

EL SALVADOR: POLICY ISSUES FOR THE 98TH CONGRESS

ISSUE BRIEF NUMBER IB83051

AUTHOR:

K. Larry Storrs

Foreign Affairs and National Defense Division

THE LIBRARY OF CONGRESS
CONGRESSIONAL RESEARCH SERVICE
MAJOR ISSUES SYSTEM

DATE ORIGINATED 02/18/83
DATE UPDATED 12/05/83

FOR ADDITIONAL INFORMATION CALL 287-5700

1205

ISSUE DEFINITION

Since 1981 President Reagan has requested increasing amounts of military and economic aid to assist two embattled Salvadoran governments in the struggle against leftist guerrillas. While Congress has generally supported the Administration's requests for economic aid, it has regularly cut military assistance to El Salvador and has made the aid contingent upon a semi-annual Presidential certification that human rights are improving in the country.

This year President Reagan proposed a \$60 million reprogramming of FY83 military aid for the country and also requested \$50 million in FY83 supplemental military assistance for El Salvador. For FY84 he requested \$86.3 million in military aid for the country. (See chart at end of paper for details.)

Administration supporters stress the need to support the interim Magana government in order to prevent the coming to power of a communist-style government that would pose a security threat to the region. Critics, fearing that the United States might be drawn into a Vietnam-type quagmire in support of an unpopular regime, argue that the United States should seek a political solution to the conflict through negotiations without placing undue emphasis upon military means.

BACKGROUND AND POLICY ANALYSIS

The Background and Policy Analysis section of this issue brief is organized in the following manner:

Congressional Options

1. Terminate Military Aid to El Salvador
2. Increase Pressure on the Salvadoran Government by Tightening the Requirements of the Aid Conditions
3. Modify the Conditions to Require the Salvadoran Government to Negotiate with the RDR-FMLN
4. Strengthen the Congressional Role by Adding a Legislative Veto to the Conditions
5. Expand U.S. Aid and Support for the Salvadoran Government

Congressional action in 1983

Appended to this issue brief are a table (U.S. Economic and Military Assistance to El Salvador: FY79-FY84) and a map of El Salvador.

BACKGROUND

Congress is now reassessing U.S. policy toward the current Salvadoran government in light of more than two years of active U.S. support for civilian-military juntas in El Salvador against leftist guerrillas.

When junior military officers overthrew the government of General Carlos Humberto Romero in October 1979 and set up a civilian-military junta that

promised fundamental reforms, the Carter Administration welcomed the change. The Romero government was viewed as a continuation of the military-elite alliance that had controlled Salvadoran politics for more than 30 years, partly by repressing emerging opposition forces and partly by manipulating the results of the 1972 and 1977 elections to prevent a victory by a coalition of parties dominated by Christian Democrats asserting a need for reforms.

In early 1980, following the collapse of the first junta, the military made a pact with the Christian Democratic Party and shortly thereafter the resulting civilian-military junta launched extensive reforms, including a land reform and a banking reform. By March of 1980, however, important civilian elements, including the social democratic National Revolutionary Movement (MNR) and the left wing of the Christian Democratic Party, had resigned from the government, charging that the junta was unable to control security force repression. A short time later, these moderate left groups joined forces with the militant left "popular organizations" of workers, peasants, and students to create the Democratic Revolutionary Front (FDR). The FDR then joined with the Farabundo Marti National Liberation Front (FMLN) guerrillas in the effort to topple the U.S.-supported junta headed, in late 1980, by Christian Democrat Jose Napoleon Duarte.

The Carter Administration suspended aid to El Salvador in December 1980, following the murder of four American nuns near San Salvador. It resumed and increased aid in mid-January 1981, when the FMLN guerrillas launched a so-called "final offensive" that seemed to threaten the collapse of the Salvadoran government. The Reagan Administration subsequently increased military and economic aid to the Duarte-led junta and sent about 50 U.S. military advisers to train the Salvadoran armed forces in counter-insurgency methods. While the guerrilla's heralded "final offensive" failed, renewed attacks on bridges, the electrical system, and the Illopango air base demonstrated their continuing capability. These successes prompted the Reagan Administration to provide \$55 million in emergency military aid in early 1982.

By the summer of 1981, the FDR-FMLN, with support from Mexico and France, called for a negotiated political settlement to the conflict. The Duarte government rejected negotiations, and, instead, at U.S. urging, called on all duly constituted parties to participate in junta-held elections in March 1982 for a constituent assembly that would form a temporary government, write a new constitution, and establish ground rules for future elections.

While leftwing groups refused to participate and sought to disrupt the elections, a massive turnout of nearly 1.5 million voters cast ballots on March 28, 1982. In these elections, a coalition of rightwing parties jointly won 60% of the vote to insure control of the Constituent Assembly. The Christian Democratic Party (PDC), running on a campaign of continuation of the junta's reforms, emerged as the single largest party, with over 40% of the vote, but seemed likely to be excluded from a meaningful role in the provisional government.

After weeks of delicate discussions, the Constituent Assembly elected Alvaro Alfredo Magana, a political centrist supported by the Salvadoran military, as the interim President of the Government of National Unity which included PDC participation. Three vice presidents representing the major political parties were also elected.

After weeks of negotiations the parties represented in the Government of

National Unity signed a basic program of action called the Pact of Apaneca in August 1982. This called for the creation of three commissions: (1) a Political Commission to set the rules for definitive national elections, (2) a Human Rights Commission to monitor human rights performance, and (3) a Peace Commission to promote peace in the country, possibly through talks with the Salvadoran guerrillas. Simultaneously, the newly elected Constituent Assembly was to complete action on a new constitution.

