

KOHN, KOHN & COLAPINTO, LLP

ATTORNEYS AT LAW
3233 P Street, NW
Washington, D.C. 20007-2756
www.kkc.com

Tel: (202) 342-6980

Fax: (202) 342-6984

January 10, 2008

Emily Sheketoff
Executive Director, Washington Office
American Library Association
1615 New Hampshire Ave., NW 20009

Sent via email: esheketoff@alawash.org

Dear Ms. Sheketoff:

This letter is regarding a presentation that my client, Bassem Youssef, is scheduled to give during the American Library Association's ("ALA") winter conference on Saturday January 12, 2008 at 8:00 AM at the Pennsylvania Convention Center.

Mr. Youssef was formally invited by the ALA to speak at this conference on October 26, 2007. The FBI was provided a copy of the ALA's invitation and on October 29, 2007 granted permission for Mr. Youssef to speak at the convention. Thereafter, Mr. Youssef's engagement was confirmed and he is currently listed as a speaker. On December 20, 2007, the ALA issued a press release detailing Mr. Youssef's intended participation in the conference.

On January 3, 2008 the FBI directly contacted Mr. Youssef about his presentation. The Bureau expressed its displeasure at the proposed content of his presentation, and the viewpoints for which he would raise at the conference. Specifically, the quoted from the ALA press release and explicitly took exception to the following statement which summarized the comments Mr. Youssef was expected to present at the convention: "Mr. Youssef is expected to discuss a number of critical failures within the FBI's Counterterrorism program, which undermine basic constitutional rights of American citizens and threaten the effectiveness of America's counterterrorism efforts."

After identifying this summary as a "concern" to the FBI, the email then provides a clear warning to Mr. Youssef against making such a presentation. The FBI also forwarded to Mr. Youssef a multi-page document which set forth various rules concerning pre-publication clearance of any potential speech. However, these rules are not the formal rules which the FBI has previously published and/or incorporated into its employment agreement. Instead, the rules provided to Mr. Youssef are secret in nature. Mr. Youssef is prevented from showing these rules to anyone outside the FBI. In other words, the rules constitute secret censorship requirements applicable to FBI agents for which the public is not permitted to read. Although I understand the document contains no confidential information, the FBI does not want the general public to

know the contents of the censorship provisions it unconstitutionally demands that its agents follow.

Based on the FBI's actions, I regret to inform you that Mr. Youssef cannot make a presentation at the convention. As the highest ranking Arab American FBI agent/counterterrorism manager fluent in Arabic and as one of the FBI's most experienced and knowledgeable Middle Eastern counterterrorism experts, Mr. Youssef clearly has a First Amendment right to express his opinions on matters of public concern and to fully explain how the FBI's discrimination against Arab Americans (and various polices it has implemented to justify that discrimination) have harmed America.

However, consistent with the approvals previously provided to Mr. Youssef (which were not rescinded), I am permitting Mr. Youssef to attend the previously scheduled seminar and answer acceptable questions presented by members of the audience. This question and answer format is consistent with the prior written approval provided by the FBI. In responding to questions, Mr. Youssef will not be able to disclosure information that is classified or otherwise prohibited from release to the public under the FBI's policies. Additionally, I may have to object to questions and/or potential answers provided by Mr. Youssef if I believe that a response to a question could result in Mr. Youssef violating FBI rules. Also, as you are aware, any answers provided by Mr. Youssef will be his own, and do not represent the opinions or positions of the FBI.

I trust you understand the very difficult position faced by Mr. Youssef. The Department of Justice has already issued a report finding that Mr. Youssef was illegally retaliated against by the FBI for engaging in protected whistleblower activity. Mr. Youssef has also filed a complaint setting forth various retaliatory actions taken by the FBI simply because Mr. Youssef attempted to oppose discriminatory practices within the FBI (which undermine the position of Arab Americans within the FBI, and clearly harm the ability of the FBI to recruit and promote qualified Arab Americans).

It is unfortunate that restrictions are placed on the ability of FBI employees to inform the American people of non-classified problems within a very powerful and important government agency -- problems which result in blatant discrimination against ethnic minorities, violations of individual constitutional rights and which ultimately harm the ability of the United States to properly defend itself against real terrorist threats.

Thank you for inviting Mr. Youssef to your convention, and I hope that this last-minute change in the format of the seminar is acceptable to the ALA.

Yours truly,

Stephen M. Kohn
Attorney for Mr. Youssef