

**ASSESSING U.S. POLICY TOWARDS VENEZUELA**

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**HEARING**

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS  
UNITED STATES SENATE**

ONE HUNDRED SEVENTEENTH CONGRESS

SECOND SESSION

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## **ASSESSING U.S. POLICY TOWARDS VENEZUELA**

**THURSDAY, SEPTEMBER 15, 2022**

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:01 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez presiding.

Present: Senators Menendez [presiding], Cardin, Shaheen, Coons, Murphy, Kaine, Risch, Rubio, and Hagerty.

### **OPENING STATEMENT OF HON. ROBERT MENENDEZ, U.S. SENATOR FROM NEW JERSEY**

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee will come to order.

Assistant Secretary Nichols, Assistant Administrator Escobari, thank you for appearing before us today as we talk about United States policy towards Venezuela and a crisis which has not only serious consequences for our national security, but the stability of our entire hemisphere.

Three years ago, I walked out on the bridge at the Colombia-Venezuela border in Cúcuta and I looked out at Venezuela and saw firsthand the misery and desperation in family after family forced to flee their homeland as if it was a building on fire.

The collapse of a once thriving modern country, a beacon of stability in our hemisphere, turned into a failed state, run into the ground by Maduro and his thugs.

Today, the situation is even more dire. Venezuela is the epicenter of the second largest refugee and migration crisis in the world.

The Maduro regime has overseen the collapse of the economy, taking down with it the country's entire education and health care systems. Basic household items are unaffordable for most Venezuelans.

Maduro has weaponized starvation, using it as a political tool to drive over 95 percent of the country—over 26 million people—below the poverty level. As his regime perpetrates crimes against humanity, Maduro traffics cocaine. He enriches himself and his kleptocratic buddies. He invites the Russian, Cuban, Iranian, and Chinese governments into the country.

As we review United States policy towards Venezuela we must reckon with how in the span of a generation a trusted democratic partner has become a mafia state, a criminal enterprise that uses brute force to cling to power.

I want to be clear, this committee believes in diplomacy and Congress has long supported and continues to support a negotiated solution to Venezuela's crisis, but a one-sided deal with a regime that kidnaps American citizens to increase its leverage is simply unacceptable.

Unilateral concessions to a leader that tortures his political opponents is unacceptable. It is not the path towards a successful negotiation and it is something the Biden administration, as well as newly-elected leaders across Latin America, should keep in mind because, given Maduro's track record, given that he makes Al Capone look tame, there can be no return to normality with this regime, not without the release of American hostages and Venezuela's political prisoners, not without a path to free and fair elections, the restoration of human rights, and a return to the rule of law.

If the regime will not seriously commit to these conditions, we will use the power of our peaceful diplomatic tools imposing swift and severe consequences on the regime, because while Maduro uses the prospects of negotiations to buy himself time, the physical and mental health of American hostages is deteriorating by hour as is the Venezuelan people's hopes for freedom as they face violence, imprisonment, and hunger every day.

Let us not forget that this crisis has forced nearly 7 million people—we talk about the Ukrainians who have fled and, certainly, we are in solidarity with them, but the world hardly whispers about the nearly 7 million people who have fled Venezuela since 2014.

Think about that. That says almost as many refugees as the entire population of the state of New Jersey. In fact, that is more refugees than the combined populations of Idaho, Connecticut, South Dakota, and Wyoming.

Everyone needs to do more to protect Venezuelan refugees and migrants across the hemisphere, and the United States should be leading the way protecting Venezuelans who are already here.

President Biden's decision to provide Venezuelans with temporary protected status last year was the right choice, after President Trump only paid lip service to Venezuelan Americans, but I am very disappointed that President Biden has only provided what was an extension instead of a full redesignation, and I have been disappointed by the international community's failure to keep up with the severity of the humanitarian crisis inside Venezuela.

It seems when these crises take place in other parts of the world, we get people's attention. When it is in the Western Hemisphere, we do not. We must all do more.

Today, I hope to hear the Biden administration's strategy. What are you doing to bring home Matthew Heath, members of the Citgo 6, and other American hostages?

What is the Administration doing to raise the price the regime pays for taking American hostages? What is the plan to tackle this sprawling humanitarian crisis?

What is your plan to maintain our support for democratic actors including, but not limited to interim President Juan Guaidó and how will you empower them to lead negotiations? What is your plan B if negotiations fail or never even seriously start?

When I authored the bipartisan VERDAD Act with many on this committee joining as co-sponsors I was hopeful for a diplomatic solution, but Venezuela's crisis endures and that is why I will be introducing the VERDAD Expansion Act in the coming weeks, comprehensive new legislation to tighten the screws on the regime.

It defines U.S. policy on Venezuela's political crisis. It guides humanitarian assistance. It addresses the Maduro regime's malfeasance, and it sends a message to the Venezuelan opposition, to Venezuelan refugees, and to the Venezuelan community here in the United States that we stand with them in their effort to build a peaceful, prosperous, and democratic Venezuela.

With that, let me turn to the ranking member, Senator Risch, for his opening statement.

**STATEMENT OF HON. JAMES E. RISCH,  
U.S. SENATOR FROM IDAHO**

Senator RISCH. Thank you, Mr. Chairman.

The political, humanitarian, and economic crisis provoked by Maduro and his cronies in Venezuela are among the worst pressing national security concerns in the Western Hemisphere.

Since 2013, Maduro has dramatically deepened relations with the most dangerous forces in the world. On his watch, Cuba, Russia, China, Iran, and transnational criminal organizations have turned Venezuela into their playground and are using their presence to expand their reach throughout Latin America.

Russian exports of sophisticated military technologies and repressive practices of the Maduro regime are a growing threat to the security of Colombia and stability of northern South America.

Venezuela's \$62 billion debt to China is a formidable challenge to its sovereignty, and its adoption of telecommunication technologies developed and controlled by firms vulnerable to pressure by the Chinese Communist Party undermines privacy and human rights.

A series of unsuccessful diplomatic efforts to end Maduro's illegitimate regime, compounded by his ability to stay in power through violence, have emboldened the regime and left Venezuelan democratic forces facing daunting challenges.

Unfortunately, the Biden administration has squandered the position of strength it inherited from the previous administration, which was a campaign of maximum and multilateral pressure on the Maduro regime.

In 2020, candidate Biden promised the use of multilateral pressure and smart sanctions to stop the Maduro regime and transition to free and fair elections.

Instead, the Administration is pursuing flawed and incoherent efforts which strengthen the Maduro regime and its criminal network, exacerbate the already horrific humanitarian crisis, and allow malign actors like China, Russia, and Iran to continue interfering in our hemisphere, putting American lives at risk.

Nearly 2 years in the Administration has not sanctioned a single entity or individual tied to the Maduro regime, and the European Union has failed to match existing U.S. and Canadian sanctions.

In fact, the Administration is conceding to the Maduro regime by easing sanctions without any concrete progress towards democratic order.

I say these things not to start a partisan brawl. I think it is time to look forward, and I think the chairman and I are in full agreement that it is time to do things differently than what we have done in the past.

It is past time we reassert American leadership in our hemisphere. The Administration should reverse course and increase pressure on the Maduro regime and its enablers until unjustly-detained Americans and political hostages are released and the conditions are right to conduct free and fair elections in Venezuela.

Over 10 unlawfully-detained Americans languish in Venezuelan prisons and detention sites. I urge the Administration to prioritize North American energy production and infrastructure, persuade our European allies to promptly match U.S. and Canadian sanctions on the Maduro regime, conduct robust freedom of navigation and counter narcotic operations targeting the Maduro regime's transnational criminal activities, and enhance the capacity of democratic countries in the region to confront the humanitarian and security crisis his regime is generating.

I look forward to hearing from our witnesses on whether and how the Biden administration plans to recommit to meaningful policies that address the security threat emanating from Venezuela, and I fully agree with the description of the dire situation that the chairman has laid out. I am anxious to hear how we can all work together to try to move this forward.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Risch.

We will turn to our witnesses.

We are pleased to welcome the Honorable Brian Nichols back on the 1-year anniversary of his tenure as Assistant Secretary of State for the Western Hemisphere.

Assistant Secretary Nichols previously served as U.S. Ambassador to Zimbabwe and Peru, was the Principal Deputy Assistant Secretary of State for International Narcotics and Law Enforcement Affairs. Also serves as the deputy Chief of Mission at the U.S. Embassy in Colombia. Welcome back.

It is also a pleasure to have the Honorable Marcela Escobari, Assistant Administrator for USAID's Bureau for Latin America and the Caribbean, as a witness for today's hearing.

During her prior tenure in this position under the Obama administration, she was responsible for preparing a proactive strategy to confront the political and humanitarian crisis in Venezuela.

She has also served as a senior fellow at Brookings and as Executive Director for the Center for International Development at Harvard University. Welcome back to you as well.

We will start off with you, Mr. Secretary.

As to both of you, your full statements will be included in the record, without objection. We would ask you to summarize them in 5 minutes or so so that members of the committee can have a conversation with you.

Mr. Secretary, you are recognized.

**STATEMENT OF THE HON. BRIAN NICHOLS, ASSISTANT SECRETARY OF STATE FOR WESTERN HEMISPHERE AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC**

Mr. NICHOLS. Chairman Menendez, Ranking Member Risch, distinguished members of the committee, thank you for the opportunity to testify before you today on this important issue.

The situation in Venezuela remains one of the worst crises in our hemisphere's history. A country with a proud democratic tradition, blessed with natural resources and a rich biodiversity, and with a vibrant and resourceful population has suffered decades of misery.

Venezuela's vital sectors—health care, energy, agriculture, manufacturing, and education—have all, but collapsed. It holds the world's largest proven oil reserves yet it does not even feature in the world's top 20 oil-producing countries.

Whole tracts of its rich biodiversity have been destroyed by illegal mining and logging. Its lawless border regions provide shelter to myriad illegal actors, not the least of which are narco terrorists who threaten its population and its neighbors.

Because more than 90 percent of its people live in poverty, Venezuela has lost 20 percent of its population to the largest displacement of people in our hemisphere's history. Six point eight million Venezuelans have fled their homes in the last 5 years, approaching similar exoduses from Ukraine and Syria.

The U.N. Human Rights Commissioner lists a litany of abuses, illegal detentions, and even killings and torture. In two reports, the independent international fact-finding mission on Venezuela documented extrajudicial executions, enforced disappearances, arbitrary detentions, trafficking in persons, torture, cruel and inhuman or degrading treatment, including sexual and gender-based violence committed by Venezuelan state actors.

Beyond the abuses the regime inflicts on its own population, it also wrongfully jails and abuses U.S. citizens, attempting to use them as bargaining chips with the United States.

As I underscored during my testimony earlier this year before the House Foreign Affairs Committee, the responsibility for the crisis in Venezuela falls squarely on the shoulders of the late Hugo Chávez and Nicolás Maduro.

The U.S. Government remains firmly committed to the belief that Venezuelans have a right to democracy and deserve a government of their choosing that protects and defends their human rights and fundamental freedoms.

We have a role and a responsibility to empower Venezuelans as they work to resolve the many regime-created crises facing their nation and to, once again, choose their government through free and fair elections.

The United States continues to recognize and support the interim presidency of Juan Guaidó and the 2015 democratically-elected National Assembly, the last truly democratic exercise of popular will in Venezuela.

We coordinate closely with President Guaidó and his administration, the Unitary Platform, and those in and outside of Venezuela who support the return to democracy in their homeland.

Consistent with the VERDAD Act, we continue supporting a negotiated solution out of Venezuela's crisis. In a call on June 8,

President Guaidó and President Biden expressed their support for Venezuelan-led negotiations as the best path forward toward a peaceful restoration of democratic institutions, free and fair elections, and respect for human rights and the freedoms of all Venezuelans.

The Administration's visits to Venezuela earlier this year resulted in renewed meetings and negotiations between the regime and the opposition in both Oslo and Caracas. Those visits also achieved the return of two wrongfully-detained Americans.

The safety and security of U.S. citizens overseas is of the utmost importance and we will always support the efforts of the President's Special Envoy for Hostage Affairs to bring all wrongfully-detained Americans in Venezuela home.

U.S. sanctions policy will continue to exert pressure on the Maduro regime while providing ample room for humanitarian relief, including our own commitment of over \$2 billion since 2017.

As we have previously made clear, we will review our sanctions policies in response to constructive steps by the Maduro regime. The U.S. Government, in coordination with allies, will also pursue criminals and fugitives and interdict criminal activity associated with the regime.

The seizure of an Iranian Venezuelan jet in the Southern Cone and the extradition of a regime money launderer from Cape Verde are but two examples of our tireless campaign to seek accountability and justice wherever criminals may hide.

We will continue to relentlessly pursue accountability for all actors that engage in corruption or abuse human rights in Venezuela. We also seek humane treatment and freedom for Venezuelan political prisoners.

The United States maintained relations and friendship with Venezuela for nearly 200 years. Now the Maduro regime looks to Russia, the People's Republic of China, and Iran for political and economic partnerships that bring few benefits to the Venezuelan people and threaten regional security.

We will continue working with our international partners to help return Venezuela to the community of democracies and improve the lives of all Venezuelans and we will continue to work with Congress in advancing these goals.

Thank you for this opportunity to speak to the committee today and I look forward to your questions.

[The prepared statement of Mr. Nichols follows:]

#### **Prepared Statement of Mr. Brian A. Nichols**

Chairman Menendez, Ranking Member Risch, distinguished members of the Committee, thank you for the opportunity to testify before you today on this important issue.

The situation in Venezuela remains one of the worst crises in our hemisphere's history. A country with a proud democratic tradition, blessed with natural resources and a rich biodiversity, and with a vibrant and resourceful population, has suffered decades of misery.

Venezuela's vital sectors—healthcare, energy, agriculture, manufacturing, and education—have all but collapsed. It holds the world's largest proven oil reserves yet does not even feature among the world's top-20 oil-producing countries. Whole tracts of its rich biodiversity have been destroyed by illegal mining and logging. Its lawless border regions provide shelter to myriad illegal actors, not least narcoterrorists, who threaten its population and neighbors.

Because more than 90 percent of its people live in poverty, Venezuela has lost nearly 20 percent of its population to the largest displacement of people in our hemisphere's history. Six point eight million Venezuelans have fled their homes in the last 5 years, approaching similar exodus from Ukraine and Syria.

The UN Human Rights Commissioner lists a litany of abuses, illegal detentions, and even killings and torture. In two reports, the Independent International Fact-Finding Mission on Venezuela documented extrajudicial executions, enforced disappearances, arbitrary detentions, torture, and cruel, inhuman or degrading treatment, including sexual and gender-based violence, committed by Venezuelan state actors. Beyond the abuses the regime inflicts on its own population, it also wrongfully jails and abuses U.S. citizens, attempting to use them as bargaining chips with the United States.

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The U.S. Government remains firmly committed to the belief that Venezuelans have a right to democracy and deserve a government of their choosing that protects and defends their human rights and fundamental freedoms. We have a role and a responsibility to empower Venezuelans as they work to resolve the many regime-created crises facing their nation, and to once again choose their government through free and fair elections.

