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VIETNAM: WHEN WILL WE GET A
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HEARING
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

JULY 12, 1995

Printed for the use of the Committee on International Relations



U.S. GOVERNMENT PRINTING OFFICE
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VIETNAM: WHEN WILL WE GET A FULL ACCOUNTING?

WEDNESDAY, JULY 12, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:07 a.m., in room 2172, Rayburn House Office Building, Hon. Benjamin A. Gilman (chairman of the committee) presiding.

Chairman GILMAN. Our hearing will come to order. I ask our members to please take their seats, and would the audience please be seated?

Two years ago in the summer of 1993, President Clinton said that the improving relations between our country and Vietnam depended on progress in a number of key areas. They included wider access to archival materials, intensified efforts to repatriate remains and a resolution of outstanding discrepancy cases.

In a letter addressed to me on June 2, 1993, the President stated that normalization would depend on, "progress toward achieving the fullest possible accounting of Americans missing in Vietnam."

Since then, the President has taken a number of steps to encourage Vietnam's cooperation, including ending U.S. opposition to permitting access to Vietnam to new loans from the International Monetary Fund, ending the U.S. trade embargo and establishing a liaison office in Hanoi.

Yesterday, the President announced normalization of diplomatic relations with Vietnam, stating that his policy of providing such incentives in response to, and I quote, "their cooperation" on the critical issues I just mentioned has worked.

The question before us is has it, and that is the objective of this hearing to examine the record. On the question of wider access to archival materials, how successful have our efforts been to obtain relevant POW records held by numerous agencies in the Communist controlled Vietnamese Government? Whereas it is true that thousands of documents have been turned over to our people, only a fraction of them have been found to be relevant records that we need.

On the question of intensified efforts to repatriate remains since the President lifted the trade embargo, remains of only 8 Americans of over 2,200 missing have been accounted for according to the National League of Families—eight sets of remains since February 1994.

The remains of at least 94 POW's and MIA's have never been returned. We know those men were taken by the Vietnamese through

photographs, through documents, through their own appearances on Vietnamese radio or television or identification by fellow prisoners. The Vietnamese know we know of those prisoners. We want to know why they continue to withhold information with regard to those prisoners.

The remains of many more POW's that we know that were preserved by the Vietnamese, possibly as many as 400, have not been turned over to date. We had testimony with regard to a Chinese mortician hired by the Vietnamese to preserve those remains through a polygraph screening and found to be a credible testimony before our committee.

In short, it is apparent that the administration's policy of incentives has not been working. Vietnam has not provided information and remains that they should be able to locate and to provide.

While Hanoi is supporting field activities, something for which they are well paid, incidentally, at the rate of \$3,000 an hour for helicopter, they are not providing the accounting that they promised. Many of our families and veterans contend that normalization amounts to a betrayal of those Americans whose loved ones have not yet been accounted for.

It will mean the end of any leverage or influence in obtaining a complete accounting as possible of our missing is a further contention of those involved. Millions of Americans are concerned. The President's sanctions amount to rewarding a former battlefield adversary, even though it has reneged on promises of cooperation.

At best, the President's announcement yesterday, many of us believe, was premature and could lead to legislation barring the use of Federal funds to establish or maintain diplomatic relations or to advance our economic relations with Vietnam. My colleagues and I are exploring a number of avenues with regard to that issue.

The President also spoke of normalization of diplomatic relations, but we must ask whether normal relations can truly be built on a foundation of questions and doubt that continue to linger in this issue.

Before turning to our witnesses, I would like to ask any of my colleagues if they have a brief opening statement.

Mr. KIM. Mr. Chairman.

Chairman GILMAN. Mr. Kim has a short request.

Mr. KIM. Thank you, Mr. Chairman, for yielding. I would like to apologize that I have to go to the Transportation Committee for two markups today. I have to be out there to vote.

I would like to state publicly that I have strong reservations about Mr. Clinton's decision to normalize relations with Vietnam. I do not think enough has been done on this POW/MIA accounting to justify this normalization. It is important. I am going to watch it carefully. I am going to read the hearing transcript today. It is a very important issue to me.

I would like to ask unanimous consent that my statement appear in today's record.

Chairman GILMAN. Without objection.

Mr. KIM. Thank you very much again, Mr. Chairman. I apologize.

[The statement of Mr. Kim appears in the appendix.]

Chairman GILMAN. Mr. Roth.

Mr. ROTH. Thank you, Mr. Chairman. First of all, let me commend you for holding these hearings. Mr. Chairman, I heard you on public radio this morning. You were very persuasive.

Chairman GILMAN. Thank you.

Mr. ROTH. I do not know just what the correct position is, to be quite frank with you, but we have with us a distinguished panel this morning. I am going to listen very closely to them.

I think that it could be argued that the President's action yesterday was somewhat inevitable. One by one, other governments, even our allies in the Vietnam war, have accepted the situation, and the United States is left almost alone. Our leverage was diminished.

The issue now is what does our Government do to use normalization as leverage? I think it is very important that we convey a message, not only for the people who served in Vietnam, but also for the people who are going to serve in the future, that when their country sends them overseas, they are not going to be forgotten.

I ask myself if I had had a son during the Vietnam war would I want him to serve in Vietnam. I think that all fathers and all mothers today are going to have to ask themselves that question. It is really a wrenching situation.

The administration has an obligation to show that their approach is going to work. We simply cannot give up on the missing. We cannot give up for the sake of those who are still missing. We cannot give up for the family members. We cannot give up for those who served in Vietnam.

Some people who did not serve might not fully understand the depth of feeling among the American people. The President's announcement yesterday cannot be the end of a process. Until we know the truth and until we have the fullest possible accounting of our remaining MIA's, we must remain committed to this cause.

Every American who serves has to understand that none will be left behind. As a signal to the men and women who in the future will serve their country, we must tell them they will never be forgotten or never be neglected.

We still have some 2,204 U.S. servicemen missing in action from the Vietnam war, and we cannot forget that fact. It is up to us to keep the vigil. The tragedy of modern war is that we will probably never know what happened to every last MIA, but we cannot give up.

The President's announcement yesterday highlighted some key questions, and I think that we have to look for those answers. No. 1, is there more the Vietnamese Government should be doing? For instance, are there key documents or facilities to which the United States does not have adequate access?

Second, if we are not getting full cooperation, how can we get that now? What sticks and carrots remain, and what should we do?

Third, does the administration really have a plan for ensuring full cooperation and the best possible accounting? Have they anticipated the next steps? I look forward to working with the chairman and to getting the answers to these questions.

Thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Roth.

Mr. Funderburk.

Mr. FUNDERBURK. Mr. Chairman, I wanted to give part of my statement and enter the rest into the record.

Chairman GILMAN. Without objection.

Mr. FUNDERBURK. Thank you.

I may be the only member of this committee to have served as an ambassador to a Communist country. I have seen firsthand the barbarity and duplicity of Communists in what Winston Churchill called the dark and lamentable catalog of human crime.

There is nothing on record to compare to the 80 years of destruction and human misery communism brought to Europe, Latin America, Africa, and Asia. Hundreds of millions died. Religious and political freedom was obliterated.

To fight communism, America spent thousands of lives and trillions of dollars. In light of that bloody history, it is all the more tragic that the Clinton administration has decided to ignore a clear campaign promise and recognize and assist one of the last but not most brutal Communist dictatorships left—Vietnam.

The Vietnamese Communists deserve only our contempt. They crushed our allies in South Vietnam, killing millions. They overthrew the governments of Cambodia and Laos. They forced the entire ethnic Chinese population of their country into the sea, prompting Beijing to invade. They opened up re-education camps and suppressed all dissent and religious expression. As we speak, Buddhist monks are threatening to take to the streets to emulate themselves.

Vietnam has entered into formal defense arrangements with Cuba and Iraq and has recently invited Saddam Hussein for a state visit, thereby thumbing its nose at the world community.

Hanoi brutally murdered hundreds of America's POW's before the Paris peace accords were signed and have lied about it ever since, yet the Clinton administration claims we must rethink our relationship with Vietnam and reward it with the benefits of American recognition and aid because progress has been made on the POW/MIA issue.

That progress is so illusory that it is scarcely worth the mention. There has been no progress in accounting for over 300 Americans last known to be alive. In testimony last month, retired military POW/MIA investigators told the House that Hanoi still holds back remains. The Pentagon's own joint task force full accounting has repeatedly been denied access to areas where sightings have been alleged.

Some in the administration and Congress are now advocating that we open up relations with Vietnam and open up security ties in order to counterbalance resurgent Chinese militarism. That is also a prescription for disaster.

I have seen what happened when we toyed with a Communist dictator who promised us he would side with us against a more powerful adversary. We placated Ceausescu, and we turned a blind eye to one of the most savage regimes in the history of Eastern Europe. Placating Communist Romania was shameful, but it pales in comparison to the policy we are about to set for Vietnam.

The only way for reform, Mr. Chairman, and the only way to stand up for our ideals is to say respect for human rights and

progress toward democracy are the precondition for American recognition.

Vietnam fails our ideals on all accounts, not the least of which is the contempt that is shown for the emotions and the sensibilities of our POW/MIA families. In this light, the Clinton policy on Vietnam is contemptible.

Mr. Chairman, I ask unanimous consent that my full statement be entered into the record.

Chairman GILMAN. Without objection.

[The statement of Mr. Funderburk appears in the appendix.]

Chairman GILMAN. I would ask my colleagues, whoever may want to have opening statements, to please be brief. Our colleagues who are here today all have commitments, and we would welcome brevity.

Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman. I would ask that my full statement be made part of the record.

Chairman GILMAN. Without objection.

Mr. SMITH. Yesterday's announcement that we will normalize relations with Vietnam is yet another milestone on the Clinton administration's trail of broken human rights promises.

We have already heard much about the many unanswered questions that remain about our POW's and MIA's, about the Communist Government's past treatment of them and its continuing failure to make a full accounting of that cruel treatment. But it is not only these missing American heroes whom we dishonor when we bestow honors upon their persecutors; we also dishonor and deserve the people of Vietnam.

Let me quote from the State Department's own country report on human rights practices for 1994 published earlier this year.

The Socialist Republic of Vietnam is a one-party state controlled by the Vietnamese communist party. The Ministry of Interior is responsible for internal security, employing a large border defense force in the police to monitor persons suspected of involvement in unauthorized political or religious activities.

The government continues to monitor the general populace through informants, household registration and party-appointed block wardens. Vietnamese citizens do not have the right to change their government. They do not have the right to assemble or associate or to speak freely. The government continued to prohibit establishment of an independent press and independent organizations. It also maintained its longstanding policy of not tolerate dissent.

Vietnam does not enjoy the rule of law. The government continued to arrest * * * the report goes on to say, * * * and imprison people arbitrarily.

Mr. Chairman, a regime that perpetrates these brutalities upon its own people is not a fit recipient of the warm handshakes, the pretty speeches and the fulsome toasts that will accompany the establishment of full diplomatic relations with the United States. The people of Vietnam deserve better from us.

As a candidate for office, Mr. Chairman, President Clinton justly criticized the administration of his predecessor for being too eager to subordinate fundamental human rights to other concerns such as trade, immigration, or international balance of power politics.

I have no doubt that there are some people in this administration who still care about human rights. However, the administration's most important official acts belie these concerns. We might have hoped that the administration and the permanent government that seems to drive so many of its decisions would have

learned from the abject failure of our 20-year one-way love affair with the Communist Government of China.

You know, the administration was very bold in saying through its Executive order that there had to be substantial progress with regard to China in order for MFN to continue. When they called our bluff, we blinked, and we delinked human rights with the People's Republic of China and the issue of trade.

Yes, there are people on both sides of that issue who honestly believe that empowerment might have been the way to go. I respect their positions, but when you lay down a marker and the other side says he is bluffing and then calls that bluff—I have spoken to many dissidents. They believed that we were bluffing. They called our bluff, and now things have gotten demonstrably worse in the PRC.

Mr. Chairman, when will we learn that paying tribute to rogue regimes, whether in Baghdad, Beijing, Havana, or Hanoi, is productive of nothing more except higher demands for higher tribute.

Ironically, the one good thing that can be said about recognizing Communist Vietnam is that it might be a step toward containing the aggressive ambitions of Communist China. The administration, however, has rushed to reassure the Beijing regime that it has no such intention. On this, if on nothing else, can we be confident that they will be true to their word?

Mr. Chairman, this was, as I think the chairman said, a premature and I think a misguided decision.

Chairman GILMAN. Thank you, Mr. Smith.

Mr. Rohrabacher.

Again, gentlemen, I ask you to please be brief. Our colleagues have other appointments, and we would welcome the brevity.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. I will make this brief.

In short, there has been no full accounting of our MIA/POW's. There has been no human rights reform. There has been no democratic liberalization.

The regime in Hanoi wants normalization, yet we are giving them normalization without asking of those things in return which we originally demanded—full accounting on POW's, at least some type of democratic reform. They are laughing at us in Hanoi again.

Hanoi is giving us the illusion of cooperation on the MIA/POW front, and what is really happening here today, what is pushing this, what is pushing the drive for normalization, is the drive to sell U.S. products. No, that is not what is pushing this drive.

Businessmen want us to believe that we want normalization so we can create jobs in the United States by selling U.S. products. That is not it at all. Businessmen in the United States are free to sell U.S. products right now. The embargo has been lifted.

What is the driving force behind normalization and the reason President Clinton made his statement yesterday is that American businessmen are looking for taxpayer guarantees and taxpayer subsidies for their investments in doing business in Vietnam. Those taxpayer subsidies and their loan guarantees will permit them to make windfall profits from investing in a dictatorship where there are low wages, and yet they will be taking no risk because the American taxpayers will be picking up the risk.

This is a travesty. This is people looking for windfall profits by ignoring human rights and, yes, ignoring the POW/MIA issue, which deserves full attention of the American people.

Thank you very much, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Rohrabacher.

Mr. Burton.

Mr. BURTON. Mr. Chairman, I will try to honor your request to be as brief as possible.

There is a troubling attitude in this administration. We have Communist dictatorships around the world with whom this administration seems hell-bent to do business. Vietnam is one of them. Castro's Cuba is another. People fleeing oppression in Castro's Cuba are being sent back by our Coast Guard and our Navy. It is like throwing people who were once fleeing the old East Germany back over the Berlin Wall.

People in the administration, like Morton Halperin, who tried to become the Assistant Secretary of State, but could not be confirmed because of his leftist leanings, are now at the National Security Council making foreign policy for this Government.

Toward that end, I think we have seen the recognition of Vietnam, even though we have not had an accounting of the 2,200 POW/MIA's that every President has demanded since the end of the Vietnam war. There are 2,200 families out there who are suffering today because they are probably never going to know what happened to their missing loved ones.

The thing that troubles me more than that is why this Government is so hell-bent to work with leftist regimes around the world. One of the things that we discovered about 1½ or 2 years ago was that the reason may be money.

