

Section 10

The Long Legal Process and The 11th Hour Indictments

Thursday June 21, 2001 2:38 PM ET

14 Indicted in Saudi Arabia Bombing

By JONATHAN D. SALANT, Associated Press Writer

ALEXANDRIA, Va. (AP) - Thirteen Saudis and one Lebanese were indicted Thursday in the 1996 bombing that killed 19 American servicemen in Saudi Arabia.

A 46-count, 29-page indictment (Appendix F) handed up by a federal grand jury charged the defendants, under the direction of Iranian officials, conspired to kill U.S. nationals.

"This indictment serves to underscore the commitment of the Bush administration and the Justice Department to bringing terrorists to account," Attorney General John Ashcroft said.

"Americans are a high-priority target for terrorists and our nation will vigorously fight to preserve justice for our citizens both here at home as well as abroad."

Some of the 14 are in custody in various countries. Officials declined to be specific.

The indictment charges that as early as 1993 members of Saudi Hezbollah began extensive surveillance in search of a U.S. target, settling two years later on the American military housing high-rise near Dhahran.

Most of the Saudis indicted are young male members of the Shiite branch of Islam who lived in the eastern province of Saudi Arabia near the Persian Gulf.

The indictment said they were trained in Lebanon in Hezbollah-controlled areas and also in Iran.

Ashcroft said the United States is charging that certain unspecified Iranian figures "inspired, supported and supervised" the activities of the terrorists.

But he said the indictment did not name any Iranians, although the investigation continues. The attorney general suggested that U.S. authorities do not yet have sufficient evidence to indict Iranians.

But he did say he was gratified that the Justice Department and FBI were able to obtain the indictment nearly five years after the Khobar Towers bombing.

“For the victims and for their families, the indictment filed today means that next week's five-year anniversary of this tragedy will come with some assurance to victim family members and to the wounded that they are not and will not be forgotten,” Ashcroft said.

President Bush spoke by phone Thursday with Saudi Crown Prince Abdullah to thank him for Saudi Arabia's cooperation in the investigation, said White House spokeswoman Mary Ellen Countryman. Bush issued a statement praising both the Justice Department and the Saudis for their work, saying more people might be charged in the case.

Bush also offered personal assurances to bombing survivors and families of the dead. “Your government will not forget your loss, and will continue working, based on the evidence, to make sure that justice is done,” Bush said.

Those with loved ones among the dead welcomed the latest development in the case.

“It's (been) five years of pure hell, with or without indictments, that part doesn't change,” said Fran Heiser, of Palm Coast, Fla., who lost her only child, Michael, a 35-year-old Air Force master sergeant, in the bombing. “It's nice to see this coming to a head.”

The FBI said the investigation into the blast moved slowly in part because the Saudi government restricted the agency's access to witnesses and other evidence. Eventually, FBI agents were allowed to formulate questions and watch as Saudi authorities posed 212 questions to eight suspects.

Saudi Arabia has yet to disclose its findings in an investigation it carried out jointly with the FBI.

A recent State Department report on terrorism referred to Hezbollah, the pro-Iranian group that led the guerrilla war against Israel's occupation of south Lebanon, as a radical Shiite Muslim group that is “strongly anti-West and anti-Israel.”



Sunday, 6 May 2001 20:55 (ET)

Iran behind Saudi bombing

By RICHARD SALE, UPI Terrorism Correspondent

The United States has "airtight evidence" that Iran was the chief culprit behind the June 1996 terrorist bombing of a U.S. military facility in Saudi Arabia that killed 19 airmen and injured another 250, a U.S. official told United Press International Sunday.

The FBI reached that conclusion in an early investigation but was forced to withdraw it because of political considerations, according to anti-terrorism expert Jerry Bremer.

One former CIA official also named Syria as playing the role of "enabler" in the bombing, and other former U.S. intelligence officials said that operatives of Saudi exile terrorist Osama bin Laden were also involved.

According to U.S. government officials with close knowledge of the case, who all spoke on condition of anonymity, the languishing probe into the bombing of the Khobar Towers complex in 1996 has been picking up momentum since last month, when FBI director Louis Freeh indicated he wanted more action on the case.

A State Dept. official was hopeful that the recent change in the administration would breathe new life into the investigation. "I think we're seeing a different emphasis with this administration when it comes to terrorism and Iran," he said. "There is a new resolve on the part of the Bush people to get to the bottom of this," agreed another U.S. official.

Yet another official added that during the Clinton administration there had been a "real attempt to repair our relations with Iran" via the so-called Albright initiative. Unfortunately, it also meant "walking softly" where acts of terrorism and Iran was concerned, he said.

"There was this desire to have Iran re-enter the world diplomatic community. Iran was doing some things, like stopping Iraqi ships trying to smuggle oil, and everyone felt an effort would be worth it," he said.

When two former CIA officials, Larry Johnson and Milt Bearden, wrote an op-ed piece for the New York Times late last year quoting a confession by bin Laden operative and former U.S. Army Sgt. Ali Mohamed about a link between the bin Laden organization and the mysterious Hezbollah head of security, Iman Mughniyah, the authors met with immediate criticism from the White House, according to former U.S. intelligence sources.

Mughniyah, who is believed to have carried out the bombings of the U.S. Embassy and Marine barracks in Lebanon in 1983, was described by a former CIA official as "clearly an operative of Iran's."

"The (Clinton) White House clearly didn't want the link between Iran and bin Laden made public, even though the link was part of a court document," he added.

A U.S. government source told United Press International: "We are pretty sure that the explosives (for the bombing) came overland from stockpiles belonging to Syria and Iran in (Lebanon's) Bekaa Valley and near Damascus (in Syria)."

Iran was the chief force behind the bombing attack, with Syria "acting as an enabler," said one former CIA official.

But former U.S. ambassador to the Netherlands and anti-terrorist expert Jerry Bremer said that the question of whether the government of Syria had approved of and participated in the operation still was not clear. "I think one has to be careful," he told UPI.

A U.S. government official said that the evidence indicates the terrorists were trained at an Iranian intelligence facility in the town of Saadabad, and at a secret Iranian intelligence camp 60 miles south of Teheran. Others came from the Hezbollah training camps at Janta, Anjar, and Baalbek in the Bekaa, and some from as far away as the Balkans, smuggled in via Syria and Jordan.

One source with close knowledge of the incident said that the first Iranian operatives arrived in Dhahran, the site of the bombing, as early as April 1996 -- more than two months before the bombing. He added that the operation was characterized by "advanced reconnaissance, planning and logistical support" built up in the Dhahran area.

