

# United States Senate

WASHINGTON, DC 20510

November 1, 2006

Honorable Robert S. Mueller, III  
Director, Federal Bureau of Investigation  
935 Pennsylvania Avenue NW  
Washington, DC 20535

Honorable Alberto Gonzales  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530-0001

Dear Attorney General Gonzales and Director Mueller:

In January 2005, the Government Accountability Office (GAO) released a report we requested showing that in a five-month period in 2004, known or suspected terrorists in the Violent Gang and Terrorist Organization File (VGTOF) were allowed to purchase firearms in the United States on at least 35 occasions. This report raised serious national security concerns.

The GAO report not only quantified the number of terrorists who had been cleared to buy firearms, but also raised questions about what information about the possible terrorist was being shared, or perhaps *not* shared, with counterterrorism officials, and how well DOJ was monitoring background checks conducted by states. We have also questioned the wisdom of immediately destroying critical records regarding the purchase of weapons by known or suspected terrorists.

Both of you assured Congress that the Department of Justice had established a department-wide working group to study the report, existing law, and DOJ regulations, and to determine what changes to those laws and regulations were necessary. A year and a half has passed since then and we have not been informed of any results from this working group. It is possible that in the intervening time hundreds of known and suspected terrorists have bought firearms in our country.

In July 2006, Senate staff was informed by DOJ Legislative Affairs that the working group had finished its meetings and had made its findings and recommendations known to the Attorney General. At that time, it was suggested that a final assessment may be just a month away. Yet, it is now November, a full 21 months after the GAO report, and there is still no information from this working group or from your offices.

With each month that passes, our nation is put at greater risk from these loopholes. We stand ready to immediately implement any legislation you see fit to protect Americans from the continue access to firearms by known and suspected terrorists.

Sincerely,

  
FRANK R. LAUTENBERG

  
JOSEPH R. BIDEN