By the end of 1983 the Magana-led government was receiving mixed reviews. The Political Commission, after announcing elections for December 1983, was forced to postpone its plans when the Constituent Assembly fell behind schedule. Instead, in late November the government announced that new elections would be held in March 1984. With the establishment of the Human Rights Commission in October 1982, the human rights conditions in the country initially experienced some improvement. Civilian deaths attributed to political violence declined significantly, while disappearances continued at about the same rate as previous years. Toward the end of 1983, however, there was a resurgence of right-wing death squad activity which was publicly denounced by U.S. Ambassador Pickering in a speech on Nov. 25, 1983. After President Reagan pocket-vetoed a bill to extend the congressionally mandated human rights conditions on aid to El Salvador on Nov. 30, Secretary of State Shultz was quoted as saying that it would have been "very difficult" to make the required certification in January 1984.

In the first half of 1983 the Salvadoran military appeared to gain the initiative in the struggle with the guerrillas. The number of U.S.-trained battalions increased and the Salvadoran Army launched the so-called National Strategy Plan in San Vicente province. Through a combination of military mobility and civil action projects this was to expand government control in guerrilla strongholds while the Peace Commission sought to encourage the guerrillas to participate in upcoming elections. While Peace Commission members met with guerrillas representatives on several occasions, at times facilitated by Central American Envoy Richard Stone, the parties were unable to come to terms. Guerrilla leaders insisted on the creation of a broad coalition government prior to participation in democratic elections, while the Peace Commission was unwilling to discuss anything other than leftist participation in government-held elections. By the end of the year, the guerrillas had shown surprising resiliency, including an ability to conduct significant offensive operations, and the Army was said to be unable to maintain the initiative.

The Constitution Assembly continued to make progress on completion of a new constitution, but was unable to agree on several articles, particularly those dealing with the agrarian reform. While the Christian Democrats argued that a continuation of the reform with payment in bonds was crucial to undercut the guerrillas appeals, more conservative parties urged that expropriation be undertaken only on the basis of prior and complete compensation. The lack of consensus on this issue was one indication of the lack of unity within the government that would be resolved only after the 1984 elections.

Congressional Options

A variety of options is available to Congress in its consideration of the Administration's request for FY84 aid. All of the options, however, involve

risks and in one way or another require trade-offs among widely accepted U.S. objectives. For the sake of discussion, the options are grouped into five broad categories.

1. Terminate Military Aid to El Salvador

During the 97th Congress, a sizable number of Members supported resolutions introduced by Representative Studs and Senator Kennedy to prohibit military aid and arms sales to El Salvador. They argued that a regime that had permitted 30,000 of its citizens to be killed in indiscriminate violence and that has taken inadequate action in the highly publicized cases of the murders of U.S. citizens did not deserve U.S. support. They argued that military aid has only increased the killing and repression in the country and has strengthened the role of the military in the society. Believing that many of the guerrillas' arms are captured, they contended that a cut in U.S. military aid may lead to a reduction in the violence in the country. Without open-ended support from the United States, they argued, the Salvadoran government would be forced to deal more realistically with some of the guerrilla's demands and to implement changes in order to prevent a guerrilla victory.

Those who now support the termination of military aid by the 98th Congress argue that U.S. efforts to encourage reform have been inadequate, precisely because powerful Salvadoran elites are convinced the United States will not terminate assistance. Supporters of this option tend to feel that a termination of U.S. aid would encourage negotiations between the government and the guerrillas. They foresee a resulting left-of-center coalition government that would exclude the more extreme elements of the far left and the far right. They are inclined to believe that the political aims of the Democratic Revolutionary Front, which includes social democrats, dissident Christian Democrats, and independents can successfully be moderated by a more accommodating U.S. policy. They reject arguments that the March 1982 elections demonstrated the weakness of the moderate left since they feel that the leftist parties had legitimate reasons to doubt the safety and effectiveness of their participation.

Opponents of a termination of U.S. aid argue that such action would undermine the legitimacy and the defense capability of the Salvadoran government and lead to a victory by externally-supported Marxist guerrillas, many of whom are dedicated to totalitarian control of society. They cite numerous historical examples, and especially the Cuban and Nicaraguan cases, in support of their contention that extreme leftists who are hostile to the United States will wrest effective control from more moderate elements if the opposition movement came to power. They argue that a termination of American assistance would undermine the growing authority of the central government and lead to a significant increase in the level of violence in the country. Without U.S. leverage, they argue that those like President Magana and Defense Minister Garcia who have supported the U.S.-sponsored reforms might be weakened to the point where they might be overthrown by rightwing forces in the military determined to pursue a more aggressive anti-guerrilla campaign. If this were to happen, they feel that the long-range prospects for a guerrilla victory against a reactionary military regime would be significantly increased. Termination of U.S. aid to El Salvador would also have injurious effects throughout Latin America and especially in Central America, they argue, because moderate leaders of countries presently facing Cuban-supported guerrilla insurgency would have reason to doubt the dependability of the United States support in time of need.

Congress could terminate aid either by a country-specific legislative prohibition, or somewhat more gradually by denying any further Administration funding requests for El Salvador. Any such termination might lead to a congressional-executive confrontation, a veto of military aid legislation, and a major override battle requiring a vote of two-thirds of both Houses.

