

DANA ROHRBACHER
46th District, California



WASHINGTON OFFICE:
2300 Rayburn House Office Building
Washington, DC 20515-0546
(202) 225-2415 FAX: (202) 225-0145

DISTRICT OFFICE:
101 Main Street, Suite 380
Huntington Beach, CA 92648-8118
(714) 960-6483 FAX: (714) 960-7806

South Bay: (310) 377-9493
<http://rohrbacher.house.gov>

Congress of the United States House of Representatives

Committees:
FOREIGN AFFAIRS
Ranking Republican, Subcommittee on
International Organizations, Human
Rights and Oversight
Subcommittee on
Asia, the Pacific, and
the Global Environment
Subcommittee on the
Middle East and South Asia
SCIENCE AND TECHNOLOGY
Subcommittee on
Space and Aeronautics

Extension of Remarks
El Salvador Elections
Representative Rohrabacher
Submitted on March 11

Mr. Speaker, El Salvador is a good friend of the United States. And after we suffered the attacks of 9-11, most Salvadorans kept us in their prayers. But one group felt differently.

The FMLN, a pro terrorist, Left wing party in El Salvador, issued a communiqué that the U.S., because of its policies, was itself to blame for being attacked. The U.S. embassy publicly denounced that declaration, yet the FMLN is now poised to possibly enter into the government in El Salvador.

Four days after 9-11, the FMLN had a march in their capital city to CELEBRATE the 9-11 attack by Al-Qaeda and to burn the American flag. The leader of that march was Salvador Sanchez Ceren, who today is the FMLN's candidate for El Salvadoran Vice President.

El Salvador's election is on Sunday. If an ally of Al-Qaeda and Iran comes to power in El Salvador, the national security interests of the United States will require certain immigration restrictions and controls over the flow of the \$4 billion in annual remittances sent from the U.S. back home to El Salvador.

Let me note, that my purpose is not to punish Salvadorans, but if a pro-terrorism government takes power, it will be imperative to review our policies in order to protect the national security of the United States.

STATEMENT ON UNITED STATES POLICY REGARDING THE FMLN, TEMPORARY PROTECTED IMMIGRATION STATUS, MONEY TRANSFERS AND U.S. NATIONAL SECURITY

NEW WORLD REALITY OF TERRORISM

The global offensive waged by terror groups against the United States and the free world obliges our nation to make strong decisions to help assure our own security.

REMITTANCES AN ISSUE OF U.S. NATIONAL SECURITY

The U.S. government, in permitting or prohibiting unregulated remittances from the United States to a foreign country, must concern itself above all with the national security of the United States.

Policy decisions regarding monetary remittances to foreign countries must now be evaluated with special attention paid to the degree of confidence and effective cooperation that exists with the counterpart government.

It has been determined through a number of official investigations that some of the same groups that direct terror campaigns against us and our allies may help finance those campaigns with money acquired in the United States and then transferred out of the country.

REMITTANCES DESTINED FOR TERRORIST GROUPS MUST BE BLOCKED AND SEIZED

To fight this threat, tougher laws have been enacted and effective law enforcement efforts have been able to block and seize funds originating in the United States that were destined for foreign terrorist groups. Toward that end, international and bi-lateral cooperation is of the utmost importance.

Ample legal precedent exists to shut down U.S.-based organizations that send money or material support, directly or indirectly, to terrorist entities, and to seize their assets. The FBI and Department of the Treasury have done so on several occasions since the September 11, 2001, terrorist attacks.

COUNTRY POLICY ON REMITTANCES AND PRO-TERRORIST REGIMES

The country policy regarding the unregulated flow of remittances should be urgently reviewed and, in most cases, those remittances must be immediately terminated, if a pro-terrorist party wins power or enters the government of a country.

THE FMLN AS A PRO-TERRORIST PARTY

The Farabundo Martí National Liberation Front (FMLN), a political party in El Salvador, can be considered a pro-terrorist party because of its support for designated terrorist organizations, such as the FARC, for state sponsors of terror, such as Cuba and Iran, and for the public participation by some of its leaders, including its current candidate for Vice President, in a pro-Al Qaeda rally where the U.S. flag was burned, this taking place immediately after September 11, 2001. The U.S. Embassy in El Salvador was forced to condemn the written public statements related to the September 11th attacks that were issued by the FMLN and blamed the U.S. for causing itself to be attacked because of its international policies.

THE ORIGIN OF THE FMLN

The FMLN was created in 1980, with the direct help of Fidel Castro, as an armed subversive communist organization that sought the violent overthrow of the Government of El Salvador in order to replace it with a pro-Castro Marxist-Leninist regime. After years of armed aggression and terrorism, which included the murder of four U.S. Marines in El Salvador as well as other U.S. citizens, the FMLN signed a peace agreement in 1992 that brought the war to an end and led to the participation of the FMLN in the political process.

