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

Mike Gallagher
Member of Congress

Kevin McCarthy
Minority Leader

Steve Scalise
Minority Whip

Eliot L. Engel
Member of Congress

Michael T. McCaul
Member of Congress

Ralph Abraham, M.D.
Member of Congress

Kelly Armstrong
Member of Congress

Robert B. Aderholt
Member of Congress

Jodey C. Arrington
Member of Congress

/s/
Pete Aguilar
Member of Congress

/s/
Rick W. Allen
Member of Congress

/s/
Brian Babin, D.D.S.
Member of Congress
Anthony Brindisi
Member of Congress

Anthony G. Brown
Member of Congress

Mo Brooks
Member of Congress

Susan W. Brooks
Member of Congress

Vern Buchanan
Member of Congress

Ken Buck
Member of Congress

Larry Bucshon, M.D.
Member of Congress

Ted Budd
Member of Congress

Tim Burchett
Member of Congress

Bradley Byrne
Member of Congress

Ken Calvert
Member of Congress

Tony Cárdenas
Member of Congress

Matt Cartwright
Member of Congress

Kathy Castor
Member of Congress

Steve Chabot
Member of Congress

Liz Cheney
Member of Congress
Gilbert R. Cisneros, Jr.  
Member of Congress

Yvette D. Clarke  
Member of Congress

Ben Cline  
Member of Congress

Tom Cole  
Member of Congress

Doug Collins  
Member of Congress

James Comer  
Member of Congress

K. Michael Conaway  
Member of Congress

Col. Paul Cook (Ret.)  
Member of Congress

Jim Cooper  
Member of Congress

J. Luis Correa  
Member of Congress

Jim Costa  
Member of Congress

TJ Cox  
Member of Congress

Rick Crawford  
Member of Congress

Dan Crenshaw  
Member of Congress

Charlie Crist  
Member of Congress
Henry Cuellar
Member of Congress

Joe Cunningham
Member of Congress

John Curtis
Member of Congress

Rodney Davis
Member of Congress

Susan A. Davis
Member of Congress

Val Demings
Member of Congress

Ted Deutch
Member of Congress

Mario Diaz-Balart
Member of Congress

Jeff Duncan
Member of Congress

Neal Dunn
Member of Congress

Tom Emmer
Member of Congress

Anna G. Eshoo
Member of Congress

/s/
Adriano Espaillat
Member of Congress

Ron Estes
Member of Congress

A. Drew Ferguson, IV
Member of Congress
Josh Gottheimer
Member of Congress

Garret Graves
Member of Congress

Sam Graves
Member of Congress

Tom Graves
Member of Congress

/s/
Mark Green
Member of Congress

Glenn Grothman
Member of Congress

Michael Guest
Member of Congress

Brett Guthrie
Member of Congress

Jim Hagedorn
Member of Congress

Josh Harder
Member of Congress

/s/
Andy Harris, M.D.
Member of Congress

Vicky Hartzler
Member of Congress

/s/
Alcee L. Hastings
Member of Congress

Denny Heck
Member of Congress

Kevin Hern
Member of Congress

Jody B. Hice
Member of Congress
Brian Higgins  
Member of Congress

/s/  
Clay Higgins  
Member of Congress

/s/  
French J. Hill  
Member of Congress

/s/  
Jim Himes  
Member of Congress

George Holding  
Member of Congress

Trey Hollingsworth  
Member of Congress

Steven Horsford  
Member of Congress

/s/  
Bill Huizenga  
Member of Congress

Will Hurd  
Member of Congress

Richard Hudson  
Member of Congress

/s/  
Sheila Jackson Lee  
Member of Congress

Hakeem Jeffries  
Member of Congress

Bill Johnson  
Member of Congress

/s/  
Dusty Johnson  
Member of Congress

/s/  
Mike Johnson  
Member of Congress

Jim Jordan  
Member of Congress

David P. Joyce  
Member of Congress
Kenny Marchant  
Member of Congress