The United States continues to recognize and support the interim Presidency of Juan Guaidó and the 2015 democratically elected National Assembly, the last truly democratic exercise of popular will in Venezuela. We coordinate closely with President Guaidó and his administration, the Unitary Platform, and those in and outside Venezuela who support the return of democracy to their homeland.

Consistent with the VERDAD Act, we continue supporting a negotiated solution out of Venezuela's crisis. In a call on June 8, President Guaidó and President Biden expressed their support for Venezuelan-led negotiations as the best path toward a peaceful restoration of democratic institutions, free and fair elections, and respect for the human rights and freedoms of all Venezuelans.

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The United States maintained relations and friendship with Venezuela for nearly 200 years. Now, the Maduro regime looks to Russia, the Peoples' Republic of China, and Iran for political and economic partnerships that bring few benefits to the Venezuelan people and threaten regional stability.

We will continue working with our international partners to help return Venezuela to the community of democracies and improve the lives of all Venezuelans. And we will continue to work with Congress in advancing these goals.

Thank you for this opportunity to speak to the Committee today and I look forward to your questions.

The CHAIRMAN. Administrator Escobari.

**STATEMENT OF THE HON. MARCELA ESCOBARI, ASSISTANT ADMINISTRATOR, BUREAU FOR LATIN AMERICA AND THE CARIBBEAN, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT, WASHINGTON, DC**

Ms. ESCOBARI. Chairman Menendez, Ranking Member Risch, and distinguished members of the committee, thank you for the opportunity to testify today.

Venezuela's humanitarian crisis is a manmade disaster and the Venezuelan people's suffering is a direct result of the corruption, failed policies, and the repression of the Maduro regime.

USAID responds to the Venezuelan crisis every day. We provide humanitarian assistance to those in the country and those forced to flee. We support the integration of Venezuelan migrants into neighboring countries and we provide support for a peaceful democratic transition.

The regime seems to be betting that with most Venezuelans too focused on feeding their families to protest, that it can outlast the international community and improve its image.

We cannot let that happen and we must retain a sense of urgency. Let me share what we see on the ground and how USAID is responding.

On the economic front, Maduro's mismanagement has led to the worst collapse in the region's history, a contraction of over 86 percent of GDP in the last decade.

The distortions to the economy have made Venezuela the most unequal country in the Americas. The monthly pension is equivalent to just 50 cents a day, while prices are similar to those in the U.S., given the de facto dollarization.

Most people cannot afford basic medications, which has led to a rise in preventable diseases, infant mortality, and malnutrition across the country. No wonder millions of Venezuelans see leaving the country as their only option.

This massive out migration of now 6.8 million Venezuelans continues to grow. To put this in perspective, nearly one in four Venezuelans have migrated since 2014. This is tearing families apart and it is also placing tremendous pressure on Venezuela's neighbors, who are still trying to dig out from the pandemic.

On the governance side, Maduro is ramping up his repression and has sealed off virtually every opportunity for citizens to exercise their basic rights.

In the face of this dire context, USAID focuses on two levels—on exerting as much pressure as possible on the regime and providing as much relief as possible to the Venezuelan people.

The United States is the largest humanitarian donor to Venezuela and has provided \$1.9 billion in the last 5 years. Our assistance inside Venezuela is managed end-to-end by independent organizations and it does not bolster the Maduro regime.

USAID also provides humanitarian assistance to Venezuelans throughout the region and helps partner nations to integrate Venezuelans into their countries.

Colombia is the most notable example, and we have worked hand-in-hand with Colombia to implement its historic decision to provide temporary protected status to 2.4 million Venezuelans. We know that successful integration can turn this human tragedy into an engine of growth in the region.

Our humanitarian work is saving lives, yet we know that only through a democratic transition can Venezuelans build a more prosperous country, restore institutions, and reunite their families. To that end, USAID supports a return to democracy in three ways.

One, we hold the regime accountable for its abuses. USAID supports human rights defenders that courageously document the regime's repression and advocate for political prisoners and their families.

Evidence gathered by these groups has been used by the U.N. fact-finding mission and the International Criminal Court. Because there is no independent justice system in Venezuela, international bodies are the only hope for holding the regime accountable as evidence of crimes against humanity continues to mount.

USAID also supports journalists and independent media to counter the regime's disinformation.

Second, we work to improve electoral conditions with a focus on the 2024 elections. We expect the regime may subvert the elections, but the Venezuelan people want elections, the opposition has decided to participate, and we saw in last year's local elections, including the governor's race in Barinas, that a unified opposition can compete and win even when Maduro cheats.

Third, USAID continues to support the interim government of Venezuela and the opposition. A unified opposition and a mobilized citizenry are the best hope for creating democratic change.

USAID will continue to stand with the courageous people of Venezuela as they fight to end repression, restore democracy, and build a better future for themselves and their families.

Thank you.

[The prepared statement of Ms. Escobari follows:]

**Prepared Statement of Ms. Marcela Escobari**

Chairman Menendez, Ranking Member Risch, and distinguished members of the committee, thank you for the opportunity to testify on USAID's work and discuss our vision for a free and democratic future in Venezuela.

Venezuela's humanitarian crisis is a man-made disaster, and the Venezuelan people's continued suffering is a direct result of the corruption, incompetence, failed policies, and repression of the Maduro regime. Despite the pressure from democratic nations and the Venezuelan people, the regime has doubled down on its security apparatus and enriching cronies. Maduro seems to be betting that, with most Venezuelans too focused on feeding their families to protest, he can outlast the international community and whitewash his image.

We must retain a sense of urgency and sharp awareness of the human toll of this man-made tragedy. And we must use our diplomatic and economic tools to support the Venezuelan people and their desire for a democratic transition.

USAID responds to the Venezuelan crisis every day. First, we provide humanitarian assistance to those in the country and to those who flee—often at great personal risk—to escape the regime. Second, we support the integration of Venezuelans into host communities to minimize the potentially destabilizing impact of this crisis on the rest of the region.

And third, we provide support for a peaceful democratic transition. We draw attention to the regime's criminal behavior to mobilize the international community, to hold the regime accountable for its crimes, provide alternatives to regime disinformation, and to provide Venezuelans with an avenue for justice. We seek the revival of Venezuelan democracy and support citizens' democratic aspirations, in-

cluding their fight for free and fair elections, with a focus on presidential elections in 2024.

ECONOMIC CRISIS: MADURO'S MISMANAGEMENT HAS LED TO THE WORST ECONOMIC CONTRACTION IN THE REGION'S HISTORY

The Maduro regime is responsible for the country's economic implosion. According to the IMF, Venezuela's economy contracted from \$352.2 billion in 2012 to \$46.5 billion in 2021, a decline of 86.8 percent.<sup>1</sup> Even if the economy were to grow by the regime's estimate of 10 percent in 2022—and that is unlikely—the decline would still be 85.5 percent. Not only is Venezuela's economic contraction without comparison in modern history, but Maduro has managed to destroy almost all lawful sources of value creation. As much as 21 percent of Venezuela's GDP is generated by criminal activity like smuggling, corruption, and black markets.<sup>2</sup>

The distortions to the economy caused by the Maduro regime have also led to the most unequal country in the Americas.<sup>3</sup> Recent GDP gains are concentrated among the wealthy while the number of vulnerable people in need of humanitarian assistance has increased from 7 million in 2020<sup>4</sup> to 7.7 million today.<sup>5</sup> The regime's decision to stop enforcing many import and exchange controls and the de facto dollarization of the Caracas economy have benefitted its criminal allies and portions of Venezuela's private sector, but most Venezuelans continue to see their purchasing power decline in the face of rising costs and an inadequate supply of electricity, water, and health services.

Jobs are scarce. Venezuela has the lowest level of labor participation in the entire region—only 53.8 percent of people of working age participate in the labor market, of which 60 percent are in the informal sector. Nearly 9 million Venezuelans between 15 and 64 years of age are without work.<sup>6</sup>

In this de facto dollarized economy, where prices are similar to those in the U.S., health care workers, teachers, and others without access to dollars are the ones who suffer. The monthly pension is 130 Bolívares, equivalent to just about 50 cents a day.<sup>7</sup> A defunct health system and high inflation mean that most people cannot afford the cost of basic medications, leading to a rise of preventable diseases. The infant mortality rate has risen to a level not seen in 30 years; and in a survey conducted in Venezuela's poorest neighborhoods, 42 percent of children showed signs of stunting or wasting, an indication of a growing crisis of malnutrition across the country.<sup>8</sup> No wonder millions of Venezuelans see leaving the country as their only option.

MIGRATION CRISIS: MASSIVE OUT-MIGRATION WILL CONTINUE, PRESSURING VENEZUELA'S NEIGHBORS

The Maduro regime has generated a humanitarian crisis that has inflicted tremendous costs and instability throughout the region. The mass exodus of more than 6.8 million Venezuelan refugees and migrants since 2014 is second only to the 7 million who have left an active war in Ukraine.<sup>9</sup> There are nearly 2.5 million Venezuelan refugees and migrants residing in Colombia alone.<sup>10</sup> With the entire region recovering from an economic contraction caused by the pandemic, refugee and migrant populations can become an easy scapegoat for growing resentment and frustration. The international community cannot relent in the face of the Venezuelan crisis given the prospect of continued migration flows, and the human suffering it represents.

The Maduro regime is the root cause of the Venezuelan migrant crisis. So long as Maduro continues to undermine all democratic institutions and exert full control over the population, the outflow will continue. Yet, the Maduro regime continues to exert control over a weakened population and undermine all democratic institutions.

GOVERNANCE CRISIS: THE MADURO REGIME CONTINUES TO INSTILL FEAR AND REPRESSION, WHILE CUTTING OFF AVENUES FOR ACCOUNTABILITY

The Maduro regime is characterized by coercion, corruption, and censorship. Maduro has sealed off virtually every opportunity for citizens to exercise their basic rights by continuing Chavez' work of co-opting democratic institutions like the courts and electoral council; persecuting political opponents and civil society leaders; muzzling the media; and controlling the military and police through bribery, surveillance, and arbitrary arrests. Since 2014, the regime has locked up over 15,000 political prisoners and 11 of them have died in state custody. In 2021 alone, regime security forces carried out 1,414 extrajudicial executions.<sup>11</sup> Currently, there are 245 political prisoners in Venezuela. These prisoners are denied due process and, in many cases, subjected to torture. The United States welcomes the opening of an investigation by the Prosecutor of the International Criminal Court into crimes against hu-

manity in Venezuela, which is a State Party to the Rome Statute. Evidence of such crimes—compiled by the OAS Panel of Independent Experts, the UN Fact Finding Mission, and Venezuelan human rights defenders—continues to mount, and the Maduro regime must be held to account.

Bottom line: the situation is dire, and conditions for Venezuelans continue to deteriorate. The combination of worsening humanitarian conditions on the ground, massive migrant flows into the region and a hardened regime call us to redouble our efforts to address the Venezuelan crisis.

USAID RESPONSE: OUR COMMITMENT IS TO THE VENEZUELAN PEOPLE

USAID’s resolve remains strong. Our work focuses on promoting democracy, human dignity, and basic freedoms, and on delivering humanitarian support to those most in need. We will continue to stand with the people of Venezuela in their pursuit of justice and prosperity.

HUMANITARIAN ASSISTANCE INSIDE VENEZUELA: SINCE 2018, USAID HAS PROVIDED OVER \$315 MILLION IN HUMANITARIAN ASSISTANCE INSIDE VENEZUELA

First, we will continue to provide humanitarian relief inside Venezuela. U.S. assistance is managed end-to-end by humanitarian organizations and is not bolstering the Maduro regime. USAID and other donors are working with a strong and committed humanitarian community in Venezuela. We work in close coordination with the UN and NGOs that are providing life-saving hot meals in community kitchens; food kits to vulnerable households in communities and schools; health care through mobile units; including the prevention and treatment of acute malnutrition, and guidance to mothers on healthy feeding practices.

Our assistance relies on the expertise of Venezuelan organizations that know their country best and understand where the needs are greatest.

The United States is the largest humanitarian donor for Venezuela and in FY21 alone, USAID provided \$138 million in humanitarian assistance for Venezuela. But we know the need is far greater than what we provide. Only 14 percent of the United Nations’ 2022 request for Venezuela has been filled.<sup>12</sup> We will continue to work with other donors to increase total commitments from the international community.

REGIONAL SUPPORT FOR VENEZUELAN: USAID PROVIDES SUPPORT FOR VENEZUELAN IN TRANSIT AND HELPS THEM INTEGRATE INTO HOST COMMUNITIES

Second, USAID will continue our humanitarian support for Venezuelans throughout the region and will step up our work on the integration of Venezuelans into host communities.

Humanitarian assistance is the first thing a Venezuelan encounter when they cross into a neighboring country, often in a precarious and vulnerable state. Venezuelans walking from the border town of Cucuta, in Colombia, to Lima, Peru is the equivalent of walking from New York to Utah. USAID provides meals and cash transfers that have proved life-saving.

As Venezuelans begin to integrate into host communities, they are desperate to earn a living and provide for their loved ones. In an effort to manage these dramatic flows, several countries have adopted generous policies that welcome Venezuelans and incorporate them into the labor force. Colombia has led the way with its decision last year to provide temporary protected status (TPS) to more than 2.4 million Venezuelans. Migrants who are successfully integrated can access the health system, can send their kids to school, are accountable to the justice system, and can get jobs. They pay taxes and contribute to the economic and social fabric of their host communities.

USAID is committed to working with Venezuela’s neighbors to help them shoulder the high and unanticipated costs of attending to almost 6 million Venezuelans and turning migration into an engine of growth. In Colombia, for example, we have worked alongside the government and the private sector to register Venezuelans and connect them to social services and jobs. In Peru and Ecuador, USAID support focuses on helping migrants gain legal status and enter the formal labor market.

One of my top priorities as Assistant Administrator is to help advance a more cohesive, regional approach to migration. This approach involves three parallel strategies: addressing the root causes driving people to leave their homes; expanding legal labor pathways for migrants; and promoting sustainable integration of migrants into host communities. We saw progress toward this vision at the Summit of the Americas, where 21 countries supported the Los Angeles Declaration on Migration and Protection and many announced concrete commitments to address migration in a more humane, safe, and orderly way. We applaud and support the Government of

Ecuador's new registration process for all migrants, including the over 500,000 Venezuelans in Ecuador, that paves the way to their regularization. Implementing policies that allow migrants to live and work in the countries where they arrive isn't just virtuous; it's also smart policy. Colombia's GDP is predicted to grow by \$2.5 billion over the next decade as a result of the TPS program.<sup>13</sup> Pro-integration policies have the potential to turn this human tragedy into an economic boon for host communities by leveraging migrants' talent, determination and creativity.

