



Washington, D.C. 20505

20 November 2012

James H. Lesar, Esq.
1003 K Street, NW
Suite 640
Washington, DC 20001

Reference: F-2003-00449/F-2010-01218/F-2010-01307/F-2010-01645
Hall, et al. v. CIA (04-cv-00814) (DDC)

Dear Mr. Lesar:

This is a follow up to our final response to Item 4 of your 7 February 2003 Freedom of Information Act (FOIA) request and subsequent litigation made on behalf of your clients, Roger Hall, et al., as it pertained to:

“Records of the Senate Select Committee on POW/MIA Affairs which were withdrawn from the collection at the National Archives and returned to the CIA for processing.”

After re-reviewing the records C00465780, C00472096, and C00492526, released to you via 20 August 2010 letter, we removed redactions that applied to names of non-CIA individuals and found that C00492526 had incorrectly been stamped SECRET in 2010 and, accordingly, removed that classification stamp. Enclosed at TAB A are two documents that can be released in segregable form with redactions taken on the basis of FOIA exemptions (b)(1), (b)(3), and/or (b)(6), and one document that can be released in its entirety.

Additionally, we have located another version of the document C00465780 along with its accompanying attachment. Enclosed at TAB B is that document released in full as is.

After a thorough search of our records repository we have located additional documents responsive to your request for the production of attachments referenced in the following documents.

C00482286
C00465737
C00482286
C00492378
C00492397
C00492546

C00478688
C00492526
C00471978
C00478651
C00492461
C00492546
C00472096
C00483710

Please be advised that with respect to documents C00465737, C00492378, C00492546, C00478688, C00492461, C00472096, and C00483710, we conducted additional searches but were unable to locate any attachments to those records. However, attachments associated with documents C00482286, C00492526, and C00471978 were located. We have determined that portions of two of the three attachments, consisting of twenty-one pages, may be released to you at this time while the third must be denied in full on the basis of FOIA exemptions (b)(1), and (b)(3). Enclosed at TAB C are the reasonably segregable portions of the two attachments with redactions taken on the basis of FOIA exemptions (b)(1), (b)(3), and/or (b)(6). We have also determined that additional releases can be made to C00492546 and an updated release is enclosed here at TAB C as well.

Because the above-referenced request is a subject of pending litigation in federal court, in accordance with Agency regulations as set forth at Section 1900.42 of Title 32 of the Code of Federal Regulations, you are not entitled to appeal this determination administratively.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele Meeks", written in a cursive style.

Michele Meeks
Information and Privacy Coordinator

Enclosures

A.

Mr. Eugene Shultz
AFMPC/DP-500
Randolph AFB, TX

For your recent request, enclosed is an annotated pre-crash photograph (7 Mar 73) of the area covered by Martin/Jones crash-site photograph (13 Apr 73) provided by your office. Your original is also enclosed.

CDR CHARLES F. TROMBRIDGE, JR.
CHIEF, PW/MIA Section

1 Aug 74

25928

Central Intelligence Agency



Washington, D.C. 20505

(b)(6)

16 November 1992

Mr. J. William Codinha
 Chief Counsel
 Select Committee on POW/MIA Affairs
 Washington, D.C. 20510

Dear Mr. Codinha:

By letter to the Office of the Secretary of Defense on 22 October 1992, the Select Committee requested declassified copies of all documents or files held by CIA pertaining to Clarence Driver who was reported lost over Laos in March 1973, and to any other crewmen lost on this flight.

Enclosed are copies of the personnel files on Clarence N. Driver and on James H. Ackley, Air America pilots who were aboard the C-123 when it crashed. Their personnel files contain only documents relating to their applications for employment, their pilot qualifications and offers of employment from Air Asia Company, Ltd. There is nothing in their files concerning their fate or deaths.

We are also sending to Senate Security copies of two documents from our records on Air America losses in Southeast Asia. The covering memorandum is classified SECRET, and we request it remain so. The attachment to the memorandum is not classified.

All other documents were either not classified at origination or have been declassified for the Committee's use. We have found no other information on the March 1973 loss.

Sincerely,

John L. Breckenridge
 Deputy Director for Senate Affairs

Enclosures

OFFICE OF SENATE SECURITY

DOCUMENT CONTROL NUMBER OSS-925281

This Document consists of 4 Pages

982005-740

CIA-921116-721

ERMS40600062649*

A

B.



Intelligence Information Report

(b)(1)
Lpw(b)(3)

This report contains information affecting the National Defense of the United States within the meaning of the Espionage Laws, Title 18, U.S.C. Sec. 793 and 794, the transmission or revelation of which in any manner to an unauthorized person is prohibited by law.

GROUP 1
Excluded from automatic
downgrading and declassification

THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE

PAGE 1 OF 2 PAGES

~~SECRET~~

REPORT NO. [REDACTED]

DATE DISTR. 4 May 1971

COUNTRY North Vietnam

DCI 1969 - 1970

SUBJECT Photographs of U.S. POWs in North
Vietnam taken from a Soviet Film

ACQ Laos, Vientiane (December 1970) [REDACTED]

SOURCE [REDACTED]

1. Available in the CIA [REDACTED] are 58 still black-and-white photographs taken from a Soviet movie entitled "Vietnam Diary," released in 1969 or 1970 by Sovexportfilm, Moscow, which contains individual black-and-white pictures of 58 U.S. prisoners in North Vietnam. The frames on the movie film depicting the prisoners were made from other black-and-white still photographs of uncertain origin except for some photographs solely of identification cards. The movie contained no "live" photographs of American prisoners.

2. The CIA accessions, numbers and names of the prisoners are:

- | | | | |
|-----|------------|--|---|
| 1. | [REDACTED] | Air Force Major Edwin Lee A t t e r b u r y | |
| 2. | [REDACTED] | Air Force Staff Sergeant Arthur Neil B l a c k | |
| 3. | [REDACTED] | Navy Commander Cole B l a c k | |
| 4. | [REDACTED] | Air Force Captain John D. B l a c k | |
| 5. | [REDACTED] | Air Force member Ronald Eugene B l i s s | |
| 6. | [REDACTED] | Air Force Lieutenant Colonel Jack Williamson B o m a r | |
| 7. | [REDACTED] | Air Force Captain Edward Alan B r u d n o | |
| 8. | [REDACTED] | Air Force Captain Hubert Elliot B u c h a n a n | |
| 9. | [REDACTED] | Air Force Captain William Wallace B u t l e r | |
| 10. | [REDACTED] | Navy Lieutenant Allan Russel C a r p e n t e r | |
| 11. | [REDACTED] | Navy Lieutenant Commander Gerald Leonard C o f f e e | |
| 12. | [REDACTED] | Navy Lieutenant Commander James Joseph C o n n e l l | |
| 13. | [REDACTED] | Air Force Master Sergeant Arthur C o r m i e r | |
| 14. | [REDACTED] | Air Force Major Robert Nolan D a u g h t r e y | |
| 15. | [REDACTED] | Navy Lieutenant Commander Edward Anthony D a v i s | 5 |
| 16. | [REDACTED] | Navy Lieutenant Commander Dale Walter D o s s | 4 |
| 17. | [REDACTED] | Air Force Major Richard Allan D u t t o n | 3 |

~~SECRET~~

STATE	DIA	ARMY	NAVY	AIR	NSA	CEC	(For Field Distribution and Serial paragraph)

