

Central Intelligence Agency



Washington, D.C. 20505

ER 93-0551/1
9 November 1993

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

As directed by Presidential Decision Directive/NSC-8, "Declassification of POW/MIA Records," I am reporting on the completion of CIA's review, declassification and release of all relevant documents, files pertaining to American POWs and MIAs missing in Southeast Asia in accordance with Executive Order 12812* by the deadline of 11 November 1993.

Since the issuance of Executive Order 12812 in July 1992, all Agency documents and files responsive to the Order have been continually forwarded via the Department of Defense Central Documentation Office to the repository for POW/MIA data at the Library of Congress. Our review included a thorough, exhaustive search of operational files, finished intelligence reports, memoranda, background studies, and open source files. To date, 1,756 documents have been forwarded to the Library of Congress, while only 574 documents have been denied. All denied material was withheld based on the need to protect sources and methods, ongoing clandestine operations, negotiations on foreign policy issues such as the normalization of relations, or privacy issues related to returnees and the families of POWs and MIAs.

I am confident that we have made every effort to be forthcoming in the declassification of POW/MIA material. We will continue to be responsive to this issue through our active participation on the POW/MIA Intelligence Review Panel and in handling future FOIA requests.

Respectfully yours,

A handwritten signature in dark ink, appearing to read "James Woolsey".

R. James Woolsey
Director of Central Intelligence

Exh. 37

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REPRODUCED AT THE NATIONAL ARCHIVES

THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20301

CM-2730-73
4 JUN 1973

MEMORANDUM FOR THE CHIEF OF NAVAL OPERATIONS

Subject: U.S. Prisoners of War in Laos

1. Reference is made to your memorandum, Op-00 00173-73, dated 18 May 1973, which discussed the U.S. PW/MIA situation in Laos and recommended that a CIA briefing on the subject be provided the JCS.

2. The following are the facts as they relate to CIA involvement in the current Laotian MIA situation.

a. CIA continues to conduct an active program to acquire intelligence relative to the status of U.S. MIA personnel. That Agency accords PW/MIA matters one of the highest priorities in its overall intelligence collection effort in SEAsia.

MT

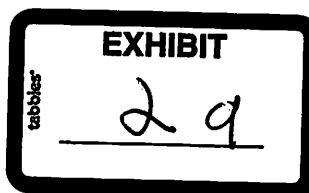
CIA

TO

JCS

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DJSM-895-7

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c. The CIA maintains close working level contacts with the Joint Casualty Resolution Center (JCRC) in much the same manner as it did with the JCRC's predecessor, the MACV Joint Personnel Recovery Center (JPRC). However, in order not to jeopardize the status of the JCRC and its humanitarian mission, any proposed covert effort should be tied to existing intelligence collection activities.

3. Since the PW/MIA intelligence collection effort in Laos is limited to that described above, it is not believed that a briefing of the Joint Chiefs of Staff by the CIA is warranted at this time.

(Sgd) T. H. MOORER

T. H. MOORER
Chairman
Joint Chiefs of Staff

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CMC

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EXHIBIT

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TO: CJCS	CLASSIFICATION	FOR USE BY ORIGINATING DIRECTORATE DIA ,576/DI-6	
THRU: WILLIAM J. COLLADAY Major General, USAF Director, Defense Staff The Joint Staff		DJSM NO. 895-73	ODJS SUSPENSE DATE
SUBJECT: U.S. Prisoners of War in Laos		DJSN DATE 31 May 73	
		ACTION	
		APPROVAL	SIGNATURE
		X	

REMARKS

1. Reference is made to:

a. A memorandum from the Chief of Naval Operations, OP-00 00017 73, dated 18 May 1973, which discussed the existing political impasse in Laotian negotiations relevant to a resolution of the status of U. MIA personnel,

Data

Data

It stated that

the Chief of Naval Operations was informed that the Central Intelligence Agency (CIA) is pursuing a "highest priority effort" directed specifically determining what has happened to U.S. MIAs in Laos. It further recommended that the Joint Chiefs of Staff receive a briefing from the CIA on its effort in this area.

b. ODJS Routing Slip No. 2030, dated 21 May 1973, which directed that DIA collaborate with J-3 in preparing a reply to your query.

The following facts are pertinent to CIA involvement in the current Laotian MIA situation.

a. DIA and J-3 (DOCSA) discussions with CIA points of contact and records of DOCSA monitoring of Laos activities indicate that the CIA has had, and currently conducts, an active program to acquire intelligence relative to the status of U.S. MIA personnel. This program is among the highest priority PW/MIA intelligence objectives.

ACTION OFFICER CAPT ADAMS, USN, DI-6 26230	COORDINATION/APPROVAL					
	OFFICE	NAME	EXTENSION	OFFICE	NAME	EXTENSION
	CIA	Mr. Horgan (143)	4055			
	J-3	LTC Schroeder	72650			
DATE OF PREPARATION						

JCS FORM NO. 9
JULY 72

EXHIBIT

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REPRODUCED AT THE NATIONAL ARCHIVES

- within the overall intelligence collection effort in SEAsia.
- It is carried out by the assets, and within the organizational structure, of the CIA station in Laos.

METHODS

d. Since the PW/MIA intelligence collection effort in Laos is limited to that described above, it is not believed that a briefing of the Joint Chiefs of Staff is warranted.

3. DIA is collaborating closely where appropriate with CIA in regard to the current situation in Laos. A summary of the present PW/MIA situation in Laos as held in DIA files is as follows:

a. At present there are approximately 350 U.S. military and civilians listed as missing in action in Laos. Of this total, approximately 215 were lost under such circumstances that the Patriotic Laotian Front (PLF) probably has information regarding their fate.

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b. Previous PLF mention of U.S. PWs detained in Laos included a statement on 3 October 1967 by the Pathet Lao Radio that, between 17 May and 16 September 1967, the Pathet Lao had "captured about a dozen U.S. pilots." Furthermore, on 2 February 1971 PLF spokesman Soth Phetrasy commented that "quelques dixaines" ("some tens") of prisoners were being held by the Pathet Lao.

c. The Pathet Lao has made repeated claims of downing many U.S. aircraft. A 16 May 1973 broadcast reported that, from 17 May 1964 to 16 May 1973, 2,496 U.S. aircraft had been shot down over Laos. This would imply an enemy ability to account for some U.S. personnel involved.

METHOD

e. All of the nine former U.S. PWs, whose names appeared on the "PLF List" of 1 February 1973, were in fact captured by NVA units operating in Laos along the Ho Chi Minh Trail and were moved to North Vietnam. Thus, the PLF has provided no accounting for U.S. personnel in its custody:

f. The cease-fire agreement, signed in Vientiane on 21 February 1973, provided for the exchange of prisoners. Article 5 of the Protocol states that all captured personnel, regardless of nationality, will be released and provides for an accounting of those personnel missing in action. The release of all PWs is scheduled to take effect within 60 days subsequent to the establishment of a Provisional National Union Government. According to the terms of the agreement, the Provisional Government was to have been implemented within 30 days of the signing of the cease-fire.

4. On the basis of the above discussion as it relates to the current CIA program of gathering intelligence on U.S. PWs/MIAs, this Agency recommends that a CIA briefing not be scheduled for the Joint Chiefs of Staff at this time.

5. All participating agencies concur in this recommendation.

Enclosure

JOHN R. DEANE, Jr.
Lieutenant General, USA
Acting Director



REPRODUCED AT THE NATIONAL ARCHIVES
DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, D.C. 20350

IN REPLY REFER TO

Op-00:br
Op-00 Memo 00
18 May 1973

MEMORANDUM FOR THE CHAIRMAN, JOINT CHIEFS OF STAFF

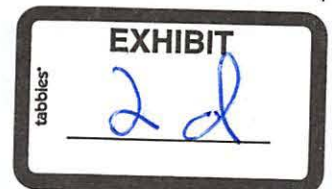
Subj: US Prisoners of War In Laos

1. The continuing failure of the two Lao parties to agree on a Provisional Government of National Union, as provided for in the Laos Agreement, has obstructed further progress toward achievement of some USG post-ceasefire objectives in Laos. Although the ceasefire has been effective in reducing the level of armed hostilities, the inability of the Royal Lao Government (RLG) and the Lao Patriotic Front (LPF) to fashion an accommodation on the political level has effectively arrested any movement toward an environment in which the status of Americans missing in action in Laos can be resolved. Additionally, ongoing bilateral, semi-official contacts between USG officials in Laos and senior representatives of the LPF have not revealed any cause to believe that this particular channel will provide helpful information in this matter; the LPF has steadfastly disclaimed all knowledge of any American POWs other than those few already released.

2. In this unsatisfactory climate it appears clear that a successful, *HT* US unilateral effort is essential if we are to properly resolve the status of these missing American fighting men; we owe them no less. I am informed that the Central Intelligence Agency is pursuing a "highest priority effort" directed at specifically determining what has happened to US MIAs in Laos.

3. In view of the direct and personal interest the Services have in this matter, I recommend that the JCS receive a briefing from the CIA on their effort in this area so that we may be confident this important humanitarian issue is receiving appropriate attention.

Copy to:
CSA
CSAF
CMC



E. R. ZUMWALT, JR.
Admiral, U.S. Navy

JUL-29-2004 09:22P FROM:

TO: 3016573699

EADU
P.2

Department of State

TELEGRAM

CONFIDENTIAL

ACTION COPY

PAGE 01 VIENTI 03701 151602Z

47

ACTION UPW-01

INFO OCT-01 EA-11 NSA-02 I7-12 SCS-43 SCA-01 RSR-01

CIAE-PB DODE-08 P4-06 H-02 INR-06 L-03 NSC-10 D-03

REC-01 PDS-01 SS-14 USIA-12 /00P W

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R 151417Z MAY 72
FM AMEMBASSY VIENTIANE
TO SECSTATE WASHDC R253
AMEMBASSY PARIS
USDEL FRANCE
INFO AMEMBASSY SAIGON
CINCPAC

Dept. of State, RPS/IPS, Margaret F. Grefeld, Dir.
() Release () Reclass () Deny (X) Declassify
Date 2/2/99 Exemption

C O N F I D E N T I A L VIENTIANE 3701

CINCPAC FOR POLAD

SUBJECT: STATUS OF U.S. PWS LAOS

1. DEPT'S ATTENTION IS DIRECTED TO JANAF ATTACHES MESSAGE 0659/097555Z MAY 72IU/PM AND USDEL FRANCE ARE ADDRESSEES) CONCERNING INFORMATION ON U.S. PWS LAOS PROVIDED BY CHOU NORINDR, WHO RECENTLY ARRIVED PARIS AFTER TWO YEARS SEVEN MONTHS WITH MMS IN SAM NEUA. INFORMATION WAS DISCLOSED BY BOEN ETAM SINGVONGSA DURING AMBASSADOR'S DINNER FOR RADH EPES ON 6 MAY. ETAM STATES DEBRIEFING OF CHOU NORINDR BY FAR R-2 OFFICER PARIS IS RESULT OF HIS STANDING INSTRUCTIONS TO LAO MISSIONS ABROAD THAT U.S. PW INQUIRIES BE GIVEN PRIORITY CONSIDERATION AS SOURCES COME TO THEIR ATTENTION.
RP-4.
GODLEY

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JUL-29-2004 09:22P FROM:

TO:3016573699

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From Hall1 Attachment T

The following State Department Telegram
R 151417Z May 72
FM AMEMBASSY Vientiane

CICNPAC DOR POLARD

SUBJECT: STATUS OF PWs LAOS

LIB 4 Congress
Ref 461

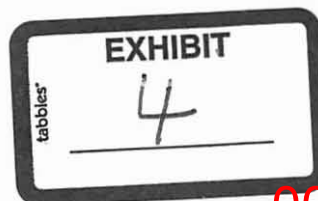
Date: 18 August 1970

NORTH VIETNAM
 BRIEFING NOTES
 ON
 BRIEFING BOARD NO. 8-70-1

1. INSTALLATION: BA VI Possible PW Camp, N-13
- 2.
3. LOCATION : 21-06-05N 105-25-05E
4. This installation is located on the north side of Route #213, 3.8 NM northeast of the peak of Mt. BA VI and 24.5 NM west-northwest of Hanoi. The Xom Ap Lo PW Camp, N-51 (BE 0616-01631), is located 5.3 NM to the northwest and the Son Tay PW Camp, N-69 (BE 0616-04929) is located 5.3 NM to the northeast.
5. Area "A", the possible PW compound, occupies an area approximately . The compound is reportedly surrounded by a barbed-wire fence, however, low precludes confirmation. Area "B", to the south of the compound and , is a possible messing facility believed to be associated with the PW compound. Area "C", on the south side of Route 213, is a possible Veterinary/Dairy Farm.
6. is an oblique view of the facility taken on 19 July 1970, 24 days after the briefing board . The general appearance of the buildings and grounds and the change in position of the three vehicles (annotation 15) in the indicate this installation is currently active.
7. This installation agrees most favorably in location and description with a U.S. PW compound reportedly observed during the period February 1966 to March 1968. Source of the report stated that the installation was the "MOZEN" (MO CHEN) coffee plantation until 1958 when it was converted to a detention facility for captured French mercenaries. In 1962, the French mercenaries were allegedly repatriated and/or released to work on North Vietnamese farms. In mid-1965, the installation was reportedly activated as a PW camp for captured U.S. pilots. Other sources have reported the observation of a U.S. PW camp

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in this general vicinity during the period January 1966 to January 1969. Although it is believed that this installation may have been a U.S. PW camp during that period, its current status and occupancy cannot be verified.

Lib 3 Cong
Reel 461

Date: 23 February 1967

NORTH VIETNAM
BRIEFING NOTES
ON
BRIEFING BOARD NO. 3-67-7

INSTALLATION: Ap Lo Possible PW Detention Installation N-51

LOCATION : 21 09 07N 105 23 28E

GENERAL : The installation is located approximately 7 statute miles south of the junction of the RED and BLACK Rivers; 2.75 statute miles southwest of the dam located at 21 10N 105 23E and .5 statute miles north of the AP LO Village.

The installation consists of two walled compounds and what appears to be a group of support-type buildings. The most northerly compound is about DATA with a guard tower at the northwest and southeast corners and a guard shack outside the southwest corner. The entrance is centered in the west wall. Outside of the compound, and built into the southeast corner of the wall, there is a small, walled area, which contains a building, DATA. Inside the compound there are 2 walls which connect to the east and west outer walls and divide the compound into 3 areas. Each area contains 3 buildings. Unconnected, blast-type walls separate one building from another.

The other walled compound, just southwest of the above, is about DATA. It has a guard tower at the northwest and southeast corners and one entrance centered in the east wall. A segregated area, DATA, located in the northeast corner of this compound contains one building about DATA. The rest of the compound is open and contains 4 buildings, 2 DATA.

Seven buildings which appear to be support-type, are located 75 to 100 yards south of the most northerly compound and east of the smaller walled compound. A trench system surrounds all of this area except one building which appears to be a mess hall.

Date: 24 January 1968

NORTH VIETNAM
BRIEFING NOTES
ON
BRIEFING BOARD NO. 1-68-23

1. INSTALLATION: Xom Ap Lo Ammunition Storage and PW Camp,
N-51

2. DATA

3. LOCATION : 21 09 08N 105 20 31E

4. This briefing board updates and supplements previously
issued Briefing Board No. 3-67-7.

5. This installation is confirmed as a detention area
holding U.S. PWs.

6. memo 11
November 1965 and 29 August 1967, reveals previously
unconnected blast-type walls running north/south through Area
"A" have now been connected to the east/west walls thereby
completely isolating each building in the compound.

ate: 23 March 1970

NORTH VIETNAM
BRIEFING NOTES
ON
BRIEFING BOARD NO. 3-70-3

1. INSTALLATION: Xom Ap Lo PW Camp, N-51
2. *0A-M*
3. LOCATION : 21 09 08N 105 20 31E
4. This briefing board updates and supplements previously issued Briefing Boards, (BB) No. 3-67-7 and 1-68-23.
5. In January 1967, this installation was initially identified as a possible PW camp from fragmentary information that a detention facility for captured U.S. personnel was located approximately 65 kilometers west of Hanoi. At that time, this installation was being maintained in the Basic Encyclopedia (BE) as an inactive ammunition storage facility. With the confirmation of this installation as a PW camp for U.S. PWs, in April 1967, the facility was reactivated in the BE as Xom Ap Lo Ammunition Storage and PW Camp, N-51
Method resulted in the conclusion that the facility was no longer used for ammunition storage and that category was deleted from the BE and the name of the installation was changed, as shown in paragraph 1, above.
6. The installation was confirmed as an operational PW camp in 1965. Later reports indicated that it may have been abandoned in early 1967. Recent information indicates the camp was reactivated in late 1968. Photography tends to substantiate these reported changes in the status of this facility:
 - a. Highly reliable reports received in early 1967 confirmed this facility was being utilized as an active U.S. PW camp as early as the fall of 1965. *method* of November 1965 (BB No. 3-67-7) reveals the installation operational with trails and grounds around the buildings cleared of vegetation.
 - b. In mid-1967, it was reported that all U.S. PWs at Xom Ap Lo allegedly were moved into Hanoi. In addition, the U.S. PWs released in August 1969 reported rumors that an unidentified

PW camp, about 40 miles west of Hanoi, was closed in February 1967. Although not confirmed, the unidentified PW camp they referred to may have been Xom Ap Lo. Photography of August 1967 (BB No. 1-68-23) reveals a substantial decrease in activity at Xom Ap Lo with trails and grounds around buildings overgrown with vegetation.

c. In late 1969, reliable sources reported U.S. PWs were being detained in an unidentified camp in the vicinity of Xom Ap Lo. ^{in 1969} of 1969, used for this briefing board, reveals the installation again operational with trails and grounds cleared of vegetation and new construction evident since August 1967.

7. (S) In view of the above, this installation is now being carried as a currently active camp for U.S. PWs.

8. (S) Description:

General: The installation covers an ^{area} in the western part of Ha Tay Province. Xom Ap Lo, 0.5 NM to the south, is the nearest identifiable village and Son Tay, the administrative center for Ha Tay Province, is 9.5 NM due east. Prominent landmarks in the vicinity of the camp are Mt. Ba Vi (alt. 4,300 ft.) 6.0 NM to the south, the Black River, 2.5 NM to the west and a large, unidentified dam, 2.0 NM to the east. The camp consists of two walled compounds and a number of support facilities; the information listed below is keyed to the annotations on the briefing board:

a. Area "A": This area contains a walled compound, about ¹⁰⁰⁰ with a guard tower at its southeast and northwest corners. Inner walls divide the compound into 9 squares giving it the appearance of a "tick-tack-toe" board. Each square contains a single building. Outside the southeast corner of the compound, there is a small walled area containing a single building. A small thatched roof building surrounded by a fence is just off the center of the east wall.

b. Area "B": This walled compound is about ¹⁰⁰⁰ with a guard tower at its southeast and northwest corners. Inside the compound, two areas have been segregated by inner walls - one, in the northeast corner, and the second, along the north wall, each contains one building.

c. Area "C": This area contains support and quarters-type buildings which apparently are used by the camp cadre. Additional evidence of increased activity at this facility is the new construction noted since 29 August 1967 (BB No. 1-68-23):

- (1) Buildings annotated "1" were first noted on
mission of 20 October 1968 (Mission GS S69).
- (2) Buildings annotated "2" were first noted on
mission of 27 January 1969 (Mission GS S103).
- (3) Buildings annotated "3" and the dam "4" were first
noted or mission used for this briefing board.

Date: 7 February 1972

NORTH VIETNAM
BRIEFING NOTES
ON
BRIEFING BOARD NO. 8-71-857

1. INSTALLATION: XOM AP LO PW Camp, N-51
2. DATA
3. LOCATION : 21 09 08N 105 20 31E
4. This briefing board updates and supplements previously issued Briefing Boards No. 3-70-3, 1-68-23, and 3-67-7.
5. In January 1967, this installation was initially identified as a possible PW camp from ~~MCNAC~~ information that a detention facility for captured U.S. personnel was located approximately 65 kilometers from HANOI. Highly reliable reports received in 1967 confirmed that this installation was being utilized as an active U.S. PW Camp as early as the fall of 1965.
6. The installation appears to have reacted to the SON TAY SAR effort of 21 Nov 70. A few days after the SON TAY SAR effort, ~~MCNAC~~ revealed newly constructed perimeter defenses, i.e., fighting trenches and Automatic Weapons positions, around Xom Ap Lo, while no such construction was noted around other military facilities. It is reasoned that HANOI was taking steps to thwart other possible SAR efforts to rescue U.S. PWs.
7. The eight fence-enclosed areas located around the small pond in the southern part of the installation have been constructed since September 1970. This and the construction in progress in Area B, in addition to the trails and grounds around the buildings which are cleared of vegetation reveal that the installation is still operational.

21 December 1972

NORTH VIETNAM
PHOTO INTELLIGENCE BRIEFING NOTES
ON
BRIEFING BOARD NO. DI-8-72-759

1. INSTALLATION: LAO CAI POSSIBLE PW CAMP, N-80

2.

3. COORDINATES : 22 29 58N 103 58 49E

4. This installation is located .5 kilometers from the Chinese border and one kilometer east of Lao Cai City.

5. The compound is approximately 400 x 300 feet, surrounded by a wall with a single entrance centered in the western wall. Two guard towers provide surveillance of the detention areas.

6. The installation is operational with two possible PW quarters and seven support/storage buildings located within the compound walls. In addition, cadre billets and support type buildings are located in the immediate area outside the southern and western walls. The facility is in an isolated location and is surrounded by rice fields and scattered villages. The camp has an approximate capacity for 60 prisoners.

7. Several hearsay reports have stated that a U.S. prisoner of war camp was located in the Lao Cai area. The physical security barriers, the isolated location and the interior containment walls segregating the possible PW quarters indicate this is a maximum security detention compound. Although the facility is currently operational, its occupancy by U.S. PWs cannot be determined.

8. Queries and/or comments on this product should be directed to DIA, Attention: DI-6C.

L-17	BAN HOUKHANG	17 02 20N	106 08 40E;	XD 220	840
L-18	MOONG LIET	20 28N	104 09E;	VH 115	634
L-19	LAT HOUANG	19 23 00N	103 11 00E;	UG 090	445
L-20	BAN HONG KHIEU	19 30 00N	103 58 00E;	UG 925	560
L-21	BAN NAPO	16 33 00N	105 59 00E;	XD 050	300
L-22	KANG LIT (waterfall)	20 22 40N	104 23 30E;	VH 366	534
L-23	BAN KAYAK	17 18 20N	105 36 40E;	WE 650	132
L-24	BAN HA PENG	17 19 00N	105 41 00E;	WE 720	153
L-25	BAN BI LOUH	19 36 20N	104 17 50E;	UG 215	685
L-26	BAN HOUANG	18 20 20N	105 02 30E;	WF 046	274
L-27	MUONG NGA	20 25 00N	104 11 00E;	VH 150	580
L-28	MUONG PHINE	16 33 20N	106 00 00E;	XD 066	304
L-29	BAN BOK	14 40 40N	106 24 30E;	XB 518	234
L-30	BAN NEUA	20 24 40N	104 03 15E;	VH 011	573
L-31	XE KONG (river)	14 35 30N	106 33 00E;	XB 670	140
L-32	HOUA PEAN (prov.)	20 27 00N	104 11 00E;	VH 147	615
L-33	BAN ALOY MAI	16 25 00N	106 01 00E;	XD 080	336
L-34	MUONG POUA	20 28 40N	104 15 30E;	VH 226	645

NORTH VIETNAM

N-1	PHUC LUONG	20 20N	105 41E;	WE 712	484
N-2	LANG LEO	21 27N	106 07E;	XJ 157	721
N-3	BINH QUAN	21 25N	105 13E;	WJ 225	680
N-4	BAC BAN	21 44N	106 55E;	XX 983	045
N-5	KHOAI MIA	21 52N	106 42E;	XX 757	190
N-6	YEN LE	21 00N	105 23E;	WJ 398	220
N-7	Camp 3	22 42N	106 38E;	XL 679	110
N-8	NHUNG	21 29N	106 13E;	WJ 225	754
N-9	HA CHAM	22 03N	106 37E;	XX 670	390
N-10	DAI DINH	20 07N	105 39E;	WH 680	244
N-11	PHUC DIA	20 00N	105 29E;	WH 505	115
N-12	TUEN QUANG	21 49N	105 14E;	WK 242	125
N-13	MO CHEN (Interment camp)	21 05N	105 23E;	WJ 398	314
N-14	BAT BAT (Interment camp)	21 01 40N	105 23E;	WJ 398	254
N-15	YEN PHU (village)	20 01N	105 32E;	WH 559	134
N-16	VINH LINH	17 04N	107 02E;	XD 164	880
N-18	BA DON	17 45N	106 27E;	XE 538	630
N-19	VO KA	17 24N	106 38E;	XE 735	244
N-20	YEN SON	18 34N	105 33E;	WF 591	533
N-21	DONG DIA	22 35N	106 01E;	XX 044	974
N-22	VINH	18 40N	105 40E;	WF 704	640
N-23	YEN THANH	18 53N	105 18E;	WF 320	880
N-24	THANH CHUONG	18 43N	105 20E;	WF 352	693
N-25	THON RIANG (hamlet)	23 04N	104 59E;	VL 983	525
N-26	DIEN CHAU	19 05N	105 35E;	WG 615	155
N-27	PHU XUAN	21 11N	106 06E;	XJ 140	428
N-28	MUONG BON	21 13N	104 03E;	VJ 021	471

Attachment 2

EXHIBIT

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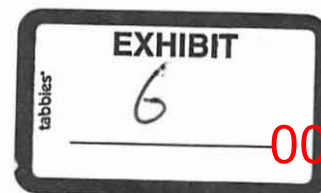
DOCUMENT
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Being reviewed
by CIA

IR 311/01187-74

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REPRODUCED AT THE NATIONAL ARCHIVES

Stenographic Transcript of
HEARINGS
Before the

SELECT COMMITTEE ON POW/MIA AFFAIRS

UNITED STATES SENATE

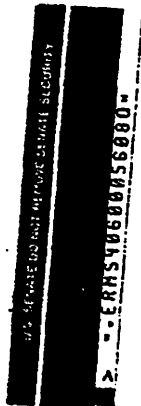
*see P. 62
27*

DEPOSITION OF WILLIAM SULLIVAN

Monday, July 20, 1992

Washington, D.C.

ALDERSON REPORTING COMPANY
1111 14TH STREET, N.W.
WASHINGTON, D.C. 20005-5650
(202) 289-2260



*There is a section
taken at NSC level
after 8:00*

Eqn. 3

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REPRODUCED AT THE NATIONAL ARCHIVES

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1 In other words, had there been any CINCPAC forces
2 in Laos, they would not have been under my direction. But
3 because of the neutrality agreements we had no CINCPAC
4 forces in Laos, so that I had as military only people who
5 were designated as attaches.

METHOD

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7
8
9 So I represented the President in the direction of
10 my mission, which had about 2,000 people in it, and in the
11 state to state relationships between the Government of the
12 United States and the government of Laos.

13 Q. And that was the Royal Lao government at that
14 point?

15 A. The Royal Lao government.

16 Q. What about oversight of Central Intelligence
17 Agency operations within Laos?

18 A. Yes, very directly. They worked for me.

19 Q. Can you give us some idea of what your oversight
20 responsibilities were of the CIA operations?

21 A. Well, the CIA station officer was on my staff. He
22 attended my morning staff meetings. He checked out anything
23 I wanted to do with me. He had a certain amount of leeway,
24 but it was limited to those things which I had authorized.

25 Q. So there's no question that as Ambassador you were

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1 PCWs were being kept in these caves?

2 A. No, but I got the sense that it was not a large
3 number. That is, not in the teens, probably less than
4 20.

5 Q. Were there attempts to obtain photographs,
6 photoimagery of these locations?

7 A. Oh, yes. We photographed it day and night, never
8 saw a white or recognizably Caucasian figure in any of it.

9 Q. Did you see caves that were appropriate?

10 A. Oh, the place is riddled with caves.

11 Q. Did you see anything that appeared to be a prison,
12 any caves used as prisons?

13 A. No. Caves were used for military purposes there
14 because they were subject to constant bombardment. So they
15 sensibly stayed in caves.

16 Q. Were there ever propaganda statements made by
17 Pathet Lao or North Vietnamese regarding the capture of U.S.
18 prisoners of war in Laos that you were aware of?

19 A. Yes, sure.

20 Q. What was the nature of those statements?

21 A. Oh, they would usually put out a statement that
22 so-and-so, and they would have his name and serial number,
23 had been captured.

24 Q. So would that be the Pathet Lao that would do
25 that?

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1 A. Depending on where it took place, but if it took
2 place in Laos the North Vietnamese would broadcast it over
3 Radio Pathet Lao, which was in Hanoi, and they would say
4 that this man has confessed his crimes and seriously regrets
5 having been duped by those criminal leaders in Washington
6 led by that monster, Lyndon Johnson, and assisted by that
7 foreign devil Sullivan, and so forth and so on.

