



DEPARTMENT OF DEFENSE
OFFICE OF THE CHIEF PROSECUTOR FOR MILITARY COMMISSIONS
1610 DEFENSE PENTAGON
WASHINGTON, DC 20301-1610

8 November 2024

To the Families of the September 11, 2001 Victims,

On July 31, 2024, our office informed you that, after lengthy negotiations between the Office of the Chief Prosecutor and counsel representing the 9/11 accused, the Convening Authority entered into pretrial agreements with three of the accused. Under these agreements, the accused agreed to plead guilty to all charged offenses, to answer questions from victims and family members, to waive all waivable appeals, and to be sentenced by a panel of military officers. In exchange, the Convening Authority agreed to remove the death penalty as a possible sentence. On August 2, 2024, the Secretary of Defense withheld the Convening Authority's authority to enter pretrial agreements in this case and withdrew from the three agreements. Subsequently, the three accused filed motions to plead guilty arguing that the Secretary's actions violated the rules.

On November 6, 2024, the military judge ruled on the defense motions, finding that the Secretary of Defense did not have the authority to withdraw from the previously entered agreements and that the agreements remained valid and enforceable. In so ruling, he granted the three motions to enter guilty pleas and wrote that he would docket the pleas for a future date to be determined by the Commission. The government intends to seek postponement of any hearings on the pleas and challenge the Commission's ruling before the U.S. Court of Military Commission Review. I promise to promptly update you as this issue develops.

The current session of the Commission is scheduled for 7 to 23 November 2024 and will largely focus on the testimony of the government's expert witness in forensic psychiatry relating to a motion to suppress statements by Mr. Ali (who did not enter into a pretrial agreement).

Although it is too late to add travelers for the November 2024 session, you may view the proceedings at one of our Closed-Circuit Television (CCTV) Sites. The sites are considered an extension of the courtroom and are operational during all open proceedings. The sites for this session are located at Fort Devens, MA; Fort Hamilton, NY; Joint Base McGuire/Dix/Lakehurst, NJ; and Fort Meade, MD.

If you choose to view the proceedings at any of these sites, we strongly recommend that you RSVP with our office to ensure a seamless security screen, even if you have visited a site previously. If you have any questions regarding attending a remote viewing location or if you want to RSVP for dates and a specific CCTV location, please email us at osd.pentagon.omc.list.vwap@mail.mil. Please note that anyone requesting access to a military installation must present a passport or ID card compliant with Homeland Security's Real ID Act.

Finally, it remains my intention in the near term to travel with the prosecution team to meet with you in person at various locations (as well as to arrange for a virtual meeting for those unable to attend in person) to provide more details about the cases going forward and to answer any other questions you may have. In the meantime, if you have any questions about the cases or

about your rights as a victim family member, you may contact our Victim Witness Assistance Program at osd.pentagon.omc.list.vwap@mail.mil for assistance.

A handwritten signature in black ink, appearing to read 'A. Rugh', with a stylized flourish at the end.

Aaron C. Rugh
Rear Admiral, JAGC, U.S. Navy
Chief Prosecutor