0113

79 D 317-16

CIA-710504-063A

NND 982011-1801

~~SECRET~~

PAGE 2 OF 2 PAGES

18. Air Force Major David Everson
 19. Air Force Colonel John Peter Flynn
 20. Navy Lieutenant Robert James Flynn
 21. Navy Lieutenant Robert Frishman
 22. Air Force Lieutenant Colonel Willard Selleck
 Gideon
 23. Air Force Major Wilmer Newlin Grubb
 24. Air Force Lieutenant Colonel C. Smith Harris
 25. Navy Commander James Leo Hutton
 26. Air Force Captain Murphy N. Jones
 27. Air Force Major Richard Paul Keira
 28. Air Force Colonel Gordon Albert Larson
 29. Navy Lieutenant Earl Gardner Lewis, Jr.
 30. Air Force Captain Jose David Luna
 31. Navy Lieutenant JG David Matheny
 32. Air Force Captain Thomas Mitchell McNish
 33. Air Force Lieutenant Colonel Raymond James
 Merritt
 34. Navy Commander James Alfred Mulligan, Jr.
 35. Air Force Major Thomas Elmer Norris
 36. Lieutenant Colonel Morris M. Overly
 37. Navy Lieutenant Richard Raymond Ratzlaff
 38. Air Force Captain James Edwin Ray
 39. Navy Lieutenant David George Rehmann
 40. Navy Lieutenant Charles Donald Rice
 41. Navy Commander Wendell Burke Rivers
 42. Air Force Major Robert James Sandvick
 43. Navy Commander Peter Vanruyter Schoeffel
 44. Air Force Lieutenant Colonel Bruce Gibson Seeber
 45. Air Force Major Lewis Wiley Shattuck
 46. Navy Commander Edwin Arthur Shuman, III
 47. Air Force Major Richard Eugene Smith, Jr.
 48. Navy Lieutenant Theodore Gerhard Stier
 49. Air Force Major Robert Lewis Stira
 50. Navy Lieutenant Commander William Michael Tscudy
 51. Air Force Captain Gerald Santo Venanzi
 52. Navy Commander Raymond Arthur Vohden
 53. Navy Lieutenant Jack Walters, Jr.
 54. Captain Samuel E. Waters
 55. Air Force Major Donald Glen Waltman
 56. Air Force Major Norman Louross Wells
 57. Air Force Lieutenant Colonel James Paulda Young
 58. Air Force Major Thomas Shaw Pyke, II

3. ☐ Dissem: State Army Air USAID (Director Only)
 USIS (Director Only) USMACV 7th Air Force 7/13 Air Force RRFs
 TTA/NKP CINCPAC PACFLT ARPAC PACAF ☐ Saigon ☐

Distribution of Attachment
 CRS/ADD ☐

~~SECRET~~

0114

NND 982011 - 1802



Intelligence Information Report

I

I 1

DIRECTION OF
INTELLIGENCE

PAGE 1 OF 2 PAGES

THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE

REPORT NO. CS/LT-313/00398-71

DATE DISTR. 4 May 1971

COUNTRY North Vietnam

DOI 1969 - 1970

SUBJECT Photographs of U.S. POWs in North
Vietnam taken from a Soviet Film

ACQ Laos, Vientiane (December 1970)

SOURCE

1. Available in the CIA [redacted] are 58 still black-and-white photographs taken from a Soviet movie entitled "Vietnam Diary," released in 1969 or 1970 by Sovexportfilm, Moscow, which contains individual black-and-white pictures of 58 U.S. prisoners in North Vietnam. The frames on the movie film depicting the prisoners were made from other black-and-white still photographs of uncertain origin except for some photographs solely of identification cards. The movie contained no "live" photographs of American prisoners.

2. The CIA accessions numbers and names of the prisoners are:

1. [redacted] Air Force Major
2. [redacted] Air Force Staff Sergeant
3. [redacted] Navy Commander
4. [redacted] Air Force Captain
5. [redacted] Air Force member
6. [redacted] Air Force Lieutenant Colonel
7. [redacted] Air Force Captain
8. [redacted] Air Force Captain
9. [redacted] Air Force Captain
10. [redacted] Navy Lieutenant
11. [redacted] Navy Lieutenant Commander
12. [redacted] Navy Lieutenant Commander
13. [redacted] Air Force Master Sergeant
14. [redacted] Air Force Major
15. [redacted] Navy Lieutenant Commander
16. [redacted] Navy Lieutenant Commander
17. [redacted] Air Force Major

STATE	DIA	ARMY	NAVY	AIR	NSA	CS	(For Field Distribution see final paragraph)
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Approved for Release
Date 25 Feb 85

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PAGE 2 OF 2 PAGES

CSLT-313/003RR-71

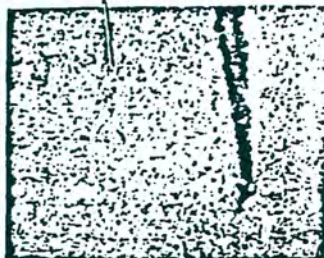
18. [REDACTED] Air Force Major [REDACTED]
 19. [REDACTED] Air Force Colonel [REDACTED]
 20. [REDACTED] Navy Lieutenant [REDACTED]
 21. [REDACTED] Navy Lieutenant [REDACTED]
 22. [REDACTED] Air Force Lieutenant Colonel [REDACTED]
 23. [REDACTED] Air Force Major [REDACTED]
 24. [REDACTED] Air Force Lieutenant Colonel [REDACTED]
 25. [REDACTED] Navy Commander [REDACTED]
 26. [REDACTED] Air Force Captain [REDACTED]
 27. [REDACTED] Air Force Major [REDACTED]
 28. [REDACTED] Air Force Colonel [REDACTED]
 29. [REDACTED] Navy Lieutenant [REDACTED]
 30. [REDACTED] Air Force Captain [REDACTED]
 31. [REDACTED] Navy Lieutenant [REDACTED]
 32. [REDACTED] Air Force Captain [REDACTED]
 33. [REDACTED] Air Force Lieutenant Colonel [REDACTED]
 34. [REDACTED] Navy Commander James [REDACTED]
 35. [REDACTED] Air Force Major [REDACTED]
 36. [REDACTED] Lieutenant Colonel [REDACTED]
 37. [REDACTED] Navy Lieutenant [REDACTED]
 38. [REDACTED] Air Force Captain [REDACTED]
 39. [REDACTED] Navy Lieutenant [REDACTED]
 40. [REDACTED] Navy Lieutenant [REDACTED]
 41. [REDACTED] Navy Commander [REDACTED]
 42. [REDACTED] Air Force Major [REDACTED]
 43. [REDACTED] Navy Commander [REDACTED]
 44. [REDACTED] Air Force Lieutenant Colonel [REDACTED]
 45. [REDACTED] Air Force Major [REDACTED]
 46. [REDACTED] Navy Commander [REDACTED]
 47. [REDACTED] Air Force Major [REDACTED]
 48. [REDACTED] Navy Lieutenant [REDACTED]
 49. [REDACTED] Air Force Major [REDACTED]
 50. [REDACTED] Navy Lieutenant Commander [REDACTED]
 51. [REDACTED] Air Force Captain [REDACTED]
 52. [REDACTED] Navy Commander [REDACTED]
 53. [REDACTED] Navy Lieutenant [REDACTED]
 54. [REDACTED] Captain [REDACTED]
 55. [REDACTED] Air Force Major [REDACTED]
 56. [REDACTED] Air Force Major [REDACTED]
 57. [REDACTED] Air Force Lieutenant Colonel [REDACTED]
 58. [REDACTED] Air Force Major [REDACTED]

3. Field Dissem: State Army Air USAID (Director Only)
 USIS (Director Only) USMACV 7th Air Force 7/13 Air Force RRFS
 TFA/NKP CINCPAC PACFLT ARPAC PACAF (also sent [REDACTED] Saigon [REDACTED] E

Distribution of Attachment

ENCLOSURE(S) NOT REPRODUCED

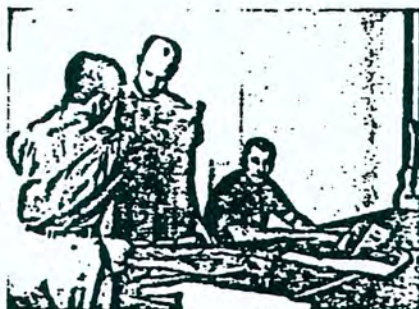
they were
ore entering



That is the end of a flier's life, and the
beginning of another one...