Successful integration of Venezuelans will require sustained investment, policy harmonization and regional coordination. Despite around 20 percent of Venezuela's population having already fled the country, the net outflow will continue as long as, based on income, more than 94.5 percent live in poverty.<sup>14</sup> While humanitarian aid and the potential use of frozen assets can provide critically needed short-term assistance in Venezuela, in the long run a democratic transition away from kleptocracy, intimidation, and ineptitude is the only sustainable path.

SUPPORT TOWARD A DEMOCRATIC TRANSITION: USAID HELPS VENEZUELAN REASSERT  
CONTROL OVER THEIR COUNTRY'S FUTURE

While we believe deeply in our humanitarian work and our support for integrating Venezuelans into host communities in South America, we know that these efforts are addressing symptoms of Venezuela's crisis and not the root cause. Our central goal is to help Venezuelans restore their democracy and reclaim control over their country's future.

USAID will work in three areas to promote opposition unity and press for improved electoral conditions.

First, USAID will continue to provide support to the Interim Government of Venezuela and the Venezuelan opposition. USAID assists the democratic opposition as they work to turn the public's widespread resentment toward the Maduro regime into pressure for democratic change. The opposition has chosen primaries as the vehicle to reunify and regain momentum, and USAID will support them in that process. The 2021 subnational elections revealed the value of competing even in unfree elections. Despite the Maduro regime employing its usual tactics to manipulate the electoral playing field, non-regime candidates won a majority of the overall vote. In the state of Barinas, the opposition won the governor's election twice by remaining unified, ultimately defeating Maduro loyalist Jorge Arreaza by an even wider margin than it had won the original election in November. With 75 percent of Venezuelans planning to vote in presidential elections regardless of the conditions,<sup>15</sup> there is a real potential for change.

Second, USAID supports democratic civil society and independent media organizations in holding the regime accountable. USAID supports the generation and wide dissemination of unbiased, fact-based information to help citizens make sense of the man-made catastrophe unfolding in their country, where disinformation and lies are the currency of the regime. These efforts increase public scrutiny on the regime and expose ways in which it uses electoral institutions to push its advantage. The world would know much less about the scope and scale of the regime's neglect and malfeasance, if not for the work of watchdog and media organizations supported by USAID.

USAID will also continue to support human rights defenders that tirelessly document the regime's repression, advocate for political prisoners and their families, and—in the absence of an independent and functioning justice system—are obliged to seek recourse outside the country. Human rights organizations are providing verifiable data, evidence and fact patterns to international organizations like the United Nations Fact Finding Mission and the International Criminal Court, so that they can unmask the pariah regime's crimes against humanity and seek to hold it accountable.

We are focused on presidential elections in 2024 and legislative and regional elections in 2025 as windows of opportunity for Venezuelans to advance a peaceful transition. We have no illusions about the prospects for free and fair elections and we are preparing for the possibility that the regime could subvert, postpone, cancel, or not recognize the results of elections. But the Venezuelan people want elections, the opposition has collectively decided to participate, and preparing for and participating in elections is a way for the opposition to rebuild unity and regain momentum. Constitutionally required elections are a problem for Maduro: If he goes too far in preventing a competitive process, he further erodes the international legitimacy he so desperately craves. A unified opposition and mobilized citizenry are currently the best hope for regaining the upper hand and increasing the pressure for Maduro and his cronies.

Overcoming Venezuela's humanitarian and migration crises is only possible via a democratic transition. We remain fully committed to using U.S. foreign assistance so generously appropriated by this Congress to relentlessly pursue that goal.

USAID stands with the courageous people of Venezuela as they press on to end repression and man-made suffering, restore dignity and democracy, and build a better future for themselves and their children.

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#### Notes

<sup>1</sup> <https://www.imf.org/en/Countries/VEN#countrydata>; GDP, current prices (Billions of U.S. dollars)

<sup>2</sup> Transparency Venezuela: <https://transparenciave.org/economias-ilicitas/a-estimate>

<sup>3</sup> Venezuela's GINI coefficient is 56.7 percent. <https://www.proyectoencovi.com/encovi-2021>

<sup>4</sup> <https://crisisresponse.iom.int/response/venezuela-bolivarian-republic-crisis-response-plan-2020>

<sup>5</sup> <https://crisisresponse.iom.int/response/venezuela-bolivarian-republic-crisis-response-plan-2022>

<sup>6</sup> <https://thinkanova.org/wp-content/uploads/2022/05/ANOVA-Policy-Brief-Notas-Sobre-Distribucion%CC%81n-1.pdf>

<sup>7</sup> <https://efectococuyo.com/la-humanidad/condenados-a-muerte-temprana-pension/>

<sup>8</sup> <https://www.frontiersin.org/articles/10.3389/fsufs.2021.638042/full>

<sup>9</sup> <https://data.unhcr.org/en/situations/ukraine>

<sup>10</sup> Distribución de Venezolanos en Colombia, Migración Colombia, February 2022; [https://www.r4v.info/sites/default/files/2022-08/2022.08.R4V\\_R%26M\\_Map\\_Eng%28note%29.pdf](https://www.r4v.info/sites/default/files/2022-08/2022.08.R4V_R%26M_Map_Eng%28note%29.pdf)

<sup>11</sup> <https://lupaporlavida.org/informe-ano-2021-lupa-por-la-vida/>

<sup>12</sup> <https://app.powerbi.com/view?r=eyJrIjoiZmE0MTNkNWUyYjYwOC00ZDI0LTkyYjgtMWVlYmNiMjAyNTU1IiwidCI6ImU1YzM3OTgxLTY2NjQjNDZlNjY0YTBjLTYyNDNkMmFmODBiZSIsImMiOiJh9&pageName=ReportSection4e3bdb6a6d35032e8f1>

<sup>13</sup> <https://www.elespectador.com/mundo/america/registro-de-migrantes-del-estatuto-temporal-arranco-con-fuerza/>

<sup>14</sup> [https://assets.website-files.com/5d14c6a5c4ad42a4e794d0f7/6153ad6fb92e4428cada4fb7\\_Presentacion%20ENCOVI%202021%20V1.pdf](https://assets.website-files.com/5d14c6a5c4ad42a4e794d0f7/6153ad6fb92e4428cada4fb7_Presentacion%20ENCOVI%202021%20V1.pdf)

<sup>15</sup> <https://elestimulo.com/destacados/2022-05-28/jose-virtuoso-75-de-los-venezolanos-quiere-votar-en-unas-presidenciales/>

The CHAIRMAN. Thank you both. We will start our series of rounds of questions.

Assistant Secretary Nichols, I believe clarity is needed on the Administration's policies regarding efforts towards negotiations, the lifting and potential snapback of sanctions, and the stewardship of Venezuelan state assets in the United States.

The Administration has lifted targeted sanctions on one of Maduro's henchmen, provided a license to Chevron, comfort letters to European oil companies Repsol and Eni.

However, as far as I can discern, Maduro has not made any meaningful concessions or concrete step to return to negotiations in Mexico City.

As Congress' support for a negotiated solution in Venezuela is neither a blank check nor an open-ended invitation, I would like to ask does the Administration intend to make any more changes to U.S. sanctions absent specific irreversible steps by Maduro?

Mr. NICHOLS. Thank you, Mr. Chairman.

Our focus is upon returning the parties to formal negotiations. We have been engaged actively to promote that.

We coordinate closely with the interim government and the broad opposition, the Unitary Platform, in Venezuela. The efforts so far have led to multiple rounds of informal negotiations both in Oslo and Caracas and significant advances toward a return to a formal process in Mexico City.

The CHAIRMAN. How long we are going to wait for a formal process to take place? He is buying time. He is taking gold out of the country. He is letting our adversaries actively engage in the Western Hemisphere through Venezuela.

How long are we going to—he has got U.S. citizens held hostage. How long are we going to tolerate that? How long is this aspiration to get to some formal negotiations going to take place?

Mr. NICHOLS. Nicolas Maduro is going to—is making a critical mistake if he thinks that our patience is infinite and that dilatory tactics will serve him well.

We stand ready to snap back sanctions and ready to take comprehensive measures if this process does not move forward.

The CHAIRMAN. How long will the U.S. wait before snapping back changes to sanctions?

Mr. NICHOLS. We consult very closely with the interim government and the Unitary Platform, as well as our allies in Europe, the U.K., and Canada, as well as in the region on our collective approach to Venezuela.

We had a meeting just yesterday. I was traveling back from Mexico. My deputy led that conversation with key allies on this process and we will be informed by the views of the interim government and the Unitary Platform, as well as our partners and allies around the region.

The CHAIRMAN. Okay. That does not give me any sense of our—is our patience infinite or is it finite? You do not give me any sense of it. It has already taken quite a long time.

In the interim, he has turned the nation into a narco state, bilking it of its national patrimony and nothing is happening. Nothing is happening.

If Maduro refuses to negotiate in good faith or even negotiate at all, what is your plan B to degrade the regime?

Mr. NICHOLS. We will use the various tools that you have given us—sanctions, law enforcement action. We will work with our partners and allies around the world to ensure that the regime does not secure access to assets that are currently frozen or held by the interim government.

We will work assiduously to promote investigations by the international fact-finding mission and other international bodies like the ICC into the events to shed light on what is going on in Venezuela, and we will—

The CHAIRMAN. Mr. Secretary, our sanctions are like a sieve. We are allowing a whole host of countries to get around our sanctions and Maduro knows it—Turkey, Russia, China. They are doing it with impunity—of course, Cuba, which provides the security apparatus for the whole Maduro regime to exist in the first place.

You talk about independent investigations. The U.N. Human Rights Council established an independent fact-finding mission on Venezuela 2019.

That mission played a central role in investigating and documenting the Maduro regime's systematic violations of international law, including extrajudicial executions, forced disappearances, torture, arbitrary detention, but there is much more to be done.

Mr. Secretary, the fact-finding mission and others have mounted damning evidence that the Maduro regime has committed grave human rights abuses that constitute crimes against humanity.

Is it your assessment the regime has committed crimes against humanity?

Mr. NICHOLS. The United Nations, the OAS, a large number of nongovernmental organizations focused on human rights, have all said that the regime has committed crimes against humanity. I think that is the international consensus.

The CHAIRMAN. Yes. Is that our consensus as well?

Mr. NICHOLS. That is a—

The CHAIRMAN. That is what others said. I agree with that.

Mr. NICHOLS. Yes.

The CHAIRMAN. What do we say?

Mr. NICHOLS. I think the facts of the offenses of this regime are undeniable and I point to those others. The definition of crimes against humanity, as far as I know, is not codified in U.S. statute.

It is clear that they have committed all of these actions and that the key international bodies of the United Nations and the OAS consider them responsible for crimes against humanity. If you ask me my personal opinion, my personal opinion is they have committed crimes against humanity.

The CHAIRMAN. Senator Risch.

Senator RISCH. Thank you, Mr. Chairman.

In April of 2020, the prior administration proposed a formal democratic transition framework to facilitate a peaceful negotiated return to democracy in Venezuela.

What is this Administration's view of that framework? Have you abandoned that? Embraced it? Ignored it? Where are you on that?

Mr. NICHOLS. We continue to view a priority maintaining international cohesion and pressure on the Maduro regime, working with allies to deny the regime access to diplomatic benefits and economic benefits, to work to support the interim government and the Unitary Platform as they seek to forge a path toward a free fair election in 2024.

We believe that we should use all of the tools available to achieve that goal and we will continue to do that.

Senator RISCH. Is that your interpretation of how you are implementing this transition framework or is that off the table? The transition framework itself, is it off the table?

Mr. NICHOLS. We continue to work with the interim government. I think that the structure of the interim government has changed over time and the range of recognition of the government and the status over time has also changed.

We need to adapt our policies to continue to move forward so that serious, profound, and irreversible reforms are undertaken to allow for a free, fair, transparent election in 2024.

Senator RISCH. I keep coming back to the framework, but you have not answered the question yet. Are there parts of it that you have embraced? Parts of it you have abandoned?

How is your—are you following the same path as what this framework laid out or are you doing things different than what the framework laid out?

Compare what you are doing to the framework that was put forth in April of 2020.

Mr. NICHOLS. The framework put forward in April of 2020, I think, imagined a scenario where the regime would collapse. We are not seeing—we have not seen that over time.

The diplomatic recognition of the regime has grown during that period. More countries now recognize the Maduro regime than they did previously and we have to adapt our strategy to take those factors into account.

Senator RISCH. Let me try a different line here.

In February of this year, 2022, a senior White House official claimed the sanctions imposed on Russia for invading Ukraine were designed to pressure the Maduro regime. I do not understand that, but that was the claim.

A week later that same official met with Maduro in Caracas in an attempt to buy oil from Venezuela and soon thereafter the Administration started to ease sanctions on the regime.

Can you explain to us how the Administration plans to pressure Maduro while deepening U.S. reliance on Venezuela?

Mr. NICHOLS. Venezuelan hydrocarbons are not entering the United States, to my knowledge. I do not think our reliance on Venezuela has increased.

The visit to Venezuela by Special Presidential Envoy for Hostage Affairs Carstens, Ambassador Story, and the senior NSC official, Juan González, resulted in the release of two wrongfully-detained Americans and resumption of serious conversations between the regime and the Unitary Platform. Those conversations have continued for quite some time and have made notable progress.

In my conversations with the Norwegian mediators, they believe that the prospects for a return to a formal negotiating process are good and we will continue to use both incentives and sticks in close coordination with the interim government and the Unitary Platform to encourage progress.

Senator RISCH. Let me take just a little different line here. What are you—specifically, what are you doing to help the Guaidó administration?

Mr. NICHOLS. We provide funding and resources to the democratic opposition in Venezuela as well as funding for the interim government. We work with allies to ensure that the regime does not have access to assets either in the United States or in foreign areas.

We consult with them on various negotiating strategies and policies. Our Ambassador to Venezuela, Jimmy Story, is in almost daily contact with senior officials in the interim government.

I, myself, have met virtually with President Guaidó on multiple occasions as well as regular contact with the interim government ambassador in Washington and other interim government officials.

Senator RISCH. My time is up. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Cardin has graciously agreed to chair for a period of time. I have to go to Banking.

Senator Kaine is recognized.

Senator KAINE. Thank you, Mr. Chair and Ranking Member Risch, and to our colleagues who are here.

We just have to be realistic. I think the efforts of the last three administrations to use U.S. influence for a significant positive outcome in Venezuela have all been failures. Our intentions have been good and our efforts have been strong, and our generosity, particularly when compared with other nations, has been notable.

We have not seen the outcome that we want. I do not think the last administration had us in a strong position with respect to Venezuela. They did announce a maximum pressure campaign.

Pretty quickly in that campaign, the Trump administration floated the possibility of military intervention in Venezuela and that stopped many of the nations that were—that had been willing to recognize the interim government of Juan Guaidó. It stopped them from going further with us and embracing the sanctions regime.

I talked to leaders of some of the nations that were with us on the recognition of Guaido and said, as soon as the U.S. starts talking about military intervention, even if you ultimately do not go that direction, we are on the off-ramp now and we cannot go further.

The last administration had witnesses before us, too, telling us that the Maduro government was within days of collapse. When we talked to the Colombians, they said, what are they smoking.