8 Oh, you'd get a constant stream of that, and I'm
9 sure they've got a library full of it there at FBIS.

10 Q. What was the sense within your embassy as to the
11 reliability of that type of propaganda statement?

12 A. Sometimes you could find a seed of information in
13 it that you could use constructively, but we became
14 again, they were not very imaginative and we became pretty
15 adept at reading what was the kernel of truth in whatever
16 they had to say.

17 Q. What's your memory as to the percentage of
18 Americans who were shot down over Laos who were actually
19 rescued?

20 A. I have no . I would say in the early years of the
21 time I was there, of those Americans who hit the ground
22 alive we got most of them because they were in friendly
23 territory.

24 Now again I'm talking only about northeast Laos.
25 This whole operation down in southeast we didn't control

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1 echelon toward some headquarters command structure. And
2 those are the two areas in Laos that were headquarters
3 command structures for the North Vietnamese forces.

4 Q. One witness who was a U.S. Air Force pilot working
5 at a high-level position, working in Laos in the 1967-68
6 time frame, has testified in a deposition that he was
7 involved in the proposal of a plan to rescue U.S. prisoners
8 of war believed to be held in caves near Sam Neua during
9 that two-year time period.

10 A. May I get this identity again? I know you're not
11 going to give me the name of the individual -- or do you
12 want to give it?

13 Q. Well, I'd rather not.

14 A. Are you suggesting this is a man who was flying, a
15 pilot?

16 Q. I'm not sure. I can't remember exactly what his
17 position was. I know he was flying missions.

18 A. And he was stationed in Laos?

19 Q. Yes. I'm going to tell you who it was because you
20 may be aware of what his role was.

21 DATA

22
23 Q. He was in Thailand?

24 A. He was in Thailand.

25 MR. HERGEN: Once again, your candor pays off.

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BY MR. KRAVITZ:

Q. He was involved in U.S. Air Force activities in

Laos.

A. Right.

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Q. Let me ask you about that. DATA

whether it was he that proposed it or someone he was
working with, his testimony was that there was a proposed

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1 plan to rescue U.S. prisoners believed to be held in caves
2 near Sam Neua in 1967 or 1968, and that the plan was; I
3 think in his word, nixed at the last minute by CIA
4 headquarters, and that that information, that the plan had
5 been nixed, was presented by you.

6 A. Presented by me to whom?

7 Q. ... DATA

9 A. Oh.

10 Q. My question is whether you have any recollection
11 of that.

12 A. No. I would have doubted -- I would assume my
13 station chief would have presented that information to him.
14 I think that's probably the plan that I'm referring to that
15 I am rather convinced never got to my level. But it's
16 possible. DATA

18 Q. Wasn't the plan that you were talking about
19 earlier at the other location?

20 A. Well, Xianghoang, Sam Neua. I didn't mean to be
21 specific. It could be either one. But if he was talking
22 about Sam Neua, yes. I say that sounds exactly, in the
23 recesses of my memory, that sounds exactly like -- but if it
24 was turned down by CIA headquarters, it would presumably
25 mean that it had never gotten to me.

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1 TESTIMONY OF MAJOR GENERAL RICHARD SECORD, LAOS CHIEF OF
2 AIR, CENTRAL INTELLIGENCE AGENCY, 1966-1968; LAOS DESK
3 OFFICER, DEFENSE DEPARTMENT, 1972-1975

4 General Secord: Yes, sir. Well first let me just say
5 for the record that I had a lot of years of experience with
6 Laotian matters, as I think most of the committee knows. I
7 served in Central Intelligence Agency in the field in Laos for
8 1966, '67, and '68. And I was back there again, briefly, in
9 '69. And then I was the Laos desk officer in the Office of
10 the Secretary of Defense, International Security Affairs, for
11 a while in '72. And then by the time you're talking about
12 here, I guess I was the head of the Southeast Asia Branch,
13 having been promoted to Colonel.

14 So I served as a middle level officer during the time
15 that you are focusing on here. And I wish I could take credit
16 for that memorandum, because I think it's a good one, but it
17 only represented -- it was the input of a number of officers
18 who were working on this matter. And a memorandum of this
19 nature to the Secretary of Defense himself would have had to
20 have been coordinated, as a minimum, with the Chairman of the
21 Joint Chiefs, and probably all the Chiefs. Roger Shields
22 undoubtedly chopped on this message, or coordinated I should
23 say. And probably a number of other DIA and others.

24 So I was an action officer and it was my job -- I'm sure
25 I was told by probably Assistant Secretary Eagleburger, after

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1 a SECDEF staff meeting would be my guess. When this was first
2 showed to me by your staff I didn't remember it. You know,
3 there was a blizzard of memoranda.

4 And then when I read it I did remember it, but it was
5 unusual for us in my section to draft POW-type correspondence,
6 because we had an office for POW affairs. I believe that my
7 office was assigned the primary drafting responsibility in
8 this case because this memorandum was kind of operational in
9 nature rather than just an accounting kind of report.

10 Because, after all, it recommended a diplomatic track and
11 a military track. Which we knew, of course -- we could read
12 the papers too, those of us who drafted it -- that the force
13 option would be one that would be hard for the decisionmakers
14 to take given the environment that existed in the country at
15 that time. Nonetheless, we thought it was feasible. So I
16 guess I part company with some who have testified who said
17 that they did not think that the force option was even
18 remotely available. We obviously felt it was.

19 But what was going on with respect to the POW's is we
20 were tracking as carefully as we could all the intelligence
21 information available on POW's, especially after it became
22 clear that there was going to be a Paris Accord. Because we
23 knew this would -- knowing the Vietnamese as we knew them, we
24 knew this was going to be a really tough -- a tough matter.

25 We also knew that the notion that there was a Pathet Lao,

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1 as Ambassador Godley said -- you know they existed but they
2 didn't have any power. The North Vietnamese army had them
3 completely in their control.

4 Vice Chairman Smith: Can I just interrupt.

5 General Secord: Yes.

6 Vice Chairman Smith: I do not want to interrupt your
7 story at all, I just want to ask you a point right there. So
8 based on your tracking, then, there were confirmed U.S. POW's
9 in Laos during the war.

10 General Secord: Indeed. You've mentioned some of their
11 names earlier this morning.

12 Vice Chairman Smith: Do you have any idea how many?

13 General Secord: No, sir, I can't remember. But there
14 were a number of names that we knew with -- what do you know
15 for sure. I mean with reasonable certitude we knew.

16 For instance, the famous case of Hrdlicka and two others.
17 I had personal knowledge of that because I was involved in an
18 abortive attempt to rescue those guys back in late '66 or '67,
19 I think it was. You would have to go to CIA to get all those
20 cables, but there's a raft of cables on that. We knew that
21 they existed alive because we had an agent inside. We knew
22 their names, we knew where they were.

23 Vice Chairman Smith: And I just want -- again for the
24 record, and again I apologize for interrupting your flow
25 there. When you say POW's in Laos, a number, you are

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1 General Secord: I'm not so sure it conflicts with Roger
2 Shields. I haven't seen Dr. Shields in 20 years and haven't
3 had the chance to discuss it with him.

4 With respect to the statements attributed -- that I have
5 heard here attributed to President Nixon, it does conflict
6 with it, yes.

7 Senator Grassley: Who was the dominant intelligence
8 collector for Laos, the CIA or the DOD?

9 General Secord: CIA, clearly, because of the resources
10 they had on the ground.

11 Senator Grassley: Who reported most of the information
12 on prisoners and missing, CIA or DOD?

13 General Secord: That's a good question. I don't know.
14 Maybe 50-50.

15 Senator Grassley: Well, that probably makes it more
16 difficult for you to answer my next question. Who bears
17 responsibility for the lack of hard intelligence, then?

18 General Secord: The Director of Central Intelligence is
19 in charge of all the intelligence community.

20 Senator Grassley: Who should have the best information,
21 DIA or CIA?

22 General Secord: Well, Laos was a real weird war, you
23 know. The CIA was in charge of the war in Laos, not the
24 military. The military helped out a little bit on the side,
25 particularly through the provision of air assets, but the

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19:

1 military had very few people on the ground except for forward
2 air controllers, which were very good, and some air attaches.
3 Whereas the Central Intelligence Agency had several hundred
4 people on the ground in Laos.

5 Senator Grassley: So, then, you just can't say that it
6 should be CIA or DIA that had the best information?

7 General Secord: The reason why I waffled on that is
8 because a lot of the intelligence data came from the air, and
9 was reported by airmen who were in combat operations. And
10 that goes into the defense channel. But there was no -- I
11 mean, this wasn't a turf battle that was going on out there by
12 any means. We shared information constantly and as quickly as
13 possible.

14 Senator Grassley: Thank you, Mr. Chairman.

15 Chairman Kerry: Thank you very much. General, if you
16 would also be available to us for any followup questions, we
17 would appreciate it.

18 Vice Chairman Smith: Let me ask one question while
19 Senator Dole is coming up?

20 General Secord: Does somebody want your paper back here
21 sir?

22 Vice Chairman Smith: General Secord, while Senator Dole
23 is coming up let me just ask you a question. Do you know of
24 any individuals who were lost in intelligence operations in
25 Laos who did not turn up on anybody's MIA or POW list, or

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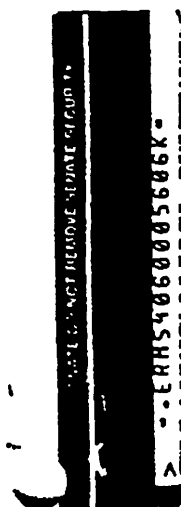
UNITED STATES SENATE

DEPOSITION OF RICHARD V. SECORD
(MAJ. GEN. (Ret.) USAF)

Wednesday, June 10, 1992
Exhibits 1-4 attached
Pages 1-148

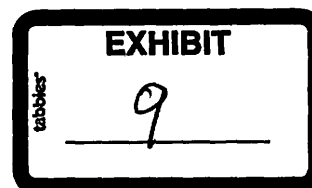
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1 experience and what it entailed?

2 A. I was experienced in the review of intelligence
3 reports beginning in 1962, in my first tour in Vietnam, with
4 what came to be known as U.S. Air Force Special Operations
5 Forces; and during assignments elsewhere with U.S. Special
6 Operations forces in the 1960's;

7
8 Q. What types of intelligence reports were you
9 reviewing? I mean, on what subjects?

10 A. Virtually all that I could think of were related
11 to the war in Southeast Asia or the various conflicts we
12 were dealing with elsewhere in the world, insurgencies.

13 Q. Before the time that you joined the Pentagon in
14 1972, did you have any experience or training in the subject
15 of casualty accounting or accounting for lost personnel?

16 A. No.

17 Q. None of the intelligence reports that you had ever
18 reviewed, either as a detailee at the CIA or in any other
19 position, referred to prisoners of war or men who were
20 missing in action?

21 A. Oh, many, constantly.

22 You're earlier question was did I have any
23 training in the subject of insurgency.

24 Q. Oh, I'm sorry. I thought I'd asked you whether
25 you had any training or experience.

1 a bunch of experts. God save me from experts when they send
2 them from Headquarters in time of war.

3 We spent quite a bit of time, some weeks,
4 analyzing this, that, and the other area. They even built a
5 big model, plastic model, back at Headquarters, of the so-
6 called, the POW site.

7 Then it was decided that we ought to try and have
8 a hi-op first, ~~method~~

9 ~~method~~ -----

10 There was great fear that there would be -- you know, I may
11 sound critical, but these are always delicate, difficult,
12 judgment calls, tactical calls that you had to make. You
13 might decide to do it one way and I might decide to do it a
14 different way. It was decided by higher authority to
15 attempt ~~method~~ Udorn opposed that.

16 But there was great fear that one or more of the prisoners
17 would be killed in our raid. That's always a concern.

18 Something went awry and the camp went dead on us.

19 Photography showed very quickly ~~method~~

20 ~~method~~ that it was no longer active. We sent
21 some people there and it was gone.

22 These three were never repatriated.

23 Q. They did not come back at Homecoming?

24 A. They did not. I remember checking that one out.

25 Q. Were they under Pathet Lao control, do you

1 that troubles me as an analyst, and that is the issue of
2 correlation. At some point in this problem, as I've
3 described it to you, this becomes a long-term problem, and a
4 white man in a jungle is an anomaly who has no face and no
5 name for any practical purposes, or he may have a Lao name,
6 or a Vietnamese name.

7 [Discussion off the record.]

8 BY MR. MCCREARY (Resuming):

9 Q. Have you followed what I was driving at so far?

10 A. Sure.

11 Q. Were any operations ever conducted to try to --
12 let me rephrase that.

13 Was it always necessary to have identified the
14 loss before an operation, to have identified the person in a
15 karst or in a cave to begin planning an operation for a
16 rescue?

17 A. We did not have any dedicated rescue teams. I'm
18 referring only to CIA now.

19 Q. I understand that. Let me rephrase.

20 If you had had what you consider reliable
21 reporting of Americans kept in Mahaxay, in Laos --

22 A. We did, as a matter of fact.

23 Q. -- but you didn't know their names, but you were
24 90 percent sure they were American pilots, would you
25 consider a raid to rescue them, based on that information?

1 A. Not only would we, we did launch a raid.

2 Q. Would you amplify, please, and give me the year?

3 A. I think it was late 1967. It could have been
4 early 1968. They all run together. It's a long time ago.

5 Q. I understand, and I'm not holding you to any
6 precision. But the details interest me.

7 A. We thought we knew for a long time -- and you're
8 an intelligence person, so you know, you think you know
9 certain things. Sometimes you find out what you thought you
10 knew was not quite as factual as you thought it was. Like
11 they say, you never know what you don't know. But we
12 thought we knew with fair degree of, high degree of
13 probability, that there was a significant POW camp or
14 holding point near the Ho Chi Minh Trail in the vicinity of
15 Mahaxay, as I recall, but to be more particular, it was
16 north of Route 912 and east of 96, near, not to far from,
17 you know, between Mugia Pass and Bankarai Pass. It was
18 logical there would be such a facility, since a lot of
19 pilots were shot down over the Ho Chi Minh Trail, more than
20 over North Vietnam, I believe, or at least as many.

21 We had all kinds of reports, but we could never
22 identify it in photography. We couldn't pin it down with
23 other means. But we had a big, you know, we didn't need a
24 map. Everybody had it in their minds. This was a
25 cautionary area that we needed to not forget.

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OUR MIGHTY MEO REPORT FROM ONE OF THEIR OUTPOSTS IN SAN NEUA THAT THEY HAVE SUCCEEDED IN RECAPTURING ONE OF U.S. PILOTS CAP DURING PAST FEW WEEKS BY PATHET LAO AND HAVE WALKED HIM OUT TO FRIENDLY TERRITORY. WE ARE SENDING A CHOPPER TO THEIR COMM POST TO PICK HIM UP.

IT IS NOT REPEAT NOT YET CLEAR WHETHER THIS IS MRDLCKA OR SHEL BUT WE ASSUME IT IS ONE OR THE OTHER. WE WILL FLY HIM DIRECT TO UDORN AND PRESUME OTHER WORD WILL COME THROUGH AIR FORCE CHANNI

PAGE TWO RUHJFS 150A ~~SECRET~~

I WOULD LIKE TO STRESS OVERWHELMING IMPORTANCE THAT THIS RESCUE NOT REPEAT NOT BE GIVEN PUBLICITY. I HAVE ALREADY PASSED THIS WORD TO UDORN AND TRUST IT CAN BE PUNCTUATED BY INSTRUCTIONS TO ALL ECHELONS, PARTICULARLY PENTAGON PRESS SERVICES. SAME INJUNC SHOULD BE PASSED TO NEXT OF KIN.

THIS OFFICER IS ONLY ONE OF THREE FOR WHICH WE CURRENTLY HAVE MEO RESCUE OPERATIONS IN PROGRESS. THOSE OPERATIONS, AS WELL AS LIVES OF U.S. OFFICERS AND OUR MEO AND LAO FRIENDS, COULD BE COMPROMISED AND JEOPARDIZED BY PUBLIC HULLABALOO ABOUT THIS RES

WHEN WE HAVE MORE FACTS IN HAND, WE WILL BE IN TOUCH RE BEST METHOD HANDLING THIS MATTER WITH ICRC AND OTHER ENTITIES WHICH NEED TO KNOW ABOUT PILOT'S RECOVERY. PLEASE ADVISE ACTION TAKEN.

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10

GP-3 SULLIVAN.

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HEARINGS
Before the

SELECT COMMITTEE ON POW/MIA AFFAIRS

UNITED STATES SENATE

DEPOSITION OF JAN SEJNA

Thursday, November 19, 1992

Washington, D.C.

COMMITTEE CONFIDENTIAL

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1 A. I would say the most important position was the
2 chief of staff of minister of defense, and after then first
3 secretary, because the chief of staff of minister of defense,
4 as I said before, everything would go to minister from foreign
5 countries, especially Soviet Union, would go through my hand.
6 Everything what goes through government, politburo, defense
7 council, I prepare.

8 I had special office which was Secretariat of the
9 defense council, which has all the documentation in their
10 hands. And, of course, I had those section which take care
11 about guests of minister, visitors, mostly Soviets, but any
12 visitors from any country. So I think there I had most
13 information which anybody could have.

14 Q. And your resume indicates you were chief of staff to
15 the minister of defense --

16 A. Right.

17 Q. -- in 1956.

18 A. Right.

19 Q. How long did you serve in that position?

20 A. Until 1964 -- 8 years. And after then I was the
21 First Secretary of the Communist Party.

22 And from there -- I want to finish this -- from that
23 position, chief of staff of minister of defense, I was
24 secretary of the defense council, which again I have to
25 repeat, not because I was secretary but because the power of

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20

1 the committee, the collegium of ministry, had meeting every
2 week, the defense council approximately every 2 weeks.

3 The members of the defense council were seven
4 members: First secretary and president of Czechoslovakia was
5 chairman; prime minister was member; minister of defense,
6 minister of Interior, which is like Soviet KGB; the chief of
7 state planning commission was member; and deputy to first
8 secretary, second secretary of the party.

9 Are they seven already or I forgot somebody? But
10 they were seven of the most important members in the
11 hierarchy.

12 Q. In the hierarchy of the Communist Party, where is
13 first secretary?

14 A. Well, the first secretary is the most powerful man,
15 or was, in the country, because without him nobody can do
16 anything, especially military. He was also chairman of the
17 defense council, of course, and without him you cannot do
18 anything, you know? Minister was in his office every Monday.
19 I report that was going on, he give me order what to do. So
20 he was the most important person.

21 Q. Did you have access to sensitive information in all
22 of these positions that you've detailed?

23 A. Absolutely. The highest secrecy.

24 Q. Did you have access to information on
25 Czechoslovakian military activities outside of Czechoslovakia?

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21

1 A. Yes, because most of these things must go through
2 the defense council. It was not just some individual activity
3 of some agent. But if it means every important activity,
4 like, let's say in Korea or other places in whole world,
5 trained couriers and all these things, of course it goes to
6 defense council.

7 Q. And your access to this material was by reviewing
8 messages and papers and discussions?

9 A. Sure. Plus I was sitting there, and when they
10 discuss it I make notes. After then I must type it. It must
11 go back to the minister, he sign it, go with that to
12 president, like chairman of the council. He signed it, and I
13 delivered it to members of the defense council or anybody who
14 got order from defense council to do something -- foreign
15 minister, anybody who was involved.

16 Q. Okay. You said your highest rank was major general?

17 A. Right.

18 Q. Is that a two-star general?

19 A. One.

20 Q. One.

21 A. One.

22 Q. So the U.S. equivalent would be a brigadier general?

23 A. I think correct.

24 Q. Next, I want to ask you some questions about your
25 position as the defense secretary. How did you become the

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22

1 secretary of the defense council?

2 A. Because -- I have to explain it. Officially, who
3 was secretary was minister of defense. I was the -- I don't
4 know how to say that in English -- I was the guy who did
5 everything, who prepared everything, sitting in defense
6 council, make notes, and they changed something because to
7 defense council goes the -- everybody must, for anything,
8 mobilization or whatever, for an activity, present it to
9 defense council some documents.

10 So when they go through, usually we have like 12,
11 maybe 15 documents which defense council must approve, and the
12 session was always afternoon. And if they changed anything, I
13 make notes. After then, I had a special staff for defense
14 council which was in the secretariat of ministry of defense,
15 special guard. And when it was done, I must go through again
16 and sign it and deliver it to everyone who was concerned.
17 That is why I say I think it was many times Russians were
18 present and they delivered some orders.

19 Q. And you were in this position from 1956 to 1964?

20 A. Right.

21 Q. For 8 years.

22 A. Right.

23 Q. Okay. Was membership in the Communist Party
24 required for this position?

25 A. Oh, absolutely. Absolutely.

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23

1 Q. Is this a government position or a party position?

2 A. It was the party government, because if you can go
3 to Czechoslovakia, you see the documents which the defense
4 council passed, the defense council said to minister of
5 health, to minister of foreign affairs. They give them order.
6 Same like politburo is party, but they give order to
7 everybody. You know, nobody can move without them.

8 Later on, when I was already here, they changed the
9 name and make it the highest council of the -- of the defense
10 of the country, or something like that. They tried to make it
11 legal, because people complained it was actually illegal under
12 party. It was not under constitution, it was -- but who can
13 complain at that time?

14 Q. I'd like to focus on when you were there. In the
15 relationship between the Government and the party, which was
16 the most important?

17 A. To me? The party. The party was power.

18 Q. The party, in essence, controlled the Government?

19 A. Absolutely. Absolutely.

20 Q. During these 8 years that you were in this position,
21 would you describe the main individuals or the main
22 departments that you worked with, be they the Communist Party
23 or the military? Who did you have the most contact with
24 during these --

25 A. Well, the most important was, as they call it,

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1 administrative department. But they changed name many times
2 because it was cover name. They were department A, after then
3 department 11, after then department 14, and finally the name
4 was Administrative Organs Department. So if you hear it you
5 would think they take care of some administration or work.
6 But it was the department which controlled military forces,
7 everything that was related to defense, intelligence, and
8 contracting. Generally, they controlled ministry of defense
9 and ministry of the interior.

10 And I forgot to say before, last 4 years, I was also
11 member of that department. I was first secretary of the party
12 at the ministry of defense, and member of the department.

13 Q. So this would have been from 1960 to 1964?

14 A. No, from '64 to '68.

15 Q. Oh, okay.

16 A. I mean, from '84 -- '64 to '68. Sorry. '84, I was
17 already here. It was the most important because these people
18 are so powerful they even discuss if minister should be fired
19 or not. What can I tell you?

20 Q. You indicated that you attended meetings. Who did
21 you write reports for, or who did you report to?

22 A. Well, when I was chief of staff of minister to
23 minister or defense council or this department. Those were
24 the three major.

25 Q. Are you familiar with the term, insider? Would you

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25

1 classify yourself as an insider in the Government and in the
2 party during this time in Czechoslovakia?

3 A. Yes, I do. It means you are in.

4 MR. STIEN: Off the record.

5 (Discussion off the record.)

6 THE WITNESS: Yes.

7 BY MR. ERICKSON:

8 Q. Next, I'm going to go to information on POW's. In
9 your interview with our investigators, you stated that you had
10 knowledge about POW treatment during the Korean and Vietnam
11 Wars, is that correct?

12 A. Right.

13 Q. And you met with two investigators from our
14 committee approximately a month ago?

15 A. Yes.

16 Q. Would you describe -- did you contact them, or did
17 they contact you?

18 A. They contact me through DIA.

19 Q. In the interview, and in your book Red Cocaine, you
20 describe Czechoslovakian medical support to the North Koreans.

21 A. Right.

22 Q. I apologize for having you repeat a lot of
23 information that you've written about and given, but that's
24 the nature of a deposition, so would you describe for the
25 record what type of medical support Czechoslovakia gave to the

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1 AFTERNOON SESSION

2 (1:00 p.m.)

3 Whereupon,

4 JAN SEJNA,

5 the witness on the stand at the time of recess, having been
6 previously duly sworn, was further examined and testified as
7 follows:

8 EXAMINATION BY COUNSEL FOR THE SELECT COMMITTEE (RESUMED)

9 BY MR. ERICKSON:

10 Q. General, once again is there any testimony that you
11 have given previously that you would like to change or modify
12 in any way?

13 A. No.

14 Q. I'm going to shift to the Vietnam War POW issue now.

15 In your interview with two of our committee
16 investigators, you stated that you recall two to three groups
17 of 25 each, U.S. POW's taken from Vietnam to Czechoslovakia,
18 and then on to the Soviet Union. Do you recall making such a
19 statement?

20 A. Yes. I think I said 20 to 25. Not exactly 25,
21 because I'm not sure if it was 25 or 24.

22 Q. What years did these trips take place?

23 A. I think first one was end of '65, or beginning '66.
24 And other one '66. And the last one which I saw was the
25 spring of '67.

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1 Q. And each one of these groups would have been roughly
2 20 to 25 American POW's?

3 A. Yes.

4 Q. Did you see the American POW's yourself?

5 A. Yes.

6 Q. What was your duty at the time? And did it change
7 from '65 to '67, or were you in the same position?

8 A. I was in the same position.

9 Q. Which was?

10 A. First secretary of the Communist Party to minister
11 of defense.

12 Q. And how were these American POW's transported from
13 Vietnam to Prague?

14 A. Soviet airplanes, they escorted them, Soviets and
15 Czechs together. Counterintelligence took them to the
16 facility, and that's it. And three guys, or four guys I'm not
17 sure, they wait in Prague. They were the guys who were
18 actually the interrogators, because they already worked with
19 them when they stay in Prague.

20 Q. Approximately how many days or how many hours did
21 they stay in Prague?

22 A. 5 to 7 days, no more.

23 Q. And what was the reason or rationale to bring them
24 from Vietnam to Prague, rather than straight to the Soviet
25 Union?

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91

1 are wrong or right, never.

2 Q. Were you able to speak English at this time, or did
3 you have an interpreter?

4 A. Interpreter.

5 Q. Were you given a polygraph at this time?

6 A. Yes.

7 Q. Was there ever any correspondence written to
8 discredit you as a source of information?

9 A. I don't know.

10 Q. Then I trust you don't have any copy of any
11 correspondence that you're aware of?

12 A. No, no.

13 Q. I believe you indicated that DIA hired you in 1981.
14 Is that correct?

15 A. I think on April 7.

16 Q. Of 1981?

17 A. Yes.

18 Q. How did you come to work for DIA?

19 A. I was recruited.

20 Q. Do you know who was responsible for hiring you and
21 why?

22 A. No.

23 Q. Do you believe that DIA trusted your information?

24 A. Well, they say yes, if it is true.

25 Q. Did any DIA officer ever talk to you about your

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1 RPTS STEIN

2 DCMN MAYER

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4

5 HEARING ON POW/MIA ISSUES

6

7 Tuesday, October 1, 1996

8

9 House of Representatives,

10 Subcommittee on

11 Military Personnel,

12 Committee on National Security,

13 Washington, D.C.

14

15 The subcommittee met, pursuant to call, at 11:25 a.m. in
16 Room H-405, The Capitol, Hon. Robert K. Dornan [chairman of
17 the subcommittee] presiding.

18

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21

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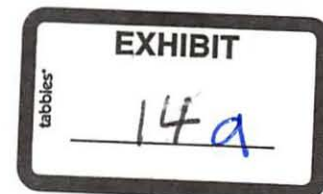
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24

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Exh. 9

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~~SECRET NOFORN~~

ask them to make troubles to anybody

BOB

The congress has got nothing to do with this now the important thing is that at this point you are proffering some information that need to be investigated and if the congress was here or the congress wasn't here I'd still be asking you the same questions.

Source:

I cannot believe *Dave* is not know the hospital was there in Korea for example I can not believe that you know it is not outdoors but you it was there the hospital functioned you know for twenty years

Bob:

There is one other critical area that we need to get into this morning and that is At THE meeting you had a week or so ago people from the senate i wan;t there but it is my understanding that you also spoke to information that you had on the movement of american prisoners from vietnam to czechoslovakia and russia. I'd like you to tell - without me prodding with a lot of questions give me your summary of what you know and then we can talk about it

Source:

Well then first of all when I was again you ask me if it was twenty or twenty-two in one group i can not tell them but in 19 in ah when I was *SD* i was in charge about all the military buildings, barracks and others through very good hall friends from Marshal Gritckos was superior to the counter intelligence bureau for general in Prague very good simple soldier . Generally the soviets I don't know if it is also true through other Eastern bloc countries I think maybe also through East Germany because from this point of view the Soviet know there was really good security for Romania and Bulgaria you never know but ah then czech of course so what they did always they tried to cut the way to soviet union with this important operations and stop into Prague maybe also somewhere else I don't know ah I understand they also used North Korea, I don't know, so I was in charge about this this building nobody can put anything through the villa or barracks if I don't know because I must given key and immediate access so I remember a few times when the military intelligence and contractors they were in charge

bob:

Czech

Source:

Yea for the security when they were in Prague they ask for for ah this house building I just assumed from how many rooms they need how many people there are so it is what I assume

~~SECRET NOFORN~~

~~SECRET NOFORN~~

Bob: So it's a room count that you remember

Source: Yea

Bob: The counter intell

Source: I never go to the soldiers

Bob: Did you ever see them

Source: Yes because I was supplied I never meet personally but because I had special department that supplied them with uh food and cook/ chef to cook there themselves you this maybe good for these people who did it are still alive you I think I call last week my my stepson which is ??????? like the rem nights I ask him find the telephone of the receipts cause he signed for them cause if anything to do and he will do that He is a good country boy if these people for example who supplied the uh vietnamese with everybody else with the food and everything they care about uh means all take them to ???? central military hospital ,and gru, and counter intelligent and after gru they continue to Soviet Union

BOB: How many days would they have been in Prague normally

Source: Just approximately one week five days only

Bob: So they would have been in contact with the counter intell guys, plus medical personnel

Source: Or gru special medical personnel people who were attached

BOB: Attached to which facility

Source: Special clearance

BOB: What what medical facility do

Source: The ^{day} - - - !

