

expert, or experiential knowledge of the handling and archival storage of highly classified materials of concern to the aforementioned bodies, or the President's National Security Council, that have been under investigation during this recent period.

Official Exhibits to my sworn testimony for the SSC from my Department of Defense Personnel File, exemplify my access to, and expertise in handling, extremely sensitive classified materials pertaining to the national security with the following the words:

"A highly intelligent and tactful young man who has proved to be a valuable member of this Joint Service Staff. He was responsible for establishing procedures which resulted in an efficient security and control mechanism for a large volume of extremely sensitive material. His outstanding abilities permit him to routinely perform complex duties....performs duties as an Operations and Intelligence Assistant on a Joint Service Staff of all services. Maintains proficiency as an air-crew member of high altitude aircraft. Requires inordinate degree of integrity, responsibility and tact dealing with high ranking officers, and extremely sensitive materials". Signed, Wallace W. Crompton, Colonel, United States Marine Corps, July 3, 1974.

Colonel Crompton was then my Commander, and the Senior Colonel in the entire Marine Corps. Our duties at that time were to stand ready to brief and assist the President of the United States, or his designated successor, the National Command Authority, in carrying out the nation's highest, strategic, nuclear policies. In short; we were a highly specialized team carrying the President's Nuclear Execution Codes, and standing ready at a moment's notice, to enable the President to respond to a nuclear situation. As such, I was privy to the combined, integrated output of the entire United States Intelligence Community, as it flowed to the President, in order to be momentarily aware of precisely what he knew, and did not know, that may impact his decision making process in a nuclear emergency.

To carry out these duties, for years I was granted access to, and was the designated Official Custodian of huge volumes of classified materials the President may need, up to and beyond classification of Top Secret, including SIOB-ESI-SI (Single Integrated Operational Plan, Extremely Sensitive Information, Special Intelligence), and numerous Top Secret Codenamed Special Access Programs far too lengthy, and still remaining classified, to mention herein.

The limited purpose of this Affidavit, is to recount and attest to my knowledge of the last known locations of specific Top Secret archives, derived from some of the nation's most covert operations and intelligence gathering methods and techniques, pertaining to American Prisoners of War and Missing In Action, both armed service and Central Intelligence Agency personnel during the Third Indochina Conflict, commonly known as the Vietnam War, and what I have told Mr. Anthony Lake, National Security Advisor to the President, about their location and contents, as a result of my duties in that era.

Specifically, I am referring to that archive specially caveated and accessed, flowing directly to the White House, derived from the Military Assistance Command Vietnam, Studies and Observations Group, hereinafter referred to as "MACVSOG" or "SOG", and its various attendant numerical sub-divisions such as "SOG-80" or "SOG-35" or "SOG-34". It is important to note at this point, that the authority for the covert operations conducted by SOG, was derived from, and proceeded only, with the direct, personal, authorization of the Presidents of the United States, during the era.

My first familiarity with MACVSOG and its highly compartmentalized and covert operations, occurred in mid-1968, while I was serving as a volunteer Team Leader of Top Secret, clandestine, intelligence gathering reconnaissance teams, along the Tri-Border region of Vietnam, Laos and Cambodia. In such operations, I typically worked with only one other American, and the rest of our clandestine team was composed of indigenous, ethnic, personnel from the region. These highly trained mercenaries were provided to us from joint CIA and MACVSOG commando schools, and were composed of various Montagnard tribal groups, Chinese Nungs or Vietnamese. Our mission was to sneak amongst the enemy's base areas.

During September, October and November 1968, I was detached and relocated to MACVSOG, Operation 35, Ground Studies Division, operational Mission Support Site, codenamed "Sledgehammer". The location of this covert site is variously given in historical texts now as "in Cambodia", although the border between then South Vietnam and Cambodia

was ill defined. Mission Support Site "Leghorn", was approximately 20 miles away, also occupied by SOG-35, in Laos. This area is at the precise junction of Laos and Cambodia. The term "Ground Studies Division" is the unclassified designator meaning in actuality, the Top Secret, covert, ground forays for strategic reconnaissance purposes, proceeding across international borders into, for instance, Laos and Cambodia, with the President's direct authority.

During this period, MACVSOG operations suffered losses of covert operational teams, across the borders, in Laos and Cambodia and I was directly involved in communicating and coordinating with the teams, and the various support assets assigned to assist us in these covert operations. Several teams simply disappeared, either without notice, or after short or prolonged fights with the enemy in Laos or Cambodia during the period, and teams disappeared in our area from other SOG operations, such as SOG-32, Air Studies Division.

Upon disappearance of one or more, or all members of a team in Laos or Cambodia, codename "Brightlight" teams, standing by in Vietnam, routinely were inserted in attempts to locate survivors, retrieve bodies of SOG members, or quickly exploit opportunity to liberate them from their recent capture by the enemy. After initial Search and Rescue operations, for them, and aircraft pilots or personnel of the various armed services or Air American assets, shot down in these cross-border operations supporting SOG operations, the responsibility passed to MACVSOG Division 80. SOG-80's unclassified name was listed for intelligence cover purposes on organizational charts to deceive the enemy, press, and those not granted access for lack of need-to-know, as the "Recovery Studies Division" of SOG.