A former Vietnamese citizen, named Ben Lee from Florida, was working with another gentleman named, Mr. Hau, who told him that Ron Brown, the Secretary of Commerce, was offered a \$700,000 bribe to lift the embargo.

After this was made public by the Miami Herald, the FBI administered a 6-hour lie detector test to Mr. Lee and he passed it with flying colors.

One of the things that Mr. Lee said was that \$700,000 was transferred from the Communist Hanoi regime, to a bank in Singapore. The FBI verified that there was a large transfer of money at the specific time that Mr. Lee said the transaction took place to a bank in Singapore.

A grand jury was impaneled in Miami, and instead of using the local U.S. attorney it was led by a person Janet Reno sent there specifically to conduct the grand jury investigation.

The conclusion of the grand jury was that they did not have enough evidence to indict Mr. Brown. They did not say there was not evidence. They did not have enough evidence, so I believe the whole issue was whitewashed by the Justice Department.

Now here we are 1 year after the embargo has been lifted, and we are completely normalizing relations with Vietnam.

I think this is an absolute tragedy not just because of the POW/MIA's and their families who are suffering because there will never be a full accounting, but also because the almighty dollar—probably millions of dollars—from one of the largest oil reserves in the

world off the coast of Vietnam will go into the pockets of the people who have worked so hard to get this done.

I think it is a tragic stain on American history and on our Government.

Thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Burton, and I thank our colleagues for their participation.

I want to particularly welcome our colleagues from the House who have agreed to share their thoughts on this issue with us.

The first Member who will testify is Congressman Sam Johnson, who was shot down over Vietnam in 1966. He spent 7 years as a prisoner of war and in recognition of his service to his country was awarded two Silver Stars, two Legions of Merit, the Distinguished Flying Cross, a Bronze Star with Valor, two Purple Hearts, and four air medals.

Mr. Johnson.

STATEMENT OF SAM JOHNSON, REPRESENTATIVE FROM TEXAS; ACCOMPANIED BY DOUGLAS "PETE" PETERSON, REPRESENTATIVE FROM FLORIDA; JIM KOLBE, REPRESENTATIVE FROM ARIZONA; RANDY "DUKE" CUNNINGHAM, REPRESENTATIVE FROM CALIFORNIA; WAYNE T. GILCHREST, REPRESENTATIVE FROM MARYLAND; AND ROBERT K. DORNAN, REPRESENTATIVE FROM CALIFORNIA

Mr. JOHNSON. Thank you, Mr. Chairman, and my colleagues.

They refilled the water. We had a 30-minute water jug out here, by the way. Thank you. Kolbe needed it.

In 1992, President Clinton promised the families of the missing servicemen of this country that he would not normalize relations with Vietnam until a full accounting of U.S. POW's and MIA's had taken place. He promised to follow the roadmap that George Bush laid out, which stipulated that all POW/MIA cases would have to be resolved before full diplomatic recognition could be extended to Vietnam.

The White House ceremony yesterday may have satisfied certain segments of our society whose desire it is to obtain access to a potentially growing third world market, but for the friends and family members of our lost servicemen, yesterday was a slap in the face carried out by an administration whose foreign policy acumen leaves a lot to be desired.

I spent 7 years as a prisoner of war in Vietnam, Mr. Chairman, and along with Mr. Peterson, who I see up here with me, we have more than a passing interest, even though we are on different sides of this issue. I understand the importance of opening up markets, but before these moves should be taken, we have to put the POW/MIA issue to rest. I agree that the time has come for the war to end.

I am fully prepared to allow the United States to engage in normal relations with Vietnam if they simply turn over their records, which they admit to having, on all POW's and MIA's and allow us to investigate without restriction. Vietnam has refused to do this, and they are preventing the war from ending.

Some say that with normalized relations, Vietnam will be more generous with their documents. Why would they? By taking this

action, we are giving away the store, and they are effectively off the hook. The incentive for them to cooperate is gone. With a stroke of the pen yesterday, our leverage was eliminated. In fact, they now have increased leverage for every minor trade or political concession they may want in the future.

The popular justification for normalization of relations is that the Vietnamese have cooperated fully and completely in helping us access information on our servicemen. In reality, though, they have not. It is important to look at quality and not quantity when assessing their cooperation.

Between 1992 and 1994, they gave us 21,000 documents or more—documents and artifacts—only 1 percent of which pertained to the POW/MIA issue. That is how they operate. They try to appear as though they have sacrificed so much to get the relations they want, but behind our backs they are satisfied knowing they got what they want for giving us almost nothing.

I think we ought to be able to count on our President at the very least. When I was a POW in Vietnam, I recall one interrogation where the interrogator was talking about the United States. He said we are afraid of your tactics on the battlefield, but we do not give a hoot for your strategy in foreign relations and/or militarily. Do you know why? Because they call us a paper tiger. That is what they call us, and it is justified with this decision yesterday.

I would like to just say that we sent a message that says you do not have to keep your agreements with the United States. We will give you full recognition without it. Just come ask.

It does not matter whether it is a rogue nation that invites Saddam Hussein to visit them as Mr. Funderburk said. It does not matter that they have human relations violations. It does not matter that they keep people in prison, and it does not matter that they violated an agreement that was made with Henry Kissinger on the peace accords.

Let me just read you from the Wall Street Journal yesterday. "U.S. troops were removed from South Vietnam because of agreements initiated in January, 1973, by Henry Kissinger for the U.S. and Le Duc Tho for Vietnam." Before we make any new agreements with Hanoi, would it not be worthwhile to remember the contents of this treaty, the last one between the two countries?

Chapter 4, article 9, of the Paris accord states that, "The South Vietnamese people shall decide for themselves the political future of South Vietnam through genuinely free and democratic general elections under international supervision."

Article 11 guarantees the democratic liberties of the people, "personal freedom, freedom of speech, freedom of press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work."

That was in writing. The North Vietnamese Government signed that treaty with us before we pulled our troops out. When we pulled our troops out and brought our POW's back home, did they live up to that? No. Right away they started attacking South Vietnam and went down to Saigon and changed the name of it. You know, I think we took those agreements seriously.

They are still having human relations violations. They still keep people in jail, and they are still, in my view, a rogue country.

In spite of the fact that they have not helped us in the POW/MIA issue fully, there are a lot of other reasons why we should not be dealing with them, and I would ask our State Department, which I consider one of the weakest in the world today, why we do not have a common policy for Cuba and North Korea and Vietnam. I know that we just cannot seem to get it together.

I think that President Clinton, by his actions yesterday, did not convey the message that America will stand strong on principle and support those who served our country.

Prior to yesterday, I, along with my colleague, Mr. Hunter, and several others, introduced House Concurrent Resolution 81, which stipulated, among other things, that full access to Vietnamese archives must be achieved before normalization. Now that our President has normalized, I think the horse is out of the barn. It is going to be hard for us to work toward that.

I appreciate the chairman's resolution, House Joint Resolution 89, which does ask for reductions or blocking of future funding for any relations with Vietnam, and I would add, Mr. Chairman, that if they are open and forthcoming and give us the records and identification of our POW's as we asked, you could make that a stipulation for withdrawing that block.

I think it is a win/win for both sides, and it does give us leverage. I think that it is an important issue, and I thank you, Mr. Chairman, for being able to present that.

I thank you for the opportunity to testify, and I guess you know that I disagree with the actions the President has taken from what I have said. I hope that we can resolve the issue.

I think it was brought out earlier, if I might add just one thing. What is the administration's plan for accomplishing full accounting for our MIA's and POW's? All they did was normalize relations. What is their plan? I suggest that we ask them that question.

If you try to talk about blocking China with Vietnam because we are worried about China, I would say that China does not give a hoot about Vietnam, and they would walk over them in a New York minute regardless of what we stand on. If we worry about China, let us face them head on.

Thank you, Mr. Chairman, for letting me testify before your committee.

Chairman GILMAN. Thank you, Mr. Johnson, for taking the time to share your views with us.

I am going to ask my colleagues to withhold questions until the full panel of our colleagues have completed their testimony.

Mr. JOHNSON. Mr. Chairman, could I have a unanimous consent to introduce the full document into the record?

Chairman GILMAN. Without objection. I appreciate your comments.

Mr. JOHNSON. Thank you, sir.

[The statement of Mr. Johnson appears in the appendix.]

Chairman GILMAN. Our next witness is Congressman Pete Peterson of the Second District of Florida. Mr. Peterson has served the Second District of Florida since 1991.

Mr. Peterson's public service career began over 40 years ago when he enlisted in the U.S. Air Force. As an Air Force fighter pilot and commander, for 26 years he served in worldwide assignments, including combat experience in Vietnam.

On his 67th combat mission in North Vietnam, Mr. Peterson was shot down near Hanoi and was interned in North Vietnam as a prisoner of war for 6½ years.

We welcome Mr. Peterson.

**STATEMENT OF DOUGLAS "PETE" PETERSON,
REPRESENTATIVE FROM FLORIDA**

Mr. PETERSON. Thank you, Mr. Chairman, and I appreciate the opportunity to testify.

There are a couple things I want to address very quickly. One is the question or statement that Mr. Roth made and I agree with 100 percent, and that is whatever else came out of our experience in Vietnam, clearly we will not leave anyone on the battlefield in the future. That is a must.

I would recommend also some of you look at the work of the United States/Russian Commission, Sam Johnson and I both serve on this commission, in which we are working with the Russians to find the whereabouts of thousands of World War II missing persons, about 8,500 missing persons in Korea, at least 100 in the cold war, and of course, those who are missing in Vietnam.

I can tell you that the problems associated with missing persons are not just in the case of Vietnam. We have left individuals on every battlefield that we have ever fought on in every historical circumstance in which we have engaged. We have to look at that.

One other point I want to make is that the road map has been addressed here several times. I think the only time the road map was ever published was in the New York Times. I do not think it is an official American document, and I do not think anyone ever signed such a document.

The "roadmap" was agreed to with a handshake, as opposed to an official diplomatic document. Now, with diplomatic relations with Vietnam, we will indeed have diplomatic documents. We will indeed have agreements which will have to be enforced.

Let me read at least part of my statement. I can get off the record here very quickly, and I would like when I do have my full statement would be included in the record.

Chairman GILMAN. Without objection.

Mr. PETERSON. More than 20 years ago, I came back from Vietnam, along with Sam, to a nation distressed by a controversial and divisive war. As a prisoner of war for 6½ years, I am no stranger to the full emotional and psychological impact the strife of that war had on individual citizens and this Nation as a whole.

In fact, Sam and I suffered every indignity, and our families suffered every absolutely terrible tragic circumstance short of death that you can experience in war. I think we know a little bit about what happened during that time.

While the wounds left by this war run deep and have been slow to heal, the time to move forward clearly has come. The haunting and painful experience of the last 30 years must now give way to a prosperous future of bilateral relations.

I have traveled to Vietnam twice, very suspicious of what the Vietnamese might do in their way of cooperation on those two trips.

I ultimately came down on the side that we needed to move ahead with lifting the embargo and move ahead with normalization as a result of my experience in working with my colleagues here and also with, as it turns out, the Vietnamese.

Since we lifted the trade embargo, 167 sets of remains have been returned to the United States, 37 have been identified. We have conducted more than 16 joint field exercises with the Vietnamese. The joint United States/Vietnamese teams have reviewed over 27,000 archival items and conducted hundreds of interviews with Vietnamese witnesses, yielding new information each time. We have resolved 80 of the 135 discrepancy cases which the chairman referred to where individuals survived, but did not return alive.

I can tell you, ladies and gentlemen, a lot of our POW's, whom we have photographs of, were lynched on the street. I was paraded into I do not know how many hamlets and villages, and I only survived because of one Vietnamese soldier who kept the Vietnamese from jerking me out of the little side car that I was sitting in in the motorcycle and saved my life.

A lot of our men were lynched on the streets of Vietnam. That happens with combat. We signed up for it, those of us who went over there, and we could have been killed. That is a reality. Do not forget it.

American MIA investigators now have access to anyone anywhere in Vietnam. Such openness is a strong signal that Vietnamese officials are ready and willing to cooperate and assist us in our efforts. This is clear through the joint task forces that we have over there.

I am convinced that through more formal relations with Vietnam, we will even further enhance the ability to achieve the fullest possible accounting. A number of you in your statements said full accounting. You are not going to get full accounting. You are not going to find every person we lost in Vietnam, nor will we find them in Korea, nor in the cold war, nor in World War II.

Formal diplomatic relations with Vietnam will also assist us in dealing with the complexity of the security challenges that have been talked about here in East Asia. It is a void that very likely, if we are not careful, could draw us right back into the jungles of Vietnam at some point.

I think it is also particularly relevant that support for normalization is bipartisan. In addition, distinguished Vietnam vets, whether represented by organizations or on behalf of themselves, have come forward to say now is the time.

We are all fully aware that the legacy of bitterness that followed the war in Vietnam still exists in the hearts of many veterans and their loved ones. However, we also know that the only true way to heal the pain of the past is to reach for the promise of the future. You cannot rewrite history. You cannot absolutely totally predict the future.

It is time for resolution. The time has past for retribution. I firmly believe that the time for normalization of relations with Vietnam has come. It is clearly the right thing to do.

I remind you that we are not dealing with the Vietnam that we dealt with in the 1960s. When we were fighting the war in Vietnam, the combined population of Vietnam was something like 50 million. It is over 70 million now. The average age is 25 years old. We are dealing with the children of those who fought the war. Are we going to hold the children of Vietnam to be accountable for their parents? I do not think so.

We are not dealing with the same government either. Yes, it is Communist, but it is more like a Singapore benevolent dictatorship. It would be like saying that we have the same government as the Johnson administration. Is this the same government? I do not think so.

Things have changed. It is time for people who object to allow new information to enter their equation of evaluation. For us just to sit here and say, "I said 20 years ago I did not like this outfit" and just to stand on that regardless of new information and new circumstances is irresponsible.

Obviously I am emotional about this because I hurt with having lost hundreds of my own friends who did not come back, but I know that hate and recrimination do not solve a problem.

I know that establishing communications even with our enemies makes the planet safer. It is in fact the heritage and the history of the United States to do just that—to reach out and not push away. That is what this argument is about.

We must move forward, ladies and gentlemen. If we live in the past, this country will be fatally wounded. We must live for the future as individuals and as a nation. To restore relationships with old enemies, as was proven in Japan, Germany and Italy, is the right thing to do. The planet and the country are more secure, and we all benefit.

Thank you, Mr. Chairman.

[The statement of Mr. Peterson appears in the appendix.]

Chairman GILMAN. Thank you, Mr. Peterson.

To my colleagues, we are going to continue right through. Some of our colleagues have gone over to vote already. I urge you to go over and come back as quickly as possible since we have a number of our witnesses who have other commitments.

At this time I am going to call on Mr. Kolbe. If you want to interrupt, Mr. Kolbe, to cast your vote, do not hesitate to do so.

Congressman Jim Kolbe of the Fifth District of Arizona has been serving Arizona's Fifth District for the greater part of this decade. He is a Navy veteran who saw combat with coastal and river armed forces in Vietnam.

