Congress of the United States

Washington, DC 20515

October 22, 2024

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Antony J. Blinken
United States Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

The Honorable Merrick Garland
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear President Biden, Secretary Blinken, and Attorney General Garland,

We write regarding the case of Dylan Collins, a U.S. citizen and journalist for Agence France-Presse (AFP) injured by Israeli tank fire on October 13, 2023. It has now been more than one year since Mr. Collins was injured in a targeted Israeli strike while on assignment for AFP. To date, Mr. Collins has received no explanation for the attack, and there have been no steps toward accountability. Given the inaction of Prime Minister Benjamin Netanyahu's government, the United States must open an independent investigation into this incident.

We previously wrote to the State Department regarding Mr. Collins' case. On October 13th, Collins was part of a group of journalists covering the conflict between Israel and Hezbollah in southern Lebanon. The group was clearly marked as press and had selected an open and highly visible position on a hilltop near the Blue Line to minimize the risk of misidentification. The group was clearly visible to several Israeli military positions, as well as to an Israeli Apache helicopter and drone circling overhead. There were no Hezbollah positions in the vicinity. The group had been filming from the position for close to an hour when, despite these precautions, they were struck twice by Israeli tank rounds, followed by a sustained burst of .50 caliber heavy machine gun fire. Issam Abdallah, a Reuters journalist, was killed and six other journalists (from Reuters, AFP, and Al Jazeera) were wounded, one severely. Collins was the only American involved in the incident. The first tank round largely missed him, but he sustained shrapnel wounds to his face, arms, and back when a second tank round hit as he was applying a tourniquet to his colleague's leg (despite Mr. Collins' efforts, Ms. Assi lost her leg in the attack).

Six rigorous investigations – by UNIFIL, Reuters, AFP, Human Rights Watch, Amnesty International, and the Netherlands Organisation for Applied Scientific Research (TNO) – have all independently corroborated these details, based on video footage and multiple first-hand accounts, and concluded that it was an unlawful attack on civilians. In its June 27 response to our earlier letter, the State Department relied heavily on these investigations, indicating that the Department finds them credible.

In that response, the Department also wrote that: "We understand the incident remains under investigation in Israel. To date, the Department of State has not received any additional information from the Government of Israel regarding this investigation, but we intend to engage with Israeli officials until we get answers and see appropriate accountability for this incident."

This is unacceptable. The evidence clearly indicates that this was an unlawful direct attack on civilians in which a U.S. citizen was injured and was lucky to survive. Several journalists were severely injured, and one was killed. Mr. Collins has still not received any explanation for the attack from the Netanyahu government. Nor, it appears, has the United States government.

Unfortunately, this incident is part of a wider pattern of disregard by the Israeli military for the safety of civilians, including journalists and humanitarian aid workers. The Committee to Protect Journalists reports that 116 journalists and media workers have been killed by Israeli military strikes since October 7, 2023, an unprecedented number. The United Nations reports that 173 journalists and media workers have been killed, as well as 228 United Nations staff.

It is painfully obvious that the United States cannot rely on the Netanyahu government to ensure accountability for these attacks. For many years, the Israeli authorities have failed to investigate or account for attacks on journalists. The Committee to Protect Journalists detailed this history of impunity in its May 2023 report, *Deadly Pattern*, which showed that the Israel Defense Forces (IDF) had killed at least 20 journalists from May 2001 – May 2023; despite numerous IDF probes, *no one has ever been charged or held responsible for these deaths*. As you know, this impunity extends to the killing of U.S. citizens, as in the killing of American journalist Shireen Abu Akleh in May 2022.

Given this track record of inaction and impunity, and the Netanyahu government's inaction on this specific case, **We call on the U.S. government to immediately open an independent, impartial, comprehensive, and transparent investigation led by the Department of Justice into the attack**. This investigation is necessary to confirm the details of the attack, secure an explanation as to why it was carried out, identify those responsible throughout the chain of command, and hold to account those who ordered and executed the attack. Despite the Netanyahu government's claim that a probe was opened into this incident, no survivors or other witnesses have been approached to provide testimony. No updates have been provided to the public, the survivors, or the media organizations that they worked for. Given the historical record, there is no reason to believe the Netanyahu government will take any action.

The U.S. government must therefore act to ensure accountability for attacks on its citizens. Mr. Collins has done his part. At his initiation, on May 16, 2024, Mr. Collins traveled back from Lebanon to meet with senior State Department officials as well as Human Rights Violators and War Crimes Center investigators from the FBI and Department of Homeland Security. He provided each with detailed testimony, including video footage, about the October 13, 2023 attack. Nearly six months later, the United States government has not opened an investigation, taken any apparent steps to push for Israeli action, nor provided any significant update to Mr. Collins. Mr. Collins deserves better from his own government.

Beyond consideration of criminal culpability under the War Crimes Act of 1996 (18 USC 2441) as well as other relevant U.S. and customary international law, the United States must also credibly establish whether the Israeli attack violated applicable laws governing the use of U.S. security assistance. This is particularly important as the United States Congress considers Joint Resolutions of Disapproval regarding the sale of additional arms to Israel, including 32,739 more 120mm tank cartridges, the same kind of tank rounds used against Mr. Collins and his journalist colleagues (and numerous other strikes on civilians).

We respectfully look forward to your response.

Sincerely,

Bernard Sanders
United States Senator

Peter Welch
United States Senator

Becca Balint
Member of Congress

Jeffrey A. Merkley
United States Senator

Chris Van Hollen
United States Senator

Cori Bush
Member of Congress

Pramila Jayapal
Member of Congress

Barbara Lee
Member of Congress

James P. McGovern
Member of Congress

Delia C. Ramirez
Member of Congress

Melanie Stansbury
Member of Congress

Rashida Tlaib
Member of Congress