The classified reality is SOG-80 was the central, bottleneck, through which all POW/MIA intelligence derived from all agencies operating in Indochina, whether they be CIA, NSA, SOG, NRO (aerial imagery), or regular armed services, or even State Department, flowed to the White House. As such, SOG-80 was responsible for analyzing, developing, coordinating, and planning POW and MIA rescue attempts throughout the Indochina region. It was our covert attempt to rescue POWs in Laos and Cambodia, and even North Vietnam. All

intelligence pertaining to POWs and MIAs in Indochina, flowed through SOG-80, and made their way to the White House in final form, after analysis.

My exposure to the operations, covert knowledge of the organizational structure of the labyrinth-like SOG administrative design, allowed me this understanding.

Later, in Hawaii, assigned in sensitive Command and Control Operations Center duties as an Operations and Intelligence Specialist with caveated accesses to POW/MIA material, I maintained my familiarity with SOG operations, and through the anecdotal experience of communicating with numerous SOG associates over the years, I maintained knowledge of the operations. As the war wound down, increasingly, those of us privy to the SOG awareness, became fixated on the resolution, through rescue, or negotiated return, of the many hundreds of men missing, or known captured in Laos and Cambodia, from SOG, or the air operations supporting them. This awareness and my duties, which involved briefing the Flag Officers I served directly, kept me abreast of the SOG picture. Further, I would talk with Colonel Arthur "Bull" Simon, who had led SOG at one time, who was assigned as the Special Operations Officer at the Commander-In-Chief-Pacific (CINCPAC) Unified Joint Command in Hawaii. Bull Simon would later lead the SOG-80 attempt to rescue American POWs in North Vietnam, at Son Tay. I also would attend specialized briefings on the POW/MIA situation from CINCPAC, at times from later Lieutenant General Eugene Tighe, then Colonel, who was J-2, Intelligence, at CINCPAC. The SOG experienced and accessed community was a tight-knit one, obviously.

CINCPAC was the interim flow-point, for SOG-80 intelligence heading back to the White House. As such, Colonel Simon's placement there, monitoring SOG, was no coincidence.

At various times it was necessary to publicly expose SOG-80's operations, and at those times, the cover designation of SOG-80's assigned mission, to recover POWs and MIAs or their remains, would surface as the "Joint Personnel Recovery Center" (JPRC), or later, in late 1972 and early 1973, as the overtly designated "Joint Casualty Recovery Center" (JCRC).

As the American part of the war wound down, I became aware that SOG-80 would convert, and arise publicly postured, as the JCRC. Being very concerned, knowing the true classified picture of the hundreds of men believed captured or missing in Laos and Cambodia from these covert activities, being hidden from the American people and Congress, I went to Bull Simon to volunteer for, and expedite my immediate assignment to the JCRC, which was going to take up overt operations in Thailand. Our loyalty to the missing men was undying and profound to us.

Ultimately, I would end up suddenly assigned, with only a few hours notice to depart Hawaii for Thailand, to Top Secret Intelligence duties, detached from the Defense Office of the U.S. Embassy, in Bangkok, on Temporary Duties from January to April, 1973. This was when JCRC formed. Recurrent malaria, and attendant relapses, kept me medically profiled, and prohibited from being assigned permanently to JCRC, but I was there in Thailand as it swung into action, attempting to foray into Cambodia and Laos in the wake of the signing of the Paris Accords in January, 1973, to overtly search for remains of Americans missing, or last known held prisoner there, and covertly, stand ready to effect their rescue in the known, second-tier POW camp system operating in Northern Cambodia and Laos, that we had extensively detailed, photographed, and ground reconnoissanced throughout the war era. We had vast "studies" of these camps in Laos, derived from SOG operations, Imagery Intelligence (IMINT, satellite, low and high altitude aircraft), and much agent reporting from SOG-34, or SOG-36 Operations and CIA operatives reporting on the Americans held in these camps in Laos.

At the time of Operation Homecoming, we believed our highest probability intelligence showed an estimated 310 to 350 men alive in camps within this second tier system in Laos. In 1973, I became aware as a result of my intelligence assignment in Bangkok as JCRC geared up for operations, that a considerable portion of the massive, many-years-accumulated, SOG-80 source archive had to be transported from Hawaii to Thailand. The reason for this is, as JCRC began to plan operations to recover remains, they discovered quite readily that the individual armed services, in order to protect SOG operations, had officially been ordered to

falsify the actual incident-loss locations of the covert operations personnel lost cross border in Laos or Cambodia. Hence, in many cases, JCRC didn't know where to look, having false location data, designed to conceal the concerted violation of the international borders of Laos and Cambodia, as the last known location of American personnel.