He holds a Bachelor's degree in Political Science from Northwestern and a Master's degree in Business Administration from Stanford. He has been a longtime supporter of our foreign affairs measures.

We welcome Congressman Kolbe.

STATEMENT OF JIM KOLBE, REPRESENTATIVE FROM ARIZONA

Mr. KOLBE. Thank you very much, Mr. Chairman. Thank you for the opportunity to testify. I will make my comments brief so that I can get over and vote.

I certainly commend the committee for holding hearings on this important issue because I think it does deserve full discussion. I am here today to express my support for the decision to restore full diplomatic relations to Vietnam.

As you mentioned, I served in Vietnam as an officer on what we called swift boats patrolling rivers and canals in the delta region. Let me be very clear on this point. Having served in Vietnam does not bestow any unique qualification to have an opinion on this issue. If anybody up here has that, it is the gentlemen on the end who served and suffered as prisoners of war. However, I do think that having served in Vietnam gives me some background on which I can draw to formulate a policy decision.

In addition, in 1991, I co-lead a congressional delegation to Vietnam in part to explore MIA issues. I have followed the situation in Vietnam very closely for the last 20 years.

In 1991, President Bush proposed a roadmap for improving our relations with Vietnam. Most importantly, Vietnam was required to take steps to help us account for our missing servicemen. In return for this cooperation, the United States would move incrementally, and I underscore that word incrementally, towards fully normalized relations.

I support this step—this major step, the normalization of diplomatic relations—because I think Vietnam has met in very large measure the conditions that were outlined, which, in effect, were not very specific. I think they have met the conditions outlined by President Bush in that document, which, as it has been pointed out, was not a legal document.

The Vietnamese have become more cooperative on the MIA issue. In fact, according to virtually every official that has been involved in the accounting process, the cooperation has increased since the President lifted the trade embargo last year. I think the diplomatic recognition of Vietnam, which is not the last step, by the way—it does not deal with EX-IM or OPEC—will help facilitate further cooperation.

Resolving the fate of our missing MIA's, as has been already said here, has got to remain the highest priority for our Government and for America. We owe that to our missing servicemen and to their families.

However, I think we all recognize the efforts to resolve the fate of our MIA's has been extraordinary. It constitutes the most extensive such accounting in our history. As has been pointed out by Pete Peterson, there are over 8,000 MIA's from the Korean War and 78,000 from World War II. We spend \$100 million a year on accounting efforts in Vietnam and virtually nothing on those.

Our efforts in Vietnam have reduced the number of MIA's to 1,621 through painstaking investigation and identification processes. Most of the missing involve men that were lost over water or in circumstances where survival was highly unlikely and where recovery of remains is difficult.

Significantly, the number of discrepancy cases, that is, cases of servicemen where the available information indicated that either the individual survived or could have survived, is now at 55. It was much higher than that when I visited Vietnam just 4 years ago.

We could not have achieved this progress if it had not been for the cooperation of Vietnam. It is still a closed society in many ways, and so the cooperation is not as total as you would like. We get it in little pieces as we go on, but we are making that progress.

Establishing regular diplomatic relations is not the end of our efforts on the MIA issue. It is simply the next appropriate step. We have to remain vigilant to ensure that the Vietnamese adhere to the commitments that they have made.

Establishing diplomatic relations with Vietnam also advances other important United States foreign policy objectives. Considering the increasingly bellicose nature of China in East Asia, it is certainly in our national interest to take steps to stabilize the balance of power in the region. Normalizing relations with Vietnam and strengthening their political role in the region will help in this regard.

We all agree that Vietnam's human rights record needs substantial improvement. I believe that as we increase our diplomatic and economic ties to that country, we will encourage more pluralistic and democratic political processes.

While there are limits on the political reforms that a communist nation undertaking economic liberalization will willingly make, the best foreign policy tools available to us are policies that promote capitalism, market reform and free trade. These are precisely the tools that will stimulate internal reform and lead to greater respect for human rights and personal liberty in Vietnam. There are many examples around the world, I think, which support that proposition.

Our Nation has always recognized a clear distinction between being at peace and being at war. We can never forget the pain and suffering of war. However, with this step, Mr. Chairman, we can say that those who fought in Vietnam have seen their commitment at least partially vindicated because we are seeing economic and political freedom take root in that country. It is the right step to take now.

Thank you again, Mr. Chairman, for the opportunity to testify.
[The statement of Mr. Kolbe appears in the appendix.]

Chairman GILMAN. Thank you, Mr. Kolbe, for sharing your views with us.

Mr. BEREUTER. The next witness is Congressman Duke Cunningham. Randy "Duke" Cunningham joins us today as one of the most highly decorated fighter pilots of the Vietnam war, retiring with his place secure in naval history with the rank of Commander.

From the 51st District of California, Mr. Cunningham is in his third term in office.

Our colleague, Mr. Cunningham, your full statement will be made a part of the record. You may proceed as you wish.

**STATEMENT OF RANDY "DUKE" CUNNINGHAM,
REPRESENTATIVE FROM CALIFORNIA**

Mr. CUNNINGHAM. Thank you. I will try and catch my breath, Mr. Chairman. I appreciate it.

First of all, I am not questioning the motivation of my two Republican colleagues, but to give you an example of their political

agenda, both of them voted and said it was OK to burn the American flag.

I would look at some of the things that have transpired. If Vietnam is so sterling, why do we have so many refugees coming out of Vietnam at the risk of their own lives? We have had over 1 million refugees just into the United States, and there are many, many more in other countries as well.

I will tell you why. I have a young lady named Phuc Le in my own district. She won the art contest, and I was not aware of any of the things that happened. Phuc Le was one of those that escaped from a boat just a couple years ago. The picture that she drew in the art contest was of the boat that she and her whole family left in. It would bring tears to your eyes just to see the boat.

Phuc Le and her family told me that when they left Vietnam, they knew that if they were caught they would be put into a re-education camp. Do not confuse the term education with re-education camp. This is a concentration type camp with drastic interrogation and mind bending, and many do not survive the re-education camp.

When the family left, they knew that if they were caught they would be put into this camp. One member would have to stay behind to sneak in food to bribe the guards to do anything they could to survive.

Well, the person that stayed back was Phuc Le's mom. It took us 3 years to get her away from the communist re-education camp, and finally she appeared at Lindbergh Field in San Diego.

There are brutalities in Vietnam. I was shot down in Vietnam. Do we forget the Cuban that blew the head off of one of our prisoners of war? The Vietnamese have yet to turn over the name. We know who it is, but they will not even recognize it. Have we forgotten about our POW's that were trussed with their arms backwards and up, and do we forget the women?

In all of our districts—I am sorry, Mr. Chairman. It is difficult. There is a lot of pain. This is not political for me. It is a right and a wrong.

I remember holding one of my friends who died in my arms. I remember the brutalities that the Vietnamese conducted against not only our POW's, but our troops and the Vietnamese as well. I look at an entire museum.

Time after time the Vietnamese said we have no records. We have no information. Each time we would put pressure, they would just so happen to release remains.

Commander Blackburn was shot down the same day I was over North Vietnam just south of Hanoi. Steve Rudluff was a POW and came back. Commander Blackburn did not. His son worked in a little town in my district, and each day he would call and say Duke, can you tell me about my dad? It is the same story over and over.

His dad's remains finally did come back after a few years. You know, it was like a thousand-pound weight had been lifted off that kid's back.

We owe that to the families, and I think it is just absolutely wrong within a government right now that is obtrusive, a government that embraces Castro and Iraq, a government that has the human violations, a government that slapped us in the face time

and time again, a government where the President is going to dump money into it, billions of dollars, just like he has in Haiti and Somalia and South Africa and other places. Mr. Chairman, I think it is wrong.

I would ask if we forget the women that suffered when our POW's time and time again reached out for our help? Have we forgotten the Jane Fondas, the Tom Haydens and the turncoat POW, Edison Miller, and the brutality that we went through or the 58,000 people that were killed?

Every place we went, Cuba was there fighting against us as well. Is the President going to embrace Castro next?

Mr. Chairman, I feel very, very strongly about this. Again, it is not political with me. It is emotional. It brings a lot of pain, and I am sorry that the whole situation has arisen.

Remember Phuc Le and her family. Remember Commander Blackburn that was shot down. Remember the 58,000.

Thank you, Mr. Chairman.

[The statement of Mr. Cunningham appears in the appendix.]

Mr. BEREUTER. Congressman Cunningham, thank you very much for your very moving testimony.

The committee will recess very briefly until the return of our colleagues who are on our panel.

[Recess.]

Mr. BEREUTER. The committee will come to order, and the hearing will resume.

Next, it is my pleasure on behalf of the committee to introduce our colleague, Mr. Wayne Gilchrest. Congressman Gilchrest is from the First District of Maryland representing that district. He too is a veteran of the Vietnam war, where he served with the United States Marine Corps, earning multiple citations and awards, including the Purple Heart. Mr. Gilchrest is a member of the Veterans of Foreign Wars and the American Legion.

Mr. Gilchrest, your entire statement will be made a part of the record, and you may proceed as you wish.

Mr. Gilchrest?

STATEMENT OF WAYNE T. GILCHREST, REPRESENTATIVE FROM MARYLAND

Mr. GILCHREST. Thank you, Mr. Chairman.

I do have a couple of quick statements before I read my carefully prepared statements with what I feel are my deepest sentiments and thoughts on this particularly troubling topic.

We have heard a number of people make comments, and those are correct comments. They come from deep seated feelings about not leaving anybody in Vietnam. Whether they were alive or dead, that should not be done in any conflict.

As a marine grunt youngster who was involved fully engaged in that war, we never left anybody behind whether they were dead, whether we could not get the helicopter in. We made sure above all means that we took people out.

There were a number of incidents where people disappeared. It was usually at a river crossing. We made every single effort to get live marines out, dead marines, even if it caused some harm to those of us who were trying to do that.

I make that statement to stress that as a veteran of Vietnam, I feel at this point that the best way to find the remains of those who are still missing is to move forward with normalization. If I did not feel that way, I would be on the opposing side of this argument and say that we should not open up diplomatic relations, and we should not even have trade.

My honest, heartfelt opinion at this point is that we should move forward to resolve this conflict of MIA's. I think normalization is the best way to do that.

Mr. Chairman, I thank you for this opportunity. It is in the United States' national, economic, strategic and diplomatic interest to have closer ties to Vietnam, and normalization will open greater opportunities for us to resolve our apparent conflicts.

Normalization is a part of the process of healing the Vietnam war, an experience that has touched all Americans. The Vietnam war still teaches important lessons about the limits on American power as force is used to achieve foreign policy goals.

The Vietnam war teaches us that the fragile bonds of trust between the American people and their government must be protected and strengthened. When this trust is damaged, the basic elements of American society are placed at risk. Nationally we must not stay locked in the pain and sorrow and grief that the Vietnam war caused.

During the Vietnam war, hundreds of thousands of Americans made tremendous sacrifices to defend American freedoms and to share these freedoms with the Vietnamese. There are many tragic stories and a lot of sadness from Vietnam.

Part of the healing process is for people not, and I want to stress again that part of the healing process is for people not to forget the past, but to make a better future for our children. Let us allow the young people of America and the young people of Vietnam to work together to insure a better future for all the world.

Through normalization, we may again gain the final victory that the American sacrifices sought. Through closer ties, the United States can influence the future of Vietnam as it begins to move away from communism and to open up a more free society. We can look backwards to the past with bitterness, or we can move ahead and challenge Vietnam to adopt a more open, more democratic, more capitalistic way of life.

Economically, American companies have been at a great disadvantage with European and Asian countries who have been freely trading with Vietnam for a number of years. American business know-how and American products are sought by the Vietnamese.

I do not want to make this an economic issue, but as part of this whole process we will have tens of thousands of Americans literally crawling all over the Vietnamese countryside, and probably thousands of cocktail parties all over the country will reveal a lot of the mystery that we have not been able to uncover up to this point.

Diplomatically, Vietnam, with more than 70 million persons, most of whom are under the age of 30, shall be an important player in the region. Working with them as they build and grow into a more open society will serve American interest as we seek closer ties with all of the Asian markets.

The decision to normalize relations with Vietnam has major significance for the brave American veterans who served there and their families. We must never forget their sacrifices. The trials, tribulations and sufferings endured by POW's and MIA's and their families must bear fruit.

The Government of Vietnam has made some progress. We are continuing to make progress, and I am convinced that normalization will insure greater progress.

Throughout this century, America and Vietnam have made critical errors in judgment toward each other. The first American that ever met Ho Chi Minh was sent by President Roosevelt in 1945 to figure out who we should send arms to. Should we send arms to the French to fight the Japanese, or should we send arms to the Vietnamese to fight the Japanese?

This man, an OSS officer, made a recommendation to President Roosevelt that we should send arms to the Vietnamese because if we send them to the French, the French will save those arms, not fight against the Japanese, continue to cooperate with the Japanese and use those arms when the war is over to fight against the Vietnamese movement to try to become a democracy.

That recommendation was never carried through. Roosevelt died. The arms were sent to the French. The French saved those weapons. The French cooperated with the Japanese and after the war was over used Japanese troops remaining in Southeast Asia with French troops to fight against the Vietnamese independence movement.

Ho Chi Minh sent eight letters to President Truman to try to resolve this problem. Unfortunately, we know the history of the cold war. We know the history of containment. We know the history of Stalin and all the rest of that. From the inception there were some critical errors in judgment on our part, and we know the tragedy that happened after that.

One of the major obstacles to improve relations with Vietnam is the issue of MIA's. That is what we are talking about here today. This is a priority problem. However, finding a realistic solution is more important than merely discussing the problem, which is what we so often do. A realistic solution to the MIA problem is getting Americans in Vietnam.

In 1945, the Vietnamese people viewed Americans as liberators against the tyrannical Japanese and the imperialist colonial power, the French. That special relationship still remains today. You can walk down the streets of Hanoi or Saigon or Da Nang. The people that the Vietnamese flock to are not the Russians, not the Italians, not the Germans, not the Canadians, not the British, not the Australians. It is the Americans. The relationship still is there.

Confusion, misinformation and political pressure must not dictate a nation's policies. After careful evaluation of our shared turbulent history, the appropriate solution, in my judgment, as a marine who remembers a lot of my friends whose blood soiled the soil in Vietnam, whose remains, whether they are there or home, their names are on the wall.

I am not doing this for political purposes. I am not doing it for any other reason other than I am convinced that this policy that

we are now pursuing, trading and normalizing relations with Vietnam, will give us greater opportunity to reach our goals.

This policy will finally begin a healing process that will lessen the lingering sense of despair that relatives of the MIA's have felt for so long. This change will give us the gift of hope and find some solution so that we two peoples can work together.

Thank you, Mr. Chairman.

[The statement of Mr. Gilchrest appears in the appendix.]

Chairman GILMAN. Thank you, Mr. Gilchrest, for sharing your views with us and for being patient throughout the morning hearing.