's in this
s if one
a, some-
Coast.



#2

It may not be as com-
fortable as at home but

ES, relatives and friends of U.S. pilots
ured and detained in North Vietnam, as
as many Americans may have worried
life and welfare of these detainees, given
administration's moves in intensifying its
lestruction, thereby perpetrating odious
inst the people of North Vietnam.

the answer: except for freedom which of
denied any detainee — and all the more so
pilots who were caught red-handed while
g war crimes — their dally life in the
normal in the true meaning of the word.
ore it is more than normal, because of the
n lenient and humane policy of the Gover-
d people of the DRVN.

of the needs of these detainees are not met
tely as their families would have wished,
cause of inevitable difficulties, but mainly
f the Nixon administration's constant acts
d sabotage.

(See back cover)

...nothing can help,
because this is a
detention camp.



#3



#4

Let them prepare
start a day as a car
inmate and...

#5

...take a meal which will
be much of a surprise
for them.



#6

The wash-
singi
woul



(3) (4) (5)



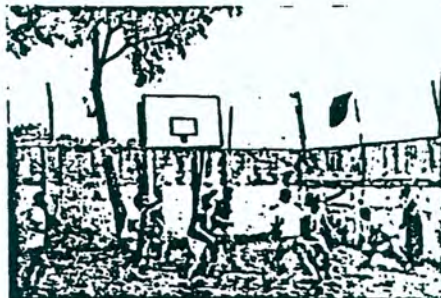


is in this
is if one
a, some-
Coast.

87



The food is fairly good, but one can't be happy in absence of the beloved ones, and the roommates may share the same feelings.



Some physical exercises inside the room or the ground of the car also can help.



88

The meal over, and the dishes washed, a little while with a guitar, singing a song of one's hometown would be good.



89



90



Otherwise, there are a lot of other entertainments.

(3) (4) (5) (6) (7)

91



Or a pow-wow of room-mates talking about each other's state may be a useful pass-time.





to see certain
order to under-
the culture and



...of a nation that they
had previously come to
destroy with bombs... Or
to read certain book
without having any fear
of being "brainwashed".



learn
was
have



However, the most joy-
ful moment has always
been that of receiving
package and mail...

can share
in home.



After that, songs in praise of life will resour
again, health and strength will be found agai
especially one will feel more like building it
instead of destroying it as it had been the ca
before.



And day in day out,
they would find joy
and interest in rais-
ing poultry, growing
flowers...



...and in
ing friend
these pet



Time flies. H
again. Woul
one's soul is
in this "com
family is d
across the
say: God is
only here?

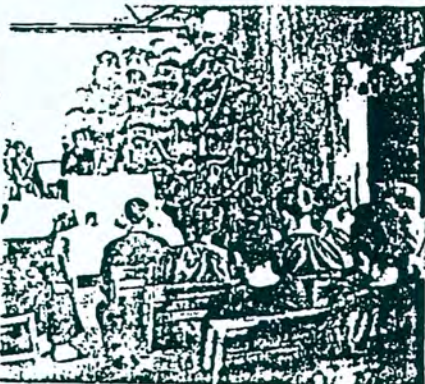




ill resour
und agal
uilding li
n the ca



Time flies. Here's another Christmas again. Would be hard to believe one's soul is being taken care of in this "communist" land. What the family is doing now over there, across the ocean? Wasn't it right to say: God is here too and probably only here?



and in
ug frien
hese pet



Everything could be a relief for them, from material needs of the daily life to periodical medical check-up, as well as...



...first aid to any case of wound or illness.



Such is the life of captured U.S. pilots in the camps. All of them benefit the same advantage: the lenient and humane policy of the Government and people of the D.R.V.N. Yes, all of them...



from the one of the first aircraft shot down...



...until the one of the most recent aircraft shot down, the 3,700th.

And the last thing, most significant of all, is to write home relating one's time of living the truth here, pending the day to return, safe and sound, to one's native place, when the war is over.



THE reader may now have an idea of how captured U.S. pilots spend their days in the detention camps in North Vietnam. Everyone knows that the list of these captured pilots is being lengthened with every passing day because of Mr. Nixon's obstinate policy. And the camps are being filled with newcomers.

In the history of U.S. wars, no U.S. President has ever professed so much concern about « POWs » while actually lacking it as Mr. Nixon. As a matter of fact, Mr. Nixon is ready, whenever required by his self-interest, to cause more pilots to be captured.

★

The normal life the U.S. pilots are allowed in the camps to live as you can see on these photos should cause no surprise. It is only one among thousands of noble manifestations of the civilized and humane traditions of the Vietnamese people through their age-old struggle against foreign aggression. Every Vietnamese imbued with these traditions takes such an attitude once the enemy is in his hands.

★

The propaganda machine of the U.S. administration and Mr. Nixon has tried hard to circulate all kinds of distortions, slanders and fabrications around the so-called « POW issue », playing upon the feelings of the families and American people to deceive public opinion and to further their mean interests, but as a Vietnamese saying puts it: « a hand cannot cover up the sun », the just cause and humanity of the Vietnamese people is an eloquent fact, and there is no denying it.

can see living a normal life in the detention camps. They have been accused of activities against the people:

my capture has been extremely lucky to be alive as an American pilot but I will not return to my family until the day of President Nixon's resignation from the DRVN. There is a prolonged daily that you are or worse you will be

pilots to join with me in the American Government to stop

WILLIAM GLEN BYRN
Captain USAF
(message to my fellow pilots)

relative for all Americans: Americans must remember that all the prisoners are dependent on them to end the

JAMES PHILLIP PADGETT
Major USAF
(statement)

can see living a normal
life in the detention
centers. They have been authors
of articles against the
people:



My capture has been excep-
tremely lucky to be alive and
an American pilot, but unlike
to my family until this war
is of President Nixon's escala-
tion of the DRVN. There is a chance
prolonged daily that you will
die or worse you will be killed

Pilots to join with me in raising
American Government to stop this

WILLIAM GLEN BYRNS
Captain USAF
(message to my fellow pilots)

For all Americans to vote
Americans must remember that
of all the prisoners are in their
depend on them to end the war.

JAMES PHILLIP PADGETT
Major USAF
(statement)

Now after having seen the bombing first hand, I
feel that the only thing it has accomplished is to
instill a stronger will to fight in the Vietnamese
people, increase the danger to prisoners now held,
and continue to lose American pilots.

WILLIAM R. DEAN JR
Captain USAF
(statement)

We proved in previous years that the bombing of
North Vietnam would not stop the war in South
Vietnam and now we are filling the detention camps
again.

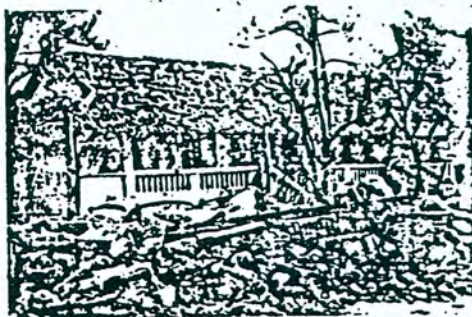
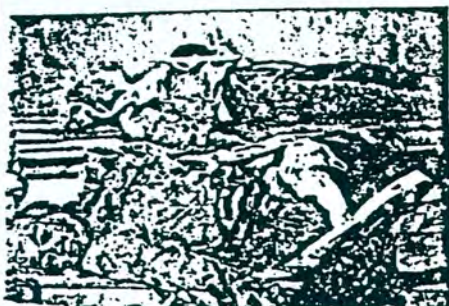
EDWARD K. ELIAS
Major USAF
(statement)

Since my capture, I have been treated very well
by the people of the DRVN. I am well fed, have had
my injuries tended to by a doctor, and am in excel-
lent condition.

