

Congress of the United States
Washington, DC 20510

May 12, 2020

The Honorable Michael R. Pompeo
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20230

Dear Mr. Secretary:

In light of the recent International Criminal Court (ICC) decision to authorize the formal investigation of American military personnel for war crimes, we write to you with strong concern about potential consequences for the United States and our ally, Israel, should prosecutions result.

As the world's only permanent international court, the ICC is intended as a court of last resort for the prosecution of the most serious international crimes, yet both Democratic and Republican administrations have refused to join the Court in part because they feared its politicization and misuse. While we support the ICC's stated goal of ensuring accountability for the gravest crimes of concern to the international community, the Court's recent announcements are examples of how politics have been infused into the judicial process and distorted the purposes for which the court was established.

The ICC is proceeding with its investigation of the United States and is considering a similar decision with respect to Israel even though neither the United States nor Israel are members of the ICC. The ICC does not enjoy legitimate jurisdiction in these cases. One of the main principles of the ICC is that, first and foremost, individual states should try cases within their jurisdiction while the ICC serves as a complementary institution which does not substitute its decisions for those of individual nations. In instances when war crimes are committed, we believe our nation and Israel are both able and willing to carry out investigations and prosecute offenders without ICC involvement.

With respect to the possible case against Israel, we are concerned that those pressing for action seek a court judgment in place of a negotiation process between Israelis and Palestinians. The ultimate sustainable solution to the Israeli-Palestinian conflict lies in the resumption of Israeli-Palestinian direct negotiations in pursuit of a two-state solution—not in the pursuit of cases at the ICC. These cases distract from and undermine our efforts to get the parties back to the table.

We urge you to marshal a diplomatic initiative with likeminded countries who are members of the ICC to call on the ICC to cease its politically motivated investigations into the United States and Israel. We look forward to working together to ensure the safety of Americans and Israelis while also encouraging accountability and justice.

Sincerely,



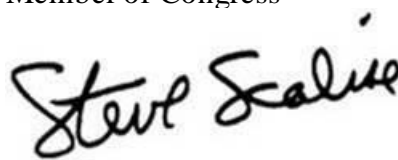
Elaine G. Luria
Member of Congress



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Minority Leader



Steve Scalise
Minority Whip



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/s/
Pete Aguilar
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/s/
Rick W. Allen
Member of Congress



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/s/

James R. Baird
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/s/

Troy Balderson
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/s/

Rob Bishop
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/s/

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/s/

Anthony Brindisi
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Member of Congress

/s/

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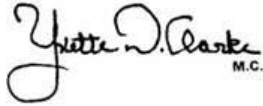
Liz Cheney
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Yvette D. Clarke
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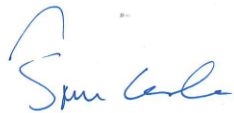
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Doug Collins
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TJ Cox
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/s/

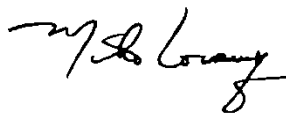
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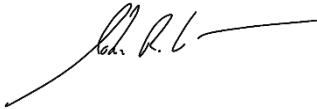
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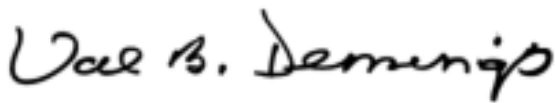
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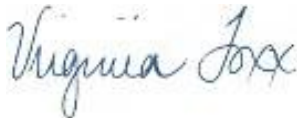
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Chuck Fleischmann
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Russ Fulcher
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/s/

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Sheila Jackson Lee
Member of Congress



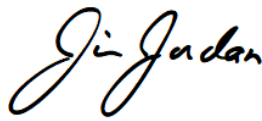
Hakeem Jeffries
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Dusty Johnson
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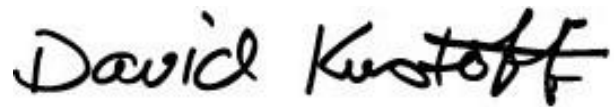
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/s/
Trent Kelly
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Derek Kilmer
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/s/
Doug LaMalfa
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Conor Lamb
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Peter T. King
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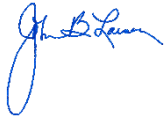
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Billy Long
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Robert E. Latta
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Barry Loudermilk
Member of Congress