I mean, they could see across the border with this neighbor that they are so close to that there was no danger of the Maduro government collapsing. That was not likely the case.

Blue sky optimism that is unrealistic and bellicose rhetoric that is counterproductive did not lead to success, but I do not really fault them—the Administration—just like I do not fault the Obama administration, just like I do not fault the Biden administration for not being able to produce an outcome in Venezuela that we are happy with. This is on the Venezuelan people.

We have limited ability to influence the outcome and it strikes me that the best thing that we can do is something we are doing, but we might be able to do more of and that is humanitarian support for the Venezuelan people and hopefully creating space for them so that the day may come, possibly in connection with these 2024 elections, where mayors and local officials and others and opposition will have enough force because of the disastrous nature of the Maduro government to start to write a new chapter for their country. I think we have to be humble about our own expectations about what the United States can do.

On that score, the U.S. Government in the humanitarian space we are the single largest donor to the U.N. humanitarian response inside Venezuela. Seventy-four percent of the humanitarian contributions for humanitarian aid through the U.N. program are from the United States.

What is the Department doing to get some of our European and other allies to step up their humanitarian support?

Mr. NICHOLS. Thank you, Senator.

The regular engagement with our partners around the hemisphere and around the world continues. As I alluded to earlier, on Tuesday we had another key meeting with partners to talk about both our policies and the importance of providing robust assistance to the Venezuelan people both within Venezuela and those who have migrated, fled the horrible conditions in that country.

We regularly stress the importance of donations to the humanitarian relief fund and we lead by example in those donations. We will soon—next week, the U.N. General Assembly Leaders Week, there will be another opportunity for us to engage at a high level with that.

Senator KAINE. If I could, because I want to ask one more question.

Please do that. I mean, we are being very, very generous to refugees in Europe—the Ukrainian refugees, for example—and I think to ask our European allies please help us with this massive crisis, there is not—we are leading by example, but there is not a reason for the United States to be footing 75 percent of this bill when we are also doing so much elsewhere.

What are the—the opposition has announced they are going to have a primary next year to try to forward a candidate for the presidential elections that are hopefully going to happen in 2024.

What are the prospects—your assessment—for the opposition sort of unifying behind a figure who can bring together some pretty disparate elements among the opposition?

Mr. NICHOLS. I think the prospects are quite good. There is a recognition. As my colleague said, the elections last year in, for example, Barinas State demonstrated that a united opposition could win even under the most harrowing circumstances.

However, they should not have to carry out either primaries or an election under the most harrowing circumstances.

It is vital that the regime implement the recommendations of the European Union Electoral Observation Mission and the Carter Center recommendations, which would allow for a more level playing field for a general election and allow the primary process to proceed without outside interference.

Senator KAINE. Thank you very much. I yield back.

Senator CARDIN [presiding]. Let me thank both of you for your testimonies and your work.

There are many tragedies in Venezuela, including the human rights violations and the lack of democratic governance. I want to talk about the migration issue.

We know the impact it has on the surrounding countries, but the United States has been willing to accept Venezuelans that are here. It is my understanding we have close to 300,000 that are eligible for temporary protective status.

If I might, let me just ask Administrator Escobari if you could elaborate as to how we are dealing with the Venezuelans that are here. What is our work visa issues?

What are their needs? What outreach are we making in order to carry out our responsibilities in our hemisphere due to the migration issues of Venezuelans?

Ms. ESCOBARI. Thank you, Senator Cardin.

I know that we have provided TPS to Venezuelans here and I will refer back to my colleague on our U.S. position.

I think what is important to deal with the flows of Venezuelan migrants to our border is, as you said and started your comment, that this is a regional phenomenon.

Of the 7 million migrants in Latin America, 6 million of those are Venezuelans, and of these Venezuelans only 3 percent have actually reached our border so far.

The displacement in Latin America is 17 times larger than from Latin America to the U.S. To be able to deal with those flows, the strategy that we are pursuing—our root causes approach, which is clear in Venezuela it involves a democratic transition, expanding

legal pathways, which—so that migrants can migrate with dignity, safety, and in a condition of greatest mutual benefit.

Probably the most important activity in terms of numbers is helping countries integrate migrants into their communities like the example I gave with Colombia, and we are helping and pursuing these three avenues to deal with this massive migration crisis.

Senator CARDIN. One of our concerns is that whenever there are vulnerable people who migrate, there is always the risk factor of traffickers and victims of trafficking and the dangers, et cetera, so clear information is vitally important.

What steps are we taking to make it clear our abilities in the United States to handle those that are at risk?

Ms. ESCOBARI. No, you are correct that the journey is terrifying. It is extremely dangerous, and we work with civil society organizations, for example, in Colombia so that they can inform people of the dangers of their travels north.

I traveled to the Darien Gap with Secretary Mayorkas and was able to see firsthand what that 8-day journey means for people.

Doctors Without Borders has shown that close to or over 80 percent of women that make this journey are victims of sexual violence.

We are using our work in Colombia and throughout Central America to try to inform migrants of the perils of this journey and, of course, our Central America governments are also working to penalize and increase the penalty for smugglers and human traffickers.

Senator CARDIN. Secretary Nichols, I want to follow up on Senator Kaine's point. He was concentrating on humanitarian assistance and the global sharing of burden.

On the migrant issues—the surrounding countries—I work with Senator Blunt in regards to Colombia. We know the impact it is having on that country as far as the numbers that are from Venezuela in that country, making it more challenging for Colombia to deal with its other challenges.

What efforts are the United States leading to help the surrounding countries deal with the influx of Venezuelans?

Mr. NICHOLS. Thank you, Senator.

The United States has provided nearly \$800 million dollars for the communities that host migrants and migrants themselves within Colombia. We coordinate closely with Colombian officials on migration issues under the previous Duque administration.

In Colombia, the government agreed to grant their version of temporary protected status and the Petro administration has vowed to continue and deepen that policy.

In addition, we work with governments around the hemisphere under the structure of the Los Angeles Declaration on Migration and Protection, which was agreed to under President Biden's leadership at the last Summit of the Americas.

We talk and work on concrete burden sharing and information sharing activities with governments from Canada to Tierra del Fuego. We are working to increase law enforcement cooperation to take down illicit trafficking networks.

We work to provide training and equipment to migration officials in countries around the hemisphere. Secretary Blinken has co-chaired two migration ministerials in Colombia and Panama focused on mobilizing hemispheric and international resources to address the problem.

Senator CARDIN. Thank you.

Senator Rubio.

Senator RUBIO. Thank you. Thank you both for being here today.

I guess the—Secretary Nichols, has the Biden administration ever offered sanction relief in return for the release of American citizens in Venezuela?

Mr. NICHOLS. No. The conversations led by our Special Envoy for Hostage Affairs Roger Carstens are active and ongoing. I believe that he has briefed in the past along with our Ambassador, Jimmy Story, on some of the conversations that we have had.

Our focus is securing the release of all wrongfully-detained Americans worldwide. If you are in a conversation with Roger Carstens and you are a foreign country, that is not a normal relationship.

That means that you are engaging in activity which is reprehensible, and we will do everything in our power to secure the freedom of wrongfully-detained Americans.

I have a photo of Tomeu Vadell given to me by his family that I keep in my office to remind me of the priority of this effort.

Senator RUBIO. No, and I understand, but earlier this year the Ambassador to Venezuela, Jimmy Story, and the National Security Council's Juan González visited Caracas, ostensibly, as it was discussed to—as it was reported to discuss the release of American citizens.

They were there for that particular purpose, and then there were these leaks or stories out there about how they had offered sanction relief in return for releasing, for example, the Citgo Five.

Were those stories, those media accounts, of the Ambassador and Mr. González's visit to Caracas were those inaccurate stories?

Mr. NICHOLS. The visit had two purposes. One was to, in close concert with the interim government and the Unitary Platform, to create a framework for a return to negotiations in Mexico City and, two, to negotiate with the regime on the release of wrongfully-detained Americans, and we took advantage of that opportunity to also visit imprisoned U.S. citizens and provide them with—

Senator RUBIO. Right. I guess that is my question.

We sent the Ambassador to Venezuela. We sent a member of the National Security Council staff to meet with the regime. That was not the hostage individuals in charge of that. It was them.

They went to talk about two things, a framework to get Maduro back to the negotiating table and a framework to release unlawfully-detained, unjustifiably-detained, Americans. In exchange, I imagine the Venezuelans would want something in return other than a visit.

As part of that conversation, were there offers made that if you return to negotiations, here is sanctions relief, if you release these people, here is sanctions relief?

I understand the hostage negotiator and the Ambassador in charge of that has not done it, as you have testified. As part of that meeting, is it—because there are these stories out there.

I just want to know, do you know are those stories false that they actually offered sanctions relief in exchange for whether it is returning to negotiations or releasing Americans?

Mr. NICHOLS. Thank you, Senator.

As I said in my opening statement, we are willing to modify our sanctions policy in response to progress toward negotiations and concrete steps by the Maduro regime in negotiations and that was discussed with the Maduro regime in close coordination with interim President Guaidó and the Unitary Platform.

Senator RUBIO. Just to be clear, the sanctions modifications relief would be an exchange, for example, for them returning to negotiations—agreeing to return to negotiations?

Mr. NICHOLS. The substantive progress in the negotiations.

Senator RUBIO. Okay. Because you are aware they have used negotiations repeatedly over the years to buy time and even the Vatican no longer is willing to step in the breach and put that together. I hope that has not been forgotten.

I do not want to run out of time, but I want to ask you about something else that has happened. A couple of things.

In June of this year, a cargo plane landed in Buenos Aires. The plane used to be owned by U.S.-sanctioned Iranian airline, Mahan Air. It was illegally transferred to the U.S.-sanctioned Venezuelan state airline, Conviasa. I understand that it is now subject to a seizure warrant from the U.S. Department of Justice.

Last month, I, along with Senator Ernst, sent a letter to the attorney general asking him to cooperate with law enforcement. What is the status of the judicial process in Argentina concerning the confiscation of that plane?

Mr. NICHOLS. Thank you for that, and we will continue to use all the law enforcement tools available to stop criminality and sanctions violations.

Senator RUBIO. What is the status of those processes?

Mr. NICHOLS. There is an investigating judge in Argentina who is conducting an investigation and we are cooperating in that process. I would have to refer you to the Department of Justice for additional details.

Senator RUBIO. We are waiting for the Argentine judge?

Mr. NICHOLS. We are—

Senator RUBIO. It is their process. I understand.

Mr. NICHOLS. It is their process. We are supporting that process. We have provided information into that process at various points, which led to the final judicial order to seize the plane.

Senator RUBIO. Okay. Thank you.

Senator CARDIN. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman, and thank you both for being here.

In the last hearing that we had in this committee on Venezuela, which was 2 years ago, we discussed the disproportionate impact that the humanitarian crisis is having on women in the country who have been forced to flee, and since then health indicators in-

cluding infant and maternal mortality rates have continued to decline.

As you pointed out, Ms. Escobari, women are—a high percentage of the women are subject to sexual assault. They are also, obviously, vulnerable to human trafficking and other abuses.

You have talked about the—a number of the initiatives that we have to try and help address that. Can you talk about how helpful you think it might be if we had a fully operating Office of Global Women's Issues with an ambassador to that position who had been approved so that we could help address some of those disproportionate impacts on women as the result of this crisis?

Ms. ESCOBARI. Thank you, Senator, and for your commitment to girls and women across the globe.

As you said, women are disproportionately affected in these crises, the Venezuela—it is clear on sexual trafficking, but also just the humanitarian needs because they are the ones taking care of kids.

It is a big part of what we do and the lens that we take and I would support, as you suggest, any additional support on elevating this issue.

Senator SHAHEEN. Ambassador Nichols, do you have a view on that?

Mr. NICHOLS. Thank you, Senator, for your leadership.

The issues around gender and women, peace, and security are vital. The confirmation of Dr. Gupta, the President's nominee to lead the Office of Global Women's Issues, I think, is vital.

As we work in the Department on these issues and the broad range of issues, having confirmed—Senate-confirmed people in these positions imbues them with an authority and a power inside our system and internationally that no matter how talented an acting career officer is, they cannot match.

Senator SHAHEEN. Thank you. I really appreciate your explaining the difference in that way because as we look at the number of nominees who are still pending in the Senate, it is really important to remember the difference they could be making for that very reason, not because they are necessarily any more talented, but because that official moniker gives them added credibility.

One of the things that I think has gone mostly unnoticed over the summer is the Russian-backed war games in July with forces that participated from both China and Iran, and can you discuss what the regional implications are of that and to what extent we ought to be paying attention?

That is not something the Armed Services Committee has talked about as we have talked about war games that are going on in other parts of the world.

Again, those have not gotten the attention that some others have.

Mr. NICHOLS. Thank you, Senator.

The presence of Russian forces in Venezuela and Nicaragua, the relations between Venezuela and Iran, serve to promote instability in our region. They seek to be provocative.

They seek to interject the conflicts from other parts of the world in our hemisphere and we watch them very closely. We coordinate with our allies on them.

I have had conversations with colleagues across the interagency on this issue. I note that our superb SOUTHCOM Commander, General Laura Richardson, has been traveling extensively in the region and talking about our positive vision for security cooperation.

Secretary Austin participated in the Hemispheric Defense Ministerial in Brazil earlier this year to further that message about a positive vision of democratic security cooperation and we will continue to watch with vigilance the activities of Russia and others in Venezuela and Nicaragua, in particular.

Senator SHAHEEN. Thank you. Thank you, Mr. Chairman.

Senator CARDIN. Senator Hagerty.

Senator HAGERTY. Thank you, Mr. Chairman.

I would like to start with you, Assistant Secretary Nichols. Good day. I have got two issues to talk to you about.

The first one is a constituent of mine named Matthew Heath. I am sure you are aware of the situation there. Matthew has been wrongfully detained by the Maduro regime in Venezuela.

In early 2020, Matthew was arrested in Venezuela's borderlands near Columbia under very questionable circumstances and on highly specious charges. Since then, the Maduro regime has held Matthew hostage, imprisoning him in horrible conditions and reportedly subjecting him to unspeakable acts of torture.

In fact, last week marked 2 years of Matthew Heath's wrongful detention in Venezuela. That is 2 years too long for Matthew, it is 2 years too long for his family and, certainly, it is 2 years too long for me.

Assistant Secretary Nichols, the Maduro regime should immediately and unconditionally release my fellow Tennessean, Matthew Heath, and I would like to know from you what is currently being done to bring Matthew back to his family in Tennessee. What is the plan?

Mr. NICHOLS. Thank you, Senator. I share your views entirely.

Special Envoy for Hostage Affairs Roger Carstens has, as well as our ambassador, have raised this issue on multiple occasions with the Maduro regime.

We have sought to do all that we can to secure his immediate and unconditional release and in the meantime we have insisted that the regime should ensure his safety and his health by improving the conditions of his confinement. We will continue to work tirelessly to secure the release of all wrongfully-detained Americans in Venezuela.

