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United States Senate

COMMITTEE ON FINANCE
WASHINGTON, DC 20510-6200

March 11, 2021

The Honorable David S. Ferreira
Archivist of the United States
U.S. National Archives and Records Administration
700 Pennsylvania Avenue, NW Washington, DC 20408

Dear Mr. Ferreira:

I write to request records relevant to my ongoing investigation into whether former President Trump and members of his administration improperly interfered with the Department of Justice's prosecution of Turkish state-owned bank Halkbank.¹ Halkbank has been indicted in the United States as part of the largest ever scheme to aide Iran in circumventing U.S. sanctions, and Halkbank officials have admitted to conspiring to evade sanctions, and funnel Iranian oil profits back to the country through complex gold purchases disguised as money transfers.² As part of that scheme, at least \$1 billion in funds from Iranian oil proceeds were transferred through correspondent banking services at U.S. financial institutions.³

As the Chairman of the Senate Committee on Finance, I have been investigating, among other things, whether former Treasury Secretary Steven Mnuchin was directed by former President Trump to improperly intervene in a criminal investigation into the evasion of sanctions in response to a pressure campaign by the Turkish government.⁴ As part of this investigation into the integrity of the application of U.S. sanctions and trade laws, I seek to understand whether

¹ *Wyden Launches Investigation Into Halkbank Scandal*, Press Release, Oct. 24, 2019;

<https://www.finance.senate.gov/ranking-members-news/wyden-launches-investigation-into-halkbank-scandal>.

² *U.S. Indicts Turkish Bank on Charges of Evading Iran Sanctions*, New York Times, Oct. 15, 2019;

<https://www.nytimes.com/2019/10/15/us/politics/halkbank-turkey-iran-indictment.html>.

³ *Turkey's Halkbank Urges Dismissal of Iran Sanctions Criminal Case in U.S.*, Reuters, Sep. 18, 2010;

<https://www.reuters.com/article/us-usa-turkey-halkbank/turkeys-halkbank-urges-dismissal-of-iran-sanctions-criminal-case-in-u-s-idUSKBN2692FF>.

⁴ *Wyden Launches Investigation Into Halkbank Scandal*, Press Release, Oct. 24, 2019;

<https://www.finance.senate.gov/ranking-members-news/wyden-launches-investigation-into-halkbank-scandal>

Secretary Mnuchin sought to halt the investigation and prosecution of Halkbank or reduce any fines imposed by the Department of Justice.

Former National Security Advisor John Bolton recently claimed that former President Trump granted personal favors to President Erdogan.⁵ In particular, Bolton alleged that Trump promised Erdogan he would use his authority to halt any further enforcement against Halkbank, and that he then instructed Mnuchin to interfere in the matter.⁶ Bolton also stated that on more than one occasion, the Department of Justice was aware of Secretary Mnuchin's efforts to intervene in the investigation and prosecution of Halkbank.⁷

Mr. Bolton's account is corroborated by the facts uncovered in my own investigation. In a November 20, 2019 letter to me, Treasury Department officials confirmed the following:

"As was publicly reported, when Prime Minister Erdogan [*sic*] raised concerns directly with President Trump in April 2019, the President referred the issue to the Executive Branch departments responsible by law for the investigation and enforcement of economic sanctions-the Treasury and DOJ."⁸

In an addendum to that letter, Treasury officials identified seven meetings held between Secretary Mnuchin and senior Turkish officials, despite the Secretary's admitted "integral" role in the enforcement of U.S. sanctions generally, and the prosecution of Halkbank specifically.⁹ According to the list provided by the Treasury Department, President Trump, Secretary Mnuchin, and Trump's son-in-law Jared Kushner met with President Erdogan's son-in-law and Finance Minister, Berat Albayrak, in the Oval office on April 15, 2019. This was the second

⁵ JOHN BOLTON, *THE ROOM WHERE IT HAPPENED* 412 (2020) ("Barr said he was very worried about the appearances Trump was creating, especially his remarks on Halkbank to Erdogan in Buenos Aires at the G20 meeting, what he said to Xi Jinping on ZTE, and other exchanges").

⁶ *Id.* at 177 ("Trump started by saying we were getting very close to a resolution on Halkbank. He had just spoken to Mnuchin and Pompeo, and said we would be dealing with Erdogan's great son-in-law (Turkey's Finance Minister) to get it off his shoulders. Erdogan was very grateful, speaking in English no less.").

⁷ *Id.* at 170 ("Several times, Mnuchin was exuberant he had reached a deal with Turkey's Finance Minister. [. . .] In each case, the deal fell apart when Justice tanked it, which was why trying this route to get Brunson's release was never going to work.").

⁸ Letter to Ranking Member Wyden from Frederick W. Vaughan, Deputy Assistant Secretary, Office of Legislative Affairs, Department of the Treasury at 2, Nov. 20, 2019.

