

# United States Senate

WASHINGTON, DC 20510

January 19, 2017

Mr. Steve Mnuchin  
Treasury Secretary-Designate  
Trump-Pence Transition Team  
1717 Pennsylvania Ave, NW  
Washington, D.C. 20006

Dear Mr. Mnuchin:

We are writing to bring to your attention public reports that indicate that this past week, Anthony Scaramucci engaged in direct talks regarding potential business transactions between the United States and Russia with the head of a Russian entity currently subject to sanctions by the United States Department of the Treasury.<sup>1</sup> Mr. Scaramucci has been named as White House Director of Engagement and Intergovernmental Affairs and Senior Advisor to the President under incoming President Trump.

On July 30, 2015, the Treasury Department sanctioned the Russian Direct Investment Fund (RDIF), a Russian state-run entity, under Executive Order 13662 because the Fund is part of the Russian financial services sector that contributes to Russia's annexation of the Crimean region of Ukraine.<sup>2</sup> These sanctions prohibit U.S.-based persons or entities from conducting certain financial transactions with the Russian Direct Investment Fund.<sup>3</sup> A violation of sanctions pursuant to Executive Order 13662 can trigger civil monetary penalties of at least \$250,000 or twice the amount of the prohibited transaction, and criminal penalties of up to \$1 million, up to twenty years in prison, or both.<sup>4</sup>

Reports indicate that on January 16, 2017 at the World Economic Forum (WEF) in Davos, Switzerland, Mr. Scaramucci met in person with Kirill Dmitriev, the CEO of the Russian Direct Investment Fund, to discuss future U.S.-Russian business dealings in the event that current U.S. sanctions on certain Russian entities are lifted in a Trump Administration.<sup>5</sup>

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<sup>1</sup> <https://www.bloomberg.com/politics/articles/2017-01-17/in-davos-trump-aide-talks-deals-with-sanctioned-kremlin-fund>; <https://www.stratfor.com/situation-report/russia-trump-aide-meets-russian-sovereign-wealth-fund>; <http://www.usatoday.com/story/news/world/2017/01/17/trump-presidency-anthony-scaramucci-davos-world-economic-forum/96659762/>.

<sup>2</sup> <https://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20150730.aspx>; <http://www.businessinsider.com/russian-investment-fund-connected-to-us-investors-sanctioned-2015-7>; Executive Order 13662, Blocking Property of Additional Persons Contributing to the Situation in Ukraine, Mar. 20, 2014, [https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine\\_eo3.pdf](https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo3.pdf).

<sup>3</sup> <https://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20150730.aspx>; [https://www.treasury.gov/resource-center/sanctions/Programs/Documents/eo\\_13662\\_directives.pdf](https://www.treasury.gov/resource-center/sanctions/Programs/Documents/eo_13662_directives.pdf);

<sup>4</sup> <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine.pdf>, p. 7.

<sup>5</sup> <https://www.bloomberg.com/politics/articles/2017-01-17/in-davos-trump-aide-talks-deals-with-sanctioned-kremlin-fund>; <https://www.stratfor.com/situation-report/russia-trump-aide-meets-russian-sovereign-wealth-fund>; <http://www.usatoday.com/story/news/world/2017/01/17/trump-presidency-anthony-scaramucci-davos-world-economic-forum/96659762/>.

At the same time he was meeting with the RDIF, he was also acting as a "Trump translator" and informal member of his advisory team at the World Economic Forum meetings.<sup>6</sup>

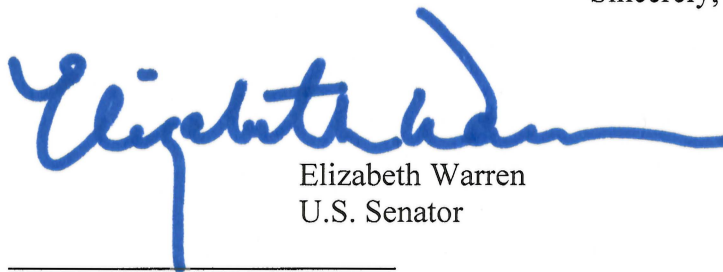
This raises questions about whether Mr. Scaramucci engaged in discussions to facilitate prohibited transactions with the sanctioned entity in violation of federal law, and about whether other Trump Administration transition officials were aware of or approved his activities. If confirmed, you will lead the Treasury Department, which is responsible for enforcement of these sanctions. We therefore ask if you, if confirmed, will conduct an investigation to determine:

- 1) If Mr. Scaramucci may have violated current U.S. sanctions law in his contacts with the RDIF and whether he may have facilitated, or otherwise promoted, prohibited transactions between the RDIF, or any other sanctioned entity on the Treasury Department's Sectoral Sanctions Identification List under Executive Order 13662;
- 2) If Mr. Scaramucci explicitly or implicitly advocated for, or made any explicit or implicit promises related to, the waiver of or the elimination of any current U.S. sanctions on Russia;
- 3) If President-elect Trump or any other member of the Trump transition team were aware of, directed, or approved Mr. Scaramucci's contact with the RDIF, and if so, which individuals instructed him to meet with Mr. Dmitriev; and
- 4) If Mr. Scaramucci, or any other member of the incoming Trump Administration, has any financial interest in the RDIF.

The sanctions currently imposed on Russian individuals and entities are intended to exact specific costs on the Russian government for its continued enabling of activities that undermine Ukraine's sovereignty and territorial integrity. The fact that an incoming senior White House official has had direct contact with a sanctioned entity to discuss potential U.S.-Russian business dealings raises questions about whether members of the Trump Administration may seek to circumvent or override U.S. sanctions that attempt to achieve important U.S. foreign policy objectives.

We appreciate your attention to this matter and ask that you respond in writing prior to the United States Senate's vote on your confirmation as Treasury Secretary.

Sincerely,



Elizabeth Warren  
U.S. Senator



Benjamin L. Cardin  
U.S. Senator

<sup>6</sup> <http://www.cnn.com/2017/01/17/trumps-translator-wants-the-global-elite-to-understand-him.html>;  
<http://www.usatoday.com/story/news/world/2017/01/17/trump-presidency-anthony-scaramucci-davos-world-economic-forum/96659762/>;

Cc: Jacob Lew, Secretary of the Treasury  
Loretta Lynch, Attorney General