



United States Department of State

Washington, D.C. 20520

SECRET/SENSITIVE  
MEMORANDUM

November 4, 1987

TO: ARA - Mr. Abrams  
THROUGH: ARA - Mr. Walker  
FROM: ARA/CEN - Richard H. Melton  
SUBJECT: El Salvador: Movement on Romero Case

The GOES is moving forward on the Archbishop Romero assassination case. It has located and interviewed the driver of the car from which Romero was shot. He will be brought to El Salvador in the next week or two to give a deposition. His testimony will incriminate Alvaro Rafael Saravia Merino, former Air Force Captain and bodyguard/driver for Roberto D'Aubuisson. The testimony will also incriminate Nelson Enrique Morales Reyes, who was in the car (but was not the gunman).

Saravia and Morales are living illegally in the U.S. The GOES fears that as soon as they get wind of the movement of the witness they will flee. Accordingly, it has asked us to take appropriate measures to ensure that they don't. We have what appears to be a good address for Saravia, but only sketchy information on the whereabouts of Morales.

We are coordinating with L and Justice to locate Saravia (and maybe Morales) and take steps to monitor his movements. Once the witness testifies, the GOES assures us it will immediately issue a warrant, request provisional arrest by the USG, and proceed with preparing an extradition request. We are working with the GOES to ensure beforehand that the evidence presented to us in connection with the provisional arrest and extradition requests will be sufficient to meet U.S. legal standards.

Although it is still very early, the ramifications of the extradition of Saravia are potentially enormous. The GOES hopes not only to prosecute him, but also to use his testimony to incriminate others. As an extremely close associate of D'Aubuisson (e.g., it was his diary, detailing coup preparations, that the GOES captured when D'Aubuisson, Staben, Lopez Sibirian, et al, were arrested outside San Salvador in May 1980 by the Majano government) Saravia was in a position to

SECRET/SENSITIVE  
(DECL: OADR)

Department of State  
Declassified under E.O. 13526  
portions withheld classified ( )  
law enforcement ( )  
privacy ( )  
deliberative ( )  
in full ( )  
in part ( )  
9/2/92  
not relevant to El Salvador ( )

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**UNCLASSIFIED**

know much about rightist doings during the early 1980s. Should he testify in the Romero case and incriminate D'Aubuisson and others, the GOES will have its hands full.

With the murder of Herbert Anaya, the guerrilla traffic stoppage, demonstrations, unrest in the military, and uncertainty surrounding the Guatemala Peace Agreement, San Salvador already has a bad case of the jitters. If the GOES pulls off the extradition of Saravia, a few more people may get very nervous.

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**UNCLASSIFIED**

CONFIDENTIAL

February 12, 1988

PGOV 16

[DCA address]

Dear Mr. Arena:

On behalf of the Department of State, I request that the Department of Justice ask the United States Marshal's Service to arrange for Amado Antonio Garay Reyes and his immediate family to participate in the Marshal Service's Witness Protection Program as soon as possible.

As described in the attached cable [classified "Secret"], Mr. Garay is the key witness in the case against Salvadoran citizen Alvaro Saravia and others for their alleged participation in the March 1980 assassination in El Salvador of Archbishop Oscar Arnulfo Romero. The Government of El Salvador has been investigating the assassination since 1980 and the recent testimony of Mr. Garay before the Salvadoran court responsible for the case has been critical to the recent progress of the GOES in this matter -- including the issuance of an arrest warrant for Mr. Saravia and the GOES request to the United States for Mr. Saravia's extradition.

Successful prosecution of the individuals responsible for the assassination of Archbishop Romero in El Salvador is of critical importance to the United States Government's efforts to work with the Government of El Salvador to strengthen the Salvadoran court system and other developing elements of a democracy in El Salvador. The United States Government has stressed repeatedly to the Government of El Salvador the need for a strong Salvadoran judiciary capable of fairly enforcing Salvadoran law and bringing to justice the perpetrators of violent crimes such as the murder of Archbishop Romero. Accordingly, it is of the highest priority to the Department of State that the United States Government assist the Government of El Salvador ~~in this matter~~ by offering protection to Mr. Garay, a critical witness in the Salvadoran case.

The attached cable provides further information about Mr. Garay, as requested by your office on behalf of the Marshal's Service. Please let me or Robin Frank of my office know if we can be of further assistance in this very important matter.

