



**Council on American-Islamic Relations**

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November 30, 2011

The Honorable Peter J. Smith  
United States Attorney  
Middle District of Pennsylvania  
Harrisburg Federal Building and Courthouse  
228 Walnut Street, Suite 220  
P.O. Box 11754  
Harrisburg, PA 17108-1754

**Re: FOIA Request**

Dear United States Attorney Smith:

This is a request under the Freedom of Information Act, codified at 5 U.S.C. 552, for records pertaining to trainings which the United States Attorney's Office for the Middle District of Pennsylvania ("USAO") has hosted, sponsored, endorsed, sanctioned or funded in whole or in part, or may do so in the future for the benefit of USAO's employees or other law enforcement personnel. Specifically, the records requested pertain to trainings that may have inculcated among attendees an unwarranted and counterproductive hostility towards American Muslims. For example, we are aware of one such training which was conducted by a gentleman named John Marsh who identified himself as an Intelligence Specialist for the United States Attorney's Office for the Middle District of Pennsylvania.

This request is made on behalf of the Council on American-Islamic Relations, Philadelphia Office ("CAIR-Philadelphia") which serves American Muslims throughout the Philadelphia region, including many who reside in the Middle District of Pennsylvania. It is our objective that this request will provide the documents needed to comprehensively assess the USAO's performance in this arena.

This records request is limited to records produced or received by the USAO on or after January 1, 2005. We are not seeking this information for commercial use. We are seeking the following records:

(1) Records, documents, communications, guidelines and procedures detailing the process through which the USAO decides, and/or has decided, which topics to address during trainings which the USAO has hosted, sponsored, endorsed, sanctioned or funded in whole or in part, or may do so in the future.

(2) Records, documents, communications, guidelines and procedures detailing the process through which the USAO vets, and/or has vetted, the trainers, speakers, presenters, or organizations it contracts or has contracted to conduct trainings which the USAO has hosted, sponsored, endorsed, sanctioned or funded in whole or in part, or may do so in the future.

(3) Records, documents, communications, guidelines and procedures detailing the process through which the USAO vets and has vetted the content of trainings suggested or conducted by a USAO employee which the USAO has hosted, sponsored, endorsed, sanctioned or funded in whole or in part, or may do so in the future.

(4) Records, documents, and communications that include references to Islam, Islamists, terrorism, counterterrorism, extremism or extremists, homeland security, Muslims, the Muslim Brotherhood, Islamic law, Sharia, jihad, radicalization, or the Council on American-Islamic Relations (“CAIR”) produced, received, or reviewed by the USAO’s employees who were or are involved in selecting, scheduling, and organizing training events which the USAO has hosted, sponsored, endorsed, sanctioned or funded in whole or in part, or may do so in the future.

(5) Records, documents, and communications regarding trainings which the USAO has hosted, sponsored, endorsed, sanctioned or funded in whole or in part, or may do so in the future, pertaining to Islam, Islamists, terrorism, counterterrorism, extremism, extremists, homeland security, Muslims, the Muslim Brotherhood, Islamic law, Sharia, jihad, radicalization, or CAIR. This request includes, but is not limited to, invoices, contracts, brochures, written training materials, handouts, attendance lists, videos, books, recordings of presentations or seminars, webinars or webcast content and recordings, promotional materials, pamphlets, and feedback forms.

(6) Records, documents, and communications regarding any materials or presentations—including the materials and presentations themselves—distributed or proposed to be distributed or presented or proposed to be presented at trainings which the USAO has hosted, sponsored, endorsed, sanctioned or funded in whole or in part, or may do so in the future, pertaining to Islam, Islamists, terrorism, counterterrorism, extremism or extremists, homeland security, Muslims, the Muslim Brotherhood, Islamic law, Sharia, jihad, or radicalization, or CAIR.

(7) Records, documents, and communications pertaining to all solicitations and offers—including the solicitations and offers themselves—made to the USAO regarding trainings that make references in any way to Islam, Islamists, terrorism, counterterrorism, extremism or extremists, homeland security, Muslims, the Muslim Brotherhood, Islamic law, Sharia, jihad, radicalization, or CAIR. This includes all solicitations and offers regarding such trainings, irrespective of whether such training occurred.

(8) Records, documents, and communications discussing the qualifications, credentials, affiliations, or experience of any person or company to conduct a training for which the USAO hosted, sponsored, endorsed, sanctioned or funded in whole or in part, or may do so in the future.

(9) Records, documents, and communications that refer to, discuss or assess the USAO’s, or its employees, knowledge of Islam or the American Muslim community.

CAIR is America’s largest Muslim civil liberties and advocacy organization. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.

(10) Records, documents, and communications that discuss or make reference to any of the following persons or entities or are correspondence between the USAO and any of the following persons or entities:

- a. Security Solutions International (SSI)
- b. Extreme Terrorism Consulting, LLC
- c. The Alpha Group
- d. Axiom
- e. Michael Ronczkowski
- f. Homeland Security University
- g. The Center for Counterintelligence and Security Studies (CI Center)
- h. Nobel USA
- i. Chameleon Associates
- j. Association of Threat Assessment Professionals
- k. Strategic Security Corp
- l. SIG Homeland Security, LLC
- m. Anti-Terrorism Accreditation Board
- n. S2 Strategic Intelligence
- o. Sam Caroba
- p. Walid Shoebat
- q. Nonie Darwish
- r. Pamella Geller
- s. Robert Spencer
- t. Frank Gaffney
- u. David Yerushalmi
- v. International Counter-Terrorism Officers Association (ICTOA)
- w. ACT for America
- x. MEMRI
- y. Andrew Boston
- z. Steven Emerson
- aa. Ebrahim Ashabi
- bb. Kamal Saleem
- cc. Shahram Hadian

The Council on American Islamic Relations appreciates the USAO's attention to this matter, and requests that the USAO fulfill its obligation to provide its response.

For any records that include material the USAO is authorized to exempt from disclosure as well as non-exempt material, we request that the USAO produce the records with the appropriate redactions. Furthermore, we ask if certain categories of documents take much longer to locate and produce than others that the USAO provide the documents as they become available.

CAIR-Philadelphia is requesting a waiver for all fees associated with this request. We believe that we are entitled to such a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) as these records are not sought for commercial use and the information obtained will be used to research and comprehensively assess the USAO's performance, as well as pursuant to 5 U.S.C. §552(a)(4)(A)(iii) as disclosure of this information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government. Moreover, we believe that we are entitled to a fee waiver in accordance with federal case law which suggests that "Congress amended FOIA to ensure that it be 'liberally construed in favor of waivers for noncommercial requesters.'" *See Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003).

Should our request for a fee waiver be denied in whole or in part, please inform the undersigned before engaging in any activity which would result in a charge greater than \$100. If you have any questions or concerns about this request, please contact me directly. I will look forward to receiving the requested information at the address indicated at the top of page one of this letter request.

Sincerely,

A handwritten signature in black ink that reads "Amara S. Chaudhry". The signature is written in a cursive, flowing style.

Amara S. Chaudhry, Esquire  
Civil Rights Director