STEPHEN ANTHONY RUDLOFF
Lt USNavy
(message to family)



...children...

...destroyed
schools...

...kindergarten...



own fact that two factors will stop the
us to go home: 1) withdrawal of
he present Saigon regime and 2) a pull
oops. These two points will allow us to
ope we will be able to accomplish this
that I will not be here for as many years
z. He has already been here 8 years.

CARROLL ROBERT BEELER
Lt USNavy
(statement)

day we are going to see peace in Vietnam
ymbing the North immediately, continue
ur forces out, and let the people of a
am solve their own problems internally.
of the US have enough problems at home
ucation, feeding and sheltering of all its

nce of American troops in South Vietnam

My treatment and the treatment of all the others
I've talked to has been very fair. I feel that we're
eating and living better than many Vietnamese
outside the walls. I live with a group of other pri-
soners and we pass the time playing bridge and ping-
pong and doing some gardening. It's nothing like
home of course but the treatment has been a pleasant
surprise.

ALBERT R. MOLINARE
Lt USNavy
(message to family)

Since my capture, I have been treated extremely
well. My food has been excellent, and I feel as heal-
thy as ever.

What I want most of all is for the war to come to
an end. I personally do not know all the facts, but I
do not think that escalation is the right answer. From
what I've seen and heard so far since coming here,

ig of the DRVN seri
of American forces as
e likely that they can
rves only as an admiss
amization policy.

to the American people
responsibilities, and de
o! We appeal to the
e action, to go with t
ist the war.

(Message by a group o:
American people and

E. WILBER	EDISC
USNavy	Lt
HOFFMAN	JAMF
USNavy	Ct
I J. FRASER	EDWIN
USAF	Ct
GUENTHER	NORRI
USAF	LT.



...hospitals...

...and dykes.



...sluices...



ig of the DRVN serves to make the
of American forces any safer, it only
-e likely that they cannot be withdrawn
:rves only as an admission of the failure
amization policy.

to the American people to exercise your
responsibilities, and demand an end to
it! We appeal to the Congress to take
e action, to go with the words already
ist the war.

(Message by a group of detainees to the
American people and US Congress)

E. WILBER USNavy	EDISON W. MILLER Lt Col USMC
J. HOFFMAN USNavy	JAMES D. CUTTER Capt USAF
I J. FRASER USAF	EDWIN A. HAWLEY JR Capt USAF
GUENTHER USAF	NORRIS A. CHARLES LTJG USNavy

In 1968, I voted for President Nixon; and now
(June 1972 — Ed.) because I voted for him, I am a
prisoner of war. Many people will think this is ironic.

RICHARD LOGAN FRANCIS
Capt USAF

C.

Central Intelligence Agency



Washington, D. C. 20505

14 December 1992

Mr. J. William Codinha
Chief Counsel
Select Committee on POW/MIA Affairs
United States Senate
Washington, D.C. 20510

(b)(1)
(b)(3)

Dear Mr. Codinha:

Your letter of 20 October 1992 inquired about information relevant to the POW issue which the Committee thought available in the files and archives of the National Warning Staff.

It will not be appropriate or useful to make the entire files and archives available to the Committee. To assist the work of the Committee, however, the National Intelligence Officer for Warning ensured that a thorough review was undertaken to locate any files or reports touching on issues before the Committee. No file specifically devoted to POW/MIA issues exists in current holdings or in archives. Other files were hand-searched, particular attention being paid to those on Vietnam and Korea.

The National Warning Staff files contained several documents, both classified intelligence reports and open press articles, which related to the POW/MIA issue. Two classified reports were originated by CIA: a December 1982 assessment of the Lao resistance; and an October 1991 report relating a [] views on normalizing relations with the United States. We believe both reports have already been made available to the Committee but have appended copies to this letter for ease of reference.

Sincerely,

John L. Breckenridge

Deputy Director for Senate Affairs

Enclosures

Downgrade to UNCLASSIFIED
When Separated From Enclosures

CL BY 133763
DECL OADR
DRV FM HUM 4-82

~~SECRET~~

982005-130

SECRET
CIA-921214-725

U.S. SENATE DO NOT REMOVE SENATE SECURITY

.FRMS40600063828

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Page 3

Central Intelligence Agency



Washington, D.C. 20505

APPROVED FOR RELEASE
DATE SEP 2007OCA FILE: SSPW
RECEIPT #:

OCA 3304-92

16 November 1992

(b)(6)
(b)(3)
(b)(1)

Mr. J. William Codinha
Chief Counsel
Select Committee on POW/MIA Affairs
Washington, D.C. 20510

Dear Mr. Codinha:

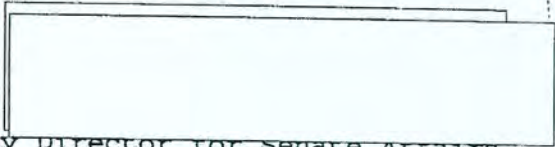
By letter to the Office of the Secretary of Defense on 22 October 1992, the Select Committee requested declassified copies of all documents or files held by CIA pertaining to Clarence Driver who was reported lost over Laos in March 1973, and to any other crewmen lost on this flight.

Enclosed are copies of the personnel files on Clarence N. Driver and on James H. Ackley, Air America pilots who were aboard the C-123 when it crashed. Their personnel files contain only documents relating to their applications for employment, their pilot qualifications and offers of employment from Air Asia Company, Ltd. There is nothing in their files concerning their fate or deaths.

We are also sending to Senate Security copies of two documents from our records on Air America losses in Southeast Asia. The covering memorandum is classified SECRET, and we request it remain so. The attachment to the memorandum is not classified.

All other documents were either not classified at origination or have been declassified for the Committee's use. We have found no other information on the March 1973 loss.

Sincerely,


Deputy Director for Senate Affairs

Enclosures



OCA 3304-92

SUBJECT: Letter to William Codinha, POW/MIA Affairs Cmte
re Clarence N. Driver and James H. Ackley

OCA/ [redacted] (16 Nov 92)

Distribution:

Original - Addressee (w/encls)

1 - [redacted]

1 - [redacted]

1 - OCA Records (w/encls)

1 - [redacted]

SECRET (When Filled In)

Priority Handling**Congressional
Action**

SUBJECT: Information on Air America Pilots Clarence N. Driver
and James H. Ackley

FROM:		EXTENSION	DATE SENT	REQUEST NUMBER	
			29Oct92	DDO 0025/291-92	
TO: (Officer designation, room number, and building)		DATE		OFFICER'S INITIALS	
		<table border="1"> <tr> <td>RECEIVED</td> <td>FORWARDED</td> </tr> </table>			RECEIVED
RECEIVED	FORWARDED				
1.			29/10	7 to 9 ps make change in page 20 of letter	
2.					
3.			11/03/92		
4.			4 NOV 1992		
5.			4 NOV 1992		
6.			6/11		
7.	ADDO		11.6		
8.	DDO				
9.	O/OCA/S [redacted]		17.6 NOV 1992		
10.					
11.					
12.					
RETURN TO:				SUSPENSE DATE:	

FORM 4283
8-87

SECRET (When Filled In)

Priority Handling**Congressional
Action**CL BY
DECL
DRV

~~SECRET~~

DDO 0025/291-72

29 October 1992

MEMORANDUM FOR:

[redacted]
Chief, Senate Liaison Division
Office of Congressional Affairs

VIA:

Office of the Deputy Director for Operations

FROM:

[redacted]

SUBJECT:

Information on Air America Pilots
Clarence N. Driver and James H. Ackley

REFERENCE:

Senate Select Committee Letter to DoD POW/MIA
CDO dated 22 October 1992

1. This is in response to the request by the Committee for files on Clarence Driver and other crewmen on an Air America C-123 lost over Laos on 7 March 1973.

