolability." *Id.* (quoting district court). The court emphasized that the doctrine of "functional necessity" requires the United States to recognize privileges for foreign missions "with the understanding that American diplomats abroad will be afforded the same protections from intrusions by the host state," and the

LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 10

“most secure way to guarantee this protection, the United States tells us, is through blanket immunities and privileges without exception.” *Id.* at 300. The court explained that “creating an exception to mission inviolability in this country” would increase the risk that “American missions abroad would be exposed to incursions that are legal under a foreign state’s law,” and threaten the “fragile” security of “American nationals residing in foreign countries.” *Id.* at 300-01. The court “recognize[d] that there are negative policy implications from [its] ruling” because the “economic burden of inviolability . . . falls most heavily upon the private landlord, not on the government that urges inviolability.” *Id.* at 302. Nevertheless, “an interest in fairness to the landlord does not justify creating a judicial gloss on the concept of mission inviolability.” *Id.* The court emphasized that even “the perpetration . . . of unlawful acts” from mission premises could not alter the doctrine of “inviolability.” *Id.* (citation omitted).

The court’s reasoning is directly relevant here because Articles 24 and 27, which concern the Embassy’s freedom to communicate, both establish that documents and official correspondence are “inviolable.” It is accordingly of no consequence that the Committee has a legislative interest in reviewing the documents or that it may view the Saudi Government’s policies concerning international child custody cases as unlawful. These considerations do not alter the scope of the protections afforded by the Convention. *See also Risk v. Halvorsen*, 936 F.2d 393 (9th Cir. 1991) (confirming that actions taken by the Norwegian Consulate in connection with a child custody dispute represented consular functions immune from challenge in United States courts even though the actions at issue violated the criminal law of California).⁸

III. THE PROVISIONS OF THE FOREIGN AGENTS REGISTRATION ACT DO NOT ABROGATE IMMUNITIES CONFERRED BY THE CONVENTION

At our meeting, you suggested that the terms of the Foreign Agents Registration Act authorized the issuance of the Committee’s subpoena notwithstanding the language of the Vienna Convention. As a threshold matter, the terms of the Convention would govern if there were any conflict with FARA because the United States ratified the treaty long after the relevant provisions of FARA were adopted. *See, e.g., Fong Yue Ting v. United States*, 149 U.S. 698, 720-21 (1893). More fundamentally, however, the language and purposes of FARA can readily be read to respect Vienna Convention privileges. There is accordingly no cause for interpreting the Act to supercede the language of the Convention. As Chief Justice Marshall explained in

⁸ Even if a court were to conclude that some of the documents encompassed by the subpoenas fall outside the absolute protections conferred on documents of the mission and official correspondence, and that a balancing of interests was required for other types of official communications protected by Article 27, that inquiry would have to be conducted by a court *in camera*. *See, e.g., Attorney Gen. of the United States v. Covington & Burling*, 411 F. Supp. 371 (D.D.C. 1976). Moreover, the authorities discussed *supra* make it apparent that a foreign embassy’s interest in the confidentiality of documents concerning ongoing diplomatic deliberations would unquestionably outweigh the Committee’s generalized interest in reviewing these documents.

LATHAM & WATKINS

James C. Wilson, Esq.
 November 14, 2002
 Page 11

Murray v. Schooner Charming Betsy, 6 U.S. (2 Cranch) 64, 118 (1804), “an Act of Congress ought never to be construed to violate the law of nations if any other possible construction remains.” See also Restatement (Third) of the Foreign Relations Law of the United States § 114 (1987) (“Where fairly possible, a United States statute is to be construed so as not to conflict with international law or with an international agreement of the United States.”).

The plain language of FARA should not be read to vitiate protection for the confidentiality of the documents at issue because they do not fall within the limited category of documents that Congress required to be “public,” *i.e.*, “copies of informational materials.” 22 U.S.C. § 614(c) (previously defined as “political propaganda”). This category of documents, by definition, excludes the confidential documents encompassed by the Committee’s subpoena. Embassies do not hire consultants to indoctrinate them. They pay them for advice. There is accordingly no provision of FARA which establishes that the confidential communications sought by the Committee subpoena must be subject to public disclosure.

Nor is there any language in 22 U.S.C. § 615 that purports to vitiate privileges established by the treaty (or otherwise). This provision merely authorizes the Attorney General to require preservation and inspection of “such books of accounts and other records with respect to [the agent’s] activities” as are “necessary or appropriate for the enforcement of the provisions of this subchapter.” 22 U.S.C. § 615. That language can readily be construed to exclude privileged documents from the category of material subject to inspection by the Attorney General for the purpose of enforcing the Act. Given that this is a “possible construction” of the language, a court must adopt this interpretation in preference to any interpretation that would vitiate privileges conferred by the treaty. *Murray*, 6 U.S. (2 Cranch) at 118.⁹ Even if a court were to read FARA to supercede privileges when necessary for “enforcement of this subchapter,” however, that reading would have no bearing on the issue here. The Committee subpoenas have nothing whatsoever to do with the “enforcement” of FARA.

The Embassy’s interpretation of FARA is also firmly supported by precedent. The United States District Court for the District of Columbia has already held that FARA was not intended to supercede privileges created by other laws. In *Attorney General of the United States v. Covington & Burling*, 411 F.Supp. 371 (D.D.C. 1976), the Attorney General sought an

⁹ This actually represents the better reading of the language under ordinary principles of statutory construction as well. See, *e.g.*, *Green v. Bock Laundry Machine Co.*, 490 U.S. 504, 521 (1989) (“A party contending that legislative action changed settled law has the burden of showing that the legislature intended such a change.”). Given the specific and mandatory nature of the Vienna Convention immunities, the sensible presumption is that even later-enacted statutes do not displace those protections in the absence of unmistakable and specific evidence of Congressional intent to do so. New federal criminal laws are not, for example, ever regarded as abrogating diplomatic immunity. And recognizing that 22 U.S.C. § 615 is subject to Vienna Convention immunities does not render that section a nullity; indeed, the lion’s share of FARA filings do not even pertain to matters involving foreign embassies.

LATHAM & WATKINS

James C. Wilson, Esq.
 November 14, 2002
 Page 12

injunction ordering Covington & Burling to allow officials of the Justice Department to inspect documents relating to the firm's representation of the Republic of Guinea concerning a commercial project to exploit bauxite resources. Covington declined to permit the Attorney General to inspect confidential communications with Guinea concerning legal matters. The Attorney General argued that "no such privilege exists under the Act," and the district court rejected that view. *Id.* at 373. The court declined to read the language of the Act to vitiate privileges because "the function of § 615 is to insure that the public is in fact being accurately informed under the Act, but to do so in a way which does not unnecessarily intrude on the activities of an agent." *Id.* at 376. The court accordingly concluded that a registered agent "may validly claim the attorney-client privilege to withhold from disclosure to delegates of the Attorney General documents or portions thereof which are required to be kept under the Act" so that "an impartial judicial officer" could review the documents in order to ensure that the Attorney General would obtain the information it needed "without compromising the attorney-client relationship." *Id.* at 376. The court accordingly denied the Attorney General's motion for an injunction ordering the inspection of the documents because Covington & Burling "may validly assert the attorney-client privilege with regard to these documents." *Id.* at 377.

That reasoning is dispositive here. There is certainly no basis to afford attorney client privilege -- a creation of the common law -- greater deference than the diplomatic privileges and immunities embodied in an international treaty ratified by the United States. Thus, even if the issue here concerned the enforcement of FARA -- which it undisputedly does not -- the documents in the consultants' files would not be subject to compulsory disclosure.

CONCLUSION

The Kingdom of Saudi Arabia has given very serious consideration to the issues raised by the Committee and has already initiated a series of concrete steps to reach an inter-governmental solution that will protect the interests of the children, help to bring the families closer together, and prevent future disputes. These steps have included:

- Preparation and submission of a written proposal to Secretary of State Colin Powell recommending the establishment of a task force or ad hoc committee to examine the possibility of reaching a bilateral protocol on the issue of international child custody disputes. The Kingdom has advanced that proposal by directing its lawyers to research and analyze the issues that would need to be addressed in such a treaty and to make recommendations on how to proceed. This effort has led to the review of expert literature and treaties now in place between Islamic and western nations which could serve as a model for such a bilateral agreement. The government has also requested the assistance of other outside experts to assist in this diplomatic process.
- Productive and on-going discussions with the U.S. State Department focused on identifying child custody disputes and working towards a positive resolution of each case.

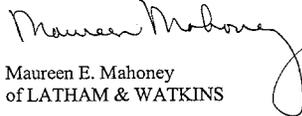
LATHAM & WATKINS

James C. Wilson, Esq.
November 14, 2002
Page 13

- Creation of a committee within the Saudi Foreign Ministry, with representation from other relevant ministries, to assist with the resolution of the issues pertaining to international child custody disputes.
- Assignment of Saudi Embassy staff to work on individual cases identified by the Government Reform Committee. This process has already led to progress on at least one case, involving Mrs. Tonetti, who has had several phone conversations with her children and whose proposed custody agreement has been forwarded through the Embassy to her former husband in Saudi Arabia. The Embassy staff is spending a considerable amount of time working on these issues and it appears that progress is being made on several other cases as well.
- A meeting with the U.S.-based National Center for Missing and Exploited Children. This organization, located in Alexandria, Virginia, is the world's leading center in the effort to address the issues of missing and exploited children. Their international division has extensive experience in identifying the underlying issues that lead to international child custody disputes, in fostering resolution of the specific individual cases that arise, and in identifying and addressing the policy issues essential to a protocol or agreement to address the issue in the future.
- Providing direction to its attorneys to work in close cooperation with the Government Reform Committee staff to further progress on individual cases and on a global resolution of these issues of serious international concern.

The Embassy has accordingly continued its efforts in earnest to reach a resolution of these diplomatic issues. It has also advised this Committee that it would work cooperatively to provide factual information necessary for the Committee's work on these issues. We are confident this goal can be achieved in a manner that does not impair the Embassy's need for confidential communications with its advisors. Thank you again for your cooperation in this matter. We look forward to hearing from you.

Very truly yours,



Maureen E. Mahoney
of LATHAM & WATKINS

cc: David Kass, Esq. (by hand)
Michael Stern, Esq. (by hand)
Mike Yeager, Esq. (by hand)

Mr. BURTON. Judge Duncan, did you have a question? And then I'll go to you, Mr. Cummings.

Mr. DUNCAN. I don't really have any questions at this point except to say that I certainly appreciate your holding this hearing; and, in fact, as I have said several times before, I have been so impressed by the issues that you take up. In fact, my staff didn't tell me about the hearing in Boston or I would have tried to go up there for that hearing, and I was—as you know, I've been very interested in the subject that you had a hearing on yesterday, but I wasn't able to come. But this is very, very important, the issues that you're dealing with here today.

You know, I spent 7½ years as a circuit court judge in Tennessee before coming to Congress and several years in law practice before that, and I think one of the things that is frustrating or surprising to a lot of people who aren't lawyers, they think that the law is all black and white, and it's really not. Most of American law is in really a gray area, and on most issues I can find about as many cases, even U.S. Supreme Court cases, supporting one side as supporting the other.

But I will tell you this. And I have to admit I did not handle a lot of domestic cases. I did some, but that was not an area of the law that I particularly enjoyed, but I will tell you that I know from law school and from the cases that I handled that in the law of domestic relations it is said over and over and over and over and over again in almost every case that the interests of the child are paramount. That's the main thing that courts are supposed to take into consideration in custody cases or in the disputes over children, what is in the best interest of the child, or what's in the best interest of the children.

I think in this area it is certain, and there's no question that it's in the best interest of these children to have relationships with both their mothers and their fathers. They're not getting that now. These—we've heard testimony of children that have been taken away in the middle of the night or surreptitiously and haven't seen their mothers for many, many years; and we've heard some pretty sad and very compelling testimony. And I can tell you this. It's my strong opinion, and I believe that of the chairman also, that our State Department can and should be—could and should be doing a whole lot more in this regard, and if Saudi Arabia is really the ally that they want us to think that they are, then the Saudi Arabian government should and could be doing much more in regard to these children.

So I commend you, Mr. Chairman, for holding this hearing, and I hope that we will keep on this—keep on top of this until something more is done to help these children. Thank you very much.

Mr. BURTON. Thank you, Judge.

Judge, could you—I'm going to need you to take the Chair. I have to step out for just a minute.

Mr. Cummings.

Mr. CUMMINGS. Thank you very much, Mr. Chairman.

I, too, want to thank you, Mr. Chairman, for holding these hearings. I think they are extremely important.

I was back here on October 3rd, and I've listened to the testimony of the children, and I agree with you, Congressman Duncan.

I practiced law for about 20 years before coming to the Congress and a lot of domestic law; and the key phrase is, what is in the best interest of the child? This is a frustrating process for us, watching this go on, to hear the testimony of mothers who haven't seen their children for years.

Mr. Chairman, I'm just going to read my statement and then I'll just listen in.

The House Government Reform Committee has held several hearings to look into the recurring problem of abduction of American children to Saudi Arabia. These children, because of Saudi law, are not free to leave Saudi Arabia despite being U.S. citizens and having a custody order from an American court giving their non-Saudi parent custody.

Most custody cases in Saudi Arabia are handled by Islamic law, where the father retains legal custody. According to the State Department, there are 47 cases in which more than 90 U.S. citizens are being held in Saudi Arabia.

We meet today to examine the legal arguments the Saudi Government has put forth as grounds for directing its representatives not to comply with a congressional subpoena.

After the October 3rd hearing, Chairman Burton issued document subpoenas to Qorvis Communications, Patton Boggs and The Gallagher Group, the three principal firms representing Saudi Arabia and the country's interest regarding the abduction issue. The subpoenas sought the firms' documents regarding their activities on the abduction cases. The three firms have refused to comply with the subpoenas. The primary basis for their refusal to turn over the documents is an instruction by the Saudi Ambassador to invoke his government's privileges under the Vienna Convention on Diplomatic Relations. They have claimed that their documents are, "documents and archives," of the Saudi Embassy and that such documents in the hands of outside law and public relations firms are protected, "documents of the mission," under the treaty.

Mr. Chairman, I was very frustrated after that October hearing when Mr. Michael Petruzzello, who is before us again today, could not or would not answer the questions put forth to him regarding the abduction cases. I hope it is not the case today and that all of the agents of the Saudi Government testifying today will be more forthcoming. Last week we heard from Pat Roush and Margaret McClain who recounted their hardships in trying to secure the return of their children out of Saudi Arabia. I am happy to see them here again today.

Mr. Chairman, it is hard to say if parental child abduction is increasing or if the public simply has become more aware of the problem. I believe that by shining the spotlight on parental abductions of American children to Saudi Arabia by this committee will bring this issue to the forefront and persuade the State and Justice Departments to reevaluate their policies.

Thank you, Mr. Chairman; and I yield back.

Mr. DUNCAN [presiding]. I think what we're going to do at this point, we're going to take a very brief, about 5-minute break, until Chairman Burton can return. Thank you very much.

[Recess.]

Mr. BURTON [presiding]. If we could, I'd like to get the panelists back to the table so we could ask some questions. Maybe some people have gone to the ladies' room or something or the men's room. If that's the case, we'll wait just a couple more minutes. Sorry I had to leave the chamber, but I had something else that came up. Since we're in—since a lot of Members aren't here, we have to handle it the best way we can.

Is everybody back? We still have some people missing. OK.

I'm going to ask some questions that may not seem relevant at the outset, but there's a reason for them, so I hope you'll bear with me as I ask these questions.

Mr. Petruzzello, Prince Nayef of the Saudi Interior Ministry recently stated that, "Jews have exploited the September 11th events to undermine the image of Arabs before the American people to institute the latter against the Arabs and Muslims." The question is, who perpetrated the September 11th events and who were the beneficiaries? I think it was the Jews themselves. Mr. Petruzzello, do you agree with Prince Nayef's analysis of September 11th?

Mr. PETRUZZELLO. I believe bin Laden and Al Qaeda committed that act. I believe that he has admitted to it, and I believe—I don't know what to add beyond that.

Mr. BURTON. How about you, Mr. Deschauer?

Mr. DESCHAUER. Absolutely not.

Mr. BURTON. How about you, Mr. Gallagher?

Mr. GALLAGHER. I don't believe his statement, Mr. Chairman.

Mr. BURTON. Do you believe that kind of a statement should be condemned?

Mr. PETRUZZELLO. Yes.

Mr. DESCHAUER. Yes, sir.

Mr. GALLAGHER. Yes, sir, Mr. Chairman.

Mr. BURTON. Prince Nayef is one of the main officials responsible for tracking down Al Qaeda terrorists inside of Saudi Arabia. Now, how can he do a good job if he believes that the Jews and the Jewish state are responsible for September 11th?

Mr. DESCHAUER. Sir, I have no personal knowledge of the operations of Saudi law enforcement.

Mr. BURTON. Well, my staff received a call Monday from someone named Issa Nakhleh who describes himself as the legal adviser to the Saudi mission to the United Nations. Do you know if a man named Nakhleh is the legal adviser to the Saudi mission at the U.N.?

Mr. PETRUZZELLO. Never heard of him.

Mr. DESCHAUER. I've never heard of him, sir.

Mr. GALLAGHER. Never heard of him, Mr. Chairman.

Mr. BURTON. Nakhleh told my staff that there are no kidnappings and that international law allows the Saudi father to take his children back to Saudi Arabia regardless of U.S. custody orders.

Mr. Petruzzello, do you believe that there are no kidnappings?

Mr. PETRUZZELLO. I believe there have been kidnappings.

Mr. BURTON. Mr. Deschauer.

Mr. DESCHAUER. Sir, based on the testimony of the witnesses, yes, there have been children.

Mr. BURTON. Mr. Gallagher.

Mr. GALLAGHER. I agree with his statement, Mr. Chairman.

Mr. BURTON. Mr. Petruzzello, you testified at the last hearing that the Saudi Government understood how important this matter was and that they are working hard on it. How is it that—how is it possible if a Saudi legal adviser claims that there are no kidnappings? I mean, how is that possible? I mean, you have the head of the Saudi legal—the equivalent of our FBI and you represent that government. How is it that's possible if the Saudi legal adviser claims there are no kidnappings? Doesn't that show an inconsistency? I mean, you've heard the testimony. You agree there were kidnappings. The government you're representing says there are no kidnappings.

Mr. PETRUZZELLO. Who is this, the legal adviser that said this?

Mr. BURTON. He's a man—we have his letter here. Where is his letter? I'll put that in the record. Just 1 second. It's exhibit No. 25. You probably don't have those exhibits in front of you, do you?

Let me have a copy of that. Here we are.

His name is Issa Nakhleh. He's in New York. He's a barrister at law, and he says that—he says that he's legal adviser to the Saudi Arabian mission to the United Nations, and he says there are no kidnappings. And you say you don't agree with that.

[Exhibit 25 follows:]

1581

Issa Nakhleh LL.B. (London)
Barrister at Law
P.O. Box 608
Grand Central Station
New York NY 10163-0608

Telephone: (914) 337-2476
FAX: (914) 779-8686

December 9, 2002

Hon. Dan Burton, MC
Chairman, Government Reform Committee
2157 Rayburn Building
US House of Representatives
Washington DC 20015

Dear Congressman Burton,

I watched your meeting about Saudi Arabia and the custody issue on C-Span. The New York Post of December 6, 2002 states: "For the past six months or so, Chairman Dan Burton (R-Ind.) has doggedly pursued the Saudi royal family and its closest ally - the State Department - to help ensure the safe return of abducted children to their left-behind American parents."

It is reported that you took a Congressional delegation to Saudi Arabia to negotiate the return of Patricia Roush's two daughters. I heard the flimsy statement of Patricia Roush in your Committee.

I was surprised that members of your Committee were attacking Saudi Arabia and attacking Ambassador Adel Al Jubeir, Advisor to the Saudi Arabian Crown Prince, who made a press conference to state that Saudi Arabia is a true friend and ally of the United States for the last 70 years. He stated that Saudi Arabia supports the United States in its war against terrorism. He stated that Saudi Arabia was the first country in the world to fight Osama Bin Laden and was a victim of his terrorism in Riyadh and Alkhobar.

The hearing of your Committee is part of the vicious campaign which is being made against Saudi Arabia. It is deplorable that the United States Congress should be used for this hate campaign against Saudi Arabia. You personally seem to be pro-Israel because you received \$62,500 from pro-Israel PACs.

Your Committee ignores the rights of Saudi fathers to have custody of their daughters,



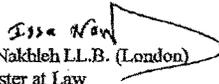
who are Saudi citizens, although they may also be U.S. citizens. According to private International Law, the Saudi Arabian law governs their rights. You also know that the daughters of Patricia Roush were interviewed in London by a United States Consular Officer who took the girls' statement with an open microphone in the room while Saudi officials were outside the door. The two girls stated that they love their mother, but they want to live in Saudi Arabia with their father.

Your Committee issued subpoenas to force the lawyers of the Saudi Arabian Embassy to testify about their communications with the Embassy. Your Committee should ask for the opinion of the U.S. Department of State about this matter, which will give you the right position in accordance with International Law. You requested Prof. Eileen Denza of the University College, London, to testify. She delivered a confused statement. I am a graduate of the University of London and I took legal courses in the University College, London, between 1936-1939. Your legal advisors should advise you about the inviolability of diplomatic envoys which is respected by the courts and should be respected by Congress.