Mr. GILCHREST. Mr. Chairman, I would like to stay if there are any questions, but I have two markups going on at the same time.

Chairman GILMAN. I appreciate that, and we welcome your being patient up until this point.

Mr. DORNAN. Stay 1 second.

Chairman GILMAN. At this point I would like to call Congressman Robert Dornan to testify.

Congressman Dornan represents the 46th District of California. His experience as a member of both the permanent Select Committee on Intelligence, as well as the Republican Research Committee on POW's and MIA's, has brought him to the forefront of human rights and national security issues.

He is also the honorary president of the American chapter of the International Committee for Free Vietnam.

Congressman Dornan, at age 19, volunteered for service in the U.S. Air Force. He served as a fighter pilot after getting his wings with the world's first supersonic jet fighter group.

In 1958, he left active duty and joined the California Air National Guard as a fighter pilot and then the U.S. Air Force Reserve as a rescue sea plane pilot and intelligence officer, achieving the rank of Captain.

Congressman Dornan, we welcome you, and we welcome your past activities as a continual fighter for an accounting in Vietnam.

Mr. DORNAN. Mr. Chairman, may I yield for a second to my honorable colleague and a wonderful marine? Once a marine, always a marine.

Those of us in public life, when we reach for a little poetry, will sometimes grab the wrong word. I pointed out something to Wayne, and I want to yield to him because I know what he meant to say in his heart.

Mr. GILCHREST. I thank my colleague, Mr. Dornan.

I said the Americans soiled the soil. While I was thinking of soil, I meant to say we honored through our blood the people and the land of Vietnam.

I thank my colleague for pointing that out.

Chairman GILMAN. Thank you, Mr. Gilchrest, and thank you, Mr. Dornan.

Mr. Dornan, we welcome your views.

STATEMENT OF ROBERT K. DORNAN, REPRESENTATIVE FROM CALIFORNIA

Mr. DORNAN. Thank you, Mr. Chairman. Mr. Chairman, when I first sat down here there were about 10 more members in attend-

ance. One of the greatest heroes I have ever known in my life was sitting to my left, Sam Johnson. He wanted to stay for your questions. He is going to try and come back, but he has an important Ways and Means markup. Wayne has gone off to a markup. So has Kolbe and Pete Peterson.

I want to congratulate Mr. Leach for what I think is a courageous decision to keep people of his Banking Committee here in August for these critically important hearings on the credibility of our government and our country. And to do it when there are no votes in August and infringe on people's district worktime.

I just wish today we had no more vote interruptions and no more markups. I am going to collar all of my Democrat and Republican friends on this issue. Not only is my brain fully engaged, but this tears up my heart.

This issue almost cost me my marriage on three or four different occasions. As I look back to my youth, my wife was right to try and get my full attention. I guess I had no right to go to Vietnam eight times when I had five children under eight years of age, under seven, under nine.

As a Member of Congress, I went back twice to Vietnam: Both of those times with you, Mr. Gilman. Ten trips I have had over there. I have read 24 books slowly. I am just now reading Sam Johnson's book, "Captive Warriors". You only have to read one book—P.O.W.—to catch up. It came out in our bicentennial year and your fourth year when you were on the Select Committee on Americans Missing in Southeast Asia, a committee with about a \$400,000 budget. That is about \$1 million today.

When I met you after our bicentennial year, that committee had shut down 2 weeks before I was sworn in, and turned back half its money. You had voted not to shut it down, strangely it was an even numbered committee, five/five.

You and the late Rev. Congressman Tenny Guyer of Ohio voted not to shut it down. Two good Democrats voted not to shut it down, Jim Lloyd, now a Republican, and I want to get these names for the record. Voting not to shut it down was Joe Moakley, ranking member of the Rules Committee, and voting not to shut it down was Bob Lagomarsino, a great member of this committee for over a decade and a half.

Voting to shut it down was Pat Schroeder and Navy Cross winner Pete McCloskey, who had accused us of genocide in Laos. Pete was wrong. He earned the right to say whatever he wanted the hard way in Korea—Purple Hearts and Navy Cross. He said we were using white phosphorus to destroy every village in northern Laos. That was a lie. He voted to shut it down.

Tom Harkin, his heart has always been with every communist struggle everywhere in the world. He has always been against the good guys and for the communists. I do not care whether it was Angola, Afghanistan, Nicaragua, Guatemala. We all know where Tom's heart is at. He voted to shut down the committee. Henry Gonzalez voted to shut down the committee. Five/five. They turned back half the money.

While that was happening, Americans (like Tucker Gougelman) were being tortured to death in a Saigon jail. Every boat person who ever came out of Saigon jail, all 76, said the air was rent at

night with the screams of this CIA man and a retired 20-year marine, Tucker Gougelman.

You and I were in Hawaii when they opened up the box of his remains. There was \$265 in change and cash, all of his clothes back from the drycleaners in Saigon. And Harkin took the floor and said in effect Gougelman deserved what he got because he went back to get a woman—yes, his Vietnamese fiance—and was captured a few days after Saigon fell in April. I went to his funeral at Arlington and the funeral of about 15 other POW's.

Yes, I took wives and mothers around the world. I testified in this building in 1971 before major committees about my trips around the world with wives and mothers. Every one of the 22 wives and mothers that I traveled with did not get back their hero. All of those wives either remarried a POW or never married again.

Divorce ripped through the POW community beyond the national average of one-third at that time. It came close to the national average today of half the marriages failing. The effect that had on some of the children was they turned to drugs. The impact of this war over and over and over again ripped these families of the survivors and the missing in action and the killed in action.

Our friend, Tom Moorer, called me last night, Chairman of the Joint Chiefs of Staff, Chief of Naval Ops, Commander in Chief of the Pacific and Commander of the 7th Fleet when this all started. He worked his way right up those four key spots.

Do you know what he told me last night, Mr. Chairman? That President Lyndon Baines Johnson called him and said,

Admiral, I want you to tell the wives of your young pilots and their mothers and fathers to be quiet if they love their country. Do not make my job any more uncomfortable for me. Tell them not to talk out about the torture. I know they are finding out about it.

A U.S. Senator-to-be, Jeremiah Denton, I re-read his torture stories last night. There is one line in front of me, " * * * did not believe a human being could sustain such torture." Sam Johnson said he did not think it was possible to endure the white hot torture he underwent without passing out. He did not think you could be conscious through the levels of torture that they were subjected to.

I said to Admiral Moorer, what did you do? He said with a broken heart, "I told the wives that the Commander in Chief, President Johnson, wanted them to be quiet for a while."

It was on my show in 1968, an Emmy Award winning show, that the first wife—a gunnery sergeant was present was to make sure she did not go over the line—finally cracked, broke down crying and said, "our men are being tortured." She became your friend and mine, Carol Hanson, first head of the League of Families.

What we did to those families during the war and still do to them now is beyond belief. Our Government has kept secret records from them, secret records that they declassified by giving them to the enemy Communist government in Hanoi. The logic of that certainly escapes me.

Pete Peterson, our colleague, and my pal, John McCain, earned the right to say whatever they want on this issue the hard way, under brutal captivity. John was tortured horribly—broken arms re-broken, being thrown around a room. He signed all that garbage that he was an air pirate.

My squadron commander, Robbie Risner, underwent 3 months of unrelenting torture before one of the guards called Cat, broke him in a 2-hour staring session. Robbie finally lowered his eyes.

A man who had shot down eight MiGs in Korea, Jim Kasler, was a prisoner. He shot eight MiGs in Korea. After they rebuilt his broken body with broken arms and legs, they re-broke all of his wounds.

Kasler and Robbie, because they had fought in a war against communism in Korea, because they were jet aces—there were only 40 of them—they tried their best to break them, and break them they did. These men would come back weeks later and months later and say, “you have to break me all over again.” They won that battle with their Communist captors, who are in power right now.

Pete Peterson, in a moving statement, said we must go to the future and forget the past. Forget the past. I just heard that again from my pal, Wayne. Look to the future. No, Wayne said do not forget the past, but look to the future.

John McCain was at the White House yesterday: And all the news media say this war hero gave Clinton the credibility to do this, we all know that Clinton does not have the moral standing to touch this war. When my friend, McCain, told the AP that the American people knew about Clinton’s background in Vietnam and gave him the mandate, Sam Johnson reminded me today that no, they did not know.

To this day, Clinton has never given one line of explanation of what he was doing in Moscow in January of 1970. He was at a peace banquet at the National Hotel, 27 degrees below zero and 10 inches of snow cover. He and Eugene McCarthy show up at a peace banquet celebrating a good year for Hanoi and North Vietnam.

Clinton thinks that we were the bad guys in Vietnam. He thinks he was righting a wrong yesterday, and he could not have done it without the cover of John McCain. That is what everybody in the media says, conservative, moderate or liberal, that he gave him the cover.

McCain told AP that Clinton has the mandate of the American people. Forty-three percent of the people voted for him. What percentage of that knew what Duncan Hunter, Sam Johnson, Bob Dornan and Navy ace Duke Cunningham were trying to say on the House floor in September and October of 1992? Now we have normalization, but we do not have the funding for it yet.

Bob Kerrey, who left a leg in Vietnam and who won the Medal of Honor, which Harry Truman said he would rather have than be President, said look to the future and that it would be petulant and wrong of us to cut off money to the embassy.

I think if we cut off money to establish an embassy, we are in a perfect position of the time honored police principle of good cop/bad cop. Let Clinton play good cop. He always thought Ho Chi Minh was George Washington.

I heard a little praise for Ho Chi Minh today. Ho Chi Minh had 27 aliases. Ho Chi Minh was a communist killer and a war criminal. His troops fought the war in 1972 with a Nazi type blitzkrieg across the DMZ using Russian armored vehicles like PT-76’s. He fought the war with 13-year-old children.

Sam Johnson told me when he was taken off the trail to be put into the Hanoi prison system in 1966, he saw children and women in uniform: But by 1972 they were fighting the war, harvesting a crop of innocent peasant children born in 1959 and 1958 and 1957.

I have the Library of Congress now looking for the pictures I remember from Time and Newsweek of whole Vietnamese units where not a single soldier of company sized units was over 14 years of age. I saw their bodies on the battlefield. My heart went out to them, 1½ million peasants sent down the Ho Chi Minh Trail against McNamara's B-52 strikes.

What a sick war the way we fought that thing against a peasant nation, but we were the good guys trying to bring freedom to South Vietnam.

Now, in front of the archives, and the archives is what you want to get at, Mr. Chairman. The archives of the Politburo, the archives of the Central Committee with the gestapo precise records that they have kept. Because they pattern themselves after Russia where precise records, volumes of them, are still being researched to find out what happened to the 100 missing Americans from the cold war, the ferret pilots that we sent out under their oath to defend their country against foreign foes all around the perimeter.

We never shot down a single Soviet kid in a cockpit in the cold war, and they killed 300 of our air crewmen and took about 100 captive. Not one has come home. That is not resolved. Good luck to Sam and Pete Peterson on that.

Now, in front of our archives here where we keep our only copy of the Declaration of Independence and one of the three remaining copies of the Constitution, do you know what it says on the statues on Pennsylvania Avenue? It says, "The past is prologue," under one great statue. On the other side it says, "Study the past."

I have done about 20 radio interviews going against my pal, war hero McCain. One of the dumbest questions I get from sincere American viewers, who, 6 out of 10, say Clinton did the right thing, is this—"We normalized relations with Germany and Japan after World War II." And I say, "excuse me, sir or ma'am, stop right there."

"Let us go back to seventh-grade history. We won the war with unconditional surrender. We hung 11 of Hitler's gang. Martin Borman got away, and Goering killed himself before he met God, with a cyanide tooth. We hung Tojo. We killed people who beat up American airmen in the fields" as Pete Peterson said.

Kasler, that jet ace so savagely tortured, told me that 100 Americans at least were beaten to death—not all hung, but beaten to death most of them, or cut up with machetes in the field. George Preddy, our leading P-51 Mustang ace, bailed out over Germany on Christmas day of 1944 and was pitchforked to death by farmers. We tracked those farmers down, we tried them, and we shot them.

Of course, we are not going to get the bodies back: But our hero, yours and mine, if you are Jewish, is Simon Wiesenthal. I love to go to his center in the city of my hometown that I joined the Air Force out of in California. Simon Wiesenthal said never forget. Never forget and never again. He is called a Nazi hunter because he said no Adolf Eichman-type war criminal should ever know a night's sleep.

That is the difference between World War II and now. The war criminals, unlike what Wayne and Pete said, are still in power in Hanoi. Tom Harkin went there to pay homage and hug Giap. General Giap is a war criminal. General Giap gave the order to execute 5,000 people with their hands tied behind their back in 1968 when they took the royal city of Hue. Five thousand citizens from that city were slaughtered along the Pearl River. We uncovered their bodies when my college friend, Ernie Cheatham, took that city back. Giap is a war criminal who sent 13-year-olds to die against B-52s.

I just want to tell you something about Sam Johnson. Those of you who served with Sam know what a Gary Cooper type from Texas he is. I beg you to learn the best about those of us who served with him. When I had my hearings over in the armed services room, I had six government witnesses before me working this issue, all of them good, sincere public servants. Only one of them had read this book, "POW," that I mentioned.

You read this book, and you will see that in Sam's memory banks are stories that are out of the Dark Ages. You cannot believe it. There are pictures in this book of torture to men's spines and their broken limbs. And Cubans, three of them, of course nicknamed Pancho, Chico and Fidel.

We know who one of them was, Brigadier Fernandez, who came up to the United Nations to work as the chief military attache for the Cubans. My country did not have the guts to arrest him and bring him to trial. He beat Major Earl Cobeil to death in front of other Americans, calling him a G.D. S.O.B. F-ing faker and beating his skull into the ground and lashing him across the face with a rubber hose. Cobeil would not even blink because he had already lost his sanity. God had let him retreat into the recesses of his brain. Then he was taken away from his friends like J.J. O'Connell and others, never to be seen again. We did get back their remains.

This arithmetic on the remains brings me to tears every time I look at it. It is not 80 or 55. It is 143 unsolved cases, including 87 in Laos. If I could ask Mr. Solomon to pass that picture along, here is an American dying on the operating table, Navy Lt. Lee Nordahl. He is dying in one of the North Vietnamese hospitals. Pass that down the line, please. Do you think they know where his remains are?

Above is a cut-off picture of another Navy pilot, Lindsay, dead in the field. They know right where he was buried. Why do we spend \$100 million a year going to crash sites where there is not a pound of remains—a few teeth of men—when we know, you and I know, Ben, because we were in this room when the mortician sat right there, unfortunately with a motorcycle helmet on to disguise him so it added a tragic comic note. But I recently found him, Ben. He is alive in Atlanta. He is 81 years old.

He passed 6 hours of polygraph testing and sodium pentothal and said that he had prepared over 400 boxes of our heroes' remains, and I'm sure as heck that Lindsay and Nordahl are in that group. Those remains, at least 260 of them, remain in a warehouse in Hanoi.