2. Attached are declassified copies of the personnel files on Clarence N. Driver and James H. Ackley, the American civilian pilots of the Air America C-123 which crashed in Laos on 7 March 1973. Their personnel files contain only documents relative to their applications for employment, their pilot qualifications, and offers of employment from Air Asia Company Limited. There is nothing in their files concerning their deaths.

CL BY [redacted]
DECL [redacted]
DRV [redacted]

~~SECRET~~

~~SECRET~~

SUBJECT: Information on Air America Pilots Clarence N. Driver
and James H. Ackley

3. Also attached are copies of several documents from our records of Air America losses in Southeast Asia. These list only names and losses by years, and provide no details on crashes. The 1973 memorandum entitled "American Casualties in Laos," which should remain classified SECRET, states that Air America records do not provide details on casualty incidents.

4. We have not found any other information on this loss.



Attachments:
As stated

~~SECRET~~

JOHN F. KERLEY, MASSACHUSETTS
 Chairman
 THOMAS A. DASCHLE, SOUTH DAKOTA
 HARRY REID, NEVADA
 CHARLES E. ROSS, VIRGINIA
 J. ROBERT KENNEY, NEBRASKA
 HERBERT A. KOHL, WISCONSIN

BOS SMITH, NEW HAMPSHIRE
 Vice Chairman
 JOHN MCCAIN, ARIZONA
 MARK BROWN, COLORADO
 CLUCK GRASSLEY, IOWA
 NANCY LINDON KASSERBAUM, KANSAS
 JESSE HELMS, NORTH CAROLINA

FRANCES A. ZWENG, STAFF DIRECTOR
 J. WILLIAM CODINHA, GENERAL COUNSEL

United States Senate

SELECT COMMITTEE ON POW/MIA AFFAIRS
 WASHINGTON, DC 20510-8500

October 22, 1992

Margaret R. Munson
 Director, DoD POW/MIA CDO
 Office of the Secretary of Defense
 Washington, DC 20301-3040

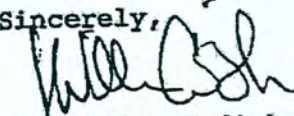
Dear Ms. Munson:

We request a declassified copy of all files including, but not limited to, DIA, JCRC, CIA or other casualty files pertaining to Clarence Driver. Clarence Driver reportedly was the First Officer on a C-123 owned by Air America lost over Laos on March 7, 1973. Please include the unclassified files of the other crewmen lost on this flight or any separate file on the aircraft lost.

We would also appreciate an unclassified version of the information reports provided to DIA by Wayne Johnson. Mr. Johnson worked for USAID in Laos from 1967 - 1975 and assisted JCRC from 1979- 1981. Mr. Johnson provided information to Robert DeStatte and Warren Gray through the years and to DIA through Ken Quinn. We are interested in what was reported, how this information was recorded and how the information was processed.

We would appreciate this information by October 28, 1992. Please contact Nick Nicklas at 224-4819 with any questions concerning this request.

Sincerely,


 J. William Codinha
 Chief Counsel

JWC/kb/nn

C01352211

	NAME	SER	RK	R	STAT	REFNO	REF/MAIL			
	COOK, JAMES R	F	E6	C	RR	1971	730212	2240	1540	
	HUDSON, ROBERT M	F	02	C	RR	1971	730329	2240	1540	
	LABEAU, MICHAEL M	F	03	C	RR	1971	730329	2240	1540	
	MORRIS, ROBERT J JR	F	03	C	NR	1971	770930	2240	1540	
	VAVROCK, DUANE P	F	02	C	RR	1971	730329	2240	1540	
	VIMBROW, NUTTER J	F	03	C	NR	1971	770930	2240	1540	
	ANDERSON, JOHN WESLEY	F	03	C	RR	1974	730212	1346	0646	
	CHIPMAN, RALPH JIM	M	03	C	XX	1973				
	FORRESTER, RONALD W	M	02	C	XX	1973		2020	1320	
	JEFCOAT, CARL M	F	04	C	RR	1972	730329	1410	0710	
	TRIMBLE, JACK R	F	02	C	RR	1972	730329	1410	0710	
	WARD, BRIAN M	F	02	C	RR	1974	730329	1346	0646	
	AGNEW, ALFRED HOWARD	N	04	C	RR	1975	730329			
	CONDON, JAMES C	F	04	C	RR	1976	730329	0003	1703	
	CUSIMANO, SAMUEL B	F	03	C	RR	1976	730329	0003	1703	
	FRYER, BEN L	F	02	C	NR	1976	770930	0003	1703	
	GOUGH, JAMES V	F	E7	C	RR	1976	730329	0003	1703	
	HAFFLEY, MICHAEL F	N	03	C	NR	1975	850814			
	JOHNSON, ALLEN L	F	04	N	NR	1976	851204	0003	1703	
	LEWIS, FRANK D	F	03	C	RR	1976	730329	0003	1703	
	DECOUDU, VERONIQUE	W	--	C	RR		730177			
	LESLIE, JACQUES	W	--	C	RR		730177			
	SCAIFE, KENNETH D	N	E2	C	BB	2048				
	JOHNSTON, STEVEN BRYCE	F	03	C	BB	1977				
	LINDAHL, JOHN CARL	N	03	C	BB	2012				
	BUSH, ELBERT WAYNE	A	E6	C	XX	1978				
	DEANE, WILLIAM LAWRENCE	A	04	C	XX	1978		1545	0745	
	KHUTSON, RICHARD ARTHUR	A	U1	C	XX	1978		1545	0745	
	LAUTERIO, MANUEL ALONZO	A	E5	C	XX	1978				
	STINSON, WILLIAM SHERRIL	A	E5	C	XX	1978				
	WILSON, HICKEY ALLEN	A	U1	C	XX	1978				
	CLARK, ROBERT ALAN	N	02	C	XX	1979				
	MCCORMICK, MICHAEL T	N	03	C	XX	1979				
	CHRISTOPHERSEN, KEITH ALLE	N	02	C	BB	1980				
	PARKER, CHARLES LESLIE JR	N	04	C	BB	1980				
	WIEHR, RICHARD DANIEL	N	E5	C	BB	1980				
	HALL, HARLEY HUBERT	N	05	C	XX	1982		1720	0920	
	KIENTZLER, PHILLIP A	N	04	C	RR	1982	730327	1720	0920	
	MORRIS, GEORGE WILLIAM JR	F	03	C	XX	1981		1620	0920	
	PETERSON, MARK ALLEN	F	02	C	XX	1981		1620	0920	
	DUENSING, JAMES ALLYN	N	03	C	BB	2008				
	HAVILAND, ROY ELBERT	N	02	C	BB	2008				
	STRINGHAM, WILLIAM S	N	E4	C	BB	2031				
	BERNHARDT, ROBERT EDWARD	F	02	C	BR	1983	730209			
	BOLLINGER, ARTHUR RAY	F	03	C	XX	1983				
	BRANDENBURG, DALE	F	E4	C	XX	1983				
	CRESSMAN, PETER RICHARD	F	E4	C	XX	1983				
	MATEJOV, JOSEPH A	F	E4	C	XX	1983				
	MELTON, TODD M	F	E5	C	XX	1983				
	PRINN, SEVERO J III	F	01	C	XX	1983				
	SPITZ, GEORGE R	F	03	C	XX	1983				
	BOYLES, HOWARD H	V	--	C	BR	1984	730401			
	GRWHL, JANE W	V	--	C	BR	1984	730401			
	ACKLEY, JAMES H	V	--	C	NR	1985				
	DRIVER, CLARENCE W	V	--	N	NR	1985				
	FITZGERALD, FRANCES	V	--	C	CC		730404			
	SOUTHERLAND, DANIEL RICHARD	V	--	C	CC		730404			
	JAMES, SAMUEL L	F	03	C	XX	1986				
	MARTIN, DOUGLAS K	F	03	C	XX	1986				
	MOREAU, RON	V	--	C	RR		730514			
	KAY, EMMET JAMES	V	--	C	RR	1987	740918			
	VANCHONG, XIONG	W	01	M	--					
	VANG, LENG LOR	W	E5	M	--					
	VANG, PAO XIONG	W	01	M	--					
	XAI, DA LY	W	01	M	--					
	XAI, TENG YANG	W	01	M	--					
	XAI, THENG THAO	W	04	M	--					
	MCLEOD, DAVID VANCE JR	F	E7	C	BB	1988				
	CORNELIUS, SAMUEL BLACKMAR	F	03	C	XX	1989		1257	0557	
	SMALLWOOD, JOHN J	F	03	C	XX	1989		1257	0557	
	PATTON, IAN	W	--	C	RR		730715	1300	0500	
	THOMPSON, FLETCHER	W	--	C	RR		730715	1300	0500	
	ARNOLD, JEAN LOUIS	W	--	C	RR		730829			
	NOFRATH, DIETRICH	W	--	C	RR		730829			
	KAUFMANN, JOSEPH	W	--	C	RR		730829			

