

ALLEN B. WEST

22ND DISTRICT, FLORIDA

1708 LONGWORTH HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-0922

202-225-3026

FAX 202-225-8398

6300 NE 1ST AVENUE, SUITE 100

FT. LAUDERDALE, FL 33334

954-202-6211

FAX 954-202-6212

3111 SOUTH DIXIE HIGHWAY, SUITE 308

WEST PALM BEACH, FL 33405

561-655-1943

FAX 561-655-8018



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0922**

COMMITTEES:  
**ARMED SERVICES**  
SUBCOMMITTEES:  
EMERGING THREATS AND CAPABILITIES  
MILITARY PERSONNEL  
**SMALL BUSINESS**  
SUBCOMMITTEES:  
INVESTIGATIONS, OVERSIGHT,  
AND REGULATIONS  
CONTRACTING AND WORKFORCE

May 19, 2011

Robert Mueller  
Director, Federal Bureau of Investigation  
Federal Bureau of Investigation

Washington, DC

Dear Director Mueller,

I wanted to thank you for meeting with me and my fellow Members of Congress last week. I think it is very important to hear directly from the responsible agency specifically regarding how legislation that the United States Congress passes and is enacted into law, are being implemented by the Executive Branch of the Federal Government.

As you are aware, I spent 22 years in the United States Army on the tip of the spear protecting the citizens of this great nation in uniform. As a Member of the House of Representatives, I have taken an oath to protect the constitutional rights of the citizens of the 22<sup>nd</sup> Congressional District of Florida and all Americans.

I support the work that law enforcement around the nation does in order to protect our citizens and apprehend individuals who want to kill innocent people and try to destroy our way of life.

In follow-up to the classified briefing, I had several questions I would appreciate a prompt and thorough response to before I can support the three sections of the Patriot Act which are set to expire on May 27, 2011. Of the three sections set to expire, I have questions on two.

- Section 206 of the PATRIOT Act deals with roving wiretaps, which allows for multipoint taps that follow a potential target. I would like to have detailed information on how many times this provision has been used since first implemented after September 11, 2001. How many people were ever convicted, investigated, or held based on implementation of Section 206? Out of any held, how many were released without being charged? Are there any individuals that are still being held that were never charged? Furthermore, I would like to know why the Federal Bureau of Investigation

believes it necessary to conduct these types of wiretaps instead of going through the FISA court system? What intelligence, if anything, came from these instances in which Section 206 was implemented?

- Section 215 of the PATRIOT Act deals with business records, which broadens the types of records and tangible items that can be made available to the government under FISA. I would like to have detailed information on how many times this provision has been used since first implemented after September 11, 2001? How many people were ever convicted, investigated, or held based on implementation of Section 215? Out of any held how many were released without being charged? Are there any individuals that are still being held that were never charged? Has the Federal Bureau of Investigation ever investigated individuals via Section 215 through the public library system?

Further, I would also like a breakdown on the number of times these provisions have been used on American citizens and non citizens.

In addition to this information, I would like you to explain in as much detail as possible why the implementation of Section 206 and Section 215 occurs within the Criminal Division of the Bureau as opposed to the Counter Terrorism Division. The Patriot Act was enacted shortly after 9/11 to deal with the threat of international terrorism. Indeed, we are engaged in a global conflict against radical Islam. Those who are captured on this truly global battlefield should be treated as non-state, non-uniform belligerents, not as common criminals.

Understanding that much, if not all, of the information I requested is classified, I would be pleased to receive all information through the House of Representatives Permanent Select Committee on Intelligence, or through a classified briefing either in the House of Representatives Permanent Select Committee on Intelligence Committee space.

Thank you for your prompt attention to this request for information, I look forward to hearing a detailed report prior to the consideration of this important legislation in the House of Representatives.

Respectfully,



Allen B. West

Member of Congress

cc: The Honorable John Boehner  
The Honorable Eric Cantor  
The Honorable Kevin McCarthy  
The Honorable Jeb Hensarling  
The Honorable Mike Rogers