There were advance probes of the compound, one of which included a tanker truck like the one that carried the bomb, "entering the compound and driving around."

The bulk of the bomb's components were in Dhahran by June, where Iranian or Iranian-trained bomb experts completed it, this source said. The fuses and other sophisticated components had been smuggled into Saudi Arabia in boxes labeled "computer parts" and addressed to the Saudi National Guard, he said.

The local Iranian network stole a Caprice, which was used as a getaway car and abandoned in Dammam, six miles south of Dhahran. The Mercedes-Benz tanker truck that carried the bomb had been stolen from a construction company only a few days before the bombings, he said.

"The fuses and detonators were identical to bombings used by the Hezbollah," he said. The fact that the bomb's oil and incendiaries exploded a fraction of a second after the high explosives meant it was a bomb "meant to kill and damage human organs by means

of air pressure changes," as well as explosive concussion, a signature of other Iranian bombings, he said.

One former CIA official was critical of the FBI's early investigation of the incident. He said of the FBI: "They're scalp hunters. They march in and want to clap people into jail. What we (the CIA) want is to 'turn' these people and send them back as deep penetration agents that can work for us."

Another former CIA source said of the investigative team: "They were incredibly arrogant. Some women were there as part of the team, and they wore tight slacks and short skirts, utterly ignorant of Islamic law. The FBI rode roughshod over everyone."

The Saudis responded angrily, sending half of the FBI specialists packing, this source said. Prince Nayef, the Saudi Minister of Interior, then cut off access to suspects being held for interrogation.

In 1986, Prince Nayef announced to the Saudi newspaper al-Rai al-Amm, that the bombing was "executed by Saudi (dissidents) alone ... No foreign power had any role in it."

According to administration officials, Freeh worked hard to undo the damage, building ties with Prince Sultan, the Saudi Defense Minister who heads a side of the family of King Fahd that favors close ties to the United States. Prince Sultan also retains the belief that Iran still poses a serious and continuing threat to the internal stability of the kingdom, they said.

To further increase his clout, Freeh also enlisted the cooperation of new Secretary of State Colin Powell, including a meeting of the two before Powell left on his Middle East tour earlier this year. When Powell met the Saudis, he brought up the subject of the bombing and stressed the urgency of U.S. concerns, these officials said.

Asked about a recent rapprochement between Saudi Arabia and Iran, one U.S. analyst said the deal had been engineered by Crown Prince Abdullah Abdul-Azzis, who he described as notoriously anti-American. A former CIA official added that Abdullah has often accepted subsidies from the British and actively worked against U.S. interests in the past.

Another U.S. government official pointed out that a similar detente had occurred between the two countries back in 1998 when former Iranian President Ali Akbar Hashemi Rafsanjani paid a visit to the kingdom announcing "a new era in Saudi-Iranian relations."

"The Saudis are very pragmatic: if a new relaxation of tensions relaxes the threat, then fine," he said.

Bush Team Reportedly Gets List of Khobar Suspects

WASHINGTON (Reuters) - FBI Director Louis Freeh has given the Bush administration a list of people -- possibly including Iranian officials -- who he believes should be indicted in the 1996 bombing in Saudi Arabia that killed 19 U.S. servicemen, according to a New Yorker article released on Sunday.

The magazine story, based on interviews with Freeh and bureau personnel among others, said Freeh, who is leaving his post in June, recently briefed President Bush on the matter.

Without quoting Freeh directly, the article said, ``any indictments are likely to name Iranian government officials, especially those with ties to Iranian intelligence, commonly believed to be the source of terrorist activities."

The June 1996 bomb at the Khobar Towers military complex in Dhahran, Saudi Arabia, killed 19 servicemen and injured 500 others. The United States has maintained a military presence in Saudi Arabia since the buildup to the 1991 Gulf War.

It is unclear where any indictments might lead if the suspects live outside the United States.

Asked about the issue on the ABC's ``This Week," Bush's national security adviser, Condoleezza Rice, said she could not comment on ``legal and judicial matters that are under review at the Justice Department."

The New Yorker piece did not say how the Bush administration would proceed but it quoted one unidentified official as being open to indictments.

It said Freeh hopes to resolve the case by the time he steps down.

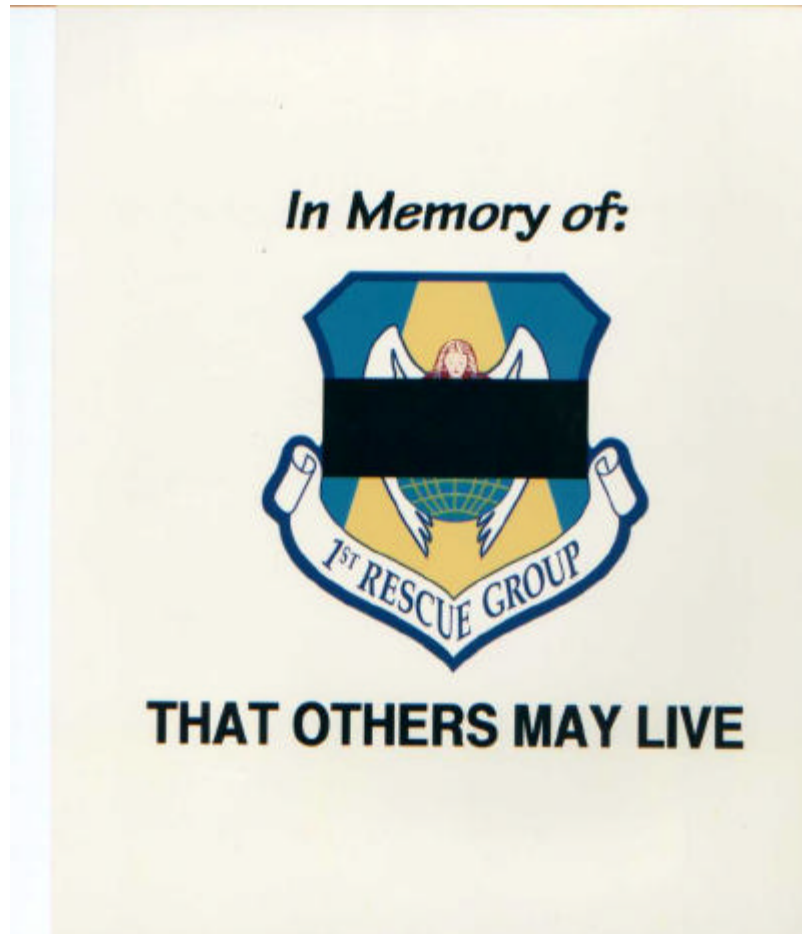
``The only unfinished piece of business that I have is the one you're writing about," the magazine quoted Freeh as saying.