Bob: Okay

Source: There the people who had the drugs also

BOB: You you do you remember actually seeing these American prisoners yourself

Source: Sure

Bob: Everytime

25

~~SECRET NOFORN~~

~~SECRET NOFORN~~

Source: Uh I can not say everytime

Bob: How many times do you remember, not that you saw them
How how many times do you have information about where
American prisoners were moved through Prague uh to
Russia

Source: Uh I would say three four times

Bob: In groups of how many

Source: 20-22

Bob: And they stayed for about a week each time

Source: Yes

Bob: Anything else besides medical checks done at the central
military hospital

Source: No the soviets did everything like interrogating or
something we didn't do

Gary: How often did that happen how , when one group came how
long before another group came

Source: Uh I would say one time I think it was like three months
period but I would say six months period

gary: How long before you came out of ^{SD} was the most
recent time that you saw a bunch of American pws

Source: Uh you mean the last

Gary: The last time you saw them

Source: Last time I would say 67

Gary: Okay

Source: The spring

Gary: Would you say the three or four groups then went through
there 65-67

Source: yes

Gary: Is that reasonable

Source: Yea

~~SECRET NOFORN~~

Rec'd 1

EX 74 DOC 74

SUBJECT: PW/MIA Meeting

30 December 1980

REF : RADM J. O. Tuttle, Assistant Deputy Director for Defense Intelligence (DI) Phonecon 24 Dec 80; same subject, meeting 1300 hours, 30 Dec 80, Rm 2D921

1. RADM Tuttle's meeting was held as scheduled, 1300-1500, 30 Dec 80. Representatives from DIA (4), CIA (2) and NSA (4) attended. See Inclosure for attendees.

2. RADM Tuttle reviewed DIA photo and report chronology (Mar 79-Dec 80) on American PW facilities and sitings in Laos. RADM Tuttle has a strong suspicion that American POW's remain in Laos.

NSA representatives do not have to substantiate the case. Early December 80 case of 20 American POW's reported in , and not corroborated is typical. December 80 case is a fraud, and view American POW's in Laos as unlikely.

3.

Overhead photography of facility confirms prison like structures and fence. facility may hold prisoners, but that it is highly unlikely the prisoners are American.

4. DIA has a Vietnamese source (Le Ba Oanh) who has passed a polygraph examination, and claims to have been in a prison facility near Tay Ninh, Northwest of Ho Chi Minh City, which contained American POW's. The POW camp coordinates are 111911N 1062010E. Le Ba Oanh has drawn an accurate sketch of the facility (verified by overhead photography) which he claims to have visited as recently as August 80, when he observed American POW's. Le Ba Oanh will be interrogated by DIA for approximately 10 days starting on 7 Jan 81. The DIA analyst has detected discrepancies in the source's story, and items will be addressed during the interrogation period.

5. RADM Tuttle announced that in January 81, a PW/MIA interagency group is to be formed. The group composition will be: State Department, ISA, JCS/J-5, DIA and SEA sub-committee. Early in the meeting, RADM Tuttle stated he wanted a DIA and NSA chronology of PW/MIA events, however, the DIA action officer (P. Hurt) said the request needs further DIA definition before NSA inputs are required. The DIA request for NSA time line inputs will be through NCRDEF office.

6. The DIA analyst handling Le Ba Oanh's interrogation was requested to provide his initial report. If the report is releasable, the document will be via NSA via NCRDEF office.

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EXHIBIT

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EX 7 Doc 13
0



DEFENSE INTELLIGENCE AGENCY
WASHINGTON, D.C. 20301

28 JAN 1981

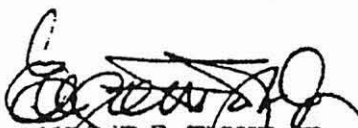
S-9073/DI-7

MEMORANDUM FOR THE CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT: Current U.S. Prisoner of War Intelligence

1. As you are aware, there are approximately 2,500 Americans unaccounted-for in Southeast Asia. Since 1975, DIA has received approximately 1,000 reports from Indochinese refugees concerning alleged sightings of Americans, crash locations, grave locations, and the handling and disposition of U.S. remains. Of these 1,000 reports, approximately 300 deal with the alleged first hand sighting of U.S. PWs detained in Southeast Asia.
2. Since April 1979, DIA has been investigating information provided by a refugee who alleged the detention of U.S. PWs in Laos. In November 1980, CIA provided information which corroborates the refugee's report. Overhead imagery has verified the existence of a detention facility at the alleged site. At enclosure is a chronological listing with tabs, which support the belief that U.S. PWs may be detained in Laos.
3. On 17 January 1981, DIA requested that CIA attempt to confirm the presence of U.S. PWs in Laos. The details of CIA intentions are contained in the enclosure. As the possibility exists that CIA could confirm these reports, I recommend that you consider preparing a contingency plan in the event this very important undertaking proves successful. To support this effort, I will request that CIA prepare a topographical model of the site and surrounding area.
4. As DIA is also investigating other reports alleging the detention of U.S. PWs in Southeast Asia, it is necessary that DIA (DI) remain the focal point for all intelligence activity relating to this matter. We will continue to obtain imagery of this facility and provide timely information to you concerning the progress of the CIA MT.

1 Enclosure
Chronological Listing


EUGENE F. TIGHE, JR.
Lieutenant General, USAF
Director

Exh. 7-B

000107

EXHIBIT

tabbles

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EXTB.2

REPRODUCED AT THE NATIONAL ARCHIVES

CHRONOLOGICAL LISTING

SUBJECT: Nhommarath Detention Facility

1. On 17 April 1979, a Lao refugee wrote a letter to Gen Yang Pao in Montana which contained U.S. PW information. He indicated that 18 U.S. PWs and 25 Lao prisoners were detained in a cave near Muong Nhommarath, Khammouane Province (due east of NKP Thailand). The prisoners were reportedly moved to this location from northern Laos on 10 March 1979.
2. During subsequent DoD interviews (Oct 79 and Feb 80), the refugee reported that the above PWs, and a separate group consisting of two U.S. PWs, one Australian, and one Japanese were held in caves in the vicinity of Kham Keut, approximately 70 kms from Nhommarath. He provided a sketch of the detention area. One month after his initial DoD interview, the refugee reported to a Lao associate the detention of U.S. PWs at Muong Nhommarath.
3. Imagery from July 1979 indicated that a cave entrance is located approximately 500 meters from the location at which the two U.S. PWs, the Japanese and the Australian were reportedly detained. A cave entrance could not be located at the location at which the 18 U.S. PWs were reportedly detained. However, heavy foliage in that area offers the possibility that the cave entrance could exist but was obscured.
4. During September/October 1980, the refugee was re-interviewed and polygraphed. The examiner opined that he was reporting information which he believed to be accurate and that he had not conspired with any person to provide false information. The refugee identified the source of his PW information to be a Lao resistance fighter. Efforts to locate the resistance fighter are ongoing.
5. On 18 November 1980, CIA reported (TAB A) that it had received information concerning the alleged detention of 30 U.S. PWs at Muong Nhommarath. The information was received from a highly reliable Thai source who had received it from an untested Lao subsource. On 21 January 1981, CIA reported that the Lao sub-source advised that U.S. PWs had been moved from Nhommarath to Kontum, Vietnam. Additional information is being sought.
6. Imagery (TAB B) from 10 December 1980 indicates the presence of a detention facility at a location southeast of Muong Nhommarath. Imagery indicates this facility did not exist in April 1978 (TAB C) and was partially completed by September 1979 (TAB D). Further, examination of imagery from 10 and 30 December 1980, and 2 January 1981 reveals that the number "52" has been stamped in the dirt in the row crop area located between the camp inner and outer fencing, in a location not apparently observable from either of the two guard towers (TAB E). Imagery of 30 December 1980 indicates the presence of approximately 25 persons in the inner compound and imagery of 24 January 1981 indicates the presence of 9 probable persons, 4 in the inner compound and five in the outer compound (TAB F).

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EX 7 B.3

REPRODUCED AT THE NATIONAL ARCHIVES

7. On 17 January 1981, DIA requested that CIA conduct an operation inside Laos in an attempt to verify the presence of U.S. PWs at this facility. CIA has agreed to undertake this operation, and is currently in the planning stage.

METHOD

TAB A - CIA Memorandum dated 18 November 1980
B - 10 December 1980 Imagery
C - April 1978 Imagery
D - September 1979 Imagery
E - Various dated Imagery
F - 24 January 1981 Imagery

EX-7C

②

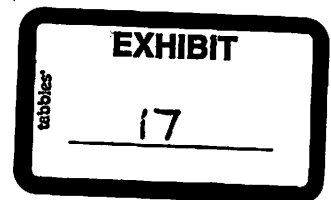
M E M O R A N D U M

TO: Bill

FROM: Bob T.

DATE: 5 December 1991

SUBJECT: Post 73/75 Military Operations - Don Gordon



1 On 5 December, I spoke by phone with Mr. Don Gordon, former J-2 (Intelligence Officer) for the Joint Special Operations Command (JSOC) in 1981. JSOC was then, and still is today, the joint (inter-service) command authority for special operations units such as Delta (Army) and Seal Team-Six (Navy). As the J-2 of JSOC, Mr. Gordon was involved in planning for the 1981 Nhom Marrot operation. He recounted the following:

2 In early 1981, around January, JSOC had been alerted to a possible rescue attempt in Laos for American POWs and had formed a small team to begin planning. It was obvious that the higher levels in the Pentagon had sensitive intelligence and that they wanted time to evaluate it. He recalled that at some point they obtained overhead photography of the suspect camp, showing what was interpreted to be a "52" stomped into the grass nearby. He recalled this created speculation that this might be a signal from POWs, perhaps associated with the POW tap code, a Rivet Joint collection aircraft that was lost in Laos, or a B-52 crew. They also had conflicting intelligence that this might be a Vietnamese Army camp.

3 By April, the Pacific Command was actively involved in planning and a 10-15 man PACOM planning team was working with JSOC. Gordon also recalled a special KH satellite mission being tasked to collect on the suspect camp. A scale model of the camp was constructed at the Navy Yard and brought down to Fort Bragg where a "facsimile" model was made. He specifically recalled that overhead photography could make out what was written on a large sign over the entrance of the camp. He thought it said something in Laotian like "Through your labors, you will be free."

4 Gordon remembered that an interagency meeting was held in April JSOC, JCS, CIA, and NSA attended. commander of JSOC, told his CIA he "wanted round eyes to look at was mounted. Gordon could not

000110
remember the CIA official. but said he was high...

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⑤ In fact, General Scholts had first argued that Delta should perform the recon. However, when CIA insisted it had jurisdiction over the recon, and that it be done with non-U.S. personnel, Scholts demanded that the team have at least one American. CIA agreed they would have an American accompany the team. Gordon recalled it was a Marine Corp officer working for the Agency, although he did not have his name. As far as he knows, he led the team but cannot confirm it. CIA left the meeting saying it would take 6-8 weeks to prepare for the mission.

⑥ Gordon described the CIA run mission as ineptly organized and ill-equipped. He recalls that they were equipped with a World-War II era radio. He stated they had no Direction Finding (DF) equipment.

⑦ He thought the mission was over by June, but received little feed-back on the results. He learned they had observed the camp for two hours, or two days, depending on "who you talk to" and took photographs, which reportedly contained no indication of Americans. When he asked to see the pictures, he said he was refused. He said the operation essentially ended there, and remembered being surprised at how fast interest dropped.

⑧ Gordon also provided a number of names of individuals involved in various aspects of the 1981 operation. We will pursue those leads, especially General Scholts and other participants of the April interagency meeting.

Doc 17

EX 7D

To: Bob Taylor

Subject: MFR on Interview of Larry Waters

----- Message Contents -----

MFR: On 20 July 1992, I conducted a taped interview of Larry Waters, former CIA case officer in Bangkok, 1978 - 82. I had arranged to have him come in regarding his involvement with the Nhom Marrot operation of 1981. Mr. Waters was the officer in charge of running the CIA recon team and was involved in the team debrief, when it returned.

To summarize, Mr. Waters said he did not recall the team bringing back evidence to support the presence of POWs at the camp. He could "not recall" when asked, the cable sent from Bangkok station to HQs, saying that two members of the team said they saw one, repeat one possible caucasian, & thought they had photographed him, but could not find the photo after it was developed. He could not recall nor explain the cables existence at CIA HQs.

His interview tape is on file at Senate Security.

R. Taylor 21/7/92

Exh 7D

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EX 8A

~~TOP SECRET~~ [redacted] 20 MAR 1981

[redacted]

POW/MIA

[redacted] a team

[redacted] was to be dispatched to investigate a

suspect POW compound near NEO MORRAT, Laos some time in the next two to

three weeks. Since there are HUMINT reports indicating that this compound

may contain U.S. POWs, it has been the focus of considerable interest since

December 1980. [redacted] this team appears to be awaiting the exit and

debriefing of another team previously [redacted] in [redacted] this area of Laos.

[redacted]

Exh. 8A

19

Team 1
Team 2

EXHIBIT 8B
PI~~TOP SECRET~~

23 July '81

SUBJECT: Chronology of ☐ Analytic Efforts Related to the POW/MIA Issue

Aug 77-Dec 78

All previous ☐ (reflections of U.S. prisoners of war) was reviewed. Over 900 items sanitized, edited and passed to DIA for release to POW/MIA families.

Mid-late Jul 79

☐ requested we search our ☐ files back to 1 January 1977 for references to POWs.

Aug-Sep

Appropriate ☐ analysts searched ☐ files ☐ for same period with negative results. Routine inclusion of POW/MIA-associated terms in machine SCAN process initiated during this period.

23 Nov 79

☐ - negative results.

12 Dec 79

☐ proposed that NSA and DIA work together on a formal continuing basis on POW/MIA issue.

10 Jan 80

☐ briefing ☐ on POW's in SEA. ☐

~~TOP SECRET~~

6

Exh. 8B

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~~TOP SECRET~~

[redacted]

[redacted]
[redacted]
[redacted]

[redacted]

[redacted] requested any data [redacted] holds on Cubans reportedly serving as POW interrogators during Vietnam war. [redacted] furnished list [redacted] possible refs to Cubans in Vietnam. [redacted] no data on this.

1 Dec 80

[redacted] top priority [redacted] 4 Dec 1980 in hopes of [redacted] information on collaterally reported [redacted] movement of U.S. POW's from Udomsai Province to Vientiane. Negative Results.

4 Dec 80

[redacted] serious reservations about its accuracy quickly developed.

30 Dec 80

CIA, NSA, DIA representatives meet [redacted] and he presents photos of Lao and Viet sites reportedly containing U.S. POWs. CIA representatives express doubts about validity of reports and state that the earlier report of U.S. POWs being moved to Vientiane is a fraud. DIA urges [redacted] operation against Nhommarath, Laos site to confirm or disprove presence of U.S. personnel.

Jan 81

Series of exchanges among CIA, DIA, NSA, [redacted] [redacted] seeking to assure that all possible measures to collect any [redacted] of POWs in Nhommarath facility. Some adjustments [redacted] [redacted] with negative results regarding [redacted] POWs.

16 Mar 81

[redacted] a team will go into Laos to investigate Nhommarath site in about three weeks when another team comes out of Laos and is debriefed.

[redacted]

[redacted] □

[redacted]

[redacted]
[redacted]~~TOP SECRET~~Team 1
Team 2

P3

14 May 81 [redacted] team had exited Laos on 13 May.

18 May 81 [redacted] team reports no caucasian prisoners.
(Photos confirm team's debrief subsequently).

22 Jun 81 [redacted] advises that no further special effort required

[redacted]
to discuss non proposal for reestablishment of an
interagency POW/MIA working group. First meeting
tentatively scheduled for late Jul-early Aug.

27 Jul 81 [redacted] briefed State Appropriations Committee Staffers

24 Nov 81 [redacted] briefed Secretary of the Air Force, The Honorable

~~TOP SECRET~~

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Troubling Evidence on Vietnam POWs

Are the numbers higher than we were told?

By Peter Cary and Fred Coleman

11/22/93

Late on a crisp Washington afternoon, exactly one week before Veterans Day, an unlikely trio stepped into the carpeted White House office of Anthony Lake, President Clinton's national security adviser. One was Carol Hrdlicka, just in from Kansas, the wife of an Air Force pilot who was shot down over Laos in 1965. Next was Barry Toll, a highly decorated Vietnam veteran and former Army intelligence officer. Last was George Carver. A quintessential Washington insider, the 63-year-old Carver had served three directors of the Central Intelligence Agency from 1966 to 1973 as special assistant for Vietnamese affairs.

The group handed Lake a packet of intelligence documents, then sat down to talk. They had a plan endorsed by several veterans groups, the three told Lake, a plan to heal the 20-year-old wounds of the Vietnam War. The evidence they had was from U.S. intelligence files and Soviet archives. It showed, they said, that Vietnam never returned a large number of American prisoners of war—a fact, they insisted, that both countries knew at the time. In the packet given to Lake was everything he needed to vet the evidence for himself: The U.S. files were identified not just by agency but by room number, file-cabinet serial numbers and drawer numbers. Lake was joined by Kent Wiedemann, the National Security Council officer for Asian affairs. The two made no promises, but they asked good questions. The trio pressed on: The president should appoint a commission to study the evidence from the U.S. and Soviet files and get the Vietnamese to admit to their deeds without recriminations. Only then could there be a final accounting of the prisoners and the missing from the Vietnam conflict. Only then could there be normal relations between the two countries.

Unanswered questions. If Vietnam did hold large numbers of unreturned prisoners, it would be a stunning revelation. The Vietnamese returned 591 American prisoners in Operation Homecoming in the spring of 1973. Since then, U.S. officials have pretty much agreed with the Nixon administration's contention that all the boys had come home. "The U.S. government is confident that the 591 POWs and 30-something bodies of men who died in captivity were all the prisoners held in North Vietnam," says Edward Ross, chief of the Defense Department's office for POW/MIA affairs. Vietnam says the same thing. Separately, the Senate Select Committee on POW/MIA Affairs concluded that there is "no compelling evidence" of live American POWs in Indochina. The panel suggested that if men had been left behind, the numbers were small. Washington has presented Vietnam with a list of 135 cases of missing American servicemen whose fate the Vietnamese should know. With Vietnam's help, that list has now been reduced to only 80 unresolved cases.

In the past few months, however, an extraordinary body of evidence has emerged to throw into question all previous estimates of unresolved POW cases from the Vietnam War. The evidence is purely circumstantial, but it has created a burning new argument for families of the missing, while stoking their opposition to Clinton's plan for rapprochement with Vietnam. The developments include the following:

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A top-secret document discovered in January in Soviet military archives by Harvard researcher Stephen Morris. The document appears to be a report from a Soviet agent about a 1972 speech before the North Vietnamese Politburo in which a general reveals that North Vietnam is holding 1,205 American prisoners. Since the Vietnamese returned 591 American POWs in 1973—and 109 of them came from South Vietnamese prisons—the document suggests that North Vietnam never returned some 700 American prisoners.

A top-secret report from the Soviet military intelligence agency GRU that was released in September in Russia. In this document, a central committee secretary tells the Vietnam Workers' Party in late 1970 or early 1971 that while "we have published the names of 368" POWs [this was correct], the "total number of American aviator POWs ... is 735."

A U.S. intelligence report from a high-ranking North Vietnamese official named Tran Minh Duc, who was a spy for the United States. In his report, Tran says that shortly after the alleged "1,205 POWs" speech in 1972, the North Vietnamese Politburo decided to detain a number of prisoners to use later as bargaining chips with Washington. Recently, a cable surfaced from old State Department files that tends to support the "1,205" document. The cable refers to a British Labor Party leader named Clive Jenkins, who returned from a visit to Hanoi in October 1970. Vietnamese officials gave Jenkins the "impression" that there were about 900 American POWs in Vietnamese prisons, the State Department cable says.

U.S. News has learned that intelligence files contain references to four other cases in which sources in Indochina reported as many as 800 U.S. prisoners not accounted for in other estimates. One of these sources was a Japanese Buddhist monk who said he had shared a cell with three American servicemen in the mid-1980s. "I called them 'America,' they called me 'Jap,'" the monk said. He added that a Vietnamese security official told him there were 700 to 800 more Americans incarcerated.

Still more evidence tends to suggest that the number of American prisoners was higher than has been acknowledged. Two Vietnamese defectors well known to the U.S. intelligence community spoke of large numbers of POWs. One of the defectors, a North Vietnamese army doctor named Dang Tan, was trotted out by the CIA in 1971 to talk of torture of American prisoners. In passing, he mentioned that he believed there were about 800 prisoners held by North Vietnam as long ago as 1967. In 1979, a second defector, a man named Le Dinh, told the U.S. government officials in Paris that while he worked for Vietnamese intelligence he heard at staff meetings that 700 Americans remained incarcerated in Vietnam after the war. Last week, a former North Vietnamese intelligence officer confirmed that number in an interview with U.S. News. He said the prisoners were separated into four groups. There was a large group of disabled prisoners and others approved for release, 11 U.S. intelligence operatives who were to be held for eventual trades for Soviet spies, an undetermined number of men who were to be ransomed for money or used to exert political influence and 33 "progressives," some of whom were given training to operate in the United States as double agents. Six actually undertook such missions, the former intelligence officer says.

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Troubling Evidence on Vietnam POWs

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Numbers game. Could such stories be true? The answer may lie partly in the Pentagon's counting of the missing. After Vietnam returned the 591 American servicemen in Operation Homecoming, the Pentagon continued to list 2,421 men missing in Indochina. Of those, 1,118 had been declared killed in action during the war. That left 1,303 unaccounted for. About these men, the Pentagon said, it "had no information to show conclusively they are alive or dead." Some believe the survival rate of those 1,303 could have been as high as 50 percent. If the estimate is roughly accurate, it could mean that as many as 650 American servicemen survived the war but remain unaccounted for. The Pentagon's Ed Ross contends that every single case of the missing has been re-examined. That there were large numbers of POWs, he says, is impossible.

Air Force Lt. Gen. Eugene Tighe, who ran the Defense Intelligence Agency after the Vietnam War, is not dismissive. The DIA is the lead government agency on the POW issue. In an interview, Tighe said that many servicemen were listed as killed in action on the flimsiest of evidence. If the evidence was wrong, Tighe said, "you can go through the total number of missing through the whole war and come up with some fairly large numbers" of survivors.

Why might the Vietnamese have detained so many more Americans? Le Quang Khai is an 11-year veteran of Vietnam's foreign ministry who defected to the United States last year. During the Paris peace talks in 1973, Khai says, political opinion was split in Vietnam on what to do with American prisoners of war. Hard-liners wanted to hold them all until their demands for war reparations were satisfied; liberals wanted to release them to improve Vietnam's image. A compromise was reached to release some POWs—591 turned out to be the number, Khai says. The rest were detained, Khai says, because Vietnam believed that the Paris peace talks marked the beginning—not the end—of negotiations with Washington.

The negotiations went nowhere. President Nixon resigned in 1974, his administration stating that it had "no indication at this moment that there are any Americans alive in Indochina." Concludes Khai: "With no negotiations, there was no framework to return the POWs." Some, Khai says, were given to Hanoi's allies: "It is a fact that some [Americans] were sent to Russia, China and other countries." Some intelligence analysts question Khai's bona fides, but they say his story could be accurate. Says General Tighe: "The Vietnamese, the Russians and Chinese ... were intensely interested in getting hold of American prisoners."

The evidence that would support such a theory remains elusive. Barry Toll says that from 1973 to 1975 he had access to top-secret messages concerning POWs. Toll says he saw cables concerning the transfer by diplomatic aircraft of 10 to 20 American POWs to the Soviet Union from Hanoi. He says another message that was "seared in his memory" reported on 290 to 340 American servicemen the Pentagon had identified as prisoners in Laos. This cable, Toll says, concluded that the men had to be abandoned: Washington could not admit to their existence because the Nixon administration had conducted a secret and illegal war there. Toll says he resigned from his Pentagon post in 1975 to protest this abandonment. Investigators on the Senate Select Committee on POW/MIA Affairs say they confirmed Barry Toll's military record and duties as an intelligence officer but were unable to corroborate the specific message traffic.

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Troubling Evidence on Vietnam POWs

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Proving the case. Others insist the evidence exists. George Carver, who accompanied Toll to the White House meeting with Anthony Lake earlier this month, says that while he was at the CIA, he saw evidence that led him to believe the Vietnamese and Laotians were holding more U.S. prisoners than they admitted. Carver believes the document obtained from the Soviet archives mentioning 1,205 prisoners is authentic. Based on other intelligence Carver has seen, however, he believes there were only about 300 unreturned American prisoners. "I think the case for 300," Carver says, "is almost presentable to a jury."

To prove that case, however, solid evidence is needed to show that the unreturned POWs were held separately from the 591 who were returned. Critics of this "theory of a separate prison system" argue that no one has furnished such proof. John McCain is one skeptic. Now a Republican senator from Arizona, he was a prisoner in Vietnam for 5 1/2 years and heard nothing about separate prison systems. Former Rep. William "Billy" Hendon disagrees. A POW activist, Hendon has maps and satellite photos that he says prove several Vietnamese prison camps held large numbers of Americans. No men came back from those camps. Sen. Bob Smith, a New Hampshire Republican who has visited Vietnamese prisons where intelligence reports say Americans were held, agrees with Hendon. "I don't know if anyone is alive today, but I do know that we don't have all the facts." Concludes George Carver: "I want to hope and pray that there are some left alive, that's what my heart tells me. But my head tells me to be cautious. For [the Vietnamese], it might be far better to dispose of the evidence."

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Intelligence Information Report

2-1877

[REDACTED]

PAGE 1 OF 3 PAGES

THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE

REPORT NO. CS-311/04439-71

(CIA Report #)

DATE OF [REDACTED]

COUNTRY
DOI
SUBJECT

NORTH VIETNAM

1965-JUNE 1967

PRELIMINARY DEBRIEFING SITE FOR CAPTURED U.S. PILOTS IN VINH PHU PROVINCE AND PRESENCE OF SOVIET AND COMMUNIST CHINESE PERSONNEL AT THE SITE

ACQ
SOURCE

VIETNAM SAIGON 730 APRIL 1972
[REDACTED]

(over)

Eth. 10

EXHIBIT

tabbles

22

000121

000073

Case 1:04-cv-00814-RCL Document 260-1 Filed 10/22/16 Page 71 of 169

[REDACTED]

[REDACTED]

[REDACTED]

possibly Vinh Yen + Phu Tho Prov

1. A PRELIMINARY DEBRIEFING POINT FOR U.S. PILOTS SHOT DOWN OVER VINH PHU PROVINCE, NORTH VIETNAM /NVN/, WAS LOCATED AT THE LAM THAO SUPERPHOSPHATE PLANT /WJ301589/ NEAR THACH SON VILLAGE, LAM THAO DISTRICT, VINH PHU PROVINCE. TWO U.S. PILOTS WERE TAKEN TO THE DEBRIEFING POINT ON ONE OCCASION IN 1962; EIGHT, IN 1966; AND AN UNKNOWN NUMBER, IN 1967. THE PRISONERS WERE ESCORTED TO THE SITE BY PERSONNEL OF THE ARMED PUBLIC SECURITY FORCES /APSF/, AND STUDENTS FROM A NEARBY SCHOOL SERVED AS PERIMETER GUARDS. EACH TIME PRISONERS WERE BROUGHT TO THE SITE THEY RODE IN AN OPEN CAR OF CHINESE ORIGIN RESEMBLING AN AMERICAN JEEP. SOME OF THE ESCORT GUARDS RODE IN A LEAD CAR AND OTHERS RODE IN TWO CARS FOLLOWING THE PRISONERS. UPON THEIR ARRIVAL AT THE PLANT, THE GUARDS LINED UP, FORMING A CORRIDOR THROUGH WHICH THE PILOTS ENTERED THE BUILDING. AT THIS POINT A SOVIET, A CHINESE AND A VIETNAMESE GREETED THE PILOTS AND LED THEM INTO THE BUILDING. THE PILOTS USUALLY REMAINED IN THE BUILDING FOR SEVERAL HOURS. WHEN THEY EMERGED THEY HAD CHANGED FROM UNIFORMS INTO CIVILIAN CLOTHING.

[REDACTED] SAID [REDACTED]

[REDACTED] HAD TOLD HIM THE FOREIGNERS WERE SOVIET AND COMMUNIST CHINESE. SOVIET PERSONNEL HAD BEEN STATIONED AT THE PLANT SINCE ITS CONSTRUCTION IN 1963, BUT IN 1965 THE NUMBER OF SOVIETS WAS REDUCED TO THREE OR FOUR, AND IT REMAINED AT THAT LEVEL AS OF JUNE 1967. ABOUT 20 COMMUNIST CHINESE PERSONNEL ARRIVED AT THE PLANT IN 1966 AND THERE WERE STILL ABOUT 20 THERE AS OF JUNE 1967 AS FAR AS [REDACTED] KNEW, THE SOVIET AND COMMUNIST CHINESE PERSONNEL GOT ALONG WELL.