Roger Marshall, M.D.  
Member of Congress

Brian J. Mast  
Member of Congress

Ben McAdams  
Member of Congress

Tom McClintock  
Member of Congress

Patrick T. McHenry  
Member of Congress

Cathy McMorris Rodgers  
Member of Congress

Gregory Meeks  
Member of Congress

Grace Meng  
Member of Congress

Daniel P. Meuser  
Member of Congress

Paul Mitchell  
Member of Congress

Carol D. Miller  
Member of Congress

John Moolenaar  
Member of Congress

/s/  
Joseph D. Morelle  
Member of Congress

Debbie Mucarsel-Powell  
Member of Congress
Markwayne Mullin  
Member of Congress

Gregory F. Murphy, M.D.  
Member of Congress

Stephanie Murphy  
Member of Congress

Jerrold Nadler  
Member of Congress

Grace F. Napolitano  
Member of Congress

Dan Newhouse  
Member of Congress

Donald Norcross  
Member of Congress

Ralph Norman  
Member of Congress

Tom O'Halleran  
Member of Congress

Steven Palazzo  
Member of Congress

Frank Pallone, Jr.  
Member of Congress

Gary Palmer  
Member of Congress

Jimmy Panetta  
Member of Congress

Chris Pappas  
Member of Congress
Greg Pence
Member of Congress

Scott Perry
Member of Congress

Collin C. Peterson
Member of Congress

Bill Posey
Member of Congress

/s/
Tom Reed
Member of Congress

Guy Reschenthaler
Member of Congress

Kathleen Rice
Member of Congress

Denver Riggleman
Member of Congress

Martha Roby
Member of Congress

/s/
David P. Roe, M.D.
Member of Congress

Mike Rogers
Member of Congress

Francis Rooney
Member of Congress

/s/
John Rose
Member of Congress

Max Rose
Member of Congress

Harley Rouda
Member of Congress

David Rouzer
Member of Congress
Lucille Roybal-Allard  
Member of Congress

John Rutherford  
Member of Congress

Tim Ryan  
Member of Congress

Linda T. Sánchez  
Member of Congress

Adam B. Schiff  
Member of Congress

Bradley S. Schneider  
Member of Congress

Kurt Schrader  
Member of Congress

David Schweikert  
Member of Congress

Austin Scott  
Member of Congress

David Scott  
Member of Congress

F. James Sensenbrenner, Jr.  
Member of Congress

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

Adrian Smith  
Member of Congress
Glenn 'GT' Thompson  
Member of Congress

Mac Thornberry  
Member of Congress

William R. Timmons, IV  
Member of Congress

Scott R. Tipton  
Member of Congress

Dina Titus  
Member of Congress

Norma J. Torres  
Member of Congress

David Trone  
Member of Congress

Michael R. Turner  
Member of Congress

Jefferson Van Drew  
Member of Congress

Juan Vargas  
Member of Congress

Marc Veasey  
Member of Congress

Ann Wagner  
Member of Congress

Tim Walberg  
Member of Congress

Greg Walden  
Member of Congress

Mark Walker  
Member of Congress
Jackie Walorski  
Member of Congress

Michael Waltz  
Member of Congress

Debbie Wasserman Schultz  
Member of Congress

/s/  
Steve Watkins  
Member of Congress

/s/  
Randy K. Weber  
Member of Congress

/s/  
Daniel Webster  
Member of Congress

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

Bruce Westerman  
Member of Congress

Susan Wild  
Member of Congress

Frederica S. Wilson  
Member of Congress

Joe Wilson  
Member of Congress

/s/  
Steve Womack  
Member of Congress

/s/  
Rob Woodall  
Member of Congress

Ron Wright  
Member of Congress

Ted S. Yoho  
Member of Congress

Don Young  
Member of Congress
Lee Zeldin
Member of Congress