Since the existence of the SOG-80 operations during the years 1966 through the end of the war, was so highly covert and classified, the administrative problem of resolving these cases was severely exacerbated. Further, since President Nixon had been denying (like his predecessors, Johnson and Kennedy), to the Congress investigating, and the American public, the existence at any time of any American combat, or covert forces in Laos or Cambodia, the issue was extremely sensitive politically. The matter of our signature to the 1962 Geneva Accords on Laos Neutrality, and international law, and our credibility and liability were at stake. Even further, the Congress had been literally breathing down Nixon's neck, with the McCloskey Hearings, focusing in recent years, on alleged illegal and unconstitutional acts of war proceeding covertly in Laos and Cambodia, and the attendant mass-bombing supporting these operations throughout the war. There was real fear, I saw manifested in "back channel" cables emanating from the Nixon White House, directly from Henry Kissinger in certain cases, that the discovery and public disclosure of the full extent of these covert operations and the true MIA figures for Laos and Cambodia, could result in potential impeachment. It is historically important here to note that one of the chief Articles of Impeachment arising eventually in the House of Representatives, in 1974 against Richard Nixon, was Conduct of an Illegal and Unconstitutional War in Laos.

Given the statements of the President publicly on March 28, 1973, before a national press conference that "Tonight all our prisoners of war from Indochina are on their way home", it would have been catastrophic politically for the public and Congress to become suddenly aware that in reality, we fully expected approximately 300 to 350 Americans to be released from Laos alone, out of a true figure of 600 men missing there.

Being kept tightly secret, in Top Secret, Eyes Only, Limited Distribution papers, were the memorandum written on that very same day, March 28, 1973, by then Assistant Secretary of State for International Security Affairs, Lawrence Eagleburger (later Secretary of State under George Bush), stating the expectation that Laos was still holding "350 American POWs". Eagleburger, strenuously recommended therein, that a large portion of the war in Indochina be virtually restarted. He advised in his memo to Secretary of Defense Elliot Richardson, that we should start a massive B-52 bombing campaign immediately against Laos, and that an aircraft carrier task force group be hurriedly moved into the Indian Ocean, to resume air bombing operations against Laos. Considering we were supposedly bound to withdraw all American combat forces from the Vietnam war effort, under the terms of the Paris Accords, and the Congress had stopped all funding for combat operations there, beginning June 1st, 1973, these were potentially explosive conclusions and recommendations.

SECDEF Richardson, removed the suggestion of the carrier task force group movement from Eagleburger's memo and quickly passed it on to the Nixon White House; but Nixon had spoken publicly, and desperately needed the withdrawal to proceed smoothly from Vietnam. He was also beleaguered by Watergate, being hounded by Congress.

Compounding this situation, was the reality that on or about March 20th, 1973, the week before, Chairman of the Joint Chiefs of Staff Admiral Thomas Moorer, had issued a Top Secret Eyes Only Limited Distribution message, ordering the Saigon command to "halt the withdrawal from Vietnam immediately", pending the resolution of the Laos POW/MIA situation. As he and the President well knew, of the 600 men missing in Laos alone, the United States Government insisted, fully 80% of those men, had fallen into areas of Laos directly and totally under North Vietnamese control. This order, had it become public, would have resulted in a massive media conflagration, given the state of political anathema, in the public and Congress, for anything but immediately ending the Vietnam conflict finally. Admiral Moorer, was prompted to write this astonishing order, because he knew that on February 1st, 1973, in a top secret exchange of letters, between an American intelligence operative, and the North Vietnamese in Paris, arranged by Kissinger, we received the "Laos POW list", and there were only nine

American names on it, instead of the expected 300 plus. Nixon, had secretly been forced to provide as his end of the exchange, a promissory letter, guaranteeing the North Vietnamese a minimum of 3.25 billion dollars in ransom for the Laos men, under the guise of wording that this sum would be "reconstruction aid". All of this was being withheld from the American public and the Families of the missing, and the Congress, while the President disingenuously lied and said "All our POWs are on their way home tonight". As I testified under oath, the atmosphere inherent in the Joint Chiefs of Staff's back channel messages at this time, became "near mutinous" in tone. It is important to understand that Nixon was literally besieged with Watergate that very week in 1973. In essence, the expected return of 300 plus American POWs, based upon highest probability intelligence forecast to the Nixon White House, much of it derived over the years from the SOG-80 integrated intelligence archive directly flowing to the White House, and the resultant ransom/hostage situation implied, was being swept under the rug from political expedience, and to forestall revelations that could quickly result in impeachment of a President, already beleaguered by Congressional angst. This revelation also probably would have destroyed the last remaining legacy being shepherded by the Nixon White House, as to their foreign policy competence and expertise.

To these, and other events of which I had personal awareness through intelligence traffic, and virtually riding the spinal cord of the POW/MIA hidden nervous system over the previous years, I have testified extensively to the Senate Select Committee and to a lesser degree, the House. Senate Investigators spent over 50 hours interrogating me under oath, through sworn statement, or live testimony behind closed doors, or in interview.

