

May 19, 2016

Secretary Jacob Lew  
U.S. Department of the Treasury  
1500 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Secretary Lew:

Thank you for your letter and we acknowledge receipt of your assurances that the Obama Administration will not “reinstate the ‘U-turn’ authorization or give Iran access to the U.S. financial system”. However, we are disappointed that you ignored the request in the March 30<sup>th</sup> letter from Senators Rubio and Kirk to provide “assurances that the United States will not work on behalf of Iran to enable Iranian access to U.S. dollars elsewhere in the international financial system, including assisting Iran in gaining access to dollar payment systems outside the U.S. financial system.” We do not support the consideration of Treasury Department nominees until our request is directly answered.

Despite the best efforts of officials from State and Treasury, most foreign banks and businesses have decided to stay away from Iran. The reason for this is clear: Iran is a high-risk jurisdiction due, among other reasons, to its lack of money laundering and terrorist financing controls, continued deceptive financial practices, and the persistent role of the IRGC in the economy. As Stuart Levey, chief legal officer of HSBC Holdings who served previously as Under Secretary of the Treasury for Terrorism and Financial Intelligence under Presidents Bush and Obama, wrote in the *Wall Street Journal* on May 12, 2016, the Administration “wants non-U.S. banks to do business with Iran without a U.S. repudiation of its prior statements about the associated financial-crime risks.” Levey added: “No one has claimed that Iran has ceased to engage in much of the same conduct for which it was sanctioned, including actively supporting terrorism and building and testing ballistic missiles. But now Washington is pushing non-U.S. banks to do what it is still illegal for American banks to do.”

In its determined effort to provide Iran’s terror-sponsoring regime with benefits that were not expressly included in the ill-conceived Joint Comprehensive Plan of Action, the Administration is on a path toward undermining the reputation of the United States as a global leader in anti-money laundering and countering terrorism financing. Access to the U.S. dollar is not an international right. But if Tehran wants access, the onus should be entirely on Iran to clean up its act—including by verifiably ending its sponsorship and financing of terrorism, its ballistic missile program, and its human rights abuses against the peoples of Iran and other nations—and reduce the risks that any financial transaction with Iran poses to the global financial community.

Yet Iran refuses to address grave and growing concerns about its destabilizing activities and deceptive financial practices. And, sadly, the Administration appears to be more focused in capitulating to Tehran than in forcing Iran’s terror regime to fundamentally change its behavior. It’s high time for the U.S. to stop making unreciprocated concessions and to start holding Iran fully accountable for continuing its dangerous and destructive behavior.

We look forward to your response in timely manner to our request.

Sincerely,

Senator Marco Rubio/Senator Mark Kirk