Congress of the United States
Washington, DC 20515

August 2, 2018

The President
The White House
Washington, DC

Dear Mr. President:

We appreciate the Administration's commitment to implementing the Global Magnitsky Human Rights Accountability Act ("the Global Magnitsky Act").

P.L. 114-328, section 1263 (d) of the Global Magnitsky Act requires the submission of reports to Congress with relevant updates to the list of sanctioned individuals and entities, as well as responses to congressional requests for specific sanctions investigations pursuant to the law.

As the United States continues to support efforts in the Northern Triangle region of Central America to fight corruption and organized crime, we ask you to determine whether the following individuals meet the criteria to be held accountable under the Act:

- José Aquiles Enrique Rais López (*Salvadoran Nationality*)
- José Luis Merino (*Salvadoran Nationality*)
- Gustavo Adolfo Alejos Cambara (*Guatemalan Nationality*)
- Luis Alberto Mendizábal Barrutia (*Guatemalan Nationality*)
- Remigio Angel Gonzalez (*Mexican Nationality – Crimes Committed in Guatemala*)
- Oscar Ramón Nájera (*Honduran Nationality*)

Detailed information on each of these individuals is attached. We urge the Department of State and the Department of Treasury, working with other relevant Executive Branch agencies, to promptly investigate these individuals and entities and, if merited, to sanction them as authorized in the Global Magnitsky Act.

We look forward to a continued dialogue with the Administration to support the robust implementation of the Global Magnitsky law and efforts by the United States to combat corruption and human rights abuses in the Northern Triangle region of Central America and around the globe.

Sincerely,

Eliot L. Engel

ELIOT L. ENGEL (D-NY)
Ranking Member
House Committee on
Foreign Affairs

Ileana Ros-Lehtinen

ILEANA ROS-LEHTINEN (R-FL)
Chair Emeritus
House Committee on
Foreign Affairs

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ALBIO SIRES (D-NJ)
Ranking Member
House Subcommittee on
the Western Hemisphere

DAVID G. VALADAO (R-CA)
Co-Chair
House Central
America Caucus

NORMA J. TORRES (D-CA)
Co-Chair
House Central
America Caucus

Background on Global Magnitsky Trigger Letter Cases

El Salvador

José Aquiles Enrique Rais López
DOB: March 9, 1952
Case Type: Corruption/Transnational Organized Crime

José Enrique Rais is a prominent Salvadoran businessman. He was designated a "priority target of the DEA and a subject of international investigation for his ties to the organized crime groups, shell companies, cartels and corrupt politicians recently identified by the 'Panama Papers' scandal," according to a Florida court document.[1] In this same April 2016 probable cause petition, the sheriff alleged that aircrafts owned by Rais, show extensive evidence of drug-trafficking activities including modified compartments of the plane, disproportionately high costs for premium avionics to land in remote locations, and the use of straw companies to register these aircrafts, one of which has been monitored for other drug-related activities.[2]

On August 22, 2016, Rais was arrested in El Salvador for conspiring to defraud the justice system in several cases relate to his business interests.[3] Also arrested were former Salvadoran Attorney General Luis Martínez, his deputy Julio Arriaza, a former judge, Rais's nephew and two of his lawyers.[4] According to the Public Prosecutor's Office, Rais and the other suspects collaborated to obstruct investigations and tamper with evidence in order to weaken cases brought against Rais and strengthen cases that Rais brought against adversaries. At the center of the case is a multi-million dollar dispute related to Rais's waste disposal company MIDES S.A. de C.V., which handles most of El Salvador's solid waste management.[5] On August 28, 2016, Justice of the Peace, Évelyn Jiménez, released Rais on the grounds that he was not a flight risk.[6] In January of 2017, this decision was reversed but Rais left El Salvador before he could be detained. In February 2018, INTERPOL issued a red notice for the arrest of Rais.[7] According to media reports, he is believed to currently reside in Switzerland, where he holds dual citizenship.[8]

