

# Republicans Cheer as Defense Secretary Caves to Pressure on Terrorist Plea Deals

by Clark Kelley

August 3, 2024



Sen. Lindsey Graham (R-SC) and several New York lawmakers lauded Defense Secretary Lloyd J. Austin on Friday for overturning recent terrorist plea deals.

In an official statement, Austin declared he had removed the individual responsible for approving the controversial plea agreements and would now oversee the matter himself.

“I have determined that, in light of the significance of the decision to enter into pre-trial agreements with the accused in the above-referenced case, responsibility for such a decision should rest with me as the superior convening authority under the Military Commissions Act of 2009,” he wrote.

“Effective immediately, I hereby withdraw your authority in the above-referenced case to enter into a pre-trial agreement and reserve such authority to myself,” the missive continued.

“Effective immediately, in the exercise of my authority, I hereby withdraw from the three pre-trial agreements that you signed on July 31, 2024, in the above-referenced case.”

The Office of Military Commissions (OMC), which is handling the prosecution, shockingly announced on Wednesday that three of the 9/11 terrorists – Khalid Sheikh Mohammed, Walid Muhammad Salih Mubarak Bin Attash, and Mustafa

Ahmed Adam al Hawsawi – who have been held at Guantanamo Bay since 2003, would controversially be spared from the death penalty under new pre-trial agreements.

The guilty plea hearings were scheduled to begin as early as next week, with sentencing likely to follow at this time next year.

Graham, the top member on the Senate Judiciary Committee, remarked that Austin's move to withdraw the pre-trial agreements was the "right thing."

"I firmly believe that Secretary Austin did the right thing and exercised good command judgement by revoking the plea deal for the 9/11 mastermind and his accomplices," Graham tweeted on Friday night.

"The previous plea deal would have sent absolutely the wrong signal to terrorists throughout the world," he noted. "I know the families of the victims of the 9/11 attacks will appreciate this — as do I."

New York Republican Rep. Nicole Malliotakis also expressed satisfaction with the withdrawal of the deal and promised accountability for the suspects.

"The families of 9/11 victims, the first responders still suffering and dying today, and all Americans, deserve justice," she remarked.

"That begins with pursuing the death penalty and immediately setting a trial date so these terrorist monsters can be held accountable for their crimes against humanity."

Rep. Brandon Williams (R-NY) voiced gratitude for Austin's decision, responding to calls from himself and colleagues on X.

"Failing to hold these terrorists accountable for the atrocities they committed would be an insult to victims' families, & it would send the wrong message to our enemies," he tweeted.

"We don't negotiate with terrorists — you come after America and harm our citizens — expect no mercy."

Meanwhile, House Speaker Mike Johnson (R-La.) implied that heat coming down from the House Oversight and Armed Services committees on the Biden administration may have influenced Austin's decision.

“The Biden-Harris Administration is correct to reverse course after receiving letters from @GOPoversight and @HASCRepublicans launching investigations into this terrible plea deal,” Johnson wrote on X.

“Now deliver long-awaited justice for 9/11 families,” he added.

On Friday, the House opened two investigations into the part the Biden administration played in the plea deals.

House Oversight Committee Chairman James Comer (R-Ky.) wrote to President Biden, stating the timeline of the plea agreement negotiations “falls entirely within your Administration” — although the White House Security Council stated that the president “played no role in the negotiations.”

Comer criticized the administration, asserting, “That White House officials and you, as President and Commander in Chief, would seek to distance your Administration from this decision is understandable given how absurd it is, but it is far from believable or appropriate.”

“You are allowing these terrorists to avoid the death penalty, signaling to our enemies that the United States is reluctant to pursue full justice against those who attack our nation.”

The letter also highlighted the “complete lack of transparency regarding the deal,” noting that the terms of the plea deal remain undisclosed, despite over two years of negotiations that were approved by senior Pentagon officials.

Comer's panel has demanded all records related to the agreement by Aug. 16, which would encompass communications between the White House and the Pentagon dating back to Biden's inauguration.