The 160 we got back, everybody on my panel and your experts will tell you today from the chemicals on the bones of about 160

warehoused remains we got back, we knew they went straight from death with their flesh removed into a box or buried for a few years then placed into a box or dug up at a crash site and into a box where the bones have blackened over the years. Those prepared remains could make 260 funerals at Arlington and let some families bring this agony to an end.

I charge that the Hanoi Government is guilty of Geneva Convention war crimes because when you torture and manipulate families, torture them psychologically for 30 years, that is a war crime. United States officials visit Hanoi and are dancing around and toasting and looking at little folk dances with some of the criminals. It breaks the families' hearts when somebody says, in a well meaning way, that it will lessen the despair.

Mr. Chairman, you and I know that this deepens the despair of the families. The families are brokenhearted that this normalization has taken place, particularly under somebody who could not have done it without the cover of somebody who families tell me used to be their friend. They are brokenhearted over the cover given to Clinton.

Mr. LANTOS. Will the gentleman yield on that point for a second?

Mr. DORNAN. Yes, gladly, to my friend, Mr. Lantos.

Chairman GILMAN. Mr. Lantos.

Mr. DORNAN. I am almost through, Tom.

Mr. LANTOS. I just wanted to react to your last phrase. You and I have been in many human rights fights—

Mr. DORNAN. Many.

Mr. LANTOS [continuing]. During the last decade and a half, and you have been a strong and valuable comrade in arms in all of these, which prompts me to ask a question.

Your fury in a sense ought to be directed at Senator McCain, who spent 5½ years in a Vietnam prison—

Mr. DORNAN. Savagely tortured.

Mr. LANTOS [continuing]. Savagely tortured.

Mr. DORNAN. Just one comment. Worse than that, the only one I know of constantly offered the immediate right to go home whenever he caved and chose to accept parole and violate the code of conduct that he had memorized and signed to.

He could have gone home any time after his first few months when his father was moved from the commander of the Navy and NATO to become the commander in chief of Pacific Forces and the main proponent of the bombing. Once they found out he was the crown prince, he could have gone home at any time. His 5½ years, about 5 of it he could have ended at any time. That is heroism.

Mr. LANTOS. I think it is heroism, and I think you and I share enormous respect and admiration for John McCain.

I think you agree with me that John McCain is in a sense, if not the chief architect of this new policy, then certainly an important participant in the development of this new policy because without the political cover that Senator McCain and other Vietnam heroes like Senator Bob Kerrey offer, such a proposal would not have been made.

Mr. DORNAN. They could not have done it without McCain. You are correct. He is the chief architect.

Mr. LANTOS. They could not have done it without McCain, so in a sense McCain is the pivotal person.

Having full respect for your position, Congressman Dornan, I wonder if you would explain to me why the son of a distinguished admiral of our Navy who had 5½ years of brutal torture during the best years of his life—

Mr. DORNAN. And it cost him his marriage. I worked with his wife for all of those years and his mother and his aunt and his dad.

Mr. LANTOS. All of that. All of that, and who currently, as I believe, is the national chairman of the Gramm for President campaign—

Mr. DORNAN. And it is hurting the Gramm campaign.

Mr. LANTOS [continuing]. Should choose to support fully and enthusiastically the President of the United States in having made this decision.

This is not a rhetorical question because I have great respect for your wartime—

Mr. DORNAN. Mr. Lantos, in my closing paragraph—

Mr. LANTOS. If you will allow me to finish?

Mr. DORNAN. Sure. Sure.

Mr. LANTOS. I have great respect both for your military service and for your record on the issue of human rights. You have been an indefatigable champion for human rights. We have worked together on issue after issue as brothers.

I think it is important in expressing your view that you do not direct all of your venom at the President of the United States when you agree with me that without Senator McCain, this policy would not have been promulgated.

Mr. DORNAN. True.

Mr. LANTOS. I would like to ask you as a colleague and as a friend to explain to me from your point of view Senator McCain's decision to stand shoulder to shoulder with the President of the United States.

Mr. DORNAN. I shall, and I shall put that into my closing paragraphs, Tom.

Pete Peterson used rough words. He said it was irresponsible not to accept that there has been an attempt by the Vietnamese at the fullest accounting.

This chairman's committee hearings I believe will show that the operative word last year of unprecedented cooperation was wrong, that the operative word earlier this year of superb cooperation is wrong, that Senator McCain's word of the last couple of months, substantial, much reduced from superb and unprecedented, is wrong.

The Washington Post editorial of a week ago yesterday coordinated to be held up by Senator Harkin in Hanoi that used the term prodigious diligence—you can see they have out their thesaurus—is wrong. The family members know they have been war crime manipulated by the communists in Vietnam, who have perfect archives that are not mildewing and rotting away.

They have film evidence—early film, not videotape—that is not rotting away. It is protected in air conditioned rooms. They have voluminous material on Laos, which to use the word the Chinese love, they had total hegemony over during the whole war.

It is not true that we are making progress except with the hundreds of millions of dollars searching for teeth or tiny little pieces of bones at crash sites instead of going after the warehouses where the remains are and the archives to resolve some of these horrible cases.

Here is my close. There are, I believe, five groups that we have to listen to. McCain has not written them off. He is too honorable a man. But, he does not take their counsel and has not for years. Here are the groups.

I watched John do a splendid job this morning on Good Morning America with Jim Webb. There were about five graduates from the Naval Academy—Poindexter, North, McFarland, Webb, and McCain.

Jim Webb, our former Secretary of the Navy under Reagan, said something that is stunning. It is what makes McNamara's book a poisonous book of infamy, and it is why Thomas Moorer, Chairman of the Joint Chiefs, calls Bob McNamara a war criminal, the only one he so designates. He is even tough on Westmoreland.

He calls a lot of people who have made mistakes of judgment up to ignorance, but Harry Summers has only called one person evil—McNamara—and Tom Moorer has only called one person a war criminal.

Mr. LANTOS. Congressman Dornan, could you answer my specific question?

Mr. DORNAN. I am coming to it, Tom. Here are the five groups.

Jim Webb said the group that is dishonorably dismissed are our allies that fought side by side with us in Vietnam. The dominant media culture, like a mantra for 30 years, has described the South Vietnamese forces with the unrelenting description of corrupt and cowardly so long that most young Americans believe that to be the case.

I flew four combat missions out of Bien Hoa with their air force. I went out in the field without any other caucasian around with their marines, with their soldiers. When they had good leadership, they fought as well as Americans, and they died by the hundreds of thousands to fight for their land. They are not even mentioned in McNamara's book. As a matter of fact, in a dismissive way he treats them with contempt.

We now have 1 million Vietnamese who are all American citizens, including two in prison in Saigon as we speak. That group does not think John McCain is their hero any longer because that group is about 95 percent against normalization—the boat people.

As they said on the little plaques, that my daughter, Robin, brought them back—she worked for a year in the camps—half of us are here. The rest are with God. Liberty or death on the high seas.

Eight hundred thousand died. They watched their daughters raped and then murdered. They had their teeth pulled out for their gold inlays, and then they were thrown to the sharks.

It is a horrible story, every bit as horrible as the 2 million—I usually say 1 million; I do not want to exaggerate—people dead in the killing fields of Cambodia that turned Sydney Shanberg into a tough person against normalization or the 100,000 executed in Laos or the 68,000 I mentioned earlier of our Vietnamese allies

who trusted in a super power who were executed in 1975-76 by death list, some of the lists taken right out of the drawers in our embassy that we left in such a cowardly way at the end of April 1975. The communists just went in and took the lists off the floor or out of the cabinets, put them on clipboards and went out and murdered those people and tortured some of them to death.

Those allies of ours do not think McCain is a hero. He dismisses them. His coming to personal closure and healing his wounds of war is more important to him than dismissing 95 percent of the people, except for a handful of businessmen like my Orange County chamber of commerce.

Category No. 2 is a subset of that, the democratic reformers who come up to us and whisper to us in Hanoi or in Saigon. I refuse to name it after a war criminal, Ho Chi Minh. They whisper to us, "Do not let us down. Do not normalize. They are putting us in prison and doing the same thing they did up in Tiananmen Square." These are the Thomas Jeffersons, the Patrick Henrys, the Thomas Paines of Vietnam. John has cut them out of his equation.

Now let us come to his fellow Americans. The entire American Legion—

Mr. LANTOS. Could you just—

Mr. DORNAN. I will come to it, Tom. This is the close.

Mr. LANTOS. But I need to ask you a question.

Mr. DORNAN. All right. I am going to come to the close.

Mr. LANTOS. Why would John McCain—

Mr. DORNAN. Write off the South Vietnamese? Because he flew off a carrier and never fought shoulder to shoulder with them. That is the answer to that.

Why would he write off the South Vietnamese? Because when he started trying to normalize relations 10 years ago—10 years ago—he did not have the argument to play the Vietnam card against the China card, and he did not have the argument of prodigious diligence, superb and substantial and unprecedented cooperation on the MIA's.

He has been trying to do this for 10 years. He was stopped by the Keating scandal. He was stopped by the beating of people unconscious in Hong Kong and the force repatriation. I remember I went over and stopped him once.

For 10 years he has been trying to do this, and none of his arguments today could apply because what did they apply 10 years ago when he first visited Hanoi with Walter Cronkite and saw this little memorial to his capture there by the lake where he was half drowned and more dead than alive when they fished him out.

That is why he dismisses the South Vietnamese, and he has never met with the reformers because he is too busy meeting with General Giap when he is in Vietnam. This is not a meeting with Gubresky and Bud Mahuren at some banquet where they fought in the air and never engaged in camp murders or in death camp executions. These are war criminals that are still manipulating our war heroes.

Now, three others groups. Eighty percent of the POW's have been polled by Ross Perot under Red McDaniel, the most tortured man tortured ten times worse than John. Eighty percent of the POW's are with Sam Johnson and Robbie Risner and Lt. Gen. John Flynn.

They are not with John. He has gone marching to his own drum, so write off the POW's.

The American Legion, the leadership and 80 to 90 percent of the members, the executive director told me, are against normalization. The VFW, with 600,000 members—not the Legion's 3,000,000, is all screwed up because a few people at the top are for Bill Clinton.

The general run of the membership also belongs to the American Legion because you can belong to both if you fought in a foreign war like my dad. John is going against most of his fellow veterans. You heard what Pete Peterson said. He feels like the Lone Ranger on this.

The fifth category are the families. Ninety-five percent—

Mr. LANTOS. Before you go to the families, is your argument that since the leadership of the VFW supports the President of the United States, they are all screwed up?

Mr. DORNAN. No, no, no. He is with—

Mr. LANTOS. That is what you said.

Mr. DORNAN [continuing]. Honorable men like Gilchrest and Pete Peterson. But, as Pete said, they admit they are in the minority.

Now, in spite of my image around this place, why do I find myself in the majority of my party and the majority of my colleagues on every cockamamie vote in this House for 17 years? I am a majority guy with the mainstream.

Very rarely do I go off on my own, and I cannot think of an instance and say I know more than all the veterans, than 95 percent of the family members, particularly those with missing in action men and unresolved cases. I know more than the South Vietnamese in my district who are now American citizens.

Mr. Lantos, we would not treat the Cuban-American community in New York, in our State or certainly not in south Florida almost in a racial way—the way we conducted the war in a racial way and would not arm the South Vietnamese the way we did the Brits, the Turks and the Greeks with F-4 Phantoms that Sam was shot down in. We gave them little propeller airplanes and ordered them not to go north except for agents that we bailed out over North Vietnam who were tortured to death under McNamara in 1963 and 1964.

It is unbelievable that the media is acting like a few people out of step with the majority of these groups, the freedom fighters in Vietnam, the South Vietnamese who become American citizens and North Vietnamese, 80 percent of the POW's, 95 percent of the families and about 80 percent of the veterans.

Why do I speak for all of these people? Because they know this is not Germany and Japan. The war criminals are unlike described here, a new group of people. Yes, Johnson is gone, and so are five or six Presidents after him, George Bush and Margaret Thatcher and Mahoney and Kim Campbell after him.

Saddam Hussein is still in power in Iraq, and you and I wanted him arrested and, to quote Simon Wiesenthal, brought before the bar of justice. Guess where he is going to be next month? With my friend, George Bush. I hope they do not cross paths. He is going to Vietnam because Vietnam congratulated Iraq for standing up to the Western Powers. They just had the No. 2 man in Iraq there, another war criminal.

You know what they did, Tom, to the people in the south hanging them from tank gun barrels. You know how they genocided the Kurds in the north. This guy is a commander of anti-Kurdish operations. He was just in Vietnam. They are unrepentant.

Sam Johnson won a fight at the Air and Space Museum to stop this stupid politically correct exhibit that we were fighting a racist war against Japan nobly trying to defend their little island homeland. Guess what? That same type of argument prevails here because the war criminals are in power in Hanoi.

If we have gone past this, I will look to the future this way. Here is my close. I am going to have dinner with McCain. He can psychoanalyze me, and I will psychoanalyze him. The first thing I am going to tell John is—

Mr. LANTOS. Can I come for the dinner?

Mr. DORNAN. Sure. I would love to have you there. I might need a witness. Remember, Tom, you have a lawyer's mind. You and I think like lawyer's, even though we are not.

For 10 years he has been for normalization without any of the arguments he has been using the last month. So what was his reason 10 years ago? A respectable reason. I will be an amateur psychologist. He personally wants to heal the wounds of his war, but you cannot tell the families, the vets, the Vietnamese-American community and the freedom fighters in Vietnam, "Get lost because this is my personal closure."

I love Johnnie McCain, as I spent 11 hours with his father flying to Taiwan, and his mother and his aunt are as beautiful as any actresses ever seen. I worked closely with Carol, and she is still my friend. His marriage was ripped, as mine almost was, because I was volunteering to help them.

No issue in my lifetime has consumed me as much as this issue, and I am not through fighting. I look forward to going to a free Havana some day, as you and I went to a free Budapest and enjoyed that freedom in a new democracy.

I look forward to going to Beijing and walking Tiananmen Square where I do not have to see the rubble of human bodies ground into a gore by tanks so you could not recognize a hand, let alone any part of a human body.

I look forward to being in Havana, which I visited at 8 years of age, at Dirty Dick's Bar and Sloppy Joe's and seeing that a free city.

Yes, I will go to a renamed Saigon some day in our lifetime to a free country, but these four Communist countries are guilty, as Kissinger told me last month, speaking of Vietnam, of the worst human rights violations on the planet. He said prorated to the 70 million population, Vietnam is worse than China, that coming out of Henry the K.

With that, Mr. Chairman, I close. We have a vote on, and I will get the members who are not here one by one.

[The statement of Mr. Dornan appears in the appendix.]

Chairman GILMAN. Thank you, Mr. Dornan, for sharing your views. I hope that you will sit in with us—

Mr. DORNAN. I will as much as I can.

Chairman GILMAN [continuing]. During the continuance of the hearing.

