



One Hundred Eighteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515

February 6, 2023

The Honorable Brian A. Nichols
Assistant Secretary of State for Western Hemisphere Affairs
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Mr. Nichols,

On November 19, 2022, a Level 2 Travel Advisory Alert was issued by the U.S. Embassy in the Dominican Republic warning “darker skinned U.S. citizens and U.S. citizens of African descent” about the risk of arbitrary detention based on skin color.¹ The alert cited Dominican immigration enforcement (“DGM”) agents, who allegedly have detained individuals arbitrarily deemed to be undocumented migrants from Haiti and elsewhere.² The alert warned that certain U.S. citizens – perhaps because they are mistaken to be such undocumented migrants – may face the possibility of being held “without access to food or restroom facilities, sometimes for days at a time” and being “kept in overcrowded detention centers, without the ability to challenge their detention.”³ After the travel alert was issued, a public outcry ensued in both the United States and in the

¹ U.S. EMBASSY IN THE DOMINICAN REPUBLIC, *Alert: Ongoing Dominican Migration Enforcement*, <https://do.usembassy.gov/alert-ongoing-dominican-migration-enforcement/> (last visited Jan. 27, 2023).

² *Id.*; see Press Release, Comment by UN High Commissioner for Human Rights Volker Türk on deportation of Haitians from Dominican Republic (Nov. 10, 2022), <https://www.ohchr.org/en/press-releases/2022/11/comment-un-high-commissioner-human-rights-volker-turk-deportation-haitians>.

³ U.S. EMBASSY IN THE DOMINICAN REPUBLIC, *supra* note 1

Dominican Republic.⁴ Given that the Dominican Republic has a relatively diverse population,⁵ U.S. Government’s formal accusation of racism was surprising. The State Department’s Foreign Affairs Manual (FAM) requires that “[t]he analysis of safety and security risks to U.S. citizens must be undertaken without regard to political...considerations,”⁶ including ideology. Advisories to Americans about a risk of wrongful detention due to individual’s skin color must be based on impartial, evidence-based analysis.⁷ The problem, however, is that advisories based on perceived danger to individuals on account of their skin color, while permissible if backed by strong evidence, can at times raise suspicions that divisive ideologies have seeped into State Department analysis.⁸ As representatives of the American people, we seek to learn more about the precipitating events that led to this strain on the bilateral relationship.⁹

Despite numerous requests for pertinent information, Members of Congress have yet to receive any evidence or documents regarding why this travel alert was issued. As it stands, we are

⁴ María Elvira Salazar (@MaElviraSalazar), TWITTER (Nov. 21, 2022, 9:39 PM), <https://twitter.com/maelvirasalazar/status/1594792754990686215?lang=en> (last visited Jan. 27, 2023); Megan Janetsky, *Dominican Republic rejects criticism of Haitian deportations*, ASSOCIATED PRESS (Nov. 21, 2022), <https://apnews.com/article/caribbean-united-states-haiti-dominican-republic-government-and-politics-44dd7f8421a7416a401110a2a736eccd>; see also, Richard Luscombe, *US warns its ‘darker-skinned’ citizens of Dominican Republic’s migrant crackdown*, THE GUARDIAN (Nov. 22, 2022), <https://www.theguardian.com/world/2022/nov/22/us-warns-darker-skinned-citizens-crackdown-dominican-republic>; *The Dominican government rejects US accusations of racism*, DOMINICAN TODAY (Nov. 21, 2022), <https://dominicantoday.com/dr/local/2022/11/21/the-dominican-government-rejects-us-accusations-of-racism/>; *U.S. Embassy issues travel warning for Black travelers in Dominican Republic*, FOX 26 HOUSTON, available on YouTube at <https://www.youtube.com/watch?v=k7q1YoarvcY> (interviewing Black Americans, who say “it’s not [our] job [as Black Americans] to be police of the world”, who say they are “not changing their plans” to visit Dominican Republic in repose to the Travel Alert, and whose recommendations to Black Americans is to “go [visit]” the Dominican Republic despite the official stance of the U.S. government)); Jim Wyss, *US Dominican Republic Spar Over Extra Scrutiny of Black Travelers*, BLOOMBERG (Nov. 21, 2022), <https://www.bloomberg.com/news/articles/2022-11-21/dominican-republic-travel-us-warns-black-visitors-of-extra-scrutiny-risk>; Yamalie Rosario, *Senador de Nueva York pide al gobierno de Estados Unidos presentar pruebas de racism en RD*, DIARIO LIBRE (Nov. 28, 2022), <https://www.diariolibre.com/actualidad/nacional/2022/11/28/senador-estadounidense-pide-pruebas-de-racismo-a-usa/2154594>; *Espailat solicita a EEUU evidencias de denuncia de racismo Republica Dominicana; pide retirar alerta*, EL DÍA (Nov. 23, 2022), <https://eldia.com.do/congresista-adriano-espailat-solicita-retirar-alerta-emitida-por-la-embajada-de-ee-uu-en-rd/>.