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[1] Snyder v. Rais. Petitioner's Complaint for Forfeiture. Martin County Florida 19th Judicial Circuit. April, 2016. 5.
[2] Ibid. 7.
[3] U.S Department of State, Bureau of Human Rights and Labor. Country Reports on Human Rights Practices for 2016. 19.
[4] Nelson Rauda Zablah and Sergio Arauz. Ex fiscal general Luis Martínez y empresario Enrique Rais capturados por red de corrupción. *ElFaro.net.* August 23, 2016. www.elfaro.net/es/201608/el_salvador/19143/Ex-fiscal-general-Luis-Mart%C3%ADnez-y-empresario-Enrique-Rais-capturados-por-red-de-corrupci%C3%B3n.htm
[5] Mike LaSusa. Arrest of Ex-Attorney General a Promising Sign for El Salvador. *InSightCrime.org.* August 23, 2016. www.insightcrime.org/news/analysis/arrest-of-ex-attorney-general-a-promising-sign-for-el-salvador/
[6] Cámara ordena recaptura de Enrique Rais y exfiscal Martínez. *La Prensa Gráfica.* January 12, 2017. www.laprensagrafica.com/elsalvador/Camara-ordena-recaptura-de-Enrique-Rais-y-exfiscal-Martinez-20170112-0001.html
[7] Beatriz Calderón. Interpol difunde notificación roja contra Enrique Rais, prófugo desde hace más de un año. *La Prensa Gráfica.* Febuary 26, 2018. www.laprensagrafica.com/elsalvador/Difunden-notificacion-roja-de-Interpol-contra-Enrique-Rais-profugo-salvadoreno-20180226-0037.html
[8] Tristan Clavel. El Salvador Fugitive Tycoon Hiding Out in Switzerland: Report. *InSightCrime.org.* October 17, 2017. www.insightcrime.org/news/brief/el-salvador-fugitive-tycoon-hiding-out-switzerland-report/; Hector Silva. Enrique Rais y uno de sus Helicópteros estan en Suiza. *RevistaFactum.* October 10, 2017. revistafactum.com/enrique-rais-y-uno-de-sus-helicopteros-estan-en-suiza/

José Luis Merino
Case Type: Corruption/Transnational Organized Crime

José Luis Merino is a senior member of the Farabundo Martí National Liberation Front (FMLN) party and the current Vice Minister of Foreign Affairs for the government of El Salvador.[9] He and Enrique Rais co-own the waste management company, MIDES S.A. de C.V currently tied up in a multi-million dollar dispute. Merino is believed to have ties to transnational criminal organizations. In 2008, Colombian officials reported that emails on the laptop of slain FARC commander, Raul Reyes, linked Merino to a network of arms trafficking. A June 2017 bipartisan letter led by Western Hemisphere Subcommittee Ranking Member Albio Sires asked the Treasury Department to use its authority under the Foreign Narcotics Kingpin Designation Act to investigate the U.S.-linked banking activities of Merino due to his reported long-standing associations with transnational organized criminal networks under investigation for cocaine trafficking and money laundering.[10]

Guatemala

Gustavo Adolfo Alejos Cambara
DOB: October 25, 1966
Case Type: Corruption

Gustavo Alejos is a businessman who has used political connections to gain millions of dollars in government contracts. He has been implicated in multiple emblematic corruption cases in Guatemala and was indicted in 2015 and 2016 by the Guatemalan Public Prosecutor's Office.

Until 2014, Gustavo Alejos worked for the pharmaceutical company, Agencia J.I. Cohen, the primary pharmaceutical supplier of the Guatemalan state for the last 30 years.[11] After leaving J.I. Cohen, Alejos set up multiple pharmaceutical companies through strawmen (*Droguería Colon*, *Evolución Farmaceutica S.A.* and *Sabiapharma S.A.*). Alejos has been a financial backer of various political parties including the National Progress party (*Partido de Avanzada Nacional*, PAN), the Grand National Alliance party (*Gran Alianza Nacional*, GANA), the National Unity of Hope party (*Unidad Nacional de la Esperanza*, UNE), and the Patriot party (Partido Patriota, PP).[12] In 2008, Alejos served as Private Secretary of President Alvaro Colom (2008-2012).[13]

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[9] José Luis Merino es juramentado viceministro de inversión extranjera. *La Prensa Gráfica.* October 20, 2016. www.laprensagrafica.com/elsalvador/Jose-Luis-Merino-es-juramentado-viceministro-de-inversion-extranjera-20161020-0110.html

[10] Congressional Letter to Secretary of the Treasury Steven T. Mnuchin. June 19, 2017. interamericansecuritywatch.com/congressional-letter-calling-for-investigation-on-jose-luis-merino/.

