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**Congress of the United States**  
**House of Representatives**

January 12, 2010

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Mr. John Brennan  
Deputy National Security Adviser  
The White House  
1600 Pennsylvania Ave NW  
Washington DC 20500

Dear Mr. Brennan: 

I write today in light of the proliferation of attempted al Qaeda-sponsored attacks against the U.S. homeland last year to request that you work to engage both Congress and the administration in the process of making the prevention of future attacks our nation's paramount priority. I come to this issue as the author of the language in 1998 creating the National Commission on Terrorism and the ranking Republican on the House Commerce-Justice-Science Appropriations Subcommittee that funds key counterterrorism programs, including the Federal Bureau of Investigation (FBI) and the High-Value Detainee Interrogation Group (HIG) -- which was established by your administration to address the concerns about detainee interrogations in Guantanamo Bay -- and the U.S. Marshals Service. From that experience, I am concerned that there has been inadequate oversight by this Congress on federal counterterrorism programs and responses.

I have recently learned from the State Department legislative affairs office that there are an estimated 55,000 Americans currently visiting, living, or studying in Yemen, along with other Westerners. As you know, alleged Fort Hood terrorist Major Nidal Hasan was radicalized by Yemeni-American cleric Anwar al Aulaqi. The alleged terrorist who killed the U.S. Army recruiter in Little Rock, Arkansas, was also reportedly radicalized by al Aulaqi. Now we have learned that the alleged Christmas Day terrorist, Umar Farouk Abdulmutallab, was also in contact with al Aulaqi in Yemen. You may also be aware that convicted terrorist John Walker Lindh was radicalized in Yemen while studying Arabic in 1998 and 2000, leading to his collaboration with the Taliban in Afghanistan. How many of the 55,000 Americans now in Yemen are subject to radicalization by al Aulaqi and other al Qaeda recruiters? How is your administration planning to deal with the possible radicalization of those who can fly back to the U.S. with American passports? This is especially troubling in light of the fact that the Yemeni government does not control large portions of the country outside the capital city.

In his remarks last week, President Obama said, "Now is not a time for partisanship, it's a time for citizenship -- a time to come together and work together with the seriousness of purpose that our national security demands." I could not agree more. However, working together demands that both the Congress, including Republicans and Democrats, and the administration

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work in good faith to provide information, answer questions, consider solutions, and to develop a strategy to defeat al Qaeda wherever it may be active.

It is disappointing that this administration has been, thus far, unresponsive to my letters and requests for information as well as letters from other Republican members of the House and Senate. I have sent six letters to the president and administration officials since October 1, 2009, expressing concern over the security situation in Yemen and the efforts of al Qaeda in the Arabian Peninsula's to attack the U.S. I have read the classified biographies of the Guantanamo Bay detainees that have been released to Yemen and other unstable countries and have urged that this information be provided in unclassified form to the American people. If the American people could see the backgrounds of some of these detainees being sent back to these countries, I believe they would be shocked. For example, Ayman Batarfi, one of the Yemeni detainees released by this administration on December 19, 2009, has worked closely with Osama bin Laden in Afghanistan and trained with a microbiologist who taught al Qaeda how to produce anthrax in August 2001, according to unclassified Pentagon documents from 2004. These detainees are, in many cases, highly trained terrorists with close ties to al Qaeda.

In December, I offered an amendment to the fiscal year 2010 omnibus appropriations legislation that would have required unclassified notifications about impending detainee releases. Unfortunately, my amendment was defeated along party lines. We can and must do better to end this reflexive partisan opposition. To this end, I would appreciate your responses to the following questions relating to Yemen and the recent terrorist acts committed against the United States:

1. The president has indicated that six Guantanamo detainees released to Yemen in December remain in government custody, although other accounts indicate that they may have been paroled to their families. What is the current custody status of these former detainees?
2. According an article in today's *Washington Post*, "Yemen's fragile government fears that Somali fighters from al-Shabab will swell the ranks of Yemen's Islamist militants at a time when links between the Somali group and al-Qaeda in the Arabian Peninsula are growing." Do the same security concerns expressed by the administration with regard to Yemen apply to Somaliland?
3. Does the U.S. government now recognize Somaliland as an independent state? Does it have relations with the region's government? Are U.S. officials receiving cooperation from the Somaliland regional government?
4. It is my understanding that Umar Farouk Abdulmutallab indicated to authorities that he had trained in Yemen with other al Qaeda members prepared to launch

similar attacks targeting U.S. airliners. Is this correct? If so, what countries are these suspected terrorists from?

5. Following the thwarted Christmas Day attack, who interrogated Mr. Abdulmutallab? Which agencies were consulted for questions prior to the interrogation? Which agencies submitted questions for the interrogation? Was he interrogated prior to being read Miranda rights? Given that this attack occurred on the Christmas holiday, did the appropriate high-level officials come to Detroit to conduct or support the interrogation?
6. Was Mr. Abdulmutallab considered a "high-value" detainee upon his arrest? What qualifies a detainee to be considered of "high-value"? Was the new High-Value Detainee Interrogation Group (HIG) involved in his interrogation? Did every agency (that is represented on the HIG) participate in the interrogation?
7. I was told in September 2009 that the Interrogation Task Force had made recommendations to the president, which he had approved. What is the new interrogation policy and how was it applied, if at all, in the interrogation of Mr. Abdulmutallab? If it was not applied, why not?
8. Does the new interrogation policy draw distinctions based upon whether the detainee is apprehended inside or outside the U.S.? If so, please specify.
9. What are the restrictions -- legal, policy or procedure -- that limit which agencies can take part in such interrogations? Were other intelligence agencies involved?
10. Who made the decision to arrest Mr. Abdulmutallab rather than transfer him to military custody to be held as an enemy combatant? Which agencies were consulted in this decision?
11. Was Mr. Abdulmutallab advised to stop cooperating with interrogators after being provided with legal counsel? If so, did he?
12. Why were the terms "al Qaeda," "Yemen," "terrorism," or "jihad" not mentioned to describe Mr. Abdulmutallab's activities in the seven-page charging instrument?
13. Was Christmas Day chosen for attack by al Qaeda for symbolic value?
14. What connections exist between the radical cleric al Aulaqi and the Christmas Day, Fort Hood, and Arkansas attacks -- as well as other terrorist plots last year?
15. How many former Guantanamo detainees have returned to terrorism?

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16. Has the Defense Intelligence Agency (DIA) report on detainee recidivism been revised upward? If so, when will this report be released publicly? Has the president seen the updated report?
17. In a recent op-ed in *The Washington Post*, Professor Bruce Hoffman, a respected professor of security studies at Georgetown University and a senior fellow at the U.S. Military Academy's Combating Terrorism Center, wrote, "During the past 18 months, American and British intelligence officials have said, well over 100 individuals from such countries have graduated from terrorist training camps in Pakistan and have been sent West to undertake terrorist operations." Is this assessment low or high?
18. Does al Qaeda monitor congressional hearings or think tank publications relating to U.S. counterterrorism strategy?
19. What are the primary strategies al Qaeda uses to recruit Westerners? Which strategies have been most successful?

I would appreciate a response to these questions as soon as possible. The answers to these questions will be critical in helping Congress play an active and participatory role in working with the administration on counterterrorism matters. This can only happen, however, if the legislative branch -- including the minority party -- is included in this process.

I look forward to your response. Please do not hesitate to contact me or my staff member, Thomas Culligan, at 202-225-5136 if I can be of assistance.

Best wishes.

Sincerely,

Frank R. Wolf  
Member of Congress



FRANK WOLF