

Honorable Ron DeSantis
6th District, Florida
United States House of Representatives
Chairman, Subcommittee on National Security, Committee for Oversight and
Reform, US Congress
3 January '16 Sent by Email

Congressman DeSantis:

I am writing for your consideration. My name is Alan Bauer, and this letter is in regards to the proposed 2 February '16 Subcommittee meeting concerning Americans harmed by Palestinian terrorists in and around Israel. I am one of several dozen American terror victims who have been directly harmed by Palestinian terrorists. I wish to thank you for holding the planned hearings, the first of its kind to my knowledge. I wished to take the liberty of providing some background on the subject. I am sure that much of the recent history is well-known to you, so I apologize for providing any information you may already possess.

Between the signing of the Oslo Accords in 1993 and 2006, there were approximately 72 terror attacks with American casualties: 54 killed and 85 injured, including my son (screw passed through right brain) and myself (two screws in left art). Appendix 1 has a near complete list of known attacks through 2003 as compiled by Dr. Paul Teller of the Republican Study Committee. Of the dozens—if not hundreds—of Palestinian terrorists directly involved in planning, funding, and carrying out said attacks, not a single one has faced American justice. The Office for Justice for Victims of Overseas Terrorism (OJVOT), specifically set up in 2005 to give DoJ a focus on these cases, has accomplished nothing. Ditto for the FBI, which has the operational responsibility for these files; same for DoJ who has prosecutorial obligations in these cases, and of course the State Department, who has done nothing to advance criminal prosecutions of Palestinian terrorists. To date, there has not been a single indictment, extradition, prosecution, or arrest of a Palestinian terrorist in any of the relevant cases. This state of affairs is an embarrassment for all involved.

As shown in the Berman-Walsh Congressional letter to AG Holder (Appendix 2) and DoJ's response to it (Appendix 3), the Department of Justice has answers for all questions or issues raised by its complete failure in prosecuting Palestinians who killed and maimed American citizens. A parallel "Parents Letter" (Appendix 4) and a personal response from AG Holder

(Appendix 5) have similar themes: these cases are really important but we can't do any prosecutions. The situation has reached the absurd with the planner of the "Sbarro bombing", where several American citizens were killed, frequently and unrepentantly describing her role in planning and executing the attack in numerous YouTube videos (for example, <http://www.youtube.com/watch?v=-WTx7k4baw>). This woman lives in Amman, Jordan, free from any fear of US officials knocking on her door or interrupting her radio talk-show. If US law enforcement does not have the tools to catch terrorists, then it is the task of the AG to come to Congress and ask for additional powers. If Israel is not playing ball on evidence and/or terrorist access, then it is the job of the Secretary of State to put the subject before the Israeli leadership. Over two presidents, five attorney generals and four secretaries of state, no such thing has ever been done. For all of the lip-service, trips to the region, and Federal tools in play, our cases are simply irrelevant in the eyes of DoJ, State, and the White House. It has only been Congress that has consistently gone to bat for US terror victims.

Besides the complete failure of US law enforcement in prosecuting Palestinian terrorists, the US has actively attempted to harm American citizens' interests in civil cases brought in US federal courts. In 2008, a group of approximately 20 terror victims held a very contentious three-hour meeting with Mr. John Bellinger of the State Department, after the latter planned to file a Statement of Interest in favor of the PLO and against an American woman whose husband had been gunned down by a PLO terrorist. Only through our remonstrations and supportive letters from your colleagues in the House and Senate did State back down from its plan, and the plaintiff in question was able to successfully settle her case. In another, pending, case, critical evidence unintentionally provided by the Palestinian Authority (PA) lawyers to plaintiffs was never picked up by any US governmental body, though the material in question described the individuals involved in the death and injury of several US teens in a pizzeria bombing in the Israeli town of Karnei Shomron. The US, as a major funding body for the Palestinian Authority, is perfectly positioned to ask for the information prepared by the PA. No such request was ever put forth by any relevant office.

One additional subject which I wish to bring to your attention is the complete failure of the "Rewards for Justice" program run by State. Immediately after the attack in which my son and I were injured, we were listed on the "Rewards" site. I later provided information on the

individuals involved in our attack (Appendix 6). As State and the FBI did nothing with the information, we were never considered for a reward. I know of a similar case where accurate information was given regarding the location of a Palestinian terrorist who had knifed and murdered an American citizen. As the US did nothing on the information, this same "tipster" was told that his information had not been "actionable" and he also received nothing. The terrorist in the latter case was allowed to move from the Church of Nativity to Europe, where he is today.

You may note from the material in Appendix 6 that those involved in our injuries were active members of the PA intelligence services. The bomb, the bomber, the dispatcher, Marwan Barghouti, and others all have direct links to the PA, the same PA that the US is funding to the tune of several hundred million dollars per year. The head of the cell gave an interview with the NY Times; he did not deny his role in our attack (Appendix 7).

Congressman DeSantis, the laws regarding terror attacks against American citizens were enacted when the US found that it did not have the legal tools to deal with the murder of Leon Klinghoffer aboard *Achille Lauro*. Yet, the results today are the same as in the late 1980's: no prosecutorial success. I know that much of the material that I sent to the FBI (at the suggestion of then ambassador to Israel Jones) was thrown out; as of 2010, our file was empty, though I had sent tens of pages of indictments, newspaper articles and relevant information. I also know that the FBI was caught flat-footed by the 2011 release of terrorists for the soldier Schalit: they could not figure out the names of those released or did not have complete identify numbers. It was only a letter from one of our lawyers (Appendix 8) that clarified to the FBI who had been released. From July 2008, 3.5 years before the release, I lobbied to have the US put a veto on terrorists who had been shown to be connected to the death and injury of US citizens. Heather Cartwright, the director of USOJVOT, wrote me in July 2008 that the subject was relayed to the highest levels of government (Appendix 9) and I know that a list of such terrorists was prepared. It was never given to Israel, and the US made no real protest that people who harmed Americans—including several from our attack alone—went free. None of the terrorists released for Schalit has ever been prosecuted by the US government, though I have sent the FBI video of one of the women escorts describing in detail how she brought the bomber to King George Street, where my son and I were injured. Even my request to Ms. Cartwright that the US demand

that Palestinian terrorists with American blood on their hands not receive salaries which include US monies fell on deaf ears.

It is my hope that that your Subcommittee meeting this week will be the first step in righting a serious wrong, that we may look forward to the US prosecuting Palestinian terrorists as well as standing by the side of US terror victims. Aggressive prosecution of Palestinian terrorists will send the Palestinian Authority an important message: if you wish to become a state, you will have to work to uproot terror completely from your ranks. Additionally, Mr. Kennedy, your family knows the importance of not letting a terrorist out of jail; I wish that the DoJ would learn from the consistent and responsible approach of your family with respect to another Palestinian who killed an American Citizen.

I thank you for your consideration.

Most sincerely,

/Alan J. Bauer/

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