

Congress of the United States
Washington, DC 20515

May 3, 2019

The Honorable Mike Pompeo
Secretary
U.S. Department of State
2201 C St. NW
Washington, DC 20520

Dear Mr. Secretary:

We write with regard to recent press reports that the United States government allegedly committed in writing to pay \$2 million to the Democratic Republic of North Korea to secure the release of Otto Warmbier in June 2017. We understand that Ambassador Bolton confirmed on Fox News Sunday on April 28, 2019 that the United States did indeed make a commitment to pay for Mr. Warmbier's medical expenses, but that "no money was paid."

The arrest, imprisonment, and death of Otto Warmbier are a clear indication of the cruel and depraved nature of the North Korean regime. While we of course share a belief that every effort should be made to secure the release of American citizens being held hostage by foreign entities, we are also concerned that the way in which this matter was handled may have created additional complications for U.S. national security interests, both in our diplomacy with North Korea and on other matters where the lives and livelihood of U.S. citizens are at stake.

While some information about this incident has now been released to the press, we still have a number of questions on which we would appreciate your prompt response by May 17, 2019.


- Did officials at the Department of State, the CIA, or the White House anticipate or have any awareness prior to Ambassador Yun's trip in June of 2017 that such a demand for medical payment or any other form of payment for Mr. Warmbier's release would be made? If so, did the Department produce any analysis on the impact of such a payment or options for how to respond to such a demand?
- Who was the highest-ranking U.S. government official to authorize Ambassador Yun to sign for the payment, and through whom was this authorization transmitted to him?
- In the Department's view, would such a payment be allowed under current US and UNSC sanctions?
- At the time Ambassador Yun was authorized to sign for the payment, had or did OFAC issue a license or other authorization, approval, or acknowledgment related to the signing the agreement for \$2 million? If not, why not?

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- Did the written commitment to, or negotiations with, North Korea regarding the promised payment contain a timeline for when payment was expected, or any other conditions for either payment or non-payment?
- Does the Administration believe that Kim Jong Un was aware of Mr. Warmbier's arrest, trial, and imprisonment and condition? Does the Administration believe that Kim Jong Un was responsible for the decision not to allow Otto Warmbier to come home until he was near death?
- What was the Department's assessment of the likely effects of signing this written commitment on North Korea policy and strategy as it stood in June 2017? Was this assessment provided to the White House or interagency?
- However outrageous the North Korean demand for payment, what is your assessment of effect of the U.S. government not following through on its commitment to pay on subsequent negotiations and diplomacy with North Korea? What consideration was given to that dynamic in making the decision to sign the written commitment?
- Are there any circumstances in which the United States was or is still considering making good on its commitment to pay \$2 million to North Korea for Mr. Warmbier's "medical bills" as a condition of his release?

Given the sensitive nature of the issue as well as on-going diplomacy with North Korea we are happy to take your response in either classified or unclassified format.

Sincerely,



ELIOT L. ENGEL
Chairman
House Committee on Foreign Affairs



ROBERT MENENDEZ
Ranking Member
Senate Committee on Foreign Relations