2. Increase Pressure on the Salvadoran Government by Tightening the Requirements of the Aid Conditions

Proponents of tightened conditions on U.S. aid to El Salvador feel that it is unrealistic to terminate aid to El Salvador, but argue that stronger action must be taken with the Salvadoran government to avoid continuing U.S. support for a government whose actions strengthen guerrilla insurgency. This could be accomplished by adding new conditions for U.S. aid via the certification requirement. Central to this position is the assumption that greater U.S. pressure would be successful in promoting reforms and greater respect for human rights without provoking a right wing coup or an outright rejection of U.S. assistance. Dissatisfied by what they regard as an overly loose interpretation by the Reagan Administration of the congressionally-mandated aid conditions, advocates of this approach would tighten the language of the conditions to require greater compliance with internationally respected human rights standards. Even a resulting suspension or reduction in U.S. aid, in this view, might serve to jolt the Salvadoran government into taking serious actions to improve human rights conditions. In the end, they argue, this would strengthen the government and give it greater public support in the struggle with the guerrillas.

Opponents of this approach emphasize that the Salvadoran government has made impressive progress under difficult circumstances. They argue that more demanding certification criteria might very well undermine the U.S.-supported moderate elements in the government and the military. They point out that Ambassador Hinton's highly critical speech in October 1982 provoked outrage from a number of sectors and strengthened the view that U.S. aid should be rejected so long as it is accompanied by significant intervention in the country's affairs. Convinced that the rate of progress is about as great as can be expected given the political complexity of the situation, they are fearful that the result of more rigorous certification criteria might be a termination of military assistance to El Salvador, which they believe, would polarize rather than strengthen moderation in the country, thereby improving the prospects of radical Marxist forces.

3. Modify the Conditions To Require the Salvadoran Government to Negotiate with the FDR-FMLN

Proponents of a political solution are convinced that El Salvador will face an unending guerrilla conflict in which neither the government nor the guerrillas are likely to be victorious unless negotiations are attempted. They would impose a congressionally mandated requirement that the Salvadoran government accept the offer made by the FDR-FMLN in October 1982 to engage in unconditional talks to resolve the conflict. If successful, this approach would strengthen the moderates in both camps and end the killing. Presumably it would result in an interim coalition government or in some form of internationally created and supervised interim government that would create the conditions for future elections fair and equitable by all parties. Proponents of this approach argue that nothing is to be lost by talks between

the two parties. If the leftist opposition demands an end to the killings and other abuses by the security forces, or if the moderate and rightist parties insist upon the democratic process and conditions to guarantee private property, accommodation to these demands will only enhance the broadly-based consensus that is necessary for long-term stability.

Opponents of negotiations argue that it would be a mistake to negotiate with violent Marxist-oriented groups that seek to gain at the bargaining table what they have been unable to win on the battlefield or in the March 1982 elections. They argue that the Magana government is winning -- or at least holding its own in the war against the guerrillas with limited U.S. assistance, but that success is dependent on resolute opposition to -- not compromise with -- the guerrillas. They point to the March 1982 elections and the failure of the "final offensive" in 1981 as evidence that the guerrillas do not have the support of the population. They fear that the Marxist groups would emerge as the dominant force in any governing group brought about through negotiations, or would resume the war from a strengthened position, and point to Nicaragua under the Sandinistas as an example of the inevitable result. They also argue that American insistence on negotiations would constitute an extreme intervention in Salvadoran affairs. The chances for successful negotiation are also much slimmer in their view, than are the chances of provoking a rightwing coup or even a wider backlash.

4. Strengthen the Congressional Role by Adding a Legislative Veto to the Conditions

Proponents of this approach are convinced that the Congress should have an opportunity to review the President's certifications as a way of insuring that the executive will take forceful action to insist upon improved performance by the Salvadoran government. They feel that the Reagan Administration places such importance on El Salvador that it will continue to certify compliance with existing or more rigorous criteria regardless of the actual situation. Therefore, they argue, the Congress should have 30 days, for example, to approve or to disapprove the President's certification. In the event that the Congress disapproved the certification, the military aid and arms sales to El Salvador would have to cease. Proponents feel that the aid conditions will only be taken seriously when both the Administration and the Salvadoran government realize that the certification is subject to congressional veto.

Opponents argue that a legislative veto would involve Congress unnecessarily in the day-to-day complexities of Salvadoran politics. They point out that the initial proposal for congressionally required conditions on aid to El Salvador contained a legislative veto provision, but that it was deleted in committee because of inadequate support and because of President Reagan's threat to veto any legislation containing a legislative veto. The inclusion of a legislative veto would raise problems of the constitutional validity of such measures, especially after the June 1983 Supreme Court decision in INS vs. Chadha which held a one-house legislative veto to be unconstitutional. Moreover, if Congress wishes to terminate aid on grounds related to the certification, opponents argue, it has more direct and less constitutionally contentious means of doing so by reducing or prohibiting aid in the foreign aid authorization bills.

5. Expand U.S. Aid and Support for the Salvadoran Government

Proponents of this view take the position that the United States should do everything within its ability to defend allies that are facing a growing complex of Communist-inspired guerrilla insurgencies that threaten Central America. Maintaining that the Salvadoran government has the support of the people, demonstrated in the recent election, against externally-supplied guerrillas, they would favor an increase in U.S. aid and support for the Magana government to insure its survival and ultimate victory. Some would also support elimination of the certification requirement on the grounds that its conditions focus unnecessary criticism upon the government and provide propaganda ammunition for the guerrillas. As a variation on this theme, Senator Helms has proposed that the U.S. government be required to report on the human rights abuses by the guerrillas as well as by the government in order to provide a more balanced perspective on the situation.