[11] Gladys Olmstead. El acusado que se queja de la cárcel, del hospital público y vive en una clínica. *Nomada.* May 12, 2017. nomada.gt/politica/el-acusado-que-se-queja-de-la-carcel-el-hospital-publico-y-vive-en-una-clinica/

[12] Jessica Gramajo. Alejos, de ingeniero a financista político. *Prensa Libre.* December 29, 2015. www.prensalibre.com/guatemala/justicia/alejos-de-ingeniero-a-financista-politico

[13] Roni Pocón and Manuel Hernández Mayén. Caso Transurbano | Exministros de la UNE son acusados de fraude y peculado. *Prensa Libre.* February 28, 2018. www.prensalibre.com/guatemala/justicia/caso-transurbano---alvaro-colom-y-parte-de-su-gabinete-son-acusados-de-fraude-y-peculado

In 2015, the Guatemalan Attorney General's Office implicated Alejos in a corruption network operating within the Guatemalan Social Security Institute that favored certain pharmaceutical suppliers in exchange for bribes.[14] According to the investigation, the network co-opted and corrupted civil servants to obtain information and manipulate the medical acquisition system to favor certain distributors which then earned millions in profits. Alejos was found to be the chief architect of the network and charged with unlawful association, bribery and influence peddling.[15] In June 2016, the Public Prosecutor's Office implicated Alejos in a network engaged in illegal campaign financing and government contracting alleged to be run by former President Otto Pérez Molina and his Vice President Roxanna Baldetti, both of whom resigned in 2015 due to allegations of mass corruption.[16] Dubbed "Cooptation of the State," the investigation uncovered a criminal network that received illicit funds from a group of state contractors, including Alejos, to help finance Molina and Baldetti's 2011 presidential campaign on the promise that they would be given preferential treatment in winning state contracts.[17] Alejos was identified in the case as a contractor of the network and was indicted for bribery.[18]

In 2018, Alejos was implicated in another graft case related to a public bus transportation system in Guatemala City. $35 million in government money had been paid to a consortium of private bus companies who won the concession for the bus system, known as the Transurbano, in a deal approved by the Colom administration without proper legal oversight and that included subsidies and other measures that benefited public servants.[19] Almost a third of the money was spent on equipment that was never used, and it was unclear how the rest was spent. As private secretary of President Colom, Alejos is alleged to have received some of the funds through international transfers which he then spent on shares of the company, Wenco Guatemala S.A..[20] Alejos is believed to also be tied to businesses acquired illegally in the country's ports and in the electricity sector. He is currently being held in pre-trial detention at the Mariscal Zavala detention center.

Luis Alberto Mendizábal Barrutia
DOB: September 26, 1946
Type: Corruption and human rights violations

Luis Alberto Mendizábal is an expert in intelligence operations. Mendizábal was involved in the 1988-89 attempted coup d'état against then-president Vinicio Cerezo Arevalo. He fled to El Salvador when news of the plot was discovered. Mendizábal was also involved in the creation of "*La Oficinita,*" a hidden security apparatus that coordinated illegal actions between military

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[14] CICIG Press Release. Desarticulan Red de Corrupción en el IGSS "Negociantes de la Salud". October 27, 2015. www.cicig.org/casos/desarticulan-red-de-corrupcion-en-el-igss-negociantes-de-la-salud/
[15] Ibid.
[16] CICIG Press Release. Caso Cooptación: Ligan a Proceso a Exgobernantes y Otros 51 sindicados. July 27, 2016.
[17] CICIG Press Release. Concluyen Imputaciones Contra Sindicados en el Caso Cooptación del Estado de Guatemala. June 16, 2016.
[18] Ibid.
[19] CICIG Press Release. Caso Transurbano: Un Fraude Al Estado. February 13, 2018. www.cicig.org/comunicados-2018/com-015-caso-transurbano-etapa-i/
[20] Ibid.

