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United States Senate

CHARLES E. GRASSLEY

PRESIDENT PRO TEMPORE

WASHINGTON, DC 20510-1501

October 30, 2019

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VIA ELECTRONIC TRANSMISSION

The Honorable Michael R. Pompeo
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520

Dear Secretary Pompeo,

I write to express my appreciation for your recently demonstrated commitment to securing justice for victims of international terrorism¹ and urge you to stand firm in that commitment as the United States considers lifting terrorism-related sanctions on the Republic of Sudan.

In September 2017, your predecessor received a bicameral letter urging the administration to refrain from lifting sanctions “*unless and until* Sudan commits to resolve or settle judgments rendered against it in United States courts for materially supporting international terrorism.”² Since that time, the State Department has gone on the record welcoming Sudan’s “commitment to making progress in key areas,” including “taking steps to address certain outstanding terrorism-related claims,” a key tenet of the framework for sanctions negotiations.³

Although negotiations were suspended earlier this year when a new government took control in Sudan, recent reports indicate that the State Department is once again engaging in discussions and “testing” the commitment of the new transitional government to make amends

¹ Letter from Secretary Pompeo to Senator Grassley (describing draft legislation as “advanc[ing] two critical U.S. interests by seeking to enable U.S. victims of terrorism to vindicate their rights in U.S. courts while simultaneously protecting our own national security interests....”) (June 19, 2019).

² Letter from Senate Judiciary Committee Chairman Grassley and House Judiciary Committee Chairman Goodlatte to Secretary Tillerson (Sept. 27, 2017) *available at* [https://www.judiciary.senate.gov/imo/media/doc/2017-09-27%20CEG,%20Goodlatte%20to%20Tillerson\(Sudan%20Sanctions\).pdf](https://www.judiciary.senate.gov/imo/media/doc/2017-09-27%20CEG,%20Goodlatte%20to%20Tillerson(Sudan%20Sanctions).pdf).

³ Heather Nauert, Acting Under Secretary for Public Diplomacy and Public Affairs and State Department Spokesperson, “Sudan Commits to Strengthening Cooperation and Meaningful Reforms” (Nov. 7, 2018) *available at* <https://www.state.gov/sudan-commits-to-strengthening-cooperation-and-meaningful-reforms/>.

Committee Assignments:

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for Sudan's previous harboring of terrorists and other human rights violations.⁴ It is critical that, under your leadership, the State Department keep the pressure on Sudan.

To be clear: Sudan should not be permitted to shed its terrorism sanctions and benefit from participating in the global economy without first fully compensating those harmed by its previous support of terrorism.

The administration should consult recent history as it considers whether to lift sanctions. When Libya sought to remove itself from similar U.S. sanctions, it renounced terrorism, accepted responsibility for its prior support of attacks that killed or harmed Americans, and provided substantial funds to compensate victims and their families. The administration should similarly secure a clear commitment from Sudan that it will resolve or settle cases in good faith and fully compensate victims who have final judgments in U.S. courts. Anything less would undermine our nation's counterterrorism laws and let Sudan off the hook for its prior support of international terrorism.

I would also note that securing a commitment from Sudan to compensate victims would benefit victims of *other* state sponsored terrorist attacks. In December 2015, Congress established the U.S. Victims of State Sponsored Terrorism Fund to aid those who have been unable to satisfy their judgments against a state sponsor of terror. The Fund has since provided over \$2 billion to victims. Its resources, however, are finite and paid out to eligible claimants on a pro rata basis. If Sudan satisfies the judgments rendered against it in U.S. courts, an entire class of claims from the Fund will be removed, thereby making more resources available for victims who have been injured or killed by terrorist attacks supported by other designated state sponsors, such as Iran, North Korea, and Syria.

As the United States continues sanctions-related negotiations with Sudan, the administration should put the interests of *all* victims first by securing a clear commitment from Sudan to recognize and satisfy terrorism judgments entered against it in our nation's courts.

Sincerely,



Charles E. Grassley

⁴ Lesley Wroughton, "U.S. to Keep Up Pressure On Sudan as it Discusses Lifting Sanctions: Official," Reuters (Aug. 26, 2019) available at <https://www.reuters.com/article/us-sudan-politics-usa/us-to-keep-up-pressure-on-sudan-as-it-discusses-lifting-sanctions-official-idUSKCN1VG2D0>.