

December 11, 1989

Memo To: Jim McGovern
From: Vic Johnson
Subject: El Salvador Task Force

Our conversation last Friday got me focusing on the El Salvador task force for the first time. Several things occurred to me over the weekend that have probably already occurred to you, but I thought I would pass them on. So bear with me while I think on paper.

First, on the issue of partisanship. As we discussed, the task force has a strange mandate for a party task force. It would be entirely logical for a partisan task force to be formed to work out a party position on El Salvador. It is less logical for a partisan task force to be formed to monitor a criminal investigation. Anything the task force finds that is incompatible with what the Administration and the Republicans want it to find will be dismissed as the result of a partisan inquiry. The Republicans will say--not without justification--"We don't accept the results of an inquiry that we were not a part of."

Obviously, if the task force finds fault with the investigation, it will give Democrats ammunition. Equally obviously, however, if the Republicans were part of the inquiry, any fault-finding would be much more powerful. The risks of taking a bipartisan approach are not great: if the investigation is flawed, the Republican members of the task force won't be able to cover it up; if the investigation is adequate, any effort by a partisan task force to paint it as inadequate will ultimately fail.

Therefore, I get back to the point that this is the wrong mandate for this task force. Assuming we can't do anything about that, three things seem imperative. First, the task force must make maximum use of its moderate and conservative members, making sure they are fully on board and fully involved in its activities and conclusions. The task force report must be signed and fully endorsed by those of its members who no one can credibly accuse of engaging in a partisan witch hunt or pursuing a leftist agenda. There must be no minority report.

Second, I am now inclined to react differently than I did on Friday to the idea of inviting Republicans to accompany the task force to El Salvador. Like you, I doubt that the Republicans would agree, but for the sake of its own credibility the task force ought to try.

Third, if the task force travels to El Salvador, I would now stress more than I did on Friday the importance of conducting the trip in such a way as to make charges of a one-sided inquiry incredible. You may still have to have some meetings that the Embassy won't want you to have and from which you will have to exclude Embassy personnel, but you will have to bend over backward to cooperate with the Embassy as much as you can.

The second thing that occurs to me--again related to the problem of your mandate--is the necessity of expanding that mandate as much as you can. It is unlikely, but possible, that the Salvadorans will decide to bite the bullet and actually do something about this case. They might decide, under U.S. pressure, that they have to sacrifice someone to save the aid program. If that happens, making this case into the be-all and end-all of U.S. aid sets you up for the conclusion that satisfactory progress on this case answers all the policy questions and justifies current policy.

No one would disagree with that more strongly than the six slain priests themselves, who would be the first to recognize their deaths as nothing more than a particularly egregious symptom of the pervasive lawlessness and absence of justice in Salvadoran society. The task force should take advantage of the way out offered by the Speaker's letter, and define its mandate as that of reviewing the investigation of this crime in the context of what the Speaker refers to as "generally deteriorating human rights conditions" and "the failure of the Salvadoran judicial system." The task force should define its mandate in such a way as to enable it to come out of the inquiry with some general conclusions about justice and human rights in El Salvador and the Salvadoran government's commitment in these areas. Otherwise, you will be sitting ducks for a strategy of doing just enough on this one case to disarm you.

Finally, today's story in The Post about U.S. treatment of the Salvadoran witness obviously demands investigation.

I suggest that as a next step we sit down and try to map out a plan of action for the task force. By the way, our Chile trip is off, so we are available this week.