Senator HAGERTY. I appreciate that. You know how concerned I am about this situation. I appreciate your continued attention and focus on the issue. It is tragic and it is certainly something that Tennesseans all have their eye on.

The next topic is another one that you and I have discussed before and are very familiar with and that is the Maduro regime's growing cooperation with Communist China.

In 2014, China and the Maduro regime upgraded their diplomatic relations to the highest levels, signing a comprehensive strategic partnership. The Maduro regime is the region's biggest borrower from China. They have accepted an estimated \$62 billion in loans over the last decade and a half.

More generally, as Communist China has become Latin America's overall top trading partner, China has used the Belt and Road Initiative and other instruments to provide foreign direct investment and lending for energy and other critical infrastructure in Venezuela and also other parts of Latin America.

For example, China has aggressively invested in Latin America's space sector such as the Manuel Ríos Bamari Terrestrial Satellite Control Base in Venezuela.

The Maduro regime and China have also significantly increased their military cooperation. Between 2009 and 2019, Beijing reportedly sold more than \$615 million dollars worth of weapons to Venezuela, making the Maduro regime a top purchaser of China's military equipment in that region.

China strongly supports the Maduro regime's digital authoritarianism in Venezuela. ZTE, a CCP-directed Chinese telecoms and technology company, directly helped the Maduro regime construct the databases and identity card program for the country's "fatherland card" system that rolled out in January of 2017. The Maduro regime has used the "fatherland card" system to increase social control, to increase their coercion, and their vote buying.

Assistant Secretary Nichols, what is the Biden administration doing to counter the Maduro regime's efforts there in Venezuela to counter China's growing interference and malign influence in Latin America, more broadly?

Mr. NICHOLS. We continue to talk with our friends and partners throughout the hemisphere about the real costs of relations with the People's Republic of China and the Chinese Communist Party.

We focus our efforts on what is the real cost of lending, what is the quality of the projects that PRC companies are building, and I have seen with my own eyes—I think you have as well—collapsing stadiums, faulty foreign ministries, bad roads that have been built by Chinese companies, in this hemisphere.

We have seen the debt trap that countries in our hemisphere have fallen into, and the depth of the relationship between the PRC and Venezuela demonstrates, I think, to the democratic countries in our hemisphere exactly what kind of a partner the PRC is in engaging with one of the worst countries in terms of respect for human rights, rule of law, and everything else we value in our region.

Before time runs out, Senator, I just want to note that I was in Mexico. I followed up on the issue we discussed before. I can brief you offline.

Senator HAGERTY. Okay. Thank you very much. I appreciate it. Thank you, Mr. Chairman.

The CHAIRMAN [presiding]. Thank you.

Senator Murphy.

Senator MURPHY. Thank you very much, Mr. Chairman. Thank you to both of our witnesses for being here today.

I was in both Mexico and Colombia over the August recess, in part to take a look at our Venezuela policy. It is really hard to overhype what a disaster President Trump's Venezuela policy was. This decision to push all of our chips into the middle of the table all at

once, recognize Guaidó, and try to facilitate a coup made us look ham-handed and, in the end, feckless.

Recognizing someone as the leader of a country who is not actually the leader of the country, it does not actually make us look strong. It makes us look weak, and we are stuck inheriting a policy that did not work, that has, in part, contributed to a humanitarian disaster that now brings thousands and thousands of Venezuelans to our border seeking salvation.

I support strategic engagement with a purpose and that purpose has to be an election that draws the participation of all political groups and gives Venezuelans the chance to exercise their right to determine the future of the country.

I have heard—since, Secretary Nichols, you suggest that there is a possibility of being able to get to an election in 2024, but what does a free and fair election look like in Venezuela?

What are our benchmarks to know whether this is an election that we can support and that the Venezuelan people actually have a chance at exercising their free will?

Listen, I understand it is not going to look like an election in our country, right, and I do not know that we should hold it to that standard, but we have to have some pretty clear baselines.

What are we looking for as we try to get towards a viable election?

Mr. NICHOLS. Thank you, Senator.

The European Union's Electoral Observation Mission, I think, has provided the most comprehensive roadmap, along with the Carter Center, to what that would look like and it involves things like an equality of access and equality of access to the media, rules that ensure that electoral authorities cannot disqualify candidates arbitrarily, access to areas to campaign, and a cessation of the abuses by security forces of opposition candidates, transparency in the preparations technically for the election, and the conducting of the election.

It means allowing the opposition to carry out a primary process. As we have seen, when they have unified candidates they will beat the regime candidates, even when everything else is tilted against them.

A key part of the discussions between the Unitary Platform and the regime will be the implementation of this process and we support that.

Senator MURPHY. Ms. Escobari, there is no doubt that the humanitarian disaster in Venezuela is first, second, and third a consequence of the regime's unconscionable policies, but I think we should be honest that our sanctions contribute to the humanitarian nightmare, and we can argue that there are good reasons for our sanctions.

What worries me is a GAO report from last year that suggests we actually do not have real good information about how and if our sanctions are contributing to the humanitarian crisis inside Venezuela.

The report found that Treasury and its interagency partners are limited in their ability to develop further actions to ensure that U.S. sanctions do not disrupt humanitarian assistance.

Are you familiar with this report and, if so, how is USAID engaged with our implementing partners to mitigate these challenges and how do we make sure that we have visibility inside Venezuela to understand what the actual impact of our sanctions are?

Ms. ESCOBARI. As you said, it is very hard to separate the secondary effects. It is also very clear that the deterioration of the economy preceded the sanctions and that we have this capacity to work on humanitarian aid and the government also has the capacity to have invested in many of the services that are now not functioning in Venezuela.

A lot of our financing and our work goes to create a network of human rights defenders, universities, and civil society organizations that are getting information about where the most vulnerable people are, the nature of the crisis as to target our humanitarian aid in—to those that are most vulnerable.

There is actually a very sophisticated and courageous network of humanitarian organizations that are on the ground, that know where the most vulnerable people are, and it is where we focus our humanitarian assistance inside the country.

Senator MURPHY. I look forward to speaking with you more directly about this specific report and your responses to it.

Thank you very much, Mr. Chairman.

The CHAIRMAN. Let me turn to Maduro's unbridled criminality lest some forget who we are dealing with.

I want to remind everyone that Maduro and his henchmen from his government, his supreme court, and the party are facing charges in the United States for drug trafficking with rewards for their capture.

As we all know, financial institutions in the United States and around the world have found billions—billions—of dollars in bank accounts linked to Maduro's mafia state—not using it for the benefit of the people of Venezuela—billions of dollars in bank accounts linked to Maduro's mafia state, and that is just likely the tip of the iceberg. That is without all the gold that is being taken out through Turkey and Russia.

I certainly do not believe that the plight of the Venezuelan people is of any consequence except primarily that of the Maduro regime. There is a reason 7 million people have fled.

How are the Departments of State and Justice collaborating to advance the international law enforcement cooperation needed to address the Maduro regime's criminality?

Mr. NICHOLS. Thank you, Mr. Chairman.

I could not agree more. The efforts through the Department of Justice and the Department of Homeland Security continue to investigate illegality surrounding the regime.

Obviously, there is an ongoing case with regard to Alex Saab in the United States, who was extradited precisely because of his role in criminality.

There are numerous other regime figures who are under investigation, and the international community and the international law enforcement community is attuned to this.

I would just note that we discussed earlier the Conviasa plane that is in Argentina, seized as a result of our law enforcement co-

operation for sanctions violations, and we will continue to work with governments around the world to pursue investigations.

The CHAIRMAN. What additional steps can be taken to investigate, recover, and repurpose assets stolen from the Venezuelan people?

Mr. NICHOLS. I think it is vital to continue coordination among financial action task forces, coordination among government finance ministries around the hemisphere, our coordination in international bodies like the U.N. and the OAS, to make sure that we are focusing not just on the regime's past activity, but their prospective future efforts.

We see what they are trying to do in terms of evading sanctions, trafficking in all sorts of illicit substances, and we continue to flag that in our conversations with senior officials from governments around the world.

The CHAIRMAN. Let me ask you this.

What foreign policy guidance has the State Department given OFAC on targeting Maduro regime officials involved in kleptocracy?

Mr. NICHOLS. We continue to tell OFAC that identifying those responsible for illicit activity is important. It is a complex and time-consuming process.

We also stress that as we carry out these activities we want to ensure that they are deployed to maximum effect to advance the negotiation process and concrete achievements in our relationship. The goal of our sanctions policies is, obviously, to change the behavior of the regime.

The CHAIRMAN. I am afraid that we are not achieving that goal.

Let me ask you this. The regime continues to jail American citizens on bogus charges. He has tortured them. He has denied them access to legal counsel, medical treatment, and even contact with their families.

He has used them as bargaining chips and at least in one case he has driven them to attempt death by suicide. Matthew Heath is not only being unjustly detained. He is being methodically tortured and slowly killed all while the regime keeps adding Americans to its gulags. He may have released two Americans in March, but he has jailed several more this year.

Can you describe how hostage issues fit in the context of broader U.S. policy objectives in Venezuela? How is the Administration firewalling discussions with the regime related to hostages from broader U.S. foreign policy objectives?

Absent the immediate return of U.S. hostages, what concrete ask has the Administration made to the Maduro regime to improve their abysmal detention conditions?

Mr. NICHOLS. The United States has placed Venezuela at the highest level—level four, do not travel—in terms of our travel warnings. We implore American citizens not to go to Venezuela.

In 2019, our embassy in Venezuela closed so we are not able to provide regular consular access to American citizens.

Special Presidential Envoy Roger Carstens and our Ambassador, Jimmy Story, have repeatedly raised the issues of wrongfully-detained Americans with the regime. We have demanded better—we

have demanded the immediate and unconditional release of all our Americans.

In the case of Mr. Heath, as we discussed with Senator Hagerty, we have insisted that the conditions of his confinement be improved as well. We have stressed to the regime that it serves no good end, its efforts to arrest wrongfully American citizens that it finds within its borders. The border region between Colombia and Venezuela, in particular, is a dangerous area and should be avoided.

Anyone who is talking to Special Presidential Envoy Carstens—any country that is talking to him, that means you do not have a normal country or a normal relationship and you are engaged in reprehensible conduct.

The CHAIRMAN. I appreciate that, but it seems to me that Maduro has continued to take Americans hostages and thinks that, actually, that is a value to him.

Let me ask you two last questions. One, is this 2024 election, that is aspirational at this point. Is that fair to say?

Mr. NICHOLS. Yes, sir.

The CHAIRMAN. It is not—there is nothing that is established as a series of benchmarks that will get us there at this point in time?

Mr. NICHOLS. The European Union's Electoral Observation Mission laid out what, I think, is the best roadmap and recommendations to get to a legitimate, free, fair election in 2024.

The CHAIRMAN. That has not been agreed to by Maduro?

Mr. NICHOLS. No, it has not and that is vital, and—

The CHAIRMAN. When we talk about 2024, it is an aspirational thing. There may be some roadmap by the EU, but the regime has not agreed to it.

Mr. NICHOLS. If the regime has any interest in legitimacy and international acceptance, it should agree to those recommendations and implement them immediately.

The CHAIRMAN. When you are benefiting from everything, when you have got billions of dollars in national patrimony, when you—basically, the state is your personal piggy bank, then I am not sure whether you care about international legitimacy. I wish the Maduro did. That is why I think we have pressure—that is why we are going to offer legislation to do so.

I have one last question for both of you. It is unrelated to our topic today, but since we have the pleasure of having you both here at the same time, on September 2 I sent both of you a letter regarding U.S. democracy programs for Cuba.

While I appreciate the Administration's continued commitment to these programs, I was deeply disappointed to see that the Administration is ending support to initiatives that challenge the Cuban regime's trafficking of doctors and medical personnel.

It is an unfortunate decision that comes at a time when the State Department is actually raising the profile of the Cuban regime's forced labor schemes in the annual Report on Trafficking in Persons.

Why then cut off funding to programs that support the victims of the regime's trafficking of Cuban doctors and help raise additional international awareness about the issue?

Ms. ESCOBARI. If I might start.

We agree with you wholeheartedly on the importance of these programs and it is clear that the Cuban missions constitute forced labor.

We had this program—we have this program currently that tracks and analyzes the human rights abuses and our partners have documented all the issues that have led to this determination, right—the salaries, retention of identity of documents, movement restrictions, et cetera—as well as the threats and punishments and other labor violations.

Grants come to their natural end and that is the situation with this one. However, this is an issue that we will continue to work on. We have programs that are focused on educating the Cuban workforce on labor exploitation, including Cuban medical doctors in overseas missions, and as well as engaging multinational institutions and human rights organizations.

We will continue to—

The CHAIRMAN. I do not understand, Madam Administrator, why specifically end the resources that are unique to this program and then put it into the context of broader reviews that are taking place with other parts of the world.

I think it is regretful and, to be honest with you, I am going to have to consider it as it relates to any requests for transfers of money from USAID.

Senator Risch, do you have—

Senator RISCH. No.

The CHAIRMAN. With that and the thanks of the committee, there will be—I am sure there will be a series of questions, including some from myself.

The business—the record, I should say, for the hearing will remain open until the close of business on Friday, September 16. Please ensure that questions for the record are submitted no later than that day. We would ask you to have substantive responses.

With the thanks of the committee to our witnesses, this hearing is adjourned.

[Whereupon, at 11:21 a.m., the hearing was adjourned.]

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#### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

##### RESPONSES OF MR. BRIAN A. NICHOLS TO QUESTIONS SUBMITTED BY SENATOR JAMES E. RISCH

*Question.* What is your assessment of the extent of links between the Maduro regime and transnational organized crime and drug trafficking in Venezuela?

*Answer.* Maduro and his regime tolerate, ignore, and often cooperate or collude with known criminal networks, non-state armed groups, and narcotics traffickers. The Maduro regime and the Venezuelan armed forces also often develop mutually beneficial ad hoc relationships with criminal groups to derive revenue from illicit activities.

In situations where we have sufficient information, we have worked closely with law enforcement and the Department of Justice to extradite these individuals, offer rewards for their arrest or conviction, and worked with the Department of the Treasury to impose sanctions. For example, in February, the Secretary of State approved a reward of up to \$10 million for information leading to the arrest and/or conviction of illegitimate Maduro regime oil minister Tareck Zaidan El Aissami Maddah. Tareck El Aissami is a Specially Designated Narcotics Trafficker who was designated in 2017 pursuant to the Foreign Narcotics Kingpin Designation Act for playing a significant role in international narcotics trafficking.

We will continue to pressure the regime and hold its members accountable for undermining democracy, engaging in corruption, and abusing human rights, as exemplified this year by the extradition of Alex Saab and the seizure of Venezuela's Emtrasur aircraft.

*Question.* The President has designated Venezuela a major drug transit or major illicit drug producing country, and the Department of State estimates that up to 10 percent of Colombian cocaine is trafficked through Venezuela. As part of the basis for this designation, the President found that Venezuela "failed demonstrably" during the previous 12 months to make substantial efforts to adhere to its obligations under international counternarcotics agreements. What is the Administration's policy or strategy to address drug trafficking from Venezuela moving forward?