(over)

REPRODUCED AT THE NATIONAL ARCHIVES

Summary of 1981 After Discussion as remembered by Source:

Casey came into the Roosevelt Room from the Oval office with President Reagan and Vice President Bush. National Security Advisor Allen joined them, as they stopped for a moment to talk.

They were headed toward another larger meeting, and Chief of Staff Baker and Deaver stood a few feet away, at the doorway, waiting for the group to enter the meeting.

Casey said to the President: "What do you want to do about the message?"

President: "What message?"

Casey: "The message from the Vietnamese, through the Canadians and China."

President: (To Group) "What do you think?"

Casey: "I think its just China running interference at Vietnam."

VP Bush: "I agree."

Casey: "We can't give \$4.5 billion to the Vietnamese, it would be paying blackmail."

VP Bush: "Yeah, I agree."

Allen: "If these are live POWs, we should do something about it."

Baker and Deaver come up.

Baker: "Its time for the meeting."

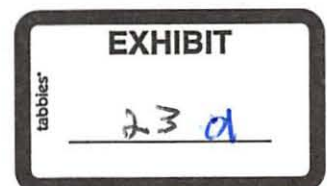
President: "OK....(to Casey) do something about it."

Group departs room for meeting.

Exh. 11-A

000123

75



REPRODUCED AT THE NATIONAL ARCHIVES

- Walford
- Amante
- Ikle

Feb 1981 mtg -

Roosevelt Room (Oct. Room not)

15 people

Ross (P), (VP) Casey

(P) Coy

Yuse, Babin, Davis

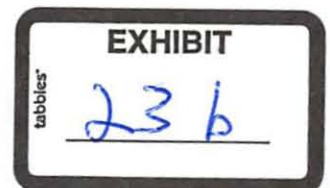
Loth had telegram / Polithera → then Cherni, Canada, to me
NVN claim 57 men; wanted + 45.

Following week - another mtg - also in Roosevelt Room.

Casey goes to (P) - says climbed up 10A; says we
know who & where they are. Baker angry at
Casey going directly to (P).

EX 11-B

000124



76

EX 11C

10-30-92 04:22PM

FROM SEN L JIMITH DC

TO 42300

P002/004

JOHN F. KERRY, MASSACHUSETTS
 CHAIRMAN
 THOMAS A. BASORE, SOUTH DAKOTA
 HARRY REID, NEVADA
 CHARLES E. ROSS, VIRGINIA
 J. ROBERT KERRY, MASSACHUSETTS
 WENDELL A. ROSS, MISSOURI

BOB DODD, NEW HAMPSHIRE
 VICE CHAIRMAN
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 CHUCK CRABTREE, IOWA
 NANCY LINDEN KASSERBAUM, KANSAS
 JESS HELMS, NORTH CAROLINA

FRANCIS A. ZWANE, STAFF DIRECTOR
 DAVID CARLUCCI, DEPUTY STAFF DIRECTOR
 J. WILLIAM COUDRIA, GENERAL COUNSEL

United States Senate

SELECT COMMITTEE ON POW/MIA AFFAIRS

WASHINGTON, DC 20510-6500

November 4, 1992

Mr. John F. Syphrit
 14314 Mansion Heights Drive
 Harvard, Illinois 60033

Dear Mr. Syphrit:

As Members of the United States Senate Select Committee on POW/MIA Affairs, we are writing to request that you voluntarily appear before the Select Committee at the earliest possible date.

We would like you to describe under oath your reported knowledge of a 1981 offer discussed at the White House involving the return of American POWs by Vietnam in exchange for \$4.5 billion by the United States. We understand you acquired this reported knowledge in your capacity as an individual serving a limited function on a Secret Service detail inside the White House in 1981.

As you are aware, the Select Committee chose not to enforce the subpoena we served on you in July following a request by the Executive Branch for discussions on this matter. Since July, the Select Committee has held discussions with the National Security Advisor to the President, the Secretary of the Treasury, and the Director of the Secret Service. During these discussions, no one has challenged the authority of the Select Committee to issue the subpoena that was served on you. However, the Executive Branch has urged that we not enforce the subpoena because it may set a precedent which would adversely affect the unique, protective relationship between the President and the Secret Service.

We want to underscore the importance we place on determining the accuracy of your information. It is the view of the Select Committee that any American that may have information on American prisoners of war being held after 1973 has a moral obligation to our missing men and their families to bring this information to our attention. We have no doubt that you are a patriotic American who loves his country, as demonstrated by your distinguished military and civilian service record spanning 24 years.

We hope you will therefore comply with our request that you provide your sworn testimony on a voluntary basis. By not complying with this request, the Select Committee will be faced

Exh. 11-C

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EX 11C5

10-30-92 04:22PM FROM SEN. SMITH DC TO 42300

P003/004

Mr. John F. Syphrit
November 4, 1992
page 2

with having to balance the concerns of preserving the integrity of the Secret Service in its role of protecting the President with the Committee's determination to obtain all relevant testimony where necessary by subpoena. With your cooperation, the Select Committee will not be forced into this difficult position.

We also want to allay any concerns you may have about possible intimidation, harassment, or retaliation against you as a result of any statements you make before the Select Committee. Both the Department of the Treasury and the Secret Service have assured us that they will not assume a posture of retaliation against you for voluntarily testifying before the Select Committee. We ask you to accept our word as United States Senators that we will take strong action to respond to any retaliation or intimidation against you as a result of being asked to testify before our Committee.

You may know that the laws of the United States make obstruction of a congressional investigation a criminal offense. In 1982, Congress enacted the Victim and Witness Protection Act to strengthen these criminal provisions. It is a criminal offense to attempt to intimidate, threaten, or corruptly persuade an individual in order to induce the individual not to testify before a congressional committee, or to withhold information, or to change his or her testimony.

Harassment of an individual to hinder or dissuade the individual from testifying is also criminal conduct. The criminal penalties for obstructing an investigation or tampering with a witness extend up to ten years' imprisonment and \$250,000 fines in the most serious cases. These laws are complemented by civil statutes prohibiting interference with or retaliation against government employees, military or civilian, for providing information to Congress.

As the Chairman of our Committee stated on the floor of the Senate this past spring, "Even a hint that any witness is being harassed, intimidated, or threatened in any way will be the basis for an immediate referral of the incident to the appropriate authorities for investigation and, where justified, criminal prosecution."

We hope this letter has convinced you of the importance we place on hearing your sworn testimony. The Senate has given us an important mission, which the American people expect us to complete.

EX11C3

10-30-92 04:22PM FROM SEN BO SMITH DC TO 42300

P904/004

Mr. John F. Syphrit
November 4, 1992
page 2

Your decision to assist the Select Committee will be greatly appreciated. We ask that you immediately contact us to arrange for your testimony at the earliest possible date. Should you have any questions on this matter, please contact any one of us directly.

Sincerely,



BOB SMITH
Vice-Chairman
United States Senator

JOHN F. KERRY, USS
Chairman
United States Senator

JOHN MCCAIN
United States Senator

TOM DASCHLE
United States Senator

HANK BROWN
United States Senator

HARRY REID
United States Senator

CHUCK GRASSLEY
United States Senator

CHARLES ROBB
United States Senator


NANCY LANDON KASSEBAUM
United States Senator

BOB KERREY
United States Senator

JESSE HELMS
United States Senator

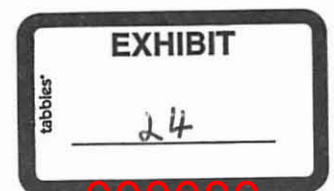
HERB KOHL
United States Senator

cc: J. Thomas Burch, Attorney at Law

103 RD CONGRESS 1st Session	SENATE	REPORT 103-1
<p>POW/MIA'S</p> <hr/> <p>R E P O R T</p> <p>OF THE</p> <p>SELECT COMMITTEE ON POW/MIA AFFAIRS</p> <p>UNITED STATES SENATE</p>  <p>JANUARY 13, 1993.—Ordered to be printed Filed pursuant to Senate Resolution 10</p> <hr/> <p>U.S. GOVERNMENT PRINTING OFFICE WASHINGTON : 1993</p> <p>62-704</p>		

Exh. 32

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To those who remembered

We salute, as well, the veterans and responsible activist groups who have never stopped pushing for answers. These are the people who fought against the forgetting; who persisted in their questioning; and whose concerns led directly to the creation of the Select Committee. The Committee's investigation has validated their efforts, for they had good reason to argue that the full story was not being told, to suggest that there was more to learn and to insist that a renewed focus on the issue would produce greater pressure and yield new results.

It is to these Americans, therefore, to the POWs who returned and to all those who did not, to the families and veterans who kept the memory alive, that we pay tribute, and to whom we have dedicated the work of this Committee, including this final report.

THE COMMITTEE'S PURPOSE

The most basic principle of personal honor in America's armed forces is never willingly to leave a fellow serviceman behind. The black granite wall on the Mall in Washington is filled with the names of those who died in the effort to save their comrades in arms. That bond of loyalty and obligation which spurred so many soldiers to sacrifice themselves is mirrored by the obligation owed to every soldier by our nation, in whose name those sacrifices were made.

Amidst the uncertainties of war, every soldier is entitled to one certainty—that he will not be forgotten. As former POW Eugene "Red" McDaniel put it, as an American asked to serve:

I was prepared to fight, to be wounded, to be captured, and even prepared to die, but I was not prepared to be abandoned.

The Senate Select Committee on POW/MIA Affairs was created to ensure that our nation meets its obligation to the missing and to the families of those still listed as unaccounted for from the war in Southeast Asia or prior conflicts. As past years have shown, that obligation cannot fully be paid with sympathy, monuments, medals, benefits or flags. It is an obligation—a solemn duty—that can be met only with the best and most complete answers that are within our power to provide.

Tragically, and for reasons found both at home and abroad, those answers have been slow in coming. Our nation has been haunted by the possibility that some of the missing may have survived and that, somewhere in Southeast Asia, brave men remain in captivity.

Although we know that the circumstances of war make it impossible for us to learn what happened to all the missing, we have been haunted, as well, by our knowledge that there are some answers from Southeast Asia we could have had long ago, but have been denied.

Because our wartime adversaries in Vietnam and Laos have been so slow to provide the answers, the American people turned to the U.S. Government for help, but events over the past 20 years have undermined the public's trust. The Indochina war, itself, was partly a secret war and records were falsified at the time to main-

tain that secrecy. The Paris Peace Accords promised answers to POW/MIA families, but the war between North and South Vietnam did not stop, and for the families of many, the answers did not come. Ever-changing Defense Department policies confused families and others about the official status of the missing and obscured even the number of men who might possibly have remained alive. The official penchant for secrecy left many families, activists and even Members of Congress unable to share fully in their own government's knowledge about the fate of fellow citizens and loved ones and this, more than anything, contributed to the atmosphere of suspicion and doubt.

Underpinning all this, the POW/MIA issue is alive today because of a fundamental conflict between the laws of probability and the dictates of human nature. On a subject as personal and emotional as the survival of a family member, there is nothing more difficult than to be asked to accept the probability of death when the possibility of life remains. Since Operation Homecoming, the U.S. Government has sought to avoid raising the hopes of POW/MIA families; it has talked about the need to maintain perspective and about the lack of convincing evidence that Americans remain alive. But U.S. officials cannot produce evidence that all of the missing are dead; and because they have been so careful not to raise false hopes, they have left themselves open to the charge that they have given up hope. This, too, has contributed to public and family mistrust.

Many of the factors that led to controversy surrounding the fates of Vietnam-era POW/MIAs are present, as well, with respect to the missing from World War II, Korea and the Cold War. Here, too, there have been barriers to gaining information from foreign governments; excessive secrecy on the part of our own government; and provocative reports—official and unofficial—about what might have happened to those left behind.

The Select Committee was created because of the need to reestablish trust between our government and our people on this most painful and emotional of issues. It was created to investigate and tell publicly the complete story about what our government knows and has known, and what it is doing and has done on behalf of our POW/MIAs. It was created to examine the possibility that unaccounted for Americans might have survived in captivity after POW repatriations at Odessa in World War II, after Operation Big Switch in Korea in 1953, after Cold War incidents, and particularly after Operation Homecoming in Vietnam in 1973. It was created to ensure that accounting for missing Americans will be a matter of highest national priority, not only in word but in practice. It was created to encourage real cooperation from foreign governments. It was created, in short, to pursue the truth, at home and overseas.

Whether the Committee has succeeded in its assigned tasks will be a matter for the public and for history to judge. Clearly, we cannot claim, nor could we have hoped, to have learned everything. We had neither the authority nor the resources to make case by case determinations with respect to the status of the missing. The job of negotiating, conducting interviews, visiting prisons, excavating crash sites, investigating live-sighting reports and evaluating archival materials can only be completed by the Executive branch.

claims that prisoners were being held, and on the large number of American pilots who were listed as missing in action in Laos compared to the number being proposed for return. Top military and intelligence officials expressed the hope, at the time the peace agreement was signed, that as many as 41 servicemen lost in Laos would be returned. However, only ten men (7 U.S. military, 2 U.S. civilian and a Canadian) were on the list of prisoners captured in Laos that was turned over by the DRV.

During the first 60 days, while the American troop withdrawal was underway, the Nixon Administration contacted North Vietnamese officials repeatedly to express concern about the incomplete nature of the prisoner lists that had been received. In early February, President Nixon sent a message to the DRV Prime Minister saying, with respect to the list of only ten POWs from Laos, that:

U.S. records show there are 317 American military men unaccounted for in Laos and it is inconceivable that only ten of these men would be held prisoner in Laos.¹⁴

Soon thereafter, Dr. Kissinger presented DRV officials with 19 case folders of Americans who should have been accounted for, but who were not. The U.S. protests continued¹⁵ and in mid-March, the U.S. threatened briefly to halt the withdrawal of American troops if information about the nine American prisoners on the DRV/Laos list and about prisoners actually held by the Pathet Lao were not provided.¹⁶ By the end of the month, top Defense Department officials were recommending a series of diplomatic and military options aimed at achieving an accounting for U.S. prisoners thought to be held in Laos.

Ultimately, the Nixon Administration proceeded with the withdrawal of troops in return for the release of prisoners on the lists provided by the North Vietnamese and Viet Cong.

Post-homecoming

The public statements made by President Nixon and by high Defense Department officials following the end of Operation Homecoming did not fully reflect the Administration's prior concern that live U.S. prisoners may have been kept behind. Administration officials did, however, continue to stress publicly the need for Vietnam to meet its obligations under the peace agreement, and U.S. diplomats pressed both the North Vietnamese and the Pathet Lao for information concerning missing Americans. Unfortunately, due to the intransigence of our adversaries, those efforts were largely unavailing.

During the Committee's hearings, it was contended by Dr. Kissinger and some Members of the Committee that Congressional at-

¹⁴ Cable from President Nixon to Pham Van Dong, February 2, 1973.

¹⁵ For example, Dr. Kissinger sent a cable to Le Duc Tho on March 20, 1973 saying, in part: "The U.S. side has become increasingly disturbed about the question of American prisoners held or missing in Laos . . . the U.S. side has made clear on many occasions that the list of only nine American prisoners presented belatedly by the Pathet Lao is clearly incomplete."

¹⁶ Some Members of the Select Committee believe that the U.S. threat to halt troop withdrawals referred only to the prisoners on the DRV/Laos list, and have cited testimony by some former Nixon Administration officials and some contemporary press accounts to support that view.

titudes would have precluded any Administration effort to respond forcefully to the DRV's failure to provide an accounting for missing American servicemen. These Members of the Committee contend that their view is supported by the Senate's rejection on May 31, 1973 of an amendment offered by U.S. Sen. Robert Dole that would have permitted the continued bombing of Laos and Cambodia if the President certified that North Vietnam "is not making an accounting, to the best of its ability, of all missing in action personnel in Southeast Asia."¹⁷

CONCLUSIONS

The Committee believes that its investigation contributed significantly to the public record of the negotiating history of the POW/MIA provisions of the Paris Peace Accords, and of the complications that arose during efforts to implement those provisions both before and after the completion of Operation Homecoming. That record indicates that there existed a higher degree of concern within the Administration about the possibility that prisoners were being left behind in Laos than had been known previously, and that various options for responding to that concern were discussed at the highest levels of government.

The Committee notes that some Administration statements at the time the agreement was signed expressed greater certainty about the completeness of the POW return than they should have and that other statements may have understated the problems that would arise during implementation and that—taken together, these statements may have raised public and family expectations too high. The Committee further notes that statements made after the agreement was signed may have understated U.S. concerns about the possibility that live prisoners remained, thereby contributing in subsequent years to public suspicion and distrust. However, the Committee concludes that the phrasing of these statements was designed to avoid raising what were believed to be false hopes among POW/MIA families, rather than to mislead the American people.

Investigation of the accounting process

The Committee investigation included a comprehensive review of the procedures used by the U.S. Government to account for American prisoners and missing from the beginning of the war in Southeast Asia until the present day. The purposes were:

To determine accurately the number of Americans who served in Southeast Asia during the war who did not return, either alive or dead;

To evaluate the accuracy of the U.S. Government's own past and current process for determining the likely status and fate of missing Americans;

To learn what the casualty data and intelligence information have to tell us about the number of Americans whose fates are truly "unaccounted for" from the war in Vietnam; and

¹⁷ Other Committee Members believe that this second degree amendment to an amendment offered by Sen. Mark Hatfield was aimed far more at authorizing President Nixon to continue prosecuting the war in Southeast Asia than to gain an accounting for missing Americans.

To consider whether efforts to obtain the fullest possible accounting of our POW/MIAs was treated, as claimed, as a matter of "highest national priority" by the Executive branch;

To assess the extent to which Defense Department and DIA accounting policies and practices contributed to the confusion, suspicion and distrust that has characterized the POW/MIA issue for the past 20 years; and

To determine what changes need to be made to policies and procedures in order to instill public confidence in the government's POW/MIA accounting process with respect to past and future conflicts.

Although 2,264 Americans currently are listed as "unaccounted for" from the war in Indochina, the number of Americans whose fate is truly unknown is far smaller. Even during the war, the U.S. Government knew and the families involved knew that, in many of these cases, there was certainty that the soldier or airman was killed at the time of the incident. These are generally cases involving individuals who were killed when their airplanes crashed into the sea and no parachutes were sighted, or where others witnessed the death of a serviceman in combat but were unable to recover the body.

Of the 2,264 Americans now listed as unaccounted for, 1,095 fall into this category. These individuals were listed as "killed in action/body not recovered" (KIA/BNR) and were not included on the lists of POW/MIAs that were released publicly by the Defense and State Departments during the war or for several years thereafter. It was not until the late 1970's that KIA/BNRs were added to the official lists of "missing" Americans.

The next largest group of Americans now on the list of 2,264 originally was listed by the military services or by DIA as "missing in action." These are individuals who became missing either in combat or in non-combat circumstances, but who were not known for certain either to have been killed or to have been taken into captivity. In most, but not all, of these cases, the circumstances of disappearance coupled with the lack of evidence of survival make it highly probable that the individual died at the time the incident occurred.

Approximately 1,172 of the still unaccounted for Americans were originally listed either as MIA or as POW. Of these, 333 were lost in Laos, 348 in North Vietnam, 450 in South Vietnam, 37 in Cambodia and 4 in China. Since before the war ended, the POW/MIA accounting effort has focused, for good reason, on a relatively small number of these 1,172 Americans, that is, those who were either known to have been taken captive, or who were lost in circumstances under which survival was deemed likely or at least reasonably possible. These cases, in addition to others in which intelligence indicates a Southeast Asian Government may have known the fate of the missing men, are currently referred to as "discrepancy cases."

In 1987, Gen. John W. Vessey, Jr. (USA-Ret.) was appointed Presidential Emissary to Vietnam on POW/MIA matters. Gen. Vessey subsequently persuaded Vietnam to allow in-country investigations by the U.S. Government of high-priority discrepancy cases. The DIA and DOD's Joint Task Force-Full Accounting (JTF-FA) have

identified a total of 305 discrepancy cases, of which 196 are in Vietnam, 90 are in Laos, and 19 are in Cambodia.¹⁸

In 61 of the cases in Vietnam, the fate of the individual has been determined through investigation, and the Committee finds that Gen. Vessey correctly states that the evidence JTF-FA has gathered in each of these cases indicates that the individuals had died prior to Operation Homecoming. The first round of investigation of the 135 remaining cases in Vietnam is expected to be completed by January 18, 1993. A second round of investigation, which will proceed geographically on a district by district basis, will commence in February, 1993.

None of the discrepancy cases in Laos and Cambodia has been resolved. Because many of the Americans lost in those countries disappeared in areas that were under the control of North Vietnamese forces at the time, resolution of the majority of Laos/Cambodia cases will depend on a process of tripartite cooperation that has barely begun. The Committee further finds that, in addition to the past reluctance of the Vietnamese and Lao to agree to a series of tripartite talks with the United States, both the Department of State and the Department of Defense have been slow to push such a process forward.

As mentioned above, the Committee will append a case-by-case description of the circumstances of loss of each unresolved discrepancy case to this report. Those descriptions demonstrate that the U.S. Government has knowledge in only a small number of cases that the individuals involved were held captive and strong indications in only a small number more.

However, that is not to say that the Governments of Vietnam and Laos do not have knowledge pertaining to these or other MIA cases which may indicate survival. Answers to these troublesome questions will best be obtained through an accounting process that enjoys full cooperation from those governments.

The findings of this phase of the Committee's investigation include:

By far the greatest obstacle to a successful accounting effort over the past twenty years has been the refusal of the foreign governments involved, until recently, to allow the U.S. access to key files or to carry out in-country, on-site investigations.

The U.S. Government's process for accounting for Americans missing in Southeast Asia has been flawed by a lack of resources, organizational clarity, coordination and consistency. These problems had their roots during the war and worsened after the war as frustration about the ability to gain access and answers from Southeast Asian Governments increased. Through the mid-1980's, accounting for our POW/MIAs was viewed officially more as a bureaucratic exercise than as a matter of "highest national priority."

The accounting process has improved dramatically in recent years as a result of the high priority attached to it by Presidents Reagan and Bush; because of the success of Gen. Vessey

¹⁸ Gen. Vessey's responsibilities are limited to Vietnam. The investigation of discrepancy cases in Laos and Cambodia is the responsibility of the Joint Task Force-Full Accounting, established January 23, 1992, as a successor to the Joint Casualty Resolution Center.

and the JTF-FA in gaining permission for the U.S. to conduct investigations on the ground in Southeast Asia; because of an increase in resources; and because of the Committee's own efforts, in association with the Executive branch, to gain greater cooperation from the Governments of Vietnam, Laos and Cambodia.

After an exhaustive review of official and unofficial lists of captive and missing Americans from wartime years to the present, the Committee uncovered numerous errors in data entry and numerous discrepancies between DIA records and those of other military offices. The errors that have been identified, however, have since been corrected. As a result, the Committee finds no grounds to question the accuracy of the current, official list of those unaccounted for from the war in Southeast Asia. This list includes 2,222 missing servicemen except deserters and 42 missing civilians who were lost while performing services for the United States Government. The Committee has found no evidence to support the existence of rumored "secret lists" of additional missing Americans.

The decision by the U.S. Government to falsify "location of loss" data for American casualties in Cambodia and Laos during much of the war contributed significantly both to public distrust and to the difficulties experienced by the DIA and others in trying to establish what happened to the individuals involved.

The failure of the Executive branch to establish and maintain a consistent, sustainable set of categories and criteria governing the status of missing Americans during and after the war in Southeast Asia contributed substantially to public confusion and mistrust. During the war, a number of individuals listed as "prisoner" by DIA were listed as "missing in action" by the military services. After the war, the legal process for settling status determinations was plagued by interference from the Secretary of Defense, undermined by financial and other considerations affecting some POW/MIA families and challenged in court. Later, the question of how many Americans remain truly "unaccounted for" was muddled by the Defense Department's decision to include "KIA/BNR's"—those known to have been killed, but with bodies not recovered—in their listings. This created the anomalous situation of having more Americans considered unaccounted for today than we had immediately after the war.

The Committee's recommendations for this phase of its investigation include:

Accounting for missing Americans from the war in Southeast Asia should continue to be treated as a "matter of highest national priority" by our diplomats, by those participating in the accounting process, by all elements of our intelligence community and by the nation, as a whole.

Continued, best efforts should be made to investigate the remaining, unresolved discrepancy cases in Vietnam, Laos and Cambodia.

The United States should make a continuing effort, at a high level, to arrange regular tripartite meetings with the Govern-

ments of Laos and Vietnam to seek information on the possible control and movement of unaccounted for U.S. personnel by Pathet Lao and North Vietnamese forces in Laos during the Southeast Asia war.

The President and Secretary of Defense should order regular, independent reviews of the efficiency and professionalism of the DOD's POW/MIA accounting process for Americans still listed as missing from the war in Southeast Asia.

A clear hierarchy of responsibility for handling POW/MIA related issues that may regrettably arise as a result of future conflicts must be established. This requires full and rapid coordination between and among the intelligence agencies involved and the military services. It requires the integration of missing civilians and suspected deserters into the overall accounting process. It requires a clear liaison between those responsible for the accounting (and related intelligence) and those responsible for negotiating with our adversaries about the terms for peace. It requires procedures for the full, honest and prompt disclosure of information to next of kin, at the time of incident and as other information becomes available. And it requires, above all, the designation within the Executive branch of an individual who is clearly responsible and fully accountable for making certain that the process works as it should.

In the future, clear categories should be established and consistently maintained in accounting for Americans missing during time of war. At one end of the listings should be Americans known with certainty to have been taken prisoner; at the other should be Americans known dead with bodies not recovered. The categories should be carefully separated in official summaries and discussions of the accounting process and should be applied consistently and uniformly.

Present law needs to be reviewed to minimize distortions in the status determination process that may result from the financial considerations of the families involved.

Wartime search and rescue (SAR) missions have an urgent operational value, but they are also crucial for the purposes of accounting for POW/MIAs. The records concerning many Vietnam era SAR missions have been lost or destroyed. In the future, all information obtained during any unsuccessful or partially successful military search and rescue mission should be shared with the agency responsible for accounting for POW/MIAs from that conflict and should be retained by that agency.

Investigation of POW/MIA-related intelligence activities

The Committee undertook an investigation of U.S. intelligence agency activities in relation to POW/MIA issues. This included a review of the DIA's primary role in investigating and evaluating reports that Americans missing from the Vietnam war were or are being held against their will since the end of the war in Southeast Asia. The investigation also included a review of signals intelligence (SIGINT) obtained by the National Security Agency (NSA), a review of imagery intelligence (IMINT) obtained by aerial photog-

The Committee also believes that a central coordinating mechanism for pooling and acting upon POW/MIA-related intelligence information should be created as one of the Intelligence Community's Interagency Coordination Centers.

The Committee notes that the focus of the POW/MIA accounting process is in Southeast Asia. As a result, DIA analysts are spending more and more of their time traveling back and forth between Washington and the region or to Hawaii. The Committee believes that this would be an opportune time to move the DIA's POW/MIA office to Hawaii where it could be closer to JTF-FA and CINCPAC, which it supports. A number of tasks now sometimes performed by the office involving public and family relations can be handled, and handled more capably and appropriately, by the office of the Deputy Assistant Secretary of Defense for POW/MIA Affairs.

Live-sighting Reports. For the past 20 years, there has been nothing more tantalizing for POW/MIA families than reports that Americans have been seen alive in Southeast Asia and nothing more frustrating than the failure of these reports to become manifest in the form of a returning American—with the single exception of Marine Private Robert Garwood in 1979.

A live-sighting report is just that—a report that an American has been seen alive in Southeast Asia in circumstances which are not readily explained. The report could come from a refugee, boat person, traveler or anyone else in a position to make such an observation. The information could be first-hand or hearsay; it could involve one American or many; it could be detailed or vague; it could be recent or as far back as the end of the war.

The sheer number of first-hand live sighting reports, almost 1600 since the end of the war, has convinced many Americans that U.S. POWs must have been kept behind and may still be alive. Other Americans have concluded sadly that our failure, after repeated efforts, to locate any of these alleged POWs means the reports are probably not true. It is the Committee's view that every livesighting report is important as a potential source of information about the fate of our POW/MIAs.

Accordingly, the review and analysis of live-sighting reports consumed more time and staff resources than any other single issue. The Committee investigation used a method of analysis that was based on the content of a carefully screened set of reports that dealt only with men allegedly seen in captivity after Operation Homecoming. The Committee took into account past criticisms and assessed current procedures while examining and testing DIA's methodology for evaluating live-sighting reports. In so doing, Committee investigators examined more than 2000 hearsay and first-hand live-sighting files while compiling a list of 928 reports for "content" analysis. These reports were plotted on a map and grouped into geographic "clusters". During briefings and public hearings, the Committee reviewed the most significant "clusters" for the purpose of determining whether they would, taken together, constitute evidence of the presence of U.S. POWs in certain locations after Operation Homecoming.

