

# United States Senate

WASHINGTON, DC 20510

March 12, 2020

Shri Harsh Vardhan Shringla  
Foreign Secretary  
Ministry of External Affairs, Government of India

Dear Foreign Secretary Shringla:

We write to bring your attention to the case of Bryan Kevin Nerren Sr. of Shelbyville, Tennessee. We are immediately concerned with the health of the Nerren family, including Mr. Nerren's daughter with special needs, who has been hospitalized with pneumonia as Mr. Nerren remains in India without a clear point of return.

Mr. Nerren was arrested in Bagdora in October 2019 and charged with violating the Foreign Exchange Management Act for traveling with \$40,000 of undeclared currency. On October 11, he was released on bail. His passport was seized in order to ensure appearance at court hearings – all of which he has attended. On December 31, 2019, Indian Customs issued a show cause order confiscating the \$40,000 and imposing a penalty of 3 lakh rupees (roughly \$4,000). As of January 2, 2020, Mr. Nerren had surrendered the entire amount and paid the fine.

Most recently, Mr. Nerren accepted an offer to compound his offense. He submitted an application for compounding, filed an affidavit with the court indicating submission of the application, and compiled \$7,000 to be transferred to Customs upon Customs' finalization of the appropriate paperwork. He has completed all of these required actions. However, Customs is now requiring submission of a waiver of forfeiture for the money lost, a request that was not included in the original conditions – and to our knowledge is not required by Indian law.

Following nearly five months of court dates, provision of additional documents, and requirements beyond the original conditions of Mr. Nerren's arrest, Mr. Nerren remains in Siliguri, India. Additionally, Mr. Nerren's one-year visa, issued on October 5, 2019, requires him to leave after 180 days, which is April 2 of this year. We request that India uphold their end of the offer, as Mr. Nerren has upheld his, by finalizing the compounding of the offense and allowing him to return to his family.

The U.S.-India relationship is a vital and healthy one, as exhibited by President Trump's recent visit to Delhi. We do not wish for bureaucratic posturing in this case – which can now be simply closed according to Indian law – to become an impediment in that relationship. Thank you for your attention to this matter.

CC: Mata Banarjee, Chief Minister of West Bengal

Sincerely,

*Marsha Blackburn*

Marsha Blackburn  
United States Senator

*James Lankford*

James Lankford  
United States Senator

*Scott DesJarlais*

Scott DesJarlais  
Member of Congress

*Jody Hice*

Jody Hice  
Member of Congress