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The families of the victims of September 11, 2001

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September 11, 2004

The Honorable John Culberson
House of Representatives
Washington, D.C. 20505

Dear Representative Culberson:

The membership of 9/11 Families for a Secure America is comprised of the families of hundreds of the victims of the September 11, 2001 terrorist attacks. We, the Board of Directors of 9/11 FSA, are writing to commend you for the amendment you added to H.R. 5025, the Transportation, Treasury, and Independent Agencies Appropriations Act of 2005, regarding Treasury regulations mandated by the USA PATRIOT Act.

The USA PATRIOT Act was the primary legislative response to the terrorist attacks of September 11, 2001. The purpose of the law, as stated in the text, is “[t]o deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.” Title III, which comprises more than a third of the law (124 pages out of 341) and is titled the “International Money Laundering Abatement and Anti-Terrorist Financing Act of 2001,” is devoted exclusively to deterring financial crimes and intercepting terrorists’ finances. To this end, Section 326 of the law requires the Treasury Department to promulgate regulations establishing, for the first time, the minimum steps that U.S. financial institutions must take to verify the identity of any person applying to open an account.

We are appalled that Treasury would claim to “satisfy” this requirement by promulgating regulations that explicitly permit financial institutions to accept consular ID cards as proof of identity. This is outrageous. Long before the final Treasury regulations were published on May 9, 2003, law enforcement officers, prosecutors, and other experts on document fraud had expressed grave concerns about the reliability of cards like the Mexican matricula consular because of their susceptibility to counterfeiting and fraudulent use; Border Patrol agents had apprehended alien smugglers in possession of multiple matriculas bearing the same photo but different names and addresses; it was clear that only illegal aliens and those seeking to conceal their true identity had a need for consular ID cards, since anyone lawfully present has access to some type of U.S.-issued

ID; and legislation to restrict the acceptance of consular ID cards had been introduced in Congress. Furthermore, the FBI has testified before a House Committee that matricula cards are a threat to national security

Despite all this, Treasury officially endorsed acceptance of these cards.

Congress and the Administration have promised us repeatedly that they would honor our loved ones who were murdered three years ago by enacting reforms to ensure that Americans will never again face the same horror. Instead, the Treasury Department has dishonored all the victims of 9/11 by distorting the provisions of the USA PATRIOT Act to encourage financial institutions to sacrifice the security of the American people for the sake of corporate profit.

Representative Culberson, we are deeply grateful and heartened by your work to reverse the disgraceful actions of the Treasury Department. We will do all we can to ensure that your amendment remains in the Transportation-Treasury bill, and we will do all that we possibly can to make sure all the families and all Americans know the identities of those who want to continue to expose America to additional terrorist attacks by facilitating money transfers by illegal aliens and the unknown terrorists among them.

Peter Gadiel

President, 9/11 Families for a Secure America, on behalf of the Board of Directors

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