It is disgraceful that the United States Congress is controlled by the Israeli lobby. It starts investigations against Saudi Arabia and other Arab countries. It adopts legislation and resolutions against the Arabs in favor of Israel. The law passed by Congress to force the United States President to move the United States Embassy from Tel Aviv to Jerusalem is illegal. It is contrary to eight resolutions of the United Nations Security Council which decided that the occupation of Jerusalem by Israel is illegal. But the United States Congress does not consider or support the principles of International Law and Justice with regard to Israel.

I hope that the Government Reform Committee will stop this hate campaign against Saudi Arabia, and, in a non-malicious manner, soberly investigate the inordinate influence of the Israeli lobby in the Legislative and Executive Branches of the U.S. Government.

Respectfully yours,


Issa Nakhleh LL.B. (London)
Barrister at Law
Legal Adviser to the Saudi Arabian Mission to the United Nations

Mr. PETRUZZELLO. I've never heard of him. I have no idea what he wrote to you.

Mr. BURTON. Well, he represents their government, to a degree, at the U.N. because he's a legal adviser. But you've never heard of him.

You testified at the last hearing that the Saudi Government understood how important this matter was and that they're working hard on it. How is it that if they're working hard on it nothing seems to be happening?

Mr. PETRUZZELLO. I'm sorry, Mr. Chairman. What is the question?

Mr. BURTON. You testified that the Saudi Government understood how important these kidnappings are and these custody matters are and that they were working hard on it. How is it that since you were last here—it's been, what, 2 months now—nothing has happened?

Mr. PETRUZZELLO. I believe I testified that the government takes this issue seriously. They have activities going on. There's people and resources dedicated to the issue.

Mr. BURTON. The problem is there has been no child, none, returned, not one. There has been no evidence whatsoever that the Saudi Government is trying to get these kids back to their mother who has custodial rights according to U.S. courts when they were kidnapped from here. So how is it that the Saudi government is working hard on this? You're representing them. You talk to them. I imagine you talk to Prince Bandar and the others over there. What are they doing that's working hard on it?

Mr. PETRUZZELLO. Mr. Chairman, we all hope that these cases get resolved, and, you know—I mean, I understood that they're complex cases. I don't know why they're not getting resolved.

Mr. BURTON. But you said they're working hard on it. What evidence do you have that they're working hard on it?

Mr. PETRUZZELLO. Well, that they have people in the Embassy working on this, that they have an ad hoc test group in Saudi Arabia that has dedicated the issue—

Mr. BURTON. So you have firsthand knowledge, then—second-hand knowledge, then, from talking to them that they have people working on this?

Mr. PETRUZZELLO. They've said that publicly.

Mr. BURTON. Is there any manifestation that they're accomplishing anything? Or are they just buying time?

Mr. DESCHAUER. The government has said that they're committed to solving this and—

Mr. BURTON. Pull the mic a little closer.

Mr. DESCHAUER. Sir, the government has made public statements that they're committed to solving this. The Foreign Minister presented a letter to the Secretary of State suggesting the establishment of a working group. My understanding is that the Secretary of State replied. The Embassy has designated two officials in the Embassy to work with the State Department. My understanding, again, secondhand, is that they've been in contact—regular contact now with the State Department Office of Children Services.

These issues have been around for years, as you've correctly pointed out, but we believe that the government of Saudi Arabia is——

Mr. BURTON. Would you pull your mic a little closer? They can't hear you.

Well, the government's also said, according to their—the head of their FBI over there, that the Jews were responsible for the attack on the United States on September 11th, and that's—that kind of calls into question whether or not they're really, really going at this in an aggressive manner if they're not telling the truth about something as serious as what happened on September 11th.

I mean, I have not—you would think that this committee would be the first organization to know if they were really pursuing this. And although they say they've talked to the State Department and they've got some kind of working group, we have heard nothing, we have seen nothing, and we've been constantly trying to get information on this from you folks as well as others, and there's been nothing that we've found that shows that there's any movement whatsoever.

Mr. DESCHAUER. Well, sir, the State Department is on the second panel, so I'll defer. I'm not going to——

Mr. BURTON. Well, we'll ask them about that. We'll ask the State Department about that.

Mr. Nakhleh also suggests that this investigation is a result of Congress being controlled by the Israeli lobby. Have you heard anything like that, or have they said anything to you like that?

Mr. DESCHAUER. Sir, I've never heard of this gentleman. I've never had any contact with this gentleman. This name is never heard. I've never heard this name.

Mr. BURTON. Well, we're in the process of contacting the people at the U.N. to find out what capacity he is in as far as the Saudi Government is concerned.

At the last hearing, Mr. Gallagher, we questioned Mr. Petruzzello about the statement made by Prince Bandar in the Wall Street Journal that some have charged that Saudi Arabia is holding Americans against their will. This is absolutely not true. Mr. Gallagher, do you believe that Prince Bandar's statement is accurate, that no Americans are being held against their will?

Mr. GALLAGHER. Mr. Chairman, I believe—I have no firsthand knowledge of that statement, but I do believe, Mr. Chairman, as I stated previously, that—in response to your question, that there are cases of kidnapping of children.

Mr. BURTON. So then Prince Bandar, who is the Ambassador to the United States, when he made that comment to the Wall Street Journal was not telling the truth?

Mr. GALLAGHER. Mr. Chairman, I have no—I've not spoken to Prince Bandar about this issue ever, and I have no firsthand knowledge as to what information he was given in order to make that statement.

Mr. BURTON. I know that you're all in a difficult position when we ask you these questions, because you're lobbyists for the Saudi Government and you're getting money from them, and that's how you make your living. I understand that, and they pay you pretty handsomely. But the fact of the matter is you're the people that

represent them and try to make sure that they have a positive image here in the United States. Prince Bandar has been the Ambassador to the United States for a long, long time; and he said, quote, in the Wall Street Journal, some have charged that Saudi Arabia is holding Americans against their will. This is about absolutely not true. That's a categorical statement: No Americans are being held in Saudi Arabia against their will.

Now, you guys represent them. You're to put a nice face on them. What do you think about that statement that Prince Bandar is making? You're supposed to make him look good and make the Saudis look good. He says that no Americans are being held against their will. Do you think he's telling the truth?

Mr. PETRUZZELLO. Mr. Chairman, you know, I presume what Prince Bandar was saying in that is that, you know, children born to Saudi parents are Saudi citizens, and, you know, I think that's what gets—that's part of what gets into the whole complexity of this issue.

Mr. BURTON. You were here the last time, Mr. Petruzzello, when you—there was a 16-year-old, lovely young lady who escaped, and it was on 60 Minutes. You saw that tape. And she testified that when she was in front of the Saudi—or the American Embassy people over there, she said that she didn't want to come to America, she didn't want to see her mother, she didn't want to come here and all that sort of thing, and then when she was here before the committee when she was in a free country and a free world she said she was afraid they would kill her. She said she was being held against her will. She wanted to come to America for a long, long time, that she was an American citizen. You heard all that.

Mr. PETRUZZELLO. Yes, I did.

Mr. BURTON. How can that be interpreted any other way than they're holding Americans against their will? There was a perfect example.

Mr. PETRUZZELLO. I don't know how to respond to that.

Mr. BURTON. How about you, Mr. Deschauer?

Mr. DESCHAUER. Sir, I haven't spoken to Prince Bandar about that. I had nothing to do with the production of that document. So I don't know what Prince Bandar meant legally by the term—when he used the term "American woman."

Mr. BURTON. Well, that was an American woman. She was 16 years old. She's not—not 21, but she's an American, and we have other American women.

I talked to an American woman over there who had two children. I'm not at liberty to give you too much information, because this woman gave me some graphic details about how her husband had threatened her. And she told me, put me in a box with my kids, stick me on anything you can, a plane, belly of a plane, and get me out of here. She says he indicated he would kill her.

Now, how can you interpret that any other way than an American and her American children are being held against their will?

Mr. DESCHAUER. Well, sir, because of the issues of dual citizenship. That's what makes these cases so complex, not only in Saudi Arabia but throughout the world. I mean—

Mr. BURTON. This is the only country in the world, the only country in the world where an American woman cannot leave the coun-

try if she wants to. She has to get the consent, and so do the younger women, they have to get the consent of the controlling man, usually the father or the husband. So if they want to come to America and they're an American citizen, they have no rights whatsoever, even though they're an adult American citizen. Now, would you consider that being held against their will?

Mr. DESCHAUER. Sir, I have no personal knowledge of a particular people being held against their will.

Mr. BURTON. Did you see the testimony? You said you read all the testimony.

Mr. DESCHAUER. I did.

Mr. BURTON. Did you read that testimony?

Mr. DESCHAUER. Yes, sir, I did.

Mr. BURTON. So you heard the testimony that was in—

Mr. DESCHAUER. Yes.

Mr. BURTON. Do you think those people were lying?

Mr. DESCHAUER. No, sir.

Mr. BURTON. So you think they were telling the truth?

Mr. DESCHAUER. I have no reason to doubt them, sir.

Mr. BURTON. You have no reason to doubt them. I think Mr. Petruzzello said the same thing last time. So you have no reason to doubt them, and yet Prince Bandar, the Ambassador to the United States who's a representative of the Saudi Government, said, "No Americans are being held against their will. That's absolutely not true."

Now, I know what position you're in. You can't say that you think he told a lie, but come on, guys. You represent them. You know he lied. You know he lied, and his mouthpiece—what's that guy's name? Al-Jubir. You know he lied.

In fact, on 60 Minutes you saw that piece earlier when he said he didn't know anything about this young lady trying to get a passport and get out. He says, I just heard of it a month ago, and there was a letter that Mike Wallace had that showed it was in 1988. In 1988 there was a letter signed by him saying we're not going to do anything about it.

Those guys lie. You're representing people who lie about American people being held hostage.

I know you're making a lot of money, and I know you don't like to be here, and I don't like having you here because I know you're pretty nice people. I know you're nice people, I really do. The reason we're doing this is not to beat the heck out of you guys but to beat the heck out of the Saudi Government by letting the American people know that they're paying people who have to make a living here—you guys have to make a living. They're paying American people to put a good face on everything they say, even their lies, even their lies.

And the thing that's really troubling is when you know for a fact that terrorists—the majority of the terrorists who have done damage and killed American people came from Saudi Arabia, the vast majority, 15 of the 19, that Osama bin Laden is a Saudi, that the—what's it, the Wahhabis are teaching the kids in the school over there to hate Jews and hate Americans. Every single day that's what they're teaching, and they control the educational system.

They are. Don't shake their head and tell me they're not teaching them. I know what they're teaching them.

And they're supposed to be our ally, and they're lying about keeping American citizens there against their will. And they're paying people here to represent them legally, like Ms. Mahoney. I'm sure she's a very fine lady and a competent lawyer. And they're paying you guys. And because we have such a free enterprise system and an open system they've been getting away with it, and kids are suffering.

You know, there's a poem that I read a long time ago called, God give us—it says, God give us men—a time like this demands strong men, tall men who live above the fog in the duty—in public duty and in private thinking, men whom the lust of office cannot buy, men who have determination and a will. You ever hear that poem? Men whom the lust of office cannot buy, and I don't think the poem was just talking about people in public service. I think he was talking about people who are paid to mislead, maybe not intentionally, but paid to mislead. And the final part of it is, wrong rules of the land and waiting justice sleeps. Wrong rules of the land and waiting justice sleeps. And so it bothers me so much.

You know, I heard you say, Mr. Petruzzello, the last time you were here, you know, you would do anything, anything to keep your kids from being kidnapped and held against their will someplace, and I believe that, and I believe that's true of Mr. Deschauer or Mr. Gallagher. I'm sure you guys would do anything to protect your kids and your family. You'd probably take a gun and go out and fight people who were trying to take your kids, and I think that's the way it ought to be.

These women had their kids kidnapped, never to see them again, never to talk to them again except maybe on a rare occasion when pressure is brought to bear. And they were given custody by an American court, and the Saudis don't recognize that.

Mr. Petruzzello, last week I received a response from Prince Saud to a letter I sent to Crown Prince Abdullah on September 12th. That's exhibit No. 11. The letter makes some pretty surprising claims. First, Prince Saud states that the government of Saudi Arabia had nothing to do with the travel arrangements of the Gheslayan sisters.

Is that true, that the Saudi Government had nothing to do with the travel arrangements of those folks?

[Exhibit 11 follows:]

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RECEIVED

DEC 2 2002

HOUSE COMMITTEE ON
GOVERNMENT REFORM

وزارة الخارجية
سعادة السفير
السفير في واشنطن

ROYAL EMBASSY OF SAUDI ARABIA
WASHINGTON, D. C.

OFFICE OF
THE AMBASSADOR

November 19, 2002

The Honorable Dan Burton
Chairman
Government Reform Committee
United States House of Representatives
2185 Rayburn House Office Building
Washington, DC 20515-1406

Dear Chairman Burton:

I have the pleasure to forward to you the enclosed letter from His Royal Highness
Prince Saud Al-Faisal, Minister of Foreign Affairs.

An unofficial translation of the letter is also enclosed.

With best personal regards.

Sincerely,



Bandar bin Sultan bin Abdulaziz
Ambassador

Encl. a/s
BbSbA/hs





(Unofficial Translation)

The Honorable Dan Burton
Chairman
Government Reform Committee
United States House of Representatives
2185 Rayburn House Office Building
Washington, DC 20515-1406

Dear Chairman Burton:

His Royal highness Prince Abdullah bin Abdulaziz Al Saud, Crown Prince, Deputy Prime Minister and Commander of the National Guard, asked me to reply, on his behalf, to your letter addressed to His Royal Highness on September 12, 2002, in which you mentioned that it was meant to continue the dialogue you had with me during your recent visit to the Kingdom concerning the cases of children born to Saudi fathers and American mothers.

First, I would like to express my regret over the misinformation and offenses about the Kingdom and its regulations which were included in your letter. Such remarks do not help to proceed with the dialogue, understanding and cooperation on an issue we consider very important and deserves sufficient attention from both parties in order to achieve a clear and joint vision whose first priority would be the interests of the children, and would also pave the way for establishing a clear understanding between the parents which guarantees a good atmosphere for their children to grow, and guarantees their life with freedom and security. This principle was, and still is, the basic foundation and main outset for any dealing of the subject from our part. In this context, I expressed in my message to Secretary Powell that the Saudi Government is prepared to work constructively with the US government. I made a practical suggestion on how to begin cooperation; through establishing a working committee between our two governments to achieve a bilateral protocol which aims at providing an acceptable framework and an appropriate joint source to solve the problems that might arise in this area. The protocol should be founded on the principle of looking for the interests of the children and assist in creating an atmosphere of understanding



The Honorable Dan Burton
(Page 2)

between the parents, organizing the visitation rights and defining the responsibility of the two governments in observing the protocol and guaranteeing the equal respect for the rules and regulations of the two countries. When this is achieved, it will be a good start to establish an exemplary international agreement that will regulate similar cases in the international community. This is something that we look forward to achieve, and reiterate the dedication of the responsible officials in the Kingdom to achieve an objective solution.

You mentioned in your letter that you were "frustrated" because you were not able to meet with the Crown Prince. I wish to remind you of what was relayed to you that his previous engagements did not allow the chance for your meeting. But since he is personally interested in this issue, he asked me to meet with you at that time. During our meeting I advised you of the complete vision of the Kingdom including the suggestion mentioned in this letter which aims virtually at solving this problem within a legal context and without resorting to politicizing such cases and using them for purposes other than humanitarian purposes – as mentioned in your letter. Such a direction would only complicate the matter and drift away from the most appropriate context for its solution. It also contributes to a drift in the visions and distracts attention from looking into cordial solutions based on understanding, and legal solutions based on justice and equality. These are the most appropriate options to take, to which we are still open and, undoubtedly, the friendly US government shares this vision with us.

Regarding the two case mentioned in your letter, you accused the Saudi government of arranging a meeting in London for the two Gheshayan girls with American officials and a TV producer, and of urging them to make a statement expressing their desire to remain in the Kingdom. I wish to explain and ascertain that the government of Saudi Arabia had nothing to do with the travel arrangements. You should know that the meeting was initiated by the husbands of the two Gheshayan girls themselves. As for Amjad Radwan, she has her own Saudi passport and she can travel to the US whenever she desires to do so without any restrictions.

What is really surprising is that you used unacceptable allegations against the Kingdom and its Islamic Shari' a laws. You have used inappropriate and unjustifiable expressions that do not follow the regulations of a civil dialogue, and accused the Kingdom with terms that are not appropriate to be used by a responsible official like



The Honorable Dan Burton
(Page 3)

yourself holding a job at the Congress which we respect and appreciate and consider as a representative of the civilized culture and thinking of the American Nation. Therefore, we are confident that your personal views do not represent the views of the American people whom we trust in its respect of our values and principles.

Therefore, we totally reject anything that damages our Islamic Shari' a on which a total system of the state is founded, and in which one quarter of the population on this earth believe. This Shari'a regulates and guarantees all humanitarian rights without any prejudices. It is founded on God's orders which we follow as well as the good objectives of Islam, mainly justice.

Finally, I wish to reiterate the Kingdom's preparedness to cooperate with the US government to achieve a clear and joint vision about these issues in accordance with the suggestion mentioned earlier.

With my best regards.

Sincerely,

Saud Al-Faisal
Minister of Foreign Affairs
Kingdom of Saudi Arabia

/hs

Mr. PETRUZZELLO. I have not seen that letter. So maybe I'll take a moment. But—

Mr. BURTON. Did anybody in your firm get a copy of that letter?

Mr. PETRUZZELLO. No.

Mr. BURTON. Do you have any knowledge that the Saudi Government was or was not involved in getting—making travel arrangements for them to go to London when we went over there? Do you have any knowledge about that?

Mr. PETRUZZELLO. You know, as I testified last time, I didn't know who made the arrangements for the trip. I presumed it was the government.

Mr. BURTON. The women did not travel alone. They did have a male contingent with them, though.

Mr. PETRUZZELLO. As I understand it, their husbands were with them.

Mr. BURTON. Were all their children with them?

Mr. PETRUZZELLO. I believe so. I'm not sure, but I think that's right.

Mr. BURTON. Do you know who paid for the trip to London?

Mr. PETRUZZELLO. No, I don't.

Mr. BURTON. Abdul Aziz—boy, it's hard to read all these names—Al-Suwaiyyegh, the director of the Foreign Ministry's office in the Western Province, wrote in the Arab News, exhibit 18, that the Saudi Government paid for it. So the Saudi government paid for the trip, according to what he said in the Arab News.

So those women pretty much were in a controlled environment, even though they went to London, in my view. They had men with them, not just their husbands but others. They were in their abayas. The minute they went into another room, they took their abayas off, but when the men came back in, they sat in a corner, put their abayas back on and were very subservient to the men and let them answer questions, not unlike the young woman who testified here that when she was with her dad she had to say certain things, but when she came to America and was sitting at that table, she told the truth.

So we don't know, but we do know that the Saudi Government sent them to London, paid for them to go to London, made the travel arrangements for them to go to London at the very time that I took a congressional delegation to Riyadh and Jidda to try to get these women out of there. So when they said that they hated their mother, they wished she was dead, they never wanted to see her again, when her mother told us that the opposite was true the last time she talked to them, contradicts that.

If the Saudi Government paid for the trip, how could Prince Saud's statement be accurate? He said they had nothing to do in that letter, and that letter I've just referred to, he said that the Saudi Government had nothing to do with making the travel arrangements to go to London. So if the Saudi Government did pay for the trip, as was said in the Saudi press, then how can his statement be accurate? This is Prince Saud, the Foreign Minister.

[Exhibit 18 follows:]



SAUDI ARABIA'S FIRST ENGLISH DAILY
03 December 2002 / 28 Ramadhan 1423



Kingdom	Islam	Letters
World	Business	Sports

The Life of The Prophet Muhammad
Role models Unveiled
Features
Compu-net
Law and You

Kahil's Cartoon
An Arab News 9/11 Special Tragedy Revisited
Local Press
Weather(KSA)
Classified
Arab view
Islamic Political Development
20 Years of King Fahd
Archives
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Dangers of politicizing mixed marriages

By Abdul Aziz Husain Al-Suwaiyyegh

In an interview with the Associated Press in London, Aliya and Aysha, two Saudi girls, spoke to Dona Abu Al-Naser about the breakdown of their parents' marriage. Their father is Saudi while their mother is American. Dona explains that both girls were brought up in a conservative Saudi family and over the past 17 years have seen their mother only once. She has battled fiercely to have the girls brought to the United States. Dona repeats a statement by the younger daughter, Aliya, 23: "I don't want to go to the US or contact my mother." Aysha, who is 29, said: "We want her to leave us alone and we will not rest until she is dead." From her home in San Francisco, Pat Roush, their mother, says: "My daughters love me and I love them." She accuses the Saudi government of forcing the girls to reject her.

