

United States Senate

August 25, 2022

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Secretary Blinken,

I write with concern regarding the acute challenge posed to the national security of the United States by corruption in the Western Hemisphere, and to urge you to impose anti-kleptocracy measures mandated by Congress in the case of Argentine Vice President Cristina Fernández de Kirchner.

American adversaries – and in particular China, Russia, and Iran – exploit endemic corruption, including and especially corruption driven by leftwing movements in the Western Hemisphere, to advance their geopolitical agendas and erode American interests. In August 2021, then-Commander of U.S. Southern Command Adm. Craig S. Faller said that Chinese "state-owned and private businesses often exploit pervasive corruption... Ultimately, Beijing wants to create a global system in which authoritarian regimes are viewed as legitimate forms of governance." On July 5 this year, you emphasized "anti-corruption as a core national security interest."

Congress has recognized the importance of combating such corruption. Section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriation Act, 2021 as carried forward by the Consolidated Appropriations Act, 2022 (P.L. 117-103), mandates that the Secretary of State "shall" designate and make ineligible for entry into the United States "[o]fficials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved, directly or indirectly, in significant corruption[.]"

On March 9, the State Department imposed such a 7031(c) designation on former Ecuadorian President Abdalá Jaime Bucaram Ortiz, as well as on his wife and sons. U.S. ambassador Michael Fitzpatrick said that the decision demonstrated "that no one, no matter how senior they may be or may have been, should be above the law." On August 12, you designated sitting Paraguayan Vice President Hugo Velazquez, as well as his immediate family members. In announcing the designation, you said the United States "will continue to promote accountability for those who abuse public power for personal gain, regardless of their position or political affiliation." You also noted that "[c]orrupt acts... contribute to diminished confidence in the government and public perceptions of corruption and impunity."

I write to bring your attention to increasingly brazen and now-public corrupt acts by Fernández de Kirchner, Argentina's former President and current Vice President, which have for decades undermined the rule of law in Argentina, convulsed its political institutions, and undermined American interests in the country and indeed the region. Perhaps most notoriously, but certainly not exclusively, she is deeply implicated in the 2015 death of Argentine Special Prosecutor Alberto Nisman, who was found shot in his apartment the day before he was set to present evidence to the Argentine Congress that would have proved she colluded with Iran to cover up Iran's role in the 1994 bombing of the Asociación Mutual Israelita Argentina (AMIA) in Buenos Aires, the worst terrorist attack in Argentina's history.

Last week, an Argentine Federal Prosecutor formally implicated Fernández de Kirchner in what he described as "the biggest corruption scheme ever known in the country," an elaborate bribery and kickbacks scheme that defrauded Argentina of billions of pesos during her time as president. Specifically, she is charged with having overseen and profited from fraudulently issued government contracts to her associates for public works projects in the southern province of Santa Cruz. The gravity of the charges additionally prompted the Prosecutor to seek "special life disqualification" from holding public office.

The evidence supporting the charges against Fernández de Kirchner is public, credible, and now backed by Argentina's judicial system. Simply what has been verified if only by default – what her defenders have all but conceded – is already as or more significant than the evidence that the State Department recently presented as part of its justification for designating Velazquez. Meanwhile the consequences and threats of Fernández de Kirchner's corruption stretch globally.

I therefore urge you to process past and recent information about Fernández de Kirchner's corrupt acts, and to impose a Section 7031(c) designation on her and immediate family members. As always, I stand ready to provide you and the Department with the resources you need to expeditiously conduct these important tasks.

Sincerely,



Ted Cruz
United States Senator