



August 13, 2024

**Ms. Katrina W. Berger**  
**Executive Associate Director, Homeland Security Investigations**  
**Department of Homeland Security**  
**12200 Sunrise Valley Drive**  
**Reston, VA 20191**

Dear Executive Associate Director Berger,

We write to formally request an investigation into potential violations of the War Crimes Act (18 U.S.C. § 2441) by American citizens who have joined and actively participated in operations of the Israel Defense Forces (IDF).

Since October 7th, at the direction of Prime Minister Benjamin Netanyahu, the IDF has [killed](#) close to 40,000 Gazans, the majority of them women and children. The Lancet medical journal [published](#) findings that showed the true number could be as high as 186,000.

In June, a UN Commission shared its [findings](#):

“Israeli authorities are responsible for the war crimes of starvation as a method of warfare, murder or wilful killing, intentionally directing attacks against civilians and civilian objects, forcible transfer, sexual violence, torture...”

The IDF has committed these atrocities using American tax dollars, intelligence, and weapons, along with the peace of mind of the United States will provide diplomatic cover for their crimes. Moreover, the IDF has relied on the more than [23,000 Americans](#) currently serving in its ranks.

We are gravely concerned about the actions and potential crimes these American citizens have committed in Gaza serving in the IDF, particularly in light of recent [reports](#) of videos posted on social media showing the destruction of homes and mosques. New Jersey native and member of the IDF, [Bram Settenbrino](#), who posted several such videos, defended himself by saying “I have not committed any war crimes whatsoever” and said the videos were “taken out of context.”

However, the administration does not need to rely on Mr. Settenbrino’s insistence that he never committed war crimes nor is it simply limited to hoping that Americans did not take part in war crimes.



Congress has empowered the administration with the statutory authority to investigate the potential actions of Americans violating the War Crimes Act. That authority must be exercised, and the investigation must include the following:

1. **Indiscriminate Shelling and Airstrikes:** There have been multiple reports of American citizens in the IDF participating in operations involving attacks in densely populated civilian areas targeting residential buildings, schools, mosques, and churches. These attacks have resulted in significant civilian casualties, including women and children.
2. **Destruction of Civilian Infrastructure:** The deliberate destruction of civilian infrastructure such as water facilities, electrical grid, and sanitation system has exacerbated the unprecedented humanitarian crisis in Gaza and will lead to the deaths of untold thousands of civilians.
3. **Targeting of Medical Personnel and Facilities:** Reports have surfaced of IDF attacks targeting medical personnel and facilities in Gaza. American citizens serving in the IDF who are involved in such operations may be in violation.
4. **Torture, Sexual Assault and Rape:** Since October 7, [thousands](#) of Palestinians, including children, have been captured and detained or imprisoned by the IDF, and 53 have died in custody. There have been widespread [reports](#) of torture and sexual violence, and recently, video footage was released that showed the IDF members raping a detainee at the Sde Teiman military facility. It's critical we know if any Americans took part.

Americans serving in the IDF still represent the United States. Their actions, and their potential crimes against humanity are a reflection of our country.

In defense of our values and commitment to human rights as well as in the interest of our national security, it is imperative that our government does not turn a blind eye to war crimes being committed by Americans.

Sincerely

Salam Al-Marayati

President,  
Muslim Public Affairs Council