

Congress of the United States
Washington, DC 20510

May 15, 2024

The Honorable Antony Blinken
United States Secretary of State
Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Blinken:

We write to you regarding *Lusik Usoyan, et al., v. The Republic of Turkey, and Kasim Kurd, et al., v. The Republic of Turkey*. The plaintiffs in these civil proceedings have pursued a years-long effort to hold Turkish President Recep Tayyip Erdoğan and his security detail accountable for the unprovoked attacks unleashed against them while exercising their fundamental right to freedom of speech outside of the Turkish Ambassador's Residence on May 16, 2017. The *Usoyan* and *Kurd* lawsuits represent the only viable means for the victims to obtain a remedy for the significant injuries they sustained to their persons and to their constitutionally guaranteed freedoms.

We draw your attention to the immediate aftermath of the attacks in which several of President Erdoğan's security agents were criminally charged for the commission of violent crimes against these peaceful protestors. At that time, the government of the District of Columbia, esteemed members of the United States Senate, and the unanimity of the House of Representatives demanded that the Turkish agents who perpetrated these violent attacks be criminally prosecuted.

More specifically, within one week of the Sheridan Circle attack, Congress responded by unanimously condemning the attack and demanding that those responsible be held accountable, passing H. Res. 354 by a vote of 397 – 0. *See* H. Res. 354, 115th Cong. (2017). Among other things, the resolution expressed the House of Representatives' baseline conviction that the "rights to peacefully assemble and freely express one's views are essential to the fabric of American democracy."

As you know, the Turkish agents who perpetrated these attacks departed the United States and have never been brought to American justice. The American legal system affords the plaintiffs a venue for obtaining recourse in this matter, but President Erdoğan has chosen to deploy delay tactics and to flout the relevant courts' authority at every turn.

When Turkey sought to defend itself by invoking sovereign immunity under the Foreign Sovereign Immunities Act (FSIA), the U.S. District Court for the District of Columbia held that the FSIA is not a legitimate defense for violating the rights of Americans on American soil

and cannot be applied in this circumstance. Specifically, the Court found that the actions of the Turkish security detail were “not of a nature and quality that Congress intended to shield from liability.” In March 2021, the leadership of the House and Senate Foreign Affairs Committees sent you a letter making clear that we agreed with the District Court’s characterization of the Foreign Sovereign Immunities Act. This letter also requested that the Department of State file an *amicus* brief with the U.S. Court of Appeals to make clear the principle that foreign security personnel should not enjoy immunity under the FSIA for engaging in unprovoked assaults on peaceful protestors. We commend the Department of State for submitting a brief, which aided the appeals court’s understanding of the FSIA and contributed to its unanimous rejection of Turkey’s appeal.

In January 2022, Turkey appealed the Court of Appeals for the District of Columbia’s decision to deny Turkey immunity under the FSIA to the Supreme Court. We appreciate the Biden Administration’s brief *amicus curiae* filed to the Supreme Court, which defended the Appeals Court decision and argued that the Supreme Court should not take up the petition. With its loss before the Supreme Court, Turkey has abandoned the *Usoyan* and *Kurd* litigation, thus demonstrating its intention to avoid any and all accountability to the plaintiffs.

We know that the State Department is currently pursuing a multi-faceted engagement with Turkey and believe that a just resolution of the *Usoyan* and *Kurd* cases have an important role to play in ensuring those efforts are constructive. We reiterate our position that Turkey must be held to account for the violent attacks perpetrated by its agents at Sheridan Circle.

When Congress unanimously passed H. Res. 354 condemning the violent attacks, it made the unequivocal declaration that such acts perpetrated by foreign actors on American soil against Americans cannot and will not be tolerated – that there must be consequences. We call upon the State Department, acting on behalf of the United States government and respecting the will of Congress, to press this matter with President Erdoğan and Turkish authorities as an essential element for relations between our two countries.

