

Congress of the United States
Washington, DC 20515

April 17, 2023

Dr. Jarbas Barbosa
Director
Pan-American Health Organization
525 23rd Street NW
Washington, DC 20037

Dear Dr. Barbosa,

We are dismayed at the tactics used by the Pan American Health Organization (PAHO) to avoid accountability for enabling Cuba to traffic thousands of its doctors and other health care professionals to Brazil between 2013 and 2018. PAHO has stonewalled Members of Congress demanding information and has stonewalled the Cuban doctors' federal human trafficking lawsuit.

PAHO's determination to drag the case out endlessly by both preventing full disclosure of its conduct, and also consistently delaying and denying the doctors whose wages were confiscated by PAHO and Cuba their day in court, is unconscionable. Are U.S. taxpayer funds being used to pay lawyers to deny the government basic information about PAHO's actions, and to deny the doctors their day in court?

That PAHO, a Washington-based organization receiving tens of millions of dollars in U.S. taxpayer funding every year, would knowingly participate in such a venture, raises profound human rights, national security, and health policy issues. The U.S. Government has the right and responsibility to demand that the U.S. taxpayers not subsidize an organization that engages in and profits from human trafficking.

Despite abundant evidence that PAHO played a major role in trafficking over 10,000 Cuban doctors to Brazil in violation of Brazilian, U.S., and international law, funneled hundreds of millions of dollars to the Cuban government, and pocketed at least \$75 million for its efforts, neither our government, nor the Brazilian government, have ever been informed about the details of the operation, including PAHO's extremely troubling role.

What is perhaps most startling is that PAHO does not deny the doctors' essential allegations, that it served as the financial intermediary to funnel Brazilian federal funds to the Cuban government, with the doctors receiving only a fraction of the total. All while PAHO retained 5% of the total amount of money paid by Brazil.

Instead, PAHO egregiously seeks to avoid any accountability for its behavior. PAHO argued that its activities were part of a humanitarian project and untouchable.

PAHO also argued that it has immunity because its actions are not “commercial.” However, the trial court rejected these arguments, and PAHO appealed and lost. The appellate court held that the doctors’ allegations, if proven, establish that PAHO violated the U.S. Trafficking Victims Protection Act, which prohibits a person or entity to “knowingly benefit, financially or by receiving anything of value, from participation in a venture which has engaged in the providing or obtaining of labor or services by force or threat.”

PAHO now claims that it has immunity on a different basis, i.e. that its financial intermediation lacks a U.S. nexus because it received all of the money, and paid Cuba, in Brazil. PAHO claims it did not use its U.S. bank accounts to funnel Brazil’s money to Cuba, and pretends it did not even deposit its 5% fee in its Washington D.C. bank account. The argument is preposterous, but PAHO has forced the doctors’ team to go to the Court to unearth its banking and financial records, and has threatened to appeal *again* if the court orders that basic discovery.

This is an outrageous abuse of the legal process, and an effort to conceal critical information from the public. Members of Congress and Administration officials of both parties have repeatedly demanded that PAHO be held accountable for its actions. In July 2020, with the litigation in full swing and bi-partisan demands for accountability, Secretary of State Pompeo announced that PAHO would conduct an “independent investigation” into its role in the Mais Medicos program in order to answer U.S. officials’ questions:

The United States government welcomes the Pan American Health Organization’s decision to initiate an independent review of its role in the Mais Medicos program, pursuant to which PAHO provided well over a billion dollars to Cuba. The United States and other key PAHO member states have actively worked with PAHO leadership to design this review into how Mais Medicos was initiated and operated.

The review is designed to answer the questions that the U.S. government has raised.

The United States will work to protect our partner institutions from any malign attempts to corrupt their true mission, while preserving the interests of the U.S. taxpayer.

We know PAHO retained the Venable law firm in Washington, D.C. to conduct that review. Unfortunately, it is now close to three years since that announcement, and PAHO has not released the Venable, or any, report to the State Department, to Members of Congress, or to the Plaintiffs’ lawyers in the litigation. The State Department, several inquiring Members of Congress, and the plaintiffs have been informed that as long as the litigation is pending, PAHO will not release the report.

That attitude is unacceptable. Please provide me with a copy of the independent report referenced by Secretary Pompeo and any relevant updates since that request was made. We expect to receive that document and associated information no later than April 10, 2023.

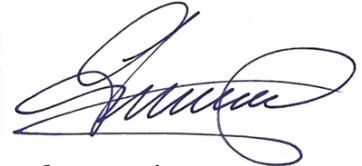
Sincerely,



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