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Congress of the United States  
House of Representatives  
Washington, DC 20515

COMMITTEE ON ARMED SERVICES  
PERMANENT SELECT COMMITTEE ON  
INTELLIGENCE

December 13, 2023

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530

Dear Attorney General Garland,

There is no shortage of suffering in the world today. From Ukraine to Israel to Sudan, just the last several years have shown some of the most brutal and hateful sides of humanity, and we have witnessed widespread violations of international humanitarian law and the commission of war crimes. I know you take these violations as seriously as I do and will do everything in your capacity to see perpetrators held accountable for these crimes, particularly where they involve American citizens.

As such, I write today to thank you for your announcement on December 6 that the Department of Justice has filed charges against four individuals affiliated with the Russian military for torturing an American citizen during Russia's illegal war of aggression against Ukraine. I was also pleased to learn that the Department is using the same war crimes statute to investigate the kidnappings and murders of Americans by Hamas during their reprehensible October 7th attack on Israel. Russia and Hamas must be held accountable for their brutality.

While I understand that the statute under which these charges and investigation were initiated has been U.S. law for 30 years, my understanding is that this is the first time that charges have been filed under its authority. In fact, it was the first time I had heard of this statute, and your announcement prompted some questions that I hope you'll be able to answer for me:

- How many such investigations have been initiated and documented under the War Crimes Act of 1996 since it became part of United States Code?
- What is the average length of time from open to close that these investigations have taken?

- At what point is the American public informed that an investigation is ongoing and the general nature of the investigation?
- Can you confirm that the announcement of December 6, 2023, regarding crimes committed by members of the Russian military, is indeed the first time that charges have been filed under this statute?
- Can you confirm that the War Crimes statute is applicable to only American nationals, including dual citizens?
- Is the Department of Justice currently conducting any investigations into possible crimes committed by the Israeli Defense Forces against American or Palestinian-American citizens?

I am heartened to both learn about the War Crimes statute and to see it being used as originally intended – to hold accountable those who commit the most heinous crimes against American citizens; the application of this statute must be done without prejudice.

I look forward to your prompt response to my questions.

Sincerely,

A handwritten signature in black ink that reads "Chrissy Houlahan". The signature is written in a cursive, flowing style.

Chrissy Houlahan  
Member of Congress

CC: The Honorable Christopher Wray, Director of the Federal Bureau of Investigation