JOHN JOSEPH MOAKLEY
9th DISTRICT, MASSACHUSETTS

DEPUTY WHIP

COMMITTEE ON RULES

CHAIRMAN

Congress of the United States House of Representatives

Washington, DC 20515

July 26, 1990

The Honorable Ramsey Clark 26 East 12th Street 6th Floor New York, New York 10003

Dear Mr. Clark:

JOHN WEINFURTER
ADMINISTRATIVE ASSISTANT

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As we discussed, there has been much confusion over how to proceed on the Joya Martinez matter. It has been especially frustrating that so much time has passed since Joya Martinez first came forward and, to date, there has not been any formal interrogation by those best qualified to test his credibility.

I have authorized a staff delegation -- primarily made up of staff from the Speaker's Task Force on El Salvador -- to travel to El Salvador on August 7 - 10, in order to continue our monitoring of the Jesuit case and to talk to various political parties about the ongoing negotiations between the government and the FMLN. I have also asked that they make some detailed inquiries into the matter of Joya Martinez. It would be helpful if Joya Martinez could be made available to the staff on August 6 in Washington, D. C. so that they can better prepare for their trip.

In addition, I have attached a letter that I have recently sent to Secretary of State Baker, asking that the Administration join with members of the Task Force in questioning Joya Martinez in September. I will keep you informed of any developments on this matter.

I hope to hear from you soon as to whether we can work something out on August 6. Thank you for your time and cooperation.

John Joseph Moakley/ Member of Congress DEPUTY WHIP

COMMITTEE ON RULES

Congress of the United States

House of Representatives Washington, DC 20515

July 26, 1990

The Honorable James A. Baker, III Secretary of State Department of State 2201 C Street, N.W. Washington, D.C. 20520 ADMINISTRATIVE ASSISTANT
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Dear Mr. Secretary:

There has been a great deal of discussion surrounding the allegations of Mr. Cesar Vileman Joya Martinez, a deserter from the Salvadoran military, concerning the alleged operation of a death squad within the Salvadoran First Brigade during the 1988-89 period. I believe, given the serious nature of the charges, that a full and thorough investigation is warranted to substantiate or disprove Joya Martinez' account.

In January, members of the Speaker's Task Force on El Salvador met with Joya Martinez. We found his comments to be detailed and consistent with previous statements he has made.

Despite this, I am not prepared to make a judgment on the allegations made by Joya Martinez. Instead, I believe further investigation is required to determine the facts. Obviously, the Administration is in a better position than we in Congress to investigate the validity of Joya Martinez' allegations and I would appreciate receiving a detailed description of your efforts towards this end. I also believe that further direct questioning of Joya Martinez would be helpful. Indeed, I have suggested such action to the Administration on several occasions.

When Congress reconvenes in September, I intend -- under the auspices of the Speaker's Task Force on El Salvador -- to get a small, private, bipartisan group to question Joya Martinez at length. I would like to invite the Administration to participate in this meeting and help us in our deliberations. I appreciate the sensitive nature of this issue and am willing to take every possible step to assure that we proceed in a correct manner. I would, therefore, insist that Joya Martinez be allowed to have his counsel present during all questioning.

I would appreciate your consideration of this matter and would welcome your comments.

John Joseph Moakley

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Assault University (MI)

July 27, 1990

Honorable Jos Maokley U. S. House of Representatives Washington, F. C. 20515

Dear Joe:

Thanks for your phone call to Secretary Aronson on behalf of Lucy Cerns on July 26.

The case originated in the San Jose, California, office of the Immigration and Naturalization Service. Progress on the case has been held up because the San Jose office requested the Cerna family's full file and it has never been forwarded to them. However, the San Jose office has prepared a letter which is to be mailed today to the State Department's office on Human Rights (B.H.R.H.A.) where an opinion will be rendered as to whether or not the Cerna's are deserving of "political refugee status."

Once State makes its decision, the case will be returned to the San Jose office and the District Director of the office has the authority to grant the status. The District Director is Mr. Robert Ackerman (phone: 408-291-7027). I have personally spoken with Mr. Ackerman and I feel a phone call from you or your office to him would jack this case forward very quickly. I also believe if Bernie Aronson would contact the Human Rights Office in State and instruct them to render a favorable opinion we will be on track.

Thank you for every assistance you-have rendered.

incerely,

President

INS CASE NUMBER: Lucia Berrera de Cerna - A29-351-652 Jorge Cerna - A29-351-653 Idelia Geraldina Cerna - A29-351-654