Other proponents of additional U.S. support would permit an increase in the number of U.S. advisers in El Salvador, and would be willing to have them participate in combat operations if that were necessary to insure government success.

Opponents of further U.S. military aid argue that the current emphasis on economic assistance is more likely than increases in military aid to promote the kinds of reforms that will undermine support for the guerrillas. Since greater U.S. military involvement could both strengthen the FMLN argument that they are fighting against American imperialism while undermining domestic American support for U.S. policy, opponents would closely limit the number of U.S. advisers and would continue to insist that these advisers remain out of combat areas. Opponents of a larger U.S. military advisory role stress the Vietnam precedent, arguing that in that case increased U.S. advisers failed to halt a crumbling political-military situation, discredited a weak government, and in the face of imminent defeat of the government, led to the fateful introduction of U.S. ground forces. Some doubt that, short of heavy, direct U.S. combat intervention, the Salvadoran insurgency can be defeated by the inept current government.

Congressional Action in 1983

On the \$60 million reprogramming of FY83 military aid

While the Senate Appropriations Committee approved the \$60 million reprogramming with conditions, subsequent action by the Senate Foreign Relations Committee and the House Appropriations Committee permitted the Administration to reprogram only \$30 million of the requested amount.

The Senate Appropriations Committee's Subcommittee on Foreign Operations approved on Mar. 23, 1983 by a vote of 7-2 the \$60 million reprogramming on the condition that the number of U.S. advisers be limited to 55, that new efforts be made to improve the Salvadoran judicial system, and that the administration take the initiative to bring about unconditional discussions between the Salvadoran government and its adversaries.

The Senate Foreign Relations Committee, after lengthy negotiations to arrive at a consensus position, approved only \$30 million of the reprogramming on Mar. 24, 1983. While the letter to Secretary of State Shultz did not explicitly place conditions on the aid, the Committee expressed its belief that "the United States should use its good offices to

encourage an unconditional dialogue among all parties to the conflict in El Salvador in the hope of achieving a political resolution," that U.S. military advisers should be limited to 55, that any training of the Salvadoran military should be conducted in the United States, and that far-reaching reforms of the Salvadoran judicial system were necessary for continued U.S. support.

The House Appropriations Committee's Subcommittee on Foreign Operations voted 7 to 5 on Apr. 26, 1983, to approve \$30 million of the proposed \$60 million reprogramming on the condition that the administration appoint a special envoy to facilitate negotiations in the Central American region.

On the request for \$50 million in FY83 supplemental military assistance

The conference compromise on the FY83 Supplemental Appropriations Bill (H.R. 3069) which was passed and became law (P.L. 98-63) in late July 1983 split the difference between the House and Senate and provided \$25 million in military aid appropriations for El Salvador. The Senate, following the recommendation of the Senate Appropriations Committee, had approved the full amount of \$50 million, while the House bill, following action by the Foreign Operations Subcommittee of the House Appropriations Committee to defer action on military aid to El Salvador, contained no funds for EL Salvador.

If committee-recommended bills to authorize the supplemental military aid were to be passed, the available funds would be still less than the appropriated amount mentioned above. The House Foreign Affairs Committee had approved only \$8.7 million of the requested amount (H.Rept. 98-192 on H.R. 2992) while the Senate Foreign Relations Committee had approved \$20 million (S.Rept. 98-146 on S. 1347) with certain conditions. Language in P.L. 98-63 provides that funds for foreign assistance may not be obligated until the enactment of authorizing legislation or until Sept. 15, 1983, whichever comes first.

On economic and military aid for FY84

While no final action was taken by either House on foreign aid authorizations for FY84, the foreign affairs committees generally approved the Administration's request for developmental assistance and for Economic Support Funds for El Salvador, but approved less than the \$86.3 million in military aid which the Administration requested for the country. In addition, the committees attached even tighter conditions on the aid than previously existed. The House Foreign Affairs Committee in its report (H.Rept. 98-192 on H.R. 2992) limited military aid to \$65 million for FY84 and FY85, of which \$15 million could be used only for medical facilities and supplies. After limiting the number of U.S. advisers to 55 and precluding the President's use of special emergency powers aid to El Salvador, the Committee-recommended conditions would permit the provision of aid to El Salvador only if the President reported, without congressional disapproval, that Salvadoran Government was engaged in good faith in a dialogue without preconditions with all major parties to the conflict, and was acting to carry out its own program to improve conditions in the country.

The Senate Foreign Relations Committee in its report (S.Rept. 98-146 on S. 1347) recommended a limit of \$76.3 million in military aid to El Salvador,

\$20 million of which is to be used solely for training Salvadoran troops in the United States. The Committee limited the number of U.S. advisers in El Salvador to 55 and extended the present requirement for semi-annual certifications by the President on Salvadoran Government efforts to improve human rights conditions in the country.

Lacking a foreign aid authorization measure, assistance to El Salvador was set by an omnibus Continuing Resolution (P.L. 98-151, H.J.Res. 413) which was passed by Congress on Nov. 12 and signed by the President on Nov. 14, 1983. This measure provided that not more than \$64.8 million in military assistance may be provided to El Salvador. It further provided that not more than 70% of military aid may be expended until Salvadoran authorities have brought the accused to trial in the case of the U.S. nuns murdered in December 1980, and that not more than 90% of this aid may be expended until President certifies that the Salvadoran government is continuing to make progress in implementing the land reform program decreed in March and April 1980.