Sincerely,



Gus M. Bilirakis
Member of Congress



Chris Pappas
Member of Congress



Dina Titus
Member of Congress



Nicole Malliotakis
Member of Congress



Frank Pallone, Jr.
Member of Congress



David G. Valadao
Member of Congress



Adam B. Schiff
Member of Congress



Bradley Scott Schneider
Member of Congress



James P. McGovern
Member of Congress



Christopher H. Smith
Member of Congress



John P. Sarbanes
Member of Congress



Jim Costa
Member of Congress



Eleanor Holmes Norton
Member of Congress



Grace Meng
Member of Congress



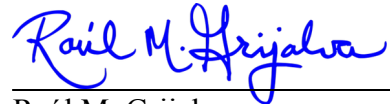
Barbara Lee
Member of Congress



Joyce Beatty
Member of Congress



Charles J. "Chuck"
Fleischmann
Member of Congress



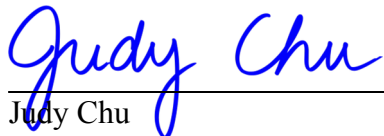
Raúl M. Grijalva
Member of Congress



Josh Gottheimer
Member of Congress



Jamie Raskin
Member of Congress



Judy Chu
Member of Congress



John Garamendi
Member of Congress



Stephen F. Lynch
Member of Congress



Zoe Lofgren
Member of Congress

Raja Krishnamoorthi
Member of Congress

Dan Goldman
Member of Congress

Seth Magaziner
Member of Congress

Mike Levin
Member of Congress

Jan Schakowsky
Member of Congress

Grace F. Napolitano
Member of Congress

Veronica Escobar
Member of Congress

Ro Khanna
Member of Congress

Anna G. Eshoo
Member of Congress

C. A. Dutch Ruppertsberger
Member of Congress

Lloyd Doggett
Member of Congress

Paul D. Tonko
Member of Congress

Scott H. Peters
Member of Congress

Matt Cartwright
Member of Congress

Ann McLane Kuster
Member of Congress

Jake Auchincloss
Member of Congress

Lori Trahan
Member of Congress

Brad Sherman
Member of Congress

Linda T. Sánchez
Member of Congress

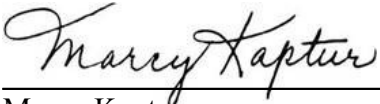
Susie Lee
Member of Congress

Sydney Kamlager-Dove
Member of Congress

Nanette Diaz Barragán
Member of Congress

Jared Huffman
Member of Congress

Julia Brownley
Member of Congress



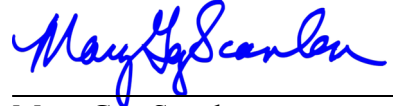
Marcy Kaptur
Member of Congress



Earl Blumenauer
Member of Congress



Joe Courtney
Member of Congress



Mary Gay Scanlon
Member of Congress



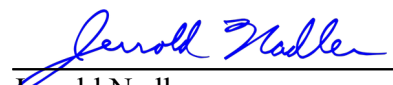
Emanuel Cleaver, II
Member of Congress




Ilhan Omar
Member of Congress



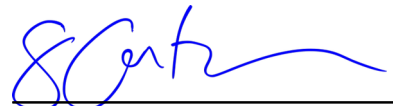
Kathy Manning
Member of Congress



Jerrold Nadler
Member of Congress



Tony Cárdenas
Member of Congress



Sean Casten
Member of Congress



Raul Ruiz, M.D.
Member of Congress



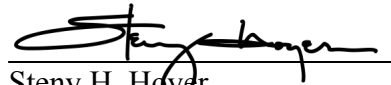
Diana DeGette
Member of Congress



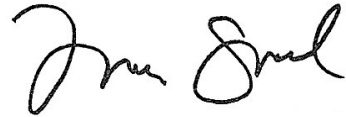
Randy K. Weber, Sr.
Member of Congress



Debbie Wasserman Schultz
Member of Congress



Steny H. Hoyer
Member of Congress



Michelle Steel
Member of Congress



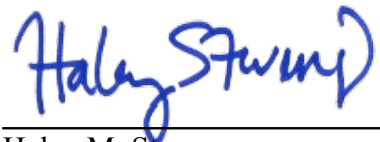
Madeleine Dean
Member of Congress



Young Kim
Member of Congress



Lisa Blunt Rochester
Member of Congress



Haley M. Stevens
Member of Congress



Sheila Cherfilus-McCormick
Member of Congress



Andy Kim
Member of Congress



Steve Cohen
Member of Congress



Mark DeSaulnier
Member of Congress

Robert Menendez

Robert J. Menendez
Member of Congress