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February 25, 2019

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Ave NW
Washington, D.C. 20535

Dear Director Wray:

I write regarding recent reports that the Federal Bureau of Investigation (FBI) is dismantling its International Human Rights Unit (IHRU), the special unit that investigates international war crimes.¹ Having served on active duty in the military, and as a Member on the House Judiciary and Foreign Affairs Committees, I am deeply disturbed by the FBI's decision to close this important office. Not only does the IHRU serve a crucial purpose in our law enforcement ecosystem, but its very existence sends a signal to the world that the United States will continue to enforce a rules-based international order and fight for human rights. I urge the FBI to maintain the IHRU and immediately return staff who have been reassigned from the office.

As you know, the IHRU was originally dedicated to hunting down Nazis living in the United States after World War II and has since grown into an important legal and moral bulwark against perpetrators of genocide and other human rights abuses. This work is highly specialized and deserves the attention and expertise that come from having a dedicated federal unit. Not only does the unit focus on crimes committed by foreign actors abroad, but it also addresses international crimes committed against U.S. citizens abroad. Dismantling the office makes U.S. persons less safe.

According to an FBI statement, the dissolution of the IHRU "in no way reflects a reduced commitment by the FBI" and existing agents will be reassigned to the Civil Rights Unit (CRU). However, the CRU is dedicated to domestic civil rights cases, with little to no expertise investigating human rights violations or working internationally. Without major adjustments to the structure of the CRU, it remains unclear how it will have the capacity to execute the IHRU's mission.

Additionally, as Stanford professor Beth van Schaak notes, the IHRU is part of the trifecta that comprises the United States' investigative and prosecutorial response to war crimes, the other two being the Department of Homeland Security's Human Rights Violators and War Crimes Unit and the DOJ's Human Rights and Special Prosecutions Section (HRSP), which together function as the government's "Human Rights Violators and War Crimes Center." The FBI should not shortchange the entire apparatus by closing one of three crucial offices.

¹ Aaron Glantz, "FBI is dismantling its war crimes unit," *Reveal News*, The Center for Investigative Reporting, February 15, 2019.

The Trump administration's own 2019 National Security Strategy states, "We will not remain silent in the face of evil. We will hold perpetrators of genocide and mass atrocities accountable."² Closing an office dedicated to "investigating individuals...accused of committing international crimes, including war crimes, torture, genocide, female genital mutilation, and the recruitment of child soldiers" will jeopardize the United States' ability to prevent atrocities and deliver on the administration's National Security Strategy.³

The decision to shutter the IHRU is particularly confounding in light of the unit's recent high-profile victory in the conviction of Thomas Woewiyu, a former Defense Minister of Liberia. President Trump also touted the FBI's work in identifying Jakiw Palij, the last known Nazi who was living in the United States until his deportation to Germany last year.⁴ Clearly, this office and its dedicated professionals have proven successful, time and again, in their mission.

In light of these reasons, I request you answer the following questions in writing or in a briefing to the House Judiciary Committee:

1. What is the rationale for closing the International Human Rights Unit?
2. What process was used to arrive at the decision to shutter the International Human Rights Unit, and who was ultimately responsible for making it?
3. How will the FBI's work investigating war crimes be impacted by this decision?
4. What changes will be made to the Civil Rights Unit to ensure it has the resources, processes, expertise and capacity to execute the work of the International Human Rights Unit?

President Ronald Reagan said: "Let us remember our heritage and, with it, our destiny – the destiny of this shining city on a hill, this beacon of freedom for all the peoples of the Earth." I fear your unnecessary shuttering of the IHRU has dimmed the lights on our shining city on a hill.

I look forward to your response and appreciate your attention to this matter.

Sincerely,



Ted W. Lieu
Member of Congress

² "National Security Strategy of the United States of America," December 2017. 42.

³ Beth Van Schaack, "EXCLUSIVE: FBI's War Crimes Unit on the Chopping Block," *Just Security*. February 10, 2019.

⁴ Matt Schwartz, "Last Known WWII Nazi Living In U.S., Deported To Germany Last Year, Is Dead at 95" *NPR*, January 11, 2019.

cc:

Jerrold Nadler, Chairman of the House Judiciary Committee

Doug Collins, Ranking Member of the House Judiciary Committee

Eliot Engel, Chairman of the House Foreign Affairs Committee

Michael McCaul, Ranking Member of the House Foreign Affairs Committee

James P. McGovern, Co-Chair of the Tom Lantos Human Rights Commission

TWL:mdc