

# United States Senate

WASHINGTON, DC 20510

January 25, 2010

The Honorable Eric H. Holder, Jr.  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

Dear Attorney General Holder:

In June 2009, Abdulhakim Mujahid Muhammad shot two U.S. soldiers, killing one and injuring the other, outside of a military recruiting center in Little Rock, Arkansas. Mr. Muhammad last week asserted that he carried out the shooting as part of a Yemen-based affiliate of Al Qaeda. In light of these revelations and serious concerns about the ability of terrorists to acquire dangerous weapons in the United States, I am requesting additional information about Mr. Muhammad and this shooting.

Reports indicate that Mr. Muhammad spent 16 months in Yemen starting in the fall of 2007. In November 2008, he was imprisoned in Yemen for overstaying his visa and possessing a fake Somali passport, even though he is a U.S. citizen. While details of Muhammad's detention are unclear, it is my understanding that before or after he returned to the U.S., the Federal Bureau of Investigation (FBI) began an investigation into his possible ties with extremist groups. Just over four months after his return to the U.S., Muhammad carried out his attack on soldiers in Little Rock. He currently awaits trial, and recently sought to plead guilty, claiming his affiliation with a Yemen-based affiliate of Al Qaeda.

Terrorists and firearms are a lethal combination, and there is a major loophole in federal law that allows the two to come together. Under current law, even if a gun background check reveals that a prospective purchaser is a known or suspected terrorist, federal law enforcement cannot deny that person weapons or explosives based on that fact. The Government Accountability Office (GAO) determined that from February 2004 through February 2009, there were 865 cases in which a known or suspected terrorist identified in federal terrorist watch list records was cleared to buy a firearm or an explosive. I have introduced legislation to close this loophole and give the Attorney General authority to deny firearms or explosives in these cases if there is reason to believe they may be used in connection with terrorism. I am pleased that you have gone on record in support of this bill.

Based on these concerns about terrorist access to dangerous weapons, it is imperative that we understand the full details of the Muhammad case. Accordingly, I am requesting that the Department of Justice provide me with the following:

- information regarding the FBI's investigation of Mr. Muhammad and his ties to terrorist organizations;
- details on all firearms used or possessed by Mr. Muhammad before and at the time of the Little Rock shooting, including when, where and how those firearms were acquired;
- whether Mr. Muhammad was listed on a government terrorist watch list prior to or at the time of the shooting; and
- if Mr. Muhammad was not on a government terrorist watch list prior to or at the time of the shooting, whether the FBI now believes sufficient information existed that Mr. Muhammad should have been on such a list.

This information is critical to determine whether our current laws and regulations are sufficiently effective to prevent future tragedies such as those that occurred in Little Rock, Arkansas. I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Frank R. Lautenberg". The signature is written in a cursive, flowing style with a large initial "F" and "L".