The Congress also passed a bill (H.R. 4042) to continue through FY84 the 1981 conditions requiring the President to certify semi-annually that the Salvadoran government was improving human rights conditions and was continuing major political and economic reforms. This measure was killed by a pocket veto on Nov. 30, 1983, when President Reagan failed to sign the bill in the required time.

LEGISLATION

P.L. 98-63, H.R. 3069

This omnibus measure providing supplemental appropriations for FY83 includes \$25 million in military aid for El Salvador, exactly half of the \$50 million in supplementary funds for El Salvador which the Administration requested in March 1983. Following the recommendation by the Foreign Operations Subcommittee and the full House Appropriations Committee to defer action on the President's request for supplemental military aid to El Salvador (H.Rept. 98-207), the bill passed by the House May 25, 1983, contained no funds for El Salvador. The bill passed by the Senate June 16, 1983, on the other hand, followed the recommendation of the Senate Appropriations Committee (S.Rept. 98-148) in approving the full request for \$50 million. The compromise conference report (H.Rept. 98-308), filed July 20, 1983, noted the conferees agreement "that not more than \$25,000,000 shall be available for El Salvador." Following the resolution of differences on other issues, the House and Senate passed the bill July 29, 1983, and the President signed the measure into law July 30, 1983.

P.L. 98-53, H.R. 1271

Amends Section 728(e) of the International Security and Development Cooperation Act of 1981 (the conditions on aid to El Salvador which contain a one-time requirement of demonstrated progress in the cases of murdered American citizens) to require that the fourth certification may be made only if the President determines that since the third certification the Salvadoran Government (1) has made good faith efforts to investigate and bring to justice all those responsible for the murders of the U.S. nuns and labor advisers in December 1980 and January 1981, (2) has taken all reasonable steps to investigate the January 1981 disappearance of journalist John Sullivan, and (3) has taken all reasonable steps to investigate the killing of Michael Kline in October 1982. Congress attached similar provisions to the 2nd and 3rd certifications. With broad support, the measure was passed in the House 416-2 on June 7, 1983, and was passed in the Senate on June 29,

1983. It became law with the President's signature on July 15, 1983.

P.L. 98-151 (H.J.Res. 413)

This omnibus Continuing Resolution making further continuing appropriations for FY84 provides in part that not more than \$64.8 million in military assistance may be provided to El Salvador. It further provides that not more than 70% of this military aid may be expended until Salvadoran authorities have brought the accused to trial in the case of the U.S. nuns murdered in December 1980, and that not more than 90% of this aid may be expended until the President determines and certifies that the Salvadoran government has continued to make documented progress in implementing the land reform program decreed in March and April 1980. Introduced in the House Nov. 10, both houses passed differing versions of the bill that day. Conference report agreed to Nov. 12; signed into law (P.L. 98-151) Nov. 14, 1983.

H.R. 4042 (Barnes)

Continues in effect the 1981 certification requirements on human rights in El Salvador until Congress enacts new legislation on the subject or until Sept. 30, 1984, whichever occurs first. Called up by committee discharge, the bill passed the House Sept. 30, and passed the Senate Nov. 17, 1983. President Reagan pocket-vetoed the measure Nov. 30, 1983, when he failed to sign the bill within the required time.

H.R. 2992 (Zablocki)

International Security and Development Cooperation Act of 1983. This is a clean bill reported by the House Foreign Affairs Committee on May 17, 1983 (H.Rept. 98-192) after the Committee completed markup on May 12, 1983. With regard to El Salvador, it authorizes \$8.7 million of the \$50 million requested in the FY83 supplemental, and it authorizes \$65 million in military assistance (rather than the requested amount of \$86.3 million) and \$120 million in Economic Support Funds for FY84 and FY85. After limiting the number of U.S. military advisers to 55, and precluding the President's use of special emergency powers to provide aid to El Salvador, the Committee-recommended conditions would permit the provision of aid to El Salvador only if the Salvadoran Government is engaged in good faith in a dialogue without preconditions with all major parties to the conflict, and is acting to carry out its own plans to improve conditions in the country. Half of the FY84 aid and all of the FY85 aid would be contingent upon Presidential progress reports due 6 and 11 months after the start of the fiscal year.

S. 1347 (Percy)

International Security and Development Cooperation Act of 1983. This is a clean bill reported by the Senate Foreign Relations Committee on May 23, 1983 (S.Rept. 98-146), after the Committee completed markup on May 12, 1983. With regard to El Salvador, it authorizes \$76.3 million in military assistance for El Salvador for FY83 and FY84, which has the effect of authorizing \$20 million of the requested \$50 million supplemental in FY83. It places a limit of 55 on the number of military advisers in El Salvador, and it provides that \$20 million of the military assistance may be used only for training in the United States. In addition, the Committee extended the present requirement for semi-annual certifications of compliance with certain conditions in El Salvador in order to continue providing assistance to the country. It also added requirements for reports on government efforts to improve the independence and effectiveness of the judiciary, and to eliminate and control right-wing death squads, and on terrorist activities by the guerrillas.

S. 1892 (Kasten)

The Senate Appropriations Committee reported out this original bill on Sept. 27, 1983, with provisions that essentially approved the Administration's request for \$86.3 million in military aid for El Salvador. It provided in Section 531, however, that 30% of all FY84 aid to the country may not be expended until Salvadoran authorities have brought those accused in the case of the four murdered American nuns to trial and have obtained a verdict.

HEARINGS

U.S. Congress. House. Committee on Appropriations. Subcommittee on Foreign Operations and Related Agencies. Foreign assistance and related programs appropriations for 1983 -- Part 1. Hearings, 97th Congress, 2nd session. February and March, 1982. Washington, U.S. Govt. Print. Off., 1982. 302 p.