The committee stands in recess until the vote is concluded.

[Recess.]

Mr. BEREUTER. The hearing will come to order.

I would like to call the second panel to the table, please, at this time. We now have the second panel of distinguished panelists representing the administration.

First is Secretary Winston Lord. He is the Assistant Secretary of State for East Asian and Pacific Affairs, holding the rank of Ambassador. He has addressed this committee on many vital international issues.

Asia remains an area of strong interest and expertise for Mr. Lord, as he has been chairman of the National Endowment for Democracy, as well as a former Ambassador to the Peoples Republic of China.

Secretary James W. Wold is the Deputy Assistant Secretary of Defense for Prisoners of War/Missing in Action. A veteran of the war in Southeast Asia, he flew over 240 missions in Vietnam. Rising to the rank of brigadier general, General Wold has served hostings throughout the world.

Welcome to both of you, gentlemen. Secretary Lord, we would like to hear from you first. With respect to both of you, your statements, of course, will be made a part of the record, and you may proceed as you see fit.

Secretary Lord.

Ambassador LORD. Mr. Chairman, let me begin with an unusual request. Even though I have other things on my schedule, I have canceled them all. This is by far the most important thing I can do, but I respectfully request that we have somebody here before I speak.

There has been a large number of representatives here to hear particularly one point of view, and I would just as soon wait if we can. If it is a matter of votes, let us wait a few more minutes so that what I have to say will be heard by at least some of the members.

Mr. BEREUTER. Secretary Lord, that is a reasonable request, and I am going to exercise the discretion of the chair and ask you two gentlemen if you will remain at or near the table. We will recess this hearing for 5 or perhaps 10 minutes.

Ambassador LORD. I am assuming they have gone to a vote.

Mr. BEREUTER. That is correct.

Ambassador LORD. Therefore, it seems to me we all agree this is extremely important, and I would just like to have—

Mr. BEREUTER. As I said, I think that is a reasonable request. We have had your introductions. We will not go through those again, with your indulgence.

We will stand in recess for 5 and perhaps 10 minutes.

[Recess.]

Chairman GILMAN. The committee will please come to order. Members, please take their seats. Visitors, please take their seats.

Again we welcome Ambassador Winston Lord, Assistant Secretary of State for Asian and Pacific Affairs, and the Honorable James Wold, Deputy Assistant Secretary of Defense.

Secretary Lord.

STATEMENT OF AMBASSADOR WINSTON LORD, ASSISTANT SECRETARY OF STATE FOR ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF STATE, ACCOMPANIED BY HON. JAMES W. WOLD, DEPUTY ASSISTANT SECRETARY OF DEFENSE (POW/MIA AFFAIRS), DEPARTMENT OF DEFENSE

Ambassador LORD. I thank you, Mr. Chairman, and thank you for holding these hearings on such an important topic.

Let me be very candid at the very beginning. I am disappointed, frankly, that there are not more members here to hear what I have to say.

Chairman GILMAN. Secretary Lord, the vote is just concluding, and they will be drifting back in very quickly.

Ambassador LORD. We should be having a dialog on these issues. I have listened with great respect this morning to essentially opposing points of view. I have canceled a meeting at the White House to try to help Harry Wu. I will stay here as long as necessary, but I do hope that people will listen to each other.

Chairman GILMAN. We appreciate your being here, and I am sure we will be joined by other members. Please proceed.

Ambassador LORD. First, Mr. Chairman, I would like to submit for the record my full statement, from which I will do excerpts.

Second, I would also like to submit for the record a packet of materials that I think would be of use to the committee and the other members, which has a great deal of information and facts on the MIA progress and questions, on economic diplomatic issues and on testimony of people who support the President's decision. I would like that included in the record.

Chairman GILMAN. We thank you for making it available. Without objection, it will be included in the record.

Ambassador LORD. Also, as I mentioned to you earlier, Mr. Chairman, we just had a preliminary report from some staff members of this committee who are in Vietnam pursuing the issues we are discussing today. We will give you a full report on that, but it is the first day. They did get great cooperation in flying and helicopters with Vietnamese assistance to the places which they wanted to see.

We have just had the preliminary report, but so far I believe by testimony of one of the staff people there he can only say it has been a positive experience so far. I hope that will be borne out. We will do whatever we can to help them.

Chairman GILMAN. We will welcome your information. These are two staff investigators that we have sent over to Vietnam who are there at the present time, Mr. Behrends and Mr. Berkowitz, who are exploring some of the live sighting reports.

Thank you, Mr. Lord.

Ambassador LORD. I welcome the opportunity to appear before you to discuss Vietnam. President Clinton's announcement yesterday of his decision to establish full diplomatic relations with Vietnam, we believe, can further help the healing process for our Nation and move us toward reconciliation among ourselves and with a former enemy.

As President Clinton said yesterday,

This step will . . . help our own country to move forward on an issue that has separated Americans from each other for too long now. This moment offers us the

opportunity to bind up our own wounds. We can now move on to common grounds. Whatever divided us before, let us consign to the past. Let this moment, in the words of the scripture, be a time to heal and a time to build.

Mr. Chairman, there is no question that what we have heard this morning shows that we have a great distance still to go, and I think we can all work on that and should work on that. I have listened with great sympathy and respect to various points of view.

I do not believe, with all respect, however, that necessarily what we heard this morning is a complete reflection of the mood in this entire country and even among some veterans groups and some families, but reasonable people can disagree on tactics for common objectives.

I would note that the number of Americans who believe we should move ahead with Vietnam has steadily gone up, and it is now over 2 to 1 those who favor the kind of move the President mentioned yesterday.

I was very moved by much of the testimony this morning, as we all were. I think we have to keep in mind, though, that the single issue which we must address is what is best to get the fullest possible accounting. It is not a question of how nice people may be or have been in the past. We all share some of the very strong sentiments we heard this morning.

I also believe that one of the tragedies during the war and since is not only the loss of life and the pain inflicted on people, but the pain in our own society. There was a tendency in the 1960's and the 1970's, and, frankly, there was some tendency this morning, not to debate just the wisdom of policies in which respectable and reasonable people can disagree, but occasionally to suggest what people's motives are. I would recommend that we try to have as civil a debate as we can and that no one has a monopoly on wisdom or morality.

The President made his decision to move forward with Vietnam on the unanimous recommendation of all his top advisors, as well as our personnel overseas and at home engaged in the search for information on MIA's. It was also supported by many veterans and former POW's, including some in Congress who stood with the President yesterday.

I want to emphasize again that the President's decision to establish diplomatic relations, as well as the other incremental steps taken over the years, was based on effective Vietnamese cooperation, which has led to progress on POW/MIA accounting.

I cite what documents and documentation the President relied on in reaching his decision, and on this basis the President determined further tangible progress could best be promoted through closer bilateral ties.

Mr. Chairman, since 1993, I have been on four trips to Vietnam, including three as part of a Presidential delegation. During these visits, I have had the privilege of viewing firsthand the painstaking work of those devoted and loyal Americans who are working to resolve the outstanding POW/MIA cases.

Whatever our differences of view on policy, I think we all agree that Americans out there, with Vietnamese cooperation, are going to extraordinary lengths to try to find the answers for the families.

Some of these endure the heat and humidity of Southeast Asia's jungles and the ruggedness of the region's mountainous terrain. Others work diligently in laboratories in Hawaii to identify individuals from tiny bone fragments and scraps of personal effects. Still others seek answers in Washington offices, sifting shreds of information from documents and witness reports.

I could relate to you many stories of hardships these Americans face in their efforts to account for our missing personnel, but I will share just two today to illustrate the efforts that are being undertaken to help the families.

The excavation and recovery of remains from one case required the establishment of a base camp on the side of a mountainous rock formation with a slope from 30 to 60 degrees. The 12 United States and 15 Vietnamese recovery team members had to climb more than an hour from the base camp, and the terrain was so steep that at points it required scaling rock faces hand over hand.

Over the next 2½ weeks, the team climbed an hour each day from the base camp to the site, excavating at the site, then climbing for an hour back to the base camp.

The immediate area of the crash was a rocky slope 40 to 45 degrees in grade. Working from the lowest elevation to the heights at the site, the team worked over the next 16 days removing surface rocks, scraping and sifting through screens the associated soil, aircraft debris, and human remains. The excavation yielded 187 bone fragments, 16 human teeth, personal effects, life support equipment and other wreckage.

In another case, the recovery teams had to excavate a fish pond. To prevent the collapse of the adjoining rice paddies into the pond as it was drained, the team had to dam up the edges with woven bamboo matting held in place by stakes. For 6 weeks, the team sifted and washed the mud and muck from the pond, eventually recovering bone fragments, teeth with restorations and two gold wedding bands.

These kind of vignettes you can find almost every day or week in Vietnam. They represent not only the hard work of our dedicated personnel, but also the level of cooperation we receive from the Vietnamese. I cite some other examples of how we are working on this.

I also include in my testimony a heartfelt tribute to the efforts of General Vessey, who has worked tirelessly, often suffering abuse, to resolve the issue of missing Americans. His efforts have benefited many families and our Nation as a whole.

This administration has been and remains committed to achieving the fullest possible accounting for our prisoners of war and missing in action in Southeast Asia, and this nation has pursued the most elaborate, extensive efforts to account for our missing in action from any war in history by any country in history.

The President reiterated our commitment yesterday, and to achieve this objective we have over the years sought ways to encourage further progress in the accounting process.

The President's decision to lift the trade embargo and establish liaison offices in Vietnam in February 1994, was based on his judgment that these actions were the best way to promote further progress. Many said at the time that we would be losing leverage

and that Vietnamese cooperation would slow down. The opposite has happened. The results since then have vindicated these decisions.

Similarly, we expect the establishment of diplomatic relations will lead to still further progress on the highest of national priorities, and I assure you that all of our efforts, including my personal ones, are to hold the Vietnamese to their pledge.

The Vietnamese Prime Minister yesterday in their response to the President's announcement pledged again continuing utmost cooperation by Vietnam on this issue. We will make sure that they live up to their word. We believe that we can do this even more effectively after the President's decision.

In the last couple of years, the President has set forth four particular areas where tangible progress was required in order for us to take additional steps in our relations with Vietnam.

I identify those areas, and Mr. Wold can go into greater detail on these, but these consist of recovery and repatriation of remains, resolution of the remaining discrepancy cases, trilateral investigations with Vietnam and Laos, and provision of documents.

Mr. Chairman, we have made significant progress in all of these areas the last 2 or 2½ years. These documents that I have submitted for the record will give you a full account of that, as will Mr. Wold's testimony as well.

In the interest of time, I will not go through those in any detail at this point, but I think you will find it an impressive record.

Chairman GILMAN. Your full statement will be made a part of the record.

Ambassador LORD. We believe that with the establishment of the embassy, and Secretary Christopher will be going in the next month to push further progress on the POW/MIA question, we will make even further progress, as well as addressing our other interests.

These did not determine the President's decision. These are additional American interests that will flow from the decision, including the promotion of human rights more effectively, the stemming of drug traffic, trade and investment opportunities and regional security.

Soon we will have an ambassador on the spot to represent directly and forcefully the interests and concerns of the President and the American people.

Mr. Chairman, let me close with the words of President Clinton yesterday.

* * * normalization of our relations with Vietnam is not the end of our effort. From the early days of this administration, I have said to the families and veterans groups what I say again here. We will keep working until we get all the answers we can.

Please be assured that our commitment to this issue is firm. As we enter this new phase in our relationship with Vietnam, the POW/MIA issue will remain our central focus. We will continue to require Vietnam cooperation at the highest levels until our objective of the fullest possible accounting is achieved.

Thank you, Mr. Chairman.

[The statement of Ambassador Lord appears in appendix.]

Chairman GILMAN. Thank you, Secretary Lord.

Gen. James Wold, Deputy Assistant Secretary of Defense on POW/MIA Affairs in the Department of Defense.

General Wold, you may summarize or read your full statement, whichever you prefer. We will put the full statement in the record.
General.

STATEMENT OF HON. JAMES W. WOLD, DEPUTY ASSISTANT SECRETARY OF DEFENSE (POW/MIA AFFAIRS), DEPARTMENT OF DEFENSE

General WOLD. Thank you, Mr. Chairman. I appreciate the opportunity to testify here today at this hearing. My remarks will be somewhat of a summary of my full statement.

Chairman GILMAN. Your full statement will be made a part of the record without objection.

General WOLD. Thank you, sir.

Although I have served as the Deputy Assistant Secretary of Defense for POW/MIA Affairs for only the past 18 months, my ties to this issue date back much further to my military flying days, both during the cold war and the war in Southeast Asia.

I flew over 240 combat missions during the Vietnam war, search and rescue missions many of them, and in 1973, during operation homecoming, I had the privilege of working with many of our returning Air Force POW's to help them make the necessary readjustments so that they could resume their lives and their military careers. These are some of the experiences upon which my commitment to our missing Americans and their families is based.

I have listened carefully to the statements that have been made today and those which were made yesterday. One of the key points of emphasis that rings in my mind is that this is not the end of our commitment. I would just reecho that indeed as we look to the future, our commitment and our efforts will be redoubled toward the goal of achieving the fullest possible accounting.

Today in my present position, I have a greater understanding of the issue, and my resolve in this regard is stronger than ever. The U.S. Government has committed more resources, deployed more personnel and used more equipment than ever before in any other conflict to resolve the remaining cases of unaccounted for Americans in Southeast Asia. Never before in all the history of warfare has so much been done to get this kind of accounting.

As Ambassador Lord mentioned, President Clinton has stated repeatedly that further progress in our relationship with Vietnam is predicated on the four areas. I will not repeat those. They are well known to the members of this committee.

I would like to state that during the past year, I have traveled to Vietnam on five separate occasions to assess our progress in this area, twice as a member of the Presidential delegation and three times leading DOD delegations for that purpose.

During these trips, I discussed the issue with senior Vietnamese Government officials, with the received Joint Task Force for Full Accounting briefings and met with U.S. State Department officials. I also had the good fortune on a number of occasions to observe our personnel in the field conducting joint operations with the Vietnamese.

The Det Two commander at Hanoi at one point told me that Vietnamese cooperation had increased since the time the embargo was lifted, and I report to you today that the U.S. Government has made and continues to achieve steady progress in its efforts to account for missing Americans as a result of this war.

Of the 2,202 Americans who currently remain unaccounted for in Southeast Asia, 1,618 were lost in Vietnam. The recovery, repatriation and identification of remains of these Americans continues to be the key measure of our accounting efforts.

In 1993, we repatriated 82 remains, 43 from joint activity and 39 from unilateral turnovers. In 1994, the numbers were 61 total, 40 jointly and 21 as a result of unilateral turnovers. Thus far this year, the numbers are 24 total, 16 joint activity and 8 from unilateral returns.

The ultimate goal, however, continues to be the identification of remains so they can be returned to the families for proper burial. We are not interested in just activity, although a lot of activity can be and has been cited. We are interested in results.

