

Today, the House is scheduled to consider the issue of continued military aid to El Salvador. This vote occurs against the backdrop of U.N.-mediated negotiations between the government of El Salvador and representatives of the FMLN and the continued inability of the Salvadoran government to reign in the death squads on the right and successfully bring to justice those who perpetrate gross violations of human rights.

Of course, the stalled investigation and prosecution of the case of the eight murdered Jesuit priests, their housekeeper and her daughter occupy our attention now, but they are only the latest in a series of atrocities that the judicial system of El Salvador is unable to deal with. Earlier this week, judges in two notorious human rights cases absolved all but 3 of 17 defendants, most of them military men. The cases involve the 1988 massacre of 10 peasants, known as the San Francisco massacre, and the kidnap-for-profit of several businessmen. According to press accounts, even U.S. officials feel that the conviction of the remaining three defendants (only two are in custody, the third is still at large) is far from assured.

Over the past 10 years, the United States has sent hundreds of millions of dollars to El Salvador. Over the same ten years, much of the military assistance to that country has been conditioned upon the improvement of human rights, reform of the judicial system and progress in the investigation and prosecution of the celebrated human rights abuse of the day. What have all of these conditions on the millions of dollars that we have sent to El Salvador accomplished? By any objective standard, not much. The judicial system has made some improvements, but is still unable to successfully investigate let alone prosecute those responsible. The military system is still based on

the secretive, self-preserving Tandora system. The Salvadoran record on human rights is still poor. The civilian government still does not exercise control over the armed forces of El Salvador.

On the FMLN side, things are not much better. Politically motivated assassinations of civilians takes place. Economic sabotage is still prevalent and aimed at fostering discontent amongst the people with the government. But for all of their efforts, the FMLN has failed to win over the people of El Salvador. The offensive of last year was a failure.

It is no wonder that the two sides are talking. Neither can win. The prospects of further, protracted, non-conclusive violence has brought both the government of El Salvador and the FMLN to the table. It is the people of El Salvador who should encouraged by this development.

The legislation that I have proposed fundamentally alters the approach the United States has been taking over the previous ten years. Instead of conditions that try to influence the behavior of the government of El Salvador, my proposal would give incentives to both the government of El Salvador and the FMLN to stay at the negotiating table. It gives President Christiani the tools necessary to exercise control over the military and it encourages the government to undertake fundamental changes in the judicial and military systems in El Salvador.

The centerpiece of my proposal is the withholding of 50% of the military assistance to El Salvador for the rest of this fiscal year and also next year. For next year the

overall level is \$85 million in military assistance. <sup>The</sup> Incentives are <sup>IS THE PROPOSAL</sup> ~~given for good~~ <sup>MEANT TO ENCOURAGE</sup> ~~behavior for~~ both the FMLN and the government of El Salvador. <sup>TO</sup> If the FMLN does not negotiate in good faith, receives significant shipments of lethal military equipment from outside El Salvador, the survival of the government is jeopardized by offensive military actions of the FMLN, or the FMLN is engaged in acts of violence directed at civilians or civilian targets, the withheld military assistance to El Salvador would be restored. If the duly-elected head of Government has been deposed by military coup or decree, or if the Government of El Salvador does not negotiate in good faith, if the government fails to conduct a thorough and professional investigation and prosecution of those responsible for the 3 murders last November, or is engaged acts of violence directed at civilians or civilian targets, the amount of military aid would fall to zero.

Under my proposal the military assistance that is withheld or reduced is transferred to development assistance to El Salvador. El Salvador doesn't lose a dime, it is only the mix of military and development assistance might change based upon the actions of the government of El Salvador.

My proposal also strengthens the hand of President Christiani by requiring the prior approval of the President of El Salvador before military assistance may be delivered to the armed forces of El Salvador. It is only when we start requiring the military to recognize the authority of the civilian government and forcing it to modify its behavior in compliance with that civilian authority that we might start seeing the military change its behavior.

In short, both sides have entered into negotiations for their own reasons. My proposal is designed to keep them there until a political settlement can be reached. In addition, my proposal strengthens the hand of President Christiani by giving him

leverage over the armed forces of El Salvador. Lastly, the incentives for the military of El Salvador to cooperate are in place, without reducing the overall amount of assistance to El Salvador.