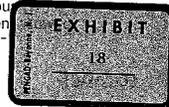
I myself have followed cases in which problems have arisen between American wives and Saudi husbands — problems leading to strained family life, loss of love and eventually to divorce. It is important to first clarify that this phenomenon is neither strange nor is it unique to Saudi husbands. These are problems that arise between husbands and wives all over the world, in "normal" as well as in "mixed marriages" — where the partners are of different nationalities.

What is strange about "mixed marriages" is that social and marital problems are transformed into thorny political issues which could damage relations between two countries long linked by friendship and mutual interests. Even more ludicrous is that the Saudi government should be accused by certain individuals of forcing husbands and children to act in a way that is against their interests. What possible self-interest could motivate the Saudi government to take such a stand? The adoption by a government of a certain political stance is usually linked to a goal that serves the interest of that state or government. Have those who spread these accusations asked themselves what interest would be served by denying a mother her daughters or a husband his wife? What interest does it serve for the Saudi government to forbid Roush's daughters from contacting her or going back to her?

An 18-member delegation from the US Congress visited Saudi Arabia last week. Congressman Dan Burton, chairman of the Committee on Government Reform in the US Congress, headed the delegation. In June, prior to his visit to the Kingdom, Burton led a session in which he delivered a speech concerning US-Saudi relations — the major part of which dealt with what he termed "the case of weak people" or more specifically, the cases of marital problems between Saudi husbands and their American wives. In his speech, Burton accused the Saudi government of refusing to respect American law and said that Saudi laws regarding the rights of women and children were wrong. According to Burton, not only had the Saudi government refused assistance in solving such cases, it had also established what he called "safe houses" for Saudi husbands in a country that regards women and children as private property.

The aim of this delegation's visit was to verify the facts surrounding Roush's case and other similar cases. This is exactly what the Saudi government

Opinion
• Editorials
• Israel's



them to do despite its conviction that such cases are governed by social relations and law rather than by foreign affairs. The Saudi Minister for Foreign Affairs, Prince Saud Al-Faisal, considers matters of marital discord between some Saudi husbands and their American wives as neither a Saudi-American problem nor a governmental problem. It is a family problem. In spite of that, the Saudi government did its utmost to urge the sisters, Aliya and Aysha, to discuss the case. Furthermore, it bore the expenses of their travel, with their husbands and children, to London in order to allow them total freedom to speak or indeed to travel from London to the US or even to seek refuge in the US Embassy in London if they so wished.

As reported by the Associated Press, an American diplomat visited the sisters and confirmed that she found them in good health and that they had told her they did not wish to travel to the US at that time. Despite all her efforts, including providing the sisters with American passports, the sisters refused her offer. In spite of the fact that the sisters are considered American by birth, they both confirmed that neither of them held an American passport. Aysha insists: "The US is not our country. Even if our mother is American, if we were to go there, we would not be happy. We would be lost." At the same time, the sisters speak with great love of their father and say that he constantly asks them whether they would like to speak with their mother on the phone. Aysha confirms, "He did not forbid us from seeing our mother if we wished."

Who is it then that is subjecting them to torture and nightmares disregarding their wish? The sisters confirm that it is their mother who is doing it through her public campaign. Aysha says of her mother: "She has appeared on television and insulted us and our religion. This approach does not help us have any feelings for her."

When the Associated Press journalist asked them if they had any final words to say to their mother, Aliya said: "We are proud to be Saudi women. Our men treat us with respect and we live well. Just make her leave us alone. Many years have passed and we do not need her." As for Aysha, her final words were: "If she truly loves us and wants us to be happy, then let her leave us to live in peace with our husbands in Saudi Arabia without any scandals in the newspapers or on television."

The problem is that despite all this, their mother, in an e-mail to the Associated Press, said that there was no guarantee her daughters had spoken freely in London. She went on to say: "It pains me that the government of Saudi Arabia and their mentally retarded father and his family have tortured them and have now subjected them to this nightmare in London." She declared that she would not give up and would not stop working to get back "my Aliya and my Aysha".

In the end, of course, marital disputes are human ones whose effects are not limited to the partners. They affect also the children, who are the fuel that keep the fire burning. Prince Saud clarified in his meeting with the delegation from the Congress that the subject of disputes in mixed marriages is considered "a human tragedy that should not be politicized." He confirmed that his country was not only concerned with, but was also committed to, dealing with these cases and that the Saudi government had created a special committee to review each case in an attempt to find a solution acceptable to both sides. Prince Saud also asked that both countries work side by side to find practical solutions to these tragic cases. The solutions "should guarantee the rights of both parents and, more importantly, should safeguard the rights of the children who are the real victims in such cases."

In my opinion, the Saudi government has presented endless evidence of its good intentions and showed its commitment to finding a solution to the marital disputes the delegation investigated. The invitation extended to the delegation

and giving its members full freedom to meet with any of the children of American mothers and giving them the chance to speak without witnesses merely confirms the extent of the Saudi efforts. The government has no objective except to work for a solution that guarantees the rights of both sides and especially the rights of the children. The attempts to use these cases as tools to harm the Saudi government and distort the image of the Saudi citizen is unacceptable. For every case of a failed marriage between Saudis and Americans, there are many more successful ones where the wives and families live peacefully together whether in Saudi Arabia or in the US. Marriage is a relationship between two people that may last so long as either person lives or it may end the very first day. I remember the story of a newly married couple who began their honeymoon with an argument during which their voices were raised and things ended in divorce. Upon grumbling to one of his friends about his bad luck, the friend commented: "Marriage resembles a barrel filled half with honey and half with onions. It seems, my friend, that you have opened the barrel from the wrong end."

— *Abdul Aziz Husain Al-Suwaiyyegh is director of the Foreign Ministry's office in the Western Province.*

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Mr. PETRUZZELLO. I don't know how to respond to that. I didn't talk—I didn't see this letter from Prince Saud. I didn't even know he sent one or talked to him about it beforehand.

Mr. BURTON. Well, let me ask you this. If he said they didn't pay for the trip and plan for it and then it comes out in the paper from a Foreign Ministry office that it was paid for by the government, would you say that was untrue? I mean, you've got the Foreign Ministry's office in the Western Province wrote in the Arab News that the saw Saudi Government paid for it and the Foreign Minister said they didn't. There's an inconsistency there, wouldn't you say?

Mr. PETRUZZELLO. Yeah. I would say one would have to go back to Prince Saud and ask him to clarify it, because he's not the kind of guy that I think would make misstatements. But, you know, I don't—

Mr. BURTON. You don't think he'd lie?

Mr. PETRUZZELLO. From what dealings I've had with him, no, I don't think so.

Mr. BURTON. Do you think Prince Bandar would lie?

Mr. PETRUZZELLO. No, I don't think so.

Mr. BURTON. You don't think he lied when he said that no Americans are being held against their will?

Mr. PETRUZZELLO. I think that gets back into the question we talked about earlier about who's a citizen of what country, but I don't think he intentionally meant to lie to you or anybody else.

Mr. BURTON. They're American citizens. They're American citizens, and they've been kidnapped and taken over there, and they want to come home. So they're held against their will, wouldn't you say?

Mr. PETRUZZELLO. And I hope they do.

Mr. BURTON. And they're held against their will. So when Prince Bandar says they're not being held against their will, that's not accurate. And when Prince Saud says that the government had nothing to do with sending those women to London when we went to Saudi Arabia so we couldn't work on that issue, he's not telling the truth either.

The letter from Prince Saud also states that the meeting was initiated by the husbands of the two girls themselves. Is that true?

Mr. PETRUZZELLO. I do not know.

Mr. BURTON. This has been such a highly visible issue, and you work with the Saudi Government trying to help them with their public relations, you don't know anything about that?

Mr. PETRUZZELLO. As I testified last time, I don't know how the trip was organized or who organized it.

Mr. BURTON. Mr. Deschauer, do you have any knowledge of that?

Mr. DESCHAUER. No, sir. I don't know anything about it.

Mr. BURTON. Mr. Gallagher, do you have any knowledge of that?

Mr. GALLAGHER. No, Mr. Chairman. I was not involved in planning, setting up, or any arrangements for the trip.

Mr. BURTON. At the committee's last hearing, Mr. Petruzzello, you testified that the London meeting was inspired by Adel al-Jubeir and his appearance a couple of weeks prior to where he appeared on the O'Reilly show, and made a commitment to have the

Geshayan sisters interviewed and meet with the U.S. Government officials outside of Saudi Arabia.

So which is it? Was the meeting initiated by the Geshayan sisters' husbands, or was it initiated by Adel al-Jubeir? I mean, he said he was going to do it on the O'Reilly show and it was done. Would you assume that he did it?

Mr. PETRUZZELLO. As I testified last time, is that, as I understood, it was my impression that there was activity—I don't know who specifically, but there was activity inside the government to try and get the sisters to come to America. They have been trying to do that for some time.

Mr. BURTON. Mr. Deschauer, Prince Saud's letter concludes that we totally reject anything that damages our Islamic Shari'a. We totally reject anything that damages our Islamic Shari'a on which the total system of the state is founded, end quote.

It sounds like the Saudi Government has staked out a pretty extreme position that does not contemplate any resolution of these kidnappings outside of the Shari'a. Would you say that is accurate?

Mr. DESCHAUER. Sir, I don't know. I am not an expert on Islamic law.

Mr. BURTON. Well, the Shari'a law says that the man has complete control, and that the government cedes to him the authority over the family and the women and everything else and that they can't do anything without their approval.

And he says, "We totally reject anything that damages our Islamic Shari'a on which the total system of the State is founded." And that is also that they don't recognize anything but Islamic law and the law of Saudi Arabia.

So if there is an American child born, and it is an American citizen, and a court gives custody to the mother, they don't recognize that at all. So they don't recognize it as kidnapping because the father has complete control anywhere in the world, and he can take the child anytime he wants to. Is that pretty much your understanding, or do you have any idea about that?

Mr. DESCHAUER. Sir, I am not an expert in Islamic law.

Mr. BURTON. Prince Saud states that the—the law regulates and guarantees all humanitarian rights without any prejudices.

Do you think that law protects women's rights without any prejudice? It doesn't sound like it. I don't want to continue to put you on the spot with this. But the fact is they recognize men; they don't recognize women or kids.

Ms. Rousch, Ms. McClain, what can you tell us about the Saudi law and how it treats women and children? And does it guarantee your rights if you go over there? And why would Prince Saud make statements that are so plainly false?

Ms. ROUSH. Shari'a law does not protect the rights of American Christian women at all. I was advised to go to court by the State Department to try to seek custody of my children right after they were taken in 1986. I have absolutely no standing in the Shari'a law. And other American women who have gone to court in Saudi Arabia have lost their children, and then they have absolutely no standing at all. We have no standing with Shari'a law. Shari'a law only upholds the claims of the father and the male. The males rule.

Mr. BURTON. Now, I don't remember who it was, but before you answer, Ms. McClain, we had a woman here who was a Christian woman, and she had divorced her Saudi husband and wanted to go see her children. But she was afraid for her life, because he had remarried, and if she had gone over there, according to the Shari'a law, she could be—

Ms. ROUSH. An enemy of Islam.

Mr. BURTON. She could be subject to the death penalty.

Ms. ROUSH. Yes. Joanna Tonetti.

Mr. BURTON. She is the lady from Terre Haute, Indiana.

Ms. MCCLAIN. I totally reject the statement that the Prince made that Shari'a law allows people to have all of their humanitarian rights. Under Shari'a law, very few people—even Saudi women who were born in Saudi Arabia can lose their children the same way that we have lost our children. If the man over there decides to take the children away from the wife, he can, and never let her see them again.

So it is not just us American women; it is those Saudi women that live there that don't have any rights under these laws either.

Mr. BURTON. I understand that. But, we certainly can't get into the problems of the Saudi people themselves. That is something for the government and their religious leaders to deal with. I am concerned about American women and children.

Mr. Petruzzello, earlier Prince Saud sent a letter to the Secretary of State in which he suggests that four American mothers had kidnapped their children from Saudi Arabia to the United States. Do you know if the list that he sent to the Secretary of State was accurate?

Mr. PETRUZZELLO. Mr. Chairman, you asked me about that last time I was here. And I don't know any more than I did last time, which is that I hadn't seen the list and I didn't know anything about those cases. Not quite sure whether it was—what it was referring to.

Mr. BURTON. Have you tried to find out anything about that?

Mr. PETRUZZELLO. On those cases, no.

Mr. BURTON. How about you, Mr. Deschauer, do you know anything about that?

Mr. DESCHAUER. No, sir. I had nothing to do with that letter.

Mr. BURTON. Mr. Gallagher.

Mr. GALLAGHER. No, Mr. Chairman. I have never seen the letter, never seen the list. I asked, at the hearing where Mr. Petruzzello testified, I asked your counsel in the hall for the list. And I have never seen it. But he did inform me that he had seen the list, but I have never seen the list.

Mr. BURTON. Have you seen the list? I think that you have the list in front of you, the December 27th letter. Excuse me, exhibit 27. Could you take a look at it now, Mr. Gallagher, and the others, see if you are familiar with that?

[Exhibit 27 follows:]



المملكة العربية السعودية
وزارة الخارجية
مكتب الوزير

September 17, 2002

The Honorable Colin Powell
Secretary of State
The State Department
Washington, DC

Dear Secretary Powell:

I am writing to propose to you the formation of a task force or ad hoc committee between our two governments to examine the possibility of reaching a bilateral protocol on the issue of child abduction.

We believe that the bilateral protocol should seek to protect the interests of the children in question, and help bring families together. It should address the issue of visitation rights, and the responsibility of both governments to work within their respective legal systems to prevent the abduction of children. Or ideally, an international agreement could be fashioned that would address the broader interests of the children of broken marriages involving parents of more than one nationality. Such an agreement could also deal with custody rights by working to help bring together the families without resorting to differing legal systems.

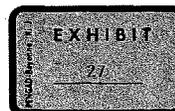
As you are aware, the issue of child abduction is a global one, and the cases involving the Kingdom represent less than one percent of all cases involving an American parent and a parent from another country. There are also a number of cases where children were abducted out of Saudi Arabia and brought to the U.S. against the wishes of their Saudi parent, and the orders of Saudi courts. I am enclosing a list of four urgent cases from a number of cases that we will convey to you later.

Mr. Secretary, we strongly believe that the time has come to create a practical mechanism for dealing with this issue between our two countries, and we are ready to begin exploring possibilities with your government. In this context, I would appreciate hearing from you about any ideas you might have on the most appropriate manner to begin this process.

With best regards,

Sincerely,

Saud Al-Faisal
Minister of Foreign Affairs



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



المملكة العربية السعودية
وزارة الخارجية
مكتب الوزير

SUMMARIES OF CASES RELATING TO SAUDI CITIZENS OF AMERICAN MOTHERS

1. **Yasmin Khalid Al-Shalhub**
Khalid Abdul-Aziz Al-Shalhub daughter Yasmin is believed to have been abducted by her American mother and left the Saudi Arabia through diplomatic assistance on a U.S. military aircraft. All diplomatic and legal channels have been exhausted to return Yasmin to her father in the Kingdom, or to work out visitation rights.
2. **Sami Jalal Moghrab & Yasmin Jalal Moghrab**
Jalal Ali Moghrab's two children were abducted by their American mother to an undisclosed destination. It was discovered later that the children were at the U.S. consulate in Jeddah prior to their departure to the United States. It is believed the children have been transferred to the United States.
3. **Abdul-Aziz Naser Alhjumedi's case** of his three abducted children by their American mother is currently a U.S. court. The mother has refusal to allow the father visitation rights in the U.S.
4. **Khalid Saad Al-Shabrami**
Saad Fahad Al-Shabrami's ex-wife, Jennifer, won a court order allowing her to meet with her son Khalid. Although the father has no objection to the visitation, he wishes that the meeting take place under the supervision of the concerned Saudi authorities, fearing abduction by the mother.

Mr. GALLAGHER. Mr. Chairman, I don't recall seeing that letter.

Mr. BURTON. You haven't seen it? Why don't you take a look at it now and see do you have any knowledge of whether or not it is accurate or inaccurate? It is from Prince Saud. As the Foreign Minister, it should be an accurate letter; would you not say so?

Mr. GALLAGHER. Mr. Chairman, I have no firsthand knowledge of where this list came from, who prepared it, and I cannot give you an informed opinion about it.

Mr. BURTON. I know. But assuming that the Foreign Minister of Saudi Arabia sends a letter to Secretary of State Powell, saying that four children were kidnapped from Saudi Arabia, you would assume that he would be telling the Secretary of State the truth, wouldn't you? You wouldn't think that he'd lie to Secretary of State Powell?

Mr. GALLAGHER. I would not think so, sir.

Mr. BURTON. But the fact is, it isn't true. It isn't accurate. We have checked that out. There have been no kids kidnapped from Saudi Arabia. We had one case where a child was kidnapped from the United States, and her grandmother sold her house and got \$200,000 and paid to help her escape, which she wanted to do.

But, that certainly can't be considered kidnapping. The—and two of the cases he cited, the kids are still in Saudi Arabia. So that was—so that was either an inaccuracy on the part of Prince Saud or it was a lie, one of the two. And I personally think it was probably the latter.

And it really is troubling that we know that Prince Bandahar has lied. We know that al-Jubeir has lied. And now we are pretty sure that Prince Saud has lied directly to the State Department. These are people that you are representing. I won't use the term—"son of a gun," I will use that instead of what was in the paper. But al-Jubeir was called a lying son of a something in this week's Weekly Standard.

When we met with Prince Saud, he was repeatedly dishonest. Prince Nayef, who has jurisdiction over child abduction issues, thinks that the Jews are behind September 11th. A legal advisor to the Saudi mission to the U.N. thinks that Israel runs the U.S. Congress and tells us that there are no kidnappings. We get a list from the Saudi Government that lies about children, saying they were kidnapped from Saudi Arabia, and yet you say everything is going really well and we should trust them and you, and—why should we trust them? Why should we trust them? They are working very hard to set up commissions and stuff to look into this to bring these kids back home? Why should we trust them after we know the Foreign Minister lied, the Saudi Ambassador lied, their spokesman lied, Mr. al-Jubeir. Why should we trust them? I don't think you have to answer that.

Now, the need for the documents. Ms. Roush, have you ever received assurances from the Saudi lobbyists that they are working on the return of your children and that the Saudi Government was working in good faith? Have you received anything like that?

Ms. ROUSH. Have I ever seen anything from—

Mr. BURTON. That would indicate from the lobbyists or from the Saudi Government that your children—that they are working on trying to get your kids back?

Ms. ROUSH. Absolutely not. They are not working on it. They never communicate with me. The only communication that they have with me is through my daughters, in coercing and manipulating Alia and Aisha to go on a trip to London—which they have never been out of the country before in 17 years—and in manipulating the media and the State Department in—and producing and directing a Stalinistic show trial involving my innocent daughters.

And Mr. Petruzzello was involved in that. And I don't know about the others, but Petruzzello certainly was. He had a member of Qorvis Communications in the room, in the room with my daughters. They have never been allowed to leave in 17 years. These are two little girls who are grown up and are big girls now, and have never been able to breathe the freedom of freedom. They were taken to a free country, to London finally. And Mr. Petruzzello sits here very innocently and says he doesn't know, he doesn't understand Shari'a or any of the Saudi laws; yet he understood enough to take my daughters to London.

Mr. BURTON. Let me ask Mr. Petruzzello a question. Did you have somebody from your firm there when they were there in London?

Mr. PETRUZZELLO. Yes.

Mr. BURTON. Oh, you did. But you don't know any more about it than you just had someone there?

Mr. PETRUZZELLO. There was a young woman from our firm, who was about the same age as the sisters, that was there for the—for the interview that the girls had with Fox News.

Mr. BURTON. Did you help assist the interview with Fox news?

Mr. PETRUZZELLO. Yes.

Mr. BURTON. So you sent somebody over there. What kind of knowledge did you have of this meeting and this trip that they took? If you sent someone over there, you had to know that they were going. Who told you that they were going?

Mr. PETRUZZELLO. Adel al-Jubeir told me they were going.

Mr. BURTON. Al-Jubeir told you they were going. Did he tell you they were paying for the trip, the government was?

Mr. PETRUZZELLO. At the time, no, he didn't discuss it.

Mr. BURTON. Well, do you know that they paid for the trip?

Mr. PETRUZZELLO. Just what I have read in the paper.

Mr. BURTON. Did you ask al-Jubeir any questions about the trip and what was going on?

Mr. PETRUZZELLO. You know, as I testified last time, you know, the—the request was to notify Fox and to provide somebody to be there, a woman, young woman, just to be there for the interview. That is what we did.

Mr. BURTON. Did the young lady that went over there have any indication about these young women? Can—did she tell you that they were with men or by themselves, or what did she say? She didn't come back and just say it was a nice trip and that is it.

Mr. PETRUZZELLO. What she said was that they were with their husbands. Not during the interview, but their husbands were there, and they were there with—I think one child, I think.

Mr. BURTON. Were there any other men there?

Mr. PETRUZZELLO. No.

Mr. BURTON. Just the husbands?

Mr. PETRUZZELLO. Yes.

Mr. BURTON. There wasn't anybody there from the Saudi Government other than the husbands?

Mr. PETRUZZELLO. No.