⁵ CENTRAL INTELLIGENCE AGENCY, THE WORLD FACTBOOK: DOMINICAN REPUBLIC (2021), available online at <https://www.cia.gov/the-world-factbook/countries/dominican-republic/#people-and-society> (listing the black population of the Dominican Republic to be 15.8%, and the mixed population to be 70.4%) (last updated Jan. 23, 2023); see also, Michelle Bueno Vasquez, Yalidy Matos, and Domingo Morel, *Afro-Latino politicians could bridge the African American-Latino divide*, WASHINGTON POST (Oct. 25, 2022), available online at <https://www.washingtonpost.com/politics/2022/10/25/latino-racism-dominicans-congress/> (stating that 80 percent of the population of the Dominican Republic’s population descends from Africans).

⁶ 7 FAM 014(b) App. A.

⁷ 7 FAM 044(a) App. A; see 7 FAM 042(b)((8) App. A.

⁸ See Jimmy Quinn, *The Department of Woke*, NAT’L REV. (July 28, 2022), <https://www.nationalreview.com/magazine/2022/08/15/the-department-of-woke/>; Simon Hankinson, *“Woke” Public Diplomacy Undermines the State Department’s Core Mission and Weakens U.S. Foreign Policy*, THE HERITAGE FOUND. (Dec. 12, 2023), <https://www.heritage.org/global-politics/report/woke-public-diplomacy-undermines-the-state-departments-core-mission-and>.

⁹ See Megan Janetsky, *Dominican Republic rejects criticism of Haitian deportations*, ASSOCIATED PRESS (Nov. 21, 2022), <https://apnews.com/article/caribbean-united-states-haiti-dominican-republic-government-and-politics-44dd7f8421a7416a401110a2a736eccd>

waiting on the following items from the State Department regarding the process behind the issuance of the travel alert:

1. A full and detailed written description of all cases involving Americans detained in the Dominican Republic on the basis of skin color. This includes the three which have been verbally referenced on different occasions by Chargé d’Affaires of the United States Embassy in Santo Domingo Robert Thomas and Director for Caribbean Affairs Katharine Beamer, as well as any others. If any embassy officials have personal connections to any of the detained individuals, please explain that connection.
2. A detailed description of the method or process employed by the State Department to record and verify written or verbal accusations of discriminatory treatment by government officials of the Dominican Republic.
3. A detailed description of the mechanism or process which is used to inform Dominican authorities about the reported complaints of disparate treatment of U.S. citizens based on skin color.
4. A copy of all communications referring or relating to Embassy Santo Domingo’s outreach to Dominican authorities regarding alleged racism and/or discriminatory treatment of American citizens.
5. A detailed accounting of the timeline in which this alert was initiated, vetted, and finalized, including the ranks of the senior officials involved in the vetting process.
6. A full, evidence-based justification of why this alert was issued.

Thank you for your attention to this matter. We kindly request the delivery of these answers and materials no later than February 20, 2023.

Sincerely,



MICHAEL T. MCCAUL

Chairman

House Foreign Affairs Committee



MARÍA E. SALAZAR

Chairwoman

Western Hemisphere Subcommittee