In the confusion and chaos that followed leading to Nixon's impeachment, the truth was swept desperately under the rug. Voices of dissent, like those of Roger Shields, Chief of the DOD's POW/MIA Office, were squelched. Shields, in that infamous and secret week at the end of March, 1973, was called into Acting Secretary of Defense William Clements' office to discuss his upcoming press conference on the status of the POW situation. Clements, as Shields would later testify, said for Shields to say "The rest are dead". Shields, stunned, said to Clements "You can't say that!" and Clements quickly replied in such a manner that Shields

later testified he thought he was about to be fired on the spot warned "You didn't hear me Roger...the rest are dead!". Shields, later was taken by Clements to a secret session with President Nixon in the White House, with Brent Scowcroft attending, on April 11th, and thereafter dutifully stated words to the effect at his press conference on or about April 14, 1973, that the rest of the men were dead, dashing the hopes of hundreds of families.

In the years that followed, and the Ford Administration ensuing, the evidence was ignored, kept tightly secret and hidden, and eventually a purge I testified to, began in 1975 of certain POW materials, from archives, with the intent, I believe, to bury the dark secret forever. With CIA Director William Colby spilling the beans on CIA misdeeds on Capitol Hill, President Ford and Henry Kissinger sought damage control; Colby had to go. The purge continued as George Bush was appointed Acting Director of CIA. Faced with the ignoble collapse of Saigon and Cambodia, and the onset of a genocide in Cambodia that President Ford chose to conceal clear evidence of from our public, so as not to acknowledge any political culpability for that human catastrophe, and to avoid revisitation of the lies of the Nixon Administration, the legacy of the hundreds of men was falsely sealed and a perverted history was put in place, with an officially stated public policy that we had certainly obtained the release of all our POWs and MIAs in Southeast Asia. In short, observing these ominous events, in my mind, the men were being written off.. Strategic Intelligence Collection Requirements (SICRs) were drastically altered, to virtually prevent agencies from searching for signs of any POWs. Especially curtailed, were satellite imagery collection efforts; a sure sign of not wanting to literally see evidence of the men's presence in Southeast Asia, signalling through symbols they were trained to surreptitiously construct skyward, around their prison camps.

These lies led me on July 4, 1975, to refuse formal transfer and acceptance of the Presidential Nuclear Execution Codes at assumption of my duty period scheduled, and to demand immediate discharge. I stated that in good conscience, I could no longer wear the uniform under a lying Executive. A series of top secret intelligence debriefings began as intelligence agents arrived from Washington, wherein I stated the basis of my decision and

revealed what had occurred, and what I had witnessed. I could not speak publicly for fear any remaining men would be summarily executed by the Communists. Such disclosure could negate any discreet opportunity to pay the promised 3.25 billion without the stigma of ransoming hostages to our credibility, and also for fear of real, imminent prosecution of disclosure. I simply abandoned eight years of exemplary service, leaving after having attained the pinnacle of responsibility, and as records attest, while serving as one of the top three men rated in my career field of Operations and Intelligence Specialists within the entire Army.

This secret, in my opinion, became one of the darkest, most tightly held of the modern era, out of fear of public disclosure. No President wanted to grasp the nettle of the issue, and disingenuous statements, and outright lies, continued to emanate from the various White Houses, and the DOD. Congress, unaware of the Nixon secret promissory letter to the North Vietnamese, refused any "reconstruction aid" to North Vietnam. It took four years for the truth of the secret promissory letter from Nixon to surface in Congress. The reasons behind the need for the letter, were obfuscated, and the Top Secret Rand Corporation Studies commissioned and followed by Nixon and Kissinger, recommending this approach to avoid the stigma of paying ransom for hostages, remained sequestered away. By then, many of the knowledgeable were continuing to rise in government and no one wanted to revisit the issue, including the American press, save the Families of the missing men. Apathy towards, and benign neglect of, anything "Vietnam" reigned.

So it was I testified and described to the Senate Select Committee these events, and the necessity of locating the critical, all sourced, SOG archives. Despite finding evidence, as I'd testified to, of the 1975 purge of critical materials, the SSC could never locate the SOG archives and admits so in its mushy final report. Documents and archives pertaining to other decisions and critically telling POW messages after Operation Homecoming, were blatantly withheld from the investigation by the Bush White House on grounds of Executive Privilege or national security rationales. I had testified to exact CIA and National Security Council documents, and upon that testimony the SSC challenged the Bush White House for them and was "stonewalled" in the words of several Senators. Ineffectively, the Senate voted

unanimously in a 96-0 passage of a Resolution, that the Bush Administration should declassify POW/MIA materials soon after my testimony, adding a harsh clause that the Nixon NSC materials and tapes should be immediately forthcoming. The Bush White House ignored the Resolution and the weak Select Committee failed to confront them with subpoena.

In August of 1993, at the continued urging of many of the POW/MIA Families, especially at their National Convention in Washington, I found myself virtually drafted into proceeding on their requested behalf. to "form a team of experts, and go to the White House and inform the new President (President Clinton) of what he was not being told". Meanwhile, persons eager to stifle further inquiry, pushed normalization with Vietnam.