Mr. BURTON. You are pretty sure about that?

Mr. PETRUZZELLO. Based on what I have heard, yes.

Ms. ROUSH. Mr. Chairman, I was told by Mr. O'Reilly's producer Kristine Kotta, that their uncles were there and their father was there also in the hotel with my daughters.

Mr. BURTON. And if—if a woman in Saudi Arabia does something that is not agreed to by the husband or the male in the family, what happens to them?

Ms. ROUSH. They are either killed or tortured.

Mr. BURTON. Or beaten.

Ms. ROUSH. Beaten, tortured. Yes.

Mr. BURTON. So do you think your daughters, even though they were out of Saudi Arabia and in London, could freely say what they wanted to say?

Ms. ROUSH. Absolutely not. My daughters were in a controlled environment; whether they were in Saudi Arabia or they were in that hotel in London, they were totally controlled.

Mr. BURTON. You don't think your daughters want to see you dead, do you?

Ms. ROUSH. My daughters love me very much. They want to be with me in the United States. They told me that when I saw them in 1995. And Aisha told me that last year when I was able to talk to her, she said, "I love you, Mom. Come here Mom. Help." And then her father took the phone away from her.

Mr. BURTON. Let me get this straight. In 1995 they both told you they loved you?

Ms. ROUSH. Yes.

Mr. BURTON. Last year your one daughter said, We love you, and the father took the phone away?

Ms. ROUSH. Yes.

Mr. BURTON. How does that square with what was said on Fox News that they hated their mother and they never wanted to come back and they wished that she was dead? Do you think they could change that fast, in a year, when they haven't seen her?

The Saudi Government claims that it was just sending your daughters, Ms. Roush, to London so they could speak their mind. And you answered that obviously we shouldn't take the Saudis at their word. Do you think it is important that we obtain the lobbyist documents so we can see what was really going on and why they sent your daughters to London?

Ms. ROUSH. Absolutely. I think these documents are extremely important. I think their e-mail, their communication between them and Jubeir is very important when they were organizing the whole thing.

I think Petruzzello was in it from the ground floor. I think he organized it, he directed it, and Jubeir and him produced it together. It was a little scheme. Jubeir had been trying to make that happen since July after our last hearing when he went to Ambassador Bill Burns of the State Department. And they called me, and I said absolutely not.

But Jubeir would not be silenced on this. He wanted it to happen when he met O'Reilly. He knew that he could make it happen. And this man here beside me, Petruzzello, helped him put the whole thing together.

Those documents can be very incriminating to all three of these people. I believe that, sir.

Mr. BURTON. The Saudis claim that they are trying to resolve—Ms. McClain, they are trying to resolve the kidnapping of your daughter. Have you seen any evidence whatsoever that they are trying to help with that?

Ms. MCCLAIN. No, I haven't seen any evidence of that. I have not seen any evidence of that. In fact, I think they are working actively to make sure that my daughter and I are kept apart.

Mr. BURTON. The Saudis and the U.S. State Department deny that the Saudi Embassy was complicit in your daughters' kidnapping. The Saudis and our State Department. Do you believe that?

Ms. MCCLAIN. No. I know that they were complicit in the kidnapping of my daughter. My ex-husband was a part-time employee of the Saudi Embassy. As the assistant Imam of the Jonesboro Islamic Center, he was receiving pay from the Saudi Embassy for that position. I sent all of my legal documents to them in 1994 and in 1995. You should have copies of that from a previous hearing. They know that I had legal custody of her. I—I reminded them that she was not allowed to leave the country, and they let her leave anyway.

Mr. BURTON. You told the Saudis that?

Ms. MCCLAIN. Yes, I did.

Mr. BURTON. And our State Department, were they aware of that at that time?

Ms. MCCLAIN. I don't know if they were or not.

Mr. BURTON. Do you think the State Department takes the Saudis' assurances regarding kidnapping cases at face value?

Ms. MCCLAIN. Well, I think they take them at face value. I think they just believe anything the Saudis tell them.

Mr. BURTON. Do either one of you think it would be important if the State Department was confronted with evidence that the Saudis had been misleading them about their actions in resolving these kidnapping cases?

Ms. ROUSH. Let me answer that, sir. The State Department, during—the records that we found from the subpoenaed documents from the State Department concerning my case proved that the State Department has created documents to support their Saudi friends. They have created a number of documents in my case which are absolutely downright lies concerning things that never happened—that I said that never happened. And these documents have come forward.

And the State Department—it is not a matter of not knowing. The State Department defends the Saudi Government. They do everything the Saudi Government said, as exemplified by this meeting in London when Jubeir gave the order. He wanted the State Department to be there, and they were there, "Johnny on the spot."

Mr. BURTON. Ms. McClain, do you think it is important—do you think it would be important if the State Department was con-

fronted with evidence that the Saudis had been misleading them about their actions in resolving these kidnapping cases?

Ms. McCLAIN. Yes, I think it would be very important. Because right now it looks like the Secretary of State is, you know, very close to the Saudis because of his involvement on military affairs. And I think that is a conflict of interest with his involvement on children's issues.

But I think if he were to see some actual evidence that the Saudis were involved, I would think that he would try to call them into account for it.

Mr. BURTON. I will ask this of Mr. Petruzzello and the other two men. You obviously believe that the committee should not get these records and that we should leave the Saudi government alone to resolve these cases.

Do you know how many kidnapped American children have ever been voluntarily returned by the Saudi government? Do you know how many?

Mr. PETRUZZELLO. No.

Mr. BURTON. Do you, any of you?

Mr. DESCHAUER. I don't have any personal knowledge of it. But, sir, you said none.

Mr. GALLAGHER. Mr. Chairman, I don't have any personal knowledge.

Mr. BURTON. Well, Mr. Deschauer is correct. They have never, ever returned an American child that we know of.

Mr. Petruzzello, given the track record of your client that they have never returned a kidnapped American child, why do you think that we should accept the Saudis' assurances that they are actually trying to solve this problem by setting up these committees to look into it?

Mr. PETRUZZELLO. Mr. Chairman, you know, constructive dialog between the two countries is really the only way we are ever going to get any resolution, any progress.

Mr. BURTON. Well, my question was: Given their track record that they have never, ever returned a kidnapped American child, why do you think that we should accept their assurances? Do you think a ray from heaven came down and all of a sudden they see the light?

Mr. PETRUZZELLO. I think, you know, in part, through the work of this committee, that this issue is at the forefront, absolutely.

Mr. BURTON. Well, I want you to tell your clients, and I admonished you to do this the last time. Tell them this ain't going to go away. It is just not. We have got—I am going to a press conference in a half an hour with Senator Stabenow, and I guarantee you she is a real tough lady, she is a fighter. And she is going to be doing over in the Senate what I am doing here. And of course I am not going to go away.

So the Saudis need to know, and since you are representing them, and I think you represent them well, I think they need to know from you as their public relations people that they really need to get on the stick and get some of this stuff resolved, get it all resolved.

Once they get that out of the way, man, they can go and do some of these other things and have us off their back.

Let me just talk to you a little bit about your activities in your business. Mr. Petruzzello, you get \$200,000 a month from the Saudis. How much does the Gallagher Group get?

Mr. GALLAGHER. Mr. Chairman, for the first 6 months of this year, I received \$5,000 per month. For the second 6 months I received \$10,000 per month.

Mr. BURTON. OK. Sounds like you ought to be getting more if he is getting 200,000 a month. You ought to talk to them and say you guys need to up the ante, especially if you have to come up here and listen to me. That ought to be worth a bunch.

How about you, Mr. Deschauer?

Mr. DESCHAUER. Sir, my law firm, Patton Boggs, we are currently receiving \$50,000 a month.

Mr. BURTON. Geez, how is he getting so much more than you?

Mr. DESCHAUER. Sir, I don't know.

Mr. BURTON. The thing about it, Mr. Petruzzello, that is really funny is last time you were here I couldn't figure out how you get \$200,000 a month and you couldn't remember anything. I thought, man, this is a business that I ought to go into.

Mr. PETRUZZELLO. Well, Mr. Chairman, let me explain. The \$200,000 actually, part of that goes to the firms of these two gentlemen.

Mr. BURTON. Oh, really.

Mr. PETRUZZELLO. As well as to other people who provide us with support.

Mr. BURTON. I see. How much do you keep?

Mr. PETRUZZELLO. It varies from month to month.

Mr. BURTON. But it is a pretty good hunk?

Mr. PETRUZZELLO. Well, but not inconsistent with what other countries spend.

Mr. BURTON. You know, I ought to get out of this job. I mean, there is so much money to be made out there it is not funny.

Other than the Patton Boggs, Qorvic and the Gallagher Group, what other consultants or outside advisers work for the Saudi Embassy? Do you know? Do you know of other firms that work for the Saudi Embassy? How many do they have? There must be some others.

Mr. PETRUZZELLO. There are other law firms, I think some that you pointed out last time. But I don't know who—the total of everybody that works there.

Mr. BURTON. I think that they have four or five others maybe?

Mr. PETRUZZELLO. I don't know.

Mr. BURTON. Does the Saudi Embassy or their government use any private investigators that you know of in the United States, or have they ever to your knowledge?

Mr. PETRUZZELLO. Not to my knowledge.

Mr. BURTON. You guys have never been involved with them using private investigators?

Mr. DESCHAUER. Absolutely not, sir.

Mr. GALLAGHER. Absolutely not, Mr. Chairman.

Mr. BURTON. They have not in the past, to your knowledge?

Mr. GALLAGHER. No, Mr. Chairman.

Mr. BURTON. Does the Saudi Arabia Embassy or their government hire any person or entity to conduct research or investiga-

tions regarding its critics or opponents in the United States? To do background information, you know, newspapers and stuff like that?

Mr. PETRUZZELLO. I am not personally aware of any of that.

Mr. DESCHAUER. I have absolutely no knowledge of anything of that sort.

Mr. BURTON. Have you ever heard of the Arlington Research Group?

Mr. PETRUZZELLO. No.

Mr. BURTON. Any of you?

Mr. DESCHAUER. No, sir.

Mr. GALLAGHER. No, sir.

Mr. BURTON. Well, that is something that we will check up on. OK.

Mr. Petruzzello, we began meeting with you in August to discuss individual kidnapping cases and to provide you with information about them so that the Saudi government could begin working to resolve them. Five months later it doesn't look much like there has been any progress made. At a meeting with you and Nail al-Jubeir on August 19th, we pointed out the Rives case. We informed you that the Rives children were American citizens, not Saudi citizens, and asked why they are being held in Saudi Arabia.

As I recall, the father is from—no, the mother was from where? She is from Syria. So she is not a Saudi citizen. So even if you followed the logic of the Saudi government, this is not a Saudi mother.

And so the Rives children are American citizens, not Saudi citizens. And we were asked by—we asked you why they were being held in Saudi Arabia. Mr. al-Jubeir indicated that he was puzzled by the facts of the case and he would try to get answers. Do you know whether the Rives children are in fact United States or Saudi citizens? Do you know anything about that?

Mr. PETRUZZELLO. I don't know. I know that the Embassy was working on trying to find out an answer to that. I don't know if they have given you an answer or not.

Mr. BURTON. Gosh, how long does it take to get an answer? Al-Jubeir is the spokesman for the government of Saudi Arabia. Saud is the Foreign Minister, the Foreign Ambassador here is Bandar. You think they couldn't pick up the phone and in 5 minutes find out if he is a Saudi citizen, and yet that father has not heard about his two kids that were kidnapped and taken over there. This guy—this woman is from Syria. The fact is she is the daughter of a very important Syrian who has close ties to the Saudis, and so the Saudis are covering up for them. Do you have any knowledge about that?

Mr. PETRUZZELLO. No.

Mr. BURTON. You have no knowledge about that?

Mr. PETRUZZELLO. No, I know they are working it out. I think the parent deserves an answer about what the citizenship of the child is.

Mr. BURTON. Why is it taking so long to get an answer? Do you have any idea? I mean, it has been how many months? We are talking 5 months. Five months, when if he picks up a phone he can find out like that.

Mr. PETRUZZELLO. I wish I had an answer to that. I don't know.

Mr. BURTON. Ms. Norton, I didn't see you down there. I don't want to monopolize it. Did you have a statement that you wanted to make?

Ms. NORTON. I can wait until you're done.

Mr. BURTON. Well, I have a lot more questions. So I will yield to you right now.

Ms. NORTON. Thank you, Mr. Chairman, and I want to thank you once again for demonstrating that when this committee takes hold of such a serious issue it doesn't do a 1-day stand on the issue. I note that the professionals before us who represent the Saudi government are lobbyists or public relations people.

I believe that you are under an obligation to advise your client that your client has a massive public relations problem that is developing into a larger, far more serious problem affecting the relationship between Saudi Arabia and the U.S. Government.

Saudi Arabia, oil rich, an important ally, has gotten used to cushy treatment from successive administrations. All of that, most of that predated September 11th. The Saudi government is being looked at in a way no one would have perhaps even begun to look at the country before September 11th. And what has caught the attention of the American people in particular of course is the large number of Saudis, almost exclusively Saudis, who were the perpetrators of September 11th, which has led us to then look beyond that issue into other matters affecting the relationship between Saudi Arabia and the United States of America.

What the Saudis who run an authoritarian regime may not understand is that no President and no Congress can keep an issue that is bubbling up the way that this issue is to the American people from in fact becoming more serious. Foreign relations is normally the province of the Foreign Affairs Committees and of the President of the United States.

But if an issue becomes controversial enough, there is nothing that the President or the Congress can do in a democracy to save them from themselves. This has gone—this matter, which involves individual families, looms larger for the average American than the 19 Saudis who boarded those planes, we are assured that the President and the appropriate committees are trying to deal with our safety, looms larger than the great gulf between the way the Saudis generally treat their own population, their women, their children, and the way we treat ours.

This now strikes at the gut for the American people. When you are talking about separating mothers and fathers from their children, this is going to be out of the hands of the President of the United States very quickly. Nothing that the very smooth foreign affairs consultants who front for the government, no papers that they distribute are going to be able to help the government, which seeks good relations with our government, if you continue to let this matter get out of hand.

The response on the subpoenas, the nonresponse from the government on these family matters are lighting a slow fire that can ignite at any point. That is how it happens in this country. I don't need to tell you who are seated here at the table, who are in the public relations business, that once this thing continues to bubble up the way it is now, it is going to be out of everybody's hands,

and it can affect what nobody on this committee is trying to affect. We are not trying to—we are not trying to affect the normal good relations between the two countries. But in a democracy, when the people become demanding enough, there is nothing we can do because we have to be responsive to the people. I am reaching that point where the government may be forced to act against its own interests, its interests in keeping an ally for counterterrorism purposes, in keeping an ally because we need the oil. All of that can go by the board if the people get angry enough.

So if you are in the lobbying business, and if you are in the public relations business, you need to have a sit-down of the most serious kind with your principals. By profession I am a lawyer. And in the counsel of a lawyer and a client, you can tell people the honest to God truth. And the honest to God truth is that the Saudi government is messing with our children and our families, and that is where we draw the line in the sand. You got to tell them, before this gets out of hand. It is part of your professional obligation as lobbyists for the government, as public relations specialists for the government, to tell them the truth that you may not be able to do anything for them, that their allies within the administration may not be able to do anything for them if we do not come to any far quicker resolution of this problem.

Thank you, Mr. Chairman.

Mr. BURTON. Thank you very much. Appreciate you being here. Let me just ask a few more questions and then we will let you guys go have some lunch and relax a little bit.

Do you know if al-Jubeir has made any effort to learn the answers to the questions we have been asking since our August 19th meeting about Rives? You work with him fairly regularly I would think. Do you know—has al-Jubeir said anything or done anything to help with that problem, the Rives case?

Mr. DESCHAUER. Yes, sir. And in fact, we at Patton Boggs who have had ongoing consultations with both Mr. Wilson and Mr. Cass, I believe we received a letter on or about November 18th with a list of questions, one of which addressed the Rives case.

And we have gone to the Embassy and asked for that information to provide to Mr. Wilson and Mr. Cass.

Mr. BURTON. What happened? What has happened?

Mr. DESCHAUER. Well, one of the things that intervened, the letter that we got in asking us to directly, and our client has said one of our jobs that—and again, we are acting as a law firm. But one of our jobs was to facilitate communications. And one of the intervening things which we had no control over was the month of Ramadan and then the government was closed for Ayid.

But I believe that in an interim response that we might have provided to Mr. Wilson and Mr. Cass, the preliminary indication was that the children are not Saudi citizens.

Mr. BURTON. Well, the letter or information received doesn't satisfy the issue. Are you a little suspicious of al-Jubeir not really in doing much? Or do you have any idea that he is really pursuing this, or is this just a superficial—

Mr. DESCHAUER. Well, sir, as an attorney the conversations that I have with a client are protected by the attorney/client privilege.

So all I can tell you is that we received the request and we are pursuing the information.

Mr. BURTON. You are saying what you said is protected by the attorney/client privilege?

Mr. DESCHAUER. The conversations, sir, that I have with a client.

Mr. BURTON. Mr. Jubeir, al-Jubeir.

Mr. DESCHAUER. Nail al-Jubeir.

Mr. BURTON. Yeah. Well, we don't want to violate the attorney/client privilege. It seems like there is so much that we can't get to. We can't get to the documents that you folks have that may be relevant to our investigation, and now we can't even hear what they may have said regarding the kidnapping of two kids that were not—that aren't even Saudi citizens.

Mr. Petruzzello, has anyone contacted Mr. Rives' Saudi brother-in-law? He is a prominent Saudi official with UNESCO in Paris. He shouldn't be hard to track down. This shouldn't take more than a day? Has anybody contacted his brother-in-law and talked to him?

Mr. PETRUZZELLO. I don't know.

Mr. BURTON. I think you indicated you were going to try to help us with this, didn't you?

Mr. PETRUZZELLO. Yes, absolutely, Mr. Chairman. And we have tried to be as cooperative as we possibly can.

Mr. BURTON. What have you done to be cooperative?

Mr. PETRUZZELLO. I certainly relayed all of your requests from the last time I testified.

Mr. BURTON. To Mr. Jubeir and—

Mr. PETRUZZELLO. Yes.

Mr. BURTON. And Ambassador Bandar. So you gave them the message?

Mr. PETRUZZELLO. Yes, I did.

Mr. BURTON. I think they probably saw the message anyhow, don't you think?

Mr. PETRUZZELLO. Probably so.

Mr. BURTON. This is probably late night TV for them. At the last hearing you attended, you heard testimony from Maureen Dabbagh. Maureen's daughter has been missing for 10 years, and she doesn't even know where she is being held. Has the Saudi government located Nadia, her daughter?

Mr. PETRUZZELLO. I don't know.

Mr. BURTON. You relayed that to them, too?

Mr. PETRUZZELLO. Yes. Mr. Chairman, since last time I testified, I have had no involvement in any of these. I think, you know, that the activities that Mr. Deschauer just described is what has been carried forward. But I wish I could be more helpful.

Mr. BURTON. Well, I have to tell you that these hearings seem like an exercise in futility, because we just keep going round and round and round and nothing really changes. But I think what the Delegate from Washington said is very true.

It isn't going to go away. I don't think the members of the committee, even those who aren't here today, are going to let it go away. I will keep bringing it to their attention.

And I am not going to be chairman next year, I am sure that you guys all know that. But I think I can convince my successor, when

necessary, to issue subpoenas. And I probably will be a subcommittee chairman, and I will make sure that this area is in my subcommittee's jurisdiction, either that or since I am also one of the senior members of the Foreign Affairs Committee, I will do it over there.

But one way or the other we will stay after this. I want you to know that I know you guys do a good job up here for a lot of your clients. And I didn't bring you up here just to beat the heck out of you. But what I wanted to do is make the case that the Saudi government, you have got to be careful I know because they are paying you and if you say the wrong thing they are going to cut you off.

But the fact is they have lied and lied and lied to this committee. They have lied and lied and lied to these mothers. They have been roadblocks to getting American citizens back in this country, and it is something that will not be tolerated. We are going to keep the heat on them until something happens.

It may be that they never bring these kids back. But I think the end result will be, and I hope that Prince Bandar may be watching, I wish you the best. But I hope Prince Bandar will realize that ultimately either we will start getting some results or this will have a devastating impact long-term on the relationships between the Saudi government and the United States.

There is other places we can get oil. We can expand the amount of oil that we are getting from Venezuela. We can do more research here. And the President wants to do that in the ANWR and elsewhere. We can buy oil from the Soviet Union. There is a lot of places that we can go. If we keep the pressure up here in Congress, and I intend to do that, there will be some changes made.

So this is much further reaching than just these kids and these women who have been kidnapped and are being held against their will. So the Saudis need to know that there will be a price to pay for this, Prince Bandar and Prince Saud. There will be a price to pay for this long term if they don't get on the stick and get this job done.

Since you guys represent them, and I am sure that they will know about this, but I hope that you will convey that you—I know Mr. Gallagher has known me since I was the vice chairman of the Republican Study Committee, you know that. I am the founder of the Conservative Action Team, which is now the new Republican Study Committee. So you know that I usually follow through on what I am saying. So tell them that we are going to keep pushing on this. OK?

