

Congress of the United States
Washington, DC 20515

January 7, 2016

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

Dear Director Comey,

In the wake of recent terror attacks at home and abroad, it's been suggested to use inclusion on the terrorism watch lists compiled by federal law enforcement agencies, particularly the Transportation Security Administrations no-fly list, as basis to ban individuals from purchasing firearms. In response, many concerns have been raised about the inaccuracy of these lists and lack of due process for citizens placed on them.

According to the government's watch listing guidelines, officials may add individuals to these lists based on information that only needs to meet a low standard of "reasonable suspicion." Additionally, until 2014 there was no official means of redress for an individual to challenge their placement on the government's various terror watch lists, including the no-fly list. That change came about on June 24, 2014, when U.S. District Judge of the U.S. District Court for the District of Oregon Anna J. Brown ruled that air travel is a "sacred" liberty protected by the U.S. Constitution and ordered the government to change its system for challenging inclusion. Many civil liberty advocacy groups maintain that the revised procedures, although improved, are still insufficient.

In light of these concerns and the continued attention to these proposals, we respectfully ask you provide answers to the following questions:

1. As of January 1, 2016, how many individuals' names are currently listed on the terrorist watch list? How many are on the no-fly list?
2. As of January 1, 2016, how many of the individuals on both of those lists are U.S. citizens?
3. As of January 1, 2016, how many of the individuals on both of those lists are permanent residents?
4. As of January 1, 2016, how many of the individuals on both of those lists who are U.S. citizens or permanent residents are also Known or Appropriately Suspected Terrorists (KSTs)?
5. As non-U.S. citizens are largely prevented from purchasing firearms, as of January 1, 2016, how many individuals on both of those lists who are U.S. citizens or permanent residents have purchased a firearm since 2010?

6. As of January 1, 2016, how many individuals on both of those lists who are U.S. citizens or permanent residents that have purchased a firearm since 2010 have then committed a crime with said firearm?
7. What is the process for an individual to challenge his or her appearance on the terror watch list or the no-fly list?
8. As of January 1, 2016, how many individuals on either list have appealed their name being on the list? How many were successful/failed?
9. Are there currently any individuals who are on the terror watch list who may currently be ineligible to purchase a firearm because of information contained in the National Instant Criminal Background Check System (NICS)? If so, how many?

We understand aspects of this information may be sensitive for public release and therefore are willing to discuss any responses in a classified setting as needed. However, please address as many of these questions in a manner appropriate for public disclosure as possible. We commend you on the Bureau's efforts to protect the American people from terrorist threats at home and abroad. We would also like to thank you for your attention to this matter and your timely response.

Sincerely,



Martha McSally
Member of Congress



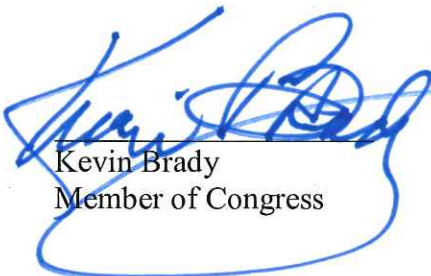
Michael Burgess
Member of Congress



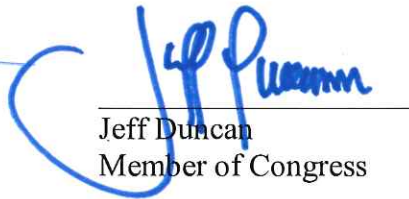
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Member of Congress



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Kevin Brady
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Glenn Grothman
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Lamar Smith
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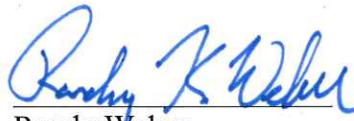
Richard Hudson
Member of Congress



Ann Wagner
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Bill Johnson
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David Joyce
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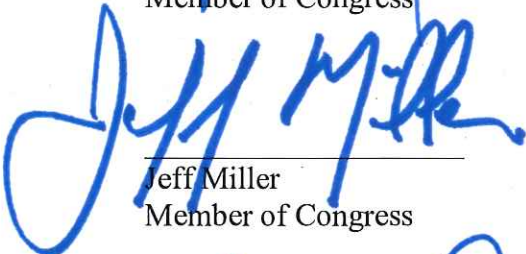
Brad Wenstrup
Member of Congress



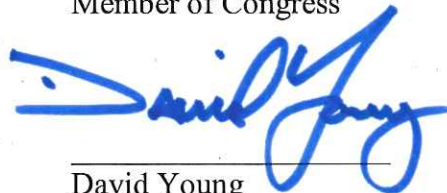
Trent Kelly
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Bruce Westerman
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Jeff Miller
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