Sincerely,

Deputy Legal Adviser

Department of State IS/EFC/CDE El Salvador SP Date 9/24/82  
 Declassified under E.O. 13526 ( ) in full; ( ) in part;  
 portions withheld: classified ( ); deliberative ( );  
 law enforcement ( ); privacy ( ); statutory ( );  
 not relevant to El Salvador ( ).

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United States Department of State

Washington, D.C. 20520

PGOV 16

February 12, 1988

CONFIDENTIAL

Drew C. Arena, Esquire  
Director  
Office of International Affairs  
Criminal Division  
Department of Justice  
Washington D.C. 20530

Attn: Paul Vaky

Re: Amado Antonio GARAY REYES

Dear Mr. Arena:

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AMADO REYES

Department of State IS 174-003 El Salvador SP URG  
Declassified under E.O. 13526  
portions withheld: classified ( ) in full ( ) in part ( )  
law enforcement ( ) privacy ( ) deliberative ( )  
not relevant to El Salvador ( )

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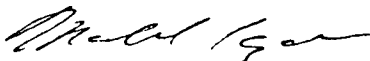
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-2-

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Sincerely,



Michael G. Kozak  
Deputy Legal Adviser

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SECRET

Department of State

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PAGE 01 SAN SA 01900 112042Z 7488 SSO1132

INFO SS-01 ARA-01 ~~L-01~~ X-01 /004 A4 PDZ

4. TYPE OF THREAT: ASSASSINATION BY PERSONS ALLIED WITH OR HIRED BY THE ASSASSINS OF ARCHBISHOP ROMERO.

ACTION SS-00

5. GARAY'S CRIMINAL BACKGROUND: NONE

INFO LOG-00 ADS-00 SSO-00 /000 V  
171773 112043Z /38

6. WORK SKILLS: BOTH HUSBAND AND WIFE ARE EXPERIENCED FLOPISTS.

7. ENGLISH ABILITY: NONE

8. MEDICAL RECORD: GOOD HEALTH

9. INS GRANTED PAROLE ON 2/10/88 PER REF A TELCON NUMBERS ARE: A 24 493 474, 5, 6 RESPECTIVELY. SAN SALVADOR ISSUED TRANSPORTATION LETTERS. SUBJECTS WILL ENTER THE U.S. THROUGH NEW ORLEANS, PROBABLY ON FLIGHT ORIGINATING FROM SAN JOSE ON DATE AND TIME TO BE DETERMINED. SUBJECTS WILL BE ACCOMPANIED TO THE U.S. BY SALVADORAN INVESTIGATOR LT. CASTILLO. CASTILLO HAS INSTRUCTIONS TO CONTACT SAN JOSE CONGEN IN EVENT AIRLINES HAVE PROBLEMS WITH TRANSPORTATION LETTERS

CORR

EXDIS

O 112040Z FEB 88  
FM AMEMBASSY SAN SALVADOR  
TO SECSTATE WASHDC IMMEDIATE 7517  
DOJ WASHDC IMMEDIATE  
AMEMBASSY SAN JOSE IMMEDIATE  
INFO USINS WASHDC IMMEDIATE  
AMEMBASSY MEXICO IMMEDIATE

SECRET SAN SALVADOR 01900

EXDIS

MEXICO FOR INS

JUSTICE FOR O/OEA (PAUL VANYI)

E.O. 12356: DECL: OADR  
TAGS: CJAN, RJUS, PHUM, PINS, PREL, PGOV, EC  
SUBJECT: SARAVIA EXTRADITION CASE: WITNESS  
PROTECTION REQUEST

REF: (A) GARCIA/RICCIUTI TELCON 2/10/88  
(B) RICCIUTI/VANYI TELCON 2/11/88

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1. SECRET - ENTIRE TEXT

2. THE EMBASSY REQUESTS THAT IMMEDIATE MEASURES BE TAKEN TO PROTECT THE LIFE OF AMADO ANTONIO GARAY REYES, THE KEY WITNESS IN THE CASE AGAINST SALVADORAN CITIZEN ALVARO SARAVIA FOR ALLEGED PARTICIPATION IN THE MARCH 1980 ASSASSINATION IN EL SALVADOR OF ARCHBISHOP OSCAR ARNULFO ROMERO. PROTECTION ARRANGEMENTS BY THE GOVERNMENT OF EL SALVADOR HAVE PROVEN UNSUCCESSFUL, AND THE DEPARTMENT OF JUSTICE, ON GROUNDS OF U.S. NATIONAL INTEREST, HAS GRANTED THE WITNESS AND HIS FAMILY PAROLE TO THE U.S. EMBASSY REQUESTS THE ASSISTANCE OF THE US MARSHALL SERVICE TO MEET THE WITNESS AND FAMILY AT POINT OF ENTRY INTO THE U.S. AND ARRANGE ENROLLMENT IN WITNESS PROTECTION PROGRAM.

