



February 1, 2012

BY E-MAIL AND FIRST-CLASS MAIL

The Honorable Eric H. Holder, Jr.  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Holder:

We write on behalf of the Zionist Organization of America (ZOA), the oldest and one of the largest pro-Israel organizations in the United States. The ZOA has been a leader in fighting for the rights of American victims of Palestinian Arab terrorism. Our organization initiated the bill that became 2004's Koby Mandell Act, which created a new office in the Department of Justice to capture all foreign nationals, including Palestinian Arabs, who have killed or harmed Americans overseas. The Act was named for a 13-year old American citizen from Maryland who was murdered in Israel by Palestinian Arab terrorists.

According to the Department of Justice's Web site, the Office of Justice for Victims of Overseas Terrorism (OVT), established in 2005 pursuant to the Koby Mandell Act, is supposed "to ensure that the investigation and prosecution of terrorist attacks against American citizens overseas remain a high priority with the Department of Justice." The OVT is "responsible for monitoring the investigation and prosecution of terrorist attacks against Americans abroad," and "working with other pertinent Justice Department components to ensure that the rights of victims of such attacks are honored and respected."

It is more important than ever that the Justice Department fulfill its mandate.

More than 1000 convicted criminals were recently released from prison by the Israeli government in order to gain the release of Gilad Shalit, an Israeli soldier who was kidnapped inside Israel by Hamas terrorists in 2006 and held captive for more than five years by Hamas, a U.S.-designated foreign terrorist organization, with virtually no contact with the outside world. Many of these newly-freed criminals participated in bombings and other terrorist attacks with the clear objective of murdering innocent civilians. Tragically, they often succeeded. A number of their innocent victims were American citizens.

The Honorable Eric H. Holder, Jr.

February 1, 2012

Page 2

As you know, there are several federal laws that have been enacted to fight international terrorism and hold terrorists and their co-conspirators accountable for their heinous actions. For example, it is crime, punishable “by death or imprisonment for any term of years or for life, or both,” to murder a national of the United States, “while such national is outside the United States.” 18 U.S.C. § 2332(a)(1). It is also a crime to use, or conspire to use, certain “weapons of mass destruction” – which would include an explosive bomb – against a U.S. national while such national is outside the United States. 18 U.S.C. § 2332a.

Why aren't these laws being enforced to vindicate the rights of the victims and their families when Palestinian Arab terrorists commit these crimes? By failing to act, our government is sending a wrong and indeed appalling message to the victims and their families, to our country, and to the rest of the world – that Palestinian Arab terrorists and terrorist organizations like Hamas can maim and murder innocent American civilians with impunity, and that the United States does not value the victims and their families enough to ensure that the criminals are punished and justice is served. Our government should be issuing a clear and unequivocal warning to the world that anyone who brings harm to American citizens will be caught and made to pay the consequences.

We understand that a group called the Parents Forum for Justice has recently appealed to you to indict, extradite, prosecute and punish the terrorists who have murdered or maimed Americans and who were unjustly freed in the Gilad Shalit exchange. This group is comprised of parents whose children, all U.S. citizens, were severely injured or killed by Palestinian Arab terrorists in the past 10 years. They have suffered an unimaginable tragedy. Their pain should not be exacerbated by the seeming indifference of their own government.

In their letter to you, the Parents Forum for Justice profiled some of the Palestinian Arab terrorists who have American blood on their hands and who are now, disgracefully, walking free. One particularly horrific example is Ahlam Tamimi, who drove a suicide bomber to a Sbarro's restaurant in Jerusalem in 2001, where the bomber murdered 15 people and wounded 130. Among those killed were two Americans: 15-year-old Malki Roth and Judith Hayman Greenbaum who was pregnant with her first child. Among the Americans wounded were 21-year-old David Danzig of Teaneck, New Jersey; 25-year-old Matthew P. Gordon of New York; and Joanne (Chana) Nachenberg, who has been in a vegetative state for the past 10 years, since the crime against her was committed.

Tamimi was convicted in Israel and sentenced to 16 terms of life in prison. In a prison interview, Tamimi was unrepentant about what she had done in not only driving the suicide bomber to Sbarro, but in planning the attack. Indeed, she said that she deliberately searched for a place with “religious Jews.” <http://www.israelnationalnews.com/News/News.aspx/148956>.

Tamimi's complete lack of remorse about her actions has never wavered. When she was released from prison in the Shalit exchange, she said without hesitation that she would do what

she did again: “Of course, I do not regret what happened. Absolutely not. This is the path. I dedicated myself to Jihad for the sake of Allah, and Allah granted me success. You know how many casualties there were [in the 2001 attack on the Sbarro restaurant]? This was made possible by Allah. Do you want me to denounce what I did? That’s out of the question. I would do it again today, and in the same manner.”

<http://www.youtube.com/watch?v=V3fBAnmm37w>.

Tamimi went to live in Jordan where she was celebrated as a hero. A crowd of people joyously welcomed her at the airport in Amman, waving Palestinian flags and banners of the terrorist group Hamas. News reports say that Tamimi is planning to marry another prisoner released in the Shalit deal.

It is revolting to think that Tamimi and other Palestinian Arab terrorists who have murdered and maimed U.S. citizens are living in freedom. It is appalling that our government is aware of this fact, and yet is failing to take steps to hold these criminals accountable for their crimes that violate our laws enacted for the purpose of fighting international terrorism. In Tamimi’s case, the United States has an extradition treaty with Jordan and should be enforcing it by requesting that Jordan extradite Tamimi so that she can stand trial here and answer for her criminal conduct in violation of federal law.

In 2010, President Obama issued a Proclamation – a national day of service and remembrance for victims and survivors of terrorism. (See <http://www.whitehouse.gov/the-press-office/presidential-proclamation-national-day-service-and-remembrance-victims-and-survivor>.) In the Proclamation, the President began by saying that “[t]here is no greater evil than willful violence against innocents.” Rightly so, the President showed unqualified contempt and absolute intolerance for terrorists:

Terrorists prey on the innocent and vulnerable and have nothing to offer except hatred and destruction. No cause justifies their actions, yet they have claimed many victims around the world. Wherever they kidnap or kill, they reveal only their own bankrupt vision, and disrupt or destroy lives. Their actions impact not only their victims, but the families, friends, and fellow citizens of those who are targeted.

If these words, and the Department of Justice’s avowed commitment to fighting international terrorism, are to hold any meaning, then the Department of Justice must ensure that our laws are upheld and enforced to vindicate the rights of our citizens and their families. We call on you to indict and prosecute the Palestinian Arab terrorists who have harmed and murdered American citizens in Israel, who were released in the Gilad Shalit exchange and are

The Honorable Eric H. Holder, Jr.

February 1, 2012

Page 4

now living in freedom. As President Obama recognized, these criminals epitomize evil. They must be extradited from Jordan and elsewhere for trial and punishment in the United States.

Respectfully,

Dr. Michael Goldblatt, Chairman of the Board

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