

February 28, 2022

BY ELECTRONIC MAIL

United States Congress
Washington, DC 20024

Re: Time Sensitive Matter – Treatment of U.S. Victims of Terrorism and Families

We write on a time sensitive matter regarding the treatment of U.S. victims of terrorism and their families across the United States. This includes victims who were killed or injured by acts of terrorism while serving the United States at home and abroad with the U.S. Armed Forces, U.S. Department of Defense, U.S. Department of State, and U.S. intelligence agencies, among others.

In 1996, Congress created a pathway for victims and their families to pursue legal action against state sponsors of terrorism in U.S. federal courts. However, despite receiving federal court judgments, there was no vehicle through which to recover on those judgments. In 2015, Congress passed the Justice for United States Victims of State Sponsored Terrorism Act and created the United States Victims of State Sponsored Terrorism Fund (USVSST Fund), which is administered by the U.S. Department of Justice, to address this inequity. Rather than appropriating U.S. taxpayer dollars, the USVSST Fund instead receives certain funds arising from activities involving state sponsors of terrorism and other bad actors, and distributes those funds equitably among *all* eligible victims, irrespective of the perpetrator of any specific terrorist act or the source of the funds. In 2019, at the request of the 9/11 victim community, which also receives compensation from other sources, Congress amended the law so that both non-9/11 and 9/11 victims could collect from the USVSST Fund, making it the only federal vehicle which fairly, equitably, and justly compensates all U.S. victims of state-sponsored terrorism with federal district court judgments. The USVSST Fund has successfully distributed funds to all victims in a fair and equitable matter thanks to the hard work of the USVSST Fund team at the U.S. Department of Justice. Since its inception, it has authorized three payment distributions totaling approximately \$3.3 billion for the benefit of thousands of eligible victims.

Unfortunately, it appears that President Biden either overlooked or rejected the bipartisan intent and good work of Congress in creating the USVSST Fund when, on February 11, 2022, he made \$3.5 billion of Da Afghanistan Bank (“DAB”) funds available for a federal judge in the Southern District of New York to distribute to a small, select group of victims, predominantly consisting of 47 victims of September 11, 2001 and their families. In doing so, President Biden has ignored the will of Congress in creating the USVSST Fund, and the ongoing plight of the many other American victims of terrorist attacks at home and abroad.

We write to strongly urge you to encourage President Biden to correct this mistake by either directing the DAB funds into the USVSST Fund or otherwise work with your colleagues in Congress to achieve the same. Given that the Southern District of New York may imminently issue a turnover order for those funds for the benefit of the select group as soon as March 7, 2022, we encourage you to act as soon as possible to avoid this gross injustice. We stand ready to

meet with and assist you in this important bipartisan effort and to ensure that all our U.S. victims and terrorism and their families are met with the respect and justice that they deserve.

Sincerely,

A handwritten signature in blue ink, reading "Mark Begich". The signature is fluid and cursive, with the first name "Mark" being more prominent than the last name "Begich".

Mark Begich

U.S. Senator

(2009-2015)

A handwritten signature in blue ink, reading "Ed Royce". The signature is fluid and cursive, with the first name "Ed" being more prominent than the last name "Royce".

Ed Royce

Chairman House Foreign Affairs Committee

(2013-2019)