OK. I ask unanimous consent that a letter from Hill and Nolan dated December 10, 2002, regarding last week's hearing be included in the record. Without objection so ordered.

[The information referred to follows:]

HILL & KNOWLTON

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December 10, 2002

Rep. Dan Burton
Chairman, Committee on Government Reform and Oversight
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Burton:

To set the record straight about some erroneous testimony that was recently entered into your committee's official record, Hill & Knowlton – a leading international public relations and public affairs firm – would like to correct the committee's record about our lobbying and public affairs activities in recent years.

In both written and oral testimony submitted to the committee on December 5, two witnesses – Ms. Patricia Roush and Ms. Margaret McClain – asserted that Hill & Knowlton has actively lobbied in recent years on behalf of the government of the Kingdom of Saudi Arabia. This allegation is false. Hill & Knowlton never has lobbied, and does not now lobby, on behalf of the Saudi government. We are of course very sympathetic to the plight of Ms. Roush, Ms. McClain and their families. But our company's executives have repeatedly informed Ms. Roush that her information is erroneous, and our lawyers have asked that she refrain from repeating an allegation that is plainly wrong. Yet she has again made a public assertion that is at variance with the facts.

As our filings with the U.S. Department of Justice show (please see enclosures), Hill & Knowlton has never lobbied on behalf of the Embassy of Saudi Arabia. Gray and Company – a firm that Hill & Knowlton acquired, and which no longer exists as a separate entity – represented the Embassy of Saudi Arabia in Washington, D.C., from February 5, 1985 to January 31, 1986. However, Hill & Knowlton did not acquire Gray and Company until 1987. Gray and Company had ceased representing the Embassy of Saudi Arabia before Hill & Knowlton acquired the firm. We do not know why the U.S. Department of Justice apparently later changed the names on the FARA registration forms – which clearly say "Gray and Company" – to say "Hill & Knowlton." Perhaps that was the cause of Ms. Roush's and Ms. McClain's mistaken information. Now that we have discovered this error in the FARA records, our firm intends to write a letter to the director of the FARA office, asking that the forms be changed back to what they initially, accurately reflected: "Gray and Company."

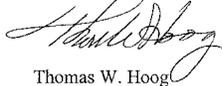
Since acquiring Gray and Company in 1987, Hill & Knowlton has occasionally represented individuals who are Saudi citizens, and we have represented firms that are located in Saudi Arabia. As our lawyers at Davis & Gilbert have clearly informed Ms. Roush, Hill & Knowlton has never lobbied on behalf of the Saudi government.

HILL & KNOWLTON

We trust that these allegations, now disproven by the FARA records, about Hill & Knowlton can at last be put to rest. It is deeply regrettable that Ms. Roush has repeated information that has now been shown to be untrue. As you can imagine, such allegations – when entered into the committee’s official record and then rebroadcast via the C-SPAN network – misinform the American public about our firm and risk damaging our company’s reputation. We ask that this letter, and the supporting materials we enclose along with it, be entered into the committee’s official transcript. That would set the record straight, and would help clear up any public misunderstanding about allegations that are false, misleading and clearly at variance with the truth.

Thank you very much for your consideration in this matter.

Sincerely yours,



Thomas W. Hoog
U.S. Chairman
Hill & Knowlton

Enclosures

cc: Ms. Patricia Roush
Mr. Brain Lamb, Chairman, C-SPAN networks

Registrant and their Foreign Principals for a Country 09-Dec-02

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
3801	Bergner Bockorny, Inc. 1101 - 16th Street, N.W. Suite 500 Washington, DC 20036	3/20/86	3/20/2001
	FP: Kingdom of Saudi Arabia	3/20/86	12/1/86
	Nature of Services: U.S. Policy Consultant		
3279	Billig, Sher & Jones, P.C. 2033 K Street, N.W. Suite 300 Washington, DC 20006	10/6/81	4/7/86
	FP: National Shipping Company of Saudi Arabia	6/17/83	6/4/86
	Nature of Services: Lobbying		
3609	Braun & Company 1250 Connecticut Avenue, N.W. Suite 318 Washington, DC 20036	8/28/84	12/31/87
	FP: King Faisal Foundation	8/28/84	12/31/87
	Nature of Services: Public Relations		
2469	Burson-Marsteller 1801 K Street, N.W. Suite 1000-L Washington, DC 20006-1301	10/23/73	
	FP: Saudi Basic Industries Corporation (SABIC)	11/1/83	5/24/93
	Nature of Services: Public Relations		
1066	DDB Worldwide Communications Group, Inc. 437 Madison Avenue New York, NY 10022	9/16/57	
	FP: Saudi Arabian Development Committee	11/5/84	4/15/86
	Nature of Services: Advertising		

1615

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
2591	Dutton & Dutton, P.C. 5017 Tilden Street, N.W. Washington, DC 20016	6/12/75	
	FP: Saudi Basic Industries Corporation	1/15/86	7/3/86
	Nature of Services: Legal and Other Services/Lobbying		
2844	Fraser Associates, Inc. 1210 Connecticut Avenue, N.W. Washington, DC 20006	11/8/77	12/31/82
	FP: Coalition of Saudi Royal Family	7/19/82	5/1/82
	Nature of Services:		
2850	Hannaford Company, Inc. 655 - 15th Street, N.W. Suite 200 Washington, DC 20005	11/29/77	11/29/95
	FP: Royal Embassy of Saudi Arabia	1/24/85	10/14/93
	Nature of Services: Public Relations		

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
3301	Hill & Knowlton, Inc. 600 New Hampshire Avenue, N.W. Suite 601 Washington, DC 20037	11/10/81	
	FP: Embassy of Saudi Arabia Nature of Services: Public Relations	2/5/85	1/31/86
3301	Hill & Knowlton, Inc. 600 New Hampshire Avenue, N.W. Suite 601	11/10/81	
	FP: HRH Prince Talal bin Abdul Aziz Al Saud Nature of Services: Public Relations	12/23/82	9/1/84
3301	Hill & Knowlton, Inc. 600 New Hampshire Avenue, N.W. Suite 601	11/10/81	
	FP: Saudi Gazette Nature of Services: Fund Raising	5/17/83	5/11/83
3301	Hill & Knowlton, Inc. 600 New Hampshire Avenue, N.W. Suite 601	11/10/81	
	FP: Adnan Khashoggi Nature of Services:	5/4/84	12/12/86
3828	Institutional Development Associates, Ltd. 8300 Boone Boulevard Suite 500 Vienna, VA 22180	5/8/86	5/14/87
	FP: Government of Kingdom of Saudi Arabia, Arlington Office Nature of Services: Industrial Promotion	5/8/86	5/14/87

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
3594	Manafort Jr., Paul J. 211 North Union Street 3rd Floor Alexandria, VA 22314	6/4/84	9/25/87
	FP: Government of Saudi Arabia Nature of Services: Lobbying	6/4/84	6/30/86
3734	Michael K. Deaver & Associates 3050 K Street, N.W. Washington, DC 20007	9/18/85	4/15/87
	FP: Royal Embassy of Saudi Arabia Nature of Services: Lobbying	3/11/86	2/28/87
2836	North American Precis Syndicate 201 East 42nd Street New York, NY 10017	10/12/77	5/12/93
	FP: Saudi Arabia Basic Industries Corporation (SABIC) Nature of Services: Advertising	2/15/85	10/12/85
2836	North American Precis Syndicate 201 East 42nd Street New York, NY 10017	10/12/77	5/12/93
	FP: Royal Embassy of Saudi Arabia Nature of Services: Advertising	4/25/85	4/12/86
2530	Ogilvy & Mather U.S., a Division of The Ogilvy Group, Inc. 309 West 49th Street Worldwide Plaza New York, NY 10019-7399	8/12/74	1/1/96
	FP: Aramco Services Nature of Services: Advertising	1/12/82	6/1/83

1618

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
3707	Rogers & Cowan, Inc., Washington Office 2233 Wisconsin Avenue Suite 500 Washington, DC 20007	7/29/85	12/31/87
FP: Princess Haifa bint Faisal		6/29/85	6/1/86
Nature of Services: Public Relations			

Number Of Registrant 19

Number Of Principal : 19

Registrant and their Foreign Principals for a Country *10-Dec-02*

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
4834	Abernathy/MacGregor Group, Inc. 501 Madison Avenue Suite 1300 New York, NY 10022	12/11/92	9/30/97
	FP: Mathew Dontzin (for Sheikh Khalid bin Mahfouz) (formerly: Lawrence G. Smith for K. bin-Mahfouz)	12/11/92	6/30/96
	Nature of Services: Distribution of Printed Material/Public Relations		
3492	Akin, Gump, Strauss, Hauer & Feld, L.L.P. 1333 New Hampshire Avenue, N.W Suite 400 Washington, DC 20036	6/24/83	
	FP: Kingdom of Saudi Arabia	4/24/2000	
	Nature of Services: Legal and Other Services/Lobbying		
4994	Allen, Thomas Vela International Marine, Ltd Tower Building, Room T-1014-B Dhahran, SA 31311	2/9/95	1/8/96
	FP: Vela International Marine, Ltd.	2/9/95	1/8/96
	Nature of Services: Lobbying		
5100	Allen, Thomas Vela International Marine Ltd. Tower Building, Room T-1014-B	3/15/96	10/1/96
	FP: Vela International Marine, Ltd.	3/15/96	10/1/96
	Nature of Services: Lobbying		
4744	Baldwin Communications Group 7714 Chaparral Way Fair Oaks, CA 95628	9/3/92	7/12/93
	FP: Khaled bin Sultan	9/3/92	4/19/93
	Nature of Services: Media/Public Relations		

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
3801	Bergner Bockorny, Inc. 1101 - 16th Street, N.W. Suite 500 Washington, DC 20036	3/20/86	3/20/2001
	FP: Kingdom of Saudi Arabia Nature of Services: U.S. Policy Consultant	3/20/86	12/1/86
3279	Billig, Sher & Jones, P.C. 2033 K Street, N.W. Suite 300 Washington, DC 20006	10/6/81	4/7/86
	FP: National Shipping Company of Saudi Arabia Nature of Services: Lobbying	6/17/83	6/4/86
5147	Boland & Madigan, Inc. 700 - 13th Street, N.W. Suite 350 Washington, DC 20005	12/30/96	12/31/200
	FP: Kingdom of Saudi Arabia, Embassy Nature of Services: Lobbying	12/30/96	12/31/200
3609	Braun & Company 1250 Connecticut Avenue, N.W. Suite 318 Washington, DC 20036	8/28/84	12/31/87
	FP: King Faisal Foundation Nature of Services: Public Relations	8/28/84	12/31/87
3825	Braun & Company 3580 Wilshire Boulevard Suite 1520 Los Angeles, CA 90010	5/6/86	6/9/89
	FP: King Faisal Foundation Nature of Services: Public Relations	2/12/87	11/30/88

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
2469	Burson-Marsteller 1801 K Street, N.W. Suite 1000-L Washington, DC 20006-1301	10/23/73	
	FP: Saudi Refining, Inc. Nature of Services: Explain Proposed Joint Venture Plan	6/30/88	12/31/91
2469	Burson-Marsteller 1801 K Street, N.W. Suite 1000-L	10/23/73	
	FP: Council of Saudi Chambers of Commerce & Industry Nature of Services: Public Relations/Advertising	9/30/93	5/24/94
2469	Burson-Marsteller 1801 K Street, N.W. Suite 1000-L	10/23/73	
	FP: Saudi Basic Industries Corporation (SABIC) Nature of Services: Public Relations	11/1/83	5/24/93
2469	Burson-Marsteller 1801 K Street, N.W. Suite 1000-L	10/23/73	
	FP: Royal Embassy of Saudi Arabia Nature of Services: Public Relations	9/20/2001	11/1/2001
2469	Burson-Marsteller 1801 K Street, N.W. Suite 1000-L	10/23/73	
	FP: King Faisal Foundation Nature of Services: Media/Public Relations Consultant	9/5/97	5/31/2000

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
4529	Capitoline/MS&L 1615 L Street, N.W. Suite 1150 Washington, DC 20036	6/20/91	12/31/97
	FP: Council of Saudi Chambers of Commerce & Industry Nature of Services: Economy Consultant	9/30/93	6/7/94
4411	Carl Byoir & Associates 420 Lexington Avenue New York, NY 10017	9/12/90	3/31/93
	FP: National Commercial Bank Nature of Services: Public Relations Counseling	8/21/91	10/29/93
4259	Cassidy & Associates, Inc. 700 - 13th Street, N.W. Suite 400 Washington, DC 20005	5/25/89	
	FP: Royal Embassy of Saudi Arabia Nature of Services: Media Relations/Lobbying	7/28/95	12/1/2000
2870	Conner, Stephen N. Route 1 Box 506 Easton, MD 21601	3/17/78	4/3/87
	FP: Ministry of Foreign Affairs, Kingdom of Saudi Arabia Nature of Services: Lobbying	3/17/78	4/3/87
3260	Cook Ruef, Inc. Post Office Box 50485 Columbia, SC 29250	7/16/81	12/13/89
	FP: J. Crawford Cook, Registration No. 3191, Agent of Ministry of Foreign Affairs, Kingdom of Saudi Arabia Nature of Services: Public Relations	7/16/81	4/30/88

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
3191	Cook, J. Crawford Post Office Box 50485 Columbia, SC 29250	1/22/81	1/16/91
	FP: Ministry of Foreign Affairs, Kingdom of Saudi Arabia	1/22/81	1/16/91
	Nature of Services: Public Relations		
3191	Cook, J. Crawford Post Office Box 50485 Columbia, SC 29250	1/22/81	1/16/91
	FP: Foreign Liaison Bureau	9/1/81	1/16/91
	Nature of Services: Public Relations		
1066	DDB Worldwide Communications Group, Inc. 437 Madison Avenue New York, NY 10022	9/16/57	
	FP: Saudi Arabian Development Committee	11/5/84	4/15/86
	Nature of Services: Advertising		
1066	DDB Worldwide Communications Group, Inc. 437 Madison Avenue New York, NY 10022	9/16/57	
	FP: Saudi Arabia Development Committee	6/20/89	4/19/93
	Nature of Services: Advertising		
4970	Deloitte & Touche, L.L.P. 1001 Pennsylvania Avenue, N.W. Suite 350 North Washington, DC 20004-2505	11/8/94	11/30/94
	FP: Saudi Arabian Oil Company (ARAMCO)	11/8/94	11/30/94
	Nature of Services: U.S. Policy Consultant		

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
4199	Dombink, Stephen 1032 East 14th Street San Leandro, CA 94577	12/22/88	9/14/89
	FP: Kingdom of Saudi Arabia	12/22/88	9/14/89
	Nature of Services: Legal and Other Services/Lobbying		
2591	Dutton & Dutton, P.C. 5017 Tilden Street, N.W. Washington, DC 20016	6/12/75	
	FP: Saudi Basic Industries Corporation	1/15/86	7/3/86
	Nature of Services: Legal and Other Services/Lobbying		
2591	Dutton & Dutton, P.C. 5017 Tilden Street, N.W. Washington, DC 20016	6/12/75	
	FP: Industrial Studies & Development Center of Saudi Arabia	1/17/77	2/28/94
	Nature of Services: Legal and Other Services/Lobbying		
2591	Dutton & Dutton, P.C. 5017 Tilden Street, N.W. Washington, DC 20016	6/12/75	
	FP: Embassy of Saudi Arabia	11/28/75	
	Nature of Services: Legal and Other Services/Lobbying		
4595	Epic Group, Inc. 1525 I Street, N.W. Washington, DC 20005-1105	11/20/91	5/30/92
	FP: Khaled bin Sultan	11/20/91	5/30/92
	Nature of Services: Media/Public Relations		

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
4876	Evanson, John Peter Vela InterNat. Marine, Ltd. Tower Building, Room T-1010 Dhahran, SA 31311	12/10/93	6/8/95
	FP: Vela International Marine, Ltd. Nature of Services: Promotion of Maritime Vessel Operations	12/10/93	6/8/95
3063	Franklin & Sims Trading Corporation 2439 Pearl Court West Covina, CA 91792	10/2/79	12/31/90
	FP: Jalawi Corporation Nature of Services:	1/16/79	12/31/90
5467	Gallagher Group, L.L.C. 1800 North Kent Street Suite 907 Arlington, VA 22209	1/24/02	
	FP: Royal Embassy of Saudi Arabia - (through Qorvis Communications, LLC) Nature of Services: Legal and Other Services/Lobbying	1/24/2002	
5036	Gibson, Dunn & Crutcher 1050 Connecticut Avenue, N.W. Washington, DC 20036	7/14/95	9/25/95
	FP: Royal Embassy of Saudi Arabia Nature of Services: Legal and Other Services/Lobbying	7/14/95	9/25/95
3108	Haight, Gardner, Poor & Havens 2000 K Street Suite 400 Washington, DC 20006	5/21/80	7/31/97
	FP: Vela International Marine, Ltd. Nature of Services: U.S. Policy Consultant	11/22/93	12/21/95

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
2850	Hannaford Company, Inc. 655 - 15th Street, N.W. Suite 200 Washington, DC 20005	11/29/77	11/29/95
	FP: Royal Embassy of Saudi Arabia Nature of Services: Public Relations	1/24/85	10/14/93
3301	Hill & Knowlton, Inc. 600 New Hampshire Avenue, N.W. Suite 601 Washington, DC 20037	11/10/81	
	FP: SABIC Core Communications Nature of Services: Public Relations	3/13/2002	
3301	Hill & Knowlton, Inc. 600 New Hampshire Avenue, N.W. Suite 601	11/10/81	
	FP: Embassy of Saudi Arabia Nature of Services: Public Relations	2/5/85	1/31/86
3301	Hill & Knowlton, Inc. 600 New Hampshire Avenue, N.W. Suite 601	11/10/81	
	FP: Adnan Khashoggi Nature of Services:	5/4/84	12/12/86
3828	Institutional Development Associates, Ltd. 8300 Boone Boulevard Suite 500 Vienna, VA 22180	5/8/86	5/14/87
	FP: Government of Kingdom of Saudi Arabia, Arlington Office Nature of Services: Industrial Promotion	5/8/86	5/14/87

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
2868	LeBoeuf, Lamb, Greene & MacRae, L.L.P. 1875 Connecticut Avenue, N.W. Suite 1200 Washington, DC 20009-5728	3/17/78	12/31/95
	FP: Foreign Ministry, Kingdom of Saudi Arabia Nature of Services: Legal and Other Services/Lobbying	3/17/78	4/1/87
4769	Leggett, Carroll H. 660 Maryland Avenue, N.E. Washington, DC 20002	2/23/93	10/4/94
	FP: Royal Embassy of Saudi Arabia Nature of Services: Public Relations/Lobbying	2/23/93	10/4/94
5432	Loeffler, Jonas & Tuggey, LLP 755 East Mulberry Suite 200 San Antonio, TX 78212	5/18/01	
	FP: Royal Embassy of Saudi Arabia Nature of Services: Legal and Other Services/Lobbying	12/6/2002	
5434	LPI Consulting, Inc. 3000 K Street, N.W. Suite 300 Washington, DC 20007	5/23/01	
	FP: Saudi Aramco Nature of Services: Promotion of Investment	5/23/2001	2/1/2002
5082	Mahoney, Maureen E. 1001 Pennsylvania Avenue, N.W. Suite 1300 Washington, DC 20004	11/29/95	11/30/97
	FP: Kingdom of Saudi Arabia, Embassy Nature of Services: Legal and Other Services/Lobbying	11/29/95	11/30/97

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
3594	Manafort Jr., Paul J. 211 North Union Street 3rd Floor Alexandria, VA 22314	6/4/84	9/25/87
	FP: Government of Saudi Arabia Nature of Services: Lobbying	6/4/84	6/30/86
3734	Michael K. Deaver & Associates 3050 K Street, N.W. Washington, DC 20007	9/18/85	4/15/87
	FP: Royal Embassy of Saudi Arabia Nature of Services: Lobbying	3/11/86	2/28/87
2836	North American Precis Syndicate 201 East 42nd Street New York, NY 10017	10/12/77	5/12/93
	FP: Saudi Arabia (Through Hannaford Company) Nature of Services: Distribution Of Printed Material	10/1/90	11/5/90
2836	North American Precis Syndicate 201 East 42nd Street New York, NY 10017	10/12/77	5/12/93
	FP: Royal Embassy of Saudi Arabia Nature of Services: Advertising	4/25/85	4/12/86
4745	North, Donald G. Makshaff Services, Ltd. Post Office Box 61279 Riyadh, SA 11547	9/3/92	4/19/93
	FP: Khaled bin Sultan Nature of Services: Media/Public Relations	9/3/92	4/19/93

