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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
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June 28, 2016

**VIA ELECTRONIC TRANSMISSION**

The Honorable James B. Comey, Jr.  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, N.W.  
Washington, D.C. 20535

Dear Director Comey:

According to a media report, the Federal Bureau of Investigation (FBI) failed to alert many American citizens targeted by the Islamic State of Iraq and Syria (ISIS) on its kill lists.<sup>1</sup> Reportedly, the FBI even neglected to notify the relevant local police departments of these specific threats, which urged followers of the terrorist group to assassinate American citizens.<sup>2</sup> These alleged failures are alarming, given the FBI's stated commitment to "work closely with federal, state, and local partners to keep the public informed of potential threats."<sup>3</sup>

In addition, there is a question as to how the FBI decided which citizens and police departments received notification, versus those who did not. ISIS has reportedly published on its hit lists the names of over 15,000 people in California, Florida, Minnesota, New Jersey, New York, Tennessee, and Texas to be targeted by sleeper cells or lone wolf jihadists.<sup>4</sup> However, 22 out of 24 Texans sampled from these hit lists apparently did not receive any notification that they had been targeted by ISIS, even though citizens in New York reported that they had been alerted by the NYPD that their names were on the ISIS kill lists.<sup>5</sup>

The Senate Committee on the Judiciary has jurisdiction and oversight responsibilities over the Justice Department, the FBI, and matters relating to government information.<sup>6</sup> As such, the Committee needs a fuller understanding of the FBI's policies and practices in this matter.

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<sup>1</sup> Sara Carter, "FBI didn't inform some Americans they were on ISIS kill list," *Circa News*, June 27, 2016, available at <http://circa.news.com/fbi-didnt-inform-some-americans-they-were-on-isis-kill-list/>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> U.S. Senate Committee on the Judiciary, "Jurisdiction," available at <https://www.judiciary.senate.gov/about/jurisdiction>.

Accordingly, by July 28, 2016, please provide responses to the following:

1. What is the FBI's policy in notifying citizens who are named on ISIS kill lists and/or local jurisdictions whose citizens are named on such lists? Please provide copies of the relevant policies.
2. What criteria is used to determine those who will not receive notice?
3. To date, how many citizens have been named on ISIS kill lists?
4. In how many of the cases referenced in Question 3 has the FBI notified the individual that he or she has been named on an ISIS kill list?
5. In how many of the cases referenced in Question 3 has the FBI notified the relevant local jurisdiction that one of its citizens has been named on an ISIS kill list?
6. In those cases where notification did not occur, please provide a detailed explanation of why not.
7. If there was a decision to withhold notice from any of the listed targets, please provide all records related to any such decision and explain the rationale for that decision.

Please number your responses according to their corresponding questions. Should you have any questions, please contact Jason Foster or Katherine Nikas of my Committee staff at (202) 224-5225. Thank you for your immediate attention to this matter.

Sincerely,



Charles E. Grassley  
Chairman  
Senate Committee on the Judiciary

cc:

The Honorable Patrick Leahy  
Ranking Member  
Senate Committee on the Judiciary