

Congress of the United States

Washington, DC 20515

June 6, 2023

President Joseph R. Biden, Jr.
The White House
600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Biden,

Russia's unprovoked war against Ukraine has led to crimes against humanity and war crimes that the world must stand against. Russian troops have engaged in systematic rape, torture, mass executions, targeting of civilian infrastructure, and the kidnapping and attempted indoctrination of thousands of Ukrainian children. These crimes are no accident—they are a feature of Russia's campaign of fear and terror against the Ukrainian people and those who support them.

America's moral authority is bound to our willingness to use our tools and information to stop these crimes and hold the perpetrators accountable. This is a watershed moment in history and the world is watching how we respond. This is precisely why Congress overwhelmingly passed bipartisan legislation in December 2022 to allow tailored information sharing with the International Criminal Court's (ICC) investigation of Russian crimes in Ukraine. The American people, through their elected representatives in Congress, expect the administration to use this new authority to assist the ICC's investigations into Russia's atrocious crimes.

We were disappointed to learn through public reporting that the administration may choose to not use this new authority due to objections by the Department of Defense (DoD). We understand that DoD's objections are based on historic concerns regarding our non-party status to the ICC and setting precedent to change our status. However, our bipartisan Congressional coalition already took these concerns into account and narrowly tailored the authority accordingly.

To that end, we encourage additional action pursuant to the authorities enacted in the *James M. Inhofe National Defense Authorization Act for Fiscal Year 2023*, including *Section 5948 (5)(c) (1) and (2)* and the Consolidated Appropriations Act, 2023 (Public Law 117-328) that further enable the United States to assist in efforts to hold Putin and his enablers accountable. U.S. support for ICC investigations into atrocities in Ukraine is even more critical following the March 17 news that the ICC issued an arrest warrant for Putin for his war crimes in Ukraine.

Mr. President, during your State of the Union Address, you spoke about the importance of our support for Ukraine and stated that “in the battle between democracy and autocracy, democracies are rising to the moment, and the world is clearly choosing the side of peace and security.” We couldn't agree more. The United States has often stood up for rule-of-law and defended the

vulnerable. This is our moment to show, once again, that we are committed to those ideals through our concrete support of the international institutions pursuing justice and accountability. Indeed, at least 43 of our closest partners and allies have already shown support for the ICC's investigation of Russian crimes in Ukraine.

For these reasons, we respectfully request that you determine that it is in the US interest and in the interest of justice to provide further information to the ICC as it provides support for Ukrainian victims and accountability for perpetrators of atrocities. You have the overwhelming bipartisan and bicameral support of Congress.

Thank you for your leadership and attention to this matter, and we look forward to your response.

Sincerely,



Jason Crow
Member of Congress



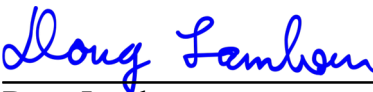
Joe Wilson
Member of Congress



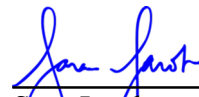
Morgan Luttrell
Member of Congress




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