***** UNCLASSIFIED *****

28 1

~~SECRET~~AMERICAN CASUALTIES IN LAOS

(1973)

The three main civilian air contractors in Laos advise that they have had a total of 47 American personnel killed, 11 wounded, and two missing in action in Laos since 1961. The attached chart shows their breakdown by year and general location north or south Laos. Records do not indicate the specific activity in which the personnel were involved in at the time of the casualty incident, nor which U.S. Government agency was sponsoring the air mission. However, all flights during this period were either passenger movement or logistical support; the contractor aircraft are not assigned armed missions. Of the 47 deaths reported by the contractors, 25 were attributed to flight accidents, 10 were the direct result of battle damage, and 12 were the result of air accidents possibly caused by battle damage.

The policy on public announcement calls for the American Embassy in Laos to release a press statement giving the general circumstances of the cause of death. Air accidents in Laos involving Continental Air Services, Inc., or Air America, Inc. are described either as routine passenger flight or as routine refugee relief flight under contract to AID/Laos between points being flown.

Sent to
Senate
Security

16 NOV 1982

~~SECRET~~

26 SEP 73

26 SEP 73
COMPANY EMPLOYEES MISSING AS A RESULT OF AIRCRAFT ACCIDENT

[illegible]

Air America Fatalities (continued)

1973 9 February

Boyles, Howard -

9 February

Cavill, Jack -

7 March

Ackley, J. H. -

7 March

Driver, C. N. -

? missing?
or
killed?

AIR ASIA COMPANY LIMITED815 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20006

TELEPHONE 298-7840

CABLE ADDRESS
"AIRASIA"

亞洲航空公司

February 16, 1966

Ref.: WD-66-0852

Mr. Clarence N. Driver
5001 Presidio Drive
Los Angeles, California

Dear Mr. Driver:

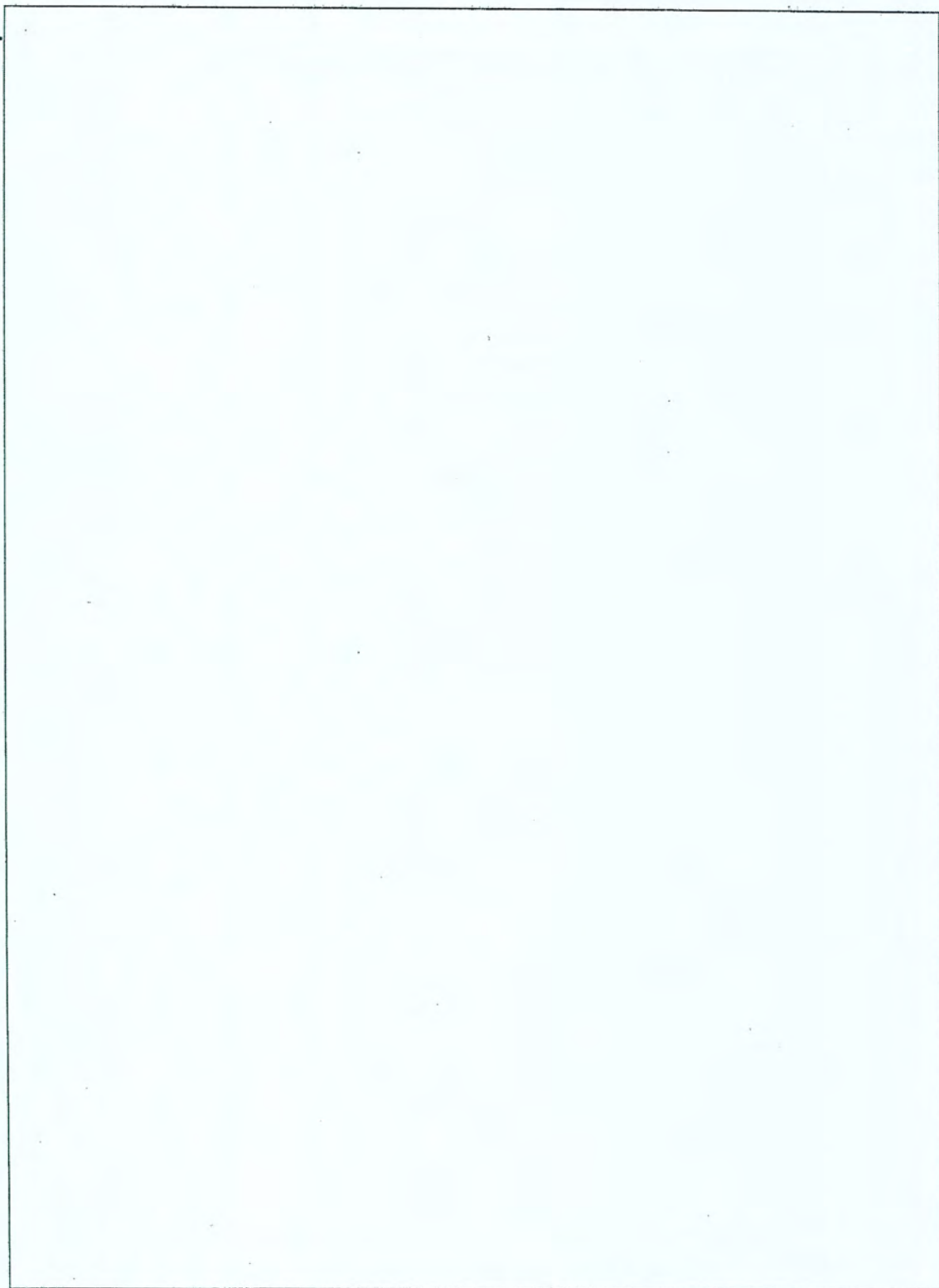
This letter constitutes an offer of employment in the position of
First Officer at a monthly salary of \$750.00
This offer is subject to the following terms and conditions:

1. Your possessing the necessary qualifications in our opinion for the above position being offered.
2. Completion to the satisfaction of the Company of such personal history checks as it may deem necessary or desirable.
3. Your satisfactorily passing a physical examination and meeting the physical requirements as set forth by the Company for the position offered to you.
4. Reporting for Duty:
 - (a) You will report for duty at Air Asia Company Limited
46 Chung Shan Road North, Second Section, Taipei, Taiwan
on or before 9 April 1966 or at such other place
as you may subsequently be notified.
 - (b) Since you will travel by air and will have to adhere to the prescribed passenger baggage weight limitations, the Company will pay for the transportation by surface shipment of up to 2,500 pounds (7½ cubic tons or 300 cubic feet, depending upon the basis of computation) of your personal effects from your bona fide home or place of employment to your station of assignment. Any duty or customs' fees collectable on the shipment to or importation into a foreign country of your personal effects must be borne by you.