The identification process is painstaking, deliberate and slow. It often takes more than a year to insure accurate identification and accounting of missing Americans. During the past 3 years, we have identified 39 remains repatriated from Vietnam; 10 in 1993, 26 last year, and 3 to date this year.

In addition, the Central Identification Laboratory in Hawaii anticipates that as many as 40 to 50 remains may be submitted to the identification review board by this year's end. We believe these numbers reflect the excellent joint cooperation we enjoy with the Vietnamese.

Our teams currently travel through the country and have virtually unrestricted access. Areas that were once restricted such as Cam Ranh Bay and the Haiphong area, sensitive military areas which were at one time denied to us, are now accessible to our teams.

In addition, and I think this is very important, the Vietnamese have unilaterally taken broad steps to solicit cooperation from their public, probably the best example being their intensified publicity as to their amnesty program throughout the country.

Although we accept these actions as further evidence of the Vietnamese commitment to help us resolve this issue, our bottom line remains the achieving of the fullest possible accounting through the return of remains by the Vietnamese and their turnover of relevant documents by the Vietnamese and obtaining answers to questions, in particular regarding the discrepancy and special remains cases which will enable us to reach resolution.

The U.S. Government has long maintained that trilateral investigations of specific incidents in Laos could provide critical answers to the accounting process. We see such operations involving Vietnamese witnesses as key to our investigations and our recovery operations in Laos.

In December last year, I met with Lao and Vietnamese Government officials in Hanoi to negotiate and establish the formal process and routine procedures for conducting trilateral operations across the border with Vietnamese witnesses. After intense nego-

tiation and discussions, all sides did agree upon procedures for that purpose.

Since that accord was struck in December, we have conducted trilateral operations in conjunction with three joint field activities in Laos, including our return to Lima Site 85 on Phou Pha Thi in Laos.

In that instance, the wartime Vietnamese commander of the sapper unit which overran the base, and who led a United States-Lao joint team back to the site now, reconstructed events on top of the mountain. He showed where Americans had been shot and killed. Attempts to bury them had been made.

Unexploded ordnance and other safety considerations precluded any investigations on the lower reaches of the cliffs. Although no remains were recovered at the site on top of the mountain, much new information regarding the case was gained, and the trilateral process between the countries was validated.

To date, Vietnamese Government support for trilateral operations has been excellent. We are convinced that the continued participation of Vietnamese witnesses in these operations will allow us to mine the potential of many of the cases along the Ho Chi Minh Trail and that eastern third of the country of Laos which the Vietnamese controlled during the war.

We also continue to request that the Vietnamese Government search their relevant wartime documents relating to their control of that territory, specific reports of shootdowns, captures, burials and documents, for example, which record the wartime operations of the 559 Group.

On January 20 of this year, the Vietnamese reported that they could find no relevant documents other than the one book which was passed to us in 1993 and which was entitled "Statistical List of Enemy Aircraft Shootdowns." In spite of their saying they cannot find them, we continue to pursue these source documents, and we will request that the Vietnamese redouble their efforts to locate those documents and other documents like them.

During the previous 2 years, we have repeatedly requested that the Vietnamese Government provide us with archival material that could shed light on unresolved cases. Our efforts to acquire such documents are bearing fruit, and the results continue to improve.

In late 1994, at the urging of our Presidential delegation, the Vietnamese announced they had created unilateral teams in the Ministries of National Defense and the Interior to search for documents. Since then, these teams have traveled throughout the country searching for relevant documents to turn over to U.S. authorities.

In January, one team reported on its efforts to locate feeder documents related to the 559 shootdown record which I commented on a minute ago. In mid May, the Vietnam provided the most recent Presidential delegation with 116 documents containing 187 pages, including sketch maps and provincial records which were recovered by the two ministry teams.

In addition, the Vietnamese provided an important unilateral report detailing Vietnamese knowledge about the special remains cases. Since then, U.S. officials have been presented three separate

reports of the work of these teams. The accompanying documents are currently being reviewed by my analysts.

The conclusion is that these unilateral teams are having considerable success in locating, retrieving and providing to us documents which can offer new leads that can further the accounting process.

We also continue to make tangible progress in determining the fate of the 196 individuals which were included in the priority discrepancy cases. Investigations since February, 1994, have enabled us to confirm the fates of an additional 18 individuals, reducing the number of those whose fate has not yet been determined to 55. Each case has been investigated at least once; some as many as five times.

In addition to determining the fate of these individuals, we continue to account successfully for individuals involved in these incidents. Since February of this year, we have identified two individuals from the discrepancy case list, and CILHI anticipates that some additional identifications will be made by year's end.

Nevertheless, we continue to press for more progress and accounting on all the cases and particularly with the—

Chairman GILMAN. General Wold, if I might interrupt? I am going to have to declare a moment here for a recess until Vice-Chairman Bereuter returns, and he is back now, so you will be able to continue.

General WOLD. Thank you, sir.

Nevertheless, we continue to press for more progress and accounting on all the cases, particularly with the special remains and last known alive discrepancy cases.

We also continue to conduct live sighting investigations when and where information warrants. No report is overlooked. Every report is taken seriously. The investigation of firsthand reports of live sightings receives our immediate attention and the first cut at our available resources.

Since 1975, DOD investigators have received and investigated over 1,750 firsthand reports of live sightings. The follow up investigations have not yielded any convincing firsthand evidence of American POW's being held in Vietnam or elsewhere in Southeast Asia.

In conclusion, Mr. Chairman, I would like to stress that the process and the mechanism necessary to achieve the fullest possible accounting are in place. Although the pace at times can be agonizingly slow, the results demonstrate that our procedures are effective.

We do not forget and we will not forget, however, that the goal of achieving the fullest possible accounting can only be achieved with diligence and hard work. With that in mind, I launched the ongoing DOD comprehensive review of all outstanding Southeast Asia cases. I hope to issue a report of that soon.

This all encompassing look at every individual case will provide a solid, analytic assessment of the appropriate next steps for achieving the fullest possible accounting. I will work to insure that.

If in summary I leave but one thought with this committee, it is that the goal of the U.S. Government and that of the League of Families, the veterans organizations, all the families and all of those on both sides of this issue are one and the same, and that

is the fullest possible accounting of our missing Americans in Southeast Asia.

Thank you, sir.

[The statement of General Wold appears in the appendix.]

Mr. BEREUTER. Thank you, Secretary Wold, and thank you, Secretary Lord.

I understand, Secretary Wold, that you would like to have members of your staff brought forward to the witness table so that they might be able to respond to questions if necessary.

Ambassador LORD. Yes, Mr. Chairman.

Mr. BEREUTER. If that is the case, I would call Mr. Gary Sydow, Mrs. Melinda Cooke and Mr. Warren Gray of your staff to the table to help address any questions the committee might have. If in fact they do respond to questions, I would ask them each to identify themselves as they begin.

I would like to begin in the absence of members who are returning from the vote with a question to either of you distinguished gentlemen.

It occurs to me, and I am sure to everyone who has followed this issue, that Congressman Dornan made reference to a warehouse that allegedly has the remains of something in excess of 200 and perhaps as many as 400 missing servicemen.

It occurs to all of us, I think, that you must discount that possibility or have no credible evidence that it exists or you would not be making the recommendations or supporting the administration's position about full diplomatic relations.

I would like to have both of you gentlemen, if you would, address that issue to see if in fact we can understand your views and why you hold those views.

Whichever of you gentlemen would like to proceed first would be recognized.

General WOLD. Why do you not go ahead?

Ambassador LORD. I will go ahead, sure.

Mr. BEREUTER. Ambassador Lord?

Ambassador LORD. Yes, Mr. Chairman. First let me say that there is no question that for a good period after the war there was the equivalent of warehouses in which there were some remains held or at least chemically treated. We have not received any remains for the last 5 or 6 years with such treatment.

We have vigorously explored and asked everywhere we can whether such a warehouse still exists. It is hard to prove a negative. All I can say is that throughout these years, all the investigations, all the efforts made, all the information that other countries and other people in Vietnam have asked about and looked into, there has not turned up any evidence of such a warehouse today.

Now, I think in looking at whether or not they are holding back remains, which is really what we are talking about, is it a matter of trust or not? I would say it is not a matter of trust. We are not talking about that.

I participated in negotiations that led to an agreement that they ripped to shreds, as was mentioned earlier this morning. This is not a matter of trust. It is a matter of evidence, and I would just address that. There has been no evidence of a warehouse.

Also it is a matter of trying to figure out what is in the Vietnamese self-interest. They are certainly capable, and they have been in the past, of hiding things or being duplicitous. That has led to some of the agony and pain and some of the vigor of our debate.

It seems to me if they are holding 200 or 400 remains now in a warehouse or not in a warehouse, either way, why would they not at least turn over 40 or 50 the last few weeks to make sure we went ahead with normalization, for example, and hold back 150 or 250 more for further bargaining if they were going to do that? I just do not understand what they get out of holding this stuff back at this point, or at least holding all of it back.

We have no evidence. I do not see there is self-interest in doing it. We will continue to pursue every lead, but to answer your direct question, if we thought there was such a warehouse with remains, we, of course, would not have recommended to the President and he would not have decided to make the decision he made yesterday.

Mr. BEREUTER. Thank you. You have answered my second question.

Secretary Wold, do you have anything to contribute on this subject?

General WOLD. Thank you, sir. I would just like to add that I think the question also goes in part to unilateral turnovers. If they hold them in a warehouse, they can only be turned over by the Vietnamese. The same situation is true with respect to documents. Only the Vietnamese can turn over the documents.

Back to remains, I would like to point out that in recent years, over one-third of all the remains that have been turned over to us have been unilateral turnovers. Now, the question may be asked that many of the turnovers now are fragmentary or small pieces of what may be complete skeletal remains. What about the photo cases? What about the died-in-captivity cases?

I just want to re-emphasize in that regard that I emphasized in my comments a couple of times that we are particularly focused on the discrepancy cases and the special remains cases, which include those subcategories of photo cases and died in captivity. We will renew and redouble our efforts in that regard as time goes on.

I would like to ask one of the analysts, Ms. Melinda Cooke, if she would like to add to this discussion on the question of the remains issue. Ms. Cooke?

Ms. COOKE. No, unless you have any questions.

General WOLD. OK.

Mr. BEREUTER. General Wold, in the testimony you gave before the Congress on June 28 of this year you said as follows:

What we know is that between the years of 1975 and 1990, there were 161 remains, which clearly showed signs of warehousing storage. They were coated with some kind of chemical coating obviously for preservation purposes.

In light of your testimony that you felt that remains were at least showing signs of "warehousing storage," are you concluding then that in fact there is no evidence there is continued warehousing?

How do you reconcile the advice you apparently gave the administration or perhaps their unwillingness to accept your advice, whatever it may be, with your testimony that in fact the remains showed signs of warehousing?

General WOLD. I think as Ambassador Lord has already indicated, since 1990, we have had no further evidence of warehousing, at least not in terms of the coating materials that may have been used, the preservation techniques.

All the evidence we have to date in terms of progress in the area of remains that have been turned over and the documents that have been turned over would support the thesis that the Vietnamese are cooperating with us.

I cannot sit here and say that they are withholding, and I will not sit here and say that there are no more remains that can be turned over. I believe there are indeed, and I believe that in the months to come we will see more remains turned over, just as surely as we will receive additional identifications.

Mr. BEREUTER. General Wold, are you saying that of all the remains that have been turned over to the United States since 1990, they do not show evidence of the warehousing which you found on those turned over between 1975 and 1990?

General WOLD. That is correct, sir.

Mr. BEREUTER. General Wold, is there some general categorization about the completeness of remains that have been turned over since 1990 so that they would appear from a smaller fragmentation being turned over that they were from crash sites versus potential warehousing?

Is there a difference in the degree of remains that is substantial from those that showed signs of warehousing preservation versus those turned over subsequently?

General WOLD. I cannot quantify the degree. Certainly much of what we are getting back now from excavations is fragmented remains.

At the same time, many of the remains which are being turned over unilaterally are being turned over by villagers. These do not come from crash sites. They are turned over to the Vietnamese Government and in turn to the United States Government.

I cannot definitively describe what condition those Vietnamese villager returned remains are, but they are larger pieces. I would be glad to provide additional information on that question.

Mr. BEREUTER. Thank you, General. General, you have heard reference earlier in Congressman Dornan's testimony that he and the chairman would recall testimony of a Chinese mortician before a committee of Congress that there were more than 400 bodies treated and stored in Vietnam. What would you say about that, if anything?

General WOLD. With the permission of the Chairman, I would like to ask either Mr. Sydow or Ms. Cooke to address that question. Which one of you?

Mr. SYDOW. I will address it.

Mr. BEREUTER. Mr. Sydow?

Mr. SYDOW. I agreed with Congressman Dornan when he looked at the report of the mortician, who initially estimated that there were 400 and personally handled 290. As we did an arithmetic on those numbers, and this is a report from 1980, we estimated at that time earlier that some 255 would have been left from what the mortician had estimated.

Given the return that Mr. Wold and Secretary Lord has talked about of 160 remains, that leaves a rough discrepancy in the total remains returned since his report of about 100 or a number that is equivalent to the special remains that we pursue to this date.

As Secretary Lord said, this evidence is a little dated, and we need to re-look at that. Since the beginning of the joint archival process, the Vietnamese have turned over to us archival documents which reveal their graves recovery and remains return process. We are looking at that in detail.

We are aware of the previous evidence, but we believe the proper way to pursue it is by engaging the people that were involved in it and the people who report to us on those documents.

Mr. BEREUTER. Thank you.

I just have one more area of questions, and then I will turn to my colleagues.

There were numerous and have been numerous and highly reliable reports that the Chinese often swooped down on the downed American planes in Vietnam to salvage parts and for intelligence data.

It would seem to make sense that if the plane parts were valuable intelligence sources for the Chinese, the American pilots that flew that sophisticated equipment might also be very valuable to the Chinese. It seems to me natural that the Chinese would take some downed American flyers to China for interrogation in connection with their intelligence efforts if in fact they survived.

We also know that the Russian interest in American aircraft downed in Vietnam was equally intense as the Chinese. There are also reliable reports of them being at crash sites and eagerly competing with the Chinese in salvaging of parts of downed United States planes.

What, if anything, has the United States Government done and what success have we had, if any, in visiting with or examining information from the People's Republic of China or the Soviet Union or the Russian Republic today concerning American aircraft and American personnel that were downed in Vietnam or Laos?

General WOLD. If I could comment on that, Mr. Chairman? Ambassador Lord may have comments in that regard also.

I have the privilege of serving with my friends, Sam Johnson and Pete Peterson, on the United States/Russian Joint Commission. This is a question which we struggle with and have struggled with continually, the question of Americans being taken to Russia for exploitation from other wars, as well as Vietnam. Related to that is your question concerning China.

The commission issued a report recently in which the conclusion was made that we have no evidence to support the idea or the allegation that Americans were taken to the Soviet Union from Vietnam or from other wars. We continue to pursue that question.

