

September 18, 2020

Dear Senators Coons, Graham, Van Hollen, Risch, Kaine, Blunt, Cardin, Boozman, Murray, Shaheen and Bennet,

You recently sent a letter to Senate leadership requesting that the Congress include Sudan immunity legislation (*The Sudan Claims Resolution Act*) on the Continuing Resolution (CR), a must-pass vehicle that will become law before October 1st. In this letter, you say that the “settlement agreement” provides compensation to “over 700 terror victims and family members.” However, this is a gross mischaracterization of the plan: we are some of the hundreds of judgement-holders who will get \$0 in exchange for our judgements.

By passing *The Sudan Claims Resolution Act* Congress would extinguish our judgements against Sudan for their participation in the bombing of two U.S. embassies in East Africa. In exchange for having our final court judgements vitiated, this legislation purportedly allows for compensation to all victims of those attacks as part of a “settlement.” However, while every victim and family member of US-born employees will receive compensation under the proposed legislation, hundreds of family members of employees who were naturalized subsequent to the attack, or family members of Foreign Service Nationals, all of whom hold judgments against Sudan, will receive nothing.

After 12 years of litigation, in which Sudan fully participated at each level of U.S. courts, the U.S. Supreme Court affirmed our judgments earlier this year.

The settlement plan you wish to become law in mere weeks discriminates against employees based upon national origin, even those of us who have already obtained U.S. citizenship and live in the U.S.

This is an unprecedented move by Congress, to extinguish valid U.S. court judgements in exchange for \$0 and without the victim’s consent.

Moreover, *The Sudan Claims Resolution Act* has not been made public or even been shared with victims. It has not received any public discussion, a committee vote or even a single hearing in Congress, yet you are asking that it be attached to must-pass legislation that will move without public debate and become law in the next two weeks.

If Congress is working with the Administration to extinguish our judgements, the process should at least be transparent.

U.S. government employees put their lives and the security of their families at risk to protect the people and government of the United States. Those of us who paid an enormous price because the U.S. was targeted by al-Qaeda have followed all the rules and procedures of the U.S. justice system. We have believed that rule of law prevails in the United States and are shocked to learn that these judgements may be extinguished because of a deal made behind closed doors.

This deal breaks with historical precedent. The United States Government has historically separated de-listing and immunity with about a two-year gap. Yet you are arguing that immunity legislation must be passed before the Administration has started de-listing.

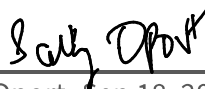
Moreover, in the Libya settlement, 81 foreign nationals were compensated at the same amount as the U.S. citizens, even though they had no connection to the U.S. government.


The settlement crafted by Sudan and the State Department is deeply flawed and discriminates based on national origin. Their plan has no relationship to our judgments awarded by U.S. courts. Foreign Service Nationals were employed by the State Department and served side-by-side with U.S. foreign service officers, yet the State Department says their lives are worth only a tiny fraction of the lives of employees who were native-born Americans.

In 2008 the Congress decided that employees of the United States government should be treated the same as U.S. nationals when they are a victim of a terrorist attack against the United States. I urge you to continue respecting their service, reject this proposal and demand participation by the public, by victims, and by the Congress before Sudan is released from their legal obligations to pay a fair amount for their crimes.

Sincerely,


Yvonne Oport Sep 18, 2020


Sally Oport Sep 18, 2020


Joanne A. Oport Sep 18, 2020