Includes hearings on El Salvador emergency drawdown and overview of the foreign aid and security assistance.

----- Supplemental appropriations for 1982. Part 2. Hearings, 97th Congress, 2nd session. May, 1982. Washington, U.S. Govt. Print. Off., 1982. 339 p.

Includes hearings on El Salvador, Caribbean Basin Initiative, and Security Interests in Latin America.

U.S. Congress. House. Committee on Banking, Finance and Urban Affairs. Subcommittee on International Trade, Investment and Monetary Policy. Oversight hearing on the International Monetary Fund loan to El Salvador. Hearing, 97th Congress, 2nd session. Aug. 12, 1982. Washington, U.S. Govt. Print. Off., 1982. Serial No. 97-81. 75 p.

U.S. Congress. House. Committee on Foreign Affairs. Subcommittee on Inter-American Affairs. Foreign assistance legislation for fiscal year 1983 (Part 6 on security assistance proposals for Latin America and the Caribbean). Hearing, 97th Congress, 2nd session. Apr. 21, 1982. Washington, U.S. Govt. Print. Off., 1982. 132 p.

----- Presidential certification on El Salvador (Volume I). Hearings, 97th Congress, 2nd session. Feb. 2, 23, 25, and Mar. 2, 1982. Washington, U.S. Govt. Print. Off., 1982. 522 p.

----- Presidential certification on El Salvador (Volume II). Hearings, 97th Congress, 2nd session on H.J.Res. 494. June 2, 22; July 29; Aug. 3, 10, and 17, 1982. Washington, U.S. Govt. Print. Off., 1982. 543 p.

U.S. Congress. Senate. Committee on Foreign Relations. Caribbean Initiative. Hearings, 97th Congress, 2nd session on S. 2237. Mar. 25 and 31, 1982. Washington, U.S. Govt. Print. Off., 1982. 261 p.

----- Certification concerning military aid to El Salvador. Hearings, 97th Congress. 2nd session. Feb. 8 and Mar. 11, 1982. Washington, U.S. Govt. Print. Off., 1982. 265 p.

- Presidential certifications on conditions in El Salvador. Hearing, 97th Congress, 2nd session. Aug. 3, 1982. 280 p.
- U.S. policy in the Western Hemisphere. Hearings, 97th Congress, 2nd session on S.J.Res. 144, S. 2179, S. 2243, S. 2370 and S.J.Res. 158. Apr. 1, 20, 27, 28; and May 4 and 26, 1982. Washington, U.S. Govt. Print. Off., 1982. 141 p.
- U.S. Congress. Senate. Committee on Foreign Relations. Subcommittee on Western Hemisphere Affairs. Central America. Hearings, 97th Congress, 1st and 2nd sessions. Dec. 14, and 15, 1981; and Feb. 1, 1982. Washington, U.S. Govt. Print. Off., 1982. 141 p.

REPORTS AND CONGRESSIONAL DOCUMENTS

- U.S. Congress. Senate. El Salvador: the United States in the midst of a maelstrom -- a report to the Committee on Foreign Relations and the Committee on Appropriations [by Senator Claiborne Pell and Senator Patrick J. Leahy]. Joint Committee Print, 97th Congress, 2nd session. March 1982. Washington, U.S. Govt. Print. Off., 1982. 23 p.
- Report of the U.S. official observer mission to the El Salvador Constituent Assembly elections of Mar. 28, 1982 -- a report to the Committee on Foreign Relations by Senator Nancy L. Kassebaum. Committee Print, 97th Congress, 2nd session. November 1982. Washington, U.S. Govt. Print. Off., 1982. 42 p.

CHRONOLOGY OF EVENTS

- 11/30/83 -- President Reagan pocket vetoed a bill to continue through FY84 the certification requirement linking continued U.S. military aid to progress in human rights performance in El Salvador when he failed to sign the bill within the required time limit.
- 11/25/83 -- U.S. Ambassador Thomas Pickering, in a speech to the American Chamber of Commerce in San Salvador, accused Salvadoran authorities of failing to crack down on right-wing death squads, even though individuals responsible for the killings are "well known" to the security forces.
- 11/18/83 -- The New York Times reported claims by local residents that Salvadoran Army troops rounded up and killed more than 100 suspected leftist sympathizers, including women and children, in three small towns in northern El Salvador.
- 11/13/83 -- Undersecretary of Defense Fred C. Ikle, just back from a trip to El Salvador where he reportedly expressed U.S. concerns about rightwing death squads, was reported in the Washington Post to be urging increased U.S. military assistance to revive the Salvadoran Army's struggle with leftist guerrillas.
- 11/12/83 -- The State Department in a prepared statement indicated that

the student arrested for the murder of U.S. military adviser Commander Albert A. Schaufelberger "was not involved in the crime" and that "his confession was obtained under duress."