The article said the suspicion of Iranian involvement dated to conversations a few months after the bombing between then-national security adviser Anthony Lake and his deputy, Sandy Berger, and Prince Bandar bin Sultan, the Saudi ambassador to the United States and the nephew of King Fahd.

``Bandar would always say, 'Tell me what you are going to do with the information if we share it with you.' I wouldn't play that game. I knew if we said we were going to whack the shit out of Iran we would never get anything from the Saudis -- plus we had not made a decision about what we were going to do," Berger is quoted as saying in the article.

The Saudis, who cooperated with the FBI in the investigation of the bombing, feared U.S. military action against Iran would prompt Iran to retaliate against its neighbor Saudi Arabia.

“Bandar told Freeh that he had once told White House officials that the Saudis could close the investigation, so that no one would have to retaliate against Iran,” according to the New Yorker.



“By the end of the Clinton era, Freeh had become mistrustful of Clinton that, although he believed he had developed enough evidence to seek indictments against the masterminds behind the attack, not just the front-line suspects, he decided to wait for a new administration,” the New Yorker said.

FBI spokesman Bill Carter declined to comment on whether a list of suspects had been handed to the Bush team. But the bureau issued a statement responding to the New Yorker article, saying the Khobar Towers case “remains the investigative priority of the FBI.”

June 13, 2001

GI BLAST INDICTMENTS DUE

By BILL SANDERSON

Federal prosecutors will soon seek justice for 19 servicemen killed in a Saudi Arabia bomb blast by indicting several terrorists, it was reported last night.

A federal grand jury in Virginia will be asked to indict 13 people - mostly Saudi citizens - for carrying out the 1996 Khobar Towers attack, CBS News said.

But nobody from Iran will be indicted - although Iranian intelligence services are believed to have masterminded the attack against the U.S. barracks, according to the report.

Several suspects accused in the bombing are being held in Saudi Arabia. An Arab-language newspaper in London reported that three suspects have disappeared, hampering the investigation.

FBI Director Louis Freeh, who retires this month, has taken a strong interest in the case. But the FBI probe has been stymied by a lack of Saudi cooperation and U.S. efforts to improve relations with Iran.

The feds have to act soon –

The five-year statute of limitations for the crime runs out June 25.



Wednesday June 20 10:27 AM ET

U.S. Prosecutors Prepare Khobar Towers Indictment

WASHINGTON (Reuters) - U.S. prosecutors prepared to bring as early as Thursday the first criminal charges stemming from the 1996 Khobar Towers bombing in Saudi Arabia, which killed 19 U.S. service members, federal law enforcement officials said Wednesday.

They said prosecutors planned to ask a federal grand jury in Virginia to return an indictment against a number of Saudi militants who have been linked to the attack when a truck loaded with explosives detonated outside a U.S. military barracks in Dhahran, Saudi Arabia, injuring about 500 people.

The criminal charges would be brought ahead of the June 25 five-year anniversary of the bombing, the officials said. For some of the charges under consideration, there is a five-year statute of limitations.

The charges also would be brought before FBI Director Louis Freeh, who has taken a strong personal interest in the case and who has pressed Saudi Arabia to cooperate, retires. He is expected to leave by the end of the week, FBI officials said.

The officials said Freeh planned to attend a news conference at FBI headquarters Thursday to announce any charges.

Saudi Arabia has been holding several suspects linked to the bombing, including Han al-Sayegh, a Saudi national handed over by the United States in 1999.

Among those expected to be charged are a number of Saudis who have been jailed in their own country for the attack, the officials said. But it is not clear whether any of them will be extradited to the United States.

The Indictment is quite lengthy so I only copied the first two pages and the last two pages. It is all a matter of public record.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

-v-

AHMED AL-MUGHASSIL,
aka "Abu Omran,"

(Counts 1-46)

ALI AL-HOURI,

(Counts 1-46)

HANI AL-SAYEGH,

(Counts 1-46)

IBRAHIM AL-YACoub,

(Counts 1-46)

ABDEL KARIM AL-NASSER,

(Counts 1-46)

MUSTAFA AL-QASSAB,

(Counts 1-46)

SA'ED AL-BAHAR,

(Counts 1-5)

ABDALLAH AL-JARASH,

(Counts 1-46)

HUSSEIN AL-MUGHIS,

(Counts 1-46)

ALI AL-MARHOUN,

(Counts 1-5)

SALEH RAMADAN,

(Counts 1-5)

MUSTAFA AL-MU'ALEM,

(Counts 1-5)

FADEL AL-ALAWI, and

(Counts 1-5)

JOHN DOE, further described as a Lebanese
male, approximately 175 cm tall, with fair skin,
fair hair, and green eyes,

(Counts 1-46)

Defendants.

CRIMINAL NO: 01- 228 -A

Conspiracy to Kill United States Nationals
(18 U.S.C. § 2332(b))
(Count One)

Conspiracy to Murder United States Employees
(18 U.S.C. §§ 1114, 1117)
(Count Two)

Conspiracy to Use Weapons of Mass Destruction
Against United States Nationals
(18 U.S.C. §§ 2332a(a)(1), (a)(3))
(Count Three)

Conspiracy to Destroy Property of United States
(18 U.S.C. § 844(n))
(Count Four)

Conspiracy to Attack National Defense Premises
(18 U.S.C. § 2155(b))
(Count Five)

Bombing Resulting in Death
(18 U.S.C. §§ 844(f)(1), (f)(3))
(Count Six)

Use of Weapons of Mass Destruction Against United
States Nationals
(18 U.S.C. §§ 2332a(a)(1), (a)(3))
(Count Seven)

Murder While Using Destructive Device During
Crime of Violence
(18 U.S.C. § 924(j))
(Counts Eight through Twenty-Six)

) Murder of Federal Employees
) (18 U.S.C. §§ 1111, 1114)
) (Counts Twenty-Seven through Forty-Five)
)
) Attempted Murder of Federal Employees
) (18 U.S.C. §§ 1113, 1114)
) (Count Forty-Six)

INDICTMENT

June 2001 TERM – AT ALEXANDRIA

THE GRAND JURY CHARGES THAT:

COUNT ONE

Conspiracy to Kill United States Nationals

Introduction

Saudi Hizballah

1. From some time in the 1980s until the date of the filing of this Indictment, Hizballah, or “Party of God,” was the name used by a number of related terrorist organizations operating in Saudi Arabia, Lebanon, Kuwait, and Bahrain, among other places. These Hizballah organizations were inspired, supported, and directed by elements of the Iranian government. Saudi Hizballah, also known as Hizballah Al-Hijaz, was a terrorist organization that operated primarily in the Kingdom of Saudi Arabia and that promoted, among other things, the use of violence against nationals and property of the United States located in Saudi Arabia. Because Saudi Hizballah was an outlaw organization in the Kingdom of Saudi Arabia, its members frequently met and trained in Lebanon, Syria, or Iran.