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
2165	Patton Boggs, L.L.P. 2550 M Street, N.W. Washington, DC 20037-1350	10/9/69	
	FP: Royal Embassy of Saudi Arabia	1/22/2002	
	Nature of Services: Lobbying		
2731	Perry, Marilyn Edith 211 East 70th Street New York, NY 10021	10/27/76	10/27/88
	FP: Ministry of Information of Saudi Arabia	10/10/79	10/27/88
	Nature of Services: Public Relations		
4424	Pintak/Brown International National Press Building Suite 1016 Washington, DC 20045	10/16/90	9/24/92
	FP: Taher Group of Companies	10/16/90	1/31/91
	Nature of Services: Seminar/Program		
5148	Powell Tate, Inc. 700 - 13th Street, N.W. Suite 1000 Washington, DC 20005	12/30/96	11/7/99
	FP: Royal Embassy of Saudi Arabia	12/30/96	11/7/99
	Nature of Services: Public Relations		
5483	Qorvis Communications, LLC 8484 Westpark Drive Suite 800 McLean, VA 22102	3/6/02	
	FP: Royal Embassy of Saudi Arabia	3/6/2002	
	Nature of Services: Legal and Other Services/Lobbying		

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
3707	Rogers & Cowan, Inc., Washington Office 2233 Wisconsin Avenue Suite 500 Washington, DC 20007	7/29/85	12/31/87
	FP: Princess Haifa bint Faisal Nature of Services: Public Relations	6/29/85	6/1/86
4570	Rogers Jr., Edward M. 600 New Hampshire Avenue, N.W. Suite 1010 Washington, DC 20037	9/23/91	10/31/91
	FP: Sheikh Kamal Adham Nature of Services: Legal And Other Services/Government Relations	9/23/91	10/31/91
5511	Sandler-Innocenzi, Inc. 705 Prince Street Alexandria, VA 22314	7/24/02	
	FP: Embassy of Saudi Arabia Nature of Services: Advertising	7/24/2002	
5321	Saudi Petroleum International, Inc. 527 Madison Avenue New York, NY 10022	7/21/99	
	FP: Saudi Arabian Oil Company (Saudi Aramco) Nature of Services: U.S. Policy Consultant	7/21/99	
5321	Saudi Petroleum International, Inc. 527 Madison Avenue	7/21/99	
	FP: Government of the Kingdom of Saudi Arabia Nature of Services: U.S. Policy Consultant	7/21/99	

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
4184	Saudi Refining, Inc. 9009 West Loop, South Suite 10158 Houston, TX 77096	10/13/88	
	FP: Government of Kingdom of Saudi Arabia Nature of Services: Lobbying	10/13/88	
4184	Saudi Refining, Inc. 9009 West Loop, South Suite 10158	10/13/88	
	FP: Saudi Arabian Oil Company Nature of Services: Marketing	5/12/89	
4161	Schmertz Company, Inc. 2919 Ellicott Street, N.W. Washington, DC 20008	7/26/88	1/26/2000
	FP: Embassy of Saudi Arabia Nature of Services: Public Relations	7/26/88	5/1/99
5509	Scott, Thomas J. Vela International Marine Limi Tower Building Room T-1031 Dhahran, SA 31311	7/9/02	
	FP: Vela International Marine Limited Nature of Services: U.S. Policy Consultant	7/9/2002	
5220	Shandwick Public Affairs, Inc. 700 13th Street, N.W. Suite 1000 Washington, DC 20005	12/17/97	
	FP: Royal Embassy of Saudi Arabia Nature of Services: Public/Media Relations	12/10/99	

1632

Country: SAUDI ARABIA

Number	Registrant's Name	Registration Date	Termination Date
4690	Smith, Lawrence G. 320 Central Park West Apartment 12-A New York, NY 10025	7/10/92	12/7/96
	FP: Sheikh Khalid Bin Mahfouz	7/10/92	12/7/96
	Nature of Services: Distribution Of Printed Material		
4813	Wallace & Edwards 1150 Connecticut Avenue, N.W. Suite 507 Washington, DC 20036	6/9/93	12/31/94
	FP: Kingdom of Saudi Arabia	6/9/93	12/31/94
	Nature of Services: Lobbying		

Number Of Registrant 67 Number Of Principal : 67

1633

Registrant and their Foreign Principals for a Country 10-Dec-02

Country: SLOVAKIA

Number	Registrant's Name	Registration Date	Termination Date
5333	Reffe, Paige E. 1737 H Street, N.W. 3rd Floor Washington, DC 20006	10/12/199	
	FP: Ministry of Foreign Affairs of The Slovak Republic Nature of Services: Public/Media Relations	11/7/2000	
5016	Washington World Group, Ltd. 2120 L Street, N.W. Suite 208 Washington, DC 20037	4/20/1995	
	FP: Government of the Slovak Republic Nature of Services: Lobbying/Public/Media Relations	7/17/1998	

Number Of Registrant 2 Number Of Principal : 2

FORM ORD - 67
JAN 1977

UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20530

OMB No. 43-R0216
Approval expires Oct. 31, 1981

EXHIBIT A

TO REGISTRATION STATEMENT

Under the Foreign Agents Registration Act of 1938, as amended

Furnish this exhibit for EACH foreign principal listed in an initial statement
and for EACH additional foreign principal acquired subsequently.

RECEIVED
FEB 11 1983
REGISTRATION
DIVISION

1. Name and address of registrant Gray and Company The Power House 3255 Grace Street, N.W. Washington, D.C. 20007		2. Registration No. 3301
3. Name of foreign principal The Saudi Gazette	4. Principal address of foreign principal Suite 310 1100 Seventeenth St. N.W. Washington, DC 20036	

5. Indicate whether your foreign principal is one of the following type:

Foreign government

Foreign political party

Foreign or domestic organization: If either, check one of the following:

Partnership Committee

Corporation Voluntary group

Association Other (specify) _____

Individual - State his nationality _____

6. If the foreign principal is a foreign government, state:

a) Branch or agency represented by the registrant. Not Applicable

b) Name and title of official with whom registrant deals.

7. If the foreign principal is a foreign political party, state:

a) Principal address

b) Name and title of official with whom the registrant deals. TERMINATED
DATE 5-11-83
Not Applicable

c) Principal aim

8. If the foreign principal is not a foreign government or a foreign political party,

a) State the nature of the business or activity of this foreign principal

The Saudi Gazette is a daily Saudi Arabian newspaper, published by Okaz Organization for Press and Publication, headquartered in Jeddah. On May 9 and 10, 1983, The Saudi Gazette is sponsoring The SaudiAmerica Conference in cooperation with the U.S. Chamber of Commerce in Atlanta, Georgia at the Hyatt Regency.

b) Is this foreign principal

- Owned by a foreign government, foreign political party, or other foreign principal Yes No
- Directed by a foreign government, foreign political party, or other foreign principal Yes No
- Controlled by a foreign government, foreign political party, or other foreign principal Yes No
- Financed by a foreign government, foreign political party, or other foreign principal Yes No
- Subsidized in whole by a foreign government, foreign political party, or other foreign principal Yes No
- Subsidized in part by a foreign government, foreign political party, or other foreign principal Yes No

9. Explain fully all items answered "Yes" in item 8(b). (If additional space is needed, a full insert page may be used.)

Established in the mid-1970s, The Saudi Gazette is an English language daily Saudi Arabian newspaper, published by the Okaz Organization for Press and Publication. Mr. Iyad Madani serves as Director General, Mr. Hashem Abdu Hashem as the Okaz Editor-in-Chief, and Dr. Saud S. Islam as The Saudi Gazette Editor-in-Chief. The Saudi Gazette is headquartered in Jeddah, Saudi Arabia, with other offices throughout the country and in Athens, Cairo and Washington, D.C.

10. If the foreign principal is an organization and is not owned or controlled by a foreign government, foreign political party or other foreign principal, state who owns and controls it.

Please refer to item #9 above.

Date of Exhibit A May 6, 1983	Name and Title Tony Trujillo Account Executive	Signature <i>T. Trujillo</i>
----------------------------------	--	---------------------------------

Form OBD-65
Rev. 4-27-77
(Formerly DJ-304)

OMB
No. 43 R425
Approval Expires Oct. 31, 1981

UNITED STATES DEPARTMENT OF JUSTICE
Washington, D.C. 20530

EXHIBIT B
TO REGISTRATION STATEMENT
Under the Foreign Agents Registration Act
of 1938, as amended

RECEIVED
MAY 11 1983
U.S. DEPT. OF JUSTICE

INSTRUCTIONS: A registrant must furnish as an Exhibit B copies of each written agreement, and the terms and conditions of each oral agreement with his foreign principal, including all modifications of such agreements; or, where no contract exists, a full statement of all the circumstances, by reason of which the registrant is acting as an agent of a foreign principal. This form shall be filed in duplicate for each foreign principal named in the registration statement and must be signed by or on behalf of the registrant.

Name of Registrant	Name of Foreign Principal
Gray and Company	The Saudi Gazette

Check Appropriate Boxes:

- The agreement between the registrant and the above-named foreign principal is a formal written contract. If this box is checked, attach two copies of the contract to this exhibit.
- There is no formal written contract between the registrant and foreign principal. The agreement with the above-named foreign principal has resulted from an exchange of correspondence. If this box is checked, attach two copies of all pertinent correspondence, including a copy of any initial proposal which has been adopted by reference in such correspondence.
- The agreement or understanding between the registrant and foreign principal is the result of neither a formal written contract nor an exchange of correspondence between the parties. If this box is checked, give a complete description below of the terms and conditions of the oral agreement or understanding, its duration, the fees and the expenses, if any, to be received.

This is a one-time project for The Saudi Gazette. Gray and Company will bill actual manhours incurred on project and forgive the same charges on a pro bono basis. No further activity on the part of Gray and Company with The Saudi Gazette is anticipated.

4. Describe fully the nature and method of performance of the above indicated agreement or understanding.

The registrant will prepare a media advisory, bio page on The Saudi Gazette, and assimilate/collate presskit materials for shipment to broadcast and print media reporters in Atlanta, Georgia, in conjunction with The Saudi/America Conference being held May 9 and 10 at the Hyatt Regency.

TERMINATED
DATE 5-11-83

5. Describe fully the activities the registrant engages in or proposes to engage in on behalf of the above foreign principal.

Please see Question #4 on Side 1 of Exhibit B.

6. Will the activities on behalf of the above foreign principal include political activities as defined in Section 1(a) of the Act? Yes No

If yes, describe all such political activities indicating, among other things, the relations, interests or policies to be influenced together with the means to be employed to achieve this purpose.

Date of Exhibit B	Name and Title	Signature
May 6, 1983	Tony Trujillo Account Executive	<i>T. Trujillo</i>

1/ Political activity as defined in Section 1(a) of the Act means the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, induce, persuade, induce, persuade, or in any other way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

FORM OBD - 87
JAN 1977

UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20530

OMB 43-70218
Approval expires Oct. 31, 1981

EXHIBIT A

TO REGISTRATION STATEMENT

Under the Foreign Agents Registration Act of 1938, as amended

Furnish this exhibit for EACH foreign principal listed in an initial statement
and for EACH additional foreign principal acquired subsequently.

1. Name and address of registrant Gray and Company Public Communications International, Inc.		2. Registration No. 3301
3. Name of foreign principal Adnan Khashoggi	4. Principal address of foreign principal c/o Robert A. Shaheen 641 Fifth Avenue New York, NY 10022	

5. Indicate whether your foreign principal is one of the following type:

- Foreign government
- Foreign political party
- Foreign or domestic organization: If either, check one of the following:
 - Partnership Committee
 - Corporation Voluntary group
 - Association Other (specify) _____
- Individual - State his nationality Saudi Arabia

6. If the foreign principal is a foreign government, state:

- a) Branch or agency represented by the registrant. Not Applicable.
- b) Name and title of official with whom registrant deals.

7. If the foreign principal is a foreign political party, state:

- a) Principal address
- b) Name and title of official with whom the registrant deals.
- c) Principal aim Not Applicable.

8. If the foreign principal is not a foreign government or a foreign political party,

- a) State the nature of the business or activity of this foreign principal
Mr. Adnan Khashoggi is a self-employed businessman.

b) Is this foreign principal

- Owned by a foreign government, foreign political party, or other foreign principal Yes No
- Directed by a foreign government, foreign political party, or other foreign principal ... Yes No
- Controlled by a foreign government, foreign political party, or other foreign principal . . . Yes No
- Financed by a foreign government, foreign political party, or other foreign principal... Yes No
- Subsidized in whole by a foreign government, foreign political party, or other foreign principal Yes No
- Subsidized in part by a foreign government, foreign political party, or other foreign principal Yes No

9. Explain fully all items answered "Yes" in Item 8(b). (If additional space is needed, a full insert page may be used.)

Not Applicable.

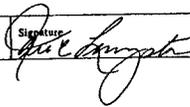
10. If the foreign principal is an organization and is not owned or controlled by a foreign government, foreign political party or other foreign principal, state who owns and controls it.

Refer to Question #8a on the reverse side.

Date of Exhibit A
April 30, 1984

Name and Title
Neil C. Livingstone
Senior Vice President

Signature



DOJ

U.S. Department of Justice
Washington, DC 20530

Exhibit B
To Registration Statement
Under the Foreign Agents Registration Act of 1938, as amended

OMB No. 1105-0007
Approval Expires Oct. 31, 1983

INSTRUCTIONS: A registrant must furnish as an Exhibit B copies of each written agreement and the terms and conditions of each oral agreement with his foreign principal, including all modifications of such agreements; or, where no contract exists, a full statement of all the circumstances, by reason of which the registrant is acting as an agent of a foreign principal. This form shall be filed in duplicate for each foreign principal named in the registration statement and must be signed by or on behalf of the registrant.

Name of Registrant	Name of Foreign Principal
Gray and Company Public Communications International, Inc.	Mr. Adnan Khashoggi

Check Appropriate Boxes:

- 1. The agreement between the registrant and the above-named foreign principal is a formal written contract. If this box is checked, attach two copies of the contract to this exhibit.
- 2. There is no formal written contract between the registrant and foreign principal. The agreement with the above-named foreign principal has resulted from an exchange of correspondence. If this box is checked, attach two copies of all pertinent correspondence, including a copy of any initial proposal which has been adopted by reference in such correspondence.
- 3. The agreement or understanding between the registrant and foreign principal is the result of neither a formal written contract nor an exchange of correspondence between the parties. If this box is checked, give a complete description below of the terms and conditions of the oral agreement or understanding, its duration, the fees and the expenses, if any, to be received.

Gray and Company and Mr. Khashoggi have agreed that Gray and Company organize a press conference to be held on May 4, 1984, and do follow-up publicity. Costs, including out-of-pocket expenses, are not to exceed \$35,000.00.

- 4. Describe fully the nature and method of performance of the above indicated agreement or understanding.

Refer to #3 above.

RECEIVED
 U.S. DEPARTMENT OF JUSTICE
 FOREIGN AGENTS REGISTRATION ACT
 DIVISION OF INVESTIGATION
 WASHINGTON, D.C. 20530
 MAY 11 1984

5. Describe fully the activities the registrant engages in or proposes to engage in on behalf of the above foreign principal.

Refer to #3 on the reverse side.

6. Will the activities on behalf of the above foreign principal include political activities as defined in Section 1(c) of the Act?
Yes No

If yes, describe all such political activities indicating, among other things, the relations, interests or policies to be influenced together with the means to be employed to achieve this purpose.

Refer to #3 on the reverse side.

Date of Exhibit B	Name and Title	Signature
April 30, 1984	Neil C. Livingstone Senior Vice President	

¹Political activity as defined in Section 1(c) of the Act means the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade or in any other way influence any agency or official of the Government of the United States or any action of the Government of the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of the United States with a foreign country or a foreign political party.

U.S. Department of Justice
Washington, DC 20530

Exhibit A
To Registration Statement
Under the Foreign Agents Registration Act of 1938, as amended

OMB No. 1105-0003
Approval Expires Oct. 31, 1983

Furnish this exhibit for EACH foreign principal listed in an initial statement
and for EACH additional foreign principal acquired subsequently.

1. Name and address of registrant Gray and Company Public Communications International, Inc. The Power House, Washington, D.C. 20007		2. Registration No. 3301
3. Name of foreign principal The Embassy of Saudi Arabia	4. Principal address of foreign principal 601 New Hampshire Avenue, N.W. Washington, D.C. 20037	

5. Indicate whether your foreign principal is one of the following type:

Foreign government

Foreign political party

Foreign or domestic organization: If either, check one of the following:

<input type="checkbox"/> Partnership	<input type="checkbox"/> Committee
<input type="checkbox"/> Corporation	<input type="checkbox"/> Voluntary group
<input type="checkbox"/> Association	<input type="checkbox"/> Other (specify) _____

Individual—State his nationality _____

6. If the foreign principal is a foreign government, state:

a) Branch or agency represented by the registrant. Royal Embassy of Saudi Arabia

b) Name and title of official with whom registrant deals. Prince Bandar Bin Sultan Bin Abdul Aziz

7. If the foreign principal is a foreign political party, state:

a) Principal address Not Applicable

b) Name and title of official with whom the registrant deals.

c) Principal aim

8. If the foreign principal is not a foreign government or a foreign political party,

a) State the nature of the business or activity of this foreign principal

Not Applicable

Termed
12-12-86

b) Is this foreign principal

- Owned by a foreign government, foreign political party, or other foreign principal Yes No
- Directed by a foreign government, foreign political party, or other foreign principal Yes No
- Controlled by a foreign government, foreign political party, or other foreign principal Yes No
- Financed by a foreign government, foreign political party, or other foreign principal Yes No
- Subsidized in whole by a foreign government, foreign political party, or other foreign principal Yes No
- Subsidized in part by a foreign government, foreign political party, or other foreign principal Yes No

9. Explain fully all items answered "Yes" in Item 8(b). (If additional space is needed, a full insert page may be used.)

Not Applicable

10. If the foreign principal is an organization and is not owned or controlled by a foreign government, foreign political party or other foreign principal, state who owns and controls it.

Not Applicable

Date of Exhibit A February 1, 1985	Name and Title Charles S. Crawford, III Executive Vice President	Signature 
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U.S. Department of Justice
Washington, DC 20530

Exhibit B
To Registration Statement
Under the Foreign Agents Registration Act of 1938, as amended

OMB No. 1025-0007
Approval Expires Oct. 31, 1983

INSTRUCTIONS: A registrant must furnish as an Exhibit B copies of each written agreement and the terms and conditions of each oral agreement with his foreign principal, including all modifications of such agreements; or, where no contract exists, a full statement of all the circumstances, by reason of which the registrant is acting as an agent of a foreign principal. This form shall be filed in duplicate for each foreign principal named in the registration statement and must be signed by or on behalf of the registrant.

Name of Registrant	Name of Foreign Principal
Gray and Company Public Communications International, Inc.	Embassy of Saudi Arabia

Check Appropriate Boxes:

- The agreement between the registrant and the above-named foreign principal is a formal written contract. If this box is checked, attach two copies of the contract to this exhibit.
- There is no formal written contract between the registrant and foreign principal. The agreement with the above-named foreign principal has resulted from an exchange of correspondence. If this box is checked, attach two copies of all pertinent correspondence, including a copy of any initial proposal which has been adopted by reference in such correspondence.
- The agreement or understanding between the registrant and foreign principal is the result of neither a formal written contract nor an exchange of correspondence between the parties. If this box is checked, give a complete description below of the terms and conditions of the oral agreement or understanding, its duration, the fees and the expenses, if any, to be received.

4. Describe fully the nature and method of performance of the above indicated agreement or understanding.

Registrant agrees to provide counselling and other services in the furtherance of American public understanding and appreciation of the alliance and friendship of the two nations.

Term'd
12-12-86

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20535
DEC 12 1986

5. Describe fully the activities the registrant engages in or proposes to engage in on behalf of the above foreign principal.

Please refer to Question #4 on the reverse side.

6. Will the activities on behalf of the above foreign principal include political activities as defined in Section 1(o) of the Act?
Yes No

If yes, describe all such political activities indicating, among other things, the relations, interests or policies to be influenced together with the means to be employed to achieve this purpose.

Date of Exhibit B
February 1, 1985

Name and Title
Charles S. Crawford, III
Executive Vice President

Signature



Political activities as defined in Section 1(o) of the Act means the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence any agency or official of the Government of the United States or any section of the Government of the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of the Government of a foreign country or a foreign political party.



January 23, 1985

His Royal Highness
Prince Bandar Bin Sultan Bin Abdul Aziz
The Ambassador of Saudi Arabia
601 New Hampshire Avenue
Washington, D.C. 20037

Your Royal Highness:

Gray and Company agrees to provide counselling and other services as requested and authorized by you or your designated representative. It is our understanding the general objective of our services shall be the furtherance of American public understanding and appreciation of the alliance and friendship of our two nations. Under that centralization you or your authorized representatives will direct the outreach of specific services from our firm.

The Royal Embassy understands this written agreement, subsequent oral agreements and all activities undertaken by Gray and Company are reportable to the U.S. Department of Justice under the Foreign Agents Registration Act and that Gray and Company will fully comply with the regulations and laws covering its activities for the Embassy.

To retain Gray and Company's availability for service, the Embassy will pay the Company a monthly retainer fee of \$10,000. In addition to that base fee, the Embassy will pay for the total of service charges accrued by Gray and Company employees each month, based upon the aggregate of hourly billings.

Further, the Embassy will reimburse Gray and Company for all out-of-pocket expenses incurred in performance of services for the Royal Embassy and agrees to pay a 10% mark up on those expenses for administrative handling by Gray and Company. No major out of pocket expenses will be incurred without the expressed approval of you or your designated representative.