*Answer.* We maintain international pressure on the Maduro regime using a toolkit of sanctions, visa restrictions, law enforcement actions, diplomatic engagement, and other mechanisms. We also continue to work multilaterally via the UN system, the OAS, and other institutions to isolate and minimize the regime's influence in the region and internationally.

*Question.* President Gustavo Petro of Colombia has invited Nicolas Maduro to serve as guarantor of negotiations with the National Liberation Army (ELN), a U.S.-designated Foreign Terrorist Organization. Treasury's Office of Foreign Assets Control sanctioned Maduro and the Department of Justice charged him with offenses related to narco-terrorism and drug trafficking. State's Bureau of International Narcotics and Law Enforcement (INL) posted a \$15 million reward for information to bring him to justice. Does the Biden administration consider Nicolas Maduro a fugitive of U.S. Justice? Can Maduro be a legitimate guarantor of peace and security in Colombia?

*Answer.* The United States stands with the people of Venezuela, and we remain committed to targeting the Maduro regime and its supporters. We take every opportunity to highlight the abuses of the Maduro regime.

We remain concerned that the Maduro regime fails to make any meaningful efforts to combat illegal drug activity or prosecute corrupt officials or suspected drug traffickers, including ELN members. As you are aware, the Office of Foreign Assets Control designated Maduro in 2017 for being a current or former official of the Government of Venezuela, and in 2020 the Department of Justice charged him with offenses related to narco-terrorism and drug trafficking. The Department of State also posted a reward of up to \$15 million for information leading to Maduro's arrest or conviction.

The ELN remains a designated Foreign Terrorist Organization under U.S. law. We support efforts to bring to justice terrorists and criminals that for too long have denied the Venezuelan and Colombian people the peace and security they so deserve. Deciding whether or how to enter peace talks with any group remains the Colombian government's decision.

The Department of Justice charged Nicolas Maduro with offenses related to narco-terrorism and drug trafficking in 2020. We support efforts to bring to justice terrorists and criminals that for too long have denied the Venezuelan and Colombian people peace and security. The Department of State also posted a reward of up to \$15 million for information leading to Maduro's arrest or conviction. For additional questions pertaining to Maduro's status, we would refer you to the Department of Justice.

Deciding whether or how to enter peace talks with any group remains the Colombian government's decision.

*Question.* On February 25, National Security Council Senior Director Juan Gonzalez said to Voice of America that the sanctions imposed on Russia for invading Ukraine were "designed" to put pressure on Venezuela, Cuba, and Nicaragua. On March 7, the same official and Ambassador Jimmy Story met with Maduro in Caracas to, according to the White House Press Secretary "discuss energy security." Please explain how the Administration intends to pressure Maduro while discussing energy security with his regime.

*Answer.* Consistent with the VERDAD Act, we continue to support the Venezuelan-led negotiations between the Unitary Platform and the regime. We believe good faith negotiations represent the best path toward restoring democracy and human rights in Venezuela.

The visit by senior U.S. officials to Venezuela in March this year focused on checking the welfare of wrongfully detained U.S. nationals, securing the release of U.S. wrongful detainees, and supporting a return to negotiations with the opposition in Mexico.

*Question.* The regime has followed up the outreach by the Biden administration by unlawfully detaining nearly a dozen Americans, refusing to return to negotiations with the democratic opposition, and increasing physical attacks on Interim President Juan Guaidó.

Please explain what measures the Administration has taken to demonstrate concern with this trajectory. Is it time to impose additional sanctions on the Maduro regime?

*Answer.* Secretary Blinken has made the safety of U.S. nationals abroad his highest priority. After the March 2022 U.S. Government delegation trip to Caracas, the regime released two wrongfully detained U.S. nationals. We continue to advocate for the immediate and unconditional release of all wrongfully detained U.S. nationals in Venezuela at every opportunity.

Accountability for human rights abuses remains one of the main objectives of U.S. foreign policy in Venezuela. We take every opportunity to highlight the abuses of the Maduro regime, especially against pro-democracy and human rights advocates.

As we have previously made clear, we will review our sanctions policies in response to constructive steps by the Maduro regime. We have also been very clear that we will review our sanctions posture should the Maduro regime fail to negotiate in good faith or to follow through on its commitments.

*Question.* In July, the Administration extended OFAC General License No. 40 (GL 40), first issued in July 2021, to authorize the exportation or re-exportation of Liquefied Petroleum Gas to Venezuela. Could you please confirm the volumes of LPG that have been imported into Venezuela under GL 40 since July 2021?

*Answer.* I am unaware of any U.S. exports of Liquefied Petroleum Gas (LPG) to Venezuela since July 2021. General License 40 does not contain any reporting requirement.

*Question.* On June 17, OFAC lifted sanctions on Mr. Carlos Erik Malpica Flores, the nephew of Maduro's wife, Cilia Flores. Mr. Malpica was sanctioned in 2017 for its involvement in rampant government corruption.

Please provide a detailed explanation for lifting sanctions on Mr. Malpica, including the guidance provided by your Bureau and/or the Department of State to the Department of the Treasury on this decision.

*Answer.* The Department of the Treasury delisted Malpica Flores. We have long made clear that we would review our sanctions policies to promote a negotiated solution to the Venezuelan crisis. We have also been very clear that we will review our sanctions posture should the Maduro regime fail to negotiate in good faith or to follow through on its commitments.

*Question.* In April 2020, the United States proposed a Democratic Transition Framework to facilitate a peaceful negotiated return to democracy in Venezuela. Has the Biden administration formally retracted the 2020 Framework as U.S. policy?

*Answer.* The United States continues to recognize the authority of the democratically elected 2015 National Assembly as Venezuela's last remaining democratic institution and of Juan Guaidó as the Interim President of Venezuela.

We believe comprehensive, Venezuelan-led negotiations represent the best mechanism available to restore Venezuelan democracy and the rule of law.

In close coordination with Interim President Guaidó, we support the Unitary Platform's goal of immediately resuming its negotiations with the Maduro regime to restore free and fair elections, democratic institutions, the rule of law, and respect for human rights in Venezuela.

*Question.* It is my understanding that Ambassador James Story has encouraged the Unitary Platform to broaden the coalition for the sake of unity.

Can you describe the standards by which the Administration would measure whether an organization or individual should be part of the Unitary Platform? Would the Administration support a coalition that includes representatives of "Fuerza Vecinal"? Can you please describe the links between Fuerza Vecinal and Mr. Raul Gorrin Belisario, an international fugitive sanctioned by OFAC in January 2019 for its involvement in endemic corruption at the highest levels of the Maduro regime.

*Answer.* The Venezuelan opposition—specifically the Unitary Platform—engages directly with the regime to secure tangible progress toward the restoration of democracy in Venezuela. We strongly support these efforts and encourage the Unitary Platform to include political parties, civil society, and other actors from a wide segment of Venezuelan society in its discussions. We regularly engage with the Unitary Platform through weekly consultations with the Venezuela Affairs Unit and high-

level coordination meetings with likeminded partners to emphasize our shared values and the importance of a Venezuelan-led negotiated solution. We understand Unitary Platform members are cautious to ensure their coalition consists of legitimate actors who share the same goal of restoring democracy and stability to Venezuela.

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RESPONSES OF MR. BRIAN A. NICHOLS TO QUESTIONS  
SUBMITTED BY SENATOR BENJAMIN L. CARDIN

*Question.* Implementation of sanctions on Venezuela: Venezuela appears to be conducting some business transactions that one would think would be constrained under current sanctions on the country. For example, we have seen the shipment of Venezuela oil to Europe, speculation about Chevron relaunching Venezuelan operations, and Siemens helping with the country's electrification problems. Please provide some clarification regarding U.S. sanctions on Venezuela in relation to recent business activity in the country.

*Answer.* We believe Venezuelan-led, comprehensive negotiations represent the best mechanism available to restore Venezuelan democracy and the rule of law. Sanctions are one tool at our disposal to make progress towards this objective, and we have said repeatedly that we would review our sanctions policies in response to constructive steps by the Maduro regime.

The United States remains steadfast in our commitment to the Venezuelan people, which includes support for Venezuelans' democratic aspirations and assistance to address Venezuela's humanitarian crisis. Part of this effort includes calibrating our sanctions program to impose costs on the Maduro regime for its corrupt practices while making all efforts to ensure our sanctions do not unduly impact the Venezuelan people or stand in the way of bona fide humanitarian assistance flowing to Venezuela.

I can confirm that the U.S. Government issued two narrowly scoped licenses to Siemens, as Siemens reported publicly. To the extent that the media reports imply that the United States supports Siemens fully rebuilding the energy grid, they inaccurately portray U.S. policy towards Venezuela.

*Question.* How are you implementing these sanctions given the goals the Biden administration hopes to achieve?

*Answer.* Our overall sanctions policy on Venezuela remains unchanged, and we will continue to implement and enforce our Venezuela sanctions. As we have previously made clear, we will review our sanctions policies in response to constructive steps by the Maduro regime. We have also been very clear that we will review our sanctions posture should the Maduro regime fail to negotiate in good faith or to follow through on its commitments. The United States recognizes Interim President Guaidó and closely coordinates with his administration and with the Unitary Platform on the steps needed to move forward on a negotiated solution that leads to the restoration of democracy to Venezuela.

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RESPONSES OF MS. MARCELA ESCOBARI TO QUESTIONS  
SUBMITTED BY SENATOR BENJAMIN L. CARDIN

*Question.* *Venezuela migrant and refugee situation:* As you mentioned in your testimony, there are now more than 6.8 million Venezuelan migrants and refugees. The scale of this crisis is staggering and impacts the entire Western Hemisphere.

How is USAID working to respond to migration across Latin America and the Caribbean?

*Answer.* USAID is supporting Venezuelan migrants and refugees with immediate humanitarian assistance and with longer-term socio-economic migration across Colombia, Ecuador, Peru, and Brazil. USAID is also working to address the root causes of migration in Central America.

USAID DEVELOPMENT ASSISTANCE

USAID has provided more than \$32 million (including \$6.5 million in FY 2021) in development assistance to facilitate the socio-economic integration of Venezuelan migrants into three receiving countries in South America: Brazil, Ecuador, and Peru. With this funding, USAID is working to strengthen local institutions' ability to provide basic services and effectively and equitably absorb the inflow of migrants, supporting policy reforms and administrative changes to facilitate migrants' integra-

tion, and supporting job skills development, entrepreneurial activity, and labor force integration.

USAID has provided more than \$148 million (including \$30 million in FY 2021) in ongoing programming in Colombia to provide assistance to Venezuelan migrants through a variety of programs including providing technical assistance to the Colombian Government to support the implementation of the Temporary Protective Status (TPS) program for Venezuelan migrants, improving access to health and education systems, and supporting economic integration and financial inclusion of migrants and returnees.

In FY 2021, USAID provided more than \$328 million in development programming to address the root causes of migration in Central America. Of that, \$9 million supports the dignified reception and reintegration of repatriated Salvadorans, Hondurans, and Guatemalans and \$4.4 million supports the facilitation of access to H-2 visas in northern Central America.

Through the International Organization for Migration (IOM), USAID has also provided support for the reception and integration of migrants in Costa Rica (\$2.6 million), Panama (\$2.4 million), and Belize (\$1.14 million). In Costa Rica, this assistance has included the establishment of three municipal migrant centers in Tarrazú, Limón, and San Carlos as well as mobile integration services to assist migrants in their process of achieving 'regular migration status' and to enhance access to institutions and services.

#### USAID HUMANITARIAN ASSISTANCE

At the Summit of the Americas on June 10, U.S. President Joseph R. Biden announced new humanitarian assistance, including more than \$171 million in humanitarian funding to support life-saving assistance inside Venezuela, as well as provide support for Venezuelan migrants, Colombia returnees, refugees, and host communities in the region.

USAID has provided more than \$1.1 billion in humanitarian assistance since 2018 for emergency food, water, sanitation and hygiene, health, protection, nutrition, and other urgent assistance for people affected by this crisis in Venezuela and across the region. Since 2018, USAID has provided more than \$315 million in humanitarian assistance for people in Venezuela, and nearly \$794 million in humanitarian assistance for Venezuelan migrants and refugees, as well as for host communities in Brazil, Colombia, Ecuador, and Peru since 2018.

*Question.* Specifically, what are you doing on this front in Colombia, a country which took historic action last year to provide temporary protected status to over 2.4 million Venezuelans?

*Answer.* Colombia is a priority for USAID, and we are dedicated to supporting their generous efforts to host over 2.4 million migrants and refugees, and re-integrate returnees.

#### USAID DEVELOPMENT ASSISTANCE

With *USAID* funding for migrant socio-economic integration programming, USAID/Colombia enabled the country's historic decision to offer TPS to Venezuelan migrants, and provided 460 surge staff and equipment to Colombian migration authorities to help pre-register more than 2.4 million and approve TPS for 1.5 million migrants. To date, USAID/Colombia has launched and operationalized four migration integration centers, which are one-stop shops for migrants to access social services, and will launch five more in the upcoming months.

USAID's health program has supported the Colombian Government's Ministry of Health with the enrollment of more than 90,000 migrants into the health system. "Together We Learn," USAID's migrant education program, is currently working in 129 schools. Over the life of the activity, USAID will reach over 400 schools in nine Colombian municipalities. The project will improve access to education for more than 4,000 children and train over 11,000 educators to promote the social integration of migrant and returnee youth in schools. Finally, USAID launched two economic integration projects that will provide employment and entrepreneurship opportunities to more than 10,000 migrants and receptor community members, along with access to financial services for 30,000 new clients.

#### USAID HUMANITARIAN ASSISTANCE

USAID humanitarian assistance in Colombia totals more than \$505 million and currently includes food assistance—hot meals, food kits for families in transit, and vouchers and cash transfers—so that vulnerable Venezuelans can buy nutritious food in local stores. In Colombia, USAID partners have assisted more than 317,000

vulnerable migrants and Colombian returnees with food assistance and emergency relief. USAID also funds targeted support to Venezuelans in transit through Colombia (*caminantes*) in Norte de Santander and Santander by increasing their access to basic services.

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RESPONSES OF MR. BRIAN A. NICHOLS TO QUESTIONS  
SUBMITTED BY SENATOR MARCO RUBIO

*Question.* What are the top priorities for the Biden administration regarding policy towards Venezuela?

Answer. The situation in Venezuela remains one of the worst crises in our hemisphere's history, and the responsibility for the crisis falls squarely on the shoulders of the late Hugo Chavez and Nicolas Maduro. The Biden administration has prioritized the return of democracy to Venezuela through Venezuelan-led, comprehensive negotiations that represent the best mechanism available to restore democracy and the rule of law, and to limit the influence of malign actors in the region. We will continue to review our sanctions policies in response to constructive steps by the Maduro regime but also remain ready to evaluate our sanctions posture should the regime fail to negotiate in good faith or to follow through on its commitments.