DIA Assessment. It is DIA's position that the live-sighting reports evaluated to date do not constitute evidence that currently unaccounted for U.S. POWs remained behind in Southeast Asia

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after the end of the war. Of the 1638 first-hand reports received since 1975, DIA considers 1,553 to be resolved.²⁰

Committee View. The Committee notes that 40 first-hand live-sighting reports remain under active investigation and that the nature of the analytical process precludes certainty that all past DIA evaluations are correct. Accordingly, the Committee recommends a strong emphasis on the rapid and thorough follow-up and evaluation of current unresolved and future live-sighting reports. The DIA is urged to make a continued and conscious effort to maintain an attitude among analysts that presumes the possible survival of U.S. POWs. The Executive branch is also urged to continue working with the governments of Southeast Asia to expand our ability to conduct on the ground, on-site investigation and inspections throughout the region.

The role of the National Security Agency (signals intelligence)

The responsibility for monitoring and collecting signals (including communications) intelligence rests with the National Security Agency (NSA). During the Vietnam War, the NSA monitored all available sources of signals intelligence bearing on the loss, capture or condition of American personnel. Such information would sometimes provide a basis for concluding whether or not a missing American had survived his incident and, if so, possibly been taken prisoner.

During its investigation, the Committee was disturbed to learn that the NSA and its Vietnam branch were never asked to provide an overall assessment of the status of POW/MIA personnel prior to Operation Homecoming. The Committee believes that this information would have been useful both for the U.S. negotiating team and for those preparing for the repatriation of American POWs. The Committee also found that neither DIA nor any other agency within the Intelligence Community placed a formal requirement for collection with NSA concerning POW/MIA related information. In fact, the Committee found that NSA end product reports were not used regularly to evaluate the POW/MIA situation until 1977. It was not until 1984 that the collection of information on POW/MIAs was formally established as a matter of highest priority for SIGINT.

After the fall of Saigon, the National Security Agency and the military service components that support it largely dismantled their collection efforts in Southeast Asia. The elaborate collection capabilities that supported the war essentially ceased or were relocated to other trouble spots around the world. The analytical organizations that monitored signals intelligence in the region were also disbanded or sharply reduced as personnel were transferred to other assignments.

U.S. collection capabilities were further diminished during this period as Vietnam and Laos developed secure landline communica-

²⁰ According to DIA, 1111 (68%) first-hand live-sighting reports correlate to Americans who are accounted for (returned POWs, missionaries, civilians jailed for reasons unrelated to the war etc); 45 (3%) of the reports were correlated to wartime sightings of military personnel or pre-1975 sightings of civilians who remain unaccounted for; and 397 (24%) of the reports were found to be fabrications. Of the 85 reports that remain under investigation, 54 pertain to Americans allegedly seen in a captive environment.

citizen representing POW/MIA families would be in a position to try to deny Senate investigators the same right to review sensitive materials that she herself has been granted.

The Committee believes that an interagency coordinating body for POW/MIA policies is needed and that the IAG ably fulfills this role. However, the Committee is disturbed by the lack of formality in IAG record-keeping and believes that, at a minimum, that the minutes of discussions at such meetings should be maintained.

Second, although the IAG should consult regularly with the League and other POW/MIA family organizations, the Committee believes that the role of the IAG and issues of membership on it should be reviewed by the new Administration.

Government-to-government offers

The Committee investigated the possibility that Vietnam or Laos had approached U.S. officials at any time since the end of the war in Southeast Asia with a proposal that live U.S. POWs be returned in exchange for money or some other consideration. The Committee found no convincing evidence of any such offer being made. There were, however, two incidents which require further explanation.

The Committee received information that the Reagan Administration may have received an offer from Vietnam in 1981, transmitted through a third country, to exchange live POWs for \$4.5 billion. The source of the information was a Secret Service agent who reported that he had overheard a discussion in the White House concerning this subject. The Committee deposed one of the individuals, former National Security Adviser Richard Allen, said to have been involved in the discussion, and several individuals who were said to have been in the area of the discussion. The Secret Service agent was not willing to provide testimony to the Committee voluntarily, and the Committee voted 7-4 not to subpoena that testimony. A complete description of the investigation and the subpoena issue is contained in Chapter 6 of this report.

The Committee also received a report concerning a possible approach by Vietnam in 1984, through officials in an ASEAN nation, concerning the exchange of American remains and possibly live POWs. According to the report, the Vietnamese had indicated that they would welcome an offer from the U.S. on the subject. U.S. officials traveled to Vietnam late in 1984, but were reportedly told by Vietnamese officials that there were no live POWs and that the only issue that could be discussed involved remains. Select Committee investigators traveled to the ASEAN nation to interview officials in an effort to determine whether an approach from Vietnam concerning live U.S. POWs had, in fact, been made. The results were inconclusive. Two secondary sources disagreed about whether an exchange involving live POWs had been discussed. The individual who had initially discussed the subject with Vietnamese officials later told the State Department that the issue of live American POWs had not been raised. This investigation is also described in greater detail in chapter 6.

uments, such as depositions. The goal from the outset has been to create a comprehensive and unbiased public record that would be available for families, journalists, historians and citizens to review and make their own best judgments about the facts. This report is an important part of that record.

The investigation

The Committee investigation began by tracing the history of the issue back to its war-time beginnings. Clearly, the chance that American POWs are alive in Southeast Asia today depends on whether some were left behind after Operation Homecoming. The chapters in this report entitled "The Paris Peace Accords" and "Accountability" focus in detail on this possibility.

The largest share of Committee efforts was devoted to examining information concerning the possible survival of Americans during the post-war period and up to the present day. This required the review of vast quantities of first, second and third-hand "livesighting" reports; the analysis of a wide range of intelligence; examination of the methods that DIA uses to evaluate information; and the consideration of indications that POWs may have been transferred to the former Soviet Union or to China during or after the Korean or Vietnamese conflicts. Chapters 4 and 9 describe this aspect of the Committee's investigation.

Cooperation of Southeast Asia governments

It will be extremely difficult for our government to obtain additional solid information concerning the fate of our POW/MIAs without the cooperation of Vietnam, Laos and Cambodia.

Accordingly, the Committee has sought to use its review of POW/MIA issues to encourage recent trends toward greater cooperation between and among these governments and the United States. Members of the Committee traveled to Southeast Asia in April, October, November and December, 1992 for talks with foreign officials and U.S. personnel deployed there. In addition, Committee Members have met from time to time in the United States with representatives of the foreign governments to exchange information and clarify outstanding questions.

Below is a very brief summary of the situation that existed in each of these three countries at the time the Committee's work began. A full description of the issue is contained in the "Vietnam, Laos and Cambodia" chapter of this report.

Vietnam

When the Committee was formed, 1656 Americans were listed as unaccounted for in Vietnam. Since the end of U.S. involvement in hostilities on January 27, 1973, the remains of 266 Americans have been returned and identified.

Most of the Americans lost or captured in North Vietnam during the war were Air Force or Navy airmen who crashed in populated areas accessible to Vietnamese authorities. The North Vietnamese made a systematic effort to investigate crash sites, capture and process American POWs, bury and preserve remains and maintain centralized records.

About two-thirds of the Americans lost in South Vietnam were enlisted Army and Marine Corps personnel. U.S. officials have found that records and information concerning American prisoners held in the south are less complete than for those held in the north.

Since the war, Vietnamese officials have steadfastly denied that any Americans are held captive or that the remains of American servicemen are being knowingly withheld.

Cooperation from Vietnam is essential to the resolution not only of cases involving Americans lost or captured in Vietnam, but in Cambodia and Laos, as well. This is because the vast majority of Americans missing in those countries were believed to have become missing in areas under the control of North Vietnamese military forces at the time. Thus, Vietnam's military archives and other records are an important potential source of information concerning the fates of these men.

Since 1973, the degree of cooperation received from Vietnam has varied widely depending on the international political situation. A good working relationship was impossible during the years immediately after Operation Homecoming because of disputes over violations of the Paris Peace Accords. After the fall of Saigon in 1975, some efforts were made on both sides to pave the way for more normal political and diplomatic relations. That progress came to an abrupt halt in late 1978, however, following Vietnam's invasion of Cambodia, which the United States strongly opposed. Significant bilateral discussions did not resume until the early 1980's, but have since grown steadily in their frequency and depth.

One of the most positive outgrowths of recent talks was the appointment, in 1987 of Gen. John W. Vessey, Jr. (USA Ret.), as the President's special envoy to Vietnam. As a result of Gen. Vessey's discussions with then-Vietnamese Foreign Minister Nguyen Co Thach, the U.S. established a POW/MIA liaison office in Hanoi in July, 1991. The purposes of the office are to investigate live-sighting reports, to conduct joint searches for the remains of American servicemen and to seek access to the relevant Vietnamese records.

The Vessey team has placed a major emphasis on the investigation and resolution of the "discrepancy" cases. Discrepancy cases are those where U.S. officials believe there is the highest probability that additional information concerning a missing American can, with the proper degree of cooperation and investigation, be found. Currently, 135 discrepancy cases involving Americans lost in Vietnam are under investigation and a preliminary investigation in Vietnam of each case is to be completed by January 1993.

Laos

At the time of the Committee's creation, 528 Americans were listed as unaccounted for in Laos, of whom 335 were considered POW/MIA. Only 12 U.S. POWs captured in Laos returned during Operation Homecoming and one, Emmet Kay, who was captured after the ceasefire returned in September 1974. Since the end of the Vietnam conflict, the remains of 42 servicemen have been repatriated.

U.S. efforts to obtain information from Laos authorities have been complicated by the facts that Laos was not a party to the

Paris Peace Accords and the United States was not a party to the 1973 Laos cease-fire agreement that pledged all sides to return captive personnel. In addition, the Defense Department estimates that at least 75 percent of the Americans missing in Laos were lost in areas controlled at the time by North Vietnamese armed forces. These losses were generally in eastern Laos along the border with Vietnam and near the Ho Chi Minh Trail.

Although the POW/MIA records kept by the Lao have been judged to be less extensive than those kept by Vietnam, there is credible evidence that at least a few unaccounted for Americans were actually held by Pathet Lao forces during the war. Therefore, the Lao can be expected to have knowledge concerning the fate of these individuals. Additionally, there is strong reason to believe that North Vietnamese military were instructed to recover and record all they could about downed U.S. aircraft and killed or captured pilots. Thus, efforts to account for many Americans will ultimately require tri-lateral cooperation involving not only the U.S. and Laos, but Vietnam as well.

In recent years, Lao authorities have been more cooperative with the U.S. in planning and carrying out investigations at known U.S. aircraft crash sites, often in remote and virtually inaccessible locations. The government has also cooperated in efforts to evaluate photographs alleged to depict American POWs.

Cambodia

At the time of the Committee's creation, 83 Americans were listed as unaccounted for in Cambodia and no prisoners or identified remains had been repatriated during the post-war period until recently.³⁰ Cambodia was not a party to the Paris Peace Accords and no separate cease-fire agreement on repatriation was reached in the aftermath of the war. The recovery of American POWs or remains in Cambodia was made virtually impossible after 1975 when the Khmer Rouge seized power and embarked on a bloody reign of terror directed at Cambodians and foreigners alike. Throughout much of the past 20 years, the U.S. has had either difficult or non-existent diplomatic contacts with the Cambodian Government. The years of struggle and chaos leave little hope that documents or records have survived that would reveal additional information about U.S. personnel.

As in Laos, however, most of the Americans unaccounted for in Cambodia were lost near the border with Vietnam in areas where North Vietnamese forces were dominant. Thus, the best potential sources of documentary information concerning those lost in Cambodia may be in Hanoi, not in Phnom Penh.

Fortunately, the current government in Cambodia has demonstrated a willingness to cooperate with the U.S. in joint field investigations and other efforts to obtain accurate information concerning American POW/MIAs. Cambodia's Prime Minister Hun Sen has been particularly helpful in this effort.

³⁰ The remains of several people that have been returned from Cambodia were being examined at publication time.

Previous wars

The seeds of the Cold War were sown by the Red Army as it pursued the Wehrmacht across Eastern Europe. The Kremlin imposed Communist regimes on the war-ravaged nations of the region and war-time alliances were replaced by a deadly rivalry: NATO versus the Warsaw Pact. The Soviet Union and its client states, from Europe to the Bering Sea, from the Arctic to the tropics, became the theater of operations for the far-flung activities of U.S. intelligence agencies and units of each service.

To no one's surprise, the Soviet Union reacted. It kidnapped intelligence agents and "attaches." It shot down U.S. intelligence aircraft and the air crews disappeared. These were America's "Cold War losses."

Another tragic outcome of the rapid advance of the Red Army was the "liberation" of American and Allied POWs from German POW camps by the Red Army. Rather than moving these hapless soldiers westward toward their own advancing armies, the Soviets took thousands of them eastward to Odessa. Some boarded ships and eventually reached their homes safely. Others, and we may never know how many, became prisoners—not of war, but of the Soviet gulag.

During the Korean War, thousands of American fighting men were captured by North Korean and Chinese forces. Estimates vary, but clearly hundreds were not returned after the armistice and prisoner exchange. Intelligence information, collected during and after the war, indicated that many POWs were held in China, and some were sent to the Soviet Union. Therefore, accounting for the Korean War missing involves not only North Korea, but China and Russia as well.²¹

The problems the United States faces in recovering soldiers who have fallen into Communist hands predates even World War II. We note that the Bolsheviks captured American soldiers on the Archangel and Siberian fronts during the Intervention of 1918-19. Additionally, the U.S. is not alone in trying to account fully for missing and captured soldiers in the period immediately following past wars. Many of our allies from the Korean conflict still have unaccounted for servicemen.

Because the Committee's focus concerned the possibility that American POWs could still be alive, our resources were devoted primarily to investigating the relatively recent conflict in Vietnam. Nevertheless, the Committee did focus considerable attention on investigating previous wars, and conflicts. A discussion of this phase of the Committee's investigation is contained in Chapter 9 of this report.

PREVIOUS INVESTIGATIONS

The Select Committee began its work in October, 1991 fully aware that the POW/MIA issue had been examined and investigated by Congress and the Department of Defense many times in the past. One of the challenges facing the Committee was whether it

²¹ A chronological summary of policy and intelligence matters pertaining to Korean War POWs is included as an appendix to this report.

singer-Le Duc Tho meeting on August 16, 1971, the DRV proposed that "the two sides will produce the complete lists of military personnel and civilians captured during the war on the day an agreement is signed."⁴¹ This formulation was accepted by the U.S. side and thereafter appeared—in substantially identical form—in proposals by both sides and in the final agreement. Despite the concerns expressed at the time by Secretary Laird and others about whether the DRV could be trusted on this issue, the U.S. side made no effort to re-open the matter in later negotiations or proposals.

During his testimony before the Select Committee, Dr. Kissinger expressed the view that the U.S. lacked the leverage at the time of the negotiations that would have been necessary to gain DRV agreement to an earlier exchange of lists. He also cited the repeated and unsuccessful efforts by the U.S. during the public peace negotiations to obtain a complete list of U.S. prisoners.

Linkage to release of civilian prisoners

One of the most difficult issues facing the negotiators concerned the possible release of civilians detained by the Thieu Government in South Vietnam. To the DRV and Viet Cong, these were the equivalent of prisoners of war. The Government of South Vietnam, however, considered many of these prisoners to be either common criminals or political criminals who had violated the law through subversive activity. In neither case, argued the South Vietnamese, should these prisoners be treated the same as POWs.

Dr. Kissinger and other U.S. negotiators were determined to avoid linking the release of U.S. POWs to the complex questions involved in negotiating the release of the civilians in the south. They feared, quite logically, that such linkage would leave U.S. prisoners hostage to what would certainly be a highly contentious negotiating process between competing factions in South Vietnam. This issue of linkage was a frequent topic of discussion during the secret talks until October 1972, when the U.S. persuaded the North Vietnamese to leave the issue for the GVN and PRG to decide. In mid-December, however, the DRV reversed field by demanding that the release of the civilians in the south occur at the same time as the release of the U.S. POWs. This demand was a contributing factor to the President's decision to break off negotiations and begin the Christmas bombing. The DRV reverted to its October position when negotiations resumed in January, however, and the agreement to leave the issue to be worked out between the GVN and the PRG was incorporated in the accords as article 8(c).

Application to prisoners captured outside Vietnam

The most difficult task for U.S. negotiators was to attempt to gain an accounting for U.S. prisoners who were captured or held in Laos or Cambodia. Although North Vietnamese troops were active in both countries, the DRV would not admit this in negotiations. Time and again, North Vietnamese negotiators insisted that it was beyond their sovereign power to ensure the return of prisoners from Laos or Cambodia.

⁴¹ Memorandum of Conversation, with Xuan Thuy, Vo Van Sung, Phan Hien, and Henry Kissinger, Paris, August 16, 1971.

men in captivity had appeared in Pathet Lao publications. Pathet Lao spokesman Soth Petrasy had acknowledged in May, 1966 that the LPF were holding Mr. DeBruin and that he was in good health.⁶⁴

Pathet Lao Statements. Although the statements were later to be recanted, other LPF statements made prior to Operation Homecoming heightened U.S. expectations concerning the release of prisoners, as well. For example, in September, 1968, Soth Petrasy told a U.S. official that "pilots are generally kept near the area in which their plane is downed and therefore may be found throughout Laos from the south to the north."⁶⁵

In April 1971, Prince Souphanouvong, Chairman of the LPF Central Committee, made the following statement concerning prisoners:

The LPF has made public a concrete policy toward enemy soldiers or agents captured or giving themselves up, including GIs. All the American pilots engaged in bombings or toxic chemical sprays on Lao territory are considered criminals and enemies of the Lao people. But once captured, they have been treated in accordance with the humane policy of the LPF. The question of enemy captives; including U.S. pilots, will be settled immediately after the U.S. stops its intervention and aggression in Laos first, and foremost, end the bombing of Laos territory.⁶⁶

According to a September 30, 1971 report in the *Wall Street Journal*:

The Pathet Lao, a Hanoi ally not represented at the Paris Peace Talks, indicate only that they will "discuss prisoners when the U.S. pulls out of Laos." (Mrs. Stephen Hanson, whose husband a Marine captain, was seen alive on the ground after his helicopter was shot down over Laos, says a high-ranking U.S. diplomat confided to her that there were "70 or 80" U.S. prisoners in Laos. State Department officials, however, say intelligence sources indicate the possibility of "around 30 men, and that's low-level stuff—things like reports of Caucasians spotted on the Ho Chi Minh trail."⁶⁷

In February, 1972, Soth Petrasy told an interviewer that "some tens of prisoners are presently being held" by the Pathet Lao.⁶⁸

In April, 1972, Soth told the press that U.S. airmen were being detained in various caves in northern Laos.⁶⁹

These types of statements continued until as late as February 19, 1973, more than three weeks after the PPA was signed, when Soth said that the Pathet Lao had a detailed accounting of prisoners and where they were being held.⁷⁰

⁶⁴ DIA Memorandum, April 17, 1974.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

⁶⁷ *Wall Street Journal* article cited above, September 30, 1971.

⁶⁸ DIA Memorandum, April 17, 1972.

⁶⁹ *Ibid.*

⁷⁰ UPI report, Soth Petrasy statement, February 19, 1973.

tention camps for former South Vietnamese military personnel (ARVN) in the area.

Committee investigators identified 19 reported sightings of Americans in captivity in and around the Son La area. Of these reports, 9 were first-hand and 10 hearsay. Thirteen of the sightings were in the mid to late 1970's. Most involve brief, apparently accidental, sightings of a group of alleged prisoners held separate from the rest of the prison population. For example, in separate reports in 1976, one U.S. person was reportedly seen cutting bamboo, a group of 60-70 U.S. POWs were allegedly seen on a soccer field, and six POWs were apparently seen working. In 1977, there was a hearsay report that American prisoners were about to be moved, a report that 24 foreigners were seen under guard and a reported sighting of 40-50 Americans in a camp. In 1978 and 1979, there were another four reports of sightings of relatively large (30-50) groups of POWs in the area. Towards the end of 1979, China invaded this part of Vietnam and the reported sightings of large numbers of Americans stopped. Subsequent reports, all hearsay, involve the alleged sighting only of individual or small numbers of Americans.

Mr. Sheetz of DIA testified that the U.S. Government had received a total of 30 reports about the possible presence of U.S. POWs from individuals who had been under detention in the Son La area during the late 1970's, aside from the many reports correlated to Robert Garwood. Of the 30 reports, 18 were thought to be fabrications and 12 had been correlated to other types of individuals—such as Swedish development workers or Soviet advisers.

Mr. Gary Sydow, Chief of the Analysis Branch of the DIA's POW/MIA Office, testified that DIA does not believe there is any evidence that American POWs were ever held in the ARVN detention camp system in the Son La area. According to Mr. Sydow, "We've learned a lot about this system. But to hunt for PW's, this is not a place I would look." DIA officials also testified that they had interviewed more than 3700 former inmates of the prison system and been told by only a very small number about the possible presence of Americans other than Robert Garwood. According to Mr. DeStatte:

There was a tremendous flow of information there. None of these camps existed in isolation, and while . . . there was a small number of people who said that there was a number of PW's, of Americans other than Robert Garwood, I would point out that a tremendous number—a tremendously larger number of people were in that same system who were exposed to the same information flow. They say no.

The DIA officials did testify, however, that a 1979 reported sighting of 40-50 Caucasians, while under guard, bathing in a stream alongside a road in Son La province remains under active investigation.

Oudomsai (Laos)

The Oudomsai region is a very remote area of northern Laos in which few, if any, American operations occurred during the war. Committee staff investigators identified 30 reported sightings of

questing orders concerning what to do with them." According to DIA, soon after the enemy report was received, a second, more careful translation was made, and it stated, "Group has four pirates. They are going from 44 to 93. They are having difficulties moving along the road." According to information provided to the Committee, this report with its two translations were the only sources of enemy information that led Mooney to issue an informal message on May 2, 1973. His message states:

1. Have reviewed all available information concerning the four fliers mentioned in the 5 Feb. message and no additional reflections or amplifying information concerning the disposition of the fliers were revealed. For your information and consideration the following is a recap of the intercept and some other observations concerning this subject.

2. Four fliers, whose nationality was not disclosed, were located on 5 Feb. in the general area north of Moung Nong. The fliers were to be transferred from "44," a probable reference to kilometer marker 44 on route 914 (XD 495254 16-30N 106-25E) to "93," a probable reference to kilometer marker 93 on route 1032 (XD 549505, 16-43N 106-27E), and were apparently en route to west of the DMZ in Laos. Two persons were to be contacted concerning movement of the POWs and if problems were encountered, high HQS was to be notified to supply "ways and means" (references to trucks) to move the fliers. Sufficient water was to be given to the fliers.

There had been some difficulties in transporting the fliers and asked to see if these problems had been resolved so movement could continue. The person also asked that he be notified of their time of departure as he was waiting for them.

Although the initial location given, is some 65 km from the crash site it is possible that at least part of the crew were able to bail out prior to the crash and therefore could have been closer to this point than the crash site when they were captured. Further, since vehicle transportation was indicated, rapid movement is reasonable. It is possible that these four fliers were part of the crew of the EC-47.

Since Mooney's May 1973 message refers to a single enemy February 5, 1973 report and the translations of the report available to the Committee appear complete, the Committee finds it difficult to arrive at the same conclusions reached by Mooney in his May 1973 message. For example, it appears that the enemy report contains no information concerning the pilots being located near Moung Nong. It does not mention water being given to the fliers. It does not refer to the supply of "ways and means," making Mooney's conclusion concerning trucks pure conjecture.

Nor does the Committee agree with the DIA belief that it was unlikely that the enemy unit would have used kilometer markers as reference points in this type of report because using them violated basic operational security (OPSEC) practices. Other, similar types of reports have been furnished to the Committee, and enemy

tacts with the Lao Army Headquarters and Military Region 5. By 1972, this was expanded to include all other military regions in Laos, and was done with close coordination and cooperation with CIA station staff.

Beginning in 1971, the Team ensured all North Vietnamese Army and Pathet Lao prisoners and defectors were interrogated in detail on a wide variety of in-country, theater, and national intelligence requirements. Declassified documents confirm that information on U.S. POWs and MIAs was the first subject covered with all these sources. This small Exploitation Team produced all military HUMINT originated reports from Laos during 1971-75 and averaged one report per day.

Every North Vietnamese Army and significant Pathet Lao soldier arriving at Vientiane was interrogated in detail; however, with the majority of U.S. POWs who survived into captivity being taken to North Vietnam within a matter of days or weeks, there were no known prison camps for U.S. POWs available for exploitation by the Joint Personnel Recovery Center or U.S. led paramilitary forces.

The team's archival records confirm that the problem with wartime HUMINT reporting in Laos was the lack of prisoners and defectors (called ralliers by the North Vietnamese). For example, during 1964-74, there were slightly more than 150 North Vietnamese Army POWs who reached Vientiane. The precise number of defectors may have been a similar amount. This was a drop in the bucket from the tens of thousands of North Vietnamese Army forces from Military Region IV and the 559th Group operating the Ho Chi Minh Trail.

However, these prisoners and defectors were primarily from frontline tactical units, had recently been rotated into Laos, and were not from the rear-area logistical groups where most U.S. airmen were lost. Thus, the prisoners and defectors often had more information about aircraft losses over North Vietnam than over Laos.

The Pathet Lao saw little sustained combat after the mid-1960s, being almost entirely a North Vietnamese by-controlled effort, and their force structure in Laos was negligible. It shrank to almost nothing in southern Laos in 1972, when nearly the entire South Laos Regional Command Headquarters, and all major subordinate units, defected to the Royal Lao Government. A key ingredient in Laos was its severe underpopulation—less than four million people. Laos was half the geographical size of Vietnam, with onetenth its population.

The Team did not operate in isolation to the remainder of the U. S. intelligence organization in the region. The team regularly coordinated with the Order of Battle Center in Udorn, Thailand; intelligence exploitation centers in South Vietnam; and with both Lao and Thai military intelligence officials. The Team was withdrawn from Laos in the Spring of 1975, after local staff came under increasing pressure from the Pathet Lao in Vientiane. The project was terminated at the end of 1975.

Archival records of this Team confirm that the Team conducted its first behind-the-lines agent operation in 1972. Other operations followed later, and declassified documents confirm that DIA was op-

The Nixon Archives refused to allow access by the Committee to any of the Watergate tapes that had been requested. Former President Nixon's refusal to allow even the most limited access in the face of repeated requests, letters and entreaties at the highest levels caused the Committee to draw sound unfavorable inferences about the actions of the former President on this issue.

It is unfortunate that the former President had the power to limit the access and frustrate the wishes of a constitutionally created Committee of Congress to what was clearly the best evidence available.

The Committee believes that it has had access to the main materials on POW/MIA issues within the control of the U.S. Government. However, it should be noted that the Committee relied on the good faith compliance of the agencies and departments to its subpoenas and requests. The Committee had neither the ability nor desire to storm into a department or agency and "seize" its files for its review.

In a Government of laws, the Committee relied upon the lawful compliance of the agencies and departments and found its reliance well-founded. The areas listed above illustrate this: where the agency or department would not comply on a good-faith basis, the issue was joined and the department or agency and the Committee resolved it in a manner acceptable to the Committee.

The only significant area of non-compliance occurred with respect to the Watergate tapes, where former President Nixon's attorneys were able to frustrate the desire of the Committee to review the tapes for POW/MIA discussions.

Summary

The declassification effort has opened a substantial body of evidence to public scrutiny, but declassification cannot provide all of the answers. For the U.S. Government and its citizens, the facts contained in these documents require a judgment. The answers are not in the blacked-out portions of some U.S. document; if there are answers, they are in Vietnam, Laos and Cambodia.

PUBLIC AWARENESS CAMPAIGN

The problem of Americans in enemy hands was a visible and painful reminder of the Vietnam War's cost. Uncertainties about the prisoners and missing combined with the numbers who came home in body bags to erode public support for the war.

Vietnam had signed the Geneva Convention governing treatment of prisoners of war. In an apparent attempt to circumvent the Geneva Convention, Americans captured by the Vietnamese were regarded as "international bandits" or "air pirates;" within the prison system, they were referred to as "criminals," the American public learned after Operation Homecoming.

Given Vietnamese rejection of any limit on their treatment of American prisoners, families were prepared to believe stories about abusive treatment of their kin. When the Vietnamese broadcast antiwar statements made by, or attributed to, American prisoners, their cynical manipulation intensified the anger of Americans at

We continue to urge the immediate release of sick and wounded prisoners, the neutral inspection of prisoner of war facilities, and the prompt release of all American prisoners.^{***}

The same month, the Viet Cong put forward a 10-point peace plan stating that prisoner releases would have to be negotiated by the parties to the conflict as a part of the total settlement of the war. Similarly, North Vietnam argued that repatriation of prisoners must wait until the end of hostilities. The U.S. position was consistent with the provisions of the Geneva Accords, although not heavily supported by precedent.

Search for allies

That year, the U.S. Government sought to bring the issue to international attention, including by pressing for United Nations resolutions and action by the Soviet and Chinese Government, allies of—and potential conduits to—the Hanoi Government.