THIRTY-THREE	Master Sergeant Michael G. Heiser
THIRTY-FOUR	Staff Sergeant Kevin J. Johnson
THIRTY-FIVE	Staff Sergeant Ronald L. King
THIRTY-SIX	Airman First Class Christopher B. Lester
THIRTY-SEVEN	Master Sergeant Kendall K. Kitson, Jr.
THIRTY-EIGHT	Airman First Class Brent W. Marthaler
THIRTY-NINE	Airman First Class Brian W. McVeigh
FORTY	Airman First Class Peter J. Morgera
FORTY-ONE	Technical Sergeant Thanh V. Nguyen
FORTY-TWO	Airman First Class Joseph E. Rimkus
FORTY-THREE	Senior Airman Jeremy A. Taylor
FORTY-FOUR	Airman First Class Justin R. Wood
FORTY-FIVE	Airman First Class Joshua E. Woody.

(In violation of Title 18, United States Code, Sections 1111, 1114 and 2.)

COUNT FORTY-SIX

Attempted Murder of Employees of the United States

63. The allegations contained in paragraphs 1 through 38 are repeated.

64. On or about June 25, 1996, in Saudi Arabia, and out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka "Abu Omran," ALI AL-HOURI, HANI AL-SAYEGH, IBRAHIM AL-YACoub, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, and JOHN DOE,

WHEN AMERICA CLOSES ITS EYES TO TERROR

On the eve of the fifth anniversary of the Khobar Towers bombing, it's becoming clear why America, after all this time, has yet to hold a single individual accountable.

It's plain that the Clinton administration simply didn't want to respond.

Khobar Towers was the U.S. base in Saudi Arabia, where 19 American airmen lost their lives in the horrific 1996 terrorist attack.

Meaningful action by the United States - legal steps to prosecute perpetrators, military reprisals or other political measures - would have conflicted with the Clinton game plan for the Mideast.

That approach was appeasement, plain and simple.

President Clinton and his foreign-policy team sought to head off measures that might have upset Saudi Arabia, punished Iran for terrorism and brought those responsible to justice - because they might have damaged relations with Riyadh and Tehran.

There's no public, smoking-gun proof of this, of course. Not yet, anyway.

But such suggestions are the gist of Elsa Walsh's intriguing recent piece in The New Yorker about the government's investigation of the bombing.

Walsh says that FBI Director Louis Freeh - who was deeply involved in the probe - believed as much.

Freeh has drawn up a list of key suspects, and the Bush team is expected to decide soon whether to pursue indictments in the case.

We hope so, because America needs answers to such questions as:

- ?? Did any of the Clinton folks intentionally impede the FBI probe?
- ?? If so, does such activity constitute an obstruction of justice?
- ?? Did anyone suggest to the Saudis - explicitly or otherwise - that America was not interested in information Riyadh had obtained that might have implicated high-ranking Iranian officials?

?? And were the Saudis led to believe that U.S. officials would rather play a game of "See No Evil, Hear No Evil" - rather than be given information on which they'd be forced to act?

That, Walsh says, was the conclusion Freeh reached.

"Freeh," Walsh wrote, "had become so mistrustful of Clinton that, although he believed that he had developed enough evidence to seek indictments against the masterminds behind the attack . . . he decided to wait for a new administration."

True, the president has the right to conduct foreign policy - and it well may be that Clinton's plans for the Middle East conflicted with Freeh's probe in an entirely legal way.

Still, it would be nice to know for sure. Besides, even if Clinton & Co. had acted legally, the question would remain: Did they act wisely?

Appeasement might be lawful, even if it hinders a federal investigation; but is it likely to advance America's interests? Is it likely to curb terrorism?

Indeed, viewed that way, Clinton's Iran policy was a colossal failure.

The attacks by Iran's terrorists, after all, are essentially acts of war. Nor did the Clinton suck-up - if that's what it was - seem to have done much to reform the Islamic republic. Instead, *it has allowed the Khobar thugs to walk free - free to bomb again, if they so choose.*

And it has sent a message to other would-be terrorists that they can attack Americans with impunity.

The result is tragedies like last October's bombing of USS Cole in Yemen, which claimed 17 American lives.

The Clinton folks, of course, would deny any policy of appeasement. They'd insist that they had opposed terrorism and pursued its perpetrators, no holds barred.

There's scant evidence of that, though - notwithstanding Clinton's missile attacks on suspected sites linked to master-terrorist Osama bin Laden, following the bombings of U.S. embassies in Kenya and Tanzania. (More likely, those attacks were meant to distract from Monicagate.)

Clintonites also would argue that Iran had provided real hope for change: In 1997, a "moderate," Mohammad Khatami, was elected president. Khatami publicly condemned terrorism and signaled a desire for greater contact between Americans and Iranians.

Yet, Khatami had - and still has - little power. Iran continues to back terrorism and groups like the Hezbollah. Since the election, Tehran has cracked down brutally on dissidents.

Still, Clinton moved quickly to send lollipops to the mullahs.

?? He encouraged contacts: An American wrestling team visited Iran, and Clinton extended a reciprocal invitation.

?? He moved to relax sanctions.

?? And, in one bizarre - and audacious - twist, his aides pushed for American taxpayers to pick up the tab for court judgments against Tehran for its role in terrorist attacks against Americans.

Freeh, on the other hand, seemed genuinely committed to the Khobar case. He visited the bomb site immediately, while it still resembled a war zone. And he spent hours with the victims' families.

The director, who recently announced plans to resign, told Walsh that "the only unfinished piece of business that I have is the one you're writing about."

Now he has handed the ball to President Bush. Americans can only pray that the new president will run with it - that he'll OK the indictments and help see that those responsible pay.

If that doesn't happen, then Congress must step in and determine what really occurred.

And then there is one overriding question here, too: Why is a terrorist bombing a matter for U.S. policemen - rather than for the State Department, the National Security Council, the Defense Department and the president himself? It's not shoplifting, after all.