Secretary Blinken has made the safety of U.S. citizens abroad his highest priority and we continue to work aggressively, using every available means, to bring home all U.S. nationals wrongfully detained in Venezuela. In addition, accountability for human rights abuses remains one of the main objectives of U.S. foreign policy in Venezuela, and we take every opportunity to highlight the abuses of the Maduro regime. We continue to provide humanitarian assistance to Venezuelans who have been forced to leave their country. Since FY 2017, the Department's Population, Refugees, and Migration bureau has provided nearly \$828 million in humanitarian assistance for Venezuelan refugees and migrants in 17 countries throughout the region, as well as vulnerable Venezuelans inside Venezuela.

*Question.* Is the Administration still committed to recognizing Juan Guaidó as the Interim President of Venezuela?

Answer. Yes, the United States continues to recognize the authority of the democratically elected 2015 National Assembly as Venezuela's last remaining democratic institution and of Juan Guaidó as the Interim President of Venezuela. President Biden spoke with Interim President Guaidó during the Summit of the Americas and reinforced our support for him as Venezuela's president, as well as our firm commitment to Guaidó's call for a negotiated solution to Venezuela's crisis through the Unitary Platform's negotiations with the Maduro regime to restore free and fair elections, democratic institutions, the rule of law, and respect for human rights in Venezuela. Additionally, Ambassador Story met with Juan Guaidó twice during his June 2022 visit to Caracas to reinforce the support of the United States.

*Question.* Is seeking the release of political prisoners and holding free and fair elections still the Administration's primary priority, or have other considerations taken precedence, such as securing a supply of oil from Maduro-regime controlled companies?

Answer. Accountability for human rights abuses remains one of the main objectives of U.S. foreign policy in Venezuela and we will continue to use all diplomatic and economic tools available to support Venezuelan calls for greater freedom, accountability, and democracy. The United States, joined by partners and allies across the globe, continues to press for the release of all those unjustly detained for political reasons, an end to human rights abuses, and conditions for free and fair elections that allow Venezuelans to choose their leaders freely. We remain a steadfast partner of the Venezuelan people as they strive to build a better future for their country—one in which their leaders respect the human rights and freedoms of all citizens. We take every opportunity to highlight the abuses of the Maduro regime, especially against pro-democracy and human rights advocates.

Our overall sanctions policy on Venezuela remains unchanged, and we will continue to implement and enforce our Venezuela sanctions. As we have previously made clear, we will also review our sanctions policies in response to constructive steps by the Maduro regime.

*Question.* In the past year, the Maduro regime and elements of the Venezuelan democratic opposition have negotiated in Mexico City. According to both State Department and opposition readouts of these talks, the Maduro regime has only want-

ed to focus on economic relief, with limited discussion on what they call “social issues,” including elections.

Has the Maduro regime shown any willingness to discuss holding free and fair elections in Venezuela?

Answer. The Venezuelan opposition—specifically the Unitary Platform—engages directly with the regime to secure tangible progress toward the restoration of democracy in Venezuela. Consistent with the VERDAD Act, we continue to support the Venezuelan-led negotiations between the Unitary Platform and the regime. We think that good faith negotiations represent the best path toward restoring democracy and respect for human rights in Venezuela. The Administration’s efforts resulted in renewed meetings and negotiations between the regime and the opposition in both Oslo and Caracas. The United States will continue to work with our Venezuelan and international partners to support the negotiations and urge Maduro to return to the table.

*Question.* What is the Administration doing to ensure that the Guaidó government, and other elements of Venezuela’s democratic opposition, present a united front in these negotiations?

Answer. In close coordination with Interim President Guaidó, we support the Unitary Platform’s goal of immediately resuming negotiations with the Maduro regime to restore free and fair elections, democratic institutions, the rule of law, and respect for human rights in Venezuela. The United States regularly coordinates with Guaidó’s administration and with the Unitary Platform to move forward effectively on a negotiated solution that leads to the restoration of democracy to Venezuela.

*Question.* Are there scenarios where the Administration would offer sanctions relief without free and fair elections in Venezuela?

Answer. We will review our sanctions policies in response to constructive steps by the Maduro regime. However, we also remain ready to review our sanctions posture should the regime fail to negotiate in good faith or to follow through on its commitments. We will continue to pressure the regime and hold its members accountable for undermining democracy, engaging in corruption, and abusing human rights as exemplified by our extradition of Alex Saab and the seizure of Venezuela’s Emtrasur aircraft in Argentina.

*Question.* Given the Maduro regime’s attempts to kidnap members of the Venezuelan democratic opposition, like Freddy Guevara last year, can we believe any commitment made by Maduro that he would obey the law if free and fair elections were held in Venezuela?

Answer. Consistent with the VERDAD Act, we continue to support the Venezuelan-led negotiations between the Unitary Platform and the regime. We think that good faith negotiations represent the best path toward restoring democracy and human rights in Venezuela.

Accountability for human rights abuses remains one of the main objectives of U.S. foreign policy in Venezuela. We take every opportunity to highlight the abuses of the Maduro regime, especially against pro-democracy and human rights advocates. As a member of the Human Rights Council, we work to ensure the renewal of the Mandate of the UNHRC Fact Finding Mission (FFM) to Venezuela. This important mission shines a light on the human rights situation in the country and serves as a critical voice for victims of the regime. We also work with partners and allies to promote accountability for corrupt actors and those who undermine democracy and abuse human rights.

*Question.* The Trump administration successfully mobilized almost 60 countries in recognizing the Guaidó government and joining the U.S.-led effort to press for Venezuelans’ right to free and fair elections. Under this administration’s watch, we’ve seen the EU formally switch to recognizing Guaidó as an opposition leader rather than as an interim president. As they elect left-wing leaders, more countries in Latin America also shift their recognition.

How is the Administration coordinating sanctions policy with European and Latin American governments, including those that have de-recognized the Guaidó government?

Answer. The Department of State regularly engages European counterparts, including officials from EU member countries and the European External Action Service (EEAS), on Venezuela and the need to maintain pressure on the Maduro regime to return to negotiations and improve economic and political conditions. For example, during a July 27, 2022, coordination conference on Venezuela, I pressed the EU to support our sanctions implementation and preserve the incentive structure with the Maduro regime, and Principal Deputy Assistant Secretary Ricardo Zuniga reit-

erated the importance of coordination on Venezuela policy, including recognition and sanctions, with European and other international partners during a meeting on September 13, 2022. Other State Department officials have regular interactions with our international partners to follow up on these issues, including sanctions.

*Question.* In your communications with these governments, have you or anyone in the State Department conveyed the U.S. plans to continue recognizing the Guaidó government?

*Answer.* The United States continues to recognize the authority of the democratically elected 2015 National Assembly as Venezuela's last remaining democratic institution and of Juan Guaidó as the Interim President of Venezuela, a position that is well known and regularly shared with our international partners. Recent examples of this include a September 13, 2022, high-level coordination meeting on Venezuela, sponsored by the Government of Canada, where Principal Deputy Assistant Secretary of State Zuniga affirmed our determination to continue supporting the interim government. Additionally, in a July 27, 2022, small-group meeting of likeminded partners, I reaffirmed our recognition of Juan Guaidó to our closest partners and allies.

*Question.* In the last year, has the Administration considered following the EU in withdrawing its recognition of Juan Guaidó as the interim president of the legitimate Government of Venezuela?

*Answer.* No. The United States continues to recognize the authority of the democratically elected 2015 National Assembly as Venezuela's last remaining democratic institution and of Juan Guaidó as the Interim President of Venezuela.

*Question.* In July, you briefed my staff, and the staff of other members of this committee, on your initial round of talks with the then-incoming government of Gustavo Petro. You indicated then that compared to the topic of environmental protection and economic reform, Petro himself was not enthusiastic about talking about confronting the illiberal forces in Latin America, including Cuba, Nicaragua, and Maduro. Since then, Petro has sought a thaw in bilateral relations with Caracas. This includes restoring full diplomatic ties, sending an ambassador to Caracas, and reopening the border. I understand that the Petro administration, as the democratically elected Government of Colombia, has the full right to express its sovereignty and decide its own foreign policy.

Can you tell me whether you view President Petro's opening to the Maduro regime as a positive or a negative development as far as U.S. interests are concerned?

*Answer.* We have engaged the new Colombian Government on issues of mutual interest including foreign affairs. We have had open and frank high-level discussions with Petro Administration Foreign Minister Alvaro Leyva and Petro Administration Ambassador to Venezuela Armando Benedetti to emphasize continued U.S. concerns about Venezuela's human rights record and to encourage the Colombian Government to consider how its increased engagement with Venezuela can advance our mutual interest to promote a return to democracy in Venezuela.

*Question.* What is your assessment of the Petro administration's continued willingness to protect Venezuelan political exiles currently residing there?

*Answer.* The Petro administration has vowed publicly and privately to continue to provide refuge to Venezuelan political exiles to reside in Colombia. President Petro publicly rebuffed Maduro regime official Diosdado Cabello's call for the extradition of political exiles from Colombia, stating: "Colombia guarantees the right to asylum and refuge." We welcome President Petro's public assurances that Venezuelan political exiles will not be subject to extradition to Venezuela.

*Question.* Will the Petro government continue to vote in multilateral forums, such as the Organization of American States, to support Venezuela's opposition and condemn Maduro's human rights violations?

*Answer.* We do not have information on how the Petro government plans to vote on individual issues. However, President Petro publicly said on September 13 that he would support the Maduro regime reclaiming its seat at the OAS. We urge Colombia and other partners to press for improved political and human rights conditions in Venezuela, including through support for relevant resolutions in multilateral organizations.

*Question.* For decades, Colombia has struggled to deal with the scourge of narcotics production and trafficking, burdening its society with drug addiction and all of its problems and funding terrorist movements seeking to overthrow Colombia's government. These include both the FARC and the ELN, which last year carried out attacks against Colombian Government officials, likely with the support of Ven-

ezuela. Has the Administration communicated to the Petro government, via classified channels or other means, the danger posed to Colombia by Venezuela's sponsoring of the ELN and other armed Colombian terrorist groups?

Answer. The Biden administration has made clear the threats posed to Colombian security forces and the Colombian people by the ELN and other armed terrorist groups, including the dangers of foreign support for those groups. The ELN remains a designated Foreign Terrorist Organization under U.S. law.

*Question.* Do you believe the Petro government will seek accountability for the ELN's continued practice of sparking violence along the Colombian-Venezuelan border?

Answer. The Colombian Government is starting the process to reopen peace negotiations with the ELN. We expect that the Colombian Government will seek to address ELN-sponsored violence as a part of those discussions given the ELN's attacks on Colombian citizens over decades and the importance of ending such harmful actions. The Petro government publicly indicated that one of its first priorities in discussions with the ELN is a humanitarian ceasefire.

*Question.* In 2016, the Maduro regime transformed 12 percent of its national territory into a mining region named the Orinoco Mining Arc (el Arco Minero). Since then, it has been subjected to predatory mining and wanton destruction in order to fill the regime's coffers with the profits accrued by illegal gold mining. Criminality is rife in the gold-mining areas of Venezuela. Venezuelan migrants, particularly those lacking documents, are vulnerable to human trafficking and other crimes. Given the Biden administration's focus on climate change and environmental protection, you would think that it would be concerned about how illegal mining has polluted the Orinoco River, aquifers, and even the Gulf of Mexico, but this barely figures in its communications with Venezuela. Chairman Menendez and I have been working on the *Legal Goldmining Partnership Act of 2022* to crack down on the harmful practice of illegal gold mining, and hope to introduce that legislation in short order.

What, if any, punitive action can be undertaken to target those responsible for this ecological disaster?

Answer. The United States works with partners through the Organization for Economic Co-operation and Development (OECD) to promote responsible mineral supply chains, and specifically supported the OECD's report and follow-on forum on illicit gold flows from Venezuela. The United States has called for governments, civil society, and the private sector to work together to combat human rights abuses, including human trafficking and other crimes stemming from this industry.

As a State Party to the World Heritage Convention (WHC), Venezuela is accountable for protecting its heritage sites, including the Canaima National Park, which the Maduro regime included in the Orinoco Mining Arc in 2016. The United States and other States Parties supported a WHC decision for the regime to report on park conditions and host an inspection by December 2022.

*Question.* In addition to my legal gold mining partnership act, what other options should the United States and multilateral organizations consider to deter these types of crimes, protect victims, and detect and prosecute their perpetrators?

Answer. The United States works with partners bilaterally and through the OECD to promote responsible mineral supply chains. Through the OECD, the United States and other partners sponsored the report "Gold Flows from Venezuela," which described the armed groups, corruption, and money laundering associated with gold extraction in Venezuela.

The Bureau of International Narcotic and Law Enforcement Affairs, in partnership with the Organization of American States' Department against Transnational Organized Crime, works with countries in the region to identify and prosecute illicit mining, criminal gold flows, including flows from Venezuela, and gold-based money laundering. These efforts help provide better information about the illicit gold flows in the region, which in turn will help inform effective policy responses.

*Question.* Last year, an Iranian plot was revealed to kidnap Iranian dissident Masih Alinejad in New York City. The plot, coordinated by Iranian regime agents, sought to kidnap Ms. Alinejad and have her smuggled out to Venezuela by boat. The plot exposed Venezuela's complicity in Iran's terrorist activities against a U.S. citizen.

Which Venezuelan officials were directly or indirectly involved in the plot to kidnap an American citizen?

Answer. The Department closely monitors relations between the Maduro regime and malign actors like Iran in the Western Hemisphere. We refer you to the Depart-

ment of Justice for additional details on the plot by Iranian intelligence services to kidnap a U.S. journalist and any connections with Venezuelan officials.

*Question.* And what punitive actions are being taken or being contemplated against Venezuelan officials for their complicity with Tehran?

*Answer.* We remain concerned by the Maduro regime's continued attempts to circumvent U.S. sanctions and we closely monitor the activities of malign actors like Iran in our hemisphere and globally. We maintain international pressure on the Maduro regime using a toolkit of sanctions, visa restrictions, law enforcement actions, diplomatic engagement, and other mechanisms.

*Question.* For years, the communist regime in Cuba has systematically violated the human rights of Cuban medical professionals through its practice of dispatching so-called "medical missions" abroad. The State Department's annual human rights reports and trafficking in persons reports have determined that these missions constitute the use of forced labor. Venezuela is among the most frequent destinations for these missions. Last year, Senator Menendez and I introduced the *Combating Trafficking of Cuban Doctors Act of 2021* to strengthen U.S. efforts to stop this practice.

How is the Administration holding the communist regime in Cuba and countries that host these missions accountable?

*Answer.* Every year since 2010, the State Department has documented indicators of forced labor in Cuba's labor export programs overseas. We believe all countries should comply with their international obligations and commitments to combat human trafficking, including forced labor. As such, we continually urge countries to seek transparency on contractual agreements between the Cuban Government and Cuban overseas workers, to screen those associated with this program for trafficking indicators, and to protect victims identified. We urge foreign governments to investigate the specific conditions government-affiliated Cuban workers in their countries face and to ensure these programs comply with international labor standards, including ensuring workers are paid directly and fully, keep their travel and identity documents, review their contracts, have freedom of movement, and are not penalized or retaliated against for leaving the program.

