

United States Senate

WASHINGTON, DC 20510
January 29, 2015

The Honorable John Kerry
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20220

Dear Secretary Kerry,

The suspicious death of Alberto Nisman, Argentina's Special Prosecutor investigating the 1994 terrorist attack against the Argentine Jewish Mutual Aid Society (AMIA) in Buenos Aires, deserves greater attention by this Administration. I am increasingly concerned about the ability of the Government of Argentina to conduct a fair and impartial investigation into his death, or its capacity to ensure the independence of a prosecutor that would continue Mr. Nisman's decade-long work. I thus urge the Administration to support the establishment of an independent, internationally assisted investigation into Mr. Nisman's suspicious death. I further ask that the Administration does all it can do to ensure that Mr. Nisman's investigations into the AMIA attacks and Iranian activities in the region continue without obstacles.

As you know, Mr. Nisman had spent the last decade investigating the 1994 AMIA bombings that resulted in 85 deaths and hundreds of wounded. His exhaustive investigation uncovered evidence of involvement by senior Iranian officials in the planning and execution of the bombings, as well as ties between some of these senior Iranian officials and would-be terrorists planning a terrorist attack against JFK Airport in 2007. Mr. Nisman had become a thorn in the side of President Fernandez de Kirchner's government, due to his outspoken criticism of her government's plans to improve economic ties with the Iranian regime at the expense of finding justice for the victims of the 1994 terrorist attack.

On January 14, Mr. Nisman released a new report alleging the involvement of President Fernandez de Kirchner, her Foreign Minister Hector Timerman, and several political allies in a scheme to whitewash Iranian role in the AMIA attacks, in exchange for lucrative trade deals. Mr. Nisman was found dead in his apartment five days later, only a few hours before he was expected to present his findings to the Argentine Congress.

The reaction from President Fernandez de Kirchner to the death of Mr. Nisman has been strange to say the least. President Fernandez de Kirchner made public statements shortly after Mr. Nisman's reported death suggesting that he had committed suicide. A few days later she contradicted herself and claimed that Mr. Nisman was

murdered in an elaborate plot against her government by supposedly rogue intelligence agents. On January 25, the journalist that first reported the news of Mr. Nisman's death, Damian Pachter, left Argentina due to concerns about his personal safety. The President's office responded to Mr. Pachter's allegations by publishing in social media personal information about Mr. Pachter, in violation of Argentina's own privacy laws. It is difficult to see how such a government can be trusted to conduct a complete and impartial investigation into these allegations.

The stakes of the case and its implications extend well beyond Argentina and involve the international community, and more importantly U.S. national security. Mr. Nisman's investigation into the AMIA Jewish community center identified Iranian intelligence agents and their *modus operandi* for infiltrating a country and carrying out their operations. The same tactics used to infiltrate Argentina have been previously reported as being used inside the United States by Iran.

As you intensify discussions with the Iranian regime, including with some officials whose names have surfaced in Mr. Nisman's work, it is more important than ever for the American public and lawmakers to clearly understand the nature of Iran's activities in our own hemisphere, now as well as in the past.

It is vital that the United States stand with those in Argentina who have bravely called for justice in both Mr. Nisman's death and his unfinished work on the 1994 terrorist attack on the AMIA. U.S. support for an independent, internationally assisted investigation into Alberto Nisman's death and a full accounting of Iran's role in the 1994 attack as well as its ongoing insidious activities in the region would show how seriously the United States takes this issue.

Again, I appreciate your attention to this matter.

Sincerley,

A handwritten signature in blue ink, appearing to read 'MR', with a long horizontal flourish extending to the right.

Marco Rubio
United States Senator