

Congress of the United States
Washington, DC 20515

March 1, 2012

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

Dear Attorney General Holder:

We are writing to request that the United States Department of Justice take prompt and meaningful steps to enforce provisions of United States law that require the prosecution and punishment, in United States courts, of individuals who murder or maim American citizens in acts of international terrorism, such as the Anti-Terrorism Act, 18 USC Sec. 2332. The Government of Israel was recently forced, under extreme duress, to release from its prisons many individuals who participated in the murder and maiming of Americans (attached to this letter is a description of several such cases). The Department of Justice should (1) investigate those cases involving the murder of or infliction of serious bodily injury on American citizens; (2) where evidence supports, indict those individuals complicit in the deaths of or infliction of serious bodily injury on Americans; (3) seek the extradition of; (4) try in American federal courts; and (5) punish these individuals.

The Justice Department's record, in both successive Republican and Democratic administrations, with respect to terrorism committed in Israel and the neighboring territories is particularly disappointing given that the Office of Justice for Victims of Overseas Terrorism ("OJVOT"), created by the 2005 passage of the bipartisan Koby Mandell Act, was named after a 13-year-old Maryland boy who was brutally stoned to death by terrorists in Israel in 2001. According to its official website and its press releases, the OJVOT's purpose "is to ensure that the investigation and prosecution of terrorist attacks against American citizens overseas remain a high priority within the Department of Justice."

Nonetheless, of the seventy-one cases of terror attacks resulting in American casualties in and around Israel since the signing of the Oslo Accords, the Department of Justice has never indicted, extradited, or prosecuted a single Palestinian terrorist. In the more than six years since the OJVOT was originally established, it has assisted in the indictment of only one terrorist murderer of an American citizen – the killer of a Christian missionary in Indonesia. The number of American victims of attacks in Israel stands at 54 killed and 83 wounded. Neither the OJVOT nor any other section in the Department of Justice has, to our knowledge, done anything to enforce applicable American law in these cases.

In order to secure the release of captured Israeli soldier Gilad Shalit, who was being held in violation of international law, more than a dozen Palestinian terrorists with American blood on their hands were released under duress by Israel in October 2011. Because of the circumstances of this forced release, their prosecution under American law is not precluded by principles of double jeopardy, and they should, if prosecuted, suffer the full consequences of having violated American law. Murder and assault 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. We call on you to carry out this obligation or explain why such prosecutions are not appropriate for the United States to pursue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Walsh", written over a faint, stylized outline of a triangle.

JOE WALSH
Member of Congress

A handwritten signature in blue ink, appearing to read "Howard Berman", written in a cursive style.

HOWARD BERMAN
Member of Congress

Larry D. Ackerman

Honore Coble

Ernie

STANAL

Paul B. Miley

Alvin Sie

Jack Schok

Robert B. Schuff

Steven Sam

Kent Stanks

Gene Schmitt

Louis Schmitt

Eliot L. Engel

Joe Wilson

Robert E. And

Sam Burt

Levold Nadler

John Culberson

Joseph (unclear)

Bob Hill

Lynn A. White

Alan Hays

Charles R. Lettman

Doug Lambere

AK

Steve Cashin

~~Am...~~

Rob Woodall

Thyly Hudy

Robert Gold

Shelley Berley

Jeff... SC-03

Sue Myrick

D.G. Run FC-12

Mig Pompeo

Bill Pasay

Jaul A. Hoar III

Nichol Dackmann

DiJach

Ally Jay

Neil Denton

John Fleming

D. Eg

Allen B. West

Steve King

Kim F. Lomax

Marianne Buerkle

Signed By:

- 1) Joe Walsh (IL-08)
- 2) Howard Berman (CA-28)
- 3) Gary Ackerman (NY-05)
- 4) Howard Coble (NC-06)
- 5) Edolphus Towns (NY-10)
- 6) Steven Rothman (NJ-09)
- 7) Carolyn Maloney (NY-14)
- 8) Albio Sires (NJ-13)
- 9) Jan Schakowsky (IL-09)
- 10) Adam Schiff (CA-29)
- 11) Steve Pearce (NM-02)
- 12) Trent Franks (AZ-02)
- 13) Jean Schmidt (OH-02)
- 14) Louie Gohmert (TX-01)
- 15) Eliot Engel (NY-17)
- 16) Joe Wilson (SC-02)
- 17) Robert Andrews (NJ-01)
- 18) Dan Burton (IN-05)
- 19) Jerrold Nadler (NY-08)
- 20) John Culberson (TX-07)
- 21) Joseph Crowley (NY-07)
- 22) Bob Filner (CA-51)
- 23) Lynn Westmoreland (GA-03)
- 24) Brian Higgins (NY-27)
- 25) Bob Turner (NY-09)
- 26) Ileana Ros-Lehtinen (FL-18)
- 27) Doug Lamborn (CO-06)
- 28) Steve Austria (OH-07)
- 29) Ted Poe (TX-02)
- 30) Randy Hultgren (IL-14)
- 31) Shelley Berkley (NV-01)
- 32) Sue Myrick (NC-09)
- 33) Mike Pompeo (KS-04)
- 34) Bill Posey (FL-05)
- 35) Paul Gosar (AZ-01)
- 36) Chip Cravaack (MN-08)
- 37) Michele Bachmann (MN-06)
- 38) Peter King (NY-03)
- 39) Jim Gerlach (PA-06)
- 40) Rob Woodall (GA-07)
- 41) Robert Dold (IL-10)
- 42) Jeff Duncan (SC-03)
- 43) Dennis Ross (FL-12)
- 44) Jim Jordan (OH-04)
- 45) Billy Long (MO-07)
- 46) Theodore Deutch (FL-19)
- 47) John Fleming (LA-04)
- 48) Dennis Cardoza
- 49) Allen West (FL-22)
- 50) Steve King (IA-05)
- 51) Bill Flores (TX-17)
- 52) Ann Marie Buerkle (NY-25)

APPENDIX: NINE RELEASED TERRORISTS AND THEIR CRIMES

*On October 30, 2000, 25-year-old Esh Kodesh Gilmore (Cleveland) was shot to death while working as a security guard, protecting Arabs in an Eastern Jerusalem Social Security office. Mahmoud Awad Damra was sentenced to 16 years in prison for his role in the murder of Gilmore and others, including two other Americans. Damra, a security force commander under Yasser Arafat, was promoted by Abbas to major-general while in prison. On January 2, 2012, Damra, after being released in the Shalit prisoner exchange, was named Adviser to the PA for local government by Chairman Abbas.

*On August 9, 2001, 15-year-old Malki Roth (New York) and a pregnant Judith Greenbaum (New Jersey), were among those murdered by a Palestinian suicide-bomber in the Sbarro restaurant in Jerusalem. **Ahlam Aref Ahmad Tamimi** was given 16 life sentences in Israel for her role in planning the attack and bringing the terrorist to the Sbarro pizza bombing in the center of Jerusalem. She currently lives in Jordan where she is extremely popular and in demand for speaking engagements. In an interview taken in an Israeli prison before her release she expressed satisfaction that her actions led to the death of eight children. She said that "if given the opportunity, she would not hesitate to do the same thing" and has "absolutely no regrets."

*On March 21, 2002, 7-year-old Yehonathon Bauer (Chicago, Illinois) was seriously wounded by shrapnel to the head during a suicide attack on King George Street in Jerusalem. **Sana'a Muhammed Hussein Sh'hadeh** and **Qahara Al-Saadi** were two women guides who brought the bomber downtown. The two women were recruited by senior members of the Palestinian Authority for participation in the attack. Each woman received a life sentence. Both were released in October and currently live near Jerusalem.

*On July 31, 2002, Dina Carter (North Carolina), Janis Ruth Coulter (Massachusetts), Benjamin Blutstein (Pennsylvania), Marla Bennett (California) and David Gritz (Massachusetts) were murdered in the Sinatra Cafeteria of the Hebrew University of Jerusalem. **Walid al-Hadi Anjas** was convicted for his role in the crime. He was given numerous life sentences and was released in October.

*On March 5, 2003, Abigail Leitel, a 14-year-old Baptist schoolgirl born in New Hampshire, was killed by a suicide bomber who exploded a bomb on a Haifa bus. **Fadi Muhammad al-Jabaa, Maedh Abu Sharakh, and Majdi Muhammad Amar** were found guilty of plotting the attack and were recently released in the Shalit exchange.

*On September 9, 2003, a Hamas suicide bomber killed seven people, including American citizens David Appelbaum (Cleveland, Ohio) and Naava Appelbaum (who was to be married on that day) at Café Hillel in Jerusalem. **Ibrahim Dar Musa** helped plan that attack. He was released in the Shalit exchange from prison, where he was serving the sentence for his role in these murders.