RECEIVED
JAN 24 1985
STATE DEPT
OFFICE OF THE ASSISTANT SECRETARY
FOR PUBLIC AFFAIRS

NATIONAL PUBLIC RELATIONS PUBLIC AFFAIRS
THE POWER HOUSE
WASHINGTON, D.C. 20007
202 333-7600

January 23, 1985
Page Two

At the beginning of each month, Gray and Company will invoice the Embassy in advance for the month's \$10,000 retainer, such invoice being due and payable upon presentation.

After the last day of each month, Gray and Company will tabulate the sum of hourly staff service charges and all costs for expenses and will submit an invoice for the total owed to the Embassy. That invoice will be payable upon presentation.

In order to make this contract binding, we have agreed to one year, to January 31, 1986. After that date, the agreement will extend indefinitely under the terms contained in this letter, unless Gray and Company is notified in writing 30 days in advance of your decision to discontinue the arrangement.

ACCEPTED:

By: 
His Royal Highness
Prince Bandar Bin Sultan Bin Abdul Aziz
The Embassy of Saudi Arabia

GRAY AND COMPANY
PUBLIC COMMUNICATIONS
INTERNATIONAL, INC.

By: 

Date: _____

EXHIBIT A

TO REGISTRATION STATEMENT

Under the Foreign Agents Registration Act of 1938, as amended

Furnish this exhibit for EACH foreign principal listed in an initial statement and for EACH additional foreign principal acquired subsequently.

1. Name and address of registrant Gray and Company The Power House 3255 Grace Street, N.W. Washington, D.C. 20007		2. Registration No. 3301
3. Name of foreign principal HRH Prince Talal bin Abdul Aziz Al Saud	4. Principal address of foreign principal Fahyia Palace Riyadh, Saudi Arabia	

5. Indicate whether your foreign principal is one of the following type:

- Foreign government
- Foreign political party
- Foreign or domestic organization: If either, check one of the following:
 - Partnership Committee
 - Corporation Voluntary group
 - Association Other (specify) _____
- Individual - State his nationality Saudi Arabian

6. If the foreign principal is a foreign government, state:
 a) Branch or agency represented by the registrant. Not Applicable

b) Name and title of official with whom registrant deals.

7. If the foreign principal is a foreign political party, state:

- a) Principal address
- b) Name and title of official with whom the registrant deals.
- c) Principal aim

8. If the foreign principal is not a foreign government or a foreign political party,

a) State the nature of the business or activity of this foreign principal:
 Assist HRH Prince Talal in his work as Special Envoy of the United Nations on behalf of United Nations Children's Fund (UNICEF).

b) Is this foreign principal

- Owned by a foreign government, foreign political party, or other foreign principal Yes No
- Directed by a foreign government, foreign political party, or other foreign principal Yes No
- Controlled by a foreign government, foreign political party, or other foreign principal Yes No
- Financed by a foreign government, foreign political party, or other foreign principal Yes No
- Subsidized in whole by a foreign government, foreign political party, or other foreign principal Yes No
- Subsidized in part by a foreign government, foreign political party, or other foreign principal Yes No

9. Explain fully all items answered "Yes" in item 8(b). (If additional space is needed, a full insert page may be used.)

Not applicable.

10. If the foreign principal is an organization and is not owned or controlled by a foreign government, foreign political party or other foreign principal, state who owns and controls it.

Not applicable.

Date of Exhibit A	Name and Title Acct. Exec.	Signature
December 21, 1982	John R. Cozart	<i>John R. Cozart</i>

Form OBD-65
Rev. 4-27-77
(Formerly DJ-304)

OMB
No. 43-R426
Approval Expires Oct. 31, 1981

UNITED STATES DEPARTMENT OF JUSTICE
Washington, D.C. 20530

EXHIBIT B
TO REGISTRATION STATEMENT
Under the Foreign Agents Registration Act
of 1938, as amended

INSTRUCTIONS: A registrant must furnish as an Exhibit B copies of each written agreement and the terms and conditions of each oral agreement with his foreign principal, including all modifications of such agreements; or, where no contract exists, a full statement of all the circumstances, by reason of which the registrant is acting as an agent of a foreign principal. This form shall be filed in duplicate for each foreign principal named in the registration statement and must be signed by or on behalf of the registrant.

Name of Registrant	Name of Foreign Principal
Gray and Company	HSH Prince Talal bin Abdul Aziz Al Saud

Check Appropriate Boxes:

- The agreement between the registrant and the above-named foreign principal is a formal written contract. If this box is checked, attach two copies of the contract to this exhibit.
- There is no formal written contract between the registrant and foreign principal. The agreement with the above-named foreign principal has resulted from an exchange of correspondence. If this box is checked, attach two copies of all pertinent correspondence, including a copy of any initial proposal which has been adopted by reference in such correspondence.
- The agreement or understanding between the registrant and foreign principal is the result of neither a formal written contract nor an exchange of correspondence between the parties. If this box is checked, give a complete description below of the terms and conditions of the oral agreement or understanding, its duration, the fees and the expenses, if any, to be received.

- Describe fully the nature and method of performance of the above indicated agreement or understanding.
Providing community assistance with HSH Prince Talal's UNICRF fundraising effort in the United States, including: Dinners
Placement of articles
Radio and TV actualities

JAN 12 1978
FBI
RECEIVED
JAN 12 1978
FBI

- 2 -

5. Describe fully the activities the registrant engages in or proposes to engage in on behalf of the above foreign principal.

Please see Question #4.

6. Will the activities on behalf of the above foreign principal include political activities as defined in Section 1(a) of the Act?^{1/} Yes No

If yes, describe all such political activities indicating, among other things, the relations, interests or policies to be influenced together with the means to be employed to achieve this purpose.

Gray and Company will attempt to set up meetings with U.S. Government officials to encourage continued U.S. funding of United Nations Children's Fund (UNICEF).

Date of Exhibit B	Name and Title	Signature
December 21, 1982	John R. Cozart	<i>John R. Cozart</i>

^{1/} Political activity as defined in Section 1(a) of the Act means the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, seducate, convert, induce, persuade, or in any other way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

U.S. Department of Justice
Washington, DC 20530

Exhibit A
To Registration Statement
Pursuant to the Foreign Agents Registration Act of 1938, as amended

OBD NO. 1165-0003

Privacy Act Statement. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, copy of informational materials or other document or information filed with the Attorney General under this Act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, D.C. One copy of every such document, other than informational materials, is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of any and all documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. The Attorney General also transmits a semi-annual report to Congress on the Administration of the Act which lists the names of all agents registered under the Act and the foreign principals they represent. This report is available to the public. Finally, the Attorney General intends, at the earliest possible opportunity, to make these public documents available on the Internet on the Department of Justice World Wide Web site.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .49 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Criminal Division, U.S. Department of Justice, Washington, DC 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Furnish this exhibit for EACH foreign principal listed in an initial statement and for EACH additional foreign principal acquired subsequently.

1. Name and address of registrant <i>Hill and Knowlton Inc.</i>		2. Registration No. <i>3301</i>						
3. Name of foreign principal <i>of Sabic Core Communications</i>	4. Principal address of foreign principal <i>Riyadh 11525 Kingdom of Saudi Arabia</i>							
5. Indicate whether your foreign principal is one of the following:								
<input type="checkbox"/> Foreign government <input type="checkbox"/> Foreign political party <input checked="" type="checkbox"/> Foreign or domestic organization: If either, check one of the following: <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Partnership</td> <td><input type="checkbox"/> Committee</td> </tr> <tr> <td><input checked="" type="checkbox"/> Corporation</td> <td><input type="checkbox"/> Voluntary group</td> </tr> <tr> <td><input type="checkbox"/> Association</td> <td><input type="checkbox"/> Other (specify) _____</td> </tr> </table>			<input type="checkbox"/> Partnership	<input type="checkbox"/> Committee	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Voluntary group	<input type="checkbox"/> Association	<input type="checkbox"/> Other (specify) _____
<input type="checkbox"/> Partnership	<input type="checkbox"/> Committee							
<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Voluntary group							
<input type="checkbox"/> Association	<input type="checkbox"/> Other (specify) _____							
6. If the foreign principal is a foreign government, state:								
a) Branch or agency represented by the registrant <i>N/A</i>								
b) Name and title of official with whom registrant deals.								
7. If the foreign principal is a foreign political party, state:								
a) Principal address. <i>N/A</i>								
b) Name and title of official with whom registrant deals.								
c) Principal aim								

8. If the foreign principal is not a foreign government or a foreign political party,

a) State the nature of the business or activity of this foreign principal

Supply energy and chemicals.

b) Is this foreign principal

- Supervised by a foreign government, foreign political party, or other foreign principal Yes No
- Owned by a foreign government, foreign political party, or other foreign principal 3/4 owned Yes No
- Directed by a foreign government, foreign political party, or other foreign principal Yes No
- Controlled by a foreign government, foreign political party, or other foreign principal Yes No
- Financed by a foreign government, foreign political party, or other foreign principal Yes No
- Subsidized in part by a foreign government, foreign political party, or other foreign principal Yes No

9. Explain fully all items answered "Yes" in Item 8(b). (If additional space is needed, a full insert page must be used.)

The Corporation is majority owned by the Saudi Government ~~and is not controlled by any other foreign principal.~~

10. If the foreign principal is an organization and is not owned or controlled by a foreign government, foreign political party or other foreign principal, state who owns and controls it.

Mr. Mohammad Al-Mady
CEO of E-SABIC
N/A

Date of Exhibit A	Name and Title	Signature
3/13/02	Chris Cotton	

U.S. Department of Justice
Washington, DC 20530

Exhibit B
To Registration Statement
Pursuant to the Foreign Agents Registration Act of 1938, an amended

OMB NO. 1165-0007

INSTRUCTIONS: A registrant must furnish as an Exhibit B copies of each written agreement and the terms and conditions of each oral agreement with his foreign principal, including all modifications of such agreements, or, where no contract exists, a full statement of all the circumstances by reason of which the registrant is acting as an agent of a foreign principal. One original and two legible photocopies of this form shall be filed for each foreign principal named in the registration statement and must be signed by or on behalf of the registrant.

Privacy Act Statement. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, copy of informational materials or other document or information filed with the Attorney General under this Act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, D.C. One copy of every such document, other than informational materials, is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of any and all documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. The Attorney General also transmits a semi-annual report to Congress on the Administration of the Act which lists the names of all agents registered under the Act and the foreign principals they represent. This report is available to the public. Finally, the Attorney General intends, at the earliest possible opportunity, to make these public documents available on the Internet on the Department of Justice World Wide Web site.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .33 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Criminal Division, U.S. Department of Justice, Washington, DC 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

1. Name of Registrant <i>Bill and Kathleen Inc</i>	2. Registration No. <i>3301</i>
3. Name of Foreign Principal <i>SABIC Core Communications</i>	

Check Appropriate Boxes:

- 4. The agreement between the registrant and the above-named foreign principal is a formal written contract. If this box checked, attach a copy of the contract to this exhibit.
- 5. There is no formal written contract between the registrant and the foreign principal. The agreement with the above-named foreign principal has resulted from an exchange of correspondence. If this box is checked, attach a copy of all pertinent correspondence, including a copy of any initial proposal which has been adopted by reference in such correspondence.
- 6. The agreement or understanding between the registrant and the foreign principal is the result of neither a formal written contract nor an exchange of correspondence between the parties. If this box is checked, give a complete description below of the terms and conditions of the oral agreement or understanding, its duration, the fees and expenses, if any, to be received.

7. Describe fully the nature and method of performance of the above indicated agreement or understanding.

** Please see attached letter of agreement
Provide counsel and assistance in areas of
public relations and media relations including work
related to international trade and energy issues.*

Formerly OBD-65

Form CRM-155
JUNE 1998

8. Describe fully the activities the registrant engages in or proposes to engage in on behalf of the above foreign principal.

~~Will attempt to raise the chair's public profile.~~
~~Educate the importance of energy~~

See Item 7

9. Will the activities on behalf of the above foreign principal include political activities as defined in Section 1(o) of the Act and in the footnote below? Yes No

If yes, describe all such political activities indicating, among other things, the relations, interests or policies to be influenced together with the means to be employed to achieve this purpose.

See Item 7

Date of Exhibit B	Name and Title	Signature
3/13/02	Chris Calhoun	Chris W. Coffey

Footnote: Political activity as defined in Section 1(o) of the Act means any activity which the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political interests, policies, or relations of a government of a foreign country or a foreign political party.

1656

S. V.A. 2002 9:43:00 20. FEB. 2002 10:47 212 885 0570 NO. 417

سابك

FAX MEMORANDUM

To : Hill & Knowlton Fax # 001-212-385-0570
Attn : Mr. Jim Cox
Senior Managing Director
Date : February 20, 2002
Sub : SABIC Core Communications Program - Contract Award

This is to inform you that you have been awarded the contract for the said subject. This award is based on all previous inquiries & your E-mail dated January 26, 2002, your E-mail dated January 29, 2002 and your E-mail dated February 08, 2002.

The cost for the Basic Core Program will be the all-inclusive lump sum price of US\$ 76,950 per month. The contract shall be for one year effective from February 01st, 2002. There will be also a provision in the agreement for project approval by SABIC for additional elements that Hill & Knowlton will provide to SABIC.

This fax of award supersedes the Letter of Intent that was acknowledged and accepted by both parties.

It is understood that until a formal contract is prepared and executed, this fax of award together with all relevant correspondence shall constitute a binding contract between both parties. The contract number will be C02-SABIC-300. Please refer this number in all your correspondence. Please confirm receipt and acceptance.

Best regards,

Yasser I. Al-Humaidi
Director (Acting) - Contracts & Biddings

Accepted:
For Hill & Knowlton

P.O. Box 39090, Riyadh 11525, Kingdom of Saudi Arabia
Tel : +966-1-4012033/4069900, Fax: 4039018, 4069900 Extn : 6826
Telex: 405620/405630 SABMARK SJ, Cable: SABIC

Feb. 20, 2002

2002 MAR 13 PM 4:40
RECEIVED
COMMUNICATIONS DEPT

*filed ~~8/11/02~~ Dec. 9, 2002

U.S. Department of Justice
Washington, DC 20530

Short-Form Registration Statement
Pursuant to the Foreign Agents Registration
Act of 1938, as amended

OMB NO. 1105-0013

Each partner, officer, director, associate, employee, and agent of a registrant is required to file a short form registration statement unless he engages in no activities in furtherance of the interests of the registrant's foreign principal or unless the services he renders to the registrant are in a secretarial, clerical, or in a related or similar capacity.

Privacy Act Statement. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, copy of informational materials or other document or information filed with the Attorney General under this Act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, D.C. One copy of every such document, other than informational materials, is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of any and all documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. The Attorney General also transmits a semi-annual report to Congress on the Administration of the Act which lists the names of all agents registered under the Act and the foreign principals they represent. This report is available to the public. Finally, the Attorney General intends, at the earliest possible opportunity, to make these public documents available on the Internet on the Department of Justice World Wide Web site.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .429 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Criminal Division, U.S. Department of Justice, Washington, DC 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

1. Name Megan Mastal	2. Registration No. 3301
3. Residence Address(es) 418 Byrne Houston, TX 77009	4. Business Address(es) Hill and Knowlton Inc. 806 Travis 21st floor Houston, TX 77002
5. Date and Place of Birth 12/19/58 Detroit, MI Nationality US Present Citizenship US	6. If present citizenship was not acquired by birth, indicate when, and how acquired.
7. Occupation Public Relations Executive	
8. What is the name and address of the primary registrant? Name Hill + Knowlton, Inc. Address 600 New Hampshire Avenue NW Washington, DC 20037	
9. Indicate your connection with the primary registrant: <input type="checkbox"/> partner <input type="checkbox"/> director <input type="checkbox"/> employee <input type="checkbox"/> consultant <input checked="" type="checkbox"/> officer <input type="checkbox"/> associate <input type="checkbox"/> agent <input type="checkbox"/> subcontractor <input type="checkbox"/> other (specify) _____	
10. List every foreign principal to whom you will render services in support of the primary registrant. Saudi Aramco	
11. Describe separately and in detail all services which you will render to the foreign principal(s) listed in Item 10 either directly, or through the primary registrant listed in Item 8, and the date(s) of such services. (If space is insufficient, a full insert page must be used.) Provide advice and assistance regarding communications strategy including preparation of communications plan	

12. Do any of the above described services include political activity as defined in Section 1(c) of the Act and in the footnote below? Yes No

If yes, describe separately and in detail such political activity.

13. The services described in Items 11 and 12 are to be rendered on a full time basis part time basis special basis

14. What compensation or thing of value have you received to date or will you receive for the above services?
 Salary from Hill and Knowlton Inc. No compensation received directly from foreign principal.
 Salary: Amount \$ _____ per _____ Commission at _____ % of _____
 Salary: Not based solely on services rendered to the foreign principal(s).
 Fee: Amount \$ _____ Other thing of value _____

15. During the period beginning 60 days prior to the date of your obligation to register to the time of filing this statement, did you make any contributions of money or other things of value from your own funds or possessions and on your own behalf in connection with any election to political office or in connection with any primary election, convention, or caucus held to select candidates for any political office? Yes No

If yes, furnish the following information:

Date	Amount of thing of value	Name of political organization	Name of candidate
------	--------------------------	--------------------------------	-------------------

EXECUTION

In accordance with 28 U.S.C. § 1746, the undersigned swears or affirms under penalty of perjury that he/she has read the information set forth in this registration statement and that he/she is familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his/her knowledge and belief.

12/6/02
(Date of signature)

Neil Phillips
(Signature)

Coordinate: Political activity as defined in Section 1(c) of the Act means any activity which the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political interests, policies, or relations of a government of a foreign country or a foreign political party.

U.S. Department of Justice
Washington, DC 20530

Short-Form Registration Statement
Pursuant to the Foreign Agents Registration
Act of 1938, as amended

OMB NO. 1105-0013

Each partner, officer, director, associate, employee, and agent of a registrant is required to file a short form registration statement unless he engages in no activities in furtherance of the interests of the registrant's foreign principal or unless the services he renders to the registrant are in a secretarial, clerical, or in a related or similar capacity.

Privacy Act Statement. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, copy of informational materials or other document or information filed with the Attorney General under this Act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, D.C. One copy of every such document, other than informational materials, is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of any and all documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. The Attorney General also transmits a semi-annual report to Congress on the Administration of the Act which lists the names of all agents registered under the Act and the foreign principals they represent. This report is available to the public. Finally, the Attorney General intends, at the earliest possible opportunity, to make these public documents available on the Internet on the Department of Justice World Wide Web site.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .429 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Criminal Division, U.S. Department of Justice, Washington, DC 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

1. Name <p>Jim Cox</p>	2. Registration No. <p>3301</p>
3. Residence Address(es) <p>20 Britten Road Green Village, NJ 07935</p>	4. Business Address(es) <p>Hill and Knowlton Inc. 466 Lexington Avenue New York, NY 10017</p>
5. Date and Place of Birth <p>Houston, TX 11/17/46</p> <p>Nationality US</p> <p>Present Citizenship US</p>	6. If present citizenship was not acquired by birth, indicate when, and how acquired.
7. Occupation <p>Public Relations Executive</p>	
8. What is the name and address of the primary registrant? Name: Hill & Knowlton Inc. Address: 600 New Hampshire Avenue NW Washington, DC 20037	
9. Indicate your connection with the primary registrant. <input type="checkbox"/> partner <input type="checkbox"/> director <input type="checkbox"/> employee <input type="checkbox"/> consultant <input checked="" type="checkbox"/> officer <input type="checkbox"/> associate <input type="checkbox"/> agent <input type="checkbox"/> subcontractor <input type="checkbox"/> other (specify) _____	
10. List every foreign principal to whom you will render services in support of the primary registrant. <p>Saudi Aramco</p>	
11. Describe separately and in detail all services which you will render to the foreign principal(s) listed in Item 10 either directly, or through the primary registrant listed in Item 8, and the date(s) of such services. (If space is insufficient, a full insert page must be used.) <p>Provide advice and assistance regarding communications strategy including preparation of communication plan.</p>	

12. Do any of the above described services include political activity as defined in Section 1(o) of the Act and in the footnote below? Yes No

If yes, describe separately and in detail such political activity.

13. The services described in Items 11 and 12 are to be rendered on a
 full time basis part time basis special basis

14. What compensation or thing of value have you received to date or will you receive for the above services?
 Salary from Hilland Knowlton Inc. No compensation received directly from foreign principal.
 Salary: Amount \$ _____ per _____ Commission at _____ % of _____
 Salary: Not based solely on services rendered to the foreign principal(s).
 Fee: Amount \$ _____ Other thing of value _____

15. During the period beginning 60 days prior to the date of your obligation to register to the time of filing this statement, did you make any contributions of money or other things of value from your own funds or possessions and on your own behalf in connection with any election to political office or in connection with any primary election, convention, or caucus held to select candidates for any political office? Yes No

If yes, furnish the following information:

Date	Amount of thing of value	Name of political organization	Name of candidate
------	--------------------------	--------------------------------	-------------------

EXECUTION

In accordance with 28 U.S.C. § 1746, the undersigned swears or affirm(s) under penalty of perjury that he/she has read the information set forth in this registration statement and that he/she is familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his/her knowledge and belief.

