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Congress of the United States
House of Representatives

CHAIRMAN, CONGRESSIONAL EXECUTIVE
COMMISSION ON CHINA

CHAIRMAN, GLOBAL HEALTH, GLOBAL
HUMAN RIGHTS, AND INTERNATIONAL
ORGANIZATIONS SUBCOMMITTEE

CO-CHAIRMAN, TOM LANTOS HUMAN RIGHTS
COMMISSION

SENIOR MEMBER, HOUSE FOREIGN AFFAIRS
COMMITTEE

www.chrissmith.house.gov

June 21, 2024

Minister Alexandre de Moraes
Supremo Tribunal Federal
Praça dos Três Poderes
Brasília - DF - CEP 70175-900
gabmoraes@stf.jus.br

Re: United States Congressional Inquiry into Human Rights Abuses in Brazil

Dear Minister Alexandre de Moraes:

I write to you in my capacity as a Member of Congress and Chairman of the Subcommittee on Global Health, Global Human Rights, and International Organizations.

On May 7th, I chaired a public hearing of the subcommittee entitled "[Brazil: A Crisis of Democracy, Freedom & Rule of Law?](#)" The purpose of this hearing was to discuss the alarming reports of widespread human rights violations committed by Brazilian officials, including judicial misconduct, persecution of political opposition, suppression of free speech, and the silencing of opposition media. Testimony given at the hearing provided credible and substantiated facts and evidence on these problems, and drew a deeply disturbing picture of the state of democracy and human rights in Brazil. The hearing has raised serious concerns among the members of the U.S. Congress about the state of democracy in Brazil.

Due to the gravity of the issues, and in order to ensure that relations between the United States and Brazil are conducted on the basis of accurate information, I

respectfully request that you provide clarification on the following matters:

1. Are there currently any journalists or other individuals whose content is subject to prior restraint censorship by your order, including but not limited to measures such as blocking social media accounts, removing websites or online content, or any other actions that prevent the publication or free dissemination of information?
2. Are you aware of the issuance of any orders that have resulted in the closure or suspension of operations of media outlets in Brazil? Similarly, are you aware of any actions taken by a government entity that have hindered journalists from carrying out their professional duties, such as freezing their financial assets or imposing restrictions on their civil liberties, including arrest orders or the cancellation of their passports?
3. Have any members of the Brazilian parliament been prosecuted, investigated, or subjected to precautionary measures such as asset freezing or travel restrictions due to opinions expressed or actions taken in the course of carrying out their parliamentary duties?
4. In your investigations and prosecutions of individuals, have you observed due process of law, including by making duly required notifications and service of process in cases of individuals residing in the United States?
5. Are you aware of any instances of transnational repression, including using U.S. agencies or international organizations operating in the U.S., such as Interpol, to harass individuals currently on U.S. territory and under U.S. jurisdiction? On May 21 the House Judiciary Committee sent a letter to the FBI Director which stated that the Judiciary Committee had found evidence that, acting on behalf of the Brazilian government, the FBI had contacted two U.S. residents, one of whom was a journalist targeted by censorship orders issued by Brazilian courts. Please share any information you have about this and other cases.
6. Have you requested data or issued orders against companies or individuals who are not under your geographical jurisdiction, including companies or individuals under the jurisdiction of the United States of America?
7. Have you required U.S. companies or individuals to comply with orders the legality of which is questionable under Brazilian law, including orders that threaten U.S. companies or individuals with legal action against their employees, with fines, or with blocking, banning, and/ or disconnecting them in Brazil?

I respectfully request that you provide a response within ten business days, as I am currently working on legislation related to this matter with other members of the House.

As you may be aware, I have had the pleasure and privilege of traveling to your country, of knowing and working on human rights and rule of law issues with many Brazilians and Brazilian-Americans, and remain deeply committed to strengthening the relationship between the U.S. and Brazil.

Sincerely,



CHRISTOPHER H. SMITH
Member of Congress

CC:

Senator Rodrigo Pacheco, President of the Federal Senate
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