intelligence and the President's office in the 1990s.[21] Mendizábal is also believed to have participated in the Anti-Kidnapping Command (*Comando Antisecuestros*), established by General Marco Tulio Espinoza, a group accused of gross human rights violations.[22] Intelligence documents that InSight Crime obtained from Salvadoran officials connect Mendizabal to an illicit clandestine security group, which called itself "Los Oficiales de la Montaña," (Officials of the Mountain) or La Montaña, which had participated in two attempts to overthrow Guatemala's civilian government in the late 1980s.[23] Under the Alfonso Portillo administration (2000-2004), Mendizábal served as Director of Migration, but resigned after accusations of corruption within the visa office surfaced.[24] Mendizábal was behind the recording and distribution of the video that appeared after the death of Guatemalan lawyer Rodrigo Rosenberg in 2009.[25] In the video, Rosenberg accused the Colom administration of orchestrating his death. Investigations later revealed that he had staged his own death.[26]

In 2015, the Public Prosecutor's Office implicated Mendizábal in the customs fraud network known as "La Línea", which operated within the country's customs and tax administration from 2011 and 2015.[27] The case also implicated former president Otto Pérez Molina, vice president Roxana Baldetti, and several other public officials and members of the business community.[28] According to the investigation, Mendizábal was part of the criminal network and members of La Línea periodically met in a clothing boutique that he owned, which the network used to coordinate the bribe payments.[29] The investigations also revealed that Mendizábal was behind the bribes paid to judge Marta Sierra de Stalling in exchange for substitute measures for some of the defendants involved in the La Línea case.[30] In May 2015, Interpol published an international arrest warrant for Mendizábal in connection to the case.[31]

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[21] Steven Dudley. "The CICIG". *Guatemala Elites and Organized Crime.* InSight Crime and International Development Research Center. www.insightcrime.org/investigations/guatemala-elites-and-organized-crime-series/

[22] Informe Anual Sobre la Situación de los Derechos Humanos en El Mundo 1999: Guatemala. *Human Rights Watch.*

[23] Dudley. "The CICIG".

[24] AFP. Corrupción en Migración de Guatemala. *La Prensa.* May 12, 2001. www.laprensa.com.ni/2001/12/05/internacionales/780648-corrupcin-en-migracin-de-guatemala

[25] Jonathan Franklin. The truth about Guatemala's YouTube murder. *TheGuardian.* January 13, 2010. www.google.com/search?q=The+truth+about+Guatemala%27s+YouTube+murder&rlz=1C1GGRV_enUS752US752&oq=The+truth+about+Guatemala%27s+YouTube+murder&aqs=chrome..69i57.1051j0j4&sourceid=chrome&ie=UTF-8

[26] Ibid.

[27] CICIG Press Release. Antejuicio Contra Jueza Marta Sierra de Stalling y Estructura Criminal de Bufete de Impunidad. May 8, 2015. www.cicig.org/casos/comunicado-de-prensa-016-antejuicio-contra-jueza-marta-sierra-de-stalling-y-estructura-criminal-de-bufete-de-impunidad/

[28] Ibid

[29] Ibid; Sebastian Escalon. Luis Mendizábal y la boutique de las conspiraciones. *Plaza Pública.* May 24, 2015. https://www.plazapublica.com.gt/content/luis-mendizabal-y-la-boutique-de-las-conspiraciones

[30] CICIG. Antejuicio Contra Jueza Marta Sierra de Stalling.