With the end of the Cold War, terrorism is, arguably, the most dangerous foreign-policy threat to Americans.

In deciding how to proceed on Khobar, Bush - and America - should start thinking now about how to handle the next bombing.

Which is sure to come soon enough.

This was released just before the 5th anniversary of Khobar Towers, June 2001, and before the horrible attack against America, Sept 11, 2001. The evidence pointed to another attack but the early warnings went unnoticed. Some things don't change. As a nation we are now aware of Terrorism but still don't want to think it can happen to us. Wake up America, it can happen here or anywhere and we are not prepared for when this monster strikes home.

While waiting and hoping the indictments bring justice, we are involved in a wrongful death lawsuit. Say and think what you want about President Clinton, he paved the way for us with this bill, ironically, 1996 BEFORE Khobar Towers! Our form of justice!

Grabbing terrorists

WASHINGTON (AP) — The United States is willing to snatch suspected terrorists by force from foreign countries that refuse to cooperate in their extradition, according to a newly declassified presidential directive.

The document, a copy of which was obtained Tuesday by The Associated Press, contains a passage that apparently was made public inadvertently by security officials who reviewed it before declassification.

"If we do not receive adequate cooperation from a state that harbors a terrorist whose extradition we are seeking, we shall take appropriate measures to induce cooperation," the directive states. "Return of suspects by force may be effected without the cooperation of the host government."

The Presidential Decision Directive, or PDD-39, was signed by President Clinton June 21, 1995.

Clinton sets new policy on terrorism

L.A. Times/Washington Post Service

WASHINGTON — Acting over protests of European allies, President Clinton on Monday signed a measure to punish foreign companies that do business with Iran and Libya.

He said the United States has an obligation to act — alone if necessary — against what he branded "two of the most dangerous supporters of terrorism in the world."

Clinton signed the bill in an Oval Office ceremony flanked by family members of several victims of the attack on Pan Am 103, which was blown up over Lockerbie, Scotland, in 1988. The administration wants two Libyans suspected of complicity in the bombing extradited for trial in the United States.

Later, in a foreign policy address, Clinton recalled recent terrorist attacks against the United States — including the June bombing of a U.S. barracks in Saudi Arabia. He dedicated the nation to a "long, hard struggle" against global terror, calling it "the enemy of our generation."

The bill to punish companies doing business with Iran and Libya is expected to have limited economic impact and little effect on the behavior of those two nations, who have suffered partial Western economic embargoes for years. But the measure gave Clinton the chance to appear determined to battle terror on all fronts at a time of heightened domestic concern about terrorism after the Olympic park bomb, the unresolved case of TWA Flight 800 and the Saudi attack.

Leon Brittan, EU vice president and chief trade negotiator, said "The EU has already said it will act to defend its rights and interests if they are jeopardized by this legislation."

The 15-nation EU imports about 20 percent of its oil from Iran and Libya and oil companies have extensive investments in both countries.

Early on we engaged the services of a Florida attorney. He later realized this was much larger than he and he released us. He tried, even met with Steve Perles in Washington to gather information.

Gary and I also met with Mr Perles. Very informative but he has just won a huge judgement and did not fit into our budget!

STEWART TILGHMAN FOX & BIANCHI, P.A.
ATTORNEYS AT LAW

LARRY S. STEWART
JAMES B. TILGHMAN, JR.
GARY D. FOX
DAVID W. BIANCHI
STUART N. RATZAN

SUITE 3000
ONE SOUTHEAST THIRD AVENUE
MIAMI, FLORIDA 33131-1764
(305) 358-6644
FAX (305) 358-4707

May 10, 1997

Mrs. Fran Heiser
39 Old Kings Road North
Palm Coast, Florida 32137

Dear Fran:

I am very disappointed to report to you that our legal research into bringing a case against Iran for the bombing of the Khobar Towers has led us to a conclusion that in all probability no legal basis exists for such a suit. Let me explain.

As I have previously indicated, historically all nations enjoyed sovereign immunity and one country could not be sued in the courts of another. In April 1996, Congress waived sovereign immunity for nations that engage in state-sponsored terrorism. Unfortunately, that law is not well written and raises as many questions as it answers. The specific problem that arises here is that the targets of this terrorism were members of the United States military.

As you know, under United States law members of the military and their family are not entitled generally to bring law suits for the injuries they receive while on duty. It also appears that the same type of prohibition exists in international law. It may be because the military is considered "at risk" or may be because nations generally do not want to find themselves subjected to liability for their military activities. Whatever the reason, it appears that "terrorists activities" are those conducted against civilians and activities against the military fall into a different, no legal liability category. Not only did we come to this conclusion but I also went to Washington to talk to people there who are knowledgeable on this subject and they were of the same opinion. The bottom line is, therefore, at best there is only the slimmest of chances that a law suit against Iran for this incident could be successful.

This analysis does not take into account the fact that, even if there were a basis for a law suit, there are additional, very difficult problems in collecting admissible evidence to prove that Iran was behind and/or supported this particular act. While some information has been "leaked" to the media suggesting that is the case, if a law suit were filed, it would require hard evidence to prove the Iranian connection.

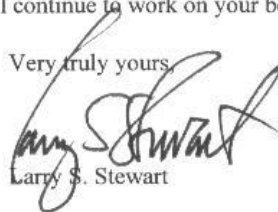
In view of the foregoing, we cannot recommend undertaking such a case. It would put you through years of trauma and frustration and, if unsuccessful, subject you to potential liabilities for court costs

Mrs. Fran Heiser
Page 2
May 10, 1997

at the end. That is not, however, necessarily the end of the road. I am looking into whether there is any possibility of a "political" solution. I am pursuing two potential avenues in that regard. One is to see whether there is any possibility that the Department of Defense might be willing to provide some compensation in view of their "role" in this incident. The other potential avenue that we are looking at is the Saudi Arabian government. American troops are in Saudi Arabia to protect, at least in part, the Saudi government and that may provide a basis to approach them. I am looking into both of these possibilities now.

If you wish to consult other lawyers in connection with a suit against Iran, you are certainly free to do so and we will make everything that we have learned available to them. All you have to do is let me know. On the other hand, if you would like to be included in any efforts that we make toward finding a "political" solution, we will continue to work on your behalf.

Very truly yours,



Larry S. Stewart

LSS:jc

STEWART TILGHMAN FOX & BIANCHI, P. A.

Tuesday, November 27, 2001

Local parents of terrorism victims sue bin Laden, others

By **PATRICK WRIGHT** (patrick.wright@news-jrnl.com)
Staff Writer

PALM COAST -- When Fran and Gary Heiser lost their son in a terrorist attack six years ago, they learned there is no such thing as closure.