Since 2019, USAID has supported a portfolio of programs that track and analyze human rights abuses committed against Cuban medical personnel. This data, including testimony collected from participants in the medical missions, has informed other organizations' reporting, including a July 2020 report from Human Rights Watch which outlined the Cuban Government's violation of Cuban medical personnel's human rights and fundamental freedoms.

*Question.* Earlier this year, U.S. courts determined that international organizations sued in U.S. courts do not enjoy immunity from legal suit that is greater than what is granted by the Foreign Sovereign Immunities Act (FSIA). This opens the door for potentially Cuban doctors who served in Cuban medical missions in Venezuela and elsewhere to sue the Pan American Health Organization (PAHO) for facilitating Cuban medical missions.

Does the Administration support such lawsuits?

*Answer.* We have long expressed serious concerns about allegations of forced labor in Cuba's labor export program overseas. We support the right of those affected by these practices to use all legal means available to seek justice.

*Question.* Is the Administration considering imposing sanctions on PAHO for facilitating human rights abuses against Cuban medical professionals as current and past administrations have imposed human rights sanctions on foreign governments?

*Answer.* The Administration's focus remains on the Cuban people and their political and economic wellbeing. Accordingly, we continue to monitor allegations of human rights abuses by the Government of Cuba and consider steps to promote accountability. We have engaged with PAHO's leadership to increase PAHO's transparency and accountability and to protect U.S. interests following its involvement in Brazil's Mais Medicos program. We also proposed governance reforms to prevent the recurrence of PAHO's involvement in projects like Mais Medicos, and PAHO's Directing Council approved the reform proposal by consensus in September 2020.

RESPONSES OF MR. BRIAN A. NICHOLS TO QUESTIONS  
SUBMITTED BY SENATOR TODD YOUNG

*Question.* Is the Department actively considering returning our diplomats to Caracas? And if not, under what circumstances would President Biden make such a move?

*Answer.* The Department does not currently have plans to re-establish a diplomatic presence in Venezuela. In March 2019, the Department announced the withdrawal of all diplomatic personnel from U.S. Embassy Caracas. All consular services in Venezuela remain suspended and we have extremely limited ability to provide emergency services to U.S. citizens in Venezuela. Visits by U.S. officials to Venezuela this year focused on checking the welfare of wrongfully detained U.S. nationals, securing the release of U.S. wrongful detainees, and supporting a return to negotiations with the opposition in Mexico. The United States continues to recognize the authority of the democratically elected 2015 National Assembly as Venezuela's last remaining democratic institution and of Juan Guaidó as the Interim President of Venezuela. We strongly support the Unitary Platform in its engagements with the Maduro regime to secure tangible progress toward the restoration of democracy in Venezuela.

*Question.* How is the State Department working to discourage the arrest of American citizens for political purposes?

*Answer.* Secretary Blinken has made the safety of U.S. citizens abroad his highest priority. The Department continues to press the Maduro regime for the immediate and unconditional release of all wrongfully detained U.S. nationals in Venezuela. We have consistently advocated against the wrongful detention of U.S. nationals and will continue to do so.

Venezuela has a Level 4 (Do Not Travel) Travel Advisory due to crime, civil unrest, poor health infrastructure, kidnapping, and the arrest and detention of U.S. citizens without due process or fair trial guarantees that includes a level 2 (exercise increased caution) warning for risk of terrorism and wrongful detentions.

On July 19, 2022, the Department of State introduced a new "D" risk indicator for wrongful detentions as part of our ongoing efforts to provide clear and comprehensive safety and security information to U.S. citizens traveling and living abroad. Prior Travel Advisories already included information on unjust detentions. The "D" indicator was added to highlight for the traveling U.S. public the elevated risk of the wrongful detention of U.S. nationals in particular countries overseas whose governments have engaged in that practice. The "D" indicator is active for the Venezuela Travel Advisory.

*Question.* What efforts has the Department undertaken to secure the release of other Americans under the Maduro regime's custody?

*Answer.* Special Presidential Envoy for Hostage Affairs Roger Carstens leads the effort, joined by U.S. Ambassador to Venezuela James Story and the Bureau of Western Hemisphere Affairs, to identify ways to secure the release of all wrongfully detained U.S. nationals. On the March 2022 U.S. delegation trip, the regime released two wrongfully detained U.S. citizens, and Special Envoy Carstens and Ambassador Story, along with the Bureau of Western Hemisphere Affairs, continue to advocate the immediate and unconditional release of all wrongfully detained U.S. nationals in Venezuela at every opportunity, including in their June 2022 trip to Venezuela.

*Question.* Would you say the present use of the Consular Travel Advisory system is effective at warning American citizens about the risks of traveling to Venezuela?

*Answer.* The Department's Travel Advisories and Travel Alerts effectively provide U.S. citizens with accurate, actionable, and timely information about travel risks abroad so that they can make informed travel decisions. The Department updated its Travel Advisory for Venezuela most recently on July 19, 2022. The travel advisory and travel alerts are emailed to U.S. citizens who register with STEP (Smart Traveler Enrollment Program) and is publicly available on Department websites ([travel.state.gov](https://travel.state.gov), [www.osac.gov](https://www.osac.gov) and embassy websites) and social media and is regularly updated based on the changing security circumstances within Venezuela.

*Question.* Which U.S. adversaries play the strongest role in propping up the regime and how would you recommend the United States engage these players in support of our objectives in Venezuela?

*Answer.* The Maduro regime continues to seek commercial, political, and diplomatic ties with malign actors like Cuba, Iran, Russia, and China, to its own detriment. We remain concerned by the Maduro regime's continued attempts to cir-

cumvent our sanctions and we closely monitor the activities of malign actors and strategic competitors in our hemisphere. In coordination with international partners and allies, the Department maintains pressure on the Maduro regime using a toolkit of sanctions, visa restrictions, law enforcement actions, diplomatic engagement, and other mechanisms. We remain firmly committed to the Venezuelan people and continue to work with the international community to support the restoration of democracy and the rule of law.

*Question.* Noting Colombia’s restoration of formal relations with Maduro, how would you characterize our engagement with President Petro on the issue of U.S.-Venezuelan relations?

*Answer.* We have engaged the new Colombian Government on issues of mutual interest including foreign affairs. We have had open, frank, and high-level discussions with President Petro, as well as Petro Administration Foreign Minister Alvaro Leyva and Petro Administration Ambassador to Venezuela Armando Benedetti to emphasize continued U.S. concerns about Venezuela’s human rights record and to encourage the Colombian Government to consider how its increased engagement with Venezuela can advance our mutual interest to promote a return to democracy in Venezuela.

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RESPONSES OF MS. MARCELA ESCOBARI TO QUESTIONS  
SUBMITTED BY SENATOR TODD YOUNG

*Question.* In its \$40 million appropriation for democracy programs for Venezuela, Congress directed USAID to address violence against Venezuelan women and child migrants. Can you expand on USAID’s efforts in this regard?

*Answer.* The SFOAA FY22 bill specifies that, “Of the funds appropriated by this Act under the heading “Economic Support Fund,” not less than \$40,000,000 shall be made available for democracy programs for Venezuela.” USAID makes use of these funds to implement a range of programs in partnership with local civil society organizations, independent media outlets, and human rights actors to advance democracy and protect human rights inside Venezuela.

USAID will use FY 2022 funds to continue to raise awareness about gender issues—including gender-based violence (GBV)—and work with a broad range of civil society and democratic actors—including media, labor, watchdog, human rights, university, women, and youth groups—to effectively document and influence regime actions, monitor and report on human rights, expand civil political dialogue, and support demands for electoral and other institutional reform.

FY 2022-funded activities will continue and expand on the following activities that USAID has implemented to address violence and other injustices against Venezuelan women.

- USAID supported a human rights observatory to survey the prevalence of gender-based violence in a major Venezuelan city.
- USAID supported another human rights observatory to collect evidence of impunity in Venezuela’s judicial system, as it pertains to cases of gender-based human rights violations, human trafficking, and forced migration.
- USAID provided gender training to the Interim Government and provided leadership training to women.
- USAID’s media partners actively hire women reporters, engage women leaders as community journalists to report on local issues, and report on the work of women human rights defenders and the differentiated impact of the humanitarian crisis on women.

USAID HUMANITARIAN ASSISTANCE FOR VENEZUELANANS

USAID is committed to the Venezuelan people, with a key focus on the most vulnerable including women and children. The United States remains the single largest donor of humanitarian assistance to people affected by the crisis in Venezuela. In addition to the \$40 million for democracy assistance in Venezuela, USAID has provided \$1.3 billion in humanitarian assistance since 2018, both in Venezuela as well as for Venezuelan migrants and refugees across the region. This humanitarian funding supports broader USAID efforts to address violence against Venezuelan migrants and refugees.

Since 2018, USAID has provided nearly \$794 million in humanitarian assistance to meet the needs of Venezuelan migrants and refugees seeking refuge in Brazil, Colombia, Ecuador, and Peru. USAID programming also targets vulnerable host community members in areas with high numbers of Venezuelans. USAID’s assist-

ance helps Venezuelan migrants and refugees to meet their immediate food needs through hot meals, cash transfers, food vouchers, and food kits. This programming is complemented by State/PRM programs addressing protection and additional humanitarian needs.

Since 2018, USAID has also provided more than \$315 million in humanitarian assistance inside Venezuela. USAID humanitarian programming inside Venezuela prioritizes support for healthcare, food, protection including support for survivors of GBV, water, sanitation and hygiene, nutrition, and other urgent assistance.

#### USAID DEVELOPMENT PROGRAMS FOR VENEZUELAN MIGRANTS

USAID has provided \$35.9 million in FY 2021 development funds to support integration programming for Venezuelan migrants and support for receptor communities in South America, with \$29.9 million for Colombia and \$6 million for programs in Ecuador, Brazil, and Peru.

##### *Colombia*

In Colombia, USAID support enabled the country's historic decision to offer Temporary Protective Status (TPS) to Venezuelan migrants. USAID continues to launch and operationalize migration integration centers or Integrate centers, which are one-stop shops for migrants to access social services.

In Colombia, USAID supported the strengthening of the national and local GBV prevention hotlines at the national level and in Bogotá to respond to GBV cases against migrants through six training sessions with 48 agents that will improve information and referrals for migrants on GBV response. USAID also established the Network of Gender Observatories with the Women's Observatory of the Presidential Counselor for Women's Equity (CPEM), aiming to improve coordination between government, civil society organizations, academia, and international organizations to collect data for prevention and attention of gender-based violence. Additionally, USAID grantees trained 162 migrant women, as well as sex workers and 83 of their children on GBV prevention and response. Moreover, grantees in Cali trained 4,580 participant migrant girls and youth to increase their awareness of Trafficking in Persons (TIP) and GBV risks, and in the city and Cartagena another grantee trained 418 participants and 67 public officials on GBV prevention and attention routes. USAID programs also developed a GBV toolbox to be used with public officials and civil society representatives that addresses specific GBV risks and vulnerabilities faced by migrants. This toolbox was subsequently presented to 27 public officials and 42 civil society representatives in Bucaramanga, Cali, Medellín and Riohacha to improve their knowledge on attention routes, prevent and address GBV against migrants, and identify cases and improve institutional response.

##### *South America Regional*

USAID's regional program supports the socio-economic integration of Venezuelan migrants in Ecuador, Peru, and Brazil. Half of the migrants USAID supports in Peru, Ecuador, and Brazil are women who continue to face sexual exploitation and abuse, GBV, discrimination, and xenophobia. They are routinely denied access to stable employment, financial resources, or social protections because of their gender and status as migrants/refugees. Transgender women migrants, often escaping violence and torture in Venezuela, face continued abuse and discrimination based on their gender identity. Gender-based violence, which has exploded during the pandemic, traps migrants in a cycle of dependence on their abusers.

USAID's updated Migrant Gender Analysis in Peru revealed that up to 94 percent of migrants work in the informal sector and report routine harassment and predatory practices on behalf of their employers. It revealed that systemic barriers include inferior socio-economic positioning, gender norms, and the hyper-sexualization of women and girls.

USAID's programming in Ecuador, Peru, and Brazil supports the socio-economic integration of these vulnerable groups. USAID programming recognizes that economic security is dependent on the ability to enter the formal economy and access financial resources and work to facilitate that access for migrants and local populations.

*Question.* I appreciate your highlighting regional partners' efforts to better support and integrate displaced Venezuelans. What kind of effect has this had with regard to the crisis at our southern border?

*Answer.* While it is impossible to know what would happen in a world where regional partners did not step up to support and integrate displaced Venezuelans, it stands to reason that Venezuelan migration to our southern border would be even greater. The reason is simple: If Venezuelan migrants and refugees cannot get a

foothold in a country closer to home, they continue searching. For this reason—and because migration is a regional phenomenon presenting real development opportunities and challenges for our neighbors in the hemisphere—USAID encourages its regional partners to do more to support the socioeconomic integration of Venezuelan migrants closer to home. Of the more than 6 million Venezuelans who have fled their home country, so far only about 3 percent have reached the U.S. southern border. If not for generous policies like Colombia’s issuance of temporary protected status to more than 2 million Venezuelan migrants, we know this number would be far higher. For this reason, USAID is working to support validation of professional degrees for Venezuelan migrants in Peru and helping to increase access to bank accounts and other financial services for Venezuelans in Ecuador, among other programs.

USAID’s programming supports partner governments to integrate migrants by providing technical assistance to help them regularize and link migrants to sub-national public services, supporting host countries and local organizations to reduce xenophobia and increase community cohesion and social inclusion. Maybe most importantly, USAID supports the economic integration of migrants, including through job training, re-certification of professional licenses, foreign credential verification, small business development, and financial inclusion. USAID is laser focused on helping migrants access work opportunities and build livelihoods closer to home so that they are less likely to embark on the dangerous journey north toward the United States.

*Question.* Where might we best focus our humanitarian efforts to better support vulnerable migrants so they reconsider a perilous overland journey north?

*Answer.* Humanitarian aid is critical to save lives and ease people’s suffering, but it cannot address the underlying conditions that caused Venezuela’s crisis and led to over 6.8 million people leaving Venezuela. Only a peaceful, political solution can address the corruption, failed policies, and economic mismanagement of the Maduro regime, which are at the root of this crisis.

USAID’s humanitarian and development programming teams work together to provide immediate lifesaving relief to vulnerable populations while contributing to the sustainable socioeconomic integration of migrants, which enables migrants to settle in the countries where they arrive and reduces the need for them to continue traveling north.

For example, USAID-supported socio-economic integration programming supports Venezuelans who are living in Colombia, Ecuador, Peru, and Brazil. These ongoing efforts create longer-term employment, stable housing, and access to legal status, which facilitates the integration of Venezuelan migrants into these South American communities. In the immediate term, USAID humanitarian assistance meets basic needs such as food assistance. This needs-based assistance targets the region’s most vulnerable populations, addressing food needs, and saving lives.