



U.S. Department of Justice

Acting United States Attorney

Eastern District of Virginia

*Justin W. Williams United States Attorney's Office
2100 Jamieson Avenue (703)299-3700
Alexandria, Virginia 22314*

June 24, 2011

Mr. Albert S. Hong

Re: 10-3 / 08gj311 / 09-64

Dear Mr. Hong:

A subpoena has been issued for your appearance as a witness before a federal grand jury in this District. It is the policy of the Department of Justice and this Office to provide the following basic information to ALL witnesses concerning their appearance before the grand jury.

Although the subpoena directs you to appear on July 12 2011 at 9:30 a.m., the actual date and time of your appearance may be scheduled at a different time. Please call FBI Special Agent Ormerod at (202) 324-4120 for the time of your actual appearance.

The grand jury consists of sixteen to twenty-three persons who inquire into federal crimes which may have been committed in this judicial District. Only authorized persons may be present in the grand jury room while evidence is being presented. This means that the only persons who may be present while testimony is being given are members of the grand jury, attorneys for the government, the witness under examination, an interpreter when needed, and for the purpose of taking evidence, a stenographer or operator of a recording device.

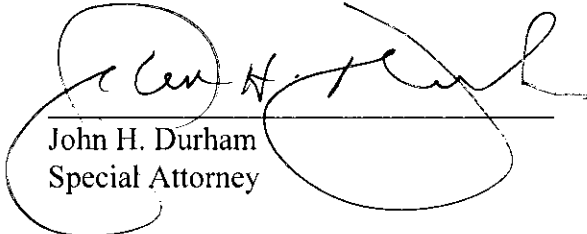
As a grand jury witness, you will be asked to testify and answer questions concerning possible violations of federal criminal law. The public through the grand jury has a right to every person's evidence, except where the privilege against self-incrimination would apply.

The mere fact that this letter is provided to a person subpoenaed to testify before a grand jury should not be taken as any implication or suggestion that the person subpoenaed is likely to be charged (indicted) with the crime under investigation.

The grand jury is conducting an investigation of possible violations of federal criminal laws involving War Crimes (18 U.S.C. § 2441), Torture (18 U.S.C. § 2340A), and related federal offenses.

During your experience as a witness before a grand jury, you will be expected to answer all questions asked of you, except to the extent that a truthful answer to a question would tend to incriminate you. An untruthful answer to any question may be the basis for prosecuting the untruthful witness for perjury. Anything that you say may be used against you by the grand jury or may later be used against you in court. You may consult your attorney before testifying; you may have your attorney outside the grand jury room, and if you desire, you will be afforded a reasonable opportunity to step outside the grand jury room to consult with your attorney before answering any question.

Sincerely,



John H. Durham
Special Attorney

United States District Court
for the

Eastern District of Virginia

SUBPOENA TO TESTIFY BEFORE THE GRAND JURY

TO: **Albert S. Hong**

YOU ARE COMMANDED to appear and testify before the United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

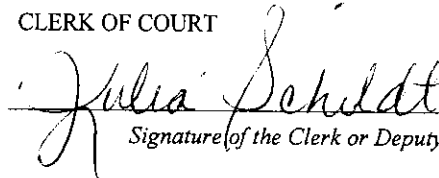
Place: UNITED STATES DISTRICT COURT 401 Courthouse Square Alexandria, Virginia 22314	Date and Time: July 12, 2011 9:30 a.m.
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You must also bring with you the following documents, electronically stored information, or objects (blank if not applicable):

NOTE: Although the subpoena directs you to appear on July 12, 2011 at 9:30 a.m., the time and date of your appearance may have to be rescheduled to a different time. Prior to appearing at the grand jury, please call FBI Special Agent Ormerod at (202) 324-4120 for the actual time of your appearance.

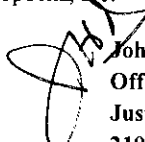
Date: June 24, 2011

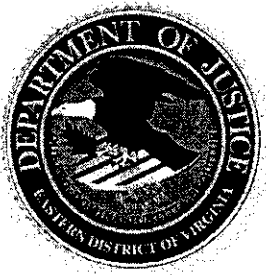
CLERK OF COURT



Signature of the Clerk or Deputy Clerk

The name, address, email, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

 **John H. Durham, Special United States Attorney**
Office of the United States Attorney
Justin W. Williams United States Attorney's Building
2100 Jamieson Avenue
Alexandria, Virginia 22314 (703) 299-3700



U.S. DEPARTMENT OF JUSTICE
INSTRUCTIONS FOR FACT WITNESSES
APPEARING ON
BEHALF OF THE UNITED STATES GOVERNMENT
(Not Applicable to Federal Employees)

READ THE INFORMATION CONTAINED ON THIS FORM BEFORE YOUR COURT APPEARANCE. PLEASE CONTACT ONE OF THE INDIVIDUALS LISTED BELOW FOR INFORMATION REGARDING TRAVEL ARRANGEMENTS AND SPECIFIC ENTITLEMENTS. IF YOU HAVE A MEDICAL CONDITION OR FAMILY SITUATION THAT REQUIRES SPECIAL CONSIDERATION, PLEASE ADVISE ONE OF THE INDIVIDUALS LISTED BELOW AS SOON AS POSSIBLE.

