

United States Senate

October 8, 2021

The Honorable Merrick B. Garland
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Ave. N.W.
Washington, D.C. 20530

Attorney General Garland:

As you know, on April 28, 2021, small business owners Paul and Marilyn Hueper, of Homer, Alaska, and two of their guests were handcuffed and interrogated by Federal Bureau of Investigation (FBI) agents and other law enforcement personnel who forcefully entered their home and searched it while serving a federal warrant. According to the Huepers, their front door was damaged and several personal items were taken from them, including their copy of the U.S. Constitution.

An affidavit filed in support of the search warrant states that the FBI received a tip about the Huepers. This person, and later another person, told the FBI that, based on released pictures of the event, Marilyn Hueper looked like a woman who had entered the Capitol Building on January 6, entered the office of the Speaker of the House of Representatives, and took a laptop.

According to the affidavit, the FBI used the picture on Marilyn Hueper's driver's license which "confirmed" that Marilyn was the woman suspected of entering the Capitol and stealing the laptop and whose image was captured in video footage.

None of this was true. Recently, New York resident Maryann Mooney-Rondon confessed to being the person who assisted in stealing Speaker Pelosi's laptop. She and her son, who was also complicit, were arrested on October 1.

Those are the facts. What's left out of the FBI's factual account is the personal suffering that the Huepers endured at the hands of the agency. According to them, their door was smashed down. Guns were drawn. They were handcuffed. Their faces were plastered across the media, while other federal agencies further scrutinized their activities.

I am a strong supporter of America's frontline law enforcement personnel and the tough, and sometimes thankless, job they do each and every day to keep our citizens safe.

That being said, the FBI and Department of Justice have enormous power over American citizens and, unfortunately, Alaska has a history of overzealous federal law enforcement actions. For example, the illegal and corrupt prosecution of the late U.S. Senator Ted Stevens remains a source of distrust between federal agents and Alaskans.

There are times, too frequently in my view, that the federal government—particularly people in agencies with so much power—forget that they derive their power from the consent of

the governed. There's no mention of the FBI or the Department of Justice or any other agency in the Constitution. However, "the people" are mentioned repeatedly, as is the Senate.

One aspect of my job, as a representative of the people, is to provide oversight of federal government agencies on behalf of my constituents, and to work to call out and check unfettered powers, or to help agencies recognize when they have made mistakes. In discussions with senior FBI officials regarding this matter, I have tried to respectfully point out these types of mistakes and have encouraged an acknowledgement of them. I believe such an action, along with an apology, to the Huepers will help build trust and respect among the FBI, the Department of Justice and Alaskans.

The Huepers deserve an apology. I hope responsible officials in the Department of Justice and the FBI will provide one to them.

Sincerely,

A handwritten signature in blue ink that reads "Dan Sullivan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Dan Sullivan
United States Senator

Cc: The Honorable Chris Wray, Director
Federal Bureau of Investigation