CURRENT ACTIONS OF THE FMLN

The FMLN continues to participate actively in international gatherings with violent and radical anti-U.S. groups and terrorist organizations. The FMLN contains clandestine armed groups that have been linked to violent actions in El Salvador, including the murder of a policeman and an attack on a presidential convoy.

The FMLN maintains direct ties with terrorist organizations. This relationship was confirmed by electronic records left by the Colombian narco-guerrilla terrorist group the FARC on a laptop computer used by one of the group's leaders. The emails found show that a key figure of El Salvador's FMLN, Jose Luis Merino (alias "Ramiro"), assisted the FARC in contacting international arms dealers for the purpose of obtaining weapons.

Purges in the FMLN have left the party under the complete control of its most hard-line communist leaders. The FMLN is also known to organize in the United States among the Salvadoran immigrant community.

EXCELLENT CURRENT RELATIONS BETWEEN U.S. AND EL SALVADOR

It must be emphasized that the United States has very good relations with the current government of El Salvador, led by the party ARENA. This friendship is based on confidence, shared values, mutually beneficial international policies and strong personal relationships.

Excellent bi-lateral relations permit a high-level of cooperation on important national security matters. El Salvador provides military and intelligence cooperation and was one of the longest-serving members of coalition that sent armed forces to post-war Iraq. El Salvador is also a valued ally in the war on drugs, providing the United States with an important Forward Operating Location in Central America.

TPS BASED ON EXCELLENT STRATEGIC RELATIONSHIP

In the context of excellent relations and close cooperation, the U.S. government was able to grant and extend TPS for the benefit of nearly 300,000 Salvadorans now living and working in the United States. For similar reasons, the U.S. government has not had special concerns about the source and use of the nearly \$4 billion in remittances sent last year by Salvadorans in the United States to their home country, allowing the free movement of that large sum. The government of El Salvador has shown itself to be a reliable and trustworthy counterpart regarding U.S. national security.

CURRENT U.S. POLICY ON REMITTANCES TO EL SALVADOR IS BASED ON A STRONG STRATEGIC RELATIONSHIP

In the context of excellent relations and close cooperation, the U.S. government has not had special security concerns about the source and use of nearly 4 billion dollars per year (2008) sent by Salvadorans in the United States to their home country. The current government of El Salvador has shown itself to be a reliable and trustworthy counterpart regarding U.S. national security.

FMLN IN GOVERNMENT RADICALLY CHANGES THE EQUATION

If the FMLN enters the government of El Salvador following the presidential elections scheduled for March 2009, it will mean a radical termination of the conditions that underlie the unrestricted movement of billions of dollars a year and that permitted the granting of TPS in the first place and its continued renewal. The U.S. government would have no reliable counterpart to satisfy legitimate

national security concerns, especially those regarding the threat posed by pro-terrorist groups and the providing of funding for those groups.

FMLN IN GOVERNMENT COULD REQUIRE TERMINATION OF TPS

Therefore, if the FMLN enters the government in El Salvador it will be necessary for the U.S. authorities to consider all available information regarding the ties of the FMLN to violent anti-U.S. groups and designated terrorist groups and, on that basis, proceed toward the immediate termination of TPS for El Salvador.

FMLN IN GOVERNMENT COULD REQUIRE CONTROL OF REMITTANCES

In many instances, pro-terrorist groups conduct fundraising in the United States, and special controls and restrictions on the flow of funds have been applied where necessary. Given the pro-terrorist nature of the FMLN and its ties to designated terrorist groups, if the FMLN enters the government in El Salvador, it will be urgent to apply special controls to the flow of remittances from the United States to El Salvador, a sum that is currently \$4 billion per year.

This review would examine and consider the termination of the flow of money remittances to El Salvador, either from our country, in our currency, or using our financial system and our means of land- and space-based telecommunications.

U.S. PROHIBITION ON DESIGNATED FOREIGN TERRORIST ORGANIZATIONS

The U.S. Department of State has expressed the ramifications, based on U.S. law, of the designation of foreign terrorist organizations (FTO):

- It is unlawful for a person in the United States or subject to the jurisdiction of the United States to knowingly provide "material support or resources" to a designated FTO. (The term "material support or resources" is defined in 18 U.S.C. § 2339A(b)(1) as " any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who maybe or include oneself), and transportation, except medicine or religious materials."

18 U.S.C. § 2339A(b)(2) provides that for these purposes "the term 'training' means instruction or teaching designed to impart a specific skill, as opposed to general knowledge." 18 U.S.C. § 2339A(b)(3) further provides that for these purposes the term 'expert advice or assistance' means advice or assistance derived from scientific, technical or other specialized knowledge."

- Representatives and members of a designated FTO, if they are aliens, are inadmissible to and, in certain circumstances, removable from the United States (see 8 U.S.C. §§ 1182 (a)(3)(B)(i)(IV)-(V), 1227 (a)(1)(A)).

