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## Whistleblower asked to reveal illegal FBI acts

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The FBI has engaged in unlawful acts while carrying out a Bush administration intelligence-gathering program that allows surveillance of U.S. citizens without warrants, says an a well-known FBI whistleblower who has been asked to air his allegations to the Justice Department.

The accusations by Supervisory Special Agent Bassem Youssef, who oversees the FBI's role in the National Security Agency's (NSA) warrantless surveillance program, are the first to emerge publicly about the bureau's role in the program.

Mr. Youssef, who has an unrelated lawsuit pending against the bureau, has been asked by the Justice Department's inspector general (IG) to be interviewed as part of an investigation that began in 2006 into the department's role in the program.

The Washington Times obtained two letters between Youssef's attorney Stephen Kohn and Assistant Inspector General Carol F. Ochoa in which the parties are at odds over the conditions of the interview.

That Mr. Youssef has made accusations is included in one of the letters, but there were no specifics. Mr. Youssef refused to be interviewed by The Times. The NSA surveillance program is top secret, which bars Mr. Youssef from speaking about it.

The FBI declined to comment on Mr. Youssef's accusations.

The program is so closely guarded that the mere revelation of its existence brought protests from the White House in 2005.

Many of the program's details remain unknown, including the FBI's role. Broadly, the program allows the government to monitor without a court order international phone calls, e-mails and other electronic communications of people in the U.S. thought to be in contact with al Qaeda operatives or terrorism suspects. The FBI is one of the agencies that does that monitoring.

The chief of the communications analysis unit within the FBI's Counterterrorism Division, Mr. Youssef has testified before Congress and filed a discrimination lawsuit against the bureau.

"We anticipate that Mr. Youssef will provide testimony that members of the FBI

violated the law, rules and/or regulations when they engaged in actions related to the National Security Agency terrorist surveillance program," Mr. Kohn wrote to the IG's office in a letter dated Nov. 7.

In a letter dated Oct. 20, Miss Ochoa wrote to Mr. Kohn that he would not be allowed to attend his client's interview about the program because of its top-secret classification.

According to Miss Ochoa's letter, Mr. Youssef previously spoke to the IG's office about his involvement in the program for about an hour in January 2007. The IG's office told Mr. Youssef that they wanted to meet with him again for a formal interview but said his attorney would have to wait outside the interview room and could consult with him only on unclassified matters.

Mr. Kohn's Nov. 7 letter asked the IG to reconsider that decision. He wrote that in similar situations in the past, the department has allowed him to remain in the room with his clients and that he left the room briefly when the questioning related to classified information.

The IG's office declined to comment on Mr. Kohn's letter.

"Moreover, we are concerned about retaliation against Mr. Youssef," Mr. Kohn wrote. "In the past, Mr. Youssef has suffered swift and career-ending retaliation when he made protected disclosures to appropriate authorities within the government."

Mr. Youssef's lawsuit against the bureau claims he was not allowed to work on cases related to the terrorist attacks of Sept. 11 because he is an Arab-American.

Mr. Youssef was born in Egypt but is a naturalized U.S. citizen.