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United States Senate

WASHINGTON, DC 20510-3603

July 3, 2012

The Honorable Eric H. Holder
Attorney General of the United States
Department of Justice
Robert F. Kennedy Building
Washington, D.C.

Dear Attorney General Holder:

On December 22, 2011, I wrote you expressing my strong belief that the Justice Department must aggressively prosecute Palestinian terrorist murders of American citizens. I asked you to inform me as to what actions the Office of Justice for Victims of Overseas Terrorism had taken to fulfill the letter and spirit of the Koby Mandell Act (PL 108-447). I ask you now to explain why your department has not yet extradited and prosecuted Palestinian terrorist Ahlam Tamimi, who currently resides freely in Jordan, a U.S. ally.

In your April 5, 2012, response to my letter you stated that “there are significant impediments to bringing prosecutions in the United States for attacks that occur overseas.” It continued, “(t)errorist attacks in Israel, the West Bank, and Gaza present particular challenges...” because Israeli officials focus “on clearing the crime scene to minimize disruption, taking steps to prevent a further attack, and neutralizing the operatives responsible, rather than on collecting evidence consistent with the standards required for prosecution in the United States.” This results in “obstacles relating to the chain of custody of evidence and admissibility of confessions that often preclude United States prosecution.”

Since your letter never mentioned nor referenced any specific terrorist cases, I conclude that your department believes it is unable to prosecute any of the Palestinian terrorist cases including the prosecution of Ahlam Tamimi. As you know, Tamimi, was one of the principal participants in the August 2001 Sbarro outdoor restaurant suicide bombing that killed 15 people (including 7 children) and wounded 130. While in an Israeli jail, Tamimi voluntarily admitted to her crime in a videotaped interview with a journalist. In this interview, there were no signs of any coercion or physical duress by Tamimi. In fact, Tamimi was proud of her heinous act.

Last October, Tamimi and hundreds of other Palestinian prisoners were released in exchange for the release of Israeli soldier Gilad Shalit by Hamas. Tamimi is now living in Jordan, a United States ally with which we have an extradition treaty, where she stars in her own Hamas sponsored television show. This is an insult to the memory of her American victims, but more importantly a glaring example of the non-enforcement of the Koby Mandell Act by the Justice Department.

The murder of American citizens anywhere in the world must be promptly and effectively punished by the United States in United States courts under United States law. I call on you to carry out this obligation with regards to Palestinian terrorists acts against Americans, and specifically explain to me why the extradition and prosecution of Ahlam Tamimi has not yet occurred. This explanation may be given to me in a letter or classified briefing at your convenience.

I look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "James M. Inhofe", written in a cursive style.

James M. Inhofe
United States Senator