3. SUCCESSFUL PROSECUTION OF THE ROMERO ASSASSINIS IS OF THE HIGHEST PRIORITY TO THE SALVADORAN AND U.S. GOVERNMENTS. THE RESOLUTION OF THIS PROMINENT CASE WOULD HELP DEMONSTRATE IN AN IMPORTANT WAY THE STRONG COMMITMENT OF THE U.S. GOVERNMENT TO SUPPORTING THE SALVADORAN GOVERNMENT IN ITS EFFORTS TO ADVANCE THE RULE OF LAW AND BRING TO JUSTICE VIOLATORS OF HUMAN RIGHTS.

3. PERSONS TO BE PROTECTED:

- AMADO ANTONIO GARAY REYES, DOB 4/22/50, SALVADORAN
- ROSA MELIDA CHAVEZ DE GARAY, DOB 5/12/47, SALVADORAN
- MARIO ALEXANDER GARAY CHAVEZ, 8 YEARS OLD, SALVADORAN

AIR EDT CDDV

MVM

PC

Department of State IS/WFO/GUR El Salvador SP Date 9/21/93  
Declassified under E.O. 13526 (X) in full; ( ) in part;  
portions withheld: classified ( ); deliberative ( );  
law enforcement ( ); privacy ( ); exonerated ( );  
not relevant to El Salvador ( )



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INFO LOG-00 ADS-00 ARA-00 PPT-01 OCS-06 CA-02 JUSE-00  
/012 R

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O 040534Z MAR 88  
FM SECSTATE WASHDC  
TO AMEMBASSY SAN SALVADOR IMMEDIATE  
  
C O N F I D E N T I A L STATE 067962  
FOR AID - FIGUEREDO: CONGEN AND POL  
  
E.O. 12356: DECL: OADR  
TAGS: CJAN, KJUS, PHOM, PGOV, ES  
SUBJECT: SARAVIA EXTRADITION CASE: WITNESS  
PROTECTION  
  
REF: SAN SALVADOR 1900 AND PREVIOUS

1. THE UNITED STATES MARSHALS' SERVICE HAS REQUESTED A RISK ASSESSMENT FROM THE DEPARTMENT AS TO WHETHER/NOT/TO WHAT DEGREE AMADO ANTONIO GARAY MIGHT POSE A RISK TO THE COMMUNITY WHEN HE IS RELOCATED IN THE UNITED STATES (E.G. DOES HE HAVE A CRIMINAL RECORD? IF SO, FOR WHAT TYPES OF OFFENSES? DOES HE POSSESS ANY CHARACTER TRAITS OR PERSONAL HABITS WHICH MIGHT MAKE HIM A RISK? ETC.)
2. EMBOFFS ARE ASKED TO CONSULT WITH GOES OFFICIALS, AS APPROPRIATE REGARDING THIS ASSESSMENT AND CABLE RESPONSE ASAP. PLEASE SLUG RESPONSE FOR L/LEI RJFRANK AND ARA/CEN. EMBASSY ASSISTANCE IS APPRECIATED. WHITEHEAD

Department of State IS/FPC/CDR El Salvador SP Date 9/21/93  
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not relevant to El Salvador ( ).

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 TELEGRAM

PAGE 01 OF 02 STATE 102945  
 ORIGIN L-03 0768 4R48923 STATE 102945

INFO FILE-01 :DCEN-01 PM-02 02-31 /005 A1 R0  
 INFO LOG-00 ADS-00 IMR-10 CIAE-00 DODE-00 ARA-00 NSAE-00  
 PPT-01 VO-06 IMRE-00 DSS-06 CA-02 JUSE-02 DS-01  
 DSE-00 SCT-02 /031 R

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 FM SECSTATE WASHDC  
 TO AMEMBASSY SAN SALVADOR IMMEDIATE  
 INFO AMEMBASSY PANAMA PRIORITY

C O N F I D E N T I A L STATE 102945

SAN SALVADOR FOR AMB, DCM, POL, CON, AID-FIGUEROA;