"You live with it every day," said Gary Heiser of Palm Coast. "You should never out live your children."

The Heisers are one of five families suing Osama bin Laden, Iran and others for their part in the death of their son, Michael, from a 1996 terrorist attack in Saudi Arabia. They appeared on the NBC Nightly News Saturday to discuss the legal action.

Although they filed the suit in U.S. District Court in Washington D.C. more than a year ago, Gary Heiser said the suit became more newsworthy after the terrorist attacks of Sept. 11.

"It's too bad it takes a hit on our home territory before we decide to do something," he said of the ongoing war against terrorism.

Michael Heiser, a 35-year-old Air Force master sergeant, was one of 19 servicemen killed and 372 wounded when a tanker truck exploded outside the Khobar Towers, destroying the military barracks in Dhahran, Saudi Arabia. Airman 1st Class Brian McVeigh of DeBary was also killed in the blast. His family also is a party to the lawsuit.

Last June, a federal grand jury concluded "then-members of the Iranian government" helped coordinate the June 1996 attack, but didn't identify them.

The Heisers' suit does identify who they believe is responsible. They are seeking unspecified damages from a number of defendants, including bin Laden, the the estate of the late Iranian leader Ayatollah Khomeini, and Arab-terrorist organization Hezbollah (Arabic for "party of God") with the Islamic Republic of Iran. The Iranian Interests section of the Pakistan Embassy, the department that handles Iranian affairs in the United States, couldn't be reached for comment on the lawsuits.

The United States ended diplomatic relations with Iran in 1979 after militant Islamic students took over the American Embassy in Tehran, holding 52 Americans hostage for 444 days.

A 1996 federal anti-terrorism law has made it easier for private citizens to sue countries implicated in terrorist attacks. Former hostages and other terrorism victims have won more than \$1 billion in court cases against Iran already, officials said. The awards are paid through Iranian assets frozen after relations were cut off in 1979. When that money runs out, the U.S. government pays the damages until Iran can be held responsible. A law passed last year says the United States should not resume diplomatic relations until Iran reimburses the U.S. government for those claims.

A U.S. Treasury Department official said it would be difficult for the Heisers, and others, to collect money from frozen Iranian assets because the money is almost gone. The official said the account only hold a "minimal amount" because most of the money has been paid out in the other lawsuits.

<http://www.news-journalonline.com/cgi-bin/printtext.pl>

1/1/03

If the Heisers do win any money, it would go to the Michael G. Heiser Foundation to Remember All Victims of Terrorism. The Heisers established the fund in September 2000 to help terrorist victims and the groups that support those victims.

Fran Heiser said many of the support groups, such as the Tragedy Assistance Project for Survivors, go unnoticed until acts, such as terrorism, happen.

She agreed with her husband that closure was impossible. However, she said finding a way to give back did make it slightly easier to cope with the loss.

"It does help, but it doesn't make it go away," she said.

Fran and Gary Heiser want their lawsuit to send the message that terrorism will not be tolerated.

"We are making a statement here that they (terrorists) just can't get away with this," Fran Heiser said.

© 2002 News-Journal Corporation. @ www.news-journalonline.com. Do not republish or distribute without permission.

LAWSUIT MAKES HEADLINES!

Local parents of terrorism victims sue bin Laden, others

When Fran and Gary Heiser lost their son in a terrorist attack six years ago, they learned there is no such thing as closure. "You live with it every day," said Gary Heiser of Palm Coast. "You should never out live your children." The Heisers are one of five families suing Osama bin Laden, Iran and others for their part in the death of their son, Michael, from a 1996 terrorist attack in Saudi Arabia. They appeared on the NBC Nightly News Saturday to discuss the legal action.

AP news as of 1:05 pm

Stock market

Daytona
COMMUNITY

Apply O
Your just a
away!

Spring St

'OSAMA BIN LADEN' BECOMES A HOUSE HOLD WORD!

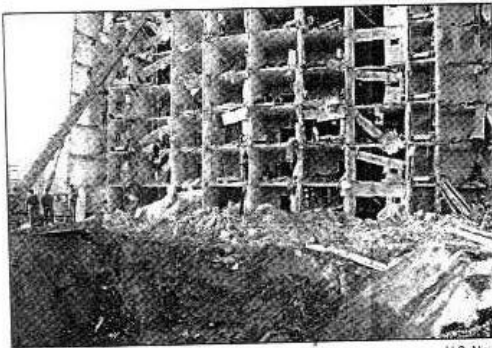
It's not funny but it is interesting to note. Our suit was filed and in progress for more than a year before it was noticed. A sharp reporter from Chicago TV 5 was searching records and found her 'diamond in the rough'. Her 'find' was followed by interviews and appearances and publication nationally. The Wallenberg Center for Civil Justice arranged for our suit and did so very discretely but once the word was out, the world would know about it and is following our case. It's been an interesting ordeal to say the least. The ups and downs, the meetings with attorneys, the changes in law firms, lead attorneys, trial dates, all very stressful but it's a necessity now, to let strike back where it will hurt them. The only way we know to do that is to hit them in their pocketbooks. They sure don't have any regard for human life.

A settlement won't put our lives back together again but we will be able to help others and try to make something worthwhile come out of this tragedy.

Before binLaden became a familiar name, no one was interested in the plight of a few distraught families who were marred by a monster. Now they know who we are.

Our thanks in part go to Professor Margaret McClain who introduced us to Mr Engleberg of the Center for Civil Justice and the rest is history. Margaret's plight is to get her daughter returned from Saudi. Her Ex kidnapped her and took her away from her mom. Mom's are different as he is finding out. We don't give up. Like a lion protecting it's cubs. That's what we do and when you mess with our children, a mom's revenge is not something you want to experience.

Palm Coast couple sue bin Laden, Iran in 1996 death of son



Workers stand beside the crater left June 26, 1996 after a truck bomb exploded at a U.S. military facility in Dhahran, Saudi Arabia. The blast occurred at the Khobar Towers which housed U.S. servicemen based at Abdul Aziz Air Base and killed 19, including Air Force Master Sgt. Michael Heiser, whose parents live in Palm Coast.

By PATRICK WRIGHT
STAFF WRITER

PALM COAST — When Fran and Gary Heiser lost their son in a terrorist attack six years ago, they learned there is no such thing as closure.

"You live with it every day," said Gary Heiser of Palm Coast. "You should never outlive your children."

