

Congress of the United States
Washington, DC 20515

March 13, 2024

The Honorable John Kerry
Special Presidential Envoy for Climate
2201 C Street, NW
Washington, DC 20520

Special Presidential Envoy Kerry:

We are deeply concerned by your private communications with former Iranian Foreign Minister Javad Zarif.

As you know, this issue arose during your July 13, 2023, testimony before the House Foreign Affairs Committee. Rep. Waltz asked you how many times you had spoken with Mr. Zarif and cited an article which had quoted you as saying it occurred “three or four times.” He also asked whether you had communicated with the former Iranian foreign minister using encrypted messaging applications such as Signal, WhatsApp, or Telegram, used by many officials and State Department personnel.

At that time, you responded: “I don't recall how I communicated with him. I met him formally in the course of international -- specifically, I think it was at UNGA in New York. I saw him in Munich, at the Munich Security Conference, which he was invited to.”

It is of the utmost importance to ascertain the nature of these communications. Any discussion of sanctions imposed by President Donald Trump against Iran would present a likely violation of the Logan Act, 18 USC 953. This states that “Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined under this title or imprisoned not more than three years or both.”

In your July 13 hearing, you went on to defend that type of backchannel conversation, saying: “Depending on what it involves, shadow diplomacy has also saved us from a war. If you look at 1963 with the Cuban Missile Crisis, it was behind the scenes, back-channel conversation.”

We believe you are referring to the meetings between Attorney General Robert Kennedy and Soviet Ambassador Anatoly Dobrynin during the crisis. This is a far cry from your own efforts: Robert Kennedy, of course, was the Attorney General of the United States at that time and acting under the authorization of the President. During the communications with Zarif in question you were neither. History looks kindly on Kennedy’s decision to trade U.S. Jupiter missiles in Turkey and a pledge not to invade Cuba for the Soviet missiles that Soviet Premier

Nikita Khrushchev introduced into Cuba. We believe history will be far less generous to any backchannel effort to provide aid to the Islamic Republic of Iran.

The Iranian regime, as you may be aware, is the world's foremost sponsor of international terrorism and responsible for the current violence in the Middle East. In its most recent Country Report on Terrorism for Iran, the U.S. State Department noted that Iran continued providing weapons systems and other support to Hamas and other U.S.-designated Palestinian terrorist groups. Hamas, of course, perpetrated the horrific October 7 terrorist attacks which left over a thousand Israelis dead amidst recorded scenes of unspeakable brutality.

It is of the utmost importance not to provide support to Iran and to ensure that no U.S. citizens – including yourself – have done so. Please supply any materials in your possession related to private correspondence with Mr. Zarif or other members of the Iranian government.

In addition, it is vital that no future private diplomatic efforts again wind up strengthening Iran, which is currently flush with cash as a result of the Biden Administration's refusal to enforce U.S. sanctions. Former President Donald Trump is poised to win the Republican nomination for the presidency and could very well be back in the White House at this point next year.

Will you commit to ceasing any backchannel communications with Iran and any other foreign government in the event of a change in administrations in November and never again advise the Iranian government on how to evade US pressure?

Sincerely,



Mike Waltz
Member of Congress



Byron Donalds
Member of Congress



Brian Mast
Member of Congress



Gary Palmer
Member of Congress



Keith Self
Member of Congress