

United States Senate  
WASHINGTON, DC 20510

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TRANSPORTATION  
VETERANS' AFFAIRS  
SPECIAL COMMITTEE ON AGING

August 18, 2016

Secretary John Kerry  
Department of State  
2201 C St. NW  
Washington, DC 20520

Dear Secretary Kerry:

I write to you today regarding my serious concerns with reports about the timing of a \$400 million cash payment made by the U.S. to Iran at the same time that several American prisoners were released by Iran. I appreciate your attention to this matter that impacts our national security, as well as our allies in the region.

Time and again, this Administration and the State Department continue to make unnecessary concessions to Iran, including the most recent \$1.7 billion settlement announced on January 17, 2016. Iran has clearly demonstrated it is not a nation with which the U.S. should have any diplomatic ties given that Iran has pursued nuclear weapons, sponsored terrorism, threatened allies like Israel, destabilized the Middle East, and flagrantly disregarded United Nations resolutions by testing ballistic missiles to provoke the U.S. and its allies. Not only am I disappointed in the Administration's decision to reach this settlement, but I find it unsettling that the Administration has stated it is unaware of how the money from this settlement will be utilized, especially given Iran's history as a state sponsor of terrorism.

I am also troubled by the Administration intentionally timing the \$400 million first installment of the settlement to be transferred in correlation with the release of several American prisoners, especially as reports surfaced that Department of Justice (DOJ) officials raised objections. While securing the release of U.S. citizens wrongfully held abroad is critical, U.S. policy is clear that the U.S. will not pay ransom for hostages, and breaking this policy is setting a dangerous precedent that puts other Americans abroad at serious risk. As a member of the Senate Banking, Housing, and Urban Affairs Committee, which conducts oversight of Iran's actions as it relates to sanctions policy, I believe oversight of this matter is critical given the implications of the State Department's actions. That is why I respectfully request answers to the following questions:

1. Did the Administration or the State Department inform any Congressional committees or Congressional leadership of the \$400 million cash payment prior to the money transfer taking place?

2. Did the Administration or the State Department inform any Congressional committees or Congressional leadership that the \$400 million cash payment would occur in conjunction with the release of American prisoners?
3. Who at the State Department authorized the first cash payment to be withheld until the American prisoners were released by Iran?
4. What were the specific objections made by DOJ officials in relation to the U.S. payment of \$400 million to Iran? Please provide documentation.
5. Was the DOJ's assessment taken into account? Even after the DOJ provided its assessment, why did the State Department proceed with the cash payment to Iran the same day as the prisoner release?
6. Did Secretary Lew or the Department of the Treasury provide an assessment of the legality of the cash payment to Iran, as well as the timing of the payment? Please provide documentation.

Once again, I appreciate your attention to this serious matter and look forward to receiving your response by September 1, 2016.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dean Heller", with a stylized flourish at the end.

DEAN HELLER  
U.S. Senator