

United States Senate

WASHINGTON, DC 20510

July 14, 2011

The Honorable Robert Mueller
Director
Federal Bureau of Investigation
935 Pennsylvania Ave., NW
Washington, DC 20535

Dear Director Mueller:

I am writing to request a meeting next week. Below is a list of questions to which I would appreciate a response at our meeting. I thought it would facilitate our discussion for you to have the questions in advance. We look forward to your verbal responses next week, and your written responses to follow.

1. Were the alleged Bowling Green terrorists (Waad Ramadan Alwan and Mohanad Shareef Hammadi) originally run through the FBI Terrorist Screening Database at any point before or after they were granted refugee status? How many different databases does the FBI have access to?
2. News reports stated that one of the 2 Iraqis arrested in Bowling Green—Waad Ramadan Alwan—was admitted into the United States in 2009 even though his fingerprints were found in 2005 on an unexploded roadside bomb that was set to blow up a U.S. convoy in Iraq. When he applied for refugee status, those fingerprints were not detected. In fact, according to the complaint, the fingerprints were not detected until January 2011, when the FBI's Terrorist Explosive Device Analytical Center identified the two latent fingerprints that belonged to Alwan in a component of an unexploded IED that U.S. military personnel had found in Iraq in September 2005. When were these fingerprints actually entered into the FBI's database, and what is the explanation for this huge lag time? Are there other fingerprints or other evidence that has still not been entered into the appropriate databases?

3. Why did FBI supervisors and lawyers block the search warrant sought by field agents in Minnesota who believed that Zacarias Moussaoui was a terrorist who might use a commercial airplane as a weapon in the weeks before September 11th? Why did the so-called “Phoenix memo,” written by FBI agent Kenneth Williams in July of 2001, which warned of an unusual number of young Arab men seeking flight training in the U.S., never reach the highest levels of the FBI? Was anyone ever disciplined, fired, or their career ended for these errors in judgment?
4. Section 206 of the PATRIOT Act authorizes the FBI to conduct “John Doe” roving wiretaps. Section 215 is the so-called “business records/library” provision.
 - a. Please send me detailed information regarding how many times each of these provisions (Section 206 and Section 215) have been used since first implemented after September 11, 2001. How many people were ever convicted, investigated, or held based upon implementation of Section 206 and/or Section 215? Out of anyone held, how many were released without being charged?
 - b. What intelligence, if any, arose from instances in which a “John Doe” roving wiretap was used?
 - c. Specifically in regard to library records, has the FBI ever obtained library records via Section 215 that led to the conviction of a particular individual?
 - d. Please provide a breakdown regarding the number of times these provisions (Section 206 and Section 215) have been used to investigate American citizens, versus non-citizens.
5. DOJ Inspector General audits from 2007 and 2008 documented abuse of National Security Letters (“NSLs”).
 - a. Please send me detailed information regarding how many times NSLs have been used since the issuance of the 2008 Inspector General audit. How many people were ever convicted, investigated, or held based upon use of these NSLs? Out of anyone held, how many were released without being charged?

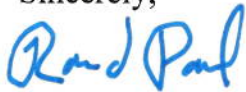
- b. What intelligence, if any, arose from instances in which an NSL was used (since the date of the last Inspector General report)?
 - c. Please provide a breakdown regarding the number of times NSLs have been used to investigate American citizens, versus non-citizens since passage of the Patriot Act in 2001.
- 6. The attached document entitled, "Resource Guide: Violence Against Reproductive Health Care Providers," was distributed at an August 25, 2010 training seminar held at FBI headquarters in Portland, Oregon. Why were the FBI and the USDOJ working jointly with the National Abortion Federation, Planned Parenthood, and the Feminist Majority Foundation?
 - a. The "Resource Guide" characterizes many different forms of peaceful pro-life activity as being somehow "violent." This activity includes picketing, public display of signs, and boycotts. In addition, speech criticizing abortionists is defined as "intimidation." Please explain how this is consistent with the First Amendment.
 - b. Also of concern is the fact that pages 39-41 of this document list many different pro-life websites, which seems to suggest that the FBI is attempting to characterize these peaceful groups as somehow "violent." The manual's list includes groups such as American Center for Law and Justice, American Life League, Center for Bio-Ethical Reform, Brazos Valley Coalition for Life, Concerned Women for America, Life Decisions International, Human Life International, Life Dynamics, National Right to Life, Priests for Life, Pro-Life Action League, Rock for Life, STOPP Planned Parenthood, Population Research Institute, and Students for Life. Please explain why this list of pro-life groups is included in the manual.
 - c. Is the FBI continuing to conduct training seminars at which this document is distributed?
- 7. A report entitled "The Modern Militia Movement" released by a Missouri fusion center in 2009 specifically mentions third-party political groups as being a potential risk factor in identifying domestic terrorists, and suggests that supporters

of Ron Paul, Chuck Baldwin, and Bob Barr are somehow suspect. The report also suggests that displaying anti-abortion and anti-immigration material is suspect.

- a. Please provide each state's fusion center's list of domestic groups that are subject to heightened scrutiny. Please include lists/groups from fusion centers in all 50 states.
 - b. Please provide the specific criteria used by fusion centers to identify domestic groups as suspicious or suspect.
8. Since 2001, there have been close to 8 million Suspicious Activity Reports (SARs) filed by financial institutions. How many convictions have there been since 2001 based upon information initially discovered through SARs? Is this data destroyed or disposed of after a certain length of time, once it is discovered that the SARs contain data from people who have not committed a crime or committed any wrongdoing?

Thank you.

Sincerely,



Rand Paul, M.D.,
United States Senator