CONTACT PERSON(S): Victim/Witness Specialist may be reached toll free at: 1-800-221-6538 or 703-299-3700.

≈ **VERIFY YOUR ATTENDANCE** ≈

On the last business day **BEFORE** you travel to court, contact one of the individuals above to verify that your attendance is required. This may prevent a wasted trip in the event the trial date is changed.

≈ **APPEARANCE IN ANOTHER CITY** ≈

If you are required to travel to another city to appear in court, immediately contact one of the individuals listed above and request instructions. Any amount advanced to you will be deducted from your fees and allowances.

≈ **REIMBURSEMENT OF EXPENSES AND ATTENDANCE FEES** ≈

- A. **ATTENDANCE FEE:** You will be paid a fee of \$40 per day, including travel days.
- B. **TRANSPORTATION:** Contact one of the individuals listed above to obtain information on transportation. Reimbursement will be made for travel by the least expensive method reasonably available to you. The following rules apply to transportation expenses:

1. **Local Travel:** The recommended method of travel in the local area of court is transit bus/subway; rental cars cannot be reimbursed
2. **Privately Owned Vehicles (POV):** You will be reimbursed 51¢ per mile

In addition to the above mileage allowance, necessary tolls, parking and other fees may be reimbursed. You must keep a record of your odometer readings if you travel by motorcycle or automobile. If two or more witnesses travel in the same vehicle, only one reimbursement for mileage can be made.

IF POV EXPENSES, INCLUDING MILEAGE, TOLLS, PARKING AND OTHER ASSOCIATED COSTS, ARE GREATER THAN COACH CLASS AIRFARE, YOU WILL BE RESPONSIBLE FOR THE DIFFERENCE.

3. **Common Carrier:** If you are located outside the local court area, **CONTACT ONE OF THE INDIVIDUALS LISTED ABOVE FOR INSTRUCTIONS AND ASSISTANCE WITH TRAVEL RESERVATIONS WHICH CAN BE DIRECT BILLED TO THE UNITED STATES ATTORNEY'S OFFICE.** Train, bus or airfare will be reimbursed at COACH or other Non-PREMIUM rate. Reimbursement **WILL NOT** be made for First Class accommodations, "Frequent Flyer" tickets, or charter service. **DO NOT** purchase non-refundable tickets. If your appearance date changes or is cancelled you **WILL NOT** be reimbursed for non-refundable tickets. If you have any questions concerning transportation arrangements, please contact one of the individuals listed above.

- C. **MEALS:** If it is necessary for you to remain away from home **overnight**, you will receive the following daily meal allowances:

\$31.50 for each travel day PLUS \$71.00 for each full day at court

- D. **LODGING:** If it is necessary for you to remain away from home **overnight**, you will be reimbursed for the **ACTUAL COST** of your hotel/motel room, which may not exceed \$233 (10/1/08 - 10/31/08); \$209 (11/1/08 - 6/30/09); \$165 (7/1/09 - 8/31/09) \$233 (9/1/09 - 9/30/09); per night, including tax. Alternatively, one of the individuals above can assist you with a hotel room that will be direct billed to the United States Attorney's Office.

≈ **YOU MUST RETAIN RECEIPTS** ≈

ALL CLAIMS FOR PARKING MUST BE SUPPORTED BY A RECEIPT. OTHER EXPENSES EQUAL TO \$25 OR MORE MUST BE SUPPORTED BY A RECEIPT, WITH THE EXCEPTION OF MEALS AND MILEAGE.

≈ **DISMISSAL** ≈

When you are advised that your attendance is no longer required, you should request information regarding the payment of the fees and allowances outlined above. The individual requiring your attendance will provide you with a Fact Witness Voucher. You will be required to list your expenses on this Voucher. The Voucher will be submitted to the U.S. Marshals Service for payment. The U.S. Marshals Service will process the voucher and **MAIL** the payment to you. If you require funds to return home, you must bring this fact to the attention of the individual requiring your attendance, who will notify the U.S. Marshals Service.