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May 10, 1990

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Honorable John Joseph Moakley  
House of Representatives  
Washington, D.C. 20515

Dear Joe:

As you know, when we were in El Salvador defense attorneys refused Task Force members and staffers access to Col. Benavides and the others accused of the assassinations of the six Jesuit priests. This was not particularly surprising. However, yesterday I was surprised to see in an article in the Washington Post (attached) that Evans and Novak were able to obtain an exclusive interview with Col. Benavides which concludes that he may have been "set up." They said their interview was granted by military authorities who did so "because of their private conviction that Benavides is innocent and deserves to be heard."

Now that the military has granted access to Benavides, presumably because the high command believed Evans and Novak would be sympathetic, I think we have some obligation to seek access ourselves. Accordingly, it seems to me that the Task Force should consider doing the following:

1. Making a formal request to the Salvadoran military to allow Task Force members and/or staff to interview all of the accused, particularly Col. Benavides.
2. Requesting the Embassy to provide any reports, cables, or memoranda that pertain to any interviews of the accused by the Country Team since the time of the murders.

Even though belated, information from such interviews could shed light on the culpability and capability of the accused, as well as bring pressure to get the investigation moving again. At the very least, it would address the suggestion in Novak's column that Benavides may be a scapegoat, and I think that this should not go unchallenged. While the military is more amenable to allowing an interview by someone sympathetic to their position, I think they could not easily refuse a Task Force request now that they have allowed a press interview.

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Of course, it is possible that the accused would refuse to talk to us. In that event, I think that the credibility of Benavides and the military would be damaged. That is their choice, but for us the most important thing is doing all we can to get to the bottom of this case.

I stand ready to assist in any way I can.

With best regards.

Sincerely,



Matthew F. McHugh

MFM:sc

W. Post 5/9/90

Rowland Evans and Robert Novak

## Murdered Jesuits: Who Gave the Order?

SAN SALVADOR—A 2½-hour exclusive interview with Col. Guillermo Benavides, the Salvadoran Army officer accused of ordering the murder of six Jesuit priests, raises a distinct possibility of his innocence.

Firmly and consistently, a calm Benavides answered our questions on the murders by denying that he gave any orders at all to the three lieutenants before they carried out the killings. That coincides with private reports from the high command that the lieutenants are withdrawing their accusations against him.

The possibility that Benavides is a scapegoat, not an assassin, is rejected by the Salvadoran government's public position. It was not even considered by the congressional "task force" headed by Rep. Joe Moakley, which instead implied that Benavides was covering up for his superiors. At stake is continued U.S. aid to help the elected government against the 11-year insurrection.

We asked for an interview with Benavides after hearing from one visitor that he had a credible story to tell. Soon after, military authorities agreed to his first meeting with a reporter since his Jan. 7 arrest. They did so because of their

private conviction that Benavides is innocent and deserves to be heard.

Benavides told us that he learned within hours about the Nov. 16 Jesuit slaughter on the University of Central America campus. As head of the Salvadoran Military Academy, he had been placed in command of areas including UCA during the November offensive by Communist-led FMLN guerrillas.

"It [the massacre] was a surprise to me," he said, "because I knew that the father [UCA rector Ignacio Ellacuria] had been saying favorable things about the president [conservative Alfredo Cristiani]." Benavides said his first assumption was that the killers were from the FMLN.

The bigger surprise, he said, came when he was called before military authorities on Jan. 6 and read a letter from a U.S. Army training officer assigned to the Salvadoran high command. The Pentagon refuses to release the name of that officer, but he was identified to us by Benavides as a "Maj. Buchland" (a name confirmed by U.S. officials here). In the letter, Buchland said that he had been informed by Col. Carlos Aviles, a general staff officer, that Benavides ordered the killings.

Benavides told us that Aviles told him he had never made that accusation to the American major

(a denial repeated to the Moakley group). According to the Moakley report, lie detector tests indicated "some deception" by both Aviles and Buchland.

Buchland's letter was followed by testimony from Lts. Yushy Mendoza, Jose Espinosa and Gonzalo Cerritos that their orders had come from Benavides. The colonel told us Espinosa and Cerritos had been under his command for two days on detached duty but that "I had not given them a single order." Mendoza had served under him at the military academy for five months, and "every order I gave him had to pass through the staff."

Could the lieutenants have acted on their own without orders? "I do not believe that is possible," Benavides replied. Well, does that then suggest a conspiracy by the high command to make him the scapegoat? "I cannot think that is true."

Benavides flatly denied the story, spread by key government figures, that he was closely associated with the left-wing Army clique that seized power in 1979. "That's the first time I have ever heard such a thing," he told us, with what seemed genuine surprise. He said he was attending a military school in Rio de Janeiro during the 1979 coup.

The colonel displayed no anger over his imprisonment. "I am a Christian," he told us, "and because of that, I have faith they will get to the bottom of this situation." Benavides, who is 44, looked wan (belying reports of trips to the beach) from his four months' confinement in an office and an adjoining bedroom at national police headquarters, where we interviewed him. No guard or officer was present.

If Benavides lied, he did so with superb artistry. Answering a routine question, he candidly volunteered derogatory information about his personal life. He is described by many who know him as an unimaginative officer with no record of human rights abuse and no strong political convictions. If, as reported, the lieutenants have withdrawn their accusations, there is no longer a direct witness against him.

But who would have set up an innocent man for such a heinous crime? It is difficult to believe that his military academy classmates who run the armed forces would concoct such a plot. Perhaps officers opposed to the present government and the high command? Perhaps leftists—or rightists? We left the colonel with no bottom line. The case of the Jesuits is not solved.

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