

Congress of the United States
House of Representatives
Washington, DC 20515-1604

August 17, 2016

The Honorable Jack Lew
Secretary of the Treasury
Department of the Treasury
1500 Pennsylvania Ave., NW
Washington, DC 20220

Dear Secretary Lew:

After President Obama announced the payment of \$1.7 billion to Iran in January, I asked the State Department about the connection between the funds and the release of four Americans that Iran was holding hostage. In spite of lengthy delays, the State Department finally responded, though did not answer my questions in unclassified or classified settings. Recent news reports have brought to light disturbing details about the transfer of \$400 million of these funds. While the principle behind the payment is disturbing, the logistics and methodology by which it occurred seems to have at least skirted, or outright broken the law.

In refusing to answer simple questions about this money and in withholding details about the payment, the administration appears to be adding to the long list of half-truths, inconsistencies, and falsehoods it has told the American people and Congress regarding the Joint Comprehensive Plan of Action. President Obama himself said that the payment “feels like some spy novel or...crime novel.” The American people deserve transparency, particularly in instances where large cash payments are being made to sanctioned nations such as the Islamic Republic of Iran.

To that end, I am again writing to request additional information about this transfer of cash to Iran. Please respond to the following questions by August 31, 2016:

1. At what date was Treasury brought into the interagency process as the State Department, Central Intelligence Agency, White House, and others were negotiating with the Iranians? Was this a satisfactory timeline in your mind?
2. What was the approval process within the Treasury Department for releasing this \$400 million payment? With which other agencies, including specific offices and staff, did Treasury coordinate in order to finalize the transaction?
3. Did Treasury make a formal ruling or any recommendation regarding the transfer of \$400 million to the Iranians? Was the payment’s legality in regards to Iran sanctions, the Hizballah International Financing Prevention Act of 2015, or other laws ever determined?
4. Did Treasury issue any sort of waiver, license, or other means of approval to authorize this method of payment to the Iranians?

5. How was transportation for the pallets of cash paid for and arranged? Were European, Iranian, or other countries' trucks and planes used?
6. Was the Office of Foreign Assets Control consulted or made aware of this transaction?
7. Did Treasury seek or receive a legal justification for release of these funds from the Department of Justice or any other agency?
8. Was Treasury's General Counsel consulted regarding this transaction? Did it provide any opinion regarding the payment's legality? If no, why not? Please provide a copy of any type of legal opinion or recommendation, whether formal or informal, made to yourself or any other Treasury official regarding the release and transfer of this money to the Iranians.
9. Who within the Department of Treasury had final sign-off approval for the cash payment?
10. Which European countries and which foreign officials, public or private, did your Department work with in order to facilitate this payment? Did any of these foreign officials raise objections to the payment or the method by which it was undertaken?
11. Please provide a detailed description of the process by which Treasury arranged to have \$400 million in U.S. dollars converted into foreign currency, including details on whether a payment was made to convert American dollars to foreign currency and if said payment was made to the Swiss and/or Dutch Central Banks, as has been reported.
12. Has the remaining \$1.3 billion been transferred to Iran? If yes, by what means? As President Obama said himself in a recent press conference: "The reason that we had to give them [Iran] cash is precisely because we are so strict in maintaining sanctions, and we do not have a banking relationship with Iran, that we couldn't send them a check, and we could not wire the money."
13. Did any Treasury officials raise any sort of objections during this payment process? If so, why? As you are aware, Justice Department officials raised serious concerns about the \$400 million, though they were overruled by the State Department, according to reports.

As Iran still hold hostage three U.S. citizens, your prompt response is appreciated.

Sincerely,



Mike Pompeo
MEMBER OF CONGRESS