Similarly, the State Department stressed the Geneva Convention on Prisoners of War, generating a debate over North Vietnam's reservations about that Convention. In general, North Vietnam argued that the conflict was not a war, and the Geneva Convention did not apply—an argument not widely accepted by the international community. Hanoi also argued that the prisoners were war criminals, and thus not entitled to the protection of the Geneva Convention.

The Nixon Administration also worked with a variety of private organizations, including the fledgling National League of Families. By the end of the first year, it added an informal partnership with VIVA, which originally supported a policy of victory in Vietnam that had evolved into a POW/MIA awareness promotion. In 1970, DoD also dealt with the Committee of Liaison with Families of Prisoners and Missing (COLIAFAM), which opposed the war but was able to provide for exchange of mail with POWs. By 1972, several regional organization also became devoted to supporting POW/MIAs as anticipations of their seemingly imminent return grew.

H. Ross Perot

In the Fall of 1969, Secretary of the Navy John Warner approached H. Ross Perot to discuss the POW/MIA issue. Perot told Committee investigators that at that time Warner, Perot's friend, and Warner's aide (Col. William Leftwich) visited at length about the POW issue. Warner arranged for Perot to talk with Col. Chaplin James of the DoD, which in turn led to a meeting with Assistant Secretary of Defense Capen. Eventually, Perot said he talked with Kissinger, who asked him to mount a private effort to assist American prisoners. The objective was to embarrass the North Vietnamese into improving treatment of American prisoners to improve their chance of surviving. Col. Alexander Haig was Perot's liaison with the NSC, he said.

^{***} Pentagon press conference, May 19, 1969.

Suspicions have surrounded the debriefing of returned POWs for nearly 20 years, primarily because access has been restricted based on debriefing agreements with the returnees.³⁰⁸ Did the government leave men behind? Did key officials know it? Were the returnees told to not report certain information? Was the prison system a closed circle of knowledge; could there have been separate prison systems not known to the returning POWs? Was the American public told the truth?

Debriefing results

Life in captivity

Post-Homecoming debriefings and a DIA Intelligence Appraisal of them, now unclassified, provide a summary of the prisoners of war's experience in Southeast Asia.³⁰⁹

Captivity ranged from several hours in South Vietnam to more than eight years in the North. Most servicemen were captured during the height of the bombing of the North between 1966 and 1968. POWs captured prior to December 1971 were known as the "Old Guys." The majority of POWs were Air Force and Navy pilots shot down over North Vietnam and virtually all were captured within minutes because they descended directly into populated areas. Many suffered ejection injuries and shock which made evasion impossible; while others evaded successfully for up to 12 days. Evasion in Laos was somewhat easier and many more downed airmen were recovered in the sparsely populated and otherwise more permissive environment. POWs captured in Laos and taken to North Vietnam had spent less than three weeks in Laos itself.

The PRG returned 122 U.S. POWs; 28 were released in South Vietnam. All but one had been captured by the Viet Cong and detained near the Cambodian border and the last POW was held in the Delta region. The remaining 94 POWs were captured north of Da Lat City after 1968 and moved to North Vietnam for detention.

Living conditions in the South were primitive and life was hard. POWs often were chained or bound for long periods, primarily as a security precaution. Movement was frequent and involved walking several weeks between camp sites, and the daily survival routine varied little through the years. There was no overall policy or systematic torture of POWs in South Vietnam, but treatment varied by individual camp commanders and guards. It was more difficult to survive captivity in the South, but escape was easier, and 26 POWs (about 12 percent) captured in the South escaped.

Treatment in North Vietnam varied over three eras. Until late 1965, there was little use of torture. From late 1965 until late 1969, torture and mistreatment was common. Beginning in late 1969, torture and mistreatment declined. "Camp rules" were the basis for punishment, and they specified that all American POWs were criminals. This was consistent with North Vietnamese protests *

³⁰⁸ Letter, Assistant Secretary of Defense, Command, Control, Communications and Intelligence, dated January 15, 1992.

³⁰⁹ DIA Intelligence Appraisal, DIAIAPPR 35-73, dated 8 May 1973, subject: A Summary of Prisoner of War Experience in Southeast Asia, A Briefings and a 1973 7502 Air Intelligence Group Brief on Captivity in South East Asia.

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Under item #3, it is noted that UNC evidence concerning the survival of 944 Americans "is based on letters written home by prisoners, prisoner of war interrogations, questioning of returnees, communist radio broadcasts, and the actual circumstances of their disappearance from UN Command control."

February 5, 1954 -- A reliable friendly foreign intelligence service reports to the U.S. information they had received from a Turkish source traveling in Central Asia. The source, who had been interrogated in Turkey, states that while at Mukden, Manchuria, he "saw several coaches full of Europeans who were also taken to the USSR. They were not Russians. Source passed the coaches several times and heard them talk in a language unknown to him." Source states that one of the coaches was full of wounded caucasians who were not speaking at all. (Source: Charity Interrogation Report No. 619 referenced in declassified cables dated 23 March 1954)

February 8, 1954 -- Secretary of the Army Robert T. Stevens sends a memorandum to the Secretary of Defense. Stevens recommends that meetings occur with the State Department to formulate plans "for the initiation of diplomatic negotiations through the offered assistance of the United Kingdom." Stevens also recommends releasing a joint State-Defense public announcement, "now held in abeyance by the Operations Coordinating Board, to reassure the families concerned and the American people that our Government is taking all feasible action in seeking an accounting for the missing servicemen listed as prisoners of war in the Korean conflict."

Following the sending of this memorandum, an informal conference is held with representatives of the three Services, Defense, and State. "It was agreed that by memorandum the State Department would describe in some detail what diplomatic actions would be initiated by the United Kingdom, and would seek Defense concurrence in such an approach."

February 23, 1954 -- Seventy wives and mothers of U.S. POW/MIAs from the Korean Conflict travel to the United Nations in New York. They are not received by either the UN General Secretary or the U.S. Ambassador to the U.N. They are told by the General Secretary's assistant, "The UN has no authority over the foreign affairs of member states."

March 5, 1954 -- In a letter to the Assistant Secretary of Defense, Frank Nash, the Assistant Secretary of State Walter Robertson states that they have no objection to the December 18, 1953 British offer to make an approach to the Chinese

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capture of one crewman from this crew.

Both individuals were initially reported missing in action and were later changed to dead/bodies not recovered. In November 1970, U.S. military intelligence received information that Major Hestle and two other U.S. POWs were alive at a POW camp near Vinh. DIA believed this report was not true but was the product of a highly publicized visit by three POW wives to Vietnam early in 1970. Returning U.S. POWs reported hearsay information that Major Hestle was seen alive on a stretcher in a prison in Hanoi. He was not reported alive as of 1973.

U.S. investigators in Vietnam in January 1989 located a possible crash site associated with this incident and received hearsay information one pilot was buried at that site. Captain Morgan's remains were repatriated in July 1989. Vietnam turned over the identity card of Major Hestle in October 1982, but his remains have not been recovered.

South Vietnam

Robert L. Babala
Dennis E. Carter
Robert C. Borton
John L. Bodenschatz
(0439)

On August 28, 1966, the four PFCs were members of the 1st Marine Division and were with a fire team at an ambush site ten kilometers southwest of Da Nang City, Quang Nam Province. They failed to return from their mission and were declared missing. On September 4, 1968, Bodenschatz' dog-tags and a partial wrist watch were located. Local residents did not provide any information about the fate of the four men.

Returning U.S. POWs were unable to provide any information about their fate. They were declared dead/body not recovered based on a presumptive finding of death in November 1974.

South Vietnam

Lawrence B. Tatum
(0453)

On September 10, 1966, Tatum was the pilot of an A-1H which was hit by hostile antiaircraft fire and crashed eight kilometers north of the Rao Thanh River currently in Trung Leong District, Quang Tri Province. A forward air controller did not observe Tatum bail out but did hear an emergency beeper for approximately one minute. He later observed a presumable parachute slack in the trees on a hillside. He never saw Tatum safely on the ground. He observed hostile forces approach the parachute and evidently pull

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North Vietnam

John S. Hamilton
(0644)

On April 19, 1967, Major Hamilton was the pilot of an A-1H, one in a flight of two aircraft searching for two pilots downed over North Vietnam. While over Hoa Binh Province, Hamilton was attacked by four hostile MIG-17 aircraft, and his wingman observed pieces of his aircraft's outer wing fly off after it was hit by cannon fire. His aircraft crashed 24 kilometers southeast of Hoa Binh City. Major Hamilton was not seen ejecting from his aircraft and there was no electronic beeper heard. He was declared missing in action.

On April 19th, that same day, Hanoi radio reported the shoot down of an American rescue aircraft over Hoa Binh Province. This report, while not mentioning the fate of the pilot, was believed to correlate to Major Hamilton's incident of loss.

In September 1970, a People's Army of Vietnam soldier reported two caucasian pilots captured in Lac Thuy District in April 1968 after being shot down in aerial combat with MIG jet aircraft. The soldier identified a photograph of Major Hamilton as similar to one of those captured, and the report was placed in Major Hamilton's file as possibly relating to his capture. After Operation Homecoming, a reevaluation of this report led to a reversal of the wartime evaluation. It was determined that this incident actually correlated to Major Thomas Madison and Major Thomas Sterling who had been lost as described and who returned alive during Operation Homecoming.

Returning U.S. POWs had no information on Hamilton's precise fate. In March 1979, he was declared killed in action/body not recovered based on a presumptive finding of death.

In January 1991, a report was received about a grave with the remains of a U.S. pilot in the area where Major Hamilton was lost. Then, in May 1991, a source provided the rubbing of a dog-tag associated with Major Hamilton and a bone fragment and claimed that remains were recovered from an area near Vinh City, Nghe Tinh Province. This is a considerable distance away from his known crash site. In October 1991, another source visited the Joint Task Force office in Hanoi and turned over a bone fragment and identifying information about Major Hamilton. The source claimed his friend found Major Hamilton's remains at another location, this time in Quang Binh Province.

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After successfully evading, Sargeant Chi related that he had reached the south bank of the Foho River and heard People's Army of Vietnam troops call out in Vietnamese to halt. He observed South Vietnamese Army soldier approximately 100 meters away raise their hands but had no personal knowledge of the fate of Colonel Brownlee.

South Vietnamese personnel repatriated during Operation Homecoming provided several hearsay accounts during 1973-1974 in an effort by the Defense Attache Office, Saigon, to learn Colonel Brownlee's fate. These accounts, all attributed to different South Vietnamese Army prisoner sources, stated that Colonel Brownlee had committed suicide prior to capture. None of these accounts could be verified.

One returning U.S. POW, Captain Reader, knew Colonel Bromley had been at Dak To II and know him to be the senior district advisor but had no knowledge of his fate. Captain Reader had also heard an account traced to a 42nd Regiment doctor that Colonel Bromley was dead, but Captain Reader did not find the source to be reliable.

No returning U.S. POW was able to provide any information on Colonel Brownlee's precise fate. In November 1978 he was declared dead/body not recovered, based on a presumptive finding of death.

In May 1985, the Joint Casualty Resolution Center received a report that a worker in the Dak To area had found human remains there. This report was replaced in Colonel Brownlee's file.

North Vietnam

On May 3, 1972, Lieutenant McDonald and Captain David Williams were the crewmen in the second A-6A aircraft in a flight of two on a mission over Dong Noi, Quang Binh Province. Their last transmission was that they expected to be over water in two minutes. This was after they had already finished attacking their target. Their IFF beacon transponder was located well out to sea after an extensive search. The search was terminated on May 3, 1972. There was no sighting of either the aircraft or crew. Both individuals were initially declared missing. Both were declared dead/body not recovered, after Operation Homecoming.

In June 1989 Vietnam repatriated the remains which were approved as those of David Williams.

A U.S. team in Vietnam located archival documents reporting the shoot down of a U.S. aircraft on May 3, 1972 in which the "air pirates were torn apart." This incident is the only aircraft loss in the area on that date.

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Dr. William R. Maples, Curator of Physical Anthropology, Florida State Museum, University of Florida, told the Committee that a three member team which included Dr. Ellis Kerley, Dr. Lowell Levine and himself was asked by the Army to go to the Central Identification Laboratory in Hawaii and evaluate its procedure and staff. He discussed the Pakse crash and the remains, stating that it was quite different in its overall nature from everything else that seems to go to the Laboratory. In this case the Laboratory did a poor job, but on the whole, they do a good job. One of the advantages is the total lack of training in Vietnam. They do not know what we do in terms of identification, so they can not play games with us.¹³ In the Pakse case, they were wrong in reaching a conclusion when the remains were unidentifiable.

The committee met again on July 16, 1986, to hear testimony from Major Mark Smith and Sergeant First Class Melvin McIntire. The two had appeared before the committee on January 28, 1986, and indicated their willingness to share information and the evidence they had which would prove American servicemen had been held in captivity in Southeast Asia in 1984. They said they had photographs, maps, documents, etc. that would prove live prisoners of war in Southeast Asia. They also testified about the alleged existence of a videotape which depicts Caucasians in captivity in October 1985. Mr. Smith claimed to have viewed the 248 minutes of the tape while Mr. McIntire did not.¹⁴

Major Smith provided copies of photos which contain a total of three Americans. The photographs were provided to him by a source in Thailand who he considers reliable, showing Americans who were left in Southeast Asia at the conclusion of the Vietnam war.

As to the film in question, a letter was written to the White House and hand carried by Congressman Bill Hendon. Major Smith and Mr. Maples were to show up in Singapore with \$4.2 million in cash for Mr. Obassy to obtain the film.¹⁵

Mr. James P. Coyne, a writer appeared before the committee and said that he had been investigating the possibility of live American prisoners of war captured during the war in Vietnam still being alive. He was in Thailand for over three years as a foreign correspondent for Soldier of Fortune magazine. He feels that there are those who would trade on the POW/MIA issue for nothing more than financial gain. Some have appeared before the

¹³Hearing, Vol. II, p. 69.

¹⁴Hearing, Vol. II, p. 106.

¹⁵Hearing, Vol. II, p. 135.

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Accounting - Shields Statement	Shields 06/25/92	<p>At the termination of Homecoming we had no current hard evidence that Americans were still held prisoner in Southeast Asia... None of those who returned had any indication that anyone had been left behind. We knew that there was a possibility that defectors were alive in enemy-controlled areas, but had no firm evidence to confirm this either.</p> <p>Robert Garwood was an example of an American whom we felt might be alive and in an enemy-controlled area, but according to the returnees who saw him last, he was not being held as a prisoner.</p>
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APPENDIX 6

000225

000110

Stenographic Transcript of
HEARINGS
Before the

SELECT COMMITTEE ON POW/MIA AFFAIRS

UNITED STATES SENATE

DEPOSITION OF COS, VIENTIANE (1970-73)

Tuesday, June 9, 1992

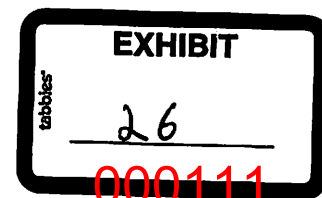
Exhibits 1-5 attached

Copy 1 of 2

Washington, D.C.

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1 A. G. McMurtrie Godley.

2 Q. Godley, as stated in the Foreign Service List
3 of June, 1972.

4 A. Right. Okay.

5 Q. Who I might add is one of the great American
6 proconsuls in my book, a superb leader and an excellent
7 person. It was a sheer pleasure to work with him. And
8 let me add, too, this is pertinent to our general roll-
9 out, that this inordinate CIA presence, we worked for the
10 Ambassador. He was the boss. Whereas I was in charge of
11 the ground operations, in effect, the Ambassador was
12 involved in everything we did, and if the Ambassador said
13 "no," it was no. If the Ambassador said "yes," it was
14 yes. There was no situation where CIA was running a
15 clandestine war. This was the United States mission in
16 operation there, under the direction and command of the
17 Ambassador.

18 Q. Did you have direct contact with Washington?

19 A. I had direct cable contact.

20 Q. Bypassing the Ambassador ever, or always with
21 his consent?

22 A. No. I mean, I had my own communications
23 channel. That's the way it was set up. CIA communicates
24 directly.

25 The Ambassador had access to everything I did,

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1 said, wrote, or whatever. If he came into my office and
2 said "What have you got here, ." I mean, I showed it
3 to him. I didn't check every message I wrote before I
4 sent it. I didn't have to. My guidelines with him were
5 very, very clear. He was privy to everything I was doing,
6 and everything I said or did I did under his authority.

7 I did not see his communications. He generally
8 showed me his communications.

9 You know how it works in an embassy. There's
10 an awful lot of traffic being passed back and forth among
11 the units of the embassy, the political section, the
12 economic section, the CIA section, and so on. They're in
13 a constant interchange of information.

14 Now, there are privacy channels, privacy
15 messages that are sent back that are not shown to
16 everybody. If I sent a privacy back, you want to call it
17 that, on a sensitive matter, it was something I either
18 showed to the Ambassador or discussed with the Ambassador.
19 There were no end-run, end-around operations there at all.
20 I say that with great confidence.

21 I feel very confident, too, that whatever the
22 Ambassador did that was important to my operations I knew
23 about.

24 I think we had as thorough and as intimate an
25 exchange of information and ideas as I could ever expect

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1 to see or hope to see.

2 On the routine distribution of traffic, the
3 intelligence reporting, that is, you're familiar with the
4 designation, the "FOB" designation of the intelligence
5 from Vientiane --

6 Q. Yes.

7 A. -- went routinely to everybody in the mission,
8 that is, to all the chiefs of section. The operational
9 traffic did not get the same kind of distribution. So our
10 routine operational traffic, I didn't bother the
11 Ambassador with that. I mean, he didn't see that. He
12 could see it if he wanted to. If he came in and he asked
13 me, I would show him anything. I had no hesitation to do
14 so.

15 I didn't show it to everybody in the Political
16 Section. Dick Howland, for example, we worked very
17 closely together. But he didn't need to see some of the
18 personnel traffic, for example. They were not privy to
19 it. The Ambassador could see if it he wanted to, but he
20 didn't, as a rule.

21 Q. How closely did the Director of Central
22 Intelligence monitor the Laos operation?

23 A. Well, my impression is he rode it very, very
24 carefully. It was a hot subject in Washington at the
25 time. There were various interdepartmental, interagency

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1 groups that governed our operation -- the WSAG, the
2 Washington Special Action Group, for example. I don't
3 recall whether the Director himself was a member of that,
4 but certainly the Deputy Director was. He was involved
5 with the White House on an almost daily basis on Vietnam,
6 on Laos, and so on. So to my understanding, he was on our
7 operation like a leech, you might say. I mean, he was
8 there. He was privy to it all. I frequently heard from
9 him in the cable traffic.

10 You know, we had various ways of writing
11 messages where we can send a routine operational message
12 back and it goes from desk to desk. But if I want
13 somebody in particular to see it, I can send it from me to
14 him, from me to the Deputy Director, and put his name on
15 it. So I assume he saw most of the press, but there's a
16 screening process and he can't read every cable that comes
17 back.

18 Whenever I was in contact with him, he knew
19 everything I was up to. He was privy and conversant on
20 the whole shebang.

21 Q. Was there ever any tension between Helms and
22 his guidance and Ambassador Godley's guidance?

23 A. Never. No.

24 Q. Was there ever any tension between Helms and
25 his sense of what was good for Laos versus what was coming

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1 Q. I'd like you to refresh your memory with a
2 document. I'd like you to take a few minutes to look at
3 this.

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11 I have tabbed it, and I have tabbed on the side
12 in the back areas that mention U.S. prisoners seen in
13 Laos. I'd like you to describe, again, if you are
14 familiar with it, if you had a hand in drafting it or
15 approving it.

16 I'd also like you, as you read the source line,
17 to say what gave rise to this 20 page report in 1971,
18 please.

19 Take a few minutes, as you need.

20 [Discussion off the record.]

21 MR. MCCREARY: Let's go back on the record.

22 THE WITNESS: Well, I had to have seen this
23 report. This could not have gone out without my intimate
24 involvement with it. No question about that. I don't
25 remember it, but then, my memory is -- I mean, I don't

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1 remember specifically reading this.

2 Now, what gave rise to it? It sounds to me
3 like we must have been asked by Headquarters to do it. In
4 other words, give us your best compilation of all you've
5 got, whatever you think, whatever you can add on the
6 subject of prisoners of war.

7 I would say it's in response to a Headquarters
8 request. But there, again, I could be wrong. I don't
9 know.

10 Q. You do not recall, then, a specific tasking? I
11 mean, that's a monumental task for any embassy, it strikes
12 me.

13 A. Well, this is not an embassy. This is a
14 station.

15 Q. Correction, station. Yes.

16 A. Oh, yes. Well, I suspect this was done in
17 at my request undoubtedly, and done by them on the
18 basis of reporting from : That's where
19 they would have had, they would have had a continuing
20 overview of all that was happening, all that was being
21 reported by the units.

22 In Vientiane, the station itself, I don't think
23 we would have done it.

24 Q. Would your station have briefed Ambassador
25 Godley --

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1 A. Oh, absolutely.

2 Q. -- on the contents of the report?

3 A. Oh, he would have seen the report. Oh, no
4 doubt about that. I mean, this report would never have
5 gone in without him seeing it, without the Political
6 Section, and the attaches, and, likewise, Army and Air.
7 They would have seen it. This would have been, I feel
8 confident, a well coordinated presentation, because it's
9 of interest to so many different components of the
10 mission, and of the government, for that matter.

11 MR. MCCREARY: I'd like to have a copy of that
12 made and we'll mark it as an exhibit.

13 THE WITNESS: Let's see, I just can't think.
14 September, Godley wasn't away at that time.

15 MR. MCCREARY: For the record, Exhibit 4 will
16 be the resume of

17 [The document referred to
18 was marked Exhibit
19 No. 4, for identification.]

20 MR. MCCREARY: Exhibit 5 will be

21
22 [The document referred to
23 was marked Exhibit
24 No. 5, for identification.]

25 THE WITNESS: I'm trying to think of what was

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1 happening in September of 1971. I guess what I just said,
2 the Ambassador had to have seen this. It's conceivable
3 that the Ambassador was on leave and might not have seen
4 the report. I don't know. But the mission would have
5 seen this, the chief of mission, the charge or the DCM,
6 Monte Stearns. This would have been a well staffed
7 presentation.

8 BY MR. MCCREARY (Resuming):

9 Q. Does that represent an authoritative position,
10 as authoritative as it gets in the field, more or less?

11 A. Not quite as authoritative, no, as a source
12 description. If you see something which is a situation
13 appraisal, if you see something on Laos with that on it,
14 that comes from me. I mean, I wrote it.

15 This is something that a reliable source, this
16 is a compilation done by our staff of all information
17 available to us at the time from a variety of sources. In
18 other words, I don't consider it as authoritative, even
19 though I'd written it myself. I mean, it's perfectly
20 authoritative.

21 Q. I understand. That's clear.

22 A. As for my not remembering it as well, there are
23 a lot of things I don't remember.

24 In September of 1971, we were in the build-up
25 period of the Plaine des Jars, the period of

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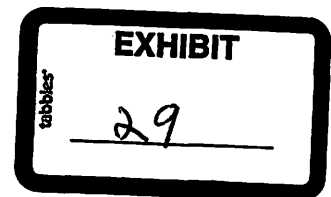
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1 A I provided him an outline of activities that
2 resulted in the ultimate disappearance of a large quantity of
3 POW-MIA people.

4 Q Can you be more specific, please?

5 A Sure. In 1970, I was stationed at a unit called
6 Task Force Alpha in Nekhon Phnom, Thailand, and I was cleared
7 for top-secret material. And we ran a very extremely
8 classified project at the time that was called, "The
9 Project."

10 Q The Project?

11 A The Project. And the Project was a code name for
12 Task Force Alpha, which was a personal project of Defense
13 Secretary McNamara. And its area of involvement was to
14 coordinate the war effort throughout Laos.

15 And in doing so, I was a targeter. My job was to
16 supervise people and direct targeting strikes through --
17 target requests throughout primarily an area known as Steel
18 Tiger within Laos.

19 And in so doing, we became aware -- "we" meaning
20 the U.S. Air Force -- became aware of patterns of placing
21 POW's in a very hostile, threatening environment to be used
22 in an effort to prevent American targeting efforts in Laos
23 and North Vietnam.

24 Q I'm not with you. What is the hostile environment
25 to which you refer?

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1 A Well, hostile environment I refer to is taking
2 small POW sites and building them, constructing them within
3 the interval confinement of another target complex, i.e., a
4 pumping station, POL storage, ammunition storage, truck
5 park/storage area.

6 The types of targets that we were trained to go
7 after in Laos was exactly the type of targets that they were
8 shipping prisoners of war to in an attempt to force us to
9 comply with the Geneva Convention and not bomb such
10 facilities.

11 Q What other information did you provide to Mr.
12 Cummings on this occasion?

13 A I relayed to him a concern that I've had since
14 1970. And that was that a decision was made to allow the
15 strikes to actually penetrate those target complexes where
16 the POW's were held. An overt decision was made to hit those
17 targets and we did so. And resultedly destroyed a lot of
18 material along with human life.

19 Q Do you have an understanding as to when that
20 decision was made?

21 A Yes, I do. Shortly after the Kent State incident
22 in 1970, which I believe was in May of 1970, if my memory
23 serves me correctly.

24 Q And do you have an understanding as to who made
25 that decision?

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1 A I was an instrument of the decision. I did not
2 make the decision. I -- my job at the time was to -- the
3 computerized targeting system that we utilized at Task Force
4 Alpha -- which at that time was the world's most complex, we
5 were told. It was an IBM 360 -- 360E system that required
6 on-site technicians continuously from IBM to maintain it.

7 The -- a lot of this I don't wish to go into. I'm
8 sure it's still classified. But the system itself was a
9 guidance system using sensors buried in the ground to
10 coordinate and conduct strikes at night and in very inclement
11 weather conditions, primarily during the rainy monsoon season
12 in Southeast Asia.

13 And in support of that targeting program, we were
14 the target coordinator to Phon Phen in VNT in Laos for the
15 CIA to conduct their activities. So we were basically the
16 liaison or coordinator for all strike authorization within
17 Steel Tiger and part of what was called Barrel Roll area.

18 Q Again, do you -- do you know who made the decision
19 in question? I understand you did not.

20 A I know who implemented the order. I don't know who
21 made the decision.

22 Q Tell me, please, what is Steel Tiger?

23 A Steel Tiger, if you have a map of Laos is primarily
24 the area that's slender, skinny, approximately a hundred
25 nautical miles wide that's below the large round northern

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1 And the safeguard system was very simple. If you
2 entered in a set of coordinates and you referred into a
3 computer code, if you listed a target as a POW-MIA possible
4 complex or if you listed it as a hospital, for example, any
5 other agency trying to target that unit -- that complex, it
6 would be automatically rejected by our computer.

7 So that we would alert the other organization that
8 they couldn't bomb there. And we had to write up a reason
9 why. We had to relay a computerized message to that element
10 to say what we knew that they probably were unaware of
11 through PIREPS, pilot reports, predominantly.

12 ~~So the~~ safeguards were in place when I arrived.
13 And throughout my -- I arrived in Thailand in October of
14 1970. And throughout that dry period -- I had arrived just
15 as the monsoon season was over.

16 And as the hostile activities increased -- which
17 was primarily a movement of materials in massive quantity to
18 the south in an attempt of what we in intelligence assumed
19 was going to be another Tet offensive.

20 As we basically became crippled with our targeting
21 activities throughout the initial onset of the dry season
22 from October up until February or so, we could bomb less and
23 less and hit less and less and get less and less bomb damage
24 assessment.

25 At a unit level, I was informed that as of March,

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1 that the safeguards would be removed from the computer
2 system. In other words, the computer would accept the target
3 request from the other unit without alerting that unit to the
4 fact that it was, in fact, a POW -- a potential POW location.

5 Q What else did you tell Mr. Cummings during that
6 conversation?

7 A I told Mr. Cummings I thought this was horrendous
8 that we did this to our people. And that I would help in any
9 way whatsoever to -- within the framework of the law to help
10 him do research in that area.

11 Q Did you tell him anything else on that occasion?

12 A I have outlined the bulk of what we discussed. And
13 I believe your request -- I believe there's an affidavit or a
14 document I have seen that discusses a source that Mr.
15 Cummings has, and I am that source.

16 Q What did Mr. Cummings say to you during this
17 conversation?

18 A Well, he was -- if this proved to be true, he was
19 appalled too. He couldn't believe that a decision was made
20 without the public knowledge of. And there's obviously been
21 an ongoing -- I don't want to use the word "cover-up," but
22 lack of initiative to get to the bottom of a lot of the MIA
23 issue, in my opinion, and he wanted to pursue it. And I
24 strongly encouraged him to do so.

25 Q How did you and Mr. Cummings happen to meet?

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Stenographic Transcript of
HEARINGS
Before the

SELECT COMMITTEE ON POW/MIA AFFAIRS

UNITED STATES SENATE

DEPOSITION OF BOBBY RAY INMAN

Wednesday, September 9, 1992

Washington, D.C.

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P 39 P Inman
40.

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Attachment 7

EXHIBIT

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1

DEPOSITION OF BOBBY RAY INMAN

Wednesday, September 9, 1992

U.S. Senate

Select Committee on POW/MIA
Affairs

Washington, D. C.