- 11/09/83 -- Salvadoran authorities arrested three policemen and a small landowner and charged them with kidnapping in a pattern similar to recent death squad activity.
- 11/05/83 -- The Washington Post reported that the Reagan Administration hopes to set up a large military training center in eastern El Salvador where U.S. instructors will give basic training to 1,000 Salvadoran recruits each month.
- 10/28/83 -- Judge Bernardo Rauda Murcia ordered five National Guardsmen to trial for the second time for the 1980 murders of four American churchwomen following a reinvestigation ordered by a Salvadoran appeals court.
- 10/05/83 -- The five countries of Central America, in a meeting organized by the Contadora group, agreed upon a declaration that outlines issues for future negotiation.
- 10/03/83 -- The State Department condemned increase right-wing violence, claiming that it undermines centrist support necessary for democratic development in El Salvador.
- 09/30/83 -- The House Foreign Affairs Committee voted unanimously to extend for one year conditions on military aid to El Salvador which expire at the end of fiscal year 1983.
- 09/29/83 -- Salvadoran government officials met with leftist rebel leaders for the second time in talks. After the meeting, Francisco Quinonez, the head of the government Peace Commission said that further progress would not be made unless the left changed its position.
- 09/26/83 -- Salvadoran military bombing runs in Tenancingo, 21 miles northeast of San Salvador, killed 50 civilians and wounded 25 after rebels interfered with the radio signals to confuse Air Force Pilots. Salvadoran Colonel Monterrosa publically regretted the bombings.
- 09/24/83 -- The New York Times reported that Salvadoran leftists and diplomats have said that the rebel movement has gained in internal unity in the last few months. They attribute this largely to an agreement by the Popular Liberation Forces, the second-largest Salvadoran guerilla group, to submit itself to a centralized military command.
- 09/09/83 -- Associated Press reporter Arthur Allen left El Salvador after the American embassy said it could no longer assure his safety. The Chief of Intelligence

of the Treasury Police had earlier criticized two of Allen's articles concerning the Salvadoran Security Force's arrest of a suspect in the murder of Lt. Commander Albert Schauffelberger.

- 09/07/83 -- Defense Secretary Caspar Weinberger visiting the Salvadoran Front Lines said the army is "making very great progress," but that Congress's reluctance to authorize more aid could jeopardize further progress.
- 09/05/83 -- Referring to the recent meeting held between government officials and their guerilla opponents Richard Stone, Special Envoy to Central America, said that the Salvadoran government will not accept any plan to share power with the guerillas fighting it.
- 09/04/83 -- Rebel forces attacked the third largest El Salvadoran city of San Miguel with the strongest mortar barrage they have yet fired in the current conflict. The attack was the guerillas' first major show of force since February.
- 09/01/83 -- Pedro D. Alvarado Rivera, a Popular Liberation Front (FPL) guerilla arrested on August 25, reportedly claimed responsibility for the murder of U.S. military advisor, Navy Lt. Commander Albert Schauffelberger III, who was killed on May 25.
- 08/30/83 -- U.S. Special Envoy to Central America, Richard Stone, met with the representatives of the Salvadoran guerilla movement. Talks were inconclusive; only promises of further communications were made. The Washington Post reported that senior officials on both sides see major barriers to a negotiated settlement.
- 08/29/83 -- In Bogota, Columbia, representatives of the Salvadoran government's Peace Commission met with left wing opposition leaders for the first time in attempts to negotiate a settlement of the three-year old conflict.
- 08/24/83 -- The latest class of Salvadoran government troops trained by the United States military graduated from Fort Benning in Georgia.
- 08/23/83 -- Italian citizen Vittorio Andretto was killed by Salvadoran troops who said he was shot after the pickup truck he was riding in ran through a military checkpoint.
- 08/19/83 -- President Reagan announced that he will not increase the number of U.S. military trainers in El Salvador beyond the presently existing limit of 55. This decision came a few days after the Pentagon and the State Department reversed their original requests for an increase of advisors to 125.

- 08/16/83 -- The El Salvadoran army and the Guatemalan government have denied reports by the New York Times of August 14. These reports said that the two countries had agreed that members of El Salvador's 24,000 U.S.-backed army would receive training from Guatemalan counter insurgency experts at bases in Guatemala. In return, the reports said, Guatemala would be provided with light weapons and ammunition from El Salvador's U.S. supplied arsenal.
- 08/15/83 -- The amnesty program for political prisoners which began May 4 came to an end; 1,116 people were granted amnesty under it.
- 08/14/83 -- The Los Angeles Times reported that U.S. advisors in El Salvador are increasingly involved in training excersises which are potentially dangerous.
- 08/11/83 -- The Washington Post reported that twice as many Salvadoran soldiers were killed in combat this year than were in 1982. Also, the casualty count this year totaled about one-fifth of El Salvador's 33,000 man military.
- 08/06/83 -- As a demonstration of President Reagan's economic support for El Salvador, Agriculture Secretary John Block said the country will receive more than \$58 million in new U.S. food aid reported the Washington Post.

For chronology of 1982 events, request "1982 Chronology" from archived Issue Brief 80064. For chronology prior to 1982, request CRS Report entitled "El Salvador -- From 1931 to the March 1982 Elections."

ADDITIONAL REFERENCE SOURCES

- Araujo, Richard. Congress and aid to El Salvador. Washington, Heritage Foundation, 1982. 14 p.
- Arnson, Cynthia. El Salvador -- a revolution confronts the United States. Washington, Institute for Policy Studies, 1982. 122 p.
- Fisher, Stewart W. Human rights in El Salvador and U.S. foreign policy. Human rights quarterly, v. 4, spring 1982: 1-38.
- Gayner, Jeffrey B. El Salvador after the elections. Washington, Heritage Foundation, 1982. 10 p.
- Gettleman, Marvin E., et. al. (eds.) El Salvador: Central America in the new cold war. New York, Grove Press, 1981. 397 p.
- Horton, Scott. The utility of Presidential certification of compliance with United States human rights policy: the case of El Salvador. Wisconsin law review, vol. 1982, no. 5: 825-861.
- Kruger, Alexander. El Salvador's Marxist revolution. Washington, Heritage Foundation, Apr. 10, 1981. 18 p.