Coordinating with Mr. Ross Perot, I set about doing just that. I selected LTG Eugene Tighe and Mr. George Carver, with myself, to form the nucleus of such a "team". LTG Tighe, as I mentioned earlier had been Intelligence Chief at CINCPAC during critical periods, and later became head of the Defense Intelligence Agency. Then in 1986, he had been appointed by President Reagan to investigate the issue, and his Tighe Commission Report, although watered down for political reasons, concluded the "strong possibility that men remain alive in Southeast Asia today". It was kept secret, and withheld from the Families, Congress, press and public.

Mr. George Carver, was retired from the Central Intelligence Agency, where he had arisen to be Special Assistant to three different Directors of the CIA, on Vietnam matters. Dr. Carver, had been retired, and in 1993, was an Olin Fellow, for the Washington think-tank, Center for Strategic and International Studies, and he continued to lecture at Cambridge and Yale, often on Indochina matters. More importantly and specifically to my intent, George had been on loan from CIA to the Nixon White House where he served as Chairman, for the Indochina Subcommittee on Intelligence, of the Washington Special Action Group, headed by Henry Kissinger, Nixon's National Security Advisor, during the critical Nixon years of the Indochina conflict.

What I well knew, was that the nation's most covert, extensive, and productive strategic intelligence operations, MACVSOG, and all other gathering agencies, directly flowed their product into the Nixon White House, to George's Indochina Committee on Intelligence. In short, George was the hands-on recipient and coordinator of the entire SOG product. The SOG operations were controlled by the WSAG directly, with the imprimatur of the President himself, for the cross border forays, which in those years, averaged seven to eight hundred yearly, on the ground. As such, George was the most informed man in the United States on intelligence in Indochina. His knowledge and awareness was virtually unique.

In early 1993, George and I both had called for the new President, through letters and press statements (and George wrote Commentary pieces for the Wall Street Journal) to appoint an Independent Commission to review the critical, capstone, intelligence materials that had been withheld from the Senate Investigation by the Bush White House, and to analyze newly emerged intelligence documents come to light since the SSC closed up shop in January, 1993. I had written five discreet letters to President Clinton and Anthony Lake, citing evidence not publicly known. George unequivocally stated publicly, that "a rock solid, core case presentable to a jury, that approximately 300 men were kept behind, alive in Laos, could be made".

LTG Tighe had essentially testified and stated publicly the same numbers.

I had stated the exact same numbers as well, under oath, behind closed doors, and later after the Bush stonewalling, in numerous public venues. We were unanimous.

The reasons for the similarities were quite understandable. We had all seen and handled the exact same materials. Simply put, we were three men, whom the government itself admitted had access to the materials and the flow of intelligence to the White House in those critical years, who had directly perused, briefed and archived the materials so attesting.

I chose George and LTG Tighe to contact for the nucleus of our "team", because I felt that this President could not ignore the statements of three men who actually were there, handling the materials, and knew what President Nixon had been given over the years. We were not merely experts, or historians viewing isolated documents, from a perverted and purged archive, through the gloomy lens of history. We were direct witnesses.

George and LTG Tighe agreed to join the effort to convince President Clinton, and Ross Perot set about arranging the details with the Clinton White House. Much occurred within the period early September, 1993 thru December, 1993. LTG Tighe was gravely ill, and was forced to speak to the White House telephonically, from his deathbed. He would die in December after giving his recommendations and conclusions.

On September 9th and again on November 4th, 1993, we conducted confidential meetings at the Clinton White House. The principals present were George Carver, Carol Hrdlicka, wife of known alive, but not returned, Laos POW, Major David Hrdlicka, and myself at various times. I refused to attend the initial meetings at the last minute after traveling to Washington, because we were stopped short of seeing the President himself. Listening for President Clinton, were variously Mr. Anthony Lake, Mr. David Gergen, Mr. Sandy Berger, Mr. Kent Wiedemann, Ms. Nancy Soddeberg <sic>, and Mr. Rod von Lipsey, from either NSC or the Chief of Staff's Office, for Mac McLarty.

We delivered intelligence materials in our possession, not known of publicly, and still classified. I spoke to Anthony Lake privately of satellite photos depicting explosive intelligence, having been withheld from the investigations, and from the President's knowledge.

Much of the discussion was to satisfy the President's personal request, according to White House letters and Mr. Lake's assertions, that I tell them where materials were hidden in U.S. archives. I gave detailed lists of materials not having been subjected to investigation, and having been shunted around and hidden by persons not wanting the issue opened up. Central to this, were the SOG archives, and satellite imagery showing secret symbols.

As I had always testified, the quintessential archive pertaining to this matter, would be that which contained the SOG materials; the record of our most covert intelligence gathering operations, flowing directly to the White House, into George's hands. It was clear to anyone studying the issue, that if the SSC investigation proved anything, it was that the materials upon which Lawrence Eagleburger recommended restarting the war, and Admiral Moorer halted the withdrawal from Vietnam of American troops, over the men kept behind in Laos, had not yet been discovered despite the extent of a year long investigation. Since LTG Tighe and I had testified to what these voluminous materials said, and other events such as Moorer's and Eagleburger's actions proved, and now George Carver joined in describing, it was clear to any rational person these materials did exist, although remaining undiscovered.

