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May 5, 2025

The Honorable Marco Rubio  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520

Dear Secretary Rubio,

I write to request information about the implementation of the Fallon Smart Policy, which requires the State Department to identify and revoke visas of any foreign official helping foreign criminal suspects evade prosecution by absconding from the United States. I further ask that you promptly declassify and make public any information about foreign officials engaging in this practice.

Since 2018, I have worked to expose a shocking pattern of Saudi nationals committing horrible, violent crimes in the United States and evading justice in the United States with the help of the Saudi government. This includes a Saudi citizen who killed Fallon Smart, a 15-year old girl, in my hometown of Portland, Oregon, in 2016. In most of these cases, local law enforcement confiscated the passports of the accused criminals and set bail at thresholds the individuals were unlikely to pay themselves. Yet, many of these individuals somehow made bail and quickly received the resources and travel documents necessary to board a plane and leave our country, only to resurface in Saudi Arabia later.

Based on these disturbing cases, I authored and passed a law in 2019 to declassify a Federal Bureau of Investigation (FBI) report entitled "Saudi Officials Almost Certainly Assist Saudi Citizens Flee the United States to Avoid Legal Issues, Undermining the US Judicial Process." The report further concluded that the Saudis would not stop this practice until "the U.S. Government directly addresses this issue with the Kingdom of Saudi Arabia and ties U.S. cooperation on KSA priorities to ceasing this activity." I have since pushed administrations of both parties to heed this FBI report and work to hold the Saudi government accountable for its rampant lawlessness.

In 2023, I worked with the State Department to put in place a policy named after Fallon Smart to identify and revoke visas of any foreign official aiding foreign criminal suspects in evading prosecution in the United States, by absconding from the country. This includes revoking visas for foreign officials who seek to remove ankle bracelets or other electronic monitoring devices, arrange aircraft, motor vehicles, or boats to smuggle individuals under travel restrictions, and more. In seeking to uphold the Fallon Smart Policy, your Department made a commitment to

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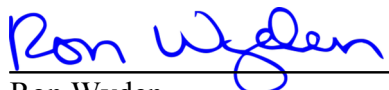
coordinate with all embassies and consulates overseas and with all relevant U.S. agencies with equities in the matter. Further, under 22 U.S.C. § 2723, the State Department is required to report on a timely basis to Congress every denial of a visa under this policy.

In April of this year, I traveled to Saudi Arabia to raise the issue of the Saudi government helping criminal suspects flee. In meetings with Saudi government officials, I urged them to return to the United States all Saudi nationals accused of crimes, including violent crimes such as murder, rape and assault, so that they may stand trial. I ask that you pursue this issue with the highest levels of leadership within the Kingdom of Saudi Arabia and formally press for the return of all Saudi nationals who evaded justice.

The Fallon Smart Policy sends a strong message that there is no place in our country for foreign officials helping criminal suspects evade the law. As I promised the family of Fallon Smart, I will birdog the implementation of this policy and make sure the Fallon Smart Policy is applied whenever there is evidence of foreign officials undermining the American justice system. I will not be silent when Saudi Arabia tries to cleanse its blood-stained hands, nor will I cease to hold Saudi officials accountable for the death of Fallon Smart and others like hers. To that end, I ask you to provide me with details about the implementation of the policy.

Finally, I ask that you promptly declassify and make public any information about foreign officials engaging in the practice of helping foreign criminal suspects evade the U.S. justice system. As the declassification of the 2019 FBI report demonstrated, transparency is necessary if local judicial and law enforcement officials are to be notified of the threat and if the U.S. Government, in coordination with Congress, are to develop and implement policies to protect Americans and the rule of law.

Sincerely,



Ron Wyden  
United States Senator

CC: The Honorable Kashyap P. Patel  
Director, Federal Bureau of Investigation