[31] INTERPOL emite circular roja por Mendizábal. *Diario LaHora.* May 18, 2015. lahora.gt/interpol-emite-circular-roja-por-mendizabal/

Remigio Angel Gonzalez
DOB: *June 14, 1944*
Nationality: *Mexican*
Wife: *Alba Elvira Lorenzana Cardona*
Daughters: *Morelia Eréndida (financial Alavisión) and Jani Tzik Tzik*
Place of residence: *Miami, Florida, Dominican Republic, Mexico*
Case Type: Corruption

Mexican-born Remigio Angel Gonzalez is the head of media conglomerate, Albavision. The Inter-American Press Association registered that Angel Gonzalez is present in 11 countries in the Latin American region, owning 35 TV channels including La Red (Chile), ATV (Peru), SNT (Paraguay), and Canal 9 (Argentina), 114 radio stations, 2 newspaper companies and movie theatres.[32] He has lived in Miami since 1987. Gonzalez has been able to sidestep laws prohibiting monopolies or restricting foreign ownership of national media by using phantom companies run by local relatives, friends and stand-ins. In Guatemala, properties are in his wife's name, Alba Elvira Lorenzana Cardona, a Guatemalan national.[33] In 2016, the Guatemalan Public Prosecutor's Office implicated Alba Elvira Lorenzana in the corruption scheme set up to illegally finance the presidential campaign of Otto Pérez Molina and Roxana Baldetti known as the "Co-optation of the State".[34] In September 2016, INTERPOL issued an international arrest warrant for her arrest in connection with the case.[35] Gonzalez name appears in the Panama Papers, as a shareholder of the offshore company, Global Holding Properties Corporation.[36]

Gonzalez's television career began in 1971 selling Mexican telenovelas in Central America. In 1973, he moved to Guatemala, where he continued his business of selling advertising time for Channel 7. In Guatemala, he met his first wife, sister of Luis Armando Rabbé Tejada, Minister of Communication during the Portillo administration between 2000 and 2001 and president of the Guatemalan Congress between 2015 and 2016. Rabbé was indicted by the Guatemalan Public Prosecutor's Office in May of 2016 for authorizing the creation of "ghost" or unoccupied positions within Congress in order to turn profit.[37] Rabbé is married to one of Gonzalez's sisters. In 1981 González acquired the Guatemalan channels 3 and 7. After Guatemala, he began investing in broadcasting operations in Nicaragua, Costa Rica, the Dominican Republic, Mexico, Chile and Argentina, among other countries.[38] In 2008, he established Albavisión, named after his second and current wife.

According to the investigation conducted by the Guatemalan Attorney General's Office, the corruption scheme set up to finance the election campaign of Otto Pérez Molina and Roxana

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[32] Enrique Hernández. Ángel González, el mexicano que creó un imperio de medios en AL. *Forbes.* August 29, 2019. www.forbes.com.mx/angel-gonzalez-mexicano-nombra-presidentes-guatemala/
[33] Jerson Ramos. Interpol publica orden de captura de Alba Lorenzana. *Prensa Libre.* September 9, 2016. www.prensalibre.com/guatemala/justicia/interpol-publica-orden-de-captura-contra-alba-lorenzana
[34] CICIG Press Release: Caso Cooptacion del Estado. June 2, 2016.
[35] Ramos. Interpol publica orden de captura de Alba Lorenzana.
[36] Global Holding Properties Corporation. *The International Consortium of Investigative Journalists: Offshore Leaks Database.* March 10, 2010.
[37] CICIG Press Release: Capturados Exdiputados Del Congreso De La República Por Caso "Plazas Fantasma". May 26, 2016.
[38] Hernández. Ángel González, el mexicano que creó un imperio de medios en AL.

Baldetti operated between 2008 and 2011, and remained in place during the party's administration (2012-2015).[39] The illicit funds were obtained through a network of corporations controlled by Baldetti that had no real business activity but were used as a way of channeling the money secretly handed over by representatives of Radiotelevisión Guatemala S.A. (Canal 3), and Televisiete S.A. (Canal 7), owned by Gonzalez.[40] Documents seized during the investigation revealed that Gonzalez's two companies funneled a total of around $2.3 million into the campaign of the Patriot Party between 2008 and 2011.[41] According to the investigation, the money had not been reported to the Supreme Electoral Tribunal and was used to purchase new model-year cars.[42] In exchange, Gonzalez's television companies reportedly benefitted from million-dollar contracts for government advertising, beginning when Pérez Molina and Baldetti came to power. The investigation revealed that the value of the contracts entered into between 2012 and 2015 was in excess $26 million which means that the two companies received 69 percent of all government television advertising purchased during that period.[43] González's wife, Alba Elvira Lorenzana, is the subject of an international arrest warrant for her alleged involvement in the network as legal representative of the companies.[44]

