

United States Senate

WASHINGTON, DC 20510

January 25, 2022

VIA ELECTRONIC TRANSMISSION

The Honorable Christopher Wray
Director
Federal Bureau of Investigation

Dear Director Wray:

We are writing to request information about the case of Malik Faisal Akram, a British national who held four people hostage at the Beth Israel Congregation in Colleyville, Texas, for hours on January 15th, and was killed by FBI agents after the hostages escaped.¹ Akram was reportedly demanding the release of Dr. Aafia Siddiqui, a Pakistani national currently serving an 86-year sentence at a prison in Texas for attempted murder and armed assault on U.S. officers in Afghanistan in 2010.²

Akram reportedly arrived in the United States legally in December 2021.³ Regarding this entry, law enforcement sources have said:

- Akram was not on a U.S. government watch list;
- British intelligence officials have advised their U.S. counterparts that a preliminary review of their databases similarly show no derogatory information about Akram;⁴ and
- Akram apparently traveled to the United States under the terms of the United Kingdom's membership in the U.S. Visa Waiver Program.

And yet, Akram's brother in the United Kingdom told reporters that Akram "had been known to the counterterrorism police in Britain."⁵ Though the Greater Manchester Police Department and the United Kingdom's counterterrorism division declined to comment on that

¹ Ruth Graham, Jacey Fortin and Troy Closson, "The Hostages Escaped. But Synagogues Ask, How Can They Be More Secure?," The New York Times, January 17, 2022, <https://www.nytimes.com/2022/01/17/us/texas-synagogue-hostages-escape.html>.

² Alaa Elassar, Michelle Watson and Alanne Orjoux, "Malik Faisal Akram: FBI identifies hostage-taker at Texas synagogue," CNN, January 17, 2022, <https://www.msn.com/en-us/news/world/colleyville-texas-fbi-identifies-hostage-taker-at-texas-synagogue/ar-AASPCnu>; Sophia Saifi and Hilary Whiteman, "Sister of 'Lady al Qaeda': 'We want no violence in Aafia's name'," CNN, August 29, 2014, <https://www.cnn.com/2014/08/29/world/asia/siddiqui-terror-sister/index.html>.

³ Alaa Elassar et al, *supra* note 2.

⁴ *Id.*

⁵ Megan Specia and Aina J. Khan, "A Tense Texas Standoff Leads to Emotional Phone Call Between Brothers," The New York Times, January 17, 2022, <https://www.nytimes.com/2022/01/17/world/europe/texas-synagogue-hostage-taker-family.html>.

assertion, a British security source told reporters on January 18th that Akram was indeed known to U.K. intelligence.⁶ NBC News reports that Akram “was the subject of a short, low-level investigation by the U.K.’s MI5 domestic intelligence agency in the second half of 2020.”⁷ The investigation was “based on information that he may have been involved in Islamist terrorism.”⁸ According to NBC News, “[w]hen there was no indication of a terrorist threat, ... Akram joined approximately 40,000 other closed ‘subjects of interest’ in Britain who have been investigated but not found to be plotting terrorist attacks.”⁹

In addition to being the subject of a security investigation, Akram also reportedly had a criminal record. According to Akram’s brother, Akram was arrested in the 1990s when he was 19 and sent to a young offenders’ institute, and was later sentenced to six months in prison for “violent disorder” for wielding a baseball bat during a family feud with his cousins.¹⁰

Akram also apparently had mental health issues that, if true, would potentially have made Akram inadmissible to the United States.¹¹ Akram’s brother in the United Kingdom told reporters that Akram was “a deeply troubled man” and added: “It’s well known, everybody in the town knows, he has mental health issues.”¹²

In order to better understand the FBI’s conduct in this matter, please answer the following questions no later than February 8, 2022:

1. Does the FBI consider Akram to be an international terrorist, particularly a jihadist or Islamic fundamentalist terrorist? If so, please explain. If not, why not?
2. Please describe the intelligence sharing relationship and protocol between the FBI and the United Kingdom. In your response, please describe all shared databases and other information sharing mechanisms, their purpose and how they can be used to understand derogatory information relating to individuals and organizations of concern.
3. What kinds of communications, if any, did the FBI have with the United Kingdom with respect to Akram prior to the attack?
4. What kinds of communications, if any, did the FBI have with the United Kingdom with respect to Akram after the attack?
5. When did the FBI become aware of Akram’s intent to travel to the United States?
6. When did the FBI become aware of Akram’s actual travel to the United States?
7. Upon arrival in the United States, did the FBI have him under surveillance?
8. Has the FBI determined whether or not Akram is part of a larger cell or terrorist operation?

⁶ *Id.*; Yuliya Talmazan, “Texas synagogue hostage-taker was known to U.K. intelligence before he flew to U.S.,” NBC News, January 18, 2022, <https://www.nbcnews.com/news/world/texas-synagogue-hostage-taker-investigated-uk-intelligence-terror-rcna12544>.

⁷ Talmazan, *supra*, note 6.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Supra*, note 5.

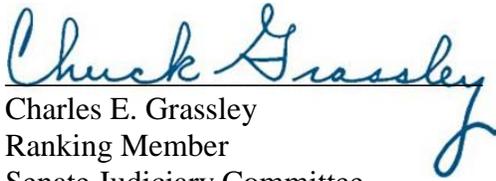
¹¹ Section 212(a)(1)(A)(iii) of the Immigration and Nationality Act (8 U.S.C. 1181) establishes a ground of inadmissibility for an alien who is determined “to have a physical or mental disorder and behavior associated with the disorder that may pose, or has posed, a threat to the property, safety, or welfare of the alien or others....”

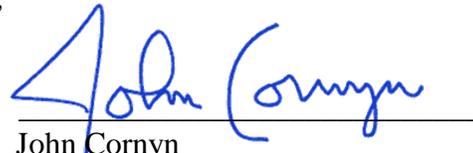
¹² *Supra*, note 5.

9. President Biden has indicated that Akram purchased the handgun he possessed during the attack illegally, off the streets. Is that accurate? How did Akram acquire the handgun that he possessed during the attack? Is the FBI investigating the illegal seller?
10. Would a background check of Akram have revealed his criminal record, mental health issues or whether the United Kingdom classified him as a national security threat?
11. Prior to his gun purchase, did any law enforcement agency, including INTERPOL, submit Akram for entry in the NICS Audit Log Review monitoring program? If so, what agencies and on what dates?
12. Did any law enforcement authority ever submit Akram for entry onto any of the NICS Indices? If so, which authorities, on what dates, and what was the justification provided?
13. Does NICS possess any records or evidence to suggest that Akram was ever denied or delayed the ability to purchase a firearm at any time? If so, on what date and what records remain from these transactions or attempted transactions?
14. The hallmark of success in preventing international terrorism attacks within the United States after 9/11 is our ability to prevent terrorism threats from entering the United States. How did this system break down in this case?
15. Please detail the efforts the FBI devotes to international terrorism cases, including those that specifically involve jihadism and Islamic fundamentalism.

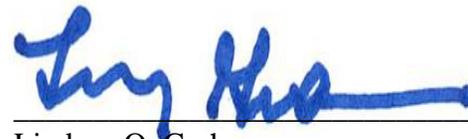
In addition to providing answers to the above questions, we request that you schedule a briefing to discuss the answers with our respective staff. Thank you for your attention to this important matter.

Sincerely,


Charles E. Grassley
Ranking Member
Senate Judiciary Committee

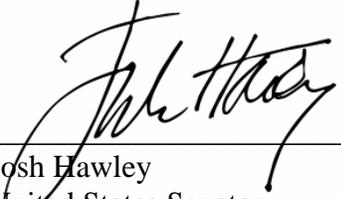

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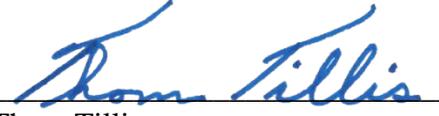
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