E.O. 12356: DECL: 040R  
 TAGS: CJAN, CIVIS, PTER, P00V, ES (SARAVIA-MERINO, ALVA)  
 SUBJECT: EXTRADITION: SARAVIA TO EL SALVADOR

REFS: (A) GATTO/AMBASSADOR AND CALLAHAN, AMBASSADOR  
 RECENT TELCONS (B) 87 STATE 368034 AND RELATED CABLES

PANAMA FOR LEGATT SULLIVAN

1. CONFIDENTIAL -- PARAS 2 - 9. THIS CABLE CONTAINS ATTORNEY - CLIENT PRIVILEGED INFORMATION AND SHOULD NOT BE RELEASED WITHOUT THE APPROVAL OF THE OFFICE OF THE LEGAL ADVISER.
2. MARCH 30 EXTRADITION HEARING DATE IN THE SARAVIA CASE HAS BEEN POSTPONED AT THE REQUEST OF THE DEFENDANT'S COUNSEL. MAGISTRATE JOHNSON HAS RESCHEDULED THE HEARING FOR MAY 9, 1982. (Y) MAGISTRATE JOHNSON WAS THE MAGISTRATE ORIGINALLY ASSIGNED TO THE CASE, SHE HAS BEEN ON MATERNITY LEAVE BUT WILL BE BACK IN TIME FOR 5/9 HEARING. SECOND MAGISTRATE WHO WOULD HAVE HEARD CASE ON MARCH 30 HAS TRANSFERRED CASE BACK TO JOHNSON.)
3. AS DISCUSSED REFTELCONS, DEFENSE COUNSEL SONNETT FILED A PROCEDURAL MOTION REQUESTING A CONTINUANCE IN THE SOUTHERN DISTRICT OF FLORIDA. HE SAID THAT HE WAS REPRESENTING GENERAL NORIEGA AND THEREFORE, BECAUSE OF THE PRESS OF OTHER BUSINESS WAS NOT PREPARED TO GO FORWARD.
4. DOJ AND THE UNITED STATES ATTORNEY'S OFFICE CONCLUDED THAT, AS A LITIGATION TACTIC, THEY COULD NOT OBJECT TO THE CONTINUANCE. THEY DETERMINED THAT IT WOULD BE A "LOSING BATTLE" TO FIGHT THE CONTINUANCE BECAUSE SONNETT'S EXCUSE WAS RELATIVELY REASONABLE AND BECAUSE SINCE THE DEFENDANT IS PREJUDICED BY THE DELAY (HE SITS IN JAIL LONGER), THE USG COULD NOT CLAIM PREJUDICE TO OUR CASE.
5. AT THIS POINT, HOWEVER, DOJ BELIEVES THAT THE USG (AND THE "CLIENT" EL SALVADOR) NOW WILL BE WEARING "THE WHITE HATS" IN THE EYES OF THE COURT. WE HAVE BEEN PROMINENTLY REASONABLE TO DATE AND ARE THUS IN A STRONG POSITION TO OPPOSE ANY FURTHER PROCEDURAL MANUEVERS SONNETT MAY TRY.

6. DOJ HAS CONCLUDED THAT SONNETT INTENDS TO TRY TO KEEP DELAYING THE HEARING. DOJ INTENDS TO FIGHT ANY FURTHER DELAYS TO THE UTMOST. FOR EXAMPLE, IF SONNETT REQUESTS ANOTHER POSTPONEMENT BECAUSE OF HIS REPRESENTATION OF NORIEGA, DOJ WILL POINT OUT THAT THEY (BOTH THE SOUTHERN DISTRICT OF FLORIDA UNITED STATES ATTORNEY'S OFFICE AND DOJ/OFFICE OF INTERNATIONAL AFFAIRS) ARE ALSO HANDLING THE NORIEGA CASE -- FOR THE UNITED STATES -- AND THAT THEY HAVE MANAGED TO MEET ALL OF THE COURT DEADLINES AND ARE FULLY PREPARED TO GO FORWARD. HOWEVER, DOJ BELIEVES THEY CAN USE SONNETT'S REQUESTS FOR DELAYS CAN NOW BE USED TO STRENGTHEN GOES/USG ARGUMENTS THAT THIS CASE IS A STRAIGHT CRIMINAL CASE/ EXTRADITION ASSISTANCE TO THE GOES IN THEIR LAW ENFORCEMENT PROSECUTIONS AND TO REBUT SONNETT'S ARGUMENTS THAT THE CASE IS A US GENERATED "POLITICAL" MATTER.