The SOG archive therefore, undiscovered, or the Bush White House, unwilling to disclose them for embarrassment, had to be located. I had discussed the administrative procedures, and handling mechanisms and the flow arrangement of the SOG materials with George in several sessions between August and November we held secretly with Ross Perot and others assisting from inside the intelligence community.

In the November 4th, 1993 meeting with Mr Anthony Lake in the West Wing of the White House, Lake and I had agreed in advance I would speak to certain critical intelligence materials, alone with him, with no others present. Leakers, fearing political retribution for disclosure, wanted President Clinton to protect them, if they came forward. They had been prepared to see the President with me, and George and LTG Tighe and several selected Family members, had we gained entrance to the Oval Office. But we had been thwarted, initially believing we were to see the President personally, only to have two months of intensive meetings and communications, with everyone but the President himself, to our vocal, protesting, disappointment. Ross Perot was irritated at this baiting, also.

Yet, I insisted to Mr. Lake that I bring George Carver with me for that second meeting. Mr. Lake knew George personally, and had worked with him in the Nixon White House, as

Lake had been a Special Assistant to Henry Kissinger while George chaired the Indochina Intelligence Subcommittee of the WSAG. Lake though, had resigned in April, 1970, protesting the Nixon decision to secretly invade Cambodia, on principle. Respectfully, he listened to George, and George proffered CIA documents he'd authored, as late as 1975, going to the Director himself, about Americans still held captive in Indochina in the hundreds. I provided CIA documents going to the Director himself, in 1967 and 1969, detailing our certain knowledge of the second tier prison system in Laos, and the numbers of American POWs being held there at the time. Their exact coordinates were noted. These particular documents directly put the lie to the notion POW/MIA debunkers constantly offered, that no secret prison camps existed. They were lying; here was the evidence.

I wanted the SOG archive found. I knew where it was, and so did George, just as I'd testified, but I wanted George, who Lake personally knew handled these critical materials, to corroborate what I had testified. After George finished his presentation to Lake, and we'd made our international security policy arguments as to strategy with the Vietnamese, and our recommendations to President Clinton, I reminded Lake of my assertions that the SOG archive was the key to the whole hidden mess, and the President's promise to declassify POW/MIA materials.

I chose to elicit the corroboration of my statements from George Carver, through questioning, before the President's National Security Advisor, in Lake's Office that evening. My notes and recollections of exactly how I proceeded to do this, are as follow.

I said "George, the WSAG controlled the operations approval for SOG, right from the White House, did it not?". George replied, "Yes". I said, "The purpose of SOG was to provide the President directly with strategic intelligence in Southeast Asia to conduct the war, through these most covert operations, was it not?". George said, "Yes". I said "And as Chairman, of the Indochina Subcommittee on Intelligence for the WSAG for Kissinger, all of those intelligence materials and product flowed directly to you in the Nixon White House, did they not?", and George said "Yes" again. I said "That would include the materials produced from

cross border ground surveillance in Laos and Cambodia from SOG-35 right?". Again George nodded emphatically, "Yes" he said.

"And that would also include the product flowing from and through SOG-80, POW/MIA Rescue and Recovery too, would it not?" I asked tediously. I wanted Lake to understand without question. "Yes" George said again, "all of the various SOG divisions' product came to us in the White House". I said "Weren't these materials voluminous?". "Yes, they were, hundreds of pages", George said earnestly.

"Did you keep them here, in the White House after you received and reviewed them for the President's information, George?". George immediately responded "Oh, no! They were too voluminous and we didn't want materials that dangerous hanging around the White House...not with the press leaks we'd had."

I said, "Did you give them then to Blackburn, the SACSA?", referring to the Special Assistant for Counter-Insurgency and Special Activities, to the Chairman, Joint Chiefs of Staff. Brigadier General Donald Blackburn <sic>, USA, was the "cut out" between the White House and the Joint Chiefs, monitoring the SOG-White House controlled operations. As such he coordinated and consulted with George frequently, and was whom the White House directed orders for SOG. The role of the SACSAs, though they changed, remained constant with SOG operations through both President Johnson and Nixon.

"Oh no" George said, "Blackburn didn't have the administrative facility or staff to deal with these hot materials...he couldn't keep them in his offices over the Pentagon."

"Did you give them to your buddies, your counter-parts from your alma mater, at the CIA, George, for storage?" I asked with a certain smile.

"Yes", George said, "I sent them back to Langley for storage, through the DO", meaning the Directorate for Operations in the CIA. "That was the arrangement I had", he continued, "usually by courier".

"So insofar as you know, those materials should be, exactly as I testified, held at Directorate of Operations in CIA, at Langley?" I continued patiently.

"Yes. That's where I sent them...they always went there, we didn't have the ability or need or want to keep them laying around here. They were far too sensitive...too many leaks...people nosing around." George continued with words to that exact effect.

"And George" I concluded, "if they weren't right in the Director of Operations files, those archives at Langley now, where else might they be now?"