- McColm, Bruce R. El Salvador -- peaceful revolution or armed struggle?
New York, Freedom House, 1982. 47 p.
- Montgomery, Tommie Sue. Revolution in El Salvador -- origins and
evolution. Boulder, Westview Press, 1982. 255 p.
- Prosterman, Roy L. The unmaking of a land reform. New republic,
v. 187, Aug. 9, 1982: 21-25.
- Report on human rights in El Salvador -- a report to the Board of
the American Civil Liberties Union, January 1982. Washington,
Center for National Security Studies, 1982. 280 p.
- Report on human rights in El Salvador -- July 20, 1982 supplement.
New York, Americas Watch Committee and The American Civil
Liberties Union, 1982. 270 p.
- Storrs, K. Larry. Congress and El Salvador. In Congress and foreign
policy -- 1981. Committee Print by House Committee on Foreign
Affairs. Washington, U.S. Govt. Print. Off., 1982: 115-132.
- El Salvador -- from 1931 to the March 1982 elections: a
chronological study of politics, parties, and conflicts. CRS
Report, Mar. 23, 1982. 82 p.
- U.S. Department of State. Building the peace in Central America [a
speech by Assistant Secretary for Inter-American Affairs Thomas
O. Enders]. Washington, Bureau of Public Affairs, Current Policy
no. 414, Aug. 20, 1982. 4 p.
- Country reports on human rights practices for 1982. In Joint
Committee Print by House Committee on Foreign Affairs and Senate
Committee on Foreign Relations. 98th Congress, 1st session,
February 1983. Washington, U.S. Govt. Print. Off., 1983:
490-506.
- Communist interference in El Salvador. Washington, Bureau of
Public Affairs, Special report no. 80, Feb. 23, 1981. 8 p.
- Cuba's renewed support for violence in Latin America.
Washington, Bureau of Public Affairs, Special report no. 90,
Dec. 14, 1981. 12 p.
- Report on the situation in El Salvador with respect to the
subjects covered in section 728(d) of the International Security
and Development Cooperation Act of 1981 (P.L. 97-113),
Jan. 21, 1983.
- Webre, Stephen. Jose Napoleon Duarte and the Christian Democratic
Party in Salvadoran politics, 1960-1972. Baton Rouge, Louisiana
State University Press, 1979. 233 p.

TABLE 1 -- U.S. ECONOMIC AND MILITARY ASSISTANCE TO EL SALVADOR, FY79-FY84
(Obligations in millions of \$)

	FY82 Supplemental				Regular FY83			FY84 Adm. Request		
	FY79	FY80	FY81	Regular FY82 (P.L. 97-113)	Adm. Request (P.L. 97-257)	Approved (P.L. 97-377) by Adm.	Feb. 1983 Allocated by Adm.		Mar. 1983 Allocated by Adm.	
Economic Aid 1/	11.4	49.2 4/	69.1 4/	71.1	--	59.9	64.9	91.9 11/	--	75.5
ESF 2/	--	9.1 5/	44.9 5/	40.0	128.0 8/	75.0	140.0	140.0 12/	--	120.0
Military Aid 3/	--	5.9	35.5 6/	81.0 7/	35.0	1.0 9/	26.3	86.3 13/	50.0 14/	86.3
TOTAL AID	11.4	64.2	149.5	192.1	163.0	76.0	268.1	231.2	318.2	281.8

1/ Economic aid includes Development Assistance, P.L. 480 Food for Peace programs, and Peace Corps.

2/ Economic Support Funds (ESF) are quick disbursing, balance of payments support funds, provided for security-related reasons. While ESF was once called "Security Supporting Assistance," and is included in Security Assistance, it is listed separately because the aid is economic in nature, is administered by AID, and is generally included in Administration figures on economic assistance to El Salvador.

3/ Military aid includes Military Assistance Program grants, Foreign Military Sales loans, international military training (IMET), and transfers of excess defense stocks.

4/ Includes significant amounts of aid reprogrammed after the formation of the Salvadoran civilian-military junta in October 1979.

5/ Includes \$9.1 million reprogrammed for FY80 and \$24.9 million reprogrammed for FY81.

6/ Includes \$5 million provided by President Carter and \$20 million provided by President Reagan under the special emergency drawdown authority of Section 506 of the Foreign Assistance Act that does not require approval of Congress.

7/ Includes \$55 million in MAP grants provided by President Reagan under Section 506 emergency provision in February 1982.

8/ Administration request for El Salvador as part of Caribbean Basin Initiative.

9/ Allocated to El Salvador from supplemental funds appropriated for international military training (IMET).

10/ The Continuing Appropriations Act for FY83 (P.L. 97-377) set aid at levels appropriated for FY82 unless reprogramming procedures are utilized. This would not include the \$55 million provided in FY82 under the emergency drawdown authority of Section 506.

11/ Includes \$5.1 million of Development Assistance over the Administration's FY83 request which the Administration indicated in February 1983 would be reprogrammed. Also includes \$18 million of reprogrammed Development Assistance announced in March 1983 as well as a \$9 million increase in P.L. 480 funds announced at the same time.

12/ Includes \$35 million over the Administration's FY83 request of \$105 million which the Administration announced in February 1983 would be reprogrammed.

13/ Includes \$60 million of reprogrammed FMS loans announced on March 10, 1983.

14/ \$50 million in MAP grants to be reprogrammed from funds in pending FY83 Supplemental. This \$50 million plus the \$60 million mentioned immediately above make up the \$110 million of new FY83 military aid for El Salvador announced by the President on March 10, 1983.