Deposition of BOBBY RAY INMAN, the witness

herein, called for examination by counsel for the Senate
Select Committee on POW/MIA Affairs, convened, pursuant to
notice, at 9:47 a.m.. in S-407, The Capitol, the witness
having been duly sworn by MICHAL ANN SCHAFER, CVR, a Notary
Public in and for the District of Columbia, and the
proceedings being taken down by Stenomask by MICHAL ANN
SCHAFER, CVR, and transcribed by her.

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1 organization.

2 But this is 3 December 1979. Here's what the
3 original is. This would be the Exhibit, but we'll work out
4 of this notebook. This is what it actually looks like out
5 of the files of NSA. Would you just kind of take a moment
6 to look at that?

7 Here's an orientation map of where that activity
8 is going on, far northeastern Laos.

9 A. And Sam Neua and Viang Sai. Yes.

10 [Pause.]

11 Q. Would something like that have been brought to
12 your attention?

13 A. The answer is probably not. Only if it was
14 assigned a high degree of validity. What would normally
15 happen with something like this is that it would flow to
16 the imagery, to the people who were doing liaison with NPIC
17 and DIA, though sometimes competition may have gotten in
18 the way of that.

19 In this case, it would appear this flowed from
20 CIA, not from NSA.

21 Q. It came from CIA to NSA to request --

22 A. Then, if it came in the process what would
23
24
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~~SECRET~~

POSSIBLE/SUSPECT PRISONER OF WAR CAMPS
AND BRIEFING BOARDS/NOTES

INTRODUCTION

There are 18 possible prisoner of war camps in North Vietnam. A possible or suspect PW camp is one in which there is some information or evidence that it might be, or could have been, used for the detention of American prisoners on a permanent basis. The words "possible" and "suspect" are used interchangeably.

The official names assigned to the possible camps are selected by DIA by the same process used for the confirmed camps: if the installation's name is known, that name is used; if it is not known, a placename near the facility is selected. Inasmuch as no known American prisoners have been held at the possible PW camps on a permanent basis, there are no nicknames for these 18 camps. The location of the 18 possible PW camps are shown on page 200.

This Section contains copies of all the briefing-boards and notes issued to date on the possible PW camps. The camps are listed in alphabetical order.

SECRET

Date: 29 October 1969

NORTH VIETNAM
BRIEFING NOTES
ON
BRIEFING BOARD NO. 10-69-3

1. INSTALLATION: SON TAY Possible PW Camp, N-69

2. *DMP*

3. LOCATION : 21 08 36N 105 30 01E

4. This installation is located on the east bank of the SONG CON (River), 3.6 NM northwest of SON TAY (NIS 21 08N/105 30E) and 0.7 NM south of the SONG HONG HA (Red River).

5. The compound is *DMP* enclosed by a masonry wall about 10 feet high. Inside the compound are 3 quarters-type buildings, 1 latrine/shower, 1 shed and 2 guard towers. One building which appeared in 1967 *mentioned* has been removed and its foundation is still visible on current *mentioned*. Nine support buildings are located outside the wall on the east and south sides of the installation. *mentioned* reveals the wall now enclosing the compound was constructed after 17 September 1967.

6. The location of this installation is remarkably close to that of a compound *mentioned* observed during the period January to September 1967. Source of this information reported seeing approximately 10 U.S. PWs inside the compound during his period of observation. Lack of collateral information precludes verification of this installation as a PW compound.

Date: 3 February 1970

NORTH VIETNAM
BRIEFING NOTES
ON
BRIEFING BOARD NO. 1-70-6

1. INSTALLATION: SON TAY Possible PW Camp, N-69
2. DATA
3. LOCATION : 21 08 36N 105 30 01E
4. This Briefing Board supplements Briefing Board No. 10-69-3 and accompanying Briefing Notes dated 29 October 1969.
5. Photography of 12 December 1969 reveals significant new construction at this facility since 4 July 1969:
 - a. The masonry wall around the compound has been extended 50 feet northward so that it now encloses an area
 - b. Guard towers are located at the southwest and northwest corners of the compound. A possible guard tower is located at the center of the east wall. The guard tower located at the northeast corner of the compound before it was enlarged has been removed.
 - c. There is a gate in the east wall with a guard house at the south end of the gate.
 - d. Two new quarters-type buildings (Annotations 5D and 5E) have been constructed in the compound.
 - e. Outside the compound a thatched-roof support building (Annotation 8A) has been partially dismantled.
 - f. Also outside the compound, a quarters-type building (Annotation 7B) has been newly constructed.
6. The new construction strengthens the possibility that this installation is ~~used~~ for detention purposes, however, no additional collateral information has been received to

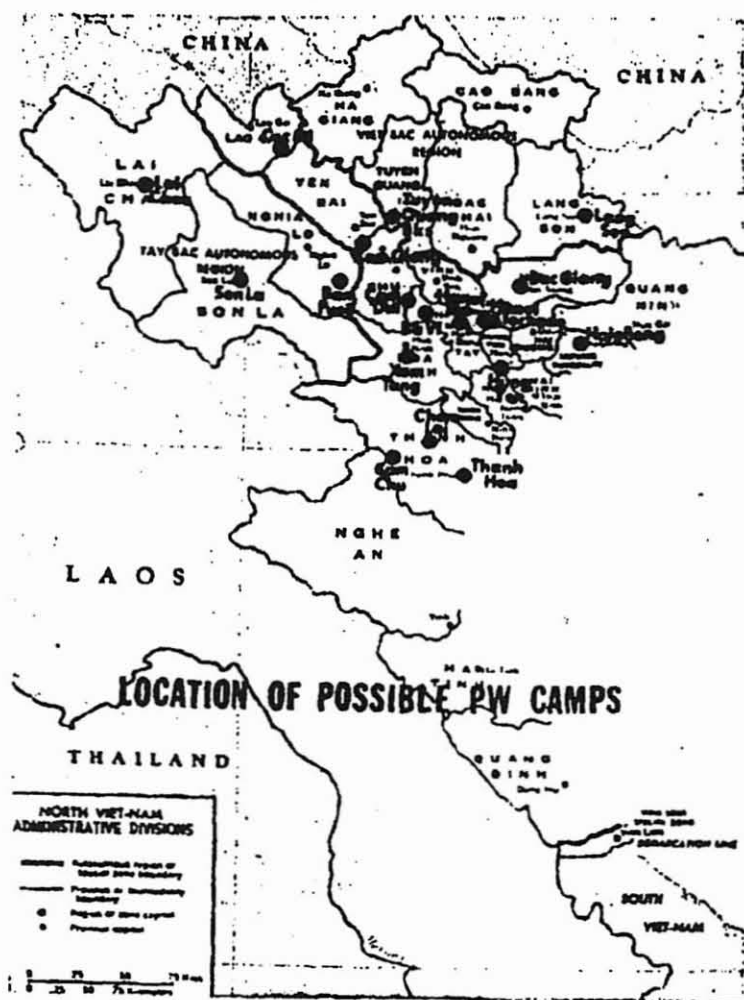
substantiate this theory.

Date: 9 June 1970

NORTH VIETNAM
BRIEFING NOTES
ON
BRIEFING BOARD NO. 5-70-1

1. INSTALLATION: SON TAY PW Camp, N-69
2. DATA
3. LOCATION : 21 08 36N 105 30 01E
4. Briefing Board Nos. 10-69-3 and 1-70-6 and accompanying Briefing Notes are superseded.
5. This installation was identified as a possible PW camp in October 1969 from a reported observation of a detention facility in this vicinity in September 1967. Source of this report described the camp as enclosed by a barbed wire fence on that date. Photo interpretation validated source's description and the existing walls around the compound were determined to have been constructed after September 1967.
6. Between 4 July and 12 December 1969, the compound was enlarged. The walls were extended 50 feet northward and two additional quarters-type buildings (Annotations 5C and 5D) were constructed inside the compound. The building annotated 5A was reported to be two buildings on previously issued Briefing Boards on this installation.
7. In April 1970, information was obtained which confirmed this facility as a currently operational PW camp.

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Intelligence Information Report

THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE

REPORT NO. CS-311/07755-69

DATE DISTR. 28 August 1969

COUNTRY Laos

DOI 25 July 1969

SUBJECT Estimated Enemy Prison Order
of Battle in Laos

ACQ Laos, Vientiane (27 July 1969)

SOURCE

1. As of 25 July 1969, there were an estimated 500 personnel committed to guarding, escorting, and providing support for prisoners of war (POW) in 54 confirmed enemy camps in Laos. These personnel are reflected as a portion of the command and support personnel for Laos, mentioned in the summary of estimated enemy order of battle for Laos as of 15 July 1969.

2. Living conditions. Generally, POWs receive humane treatment by Asian standards. ~~comment:~~ comment: Some POWs have stated that they had received unhumane treatment or were subjected to various indignities.) Food, although often reported as minimal, unclean, and unseasoned, is sufficient for existence; however, it often leads to malnutrition and disease which claims a large number of POW casualties. Medical treatment, while not adequate by Western standards, is normally available in primitive form.

3. POW camps. POW are confined to a cave and/or stockade type structure during the night, but are permitted to go outside sometime during the day for exercise. POW

APPROVED FOR RELEASE

Date 20 AUG 1979

E-4, 12A

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EXHIBIT

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1-28-73 C.C.C.

camp locations are changed frequently to provide better security. In some cases, all or part of the POWs are allowed beyond the prison confines under-light guard to forage for jungle foods. Prison guard forces are usually made up of personnel who due to their age or physical condition are unfit for regular military duty. Pathet Lao soldiers normally make up escort and guard forces. Many POW camps have full or part time North Vietnamese Army (NVA) advisors. NVA interrogators occasionally question POWs.

4. Political indoctrination. The enemy makes a concerted effort to indoctrinate POWs to the Communist cause through long periods of political training ("brain washing"). If and when a POW shows favorable improvement, he is released to become a soldier, a farmer, or often a propagandist.

5. As of 25 July, enemy prisons were confirmed at the following locations:

<u>Location</u>	<u>Possible nationality and/or number of prisoners</u>
1. TX 0102	450 to 500 prisoners, complex surrounded by bamboo fence
2. QD 5118	
3. QD 6455	
4. TJ 0134	
5. TJ 4210	
6. TJ 7449	300 to 500 Royal Lao Army (FAR) prisoners
7. TJ 752449	FAR prisoners released
8. TJ 747500	100 FAR prisoners
9. VJ 1101	
10. RC 1290	Political prison
11. RC 1291	
12. TH 531773	17 crippled FAR prisoners
13. TH 6391	31 prisoners in a cave
14. VH 0157	American prisoners
15. VH 195545	Possibly 20 American pilots
16. VH 196556	Prison for American pilots
17. VH 1362	American prisoners
18. VH 1965 via	Possibly two Americans
19. VH 2048	Possibly 15 Americans

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Intelligence Information Cable

PRIORITY

IN 001754

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STATE/INR DIA NMCC/MC (SECDEF JCS ARMY NAVY AIR)

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060643Z

CITE TDCS-314/00217-70

DIST 6 JANUARY 1970

COUNTRY LAOS

DOI

POSSIBLY LATE 1969 OR EARLY 1970 ✓

SUBJECT

GENERAL LOCATION OF PRISON CAMP CONTAINING ABOUT
20 UNITED STATES AIR FORCE PILOTS IN THE BAN NAKAY
REGION OF HOUA PHAN PROVINCE

ACQ

LAOS, VIENTIANE 75 JANUARY 1970/

SOURCE

✓ 1. ABOUT 20 UNITED STATES AIR FORCE PILOTS WERE
IMPRISONED IN A CONCEALED SECTION OF THE BAN NAKAY /VH 1955/
AREA OF SAM NEUA PROVINCE, ACCORDING TO TWO VILLAGERS WHO
VISITED THE REGION TO BUY A RADIO ON AN UNSTATED DATE BUT
POSSIBLY IN LATE 1969 OR EARLY 1970. WHEN THE NORTH

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VIENTIANESE ARMY /NVA/ GUARDS NOTICED THAT THE TWO VILLAGERS SAW THE PILOTS, THE GUARDS SEIZED THEM AND SAID THEY TOO WOULD BE IMPRISONED.

2. THE PATHET LAO FUNCTIONARY, WHO WAS SELLING THE VILLAGERS THE RADIO, INTERCEDED AND TOLD THE NVA GUARDS HE HAD TOLD THE VILLAGERS TO COME WITH HIM TO GET THE RADIO. THE NVA GUARDS RELEASED THE VILLAGERS, BUT DEMANDED THEY NOT TELL ANYONE ELSE ABOUT THE LOCATION OF THE PILOTS PRISON CAMP.

3. [REDACTED] COMMENT. [REDACTED]

[REDACTED] REPORTED ALL THE AMERICAN PRISONERS HELD IN LAOS WERE TAKEN TO NORTH VIETNAM IN LATE DECEMBER 1968. ^{SIC} THE 27 AMERICAN PRISONERS THAT HAD BEEN IN LAOS AT THAT TIME WERE ASSEMBLED IN THE BAN HANG LONG /VH 132629/ AREA ABOUT MID-WAY BETWEEN BAN NAKAY AND SAM NEUA /VH 009579/. THEY WERE TO BE USED IN A PRISONER EXCHANGE WITH THE SOUTH VIETNAMESE GOVERNMENT. SEE [REDACTED] (TDCS-314/09796-69)

4. FIELD DISSEM STATE ARMY AIR USMACV 7TH AIR FORCE
CINCPAC PACFLT PACAF ARPAC IFA/NXP [REDACTED]
[REDACTED]

LOCATIONS OF PRISON CAMPS IN LAOS

- ✓ L-1 Ban Nahey Teu (VH 195559 20 24N 104 13E)
 (a) (VH 196550), 6 Jan. 66, 3 US PWs.
 (b) (VH 194566), Aug. 66, at least 1 US prisoner in cave.
 (c) (VH 1957), prison in cave, 3-5 US, all reported dead, Dec. 66.
 (d) (VH 196546), Dec. 66, 4 US.
 (e) (VH 1955), Dec. 66, Cave with 3 US and 2 others.
- L-2 Muong Phine (XD 090270 16 31N 106 01E)
 (a) NAMES Air America crew, 5 Sept. 63, held for 12 hours, taken to L-1.
 (b) NAMES etc., Dec. 63- Mar. 64, held for 100 days, taken to L-12.
- L-3 Nong Hat (UG 946550 19 29N 103 59E)
 Nov. 61- Feb. 62, 4 US PWs.
- L-4 Ban Thakhong (XD 310460 16 41N 106 13E)
 NAMES etc., Sept.- Nov. 63, held for 79 days, taken to L-11.
- L-5 Khang Khay (UG 160560 19 29N 103 14E)
 10-12 Oct. 63, 1 US.
- L-6 Muong Phine (XD 160360 16 36N 106 05E)
 Sept. 63, temporary
- L-7 Ia Hierre (YC 600750 16 02N 107 26E)
 Apr. 66, 130 Special Forces troops receiving ideological reform training.
- L-9 Ban Nang Kham (WE 422323 17 28N 105 24E)
 NAME, Sept.- Jan. 67, held 5 months, set free by Lao guerrilla raid.
- L-10 Ban Tha Pha Chon (WE 875053 17 14N 105 49E)
 (a) NAMES etc., Oct. 64, held for 12 days, taken to L-13
 (b) NAMES etc., Dec. 64, 10 days for interrogation, taken to L-13.
 (c) NAME Sept. 66, held for 1 month, taken to L-9.
 (d) May 65, US pilot held here by North Vietnamese.
 (e) June 67, cave with 1 US, vic WE 876051.

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- L-11 Ban Muong Amkham (XD 200760 16 58N 106 07E)
 (a) NAME etc., Nov.- Dec. 63, held for 17 days, taken to L-2.
 (b) NAME recaptured, Aug. 66, held 3 days, taken to L-16.
- L-12 Ban Lang Khang (WE 780410 17 33N 105 44E)
 (a) NAME'S etc., 21 Mar.- 3 May 64, escaped, recaptured 7 May 64.
 (b) 7 May 64- Oct. 64, taken to L-10
- L-13 Ban Pa Tan (XD 130950 17 08N 106 04E)
 (a) NAMES etc., Oct.- Dec. 64, taken to L-10 for interrogation.
 (b) NAMES etc., Dec. 64- Dec. 65, Martin arrives 21 Dec. 65, all taken to L-14.
 (c) NAME Aug. 66, 2 nights, taken to L-10.
- L-14 Pha Kan (XD 312924 17 06N 106 14E)
 NAMES etc., Dec. 65- Mar. 66, Dengler arrives Feb. 66, all taken to L-15
- L-15 Houei Kat (XD 300890 17 05N 106 13E)
 NAMES etc., Mar.- June 66, all escaped.
- L-16 Thong Louang (XD 180440 16 40N 106 06E)
 NAME held overnight, Aug. 66, taken to L-17.
- L-17 Ban Houei Hang (XD 220840 17 02N 106 08E)
 NAME Aug. 66, held 4 days, taken to L-13.
- L-19 Lat Kouang (UG 090445 19 35N 108 11E)
 May- Sept. 61, Sgt. Ballenger
- L-20 Nong Ret (UG 925560 19 30N 103 58E)
 April- Aug. 62, Sgt. Ballenger
- L-21 Dane Phao (VH 366534 20 23N 104 29E)
 (a) Nov. 66, 3 US PWs in cave.
 (b) Apr. 67, US PWs in cave.
- ✓ L-22 Sam Neua (VH 366533)
 (a) July 67, 6 US PWs
 (b) Aug. 67, 6 US PWs
- L-27 Muong Nga (VH 1459)
 July 67, 6 US PWs held in a 2 story building.

... (VF 147614)

Aug. 67, 3 US PWs in cave at junction of route 6 and route 65.

Bar. Su Nhou (WD 7683)

Dec. 66, 4 US and 9 Thai moved to Muong Phine (XD 0927).

Xiang Mene (VF 314590)

April 67, cave with 3 US.



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STATE/INR DIA NMCC/MC (SECDEF JCS ARMY NAVY AIR) CIA/NMCC NIC NSA SDO

DIRECTORATE FOR
PLANS

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011651Z

CITE TDCS-314/12572-70

DIST 1 DECEMBER 1970

COUNTRY LAOS

DOI 25 NOVEMBER 1970 AND AS STATED

SUBJECT ENEMY PRISONS IN LAOS

ACQ LAOS, VIENTIANE /28 NOVEMBER 1970/

SOURCE

1. AS OF 25 NOVEMBER 1970 GROUND SOURCES CONFIRMED 45
ENEMY PRISONS AND/OR PRISONER OR WAR /POW/ CAMPS OR COMPLEXES IN
LAOS. BASED ON ANALYSIS OF AVAILABLE INFORMATION, AN ESTIMATED
1,000 ENEMY PERSONNEL WERE COMMITTED TO GUARDING AND MAINTAINING
PRISON FACILITIES THROUGHOUT THE COUNTRY. SIX NEW PRISONS
HAVE BEEN CONFIRMED SINCE AUGUST, WHILE THE PRISON FACILITY
PREVIOUSLY CONFIRMED AT MUONG PHINE /XD 0927/ WAS DROPPED

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FROM THIS LISTING DUE TO RECENT GOVERNEMENT OPERATIONS IN THAT
SECTOR. PRISONERS PREVIOUSLY HELD IN THE IMMEDIATE MUONG
PHINE AREA PROBABLY WERE TRANSFERRED TO OTHER PRISONS.

FIELD COMMENT. THIS REPORT UPDATES [REDACTED] (TDCS-314/08361-70) D
/ISSUED
IN AUGUST. THE LIMITATIONS OF THE TECHNIQUES USED IN
COMPILING THIS REPORT ARE DISCUSSED IN THE FINAL PARAGRAPH./

2. POW CAMPS IN CONTESTED AREAS FREQUENTLY CHANGE THEIR
LOCATIONS TO INSURE BETTER SECURITY, ESPECIALLY FOLLOWING
SUCCESSFUL PRISONER ESCAPES. THE ENEMY STRESSES POLITICAL
INDOCTRINATION OF INDIGENOUS POWS, AND THOSE PRISONERS WHO
SHOW FAVORABLE PROGRESS OFTEN ARE INTERGRATED INTO REAR SERVICE
UNITS OR OTHER SUPPORT FACILITIES. MANY OF THESE PRISONERS
ARE RELEASED TO THEIR HOME VILLAGES IF THEY PROMISE NOT TO
SUPPORT THE ROYAL LAO GOVERNMENT /RLG/.

3. AMERICAN POWS. UNTIL RECENTLY THE BAN NAKAY NEUA
/VH 1956/ PRISON COMPLEX WAS THE ONLY PRISON FACILITY IN
LAOS KNOWN TO CONTAIN AMERICAN POWS. AMERICANS CAPTURED IN
NORTHERN LAOS WERE ESCORTED TO THIS FACILITY, WHERE THEY WERE
DETAINED ON A SEMI-PERMANENT BASIS. RECENT REPORTING INDICATES,
HOWEVER, THAT ALL FOREIGN POWS INCLUDING THE AMERICANS HELD IN

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THIS REGION MAY HAVE BEEN MOVED TO AN UNDISCLOSED LOCATION NORTH OF BAN NAKAY NEUA. AMERICANS CAPTURED IN THE LAO PANHANDLE ARE NOT BELIEVED TO BE PERMANENTLY DETAINED IN LAOS, BUT RATHER ARE ESCORTED THROUGH THE INFILTRATION CORRIDOR TO NORTH VIETNAM. AMERICAN POWS ARE BELIEVED TO RECEIVE BETTER TREATMENT THAN THAT PROVIDED TO THE INDEGENOUS PRISONERS.

4. AS OF 25 NOVEMBER ENEMY PRISON FACILITIES WERE CONFIRMED BY GROUND SOURCES AT THE LOCATIONS LISTED BELOW. DESCRIPTIONS OF THESE FACILITIES ARE BASED UPON THE BEST AVAILABLE INFORMATION. THE MOST RECENT DATE OF CONFIRMATION IS GIVEN FOR EACH FACILITY.

A. PHONG SALY /IK 0102/ A LARGE PRISON, SURROUNDED BY A BAMBOO FENCE, APPEARS TO BE A PRISON FOR PATHET LAO /PL/ CRIMINALS AND POLITICAL PRISONERS. ABOUT 400 RLG PRISONERS ALLEGEDLY WERE RELEASED IN JULY 1968. /MAY 1970/

B. MUONG SING /QD 2344/ A DISTRICT PRISON FOR PL CRIMINALS AND POLITICAL PRISONERS. /APR 1970/

C. NAM THA /QD 5019/ POSSIBLY TWO PRISONS, ONE FOR PL CRIMINALS AND POLITICAL PRISONERS, AND ONE FOR POWS. /MAR 1970/

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D. BAN NAM THOUNG /QD 5320/ A SMALL PRISON, POSSIBLY A LOCAL JAIL, CONTAINING 13-20 PRISONERS. PRISONERS ARE ESCORTED TO WORK AT BAN THONG OM /QD 5122/ TO HUSK RICE. /OCT 1970/

E. QD 6455 /CHINA/ A UNIDENTIFIED /U/I/ PRISON. /AUG 1969/ /FIELD COMMENT - THIS AREA APPEARS TO BE INHABITED BY LAO ETHNIC GROUPS. THERE ALSO IS A LAO HOSPITAL AND STORAGE FACILITY AT THE SAME LOCATION./

F. BOTENE /QD 7744/ A SMALL LOCAL PRISON POSSIBLY CONTROLLED BY KHAMMOUANE NEUTRALISTS. A PRISON BUILT BY CHINESE FORCES ALSO HAS BEEN REPORTED HERE. /APR 1970/

G. NAM NOA /TJ 1034/ A U/I PRISON. /MAY 1969/

H. HOUAY CHIK /TJ 6345/ A PRISON REPORTED TO CONTAIN ABOUT 70 MILITARY AND CIVIL PRISONERS. /MAR 1970/

I. HOUAY KANG /TJ 7451/ A PRISON COMPLEX. SEVERAL HUNDRED RLG TROOPS CAPTURED AT NAM BAC /TH 3583/ IN JANUARY 1968 WERE INCARCERATED IN THIS COMPLEX. MOST OF THESE PERSONNEL HAVE BEEN RELEASED INTO REAR SERVICE UNITS, INTEGRATED TO COMMUNIST TACTICAL UNITS, OR HAVE ESCAPED. /OCT 1969/

J. VJ 1101 A U/I PRISON. /FEB 1969/

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K. MUONG SAI /RC 1190/ A PRISON FOR CIVILIANS AS WELL AS POWS AND POLITICAL PRISONERS. /APR 1970/

L. RC 0788 VICINITY /MUONG SAI/ A TWO PRISONS IN THE IMMEDIATE AREA, ONE FOR POLITICAL PRISONERS AND THE OTHER FOR POWS, 100-200 PRISONERS GUARDED BY 40-60 PL. /JUL 1970/

M. NAM BAC /TH 3886 VICINITY/ A POLITICAL INDOCTRINATION CENTER FOR POWS AND POLITICAL PRISONERS. /JUN 1970/

N. MUONG NGOI /TH 5891 VICINITY/ A THREE PRISONS IN THE MUONG NGOI AREA CONTAINING CIVILIANS, POWS AND POLITICAL PRISONERS AT THE FOLLOWING LOCATIONS /SEP 1970/ -

/1/ PHA KAO CAVE /TH 5990/

/2/ PHA PERNG CAVE /TH 6291 VICINITY/

/3/ TH 6591

O. SAM NEUA /VH 0157 VICINITY/ A POLITICAL PRISON FOR LAO. AS OF DECEMBER 1969 ONLY NON-LAO PRISONER REPORTED WAS A THAI POW. /DEC 1969/

P. BAN NAKAY NEUA /VH 1956/ A PRISON COMPLEX. /NOV 1970/

/1/ BAN NAKAY NEUA - MAJOR ENEMY PRISON. AS MANY AS 20 AMERICAN POWS HAVE BEEN REPORTED AT THIS LOCATION. UNCONFIRMED REPORTING AS OF 20 OCTOBER INDICATES ALL POWS,

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AMERICANS, THAIS, LAO AND ME0, MAY HAVE BEEN TRANSFERRED TO AN UNKNOWN LOCATION NORTH OF BAN NAKAY NEUA. /OCT 1970/

/2/ HANG LONG /VH 1362/ A PRISON IN CAVE, AMERICAN, THAI AND LAO PRISONERS. RECENT UNCONFIRMED REPORTING INDICATES ALL POWS MAY HAVE BEEN TRANSFERRED PRIOR TO MID-AUGUST TO AN UNKNOWN LOCATION NORTH OF BAN KAKAY NEUA. /NOV 1970/

Q. BAN CHAMUN /UG 7949 VICINITY/ - PRISON, POSSIBLY CONTROLLED BY DEUANIST NEUTRALISTS. /FEB 1970/

R. NAM KIAN /UG 9051/ A LARGE PRISON FACILITY REPORTED TO HAVE BEEN BUILT IN SEPTEMBER 1969 BY PRISONERS WHO WERE MOVED FROM KHANG KHAY /UG 1758/. /JAN 1970/

S. NONG HET /UG 9555/ A LARGE PL PRISON AT ONE TIME CONTAINED OVER 300 PRISONERS, MANY OF WHOM WERE TRANSFERRED FROM THE PLAINE DES JARRES DURING SEPTEMBER 1969. MANY OF THE POWS HELD HERE HAVE BEEN RELEASED INTO LABORER AND COOLIE GROUPS. /AUG 1970/

T. KHAM KEUT /VF 7016 VICINITY/ A PRISON COMPLEX LOCATED IN SEVERAL CAVES IN XHAM KEUT AREA CONTAINS BOTH CIVILIAN PRISONERS AND POWS. /JUN 1970/

V. BAN THA VENG /VF 9616/ A PRISON FACILITY, POSSIBLY

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(classification)

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ASSOCIATED WITH THE BORIKHAM SAI PROVINCIAL HEADQUARTERS.