· Any U.S. financial institution that becomes aware that it has possession of or control over funds in which a designated FTO or its agent has an interest must retain possession of or control over the funds and report the funds to the Office of Foreign Assets Control of the U.S. Department of the Treasury.

FMLN IN GOVERNMENT WOULD FORCE A CHANGE IN U.S. IMMIGRATION PRACTICES REGARDING EL SALVADOR

Since the 1980s, the United States has maintained a lenient immigration policy toward Latin Americans, particularly Central Americans, and has not significantly enforced its laws. In the past decade, successive Salvadoran governments, offering Washington credible assurances of security and intelligence cooperation, have asked the U.S. for continued leniency toward their citizens who enter and work in the United States illegally. However, if a pro-terrorist party enters government in El Salvador that creates a radically different strategic reality and the U.S. will be compelled to change its immigration enforcement policy.

PRO-TERRORIST PRACTICES BY FMLN MAKE IT AN UNTRUSTWORTHY COUNTERPART

Based on the intimate relations between the FMLN and narco-guerrilla FARC terrorist organization in Colombia, if the FMLN were to enter government in El Salvador, the U.S. will have no alternative but to apply maximum lawful security measures to Salvadoran nationals living and working in the country illegally without valid identification, visas, work permits, and related papers.

The Department of the Treasury may be forced to use its legal authority to monitor, control, delay, or terminate the movement of remittances and other money transfers to El Salvador, and the Department of Homeland Security may be compelled to end TPS and to undertake a massive review of Salvadoran nationals residing in or entering the U.S. unlawfully.

TO RAPIDLY TERMINATE THE FLOW OF REMITTANCES, HOMELAND SECURITY MUST PREPARE A CONTINGENCY PLAN

The United States must be prepared to apply, on an urgent basis, the full array of legal instruments available should circumstances after the Salvadoran election require the urgent termination of the flow of remittances to that country. Under U.S. law and in accordance with our national security policies, the immediate responsibility for preparing these plans resides with the Department of Homeland Security, working in conjunction with the Department of the Treasury and other agencies of the U.S. government.

Facts about the FMLN Leadership

Leadership of FMLN is hostile to U.S. FMLN, in power, would follow anti-U.S. agenda of Venezuela's radical president Hugo Chavez and join Cuba, Nicaragua, Bolivia, Ecuador, Honduras in pro-Chavez axis. Flags of Venezuela, Cuba and Iran are carried at FMLN rallies.

Chavez helps finance FMLN campaign by selling cut-rate diesel fuel to FMLN's "ALBA PETROLEOS". Re-selling the fuel (20% of the diesel sold in El Salvador) gives FMLN profit estimated at \$20 mn.

SALVADOR SANCHEZ CEREN is FMLN's candidate for Vice President. In 2001, four days after 9-11, Salvador Sánchez Cerén led march in San Salvador that celebrated attacks by *Al-Qaeda* and burned American flags. FMLN issued a communiqué that the U.S., for its policies, was itself to blame for being attacked.

Sanchez Cerén is the FMLN commanding general whose alias was "Leonel Gonzalez". Between 1986 and 1990, he approved 1,200-1,500 assassinations according to investigation reported by John R. Thomson in the Washington Times (November 2008). Cerén, a hard-core communist, purged party leaders seen as insufficiently radical. He and Merino dominate (and if necessary could eliminate) Mauricio Funes, their figurehead presidential candidate.

JOSE LUIS MERINO (code name "Ramiro"), de-facto leader of FMLN, helped arrange the diesel fuel deal with Chavez. In 2005 interview, Merino said El Salvador should model itself after Chavez's Venezuela, and that USSR was "one of the most just" political systems on earth.

FMLN, like Chavez, is ally of **designated terrorist groups** and of **state sponsors of terror**, including FARC, Cuba and Iran. FMLN contains clandestine armed groups (BPJ, 'El Limon', BRES), that stage violent actions, killed a policeman, and attacked presidential convoy.

FARC (Colombian narco-terrorists)

Merino is implicated in arms trafficking with FARC. In raid on a rebel camp last year, Colombian military seized computer of FARC leader Raul Reyes. An email from Iván Márquez, FARC guerrillas' primary contact with the Venezuelan government, showed Merino to be the link with certain arms dealers.

IRAN

Chavez introduced FMLN and Iran at meetings in Nicaragua. With flights from El Salvador to 10 U.S. cities and large FMLN network in the United States, Salvador would be important beachhead for Iran, a state sponsor of terror. Iran opened large embassy in Nicaragua and is building relations with Honduras.

CUBA

FMLN is close ally of Cuba, a state sponsor of terror. Castro played key role creating FMLN as an armed revolutionary force, uniting five Salvadoran extremist groups under one banner.



Dana Rohrabacher
Member of Congress