



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 3, 2008

The Honorable Robert Menendez
Chairman
Subcommittee on International Development and Foreign Assistance,
Economic Affairs, and International Environmental Protection
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This letter presents the views of the Department of Justice ("the Department") on H.R. 2828, the "Foreign Service Victims of Terrorism Act of 2007," a bill "[t]o provide compensation to relatives of United States citizens who were killed as a result of the bombings of United States Embassies in East Africa on August 7, 1998." While we understand and appreciate the goals of this legislation, we have serious concerns about the implications and disparate treatment it will present.

The Department believes that H.R. 2828 is not an appropriate means to address compensation for victims of terrorism. A program already is in place to reimburse victims of terrorism for expenses incurred because of that victimization: the International Terrorism Victim Expense Reimbursement Program ("ITVERP"), administered by the Department's Office for Victims of Crime. Under the additional compensation system that H.R. 2828 would establish, victims of terrorism who were Foreign Service employees would be treated differently than other victims of terrorism and differently from other Foreign Service employees killed in the line of duty. We think it inappropriate to treat these classes of persons differently.

Thank you for the opportunity to present our views. The Office of Management and Budget has advised us that from the perspective of the Administration's program, there is no objection to submission of this letter.

Sincerely,

Keith B. Nelson
Principal Deputy Assistant Attorney General

cc: The Honorable Chuck Hagel
Ranking Minority Member