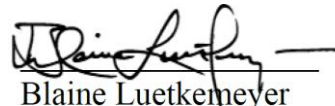
Susie Lee
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Nita M. Lowey
Member of Congress



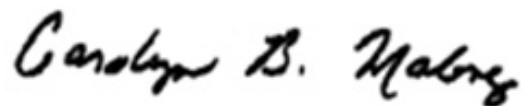
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Blaine Luetkemeyer
Member of Congress




Mike Levin
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Carolyn B. Maloney
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Ted W. Lieu
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Sean Patrick Maloney
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Kenny Marchant
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Martha Roby
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/s/
David P. Roe, M.D.
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Mike Rogers
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Francis Rooney
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/s/
John Rose
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Max Rose
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Harley Rouda
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Lucille Roybal-Allard
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Linda T. Sánchez
Member of Congress



Adam B. Schiff
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Bradley S. Schneider
Member of Congress

/s/

Kurt Schrader
Member of Congress



David Schweikert
Member of Congress

/s/

Austin Scott
Member of Congress



David Scott
Member of Congress

/s/

F. James Sensenbrenner, Jr.
Member of Congress

/s/

Donna Shalala
Member of Congress



Brad Sherman
Member of Congress



Mike Simpson
Member of Congress



Albio Sires
Member of Congress



Elissa Slotkin
Member of Congress

/s/

Adrian Smith
Member of Congress



Christopher H. Smith
Member of Congress



Jason Smith
Member of Congress



Lloyd Smucker
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Darren Soto
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Ross Spano
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Greg Stanton
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Pete Stauber
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Elise M. Stefanik
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Bryan Steil
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W. Gregory Steube
Member of Congress

/s/

Chris Stewart
Member of Congress



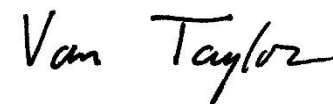
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Member of Congress



Thomas R. Suozzi
Member of Congress



Eric Swalwell
Member of Congress



Van Taylor
Member of Congress

Glenn 'GT' Thompson
Member of Congress

Michael R. Turner
Member of Congress

Mac Thornberry
Member of Congress

Jefferson Van Drew
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William R. Timmons, IV
Member of Congress

Juan Vargas
Member of Congress

Scott R. Tipton
Member of Congress

Marc Veasey
Member of Congress

Dina Titus
Member of Congress

/s/

Ann Wagner
Member of Congress

Norma J. Torres
Member of Congress

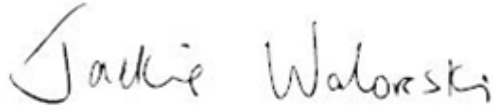
Tim Walberg
Member of Congress

David Trone
Member of Congress

Greg Walden
Member of Congress

/s/


Mark Walker
Member of Congress



Jackie Walorski
Member of Congress



Susan Wild
Member of Congress



Michael Waltz
Member of Congress



Frederica S. Wilson
Member of Congress



Debbie Wasserman Schultz
Member of Congress



Joe Wilson
Member of Congress

/s/

Steve Watkins
Member of Congress



Steve Womack
Member of Congress

/s/

Randy K. Weber
Member of Congress

/s/

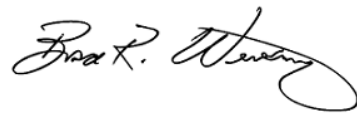
Rob Woodall
Member of Congress

/s/

Daniel Webster
Member of Congress



Ron Wright
Member of Congress



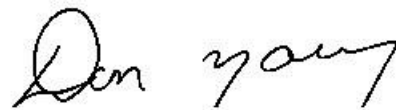
Brad R. Wenstrup, D.P.M.
Member of Congress



Ted S. Yoho
Member of Congress



Bruce Westerman
Member of Congress



Don Young
Member of Congress

A handwritten signature in black ink, appearing to read 'Lee Zeldin', written in a cursive style.

Lee Zeldin
Member of Congress