May 30, 2024

The Honorable Antony Blinken
Secretary
Department of State
2201 C St., NW
Washington, DC 20520

The Honorable Janet Yellen
Secretary
Department of the Treasury
1500 Pennsylvania Ave., NW
Washington, DC 20220

Dear Secretary Blinken and Secretary Yellen:

We write to you today regarding the biased and erroneous arrest warrants the International Criminal Court (ICC) issued for Israeli Prime Minister Benjamin Netanyahu and Defense Minister Yoav Gallant. We are deeply outraged that the ICC would even attempt to equate democratically elected officials acting in self-defense with terrorist leaders who purposefully and heinously slaughtered innocent civilians, including more than forty Americans. Today, Hamas still holds hostages, including five Americans believed to be alive, and the bodies of three others.

The charges against Israeli leaders are baseless. They reflect the ICC’s well-documented historical bias against Israel. The evidence is clear: Hamas terrorists are responsible for wreaking havoc and sowing destruction. Almost eight months ago, terrorists killed, raped, decapitated, burned, and kidnapped more than 1,200 people, including Americans. Hamas has built tunnels under hospitals, launched missiles from homes, and used civilians as human shields. This tragic conflict could end tomorrow if Hamas would put down their weapons, free the hostages, and allow more humanitarian aid into the region. Instead of working toward peaceful, just resolution, the ICC is playing politics.

If the pre-trial chamber approves the sham warrants, this will only embolden our adversaries, including the Iranian-backed proxies across the region, to continue their terrorist campaign against freedom and democracy. The ICC’s message gives Hamas further cover to walk away from the table, prolonging negotiations for a pause to release the hostages, including the Americans.

Above all, these warrants are an affront to due process, a clear maneuver by a biased organization masquerading as a neutral arbiter of justice cannot go without consequences. While we applaud the Administration for its strong words opposing these warrants, action is also required. Just last week, President Biden said, “Let me be clear: whatever this prosecutor might imply, there is no equivalence — none — between Israel and Hamas.”

ICC officials have in the

past been sanctioned after engaging in a pattern of vindictive and unnecessary investigations.\(^2\) Current ICC officials must be held to the same standard. We urge the Administration to consult with Congress to immediately impose sanctions against the ICC’s Chief Prosecutor Karim Khan and any other officials who have demonstrated undue bias in their actions.

We look forward to your response.

Sincerely,

Josh Gottheimer
Member of Congress

Jared Moskowitz
Member of Congress

Bradley Scott Schneider
Member of Congress

Thomas R. Suozzi
Member of Congress

Marcus J. Molinaro
Member of Congress

Donald Norcross
Member of Congress

Dina Titus
Member of Congress

Don Bacon
Member of Congress

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Thomas H. Kean, Jr.
Member of Congress

Nick LaLota
Member of Congress

Greg Landsman
Member of Congress

Vicente Gonzalez
Member of Congress

Juan Vargas
Member of Congress

Marie Gluesenkamp Perez
Member of Congress

Dean Phillips
Member of Congress