

United States Senate

WASHINGTON, DC 20510

February 20, 2024

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Biden,

We write to express deep concerns with your administration's misuse of authorities provided by Congress to combat corruption in Latin America and the Caribbean at the expense of strategic U.S. national security interests.

On January 17, your administration designated the former president of Guatemala, Alejandro Giammattei, for acts of significant corruption under Section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (Div. K, P.L. 117-328). During President Giammattei's tenure, Guatemala was a strong U.S. security partner committed to the extradition of several human smugglers and the destruction of illicit synthetic opioids. Guatemala strengthened relations with Taiwan, rejected ties with Beijing, designated Hezbollah a foreign terrorist organization, and supported Israel's right of self-defense against the horrific attacks by Iran-backed Hamas terrorists in October.

This case follows a concerning pattern. Since January 2021, the overwhelming majority of public designations made under Section 7031(c) have targeted officials in Latin American and Caribbean governments that have cooperated with the United States on strategic diplomatic and national security interests.

In contrast, your administration has ignored well-documented cases of significant corruption by foreign government officials actively undermining U.S. national security interests and supporting U.S. adversaries in Latin America and the Caribbean.

In Venezuela, your administration has not utilized Section 7031(c) designations on a single individual or entity associated with the Maduro regime. In Ecuador, you have failed to publicly designate former President Rafael Correa, who has been convicted for bribery and corruption and was indicted for ordering the kidnapping of an opposition leader. In Argentina, you have failed to publicly designate President Cristina Fernandez de Kirchner and her family members following their convictions for fraudulent government contracts for public infrastructure. In Brazil, you failed to enforce U.S. nonproliferation sanctions when President da Silva allowed two U.S.-sanctioned Iranian warships to dock in the Port of Rio de Janeiro in February 2023.

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We are deeply troubled by why your administration appears to have politicized the sanctions process to target certain U.S. partners and undermine U.S. national and regional security while refusing to sanction egregious actions in the region by others. The administration must immediately explain the process and criteria that it has used since January 2021 to designate individuals in Latin American and the Caribbean under Section 7031(c).

Sincerely,



JAMES E. RISCH
Ranking Member
Senate Foreign Relations Committee



MARCO RUBIO
United States Senator



BILL HAGERTY
United States Senator



JAMES LANKFORD
United States Senator



MICHAEL S. LEE
United States Senator



TIM SCOTT
United States Senator



JOHN CORNYN
United States Senator



RICK SCOTT
United States Senator