

BIDEN HARRIS

October 7, 2020

Mr. James P. Kreindler
Kreindler & Kreindler, LLP
750 Third Ave., 32nd Floor
New York, NY 10017

Dear Jim:

Thank you for forwarding the letter from the 9/11 Families about the records you are pursuing from the U.S. government. I commend you for your work on behalf of the families for these many years.

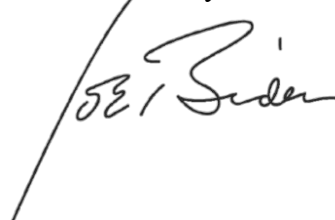
If I am elected, I intend to be a President for all Americans, and will hear all of their voices. The 9/11 Families are right to seek full truth and accountability.

I understand that, despite pledges to assist the families in their search for the truth, the Trump Administration has continued to prevent it from emerging. Instead, Attorney General Barr has invoked the state secrets privilege to prevent the discovery by the families of FBI information that could shed light on actions that Saudi officials may have taken to assist the hijackers who carried out the 9/11 attacks.

In my administration, the Department of Justice will work constructively on such cases, and adhere to guidance issued in the Obama-Biden administration on the invocation of the state secrets privilege. That guidance provides that the privilege, if invoked, should be narrowly tailored—that is, used only to the extent necessary to protect against the risk of significant harm to national security. Further, it states that the privilege may not be invoked in order to prevent embarrassment to a person or organization. Consistent with the guidance, I will direct my Attorney General to personally examine the merits of all cases where the invocation of privilege is recommended, and to err on the side of disclosure in cases where, as here, the events in question occurred two decades or longer ago.

The loss endured by the 9/11 Families on that horrible day in 2001 is incalculable. Nothing I can say can compensate for their loss. I hope that your work in pursuit of justice and accountability can help bring them some small degree of closure.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Biden". The signature is written in a cursive style with a long, sweeping underline that extends to the left.