⁹ *Id.* at 1, enclosure. The seven meeting as identified in the addendum:

- April 22, 2017: Pull Aside at World Bank/IMF Annual Spring Meetings with Deputy Prime Minister Mehmet Simsek of Turkey
- October 13, 2017: Pull Aside at World Bank/IMF Annual Fall Meetings with Deputy Prime Minister Mehmet Simsek of Turkey
- July 21, 2018: Bilateral Meeting with Finance Minister Berat Albayrak of Turkey
- April 12, 2019: Pull Aside at World Bank/IMF Annual Spring Meetings with Finance Minister Berat Albayrak of Turkey
- April 15, 2019: POTUS Meeting at The White House with Finance Minister Berat Albayrak of Turkey
- June 29, 2019: POTUS Bilateral Meeting in Osaka, Japan with President Recep Tayyip Erdogan of Turkey
- November 13, 2019: POTUS Working Lunch at The White House with President Recep Tayyip Erdogan of Turkey" *Id.*

meeting Secretary Mnuchin held with Albayrak in three days, and appears to coincide with the Trump administration's admitted intervention in the Halkbank prosecution. Even more troubling, the President, the Treasury Secretary, and the President's son-in-law held the April 15, 2019 White House meeting despite the fact that Albayrak and Erdogan had been personally implicated in the Halkbank scheme by federal prosecutors.¹⁰

These reports are part of a larger story highlighting former President Trump's efforts to accommodate the intense pressure campaign by the Turkish government to get investigations into Halkbank dropped, including a high-priced lobbying effort by Ballard Partners on Turkey's behalf.¹¹ In 2017, President Trump reportedly asked Secretary of State Tillerson to pressure the Justice Department to drop the case against a co-conspirator in the Halkbank-assisted sanctions evasion schemes, Reza Zarrab, who had an office in Trump Tower Istanbul and was a client at the time of the former President's attorney, Rudy Giuliani.¹²

Although Halkbank was eventually charged in the Southern District of New York in a six-count indictment related to the bank's participation in a multibillion-dollar scheme to evade U.S. sanction on Iran on October 15, 2019,¹³ these charges came just days after the Turkish invasion of northern Syria and the resulting political backlash.¹⁴ I am concerned that absent these actions by the Turkish government, the Administration's interference in favor of Turkey's Halkbank requests could have undermined years of effort by U.S. law enforcement. In order to better understand how improper political interference and conflicts of interest may have undermined the enforcement of U.S. sanctions and related trade and banking laws, please provide the following information:

¹⁰ *Turkish Bank Charged in Manhattan Federal Court for Its Participation in a Multibillion-dollar Iranian Sanctions Evasion Scheme*, Department of Justice Press Release, Oct. 15, 2019; (Federal prosecutors alleged the following in their indictment, "Though some at HALKBANK, the defendant, supported continuing the scheme, Halkbank General Manager-1 initially was reluctant to do so because of concern that Zarrab's arrest and notoriety would draw unnecessary attention to the scheme. At Zarrab's request, however, the then-Prime Minister of Turkey and his associates, including a relative of the then-Prime Minister who later held multiple Turkish cabinet positions, instructed HALKBANK to resume the scheme, and HALKBANK agreed." Erdogan was prime minister during the Halkbank scheme, and Albayrak then had been the Turkish Minister of Energy.) <https://www.justice.gov/opa/pr/turkish-bank-charged-manhattan-federal-court-its-participation-multibillion-dollar-iranian>.

¹¹ *Trump-Erdogan Call Led to Lengthy Quest to Avoid Halkbank Trial*, Bloomberg, Oct. 16, 2019; <https://www.bloomberg.com/news/articles/2019-10-16/trump-erdogan-call-led-to-lengthy-push-to-avoid-halkbank-trial>.

¹² *Trump Urged Top Aide to Help Giuliani Client Facing DOJ Charges*, Bloomberg, Oct. 9, 2019; <https://www.bloomberg.com/amp/news/articles/2019-10-09/trump-urged-top-aide-to-help-giuliani-client-facing-doj-charges>; *Trump Tower: Dictators' Home Away From Home*, Daily Best, Sep. 30, 2015 Updated April, 14, 2017; <https://www.thedailybeast.com/trump-tower-dictators-home-away-from-home>.

¹³ *Turkish Bank Charged in Manhattan Federal Court for Its Participation in a Multibillion-dollar Iranian Sanctions Evasion Scheme*, Department of Justice Press Release, Oct. 15, 2019; <https://www.justice.gov/opa/pr/turkish-bank-charged-manhattan-federal-court-its-participation-multibillion-dollar-iranian>.

¹⁴ *Trump Defends Syria Decision Amid Republican Backlash*, CNN, Oct. 8, 2019; <https://www.cnn.com/2019/10/07/politics/mitch-mcconnell-republican-response-syria-kurds/index.html>.

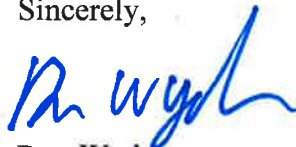
1. All records relating to the seven meetings listed above— April 22, 2017; October 13, 2017; July 21, 2018; April 12, 2019; April 15, 2019; June 29, 2019; and, November 13, 2019—including, but not limited to:
 - a. Purpose and attendees;
 - b. Notes or transcriptions from the meetings; and
 - c. Communications about the meetings.

2. All records relating to meetings between and among senior Trump administration officials, and with representatives of the Turkish government at which Halkbank was discussed. Senior Trump Administration officials relevant to the investigation should include Treasury Secretary Steven Mnuchin, Attorney General Bill Barr, Secretary of State Mike Pompeo, National Security Advisor John Bolton, Senior Advisor to the President Jared Kushner, as well as other personnel in the employ of the Treasury Department, Department of Justice, Department of State and the White House. These records should include, but not be limited to:
 - a. Purpose and attendees;
 - b. Notes or transcriptions from the meetings; and
 - c. Communications about the meetings

I anticipate that your written reply and most responsive documents will be unclassified. Please send all unclassified material directly to the Committee. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committee, and provide a classified addendum to the Office of Senate Security. Although the Committee complies with all laws and regulations governing the handling of classified information, it is not bound, absent its prior agreement, by any handling restrictions.

I ask that you provide the requested information as soon as possible but no later than March 31, 2021. If you have any questions you may contact Chairman Wyden's Senate Finance oversight staff at 202-224-7800. Thank you for your prompt attention to this matter.

Sincerely,



Ron Wyden
Chairman
Committee on Finance