Experts and International organizations, such as the Inter-American Press Association (IAPA) and the Inter-American Commission on Human Rights (IAHCR), have raised concerns about Gonzalez's monopoly and its impact on freedom of expression. IAPA has repeatedly raised concerns about Gonzalez using his media outlets to discredit and defame adversaries of his political allies.[45] That same year, the IAHCR Special Rapporteur for Freedom of Expression noted that private monopolies in Guatemala had maintained a policy aimed at shaping public opinion in favor of government sectors, obstructing the work of independent journalism.[46] The Commission noted that Gonzalez's media monopoly seriously affected the freedom of expression and the Guatemalans right to information.[47] The Commission reiterated its concerns in its 2017 annual report.[48]

Honduras

Oscar Ramón Nájera
Date of Birth: December 12, 1950
Case Type: Corruption

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[39] CICIG Press Release: Caso Cooptación del Estado.
[40] Ibid.
[41] Ibid.
[42] Ibid.
[43] CICIG Press Release: Caso Cooptación del Estado.
[44] Jerson Ramos. Interpol publica orden de captura de Alba Lorenzana. *Prensa Libre*. September 9, 2016. www.prensalibre.com/guatemala/justicia/interpol-publica-orden-de-captura-contra-alba-lorenzana
[45] Guatemala. *Inter-American Press Association.* May 9, 2013; Guatemala. *Inter-American Press Association.* May 15, 2015;
[46] Santiago A. Cantón. Preliminary Evaluation of Freedom of Expression in Guatemala. *Inter-American Commission on Human Rights, Organization of American States.* April 18, 2000.
[47] Ibid.
[48] Inter-American Commission on Human Rights, "Situation of Freedom of Expression." *Situation of Human Rights in Guatemala*. Organization of American States. December 31, 2017. 155

Oscar Nájera is a Honduran politician and large landowner in the Bajo Aguan region. He has served in the Honduran Congress for 27 years and currently represents the National Party for Colón. Devis Leonel Rivera Madariaga, leader of *Los Cachiros* Cartel, implicated Nájera as a collaborator during his testimony before the District Court for the Southern District of New York. Rivera placed Congressman Nájera in a 2013 meeting with cartel leaders regarding a dispute over seized properties.[49] In this meeting, Cartel leaders paid Oscar Nájera and two others for providing the cartel with a list of accounts and properties the OABI (Administrative Office of Seized Assets) was planning to seize.[50] In March 2017, the Honduran Attorney General's Office and the Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH) announced that they would investigate the public officials implicated by Rivera in the drug trafficking case.[51] An in-depth report by investigative news site ContraCorriente in which Najera was interviewed also highlighted Nájera's ties with leaders of *Los Cachiros* Cartel.[52] According to the report, Nájera is believed to have been the link between *Los Cachiros* and members of the Zelaya, Michelleti, and Lobo administrations. In 2015, Nájera was accused of links to drug trafficking.[53]

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[49] United States of America v. Fabio Porfirio Lobo. 69.

[50] Ibid. 70.

[51] Fiscalía hondureña investiga a figuras públicas acusadas de narcotráfico en EE.UU. *El Nuevo Diario.* March 9, 2017. www.elnuevodiario.com.ni/internacionales/centroamerica/421212-fiscalia-hondurena-investiga-figuras-publicas-acus/.

[52] El diputado eterno, un cartel narco y un valle inundado de palma africana. *ContraCorriente.* May 2, 2017. contracorriente.red/2017/05/02/el-diputado-eterno-un-cartel-narco-y-un-valle-inundado-de-palma-africana/

[53] No tengo nada que ver con el narcotráfico: Oscar Nájera. Tiempo Digital. July 20, 2015. tiempo.hn/no-tengo-nada-que-ver-con-el-narcotrafico-oscar-najera/