/JUN 1970/

V. VF 9926 A PRISON FACILITY, POSSIBLY ASSOCIATED WITH
PRISON AT BAN NAPE /WE 0823/. /JUL 1970/

W. NAM OM /WF 0429 VICINITY/ A POLITICAL PRISON, 10-20
PRISONERS. /JUL 1970/

X. BAN NAPE /WF 0823/ A A PRISON POSSIBLY CONTAINING
BOTH CIVILIANS AND POWS. /SEP 1970/

Y. MAHAXAY /WE 2224/ A U/I PRISON. /NOV 1969/

Z. WE 2639 A U/I PRISON GUARDED BY ONE GUERRILLA
COMPANY. /JUL 1969/

AA. PHA LABO CAVE /WE 4301/ A U/I PRISON. /MAY 1969/

BE. BAN NADENE/BAN NATHAN - KHAMMOUANE PROVINCIAL
PRISON COMPLEX, CONSISTING OF THREE SEPARATE PRISONS IN KARST
CAVES OVER 100 LAO, BOTH CIVILIANS AND POWS, ARE BEING
DETAINED IN THIS COMPLEX. NO AMERICANS OR OTHER FOREIGN
NATIONALS ARE CURRENTLY BEING HELD, HOWEVER, IN MAY 1965 AND
MARCH 1968 TWO AMERICAN PILOTS WERE REPORTED PASSING THROUGH
THE AREA, PROBABLY ON THE WAY TO THE PRISON AT BAN THAPAC
MONE /WE 8805/. THE THREE PRISONS ARE AT THE FOLLOWING

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LOCATIONS /AUG 1970/ A

/1/ BAN NADENE /WE 4334/ A PRISON IN A KARST CAVE,
50-80 PRISONERS. AMERICANS REPORTED PASSING THROUGH IN MAY 1965
AND MARCH 1968. /JUN 1970/

/2/ BAN NATHAN /WE 4032/ A PRISON IN CAVE, 50-90
POWS. NO AMERICANS OR THAIS IN THE AREA. /JUN 1970/

/3/ WE 4232 A PRISON FACILITY RAIDED IN 1967 BY RLG
FORCES, REPORTED IN AUGUST 1970 TO BE BACK IN USE. /AUG 1970/

CC. BAN THAPAC MONE /WE 8805/ A POW CAMP IN A KARST
CAVE. AT ONE TIME THIS PRISON HELD 10 FOREIGN POWS
INCLUDING AMERICANS, THAIS AND FILIPINOS. INFORMATION DATED
26 JULY 1969 INDICATED NO AMERICANS WERE THEN BEING HELD AT
THIS LOCATION. A REPORT DATED 25 MAY 1970 INDICATED THE PRISON
MAY HAVE BEEN ABANDONED FOR THREE-FOUR MONTHS. /MAY 1970/

DD. WD 7884 A U/I PRISON IN A CAVE. /MAR 1970/

EE. WD 8188 A PRISON CONTAINING BOTH POLITICAL PRISONERS
AND POWS. NO FOREIGN PRISONERS REPORTED. /AUG 1970/

FF. WD 8282 VICINITY - PRISON CONTAINING ABOUT 60 POWS.
/MAY 1969/

GG. WD 8582 A LOCAL PRISON IN A CAVE. /MAR 1969/

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HM. XD 0638 VICINITY - PL PRISON WITH CIVILIAN AND
MILITARY PRISONERS REPORTED. /JUL 1970/

II. MUONG ARNG KHAM /XD 1975/ A POLITICAL PRISON
POSSIBLY ASSOCIATED WITH THE SOUTH LAOS TACTICAL REGION
HEADQUARTERS. /AUG 1970/

JJ. XD 2179 VICINITY - PRISON WITH 30-70 POWS. /SEP 1969/

KK. BAN ANG KHAM /XD 3047/ A POW CAMP. /AUG 1970/

LL. XD 3244 A POW CAMP. /JUN 1969/

MM. XD 3650 A POW CAMP. /FEB 1969/

NN. XD 3457 A POW CAMP. FOUR AMERICANS ESCORTED THROUGH
THE AREA IN JUNE 1968. /JUN 1969/

OO. MUONG NONG /XD 6010 VICINITY/ A PRISON REPORTED TO
CONTAIN EIGHT-TEN AMERICANS DURING APRIL AND MAY 1970. /MAY 1970/

PP. XC 1606 A POW CAMP CONTAINING ONLY LAO PRISONERS.
/JUL 1970/

QQ. XC 7788 A SUSPECTED PRISON. /SEP 1970/

RR. XB 8405 A POW CAMP. /JUL 1969/

SS. XB 8832 VICINITY - PRISON FACILITY CONTAINING ONLY
LAO PRISONERS. /OCT 1970/

(5. FIELD COMMENT. [REDACTED] D

[REDACTED]

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[REDACTED]

. THESE AREAS INCLUDE THE FOLLOWING A

- A. PHONG SALY PROVINCE
- B. NORTHERN LUANG PRABANG PROVINCE
- C. HOUA PHAN PROVINCE
- D. NORTHEASTERN XIENG KHOUANG PROVINCE
- E. EASTERN KHAMMOUANE PROVINCE
- F. EASTERN SAVANNAKHET PROVINCE
- G. EASTERN SARAVANE PROVINCE
- H. EASTERN ATTOPEU PROVINCE.

ADDITIONAL ENEMY PRISON FACILITIES PROBABLY WERE LOCATED IN THESE AREAS, BUT AVAILABLE INFORMATION DOES NOT MEET THE CRITERIA FOR LISTING IN THIS REPORT.)

6. FIELD DISSEM - STATE ARMY AIR USAID USMACV JPRC
7TH AIR FORCE TFA/NKP CINCPAC ARPAC PACAF PACFLT /ALSO SENT

SAIGON/

EX 15, DOCA

5 May 1972

MEMORANDUM FOR: [REDACTED]

SUBJECT: Transmittal of Classified Information
to DIA

1. [REDACTED] proposes to transmit the following information to DIA/DI-6C, the DIA member of the Interagency Prisoner of War Intelligence Committee:

TO	CLASSIFICATION	ITEM
DIA/DI-6C	[REDACTED] I	Memorandum, from CIA member IPWIC to DIA member, 5 May 1972, sub.: Downgrading of extracts from CIA Film Z-6065. Attachments: three masked extracts from Z-6065, approved for downgrading; three unmasked prints, Confidential, from other sources.

2. Approval to downgrade the three masked extracts from Z-6065 was obtained on 5 May 1972 from [REDACTED]. His approval is indicated by a certificate on internal copies of the attached memorandum to DIA member IPWIC.

3. It is recommended that [REDACTED] transmit the item described in paragraph one to DIA/DI-6C as shown [REDACTED].

The recommendation contained in paragraph 3 is approved:

[REDACTED]

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Date

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EXHIBIT

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• Sites 26-28

REF ID: A64887 1 Sept 1971

6. DIRECTOR 175016-27 Aug 1971

25 Aug 1971

1. Three types of material are enclosed herewith for addition to or comparison with the [REDACTED] data bank of intelligence on PW camps in Laos and adjacent areas.

2. ~~xxxxxxx~~ The conclusion mentioned in paragraph one of reference C to the effect that "if any American PWs are in Laos they are in the Sam Neua/Ban Tong complex in northeast Laos" was supported by a recent working level interagency review of ~~xxx~~ the problem. This review included ~~all~~ types of information ~~xxxxx~~ available to the Washington community.

3. A search was made for studies ~~dealing~~ dealing with
ECM radar PWs and PW camps in Laos, particularly northeast Laos.
We have found nothing to date other than photographs and ~~extra~~
~~workxxxxxxxinformation~~ collated bits of information on the various
sites mentioned in the Station's periodic report on PW detention sites.

4. Only one model has been made of a site in Laos, the model of the Ban Nakay Noua cave which was left at [REDACTED] in 1968. Photos of this model are ~~xxxxxxxxxxxxxxxxxxxx~~ enclosed.

5. [redacted] has kindly furnished us with ~~the~~^a current set of
following ~~probable sites~~^{list of probable sites}.
[redacted] photos of the principal sites of ~~one~~^{these} probable sites. ~~The~~^{Listed as:}
~~[redacted]~~ ~~D.D. areas of G-3.~~
There are no ~~other~~^{known} probable sites carried in the DRV adjacent to

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and the available reports and found

EXHIBIT

Subject

35a

6. A search of central indices revealed several reports on American PWs in Laos from sources which may not be identical with Station sources.

REPRODUCED AT THE NATIONAL ARCHIVES

EX 10-C

INFORMATION ON THE INTERAGENCY PRISONER OF WAR
INTELLIGENCE AD HOC COMMITTEE

1. Name of Committee: Interagency Prisoner of War Intelligence Ad Hoc Committee (IPWIC)
2. Meetings held since 1 January 1973: 9
3. Extent to which the Recommendations of the Committee have been adopted: Not applicable. See #5 below.
4. Reason why the Committee work cannot be accomplished within the DoD: CIA is the only non-DoD member to IPWIC. CIA's presence and participation on IPWIC are required.
5. Justification for continuing the Committee:

IPWIC is the only intelligence committee responsible for matters relating to missing and unaccounted for American personnel in Southeast Asia. It provides a working-level forum for a detailed discussion and coordination of intelligence matters pertaining to unaccounted for American personnel. The official members of the Committee are the Services (intelligence and casualty offices), CIA, and DIA. Observers from the Department of State and OASD(ISA) do attend IPWIC meetings, although they are not members.

With the completion of Operation Homecoming, the IPWIC members and observers agreed that meetings could be on an as-needed basis since DIA, as Chairman, keeps the members and observers abreast of all intelligence developments affecting their respective missing personnel or their areas of interest.

Currently there are about 950 Americans unaccounted for and about 1500 Americans listed as killed in action (bodies not recovered). Until the other side provides an accounting of these personnel, intelligence assets will remain the primary sources of information on the fate of these personnel.

At the 15 November 1974 meeting, the members and State Department observer were asked their opinion whether the committee's activities should be continued. The members and State observer stated unanimously that IPWIC should be continued.

EXH. 18-C

EXHIBIT

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EX15, Doc

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SECRET
Central Intelligence Agency

Washington, D.C. 20505

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4 December 1992

ROGER HALL
8715 First Ave., Apt. 827
Silver Spring, MD 20910
301.585-3861Mr. J. William Codinha
Chief Counsel
Select Committee on POW/MIA Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Codinha:

Your letter of 18 November requested a copy of a counterintelligence paper entitled "North Viet-Nam: The Responsibilities of the Democratic Republic of Vietnam Intelligence and Security Services in the Exploitation of American Prisoners of War." The paper to which you refer was written in 1975 by a counterintelligence officer working on Vietnam operations for the CI Staff. A copy of the paper is enclosed.

After reviewing the document for release to the Committee, the Counterintelligence Center (CIC), the successor organization to the CI Staff, appended a memorandum commenting on and correcting some of the statements made in the paper of 1975; CIC's memorandum is likewise enclosed. If it would assist the Committee's work and understanding, Agency officers who are knowledgeable on these issues are available to expand on the paper and the appended memorandum.

Please let me know if I can be of further assistance.

Sincerely,

OFFICE OF SENATE SECURITY

DOCUMENT CONTROL NUMBER: OSS 92-5344

Document consists of 55 Pages

Copy 1 of 1

Deputy Director for Senate Affairs

John L. Breckenridge

Enclosures

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FILE DESIGNATION

CONCURRENCES

1613/DI-6

CC-2B

26 NOV 1974

DI-6A4/ NAME , 26772/pw

Interagency Committees (U)

Reference: CC Memorandum U-712/CC-2B, dated 29 October 1974,
subject: as above.

1. (U) As requested by the referenced memorandum, the two interagency committees - the Prisoner of War Intelligence Task Force and the Interagency Prisoner of War Intelligence Ad Hoc Committee - have been reviewed.
2. (U) The Prisoner of War Intelligence Task Force should be terminated on 31 December 1974.
3. (U) The Interagency Prisoner of War Intelligence Ad Hoc Committee (IPWIC) should be extended. The information requested for extension of IPWIC is enclosed.

1 Enclosure
Information on
IPWIC (C)

NAME
COLONEL, USAF
CHIEF, SOUTHEAST ASIA DIVISION

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COORD
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DI-6A
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RETURN FOR FILING TO:

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DI-6A4/
retyped/DI-6D//25191/mjs/9 May 74
/25191/cjb/13 May 1974

1119/DI-6

MAY 15 1974

MEMORANDUM FOR THE CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT: Status of PW/MIA Negotiations in Laos (U)

1. (U) The fifth of May marked the mid-point of the 60-day period for the release of all prisoners held in Laos, as provided by Chapter II, Article 5 of the "Agreement on Restoring Peace and Achieving National Concord in Laos," signed on 21 February 1973. The 60-day period was to begin following establishment of the Provisional Government of National Union (PGNU).

2. (U) Protocols to the Agreement were signed on 14 September 1973. In accordance with paragraph 13 of the Protocols, the number of PWs and the names of those personnel who died in captivity were to be exchanged by both sides 15 to 30 days following their signing. Although Royal Lao Government lists had been prepared, they were withheld pending presentation of similar lists by the Pathet Lao. The 30-day period passed with no lists being provided by either side. In the past, the Pathet Lao repeatedly maintained that no information on US signing-in-action personnel would be provided until the provisional government was formally established.

3. (U) The provisional government was officially formed on 5 April 1974. To date, Pathet Lao officials have taken no positive action to comply with the terms of the Agreement regarding the exchange of US PWs.

4. (U) The Pathet Lao claim to hold only one US PW, Mr. Ernest J. Kay, US civilian, captured on 7 May 1973. While no firm date has been set by the Pathet Lao, Mr. Kay's release is anticipated late in the 60-day period provided for in Article 5. It is reasonable to expect an accounting of other US personnel whose capture was acknowledged by the Pathet Lao. The Pathet Lao undoubtedly also have information concerning the fate of at least some US personnel currently held in a captured or missing status. DIA currently lists five US personnel as prisoners and approximately 300 US personnel as missing-in-action in Laos.

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5. In recent months, there have been several unconfirmed reports that US PWs other than Mr. Kay are currently alive in Laos. These reports, received from third- or fourth-hand sources, can be neither verified nor refuted; however, collection efforts are continuing. A detailed analysis of recent sighting reports of US personnel in Laos through 1 March 1974 was provided as enclosure 2 to DIA Memorandum E-1624/DI-6 dated 8 April 1974, subject: Reports of Personnel Still Held Captive in Southeast Asia (U).

6. Information received from the American Embassy in Vientiane and discussions with Mr. Frank Sieverts, Special Assistant to Prisoner of War and Missing in Action Matters, Department of State and members of the Department of Defense Prisoner of War and Missing in Action Task Force indicate that every possible action to secure the release of Mr. Ernest J. Kay and obtain information regarding US personnel captured and missing in Laos is being pursued. Ambassador Whitcomb has made strong representations to Deputy Prime Minister Phoumi Vengvichit, the highest ranking Pathet Lao official in Vientiane, and to other new PAVN cabinet members regarding this matter. Information concerning the PW situation has also been made available to individuals (including the Russian Ambassador in Vientiane) whom embassy officials believe could be helpful in furthering our interests. US Embassy officials continue to stress to Pathet Lao representatives our strong desire to obtain information on US personnel, whether captured, missing, or dead. Furthermore, pressure upon the Joint Central Commission to implement the agreement (JCCIA) providing that the PW/MIA subject is afforded priority at its meetings. The JCCIA meetings resumed on 30 April following a month-long recess.

7. (U) This information has also been furnished the Secretary of Defense.

/s/ V. P. de Poix

V. P. de POIX
Vice Admiral, USN
Director

cc:
Director, Joint Staff

(DA)

INTERAGENCY PRISONER OF WAR INTELLIGENCE AD HOC COMMITTEE
(IPWIC) MINUTES OF MEETING, 18 SEPTEMBER 1970
ROOM 1020, B BUILDING, ARLINGTON HALL STATION (0930-1110)

1. The following DIA, CIA and Service representatives were present:

CAPT J. S. Harris	DIA	Chairman
CDR J. C. Bruce	DIA	(AP-7C)
Mr. J. T. Berbrich	DIA	(AP-7C)
Mr. E. C. Wheat	USN	(NIC-38)
Capt C. E. Redman	USAF	(AFNIN)
LtCol B. F. Lands	USAF	(OSIIS)
Maj J. L. Harvell	USAF	(OSIIS)
Maj D. M. Jackson	USAF	(AF/DPEC)
Maj F. E. Sheaffer	USA	(ACST)
Capt B. R. Greisen	USMC	(A02A)

2. Mr. Robert Scheer, a California candidate for the Peace and Freedom Party for the U. S. Senate, and several other recent visitors to North Vietnam returned to the United States on 16 September 1970 with 379 letters from U.S. prisoners. In the process of clearing customs at the John F. Kennedy International Airport, Mr. Scheer reportedly would not conform to custom regulations and open all his luggage for inspection. As a result, customs authorities impounded that part of his luggage that was not inspected, and this included the 379 letters.

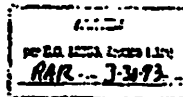
The Chairman stated that it was his understanding that customs officials were hopeful of releasing the impounded luggage in the very near future. Apparently, the luggage is just sitting at the Airport for Mr. Scheer to claim it and to clear it through appropriate channels.

3. The Chairman stated that several wives have received letters from their husbands within the past two days. In the forwarding correspondence prepared by the Committee of Liaison, the next-of-kin were told that 143 letters were recently received from prisoners in North Vietnam. The forwarding correspondence was dated 14 September, and the envelope was postmarked the next day, 15 September. The AFNIN and USN representatives confirmed that the letters received to date indicate that this batch of 143 letters is not a part of the 142/143 letters brought into Canada by Mrs. Jerry Rubin (See 19 June 1970 IPWIC Minutes, paragraph 4).

Cy _____ of _____ Cys

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1 COMMITTEE CONFIDENTIAL
2 DEPOSITION OF RICHARD V. ALLEN

3
4 Tuesday, June 23, 1992

5
6 U.S. Senate
7 Select Committee on POW/MIA
8 Affairs
9 Washington, D.C.
10

11 Deposition of RICHARD V. ALLEN, a witness herein,
12 called for examination by counsel for the Senate Select
13 Committee on POW/MIA Affairs, was convened at 2:04 p.m., in
14 S-407, The Capitol, on Tuesday, June 23, 1992, the witness
15 being duly sworn by ANNE P. HOROWITZ, a Notary Public in and
16 for the District of Columbia, and the proceedings having been
17 taken down by Stenomask by ANNE P. HOROWITZ and transcribed
18 under her direction.
19

20 Present from the Senate Select Committee on POW/MIA Affairs:

21 J. WILLIAM CODINHA, ESQ., Chief Counsel
22 ROBERT TAYLOR, Investigator
23
24
25

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Attachment 6

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1	C O N T E N T S	
2	THE WITNESS	EXAMINATION BY COUNSEL FOR
3	RICHARD V. ALLEN	THE SELECT COMMITTEE ON POW/MIA AFFAIRS
4	By Mr. Codinha	3

5	E X H I B I T S	
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7	ALLEN EXHIBIT NO.	PAGE
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1 new intelligence charter that was created in the early months
2 of the Reagan administration, for which I had the
3 responsibility of coordinating and shepherding, but I couldn't
4 obviously attend the working group meetings. So Gregg and
5 whoever else -- Gregg and my secretary calls it the geezer
6 gap -- Ken de Graffenreid. De Graffenreid worked under Gregg
7 and de Graffenreid was a political appointee from our side.

8 Q. In terms of intelligence, what written intelligence
9 summaries did the President receive on a daily basis? Did he
10 get a daily intelligence briefing by the CIA?

11 A. Well what is called the PDB, the President's Daily
12 Brief. This is the instrument that Bill Casey and I shaped to
13 fit the needs. Of course, the President will always get a
14 daily brief of some kind. We called it the PDB and gave it
15 some new architecture for -- to suit the way the President
16 liked to read things.

17 Casey and I, Richard Kerr, Richard Lehman of the
18 CIA, worked hard on putting that document into more useable
19 form. Carter had -- President Carter had wanted to consume
20 lots of minutiae and detail; we made it more thematic but
21 still quite ample. So the President would receive that every
22 day.

23 That would be briefed to me early in the morning,
24 about 6:30, at the White House. And then I would prepare for
25 my 9:00 meeting with the President after having had a senior

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1 staff meeting. And if anything were relevant at that time, I
2 would bring it up at the senior staff meeting, then a wider
3 staff meeting, and then my meeting with the President.

4 So others received copies of the PBD as well, Meese
5 and Baker, because they were members of the National Security
6 Council as well. And I guess that's about it. I took it to
7 the President, the President would read it, I would usually
8 bring it back.

9 That was the formal structure. During the periods
10 of time -- the time the President was incapacitated, I think
11 it was sent over to him or I took it over to him at the
12 hospital or at the residence. And in my absence, somebody
13 else would take it to him and brief. In addition, he received
14 whatever else I thought was necessary. There were frequent
15 DIA contributions that I thought particularly meritorious, and
16 he would get those.

17 So the President received a constant flow. Also for
18 his weekend reading file, which I started, a practice which I
19 started -- actually, I guess I resumed, because President
20 Nixon liked to have a weekend reading file. I loaded it up
21 with lots of reports, some of them specially generated, that I
22 would have generated from the intelligence community expressly
23 for his reading.

24 Q. Going back for a moment to the PDB, the President's
25 Daily Briefings, how long -- how much written material would

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1 be given to him?

2 A. 10 or 12 pages.

3 Q. 10 or 12.

4 A. With photographs and maps. And then separate maps
5 and illustrations and briefings as necessary. I might say
6 also that from time to time there were video presentations
7 that I arranged for the President on a very -- very very
8 sensitive data.

9 Q. With respect to the 10 or 12 page briefing that you
10 were briefed on at 6:30 in the morning, who would brief you?

11 A. Dick-- Richard Kerr, who recently departed DDCI.

12 Q. And how long would that briefing usually last?

13 A. It could be 5 minutes, it could be 15. It was
14 efficient -- an efficient process.

15 Q. Then would you actually review all of the pages that
16 the President was going to see at 9:00?

17 A. Yes.

18 Q. And then you said the next thing that would happen
19 is you'd have a senior staff meeting.

20 A. I'd go to a senior staff meeting, right.

21 Q. And how long did that meeting last?

22 A. About 30 minutes. 30 to 40 minutes, perhaps.

23 Q. Was the FDB discussed at the senior staff meeting.

24 A. No, they didn't have the need to know. It was
25 compartmentalized.

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1 Q. What was the senior staff meeting? What did that
2 deal with?

3 A. Everything of the day. The entire agenda for the
4 day, the week, the month, what was coming up. It consisted of
5 about 12 of the assistants to the President, I think we had 10
6 or 11 or 12. All of them plus some deputies and press people.

7 Q. You said the next thing that would happen would be a
8 wider staff meeting after the senior staff meeting.

9 A. Generally Meese and Martin Anderson, the domestic
10 advisor, and I would get together on policy matters, if I
11 didn't hold a staff meeting of my own before going to see the
12 President.

13 Q. And did this happen on a daily basis?

14 A. Yes.

15 Q. And then you said at 9:00 you would brief the
16 President.

17 A. Usually, 9:00, 9:15.

18 Q. And would that take place at the Oval Office?

19 A. It would.

20 Q. And how long did that meeting last?

21 A. It depended on the number of jokes that the
22 President had. It would begin fairly promptly after some few
23 introductory remarks, and would generally last 15, sometimes
24 30, sometimes 45 minutes or an hour, depending on the subject
25 raised.

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1 Q. Did the President receive any separate operational
2 daily or weekly intelligence reports from the CIA?

3 A. I think from time to time Bill Casey wanted and got
4 private time with the President. I can't say whether those
5 were reports or those were other kinds of discussions.

6 Q. Would you review the materials that Bill Casey would
7 show the President?

8 A. Usually always. We were very close friends and had
9 been for many many years, and there was -- I think he had no
10 reason to keep anything from me, but I would not have been
11 offended had he done so.

12 Q. You indicated that this was private time. Does that
13 mean that you were not present at those meetings?

14 A. Yes. And the Secretary of State also wanted private
15 time, but was less successful in getting it.

16 Q. After assuming office, did President Reagan ask for
17 and receive intelligence briefings on the possibility that
18 live POW's were still in Southeast Asia?

19 A. He did.

20 Q. And when do you recall that happening?

21 A. Well I'll have to get some help from you in terms of
22 timing, because I can't exactly recall now. But this
23 basically came, I think, at my instigation. You recall the
24 name Bo Gritz. I'm trying to remember when Bo Gritz became an
25 issue for us. I think he had already been active in the years

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1 of the Carter administration, but I'm not sure doing exactly
2 what.

3 There was a great concern about Mr. Bo Gritz,
4 probably located in the State Department more than anyplace
5 else, this concern. Maybe some concern also in the Department
6 of Defense that Mr. Gritz was a lone ranger, a swashbuckler, a
7 daring do-type, who set out on missions that were -- that
8 could cause trouble for the United States.

9 And I recall having a discussion with the President.
10 I had -- my own view on Mr. Gritz was that -- I guess he
11 doesn't mind being called Mister. Is he still alive?

12 Q. Oh, Bo Gritz is still alive.

13 A. That Mr. Gritz -- telling the President that Mr.
14 Gritz probably ought to be left alone, and I wasn't going to
15 do anything to interfere with what Mr. Gritz was doing.
16 Because it seemed to me that he was doing as good a job as
17 anyone else in and having a look at the existence of POW's.

18 And he was in Southeast Asia at that time and I
19 remember that time being probably the spring, early spring of
20 1981, trying to assemble equipment, and also back in this
21 country trying to raise money for future forays into Laos and
22 Vietnam. And while I can't exactly remember who it was that
23 was doing most of the complaining about Gritz, it struck me as
24 being something that was reasonable. If he wanted to go ahead
25 and do that and it was on his own time, it was all right with

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1 me and he wasn't disturbing the borders of any friendly
2 country.

3 And so I explained that to the President; at least I
4 presented that to the President, shall I say.

5 (Discussion off the record.)

6 MR. CODINHA: Why don't we take a 5 minute break.

7 (Recess.)

8 MR. CODINHA: Why don't we resume.

9 BY MR. CODINHA:

10 Q. I believe when we broke I had asked -- the question
11 I had asked you was after assuming office, did President
12 Reagan ask for and receive intelligence briefings on the
13 possibility of live POW's who were still in Southeast Asia.
14 And you said yes he had. And I asked when, and you said you
15 believed it was the spring of 1981 and tied it to Bo Gritz.

16 A. Yes. At any rate, I thought that these events were
17 worth reporting to the President, and we had several
18 discussions about the issue. At about the same time a CIA
19 photo interpreter was brought to my office. No, a photo was
20 brought to my office.

21 And it was explained to me that in this photograph,
22 if I looked carefully, I would find stamped in the ground, in
23 the grass, a quite distinct pattern of what was called a rap
24 code that the prisoners used in Vietnamese prisons. And so
25 the photo interpreter was brought over and looked at this

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1 photograph, and for the life of me I can't remember what the
2 numbers were, but it was something like 3162 or 5138 or
3 whatever.

4 And sure enough, with an overhead -- this was an
5 overhead photograph -- there was what looked like the rap
6 code. I don't know, I've forgotten what it meant or whatever.
7 But when explained to me at the time, 11 years ago, it looked
8 to me to be very significant. And so I took this up to the
9 President and I showed the President. I said now here's --
10 the theory is that this photograph contains a picture of a
11 prison compound and that in the exercise yard the prisoners
12 walked the pattern of the rap code. Have you heard this story
13 before?

14 Q. Not precisely this way.

15 A. Okay, well anyway, this is the way I remember it.
16 So this was the rap code. And that, in effect, said help from
17 above or here we are. Now no one was ever 100 percent
18 certain. The question was what do we do about it, and the
19 proposal -- either I stimulated or I accepted and encouraged a
20 proposal to send a team in to have a look. I went to the
21 President and asked him what he thought about it. He didn't
22 take 5 seconds but to authorize that such an expedition be
23 launched, and they went about assembling it.

24 It seemed to me that it took awfully long to get it
25 assembled, an unbelievably long period of time to get it

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1 assembled. I believe they assembled in Northeast Thailand. I
2 believe they had to go through part of Laos. We were out of
3 contact. I guess those were days before we had adequate
4 communications. They could not be in contact at all times,
5 and they proceeded in. The President was asking -- asked
6 virtually every day, what about the progress of this mission,
7 because he was quite excited about its potential.

8 My recollection is that the group got into a fire
9 fight, I guess with the North Vietnamese. Either they had
10 Montagnards or Laotians of some description, who were taking
11 them in. A couple of them were hit and they had to bring them
12 back. There were wounded and/or killed, I can't remember
13 which.

14 And when -- they supposedly went back again after
15 having brought back the wounded casualties, and as I recall
16 resupplied and went back again. It is my recollection -- I
17 don't think I dreamed this, but it is my recollection that
18 they eventually got to the site, but they didn't get literally
19 inside. But by the time they got to the site the site had
20 been abandoned. Whereas it had not been, definitely not been
21 uninhabited at the time of the sighting of what was purported
22 to be the rap code walked into the grass.

23 So I thought this was an extraordinary thing, and
24 it's -- the recollection has never left me. And I just
25 wondered if there might have not been another more efficient

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1 way to go about getting the team in there. It turned out
2 there was not, and I guess nothing else ever came of it.

3 It would be interesting today to go back and to find
4 those photographs -- because the coordinates were very
5 precise, you could find it down to a few meters -- and go in
6 and have a look and see what's there. With the question --
7 the obvious question is were they moved, were they harmed, if
8 they were there.

9 And ever since -- that strengthened my belief in the
10 presence of POW's and MIA's, my personal belief. And also I
11 think there was a strong belief by the Vietnam groups that I
12 was meeting with relatively regularly at the time, or whenever
13 they wanted to meet. And there's the POW/MIA type groups such
14 as the League of Families and, as I recall there was also some
15 division -- I never quite understood the politics of the
16 movement, of the POW/MIA movement. There was quite vicious
17 politics, I gather, that eventually developed.

18 And I sort of lost touch with the issue as I went on
19 to other things, but I never forgo the experience.

20 Q. Let me examine some of the things you have said.
21 Does -- what you described to me break out into two separate
22 areas, the Bo Gritz and the CIA analysis. Let's talk first
23 about the CIA analysis. When do you recall that happening?

24 A. I can't tell you exactly. But I -- my recollection
25 captures it at some time in the spring of 1981.

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