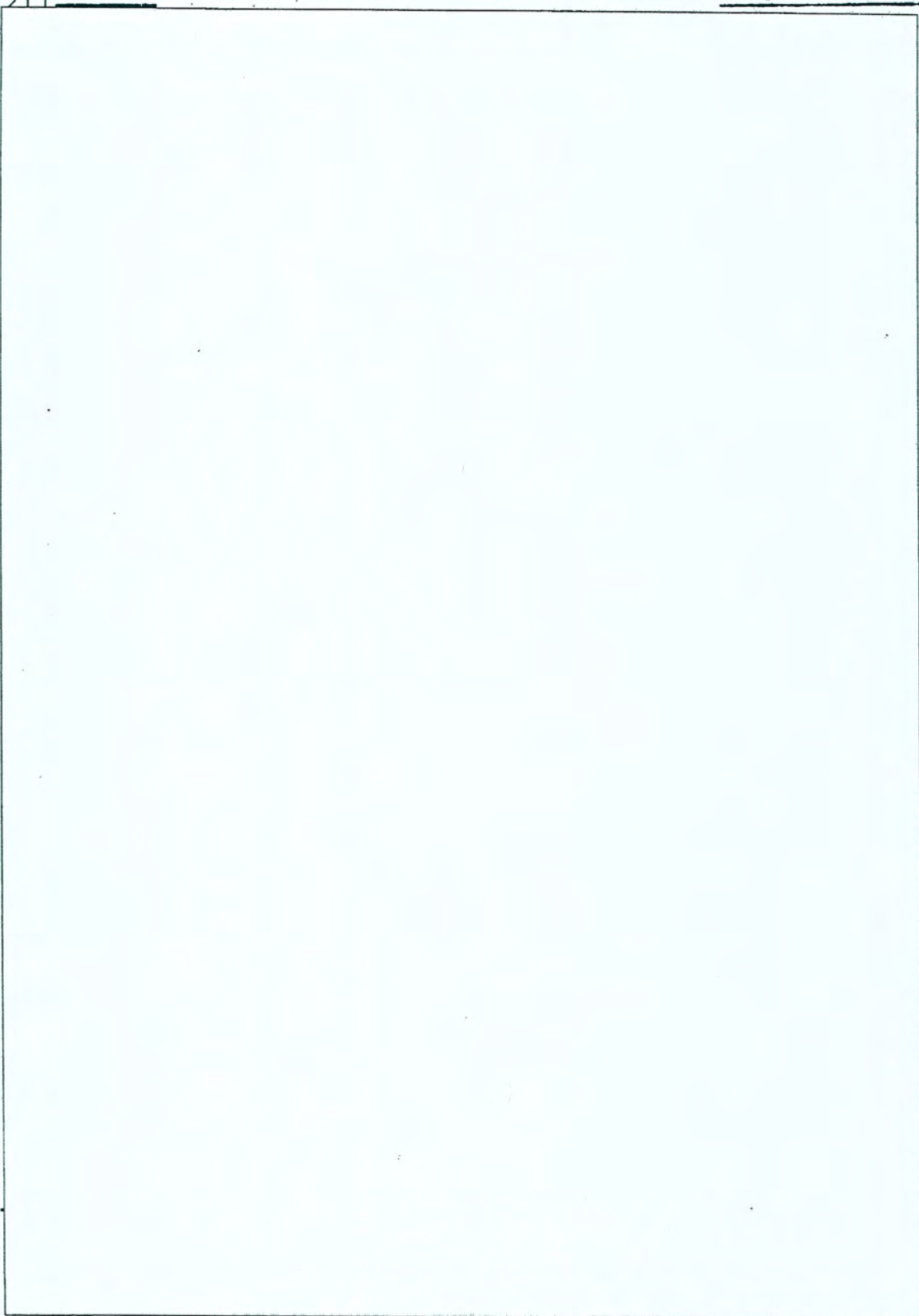
Salary:

Your salary will commence the day you start travel enroute to the place stated in paragraph 4(a) above, provided no undue or voluntary delays result enroute. Salary will be paid by U.S. Dollar check once a month.

C01352211



C01352211



C01352211



AIR ASIA COMPANY LIMITED

808 17TH STREET, N. W.
WASHINGTON 6. D. C.

TELEPHONE 298-7840

CABLE ADDRESS

"AIRASIA"

亞洲航空公司

13 August 1964

Ref: WD-64-2620

Mr. James Howard Ackley
1207 North Siesta Street
Anaheim, California

Dear Mr. Ackley:

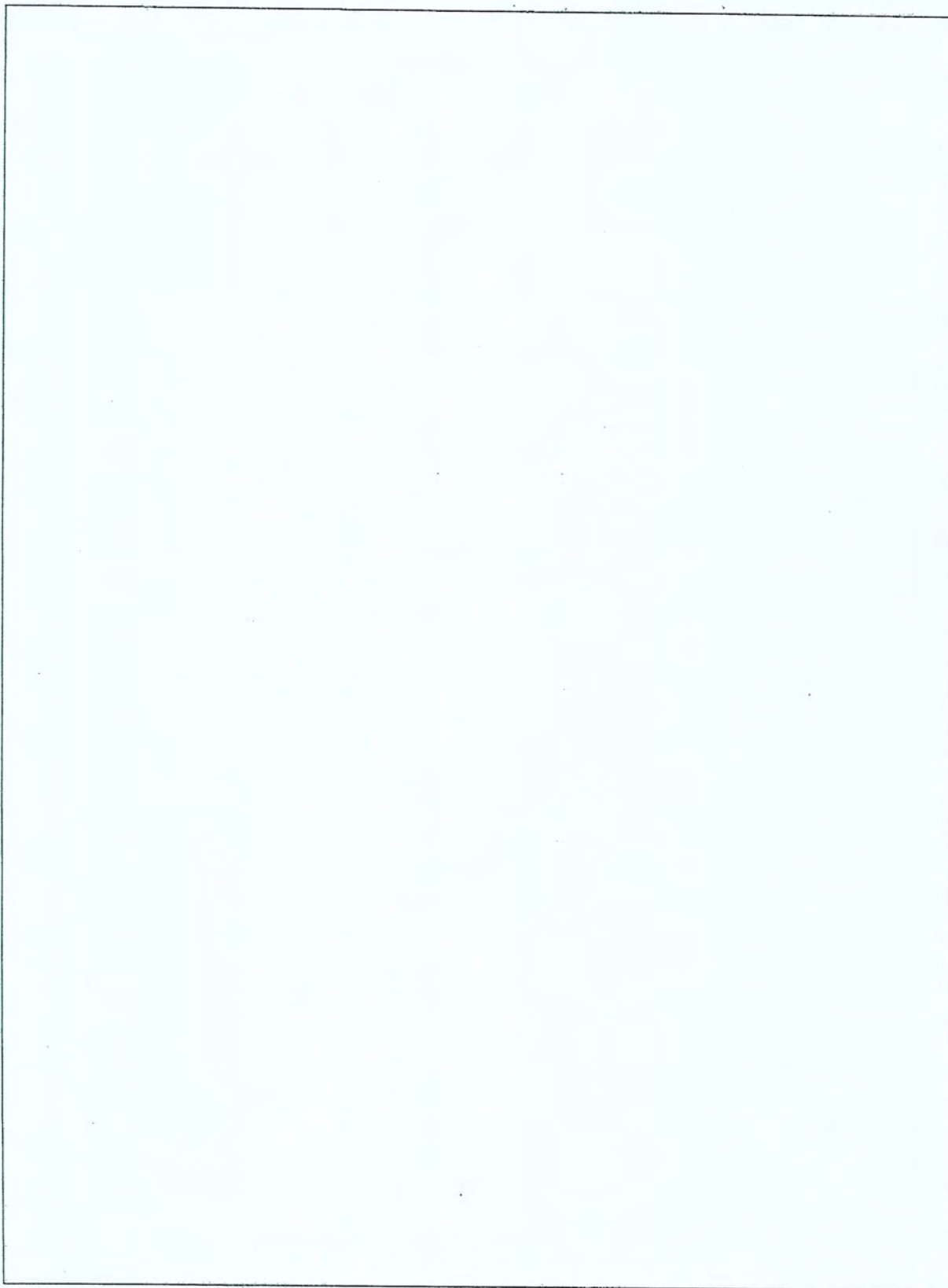
This letter constitutes an offer of employment in the position of
Senior First Officer at a monthly salary of \$650.
This offer is subject to the following terms and conditions:

1. Your possessing the necessary qualifications in our opinion for the above position being offered.
2. Completion to the satisfaction of the Company of such personal history checks as it may deem necessary or desirable.
3. Your satisfactorily passing a physical examination and meeting the physical requirements as set forth by the Company for the position offer to you.
4. Reporting for Duty:
 - (a) You will report for duty at Air Asia Company Limited, 46 Chung Shan Road North, 2nd Section, Taipei, Taiwan on or before 29 August 1964 or at such other place as you may subsequently be notified.
 - (b) As you will travel by air and will have to adhere to the prescribed passenger baggage weight limitations, the Company will pay for the transportation by surface shipment of up to 1,000 lbs. (or 120 cubic feet, depending upon basis of computation) of your personal effects from your bona fide home or place of employment to your station of assignment. Any duty or customs fees collectible on the shipment to or importation into a foreign country of your personal effects must be borne by you.

Salary:

Your salary will commence the day you start travel enroute to the place stated in paragraph 4(a) above, provided no undue or voluntary delays result enroute. Salary will be paid by U.S. dollar check once a month.

C01352211

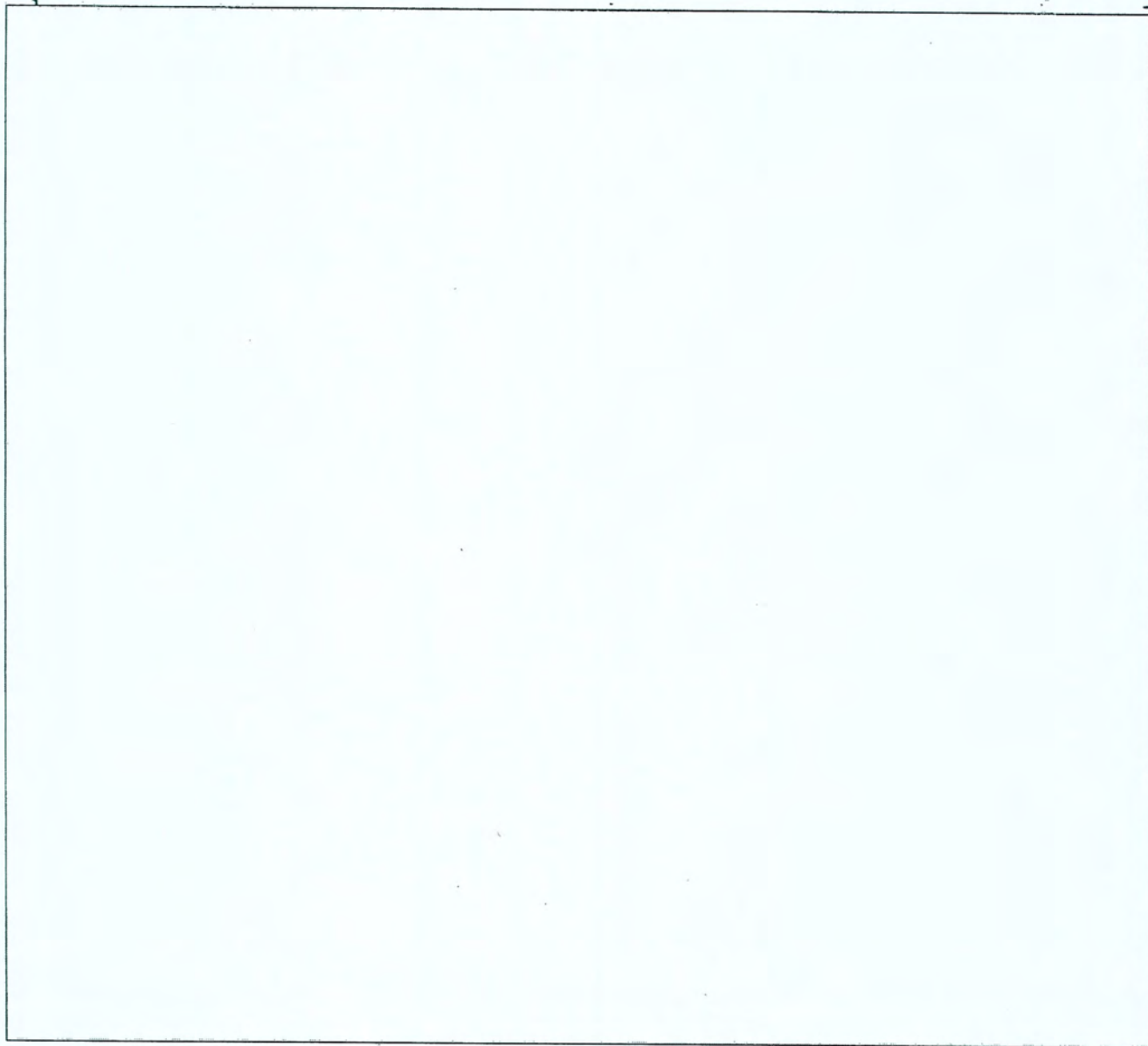


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T



SUPPLEMENTARY PERSONAL INFORMATION

FLIGHT CREW

Name and Rank: James Howard Ackley

I. General Flying Experience:

A. Military Flying: Royal Canadian Air Force Jun 1941 May 1942 Pilot Training
 US Air Force May 1942 Jun 1963. Slown single engine, multi engine and
 jets for 21 years. Have 465 hours of jet fighters. Extensive instructor
 and instructor experience. Also flown troop carrier and airdrop missions

B. Airline:

None

C. Far East: Flew in Far East from 1952 to 1954. Japan, Korea, Okinawa,
 Phillipines. Lead flight of 10, C119's from US to India, 1960

II. Equipment Types and Flying Times		PILOT (IN HOURS)	CO-PILOT (IN HOURS)	OTHER CREW	
				TITLE	(IN HOURS)
A.	C-46	26:20	26:20		
B.	C-47	604:40	110:50		
C.	DC-4/C-54	35:10	6:05		
D.	DC-6				
E.	DC-7				
F.	Jet Transport (By Type)				
G.	Amphibian (By Type)				
H.	Flying Boat (By Type)				
I.	Helicopter (By Type)				
J.	Convair 240-340-440	1480:40	12:00		
K.	C-119	608:40	22:10		
L.					
M.					
III.	TOTAL FLYING TIME	6248:30	478:40		
IV.	Total Instrument Time				
	Hood	268:10			
	Actual	599:30			
V.	Total Night Time	692:30	65:25		
VI.	Total Flying Time in Past Six Months	--	--		
VII.	Type Equipment in Past Six Months	--	--		
VIII.	Aviation Licenses & Ratings				

Type	Number	Ratings
A. Commercial and Instrument	99493-41	SE-ME Land DC-3 Convair
B.		240 - 340 - 440
C.		
D.		
E.		

IX. Selection of an applicant may well be influenced by the type and amount of ground and flight training received. To assist in evaluating your overall qualifications it is important that you endeavor to submit documentary evidence, in a thorough and detailed manner, of all training received during the past three year period. (This information may be submitted in the form of notarized statements, photostats, etc.)

X. Are you willing to be based at any station at the discretion of the Company? Yes ☒ No ☐

I understand that misrepresentation or omission of facts requested is cause for dismissal.

July 26, 1964

DATE

(OVER)

SIGNATURE