The Heisers are one of five families suing Osama bin Laden, Iran and others for their part in the death of their son, Michael, from a 1996 terrorist attack in Saudi Arabia. They appeared on the NBC Nightly News Saturday to discuss the legal action.

Although they filed the suit in U.S. District Court in Washington D.C. more than a year ago, Gary Heiser said the suit became more newsworthy after the terrorist attacks of Sept. 11.

"It's too bad it takes a hit on our home territory before we decide to do something," he said of the ongoing war against terrorism.

Michael Heiser, a 35-year-old Air Force master sergeant, was one of 19 servicemen killed and 372 wounded when a tanker truck exploded outside the Khobar Towers, destroying the military barracks in Dhahran, Saudi Arabia. Airman 1st Class Brian McVeigh of DeBary was also killed in the blast. His family also is a party to the lawsuit.

Last June, a federal grand jury concluded "then-members of the Iranian government" helped coordinate the June 1996 attack, but didn't identify them.

The Heisers' suit does identify who they believe is responsible. They are seeking unspecified damages from a number of defendants, including bin Laden, the estate of the late Iranian lead-

er Ayatollah Khomeini, and Arab-terrorist organization Hezbollah (Arabic for "party of God") with the Islamic Republic of Iran. The Iranian Interests section of the Pakistan Embassy, the department that handles Iranian affairs in the United States, couldn't be reached for comment about the lawsuits.

The United States ended diplomatic relations with Iran in 1979 after militant Islamic students took over the American Embassy in Tehran, holding 52 Americans hostage for 444 days.

A 1996 federal anti-terrorism law has made it easier for private citizens to sue countries implicated in terrorist attacks. Former hostages and other terrorism victims have won more than \$1 billion in court cases against Iran already, officials said. The awards are paid through Iranian assets frozen after relations were cut off in 1979.

When that money runs out, the U.S. government pays the damages until Iran can be held responsible. A law passed last year says the United States should not resume diplomatic relations until Iran reimburses the U.S. government for those claims.

A U.S. Treasury Department official said it would be difficult for the Heisers, and others, to collect money from frozen Iranian assets because the money is almost gone.

The official said the account only holds a "minimal amount" because most of the money has been paid out in the other lawsuits.

If the Heisers do win any money, it would go to the Michael G. Heiser Foundation to Remember All Victims of Terrorism. The Heisers established the fund in September 2000 to help terrorism victims and the groups that support those victims.

Florida mom, others sue bin Laden in Khobar deaths

By John McCarthy
FLORIDA TODAY

A lawsuit that a Florida woman filed in Washington, D.C., more than a year ago has suddenly become international news. The reason is one of the defendants named in the suit: Osama bin Laden.

Fran Heiser of Palm Coast is suing bin Laden, the Iranian government and others for damages in the death of her only child, Michael Heiser. Heiser was an Air Force master sergeant from Patrick Air Force Base who was killed by a terrorist bomb at Khobar Towers in Saudi Arabia in 1996.

Other plaintiffs in the suit include the families of two more Patrick men killed in the blast. Nineteen died in the bombing at King Abdul Aziz Air Base outside of Dhahran, Saudi Arabia. Five of those men were from Patrick.



Michael Heiser

The suit doesn't ask for a specific dollar amount.

"Whatever the judge wants to give us is fine with me," Heiser

said.

Heiser said she would donate any award to a foundation named after her son. "It's not about money. It's about principles," she said.

Heiser and the others are suing under a 1996 federal law that allows victims of terrorist acts overseas to sue foreign countries in U.S. courts if those countries have been classified as sponsors of terrorism as Iran has. An executive order issued

See Khobar, 6A

6A

FLORIDA TODAY, Wednesday, Nov. 28, 2001

America on alert

Florida mom, others sue bin Laden in Khobar deaths

Khobar, From 1A

by President Clinton last year allows plaintiffs to collect damages from among the Iranian assets frozen by the U.S. in 1979.

Some of the victims' families contacted lawyers soon after the bombing, but were unable to find any with the expertise to tackle the case. Eventually, though, they connected John McDermott, a Washington, D.C., attorney who represented Robin Higgins in a similar case.

Higgins' husband, Marine Col. Rich Higgins, was tortured and killed by terrorists in Lebanon.

Higgins, who is Undersecretary of Veterans Affairs and a retired Marine lieutenant colonel,

was awarded \$55 million.

McDermott advised the plaintiffs to be quiet about the suit, which was filed in the U.S. District Court in Washington, D.C. But a television reporter who came across the suit while researching another story, ran a story about it. Now Heiser is fielding calls from reporters around the country.

An indictment handed down in June names 14 men, mostly Saudis, but makes no mention of bin Laden. But the FBI repeatedly pointed to bin Laden as the prime suspect in the case. The indictment also says there was evidence that the Iranian government helped plan and pay for the bombing.

