

Bundeskanzler
Mag. Christian Kern
Ballhausplatz 2, 1010 Wien
www.bundeskanzleramt.at

The Honorable Donald J. Trump
President of the United States of America
White House
1600 Pennsylvania Ave NW
Washington, DC 20500
United States of America

Vienna, 7 August 2017

Mr. President,

For over 16 years, our respective departments of justice have been seized with the extradition case of Mr. Sholam Weiss, a U.S. citizen who was sentenced *in absentia* for a non-violent financial crime to 845 years.¹

The Republic of Austria granted the extradition of Mr. Weiss in 2002, relying on assurances from the United States (given under the authority of the extradition treaty between our two nations) that if Austria denied extradition on one count of his conviction, Mr. Weiss would be provided a full re-sentencing on all remaining counts of his conviction. However, US courts have refused to provide a full re-sentencing. Instead his sentence was only reduced by 10 years, from 845 years to 835 years, to correspond to Austria's rejection of one count of his conviction during extradition, without giving him a full re-sentencing.

¹ I sent an identical letter to former President Obama in September of 2016. Austria's former Minister of Justice, Dr. Dieter Böhmendorfer, who granted Mr. Weiss' extradition, also sent a letter to former President Obama. And my predecessor, former Chancellor Dr. Alfred Gusenbauer, sent a letter to former President George W. Bush. All attached.

The extreme harshness of the 835-year sentence imposed on Mr. Weiss for a non-violent financial crime underscores the importance to a U.S. Court fully review his sentence, giving Mr. Weiss the opportunity to make arguments and present evidence in support of a more reasonable sentence. In Austria, the maximum possible sentence for his financial crimes would be 10 years. Austria continues to expect a full re-sentencing, as obligated under the treaty and terms of extradition.

One possibility to rapidly resolve this issue would be a Presidential commutation to time served, which I understand is 18 years. In further support of this request is the fact that Mr. Weiss is currently 63 years old, has a long history of poor health, and has had colon cancer surgery and a recent heart procedure. His restitution for his crimes has also been fully paid.

I would be deeply grateful if you could consider this request and ensure that this 16-year old issue is resolved.

Yours sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by several horizontal strokes.