7. SONNETT HAS NOT YET FILED A REPLY TO THE USG BRIEF. USG BRIEF IS BEING POUCHED TO EMBASSY, FYI. DOJ SUSPECTS THAT HE WILL EITHER FILE SHORTLY BEFORE THE MAY 9 HEARING OR THAT HE WILL COME INTO COURT ON MAY 9

WITH PROCEDURAL MOTIONS TRYING TO DELAY THE MAY 9 EXTRADITION HEARING. DOJ PRESENTLY INTENDS TO (A) ORALLY RESPOND TO SONNETT'S PAPERS BOTH BY ARGUING THE SUBSTANCE OF THE USG CASE AND BY POINTING OUT TO THE COURT SONNETT'S DILATORY TACTICS AND SONNETT'S FAILURE TO COMPLY WITH THE COURT'S ORDERS SETTING FILING DATES; (B) USE LEGAL ARGUMENTS AND FACTUAL POINTS PRESENTLY BEING PREPARED TO RESPOND TO SONNETT'S ARGUMENTS IN A REBUTTAL BRIEF THAT CAN BE "TURNED AROUND" IMMEDIATELY AND IN TIME FOR THE MAY 9 HEARING; OR (C) SEEK A ONE WEEK CONTINUANCE TO POLISH AND FILE WITH THE COURT THE REBUTTAL BRIEF.

8. DOJ IS SENSITIVE TO CONCERNS OF PRESIDENT DUARTE AND THE CHRISTIAN DEMOCRATS. DIFFICULT EXTRADITION CASES FROM THE UNITED STATES OFTEN DO TAKE A SUBSTANTIAL PERIOD OF TIME AND UNFORTUNATELY THIS CASE IS NO EXCEPTION. (E.G. THE SUAREZ MACHON CASE WHERE ARGENTINA HAS ASKED FOR THE EXTRADITION OF GENERAL SUAREZ ON KIDNAPPING AND RELATED CHARGES) HAS BEEN PENDING IN CALIFORNIA SINCE JANUARY 1987. THE SINGH EXTRADITION CASE (INDIA HAS REQUESTED THE EXTRADITION OF TWO SINGH TERRORIST FOR A NUMBER OF VIOLENT CRIMES) HAS BEEN PENDING SINCE SPRING 1987.)

9. ACTION REQUESTED. EMBASSY IS ASKED TO INFORM GOES OFFICIALS, IN PARTICULAR ATTORNEY GENERAL GIRON FLORES, ABOUT THE REASONS FOR THE POSTPONEMENT OF THE HEARING DATE AND TO EMPHASIS CONTINUED DOJ COMMITMENT TO SUCCESSFULLY COMPLETING THE EXTRADITION HEARING.

10. (U) IF EMBASSY BELIEVES IT WOULD BE HELPFUL, EMBASSY IS AUTHORIZED TO ISSUE A PUBLIC STATEMENT ALONG THE FOLLOWING LINES:

-- THE EXTRADITION HEARING IN THE CASE OF SARAVIA-MERINO ORIGINALLY SCHEDULED FOR MARCH 30, 1982 IN THE SOUTHERN DISTRICT OF FLORIDA HAS BEEN POSTPONED UNTIL MAY 9, 1982. ALTHOUGH THE UNITED STATES WAS FULLY PREPARED TO GO FORWARD ON MARCH 30TH, ON MARCH 28, DEFENSE COUNSEL FOR SARAVIA, NEIL SONNETT, FILED A MOTION WITH THE COURT REQUESTING THE POSTPONEMENT. SONNETT HAS NOT YET RESPONDED TO THE GOVERNMENT OF EL SALVADOR'S EXTRADITION REQUEST OR THE UNITED STATES GOVERNMENT'S LEGAL PAPERS IN SUPPORT OF THE GOFS'S REQUEST WHICH WERE FILED WITH THE COURT TWO MONTHS

Department of State IS/HRP/ODR El Salvador SF Date 9/5/93  
 Declassified under E.O. 13526 ( ) in full: ( ) in part:  
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 law enforcement ( ) ; of ( ) ; statutory ( ) ;  
 Not relevant to El Salvador ( ) .

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*Department of State*

OUTGOING  
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PAGE 02 OF 02 STATE 102945  
AGG. WHITEHEAD

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