"Well, if they moved them out of Operations, historically, they would probably be moved to the Director's files...to the Executive Registry Files of CIA", George finished, while Lake nodded.

"One last thing, George" I said, "if these files had been destroyed over the years, there would have to be a formal, detailed official record of their certified destruction, would there not?".

"Absolutely!", George said.

This is in essence the same testimony or interview or sworn statement conclusions I had given the Senate Investigators back in 1992.

"Oh Georgel" I said, "I almost forgot...wouldn't a bunch of that stuff from SOG also have been siphoned off at CINCPAC out in Hawaii as well? Didn't they keep their own archive

of SOG material passing through also, since they were in the Administrative flow and often oversaw operational support role for SOG too?”.

“Yes” George said, “They probably had a lot of it out there too, Barry...it flowed through there as well...through the Political Advisor to the CINC, or Special Operations staff.”

The Political Advisor or POLAD staff position on the various Unified commands, is the cover designation, unclassified name, for the CIA representative on a Commander-In-Chief's staff.

The point here is that although SOG was a military, covert operation, having been essentially taken away from CIA in 1963, insofar as Indochina operations were concerned, and given to the Pentagon, the intelligence materials still ended up for storage purposes at CIA, as I had always known and George corroborated. While SOG was essentially a White House dedicated and strategically tasked and ultimately controlled operation, run by the military in covert fashion, with full CIA support when needed, the product ended up at CIA, in Langley, when the White House was done with it. That material is voluminous. The SOG-80 materials focused exclusively on POWs and MIAs, and the second-tier system in Laos and Northern Cambodia, upon which SOG attempted dozens of raids and reconnaissance missions over the years, and therefore contained the best, integrated, all sourced record of our picture of the POW/MIA situation for the war. It would be the bible on POWs and MIAs.

If that archive has been destroyed, there will be a record for it, as you cannot destroy classified materials so sensitive, without legally certifying its destruction through certificate. It would be a violation of the United States Code to do so, and there would always be extremely strict accountability in doing so. If CIA doesn't have the materials, or the complete record, detailed and signaturized and dated as to destruction and who authorized it, some very serious felonies have occurred.

If one goes looking for the SOG archive, the CIA is the place to start and finish, as far as George and I were concerned, and we so told Lake that day. It should be noted that I spoke with George about this archive several times, for a cumulative period of hours, in our association during those months of concerted effort to get the new President to grasp the nettle to the POW/MIA issue, and face the truth, so true healing can finally begin, once and for all, over the Vietnam experience that lingers for this country. Until they do face the truth, and acknowledge the legacy of the men left behind and kept behind, Vietnam will never go away.

Five United States Presidents, at one point or another in their terms, have stood before the American people, and exhorted them to "put Vietnam behind us". But a nation and its people cannot "put behind" them, that which they know they've been continuously deceived about by their leaders. And if there is one thing the American people old enough to know, or read, or watch TV really understand, it is that virtually everything their leaders once told them about Vietnam, and the war in Southeast Asia, has later been proven to be a lie, to manipulate them or hide illegal or unconstitutional acts by Presidents from them and the Congress.

Until Presidents are willing to stop this abuse of the national security imprimatur for politically expedient and self-protecting motives, of which the POW/MIA conundrum is surely the most embarrassing icon, we are stuck with the lingering cultural cancer that was our Vietnam aftermath.

No true healing will occur, no resolution and satisfaction and closure can finally begin, until a President with the moral courage to stop the charade concerning the legacy of these men abandoned, steps forward and honorably and finally puts an end to this trail of tears and anguish and frustration of these Families. Only then. honor can be restored to their sacrifice on behalf of the nation.

This Affidavit was given for the limited purpose of providing background as to the location of the MACVSOG derived and integrated intelligence archive pertaining to POW/MIA information long hidden from the American people. It by no means constitutes even remotely,

the extent or scope of my testimonies and recollections regarding the POW/MIA situation or the details of consensus conclusions of the higher levels of the U.S. intelligence community, and that should be understood by the reader. This, is SOG specific only.

Dr. George Carver died suddenly in Washington D.C. within the last 40 days at 64. LTG Tighe died at 72 of years late last year. While former Secretaries of Defense Laird and Richardson acknowledged in their Senate testimonies they believed men probably were left behind, and former Director of the CIA, and later SECDEF James Schlesinger also acknowledged that "I can draw no other conclusion...in 1973 men were left behind", they have not been pressed and said little more about those times, and the extent of the consensus within the intelligence community, that up to 350 men perhaps, were kept behind in Laos alone. I give this Affidavit as the only remaining member of our "team" effort alive, of those that actually handled the materials, for whatever its historical or legal value, to citizens.

On January 10th, 1994 after months of pressing the Clinton White House and Anthony Lake and his National Security Council senior staff as to the disingenuousness of recurring, calcified official statements emanating from both Department of Defense, and especially of late from the Department of State, the State Department Office of the Spokesman issued the following Immediate Release in response to a Taken Question:

Q.: Were U.S. POWs left behind in Laos? Is Laos doing enough on the POW/MIA issue?