12/6/02
 (Date of signature)

Neil Phillips
 (Signature)

Footnote: Political activity as defined in Section 1(o) of the Act means any activity which the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political interest, policies, or relations of a government of a foreign country or a foreign political party.

U.S. Department of Justice
Washington, DC 20530

Exhibit A
To Registration Statement
Pursuant to the Foreign Agents Registration Act of 1938, as amended

OMB NO. 1105-0033

Privacy Act Statement. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, copy of informational materials or other document or information filed with the Attorney General under this Act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, D.C. One copy of every such document, other than informational materials, is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of any and all documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. The Attorney General also transmits a semi-annual report to Congress on the Administration of the Act which lists the names of all agents registered under the Act and the foreign principals they represent. This report is available to the public. Finally, the Attorney General intends, at the earliest possible opportunity, to make these public documents available on the Internet on the Department of Justice World Wide Web site.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .49 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Criminal Division, U.S. Department of Justice, Washington, DC 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Furnish this exhibit for EACH foreign principal listed in an initial statement and for EACH additional foreign principal acquired subsequently.

1. Name and address of registrant Hill and Knowlton Inc. 600 New Hampshire Ave Washington, DC 20037	2. Registration No. 3301
3. Name of foreign principal Saudi Aramco	4. Principal address of foreign principal Saudi Arabian Oil Company P.O. Box 5000 Dhahran, Saudi Arabia 31311

5. Indicate whether your foreign principal is one of the following:

- Foreign government
- Foreign political party
- Foreign or domestic organization: If either, check one of the following:
 - Partnership
 - Corporation
 - Association
 - Committee
 - Voluntary group
 - Other (specify) _____
- Individual-State nationality _____

6. If the foreign principal is a foreign government, state:

- a) Branch or agency represented by the registrant. N/A
- b) Name and title of official with whom registrant deals.

7. If the foreign principal is a foreign political party, state:

- a) Principal address.
- b) Name and title of official with whom registrant deals. N/A
- c) Principal aim

8. If the foreign principal is not a foreign government or a foreign political party,

a) State the nature of the business or activity of this foreign principal

Natural gas exploration, development, production and marketing of crude oil and related petroleum products worldwide

b) is this foreign principal

- Supervised by a foreign government, foreign political party, or other foreign principal: Yes No
- Owned by a foreign government, foreign political party, or other foreign principal: Yes No
- Directed by a foreign government, foreign political party, or other foreign principal: Yes No
- Controlled by a foreign government, foreign political party, or other foreign principal: Yes No
- Financed by a foreign government, foreign political party, or other foreign principal: Yes No
- Subsidized in part by a foreign government, foreign political party, or other foreign principal: Yes No

9. Explain fully all items answered "Yes" in Item 8(b). (If additional space is needed, a full insert page must be used.)

Saudi Aramco is the national oil company for the Kingdom of Saudi Aramco.

10. If the foreign principal is an organization and is not owned or controlled by a foreign government, foreign political party or other foreign principal, state who owns and controls it.

N/A

Date of Exhibit A	Name and Title	Signature
12/6/09	Neil Dhillon Director of Public Affairs	Neil Dhillon

U.S. Department of Justice
Washington, DC 20530

Exhibit B
To Registration Statement
Pursuant to the Foreign Agents Registration Act of 1938, an amended

OMB NO 1185-0007

INSTRUCTIONS: A registrant must furnish as an Exhibit B copies of each written agreement and the terms and conditions of each oral agreement with his foreign principal, including all modifications of such agreements, or, where no contract exists, a full statement of all the circumstances by reason of which the registrant is acting as an agent of a foreign principal. One original and two legible photocopies of this form shall be filed for each foreign principal named in the registration statement and must be signed by or on behalf of the registrant.

Privacy Act Statement. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, copy of informational materials or other documents or information filed with the Attorney General under this Act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, D.C. One copy of every such document, other than informational materials, is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of any and all documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. The Attorney General also transmits a semi-annual report to Congress on the Administration of the Act which lists the names of all agents registered under the Act and the foreign principals they represent. This report is available to the public. Finally, the Attorney General intends, at the earliest possible opportunity, to make these public documents available on the Internet on the Department of Justice World Wide Web site.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .33 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Criminal Division, U.S. Department of Justice, Washington, DC 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

1. Name of Registrant <i>Hill and Knowlton Inc. 600 New Hampshire Ave NW Washington, DC 20037</i>	2. Registration No. <i>3361</i>
3. Name of Foreign Principal <i>Saudi Aramco</i>	

Check Appropriate Boxes:

- 4. The agreement between the registrant and the above-named foreign principal is a formal written contract. If this box is checked, attach a copy of the contract to this exhibit.
- 5. There is no formal written contract between the registrant and the foreign principal. The agreement with the above-named foreign principal has resulted from an exchange of correspondence. If this box is checked, attach a copy of all pertinent correspondence, including a copy of any initial proposal which has been adopted by reference in such correspondence.

6. The agreement or understanding between the registrant and the foreign principal is the result of neither a formal written contract nor an exchange of correspondence between the parties. If this box is checked, give a complete description below of the terms and conditions of the oral agreement or understanding, its duration, the fees and expenses, if any, to be received.
Hill and Knowlton will provide advice and assistance regarding communications strategy including preparation of a communications plan. Hill and Knowlton will be paid based on the standard hourly rate for its employees. The scope of the engagement is indefinite, subject to termination by either party.

7. Describe fully the nature and method of performance of the above indicated agreement or understanding.
Hill and Knowlton Provides advice and assistance regarding communications strategy including preparation of a communications plan.

8. Describe fully the activities the registrant engages in or proposes to engage in on behalf of the above foreign principal.

See item 7 above.

9. Will the activities on behalf of the above foreign principal include political activities as defined in Section 1(o) of the Act and in the footnote below? Yes No

If yes, describe all such political activities indicating, among other things, the relations, interests or policies to be influenced together with the means to be employed to achieve this purpose.

Date of Exhibit B	Name and Title	Signature
12/6/02	Neil Phillips Dir. of Public Affairs	Neil Phillips

Footnote: Political activity as defined in Section 1(o) of the Act means any activity which the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political interests, policies, or relations of a government of a foreign country or a foreign political party.

Mr. BURTON. I want to make one more thing clear. That is Senator Lincoln is the one that is working with me in the Senate on this issue, on the Saudi issue and not Representative Stabenow. I am working with her on something else. So I had that backward. But Senator Lincoln, make no mistake about it, she is determined on this issue as well.

Ms. McClain, Ms. Roush, thanks again for coming up here. I know it is a tough thing for you to keep coming up, But we really appreciate it. We won't quit.

Thank you very much. I have some questions I would like to submit for the record for you. If you take a look at those, we would appreciate it if you'd answer them.

Ms. Mahoney, you are a great barrister, but I am disappointed that you are going to be one of the roadblocks if we move to a contempt citation if we don't get these documents, because I know it will tie this up for a long time, and I think those documents are very relevant to getting these kids back. It troubles me. But I know that you gave got to do your job.

With that, we stand adjourned.

[Whereupon, at 12:50 p.m., the committee was adjourned.]

[The prepared statement of Hon. Elijah E. Cummings and additional information submitted for the hearing record follows:]

1666

Statement of Congressman Elijah E. Cummings
Committee on Government Reform Hearing
"The Saudi Claim of Privilege: Must Saudi Lobbyists Comply with Subpoenas in
the Committee's Investigation of Child Abduction Cases? -- Day II"

December 11, 2002

Thank you, Mr. Chairman,

The House Government Reform Committee has held several hearings to look into the recurring problem of the abduction of American children to Saudi Arabia. These children, because of Saudi law, are not free to leave Saudi Arabia despite being U.S. citizens and having a custody order from an American court giving their non-Saudi parent custody.

Most custody cases in Saudi Arabia are handled by Islamic law, where the father retains legal custody. According to the State Department, there are 47 cases, in which, more than 90 U.S. citizens are being held in Saudi Arabia.

We meet today to examine the legal arguments the Saudi government has put forward as grounds for directing its representatives not to comply with a congressional subpoena.

After the October 3 hearing, Chairman Burton issued document subpoenas to Qorvis Communications, Patton Boggs, and The Gallagher Group, the three principal firms representing Saudi Arabia and the country's interest regarding the abduction issue. The subpoenas sought the firms' documents regarding their

activities on the abduction cases. The three firms have refused to comply with the subpoenas. The primary basis for their refusal to turn over the documents is an instruction by the Saudi ambassador to invoke his government's privileges under the Vienna Convention on Diplomatic Relations. They have claimed that their documents are "documents and archives" of the Saudi Embassy and that such documents in the hands of outside law and public relations firms are protected "documents of the mission" under the treaty.

Mr. Chairman, I was very frustrated after that October hearing. Mr. Michael Petruzzello, who is before us again today, could not or would not answer the questions put before him regarding the abduction cases. I hope it is not the case today and that all of the agents of the Saudi government testifying today will be more forthcoming. Last week we heard from Pat Roush and Margaret McClain who recounted their hardships in trying to secure the return of their children out of Saudi Arabia. I am happy to see them again today.

Mr. Chairman, it is hard to say if parental child abduction is increasing or if the public simply has become more aware of the problem. I believe that shining the spotlight on parental abductions of American children to Saudi Arabia by this Committee will bring this issue to the forefront and persuade the State and Justice Departments to reevaluate their policies.

Thank you.

STATEMENT OF MICHAEL PETRUZZELLO
BEFORE THE HOUSE COMMITTEE ON
GOVERNMENT REFORM

December 11, 2002

MR. CHAIRMAN, REPRESENTATIVE WAXMAN, MEMBERS OF THE COMMITTEE. MY NAME IS MICHAEL PETRUZZELLO. I AM THE MANAGING PARTNER OF QORVIS COMMUNICATIONS, AN OUTSIDE COMMUNICATIONS FIRM FOR THE SAUDI EMBASSY IN WASHINGTON. I AM HERE TODAY IN RESPONSE TO THE COMMITTEE'S SUBPOENA.

AS I EXPLAINED WHEN I TESTIFIED BEFORE THE COMMITTEE IN OCTOBER OF THIS YEAR, QORVIS COMMUNICATIONS WAS HIRED LATE LAST YEAR TO ASSIST THE SAUDI EMBASSY ON MEDIA AND COMMUNICATIONS MATTERS IN THE UNITED STATES. THE VAST MAJORITY OF OUR COMMUNICATIONS WORK IS RELATED TO THE WAR ON TERRORISM AND BI-LATERAL US-SAUDI RELATIONS. WE DO NOT SET POLICY OR IMPLEMENT POLICY.

I UNDERSTAND THAT I AM BEING ASKED TO TESTIFY TODAY REGARDING QORVIS' RESPONSE TO THE COMMITTEE'S DOCUMENT SUBPOENA AND THE VIENNA CONVENTION. I AM NOT

AN ATTORNEY. I AM NOT THE PERSON AT QORVIS WHO IS RESPONSIBLE FOR SUBPOENA COMPLIANCE. IN ADDITION, I AM NOT AN EXPERT ON THE VIENNA CONVENTION.

AS I UNDERSTAND IT, COUNSEL HAS ADVISED THE COMMITTEE THAT THE ROYAL EMBASSY OF SAUDI ARABIA HAS ASSERTED THAT THE DOCUMENTS ARE PROTECTED BY THE VIENNA CONVENTION AS WELL AS OTHER LEGAL PRIVILEGES. PENDING A RESOLUTION OF THESE LEGAL ISSUES BETWEEN THE EMBASSY AND THE COMMITTEE, QORVIS CANNOT PRODUCE THE DOCUMENTS. I DO NOT BELIEVE I CAN ADD ANYTHING TO THE COMMITTEE'S CONSIDERATION OF THESE LEGAL ISSUES.

FURTHERMORE, AS THE COMMITTEE IS AWARE, I HAVE ALREADY TESTIFIED AT GREAT LENGTH REGARDING THE UNDERLYING CHILD ABDUCTION ISSUE.

BEFORE CLOSING, I WOULD LIKE TO RESPOND TO THE ACCUSATION THAT I ACTED IMPROPERLY BY NOT APPEARING AT THE HEARING LAST WEEK. NOTHING COULD BE FURTHER FROM THE TRUTH. I WORKED ALL DAY TUESDAY AND THEN TRIED TO PREPARE FOR THE HEARING IN THE EVENT I WAS CALLED. I DID

1670

NOT EVADE SERVICE. I WAS HOME TUESDAY NIGHT AND
WEDNESDAY MORNING.

I WILL ANSWER WHATEVER QUESTIONS I CAN.

December 11, 2002

GOVERNMENT REFORM COMMITTEE STATEMENT

Thank you for providing the Department of State the opportunity to appear before the Committee today. I am Will Taft, Legal Adviser. I am accompanied today by Dianne Andruch, Deputy Assistant Secretary in the Consular Affairs Bureau. I am submitting this written statement for the record. Ms. Andruch will be available to answer questions concerning consular affairs matters.

The Committee's investigation of child abductions to Saudi Arabia has focused public attention on an important issue in our bilateral relationship with Saudi Arabia.

As Department officials testified in June and October of this year, we are committed to the objectives that American children abducted to or wrongfully retained in Saudi Arabia be returned to the United States, and that American women be free to depart Saudi Arabia without permission from their husbands or sponsors. President Bush discussed the issue with Saudi Ambassador Bandar Bin Sultan on August 8 at Crawford. Secretary Powell raised the matter a number of times with his Saudi counterpart over the summer, during the UN General Assembly on September 17, and again on November 1.

Your attention to these cases and your visit to Saudi Arabia have been very useful in underscoring to the Government of Saudi Arabia the importance the Congress and the American people attach to resolution of these cases and to the treatment that United States citizens receive abroad. Your involvement has buttressed our own efforts to encourage the Government of Saudi Arabia to work with us towards an arrangement to help resolve these cases in a more rapid and fairer manner than in the past.

We understand that the Committee's concern about child abductions by Saudi parents has led it to issue subpoenas to three private firms that work under contract with the Embassy of Saudi Arabia. We also understand that the Embassy has taken the position through its counsel that, among other things, the information and documents constitute embassy "archives" and "correspondence" which is

accordingly protected from disclosure by the Vienna Convention on Diplomatic Relations.

We further understand that the Committee has rejected the Saudi government's position, arguing that none of the subpoenaed documents are protected by the Vienna Convention and that testimony by representatives of the subpoenaed firms is not privileged.

The Department has explained, by letters to you of November 22 and 29 and December 4, that your request raised novel and complex questions that concern both domestic and international law. In your letter to Secretary Powell of November 18, 2002, you requested that by November 25, the Department provide the Committee with responses to four questions regarding the Saudi claim that the documents are privileged. Specifically, your letter asked whether the records sought by the Committee are "archives and documents of the mission" protected by the Vienna Convention on Diplomatic Relations. You also posed hypothetical situations and asked, if the Saudi position in this matter were correct, whether the records of consultants would be protected from disclosure in those situations. Finally, you asked about the relationship of the Vienna Convention to the Foreign Agents Registration Act.

These are issues of first impression. To our knowledge, your subpoenas constitute the first time a legislature in any country has attempted to compel the production of records from a contractor for an embassy in that country. How we answer your questions has implications for our law enforcement activities, our diplomatic practices, and Congressional oversight. The issues also could be relevant to future litigation. We continue to review these issues precisely because the national interests are so important and we want and need to get the answers right.

The Administration has taken no position on the merits of this dispute between the Committee and the Embassy. Nor am I am here to provide an opinion on which side has the better argument. I am here out of great respect for the work of the Committee to help the Congress understand some of the questions that the Executive Branch is exploring as it analyzes the Vienna Convention in response to your questions.

The State Department believes strongly in the need for proper and effective law enforcement in the United States. We do not expect the Vienna Convention to protect U.S. citizens who are not attached to a foreign mission and are recruited here by foreign missions to perform illegal activities such as espionage or terrorism. We also understand the need of the Congress and its committees to exercise its legislative duties. Let me assure you, Mr. Chairman, we support that role.

In analyzing the Convention's proper interpretation, we must also weigh the legitimate interests of the United States overseas. We too rely heavily on the protections of the Vienna Convention. As the Committee knows, the Convention protects our embassies from intrusion, our diplomats from arrest, and our communications and archives from interference. Our diplomats and embassies are on the front lines in the fight against global terrorism. As we analyze the precise questions the Committee has raised, we must remain cognizant of the overall importance of the Convention to U.S. interests. U.S. agencies must therefore consider whether lack of protection under the Convention of all documents and information such as are sought by the Committee here would adversely affect our ability to carry out our responsibilities overseas.

Let me give you some concrete examples. The State Department uses local nationals and personnel to fill some positions in our embassies. Unlike U.S. citizen employees sent overseas by the Department, local nationals do not generally have immunity from compulsory process, so they must appear in a court or elsewhere if they receive a subpoena. Our research to date indicates that, in a number of instances, the Department has in fact asserted that the official information in the possession of a local national working in the embassy is "archival" under the Vienna Convention and thus inviolable. Our experience has been that when the local national appears and declines to answer questions about official activities, the issue is not pursued in that way. If countries take the view that these local personnel working with the U.S. Government could be compelled to release information otherwise protected as Embassy archives, we would object strongly. And we believe Congress would expect us to do so.

Some of the same concerns extend to situations where we are relying on outside contracting. For example, the

Department uses outside contractors for embassy construction. In such situations, cleared U.S. contractors and personnel build our embassies in sensitive posts working with information we provide them. To the best of our knowledge, up to the present, there has never been a situation in which foreign authorities have pressed one of these contractors to produce such information. If that were to happen, we would work vigorously in an attempt to protect the information. We would look seriously at asserting a claim of privilege, or inviolability, under the Vienna Convention. We would also consider other possible privileges and protections, such as state secrets, that might apply to these and other situations.

Examples such as these highlight why we are proceeding carefully in developing our conclusions.

On those rare occasions when U.S. Embassy representatives have been asked to appear before foreign legislatures, we have declined to do so on grounds of immunity under the Vienna Convention. On the same basis, U.S. embassies do not, as a matter of general practice, provide formal documentary submissions to foreign legislatures. The more information we require from embassies and their contractors, the more difficult it will clearly be for the United States to avoid reciprocal requests overseas.

It is in the context of these practices and functions of the United States Government that we analyze the Vienna Convention issues presented by the Committee's requests. Our starting point, shared we understand by the Committee and the Saudi government, is that embassy information and documentation in the embassy is inviolable and immune from process and similarly information in the hands of accredited diplomats and other embassy personnel is protected. Under Article 24 of the Convention, embassy archives are immune "wherever they may be" and "at any time." Under Article 27, embassy correspondence is "inviolable" and the state in which the embassy is located has an obligation to respect these rights and to protect free communication of the embassy. In this respect the Vienna Convention binds the entire U.S. government, not just the executive branch.

The issue the Committee posed, as we understand it, is whether these materials retain that immunity under the

Convention when they are given to, or relied upon by, third parties. As I have noted, this is a novel and complex question. In contemplating the reach of the Convention, we would need to consider a number of issues, including among others: what may constitute "archives" (an undefined term in the treaty), exactly what documents and other information may be encompassed in a demand for production, and the relationship of the person who holds the information to the embassy.

One of the difficulties in resolving the reach of the Vienna Convention in this context is that it has rarely been tested by courts here or abroad. There is little reported practice. So the mere fact that archives have passed to a third party does not resolve the issue.

In the one significant case Professor Denza has cited to the Committee, the United Kingdom's House of Lords decision in Shearson, Lehman Brothers, Inc. v. Maclaine Watson & Co., Ltd., Lord Bridge concluded that certain documents passed to third parties by the International Tin Council had lost their archival inviolability in the specific circumstances of that case. However, Lord Bridge conditioned his decision on "the absence of any relationship of lender and borrower, bailor and bailee or principal and agent." Thus, as a technical legal matter, and as Professor Denza noted, the decision would not appear to reach the situation in which documents or information are given to an agent, contractor or attorney.

You have also expressed concern that a foreign embassy might employ a U.S. citizen to harass and intimidate U.S. parents or to assist in terrorist funding. On that basis, you have asked if the interpretation given the Vienna Convention by the Saudis would protect those activities. We would vigorously oppose such activities by foreign embassies. If situations such as these did arise, we would expect to draw upon a variety of tools and work closely with the Justice Department to address them.

Finally, you have asked about the Foreign Agents Registration Act. That statute is administered by the Department of Justice, not the State Department. We are not, therefore, in a position to respond to your question. We note only that we are not aware of the issue of "embassy archives" previously arising in this context - making this again a novel question. What that suggests to me, Mr.

Chairman, is that as a practical matter, the Department of Justice has implemented the Foreign Agents Registration Act in a way that has not caused concerns among foreign governments that their rights under the Vienna Convention are being violated.

We appreciate the opportunity to bring these points to the Committee's attention. At this point, we are not in a position to present definitive legal views. The national interests involved are too important for us to give you answers that have not been carefully considered and reviewed by all interested agencies.