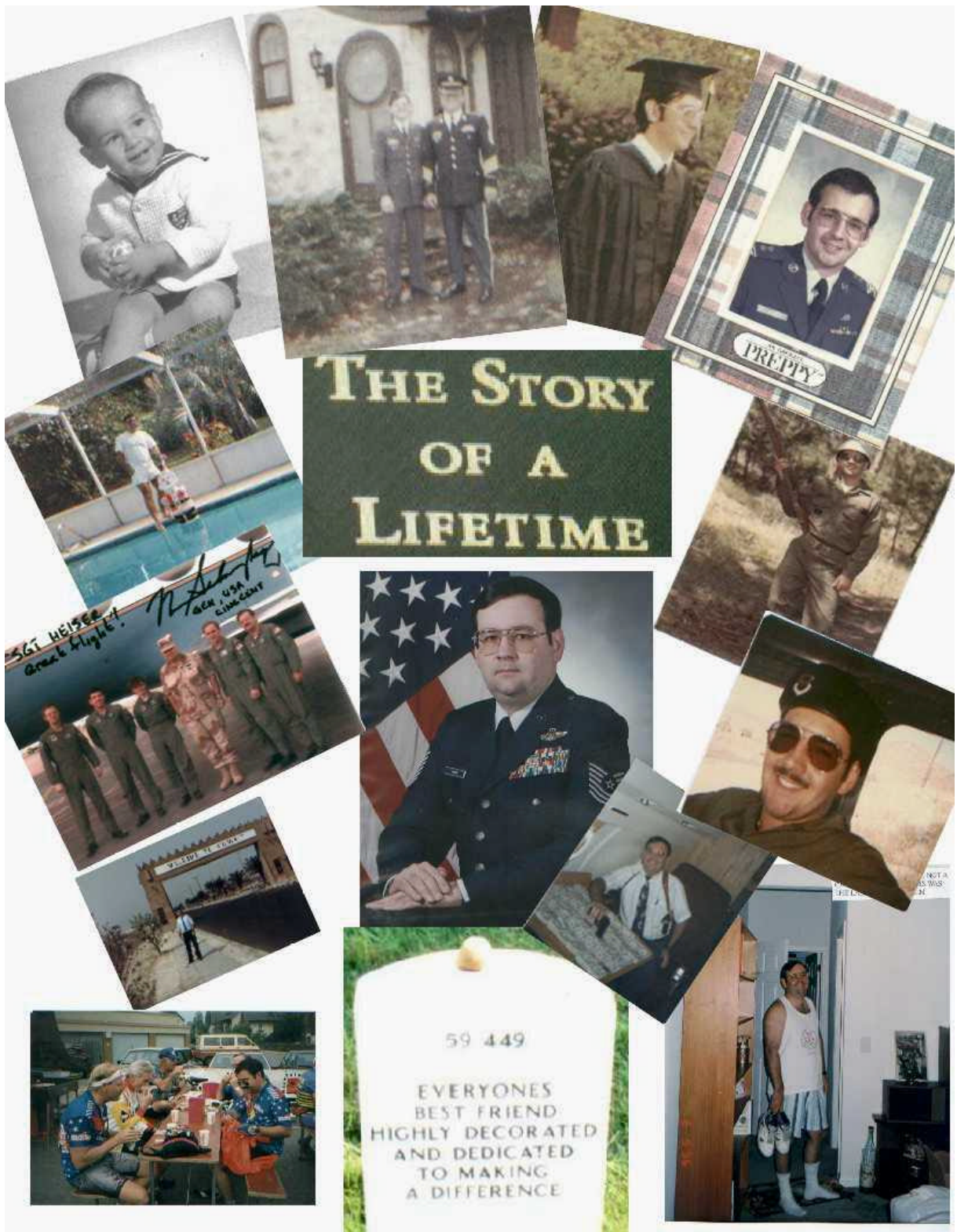
Heiser said McDermott was

"very optimistic" about the case. And even though she could be awarded millions of dollars, Heiser said the money was not the reason for the suit. "It's there to make a statement. No. 1, that terrorism won't be tolerated. And two, somebody has to pay."

Any judgement would be used to aid other terror victims through the Michael G. Heiser Foundation to Remember All Victims of Terrorism.

Cocoa Beach resident Jenny Haun's husband, Capt. Timothy Haun, was also killed in the blast. Haun, who also is a plaintiff in the suit, agreed money was not the issue.

"Money is not going to bring back my husband," she said.



FBI probe of 1996 Saudi bombing unraveling

June 21, 1998 THE DAYTONA BEACH SUNDAY NEWS-JOURNAL — 3A

Bomb case collapses; Saudis uncooperative

N.Y. Times News Service

WASHINGTON — The government's investigation of a 1996 terrorist bombing that killed 19 U.S. airmen in Saudi Arabia has collapsed over disagreements with the Saudis, and Clinton administration officials now say they may never be able to determine who carried out the attack.

In frustration, FBI Director Louis Freeh has quietly pulled out the dozens of investigators initially rushed to the scene of the bombing at the Khobar Towers apartment complex in eastern Saudi Arabia, leaving behind only a single agent as a legal attache and liaison to the Saudis.

The departments of Justice and Defense have vowed that they will not close the books on the investigation, which began two years ago this week after a fuel truck packed with tons of explosives detonated outside the apartment complex. About 500 people were wounded in the blast.

But the Clinton administration's insistence that it remains committed to the case is at odds with other signs that the investigation has dissolved into a muddle of inconclusive evidence and ill-feeling between the United States and Saudi Arabia, its closest ally in the Persian Gulf.

Evidence suggesting that Iran sponsored the attack has further complicated the investigation, since the United States and Saudi Arabia have recently sought to improve relations with a new, relatively moderate government in Tehran.

There is no indication that the White House, the State Department or intelligence agencies have directed the FBI to back off the case, but the prospect of improved rela-



Air Force Airman First Class Brian McVeigh, 21, of DeBary, left, and Air Force Master Sgt. Michael Heiser, 35, of Palm Coast, were among the 19 people killed in the June 1996 Saudi Arabian blast.

tions may have made it less likely that broad assertions of Iran's role in the bombing would be accepted without concrete evidence.

As the case languishes, families of the American victims are, for the first time, complaining openly about the slow pace of the investigation. They also assert that the case is not being pursued aggressively because of U.S. fears of offending Saudi Arabia, a principal oil supplier to the United States.

"Ignoring us doesn't make us go away," said Fran Heiser of Palm Coast, mother of an Air Force master sergeant who was killed in the explosion. "Everybody is forgetting about this case. These guys didn't die so much for their country as they died because of their country."

Over all, the case offers a bitter, if revealing, lesson in the limits of law enforcement in the post-Cold War world, in which the United States has asserted its authority to

operate overseas to combat terrorism, drug trafficking and organized crime.

What may have been the FBI's best hope of cracking the case — the arrest of a Saudi dissident opposed to the royal family who initially suggested that he was involved in the attack — evaporated last year when he reneged on a plea-bargain agreement and changed his testimony. He insisted that he had no information on the bombing.

The Saudi, Hani Abdel Rahim Sayegh, is now in the custody of the Immigration and Naturalization Service at an undisclosed location, awaiting deportation to Saudi Arabia, where he is likely to be beheaded. Even if he reversed himself again and agreed to testify, U.S. officials say, his credibility is now so tainted that his account might be of little use.

U.S. officials acknowledge that the FBI is stymied. They say there is no reason to believe that they will ever obtain the Saudi cooperation necessary to determine who carried out the attack. "By ourselves, there's not much we can do," one U.S. official said.

Attorney General Janet Reno and Freeh have publicly criticized the Saudis for a lack of cooperation.

Federal officials say the Saudis have refused to allow them to interrogate dozens of suspects arrested by the Saudis and to review critical evidence. It took months, they said, for the Saudis to agree to allow the FBI to inspect the getaway car used by the terrorists.

The Saudi Embassy in Washington said it had no comment on the investigation, but American business executives and others close to the Saudi government said that the Saudis were equally frustrated by the FBI.

**Someone asked, "why sue"? We answered, "why not?"
Heisers hope to be successful with the first suit against Iran et al and plan to continue with another suit against Saudi Arabia with the goal of having them lose all their given immunities. Long story, stay tuned! Says Fran**