A: This issue has received extensive review in both the legislative and executive branches. Following its year-long investigation into the POW/MIA issue, the Senate Select Committee on POW/MIA Affairs noted in its Final Report "American Officials did not have certain knowledge that any specific prisoner or prisoners were being left behind. However, we cannot rule out the possibility that live Americans may be held in Laos. Both executive branch representatives and members of the Senate Select Committee followed up expeditiously in Laos on reports and photos suggesting that American servicemen might be alive. We continue to investigate any report of Americans in captivity. Cooperation on the POW/MIA issue is a priority in our relations with Laos. We will continue to press for additional cooperation and progress on this issue. 505 Americans remain unaccounted for in Laos. Last year, the U.S. and Laos conducted six joint field activities. However, more than 80 percent of the persons unaccounted for in Laos were actually lost in areas under the control of the North Vietnamese. This demonstrates the importance of the first ever Trilateral Operation with Vietnam, which was completed on December 20. End of State Department Statement.

We had fought months to force such a frank statement out of the Clinton Administration. What is not told, is that on September 7, 1993, I confronted Assistant Secretaries Herschel Gober of Veterans Affairs, and Ed Ross, of the Pentagon's POW/MIA Office in person, over their repeated public statements that "all live sighting reports of Americans in captivity have now been investigated". I specifically accused them of misstating the situation in Laos, to mislead the public. We were in the Secretary of Defense's Conference Room in the Pentagon at a "closed" briefing. They both dodged and ducked my challenging question, but shortly thereafter, the statistical slide for the status of Live Sighting Reports of Americans In Captivity In Laos was shown. It said plainly "Live Sightings: 82, Investigations Completed: 1". When I then pressed the briefer, reminding him of my earlier allegation and query as to "How are the Laotians cooperating in the Trilateral meetings?", he responded grudgingly. "There is no real cooperation. They promise one thing at the talks, then never deliver."

Nonetheless, President Clinton, against all major Veterans' Organizations protests, and those of the Families of the POWs and MIAs groups, lifted the 26 year old Trade Embargo against the Communist Regime in Vietnam. News reports in national magazines claimed "sources inside the White House say the President's National Security Advisor, Anthony Lake, was the last holdout" against lifting the embargo. The Clinton Administration has moved quickly towards full normalization of relations with Vietnam.

There will be no true healing, no closure for the nation, on the Vietnam stigma, during this President's term. Indeed, national polls taken immediately after the President's action in February, showed that 83% of Americans "don't believe the Vietnamese are cooperating enough" to resolve the MIA issue, despite Clinton's assurances they were. Another poll showed "73% of Americans believe their government is lying about Vietnam POWs and MIAs", and an astounding "53% of Americans believe there is a live American POW alive today in Vietnam".

George Carver, LTG Eugene Tighe and I have always said the hundreds of men left behind were in Laos. Laos, is the Rosetta Stone to the whole POW/MIA charade and hall of

mirrors the issue has become. The internationally illegal, and unconstitutional war and covert activities mainly in Laos, since immediately after Kennedy's signature to the 1962 Geneva Accords on Laos Neutrality, which we immediately began violating, is the whole reason we could never officially admit these men's fate there. In the years since, the preservation of a perverted history and a game of lies endures to preserve the reputations of those participating originally, as they continued right through the Bush Administration.

Winston Lord, the Assistant Secretary of State for Asian Affairs today, in the Clinton Administration, was in 1973 Henry Kissinger's Personal Assistant, replacing Anthony Lake when he quit, and later Kissinger's Chief of Staff when Kissinger became Secretary of State. Winston Lord insists publicly the Vietnamese are cooperating superbly and recommended lifting the Trade Embargo. When asked under oath recently at a House Foreign Affairs committee hearing on Vietnam and POWs and MIAs that I also testified at, if "Did we leave men behind in 1973?", Lord responded "I wouldn't want to raise unfair accusations". When further pressed if he'd had any special or intelligence awareness of the POW/MIA situation through 1973, when serving as Henry Kissinger's Special Assistant in those critical years the SOG materials were flowing to George Carver, then on to Henry Kissinger and the President in the Nixon White House where Lord worked, Lord answered "No. None". Ironically, Lord had filled Anthony Lake's role for Kissinger, when Lake resigned in protest.

If you look right around Page 455, in Henry Kissinger's The White House Years, you will see Kissinger's own words, describing what a terrific job Winston Lord did in an exhaustive study of the SOG operations, that Kissinger tasked him with in those years. Winston Lord, was under oath that day, as I was.

Let the chips fall where they may.

////////////////////////////////////NOTHING FOLLOWS////////////////////////////////////

Dated this 2nd Day of August, 1994.

²⁴
Barry Allen Toll *Bar.*
BARRY ALLEN TOLL

Subscribed to and sworn to (or affirmed) before us this 3rd Day of August, 1994.

Witnesseth *Marian R. Toll* ^{mt}
Marian R. Toll
Marian R. Toll

Witnesseth *James A. Waterman* *JAW*
James A. Waterman
James A. Waterman