Certainly the answer or at least much of the answer to these questions lies in the archives of both Russia and China. We are getting fairly good cooperation from the GRU in Russia as to their archives and less so from the KGB. In fact, we are not getting any cooperation from the KGB in that regard. We continue to press them on this question.

The same problem for us exists with China. What have we done in that regard? We have behind the scenes explored and are exploring the possibility of opening up the avenues of access to archives in China. That would not only help us with regard to the Vietnam question, but it would also be extremely significant in terms of our American POW's from the Korean war. That is the status of that question today.

Mr. BEREUTER. I would just ask Secretary Lord if he has anything he wants to contribute about our contacts with the Chinese and the Russians or the former Soviet Union?

Ambassador LORD. Only to make the point that the Chinese in certain areas have been quite cooperative. We have a lot of problems with the Chinese, but on this issue they have been quite forthcoming in certain areas.

For example, they unilaterally discovered a crash site in the glaciers of Tibet where there were some pilots that were discovered and repatriated to us, easing the pain of those families.

We will continue to raise this with the Chinese, but I think on balance they have been quite helpful.

Mr. BEREUTER. Thank you.

Mr. Chairman?

Chairman GILMAN. Is it Mr. Sydow? Mr. Sydow, have DOD reports and analyses directed by the Congress and provided by a DPMO to a higher authority ever been altered or changed by anyone outside of DPMO or outside of DOD?

Mr. SYDOW. Not to my knowledge, sir.

Chairman GILMAN. Specifically, was a February 17, 1995, report to Congress required by the Defense authorization bill that was passed in 1994 changed, modified, or influenced by any higher authority?

Mr. SYDOW. I am sorry. I missed the reference. What was the report?

Chairman GILMAN. Specifically, was the February 17, 1995, report to Congress that had been required by the Defense Authorization bill passed in 1994 changed, modified, or influenced by any higher authority?

Mr. SYDOW. Outside of DOD? Not to my knowledge, sir.

Chairman GILMAN. Well, was it changed by DOD?

General WOLD. I think perhaps, Mr. Chairman, I can address that.

Chairman GILMAN. I would welcome it, General.

General WOLD. No. The answer is no. The report was coordinated interagency-wide, but the report that was prepared and drafted in DOD after coordination and then finalized by DPMO by my office was submitted to Secretary Perry. He signed that, and that was the report of February 17.

Chairman GILMAN. Yes, but in the interim from the time it left the analyst to the time it got to Mr. Perry, had that been modified or altered in any way?

General WOLD. Not to my knowledge, sir.

Chairman GILMAN. Mr. Sydow, had that, to your knowledge, been altered or changed?

Mr. SYDOW. No, sir, not more than simple editing, good grammar, and spelling.

Chairman GILMAN. A DPMO assessment of the documents recently released by Vietnam contains what appears to be political driven statements. How much of that assessment was produced by your office?

General WOLD. One hundred percent.

Chairman GILMAN. I understand that there has been a comprehensive review of the cases involving all missing and unaccounted for personnel that is still ongoing. When can we expect to receive the results of that effort?

General WOLD. Sir, we are expecting to complete the results of that effort and the preparation of a report this month.

Chairman GILMAN. Do you anticipate, as indicated in your February 17 report, that the results will show that Vietnam could provide information on hundreds of Americans?

General WOLD. The comprehensive review, which we are just completing, will supplement the final report of February 17 in that it will provide the definitive analysis which is necessary in each of the 2,202 remaining cases to allow us to define what further steps are necessary to resolve those cases.

Chairman GILMAN. I am asking do you think that Vietnam, by those results, could provide information on hundreds of other Americans?

General WOLD. Sir, as we indicated in the February 17 report, we indicated that it is possible that the Vietnamese could provide information on all 2,202 cases. We stand on the February 17 report as a final report.

The comprehensive review, which we are completing, will I think in particular benefit the families as a result of the individual analysis that is being given to each of these cases.

Chairman GILMAN. So then the answer is you feel that there could be a great deal more information that is available now that will help resolve some of these cases?

General WOLD. Yes, as we indicated in the February report.

Ambassador LORD. Mr. Chairman, let me make a comment there. There always could be, and we will pursue every lead. We will press the Vietnamese for as much information as possible.

I do not think we should leave the impression that we suspect they are holding back information on 2,202 or whatever it is cases, but there are always opportunities to get more documents, more remains.

We are going to press that very hard, but the implication should not be that we suspect them of holding back lots of information. Otherwise the President would not have made his decision.

Chairman GILMAN. Let us assume you do find information, and the Vietnamese are not cooperating. What then is our remedy?

Ambassador LORD. Well, I would hope we would not reach that situation.

Chairman GILMAN. I would hope so also.

Ambassador LORD. Obviously, if we find a pattern of lack of cooperation after the President's decisions, we would have to reconsider the movement forward in our relationship.

I do not believe that is going to happen, and the record so far has shown that each incremental step we have taken produces continued cooperation.

Chairman GILMAN. We hope that that would be the final solution, continued cooperation, but in the event it does not, I am pleased to hear your response that we would explore some other remedy.

Ambassador LORD. Sure.

Chairman GILMAN. Do you expect that the review you are undertaking, General, will add to our knowledge on the steps Vietnam could take on its own to provide accountability?

General WOLD. We expect that the review will have results in two different directions. It will certainly provide us the analysis which I referred to in each of the cases.

Yes, we expect that as a result of this review we will be able to sit down across the table face to face, my analysts with their operations specialist, and my analysts are going to be able to point to them and say in regard to this case we need information on this, this and this point in this particular case.

That would be information I would assume would be the kind of information that only they can produce.

Chairman GILMAN. And when do you intend to have that exchange?

General WOLD. That will be later this fall, but as soon as we can possibly make those arrangements.

Chairman GILMAN. You referred in testimony, and I think it was in your testimony, General Wold, to a statistical list of enemy aircraft shootdowns which was passed to our officials in 1993. I do not recall ever seeing that document. Is that in your possession?

General WOLD. Yes, sir. That is what we refer to as the 559 document. We would be glad to provide you a copy of what we have in our possession.

Chairman GILMAN. I would welcome your providing a copy and without objection will make that part of the record in referring to it.

Secretary Lord, what about the remains of the men we saw in the Vietnamese photos today that have not been yet returned? What are we doing about pursuing those discrepancy cases?

Ambassador LORD. I will let my colleagues supplement my response.

These are among the very most important cases because these are cases where we have reason to believe that downed pilots survived their landing or their crash, whether it is grave registries or photos or other evidence that the Vietnamese hopefully should know something about what happened.

These are so-called discrepancy cases. There were roughly 196 to begin with. I think at the beginning of this administration we were at 135, and we are now down to 55 where we managed to find some answers. We are keeping after this with a great sense of priority.

Chairman GILMAN. I appreciate your categorizing it as a great sense of priority, but for many years now we have been trying to pursue these discrepancy cases.

We have even turned over files in the Vietnamese language pinpointing the locations of where the crews went down and any sighting information that we have, and yet we have not had any response. What further are we going to do to get this kind of a response?

Ambassador LORD. I think the experts should supplement my answer, but let me just say that this has been one of the highest priorities. It was listed as one of the President's four priorities, and we have been getting responses. We have gone from 196 down to 55. These are the most important cases.

The figure of 2,200 plus, as you know, is somewhat misleading in the sense that the only way you get that figure down is either to find a live POW or to identify his remains. The third criterion has never been employed, namely absolute or at least conclusive evidence that you can get neither one of the first two criteria. It is a very painstaking process.

I believe that every one of these cases that we have not solved yet has been investigated at least once and some of them several times. We will keep after them, but we have made progress and will continue to make progress.

Chairman GILMAN. The progress has been painfully slow, and I wonder if that is really true cooperation. I hope you will find a better way of resolving these cases.

Ambassador LORD. Excuse me. The experts may wish to supplement my answer.

Chairman GILMAN. Can I ask our analysts to comment on the discrepancy cases and whether you believe Vietnam is cooperating?

Mr. SYDOW. I will take that question, sir. We started out in Vietnam under General Vessey's leadership with 196 cases. We worked through to a conclusion on our part of 141 of those.

In that regard, I think we have made good progress over the 5 years or 6 years where we have been investigating those quite intensively.

Chairman GILMAN. Six years from 196 down to 55?

Mr. SYDOW. Yes, sir.

Chairman GILMAN. Were those reductions in the statistics based on hard evidence?

Mr. SYDOW. No, sir. Those men are not accounted for. Each of the 196 cases raises a possibility that the man may have been alive in proximity to enemy forces, suggesting that he could have been captured.

What we have done is found answers on 141 of those cases that indicated he was not captured. In fact, we have had enough evidence to conclude that he was killed.

Chairman GILMAN. I am sorry. I did not hear the last part. Of those remaining cases, your conclusion was based on what?

Mr. SYDOW. On hard evidence. On an intensive look at the evidence of witnesses, of documents, of messages. At least two or three independent sources of information allowed us to conclude that the man had been killed in his incident, 141 of the total 196.

Chairman GILMAN. Was then the determination changed from MIA to killed in action?

Mr. SYDOW. No, sir. This is not accounting for the man.

As Secretary Lord said, the only way that we can account for the man is a return of his remains or return originally of the person. In only 25 of the 196 have we had a case completely resolved by the return of remains.

Chairman GILMAN. Now, is it 140 and some cases you are talking about?

Mr. SYDOW. Yes, sir.

Chairman GILMAN. And you determined that they were killed in action?

Mr. SYDOW. They were killed, yes, in their incident.

Chairman GILMAN. But they are still listed as unresolved cases?

Mr. SYDOW. That is correct, sir, except for 25 who have been completely resolved.

Ambassador LORD. It is a very important point, Mr. Chairman, because many people are confused by these figures.

Chairman GILMAN. I am confused now, too.

Ambassador LORD. Let me repeat what I said. I am not the expert here, but most people refer to 2,202 now missing in action. These are ones that have not been accounted for by identification of their specific remains.

The fact is, there is really only about 55, and I think the people on both sides of the debate will, I think, roughly agree with this, where there is still some unanswered questions about whether, in fact, their fate has been determined. I may not be using the right jargon here, but what we are really talking about are 55 cases, not 2,200 cases.

For example, there are roughly 400 pilots who were lost over water. They were seen going down into the water, for example, or blown up with no parachutes. The likelihood of getting their remains is, you know, very, very slim.

Chairman GILMAN. But Ambassador Lord, you are talking about the 140 some cases that you have just defined or redefined as killed in action, and yet you are still listing them as part of the missing in action.

Ambassador LORD. That is correct.

Chairman GILMAN. I am not too clear of that new designation.

Ambassador LORD. It is not new. In fact, I believe it has been used in every war. One reason why you still have 8,000 missing from Korea and almost 80,000—

Chairman GILMAN. No, but you are saying they are killed in action, yet they are still listed as missing in action.

Ambassador LORD. That is correct.

Chairman GILMAN. What is the distinction there?

Ambassador LORD. That is a very fair question, and the people that—

Chairman GILMAN. It needs a fair answer.

Ambassador LORD. I am telling you that the third criterion is to say that the first two cannot be met. You cannot get remains, and you cannot get a live body. That has never been employed.

I think there is a debate about that, and some people feel that if you do employ it—some of the families would, I think, recommend that. You should talk to the families who are patiently waiting to testify.

Chairman GILMAN. What do you tell the families, that they are killed in action but still they are missing in action?

Ambassador LORD. I will let the experts define this. I do not want you to be confused. A lot of Americans would not understand this.

Chairman GILMAN. Nor many of my colleagues. Could you respond? What do you tell the families, General?

General WOLD. Yes, sir. The 2,202 cases are all missing, are unaccounted-for Americans. I think when you are talking fate determined and killed in action is where some of the confusion comes in. We do try to determine the fate, and we do determine in those 141, for example, that they were killed.

Chairman GILMAN. That is an assumption? Is that correct?

General WOLD. No. That is based on analytic evidence and a review process which in reviewing all the evidence available determines that the person was killed in the incident. However, because we have not been able to find his remains, we still carry him as unaccounted for.

I would prefer to see us focus on the terms accounted for or unaccounted for, and within the unaccounted-for area is the three criteria which Ambassador Lord mentioned. KIA is kind of a subset, I think, of unaccounted for.

Chairman GILMAN. One more question. I have overextended my time.

What conclusions will your office reach on the stored warehouse remains that the mortician who came before our committee several years ago indicated that there were 400 sets of remains that they stored?

He underwent lie detector tests. President Bush referred to it. I think even President Ford had referred to it in the past.

What are your conclusions with regard to the contention on stored warehouse remains, some 400 sets of remains?

Mr. SYDOW. Yes, sir; Mr. Chairman.

Chairman GILMAN. Could you put the mike a little closer to you, Mr. Sydow? Thank you.

Mr. SYDOW. Your number is correct at the start. The mortician, in 1979 and 1980, reported that he estimated that there were 400 sets of remains in storage.

When we first evaluated his information at that time, we realized that 135-145 of those remains had already been returned by the time we talked to him. That left 255 sets of remains to be concerned with.

As General Wold and Secretary Lord have reported, since that time we have also had returned some 160 sets of stored remains. That leaves in an arithmetic count about 100 cases that we have not yet detailed in count.

Chairman GILMAN. How does this fit into the alleged cooperation of the Vietnamese?

Mr. SYDOW. Those cases are what I would call a rough equivalent with what we name the special remains cases, which we have been pursuing since 1993—the photo cases, the died-in-captivity cases—and we are pursuing them aggressively in Vietnam and receiving cooperation.

Chairman GILMAN. What kind of cooperation is there if we first learn about this at least some 10 years ago, and we still have over 100 sets of remains in their warehouse someplace? Are these bargaining chips?

Ambassador LORD. Mr. Chairman, if I could make a few comments? This did come up in your absence so there are some answers on the records, but let me give you the gist of it again, and the experts again will—

Chairman GILMAN. Mr. Secretary, before you answer, is this somewhat like the French experience, the same dangling of remains that went on for over two decades before they made a final report?

Ambassador LORD. I do not see any analogy with respect to your particular question.

There is no question that they were holding remains during a long period where there was no engagement and we got very little answers, and there is no question that they have had the equivalent of a warehouse and they chemically treated remains.

We have seen no evidence of such remains since about 1990. The remains we have recovered, whether unilaterally or through joint activities, have not been treated, and they do show not evidence of a warehousing.

Furthermore, there has been no evidence of a warehouse ever established beyond what the mortician said, but as I said, since the intervening years we have not had any chemically treated remains.

Chairman GILMAN. Your analyst just indicated that of the ones that were stored you received a portion of those, so apparently you made some conclusion that these were part of stored remains. Is that right?

Ambassador LORD. They were stored remains, but the fact is, we have seen no evidence of any stored remains in the last 5 years in the remains that we have been getting back.

Let me turn it back to Mr. Sydow.

Chairman GILMAN. Where are the remains? If we had credible evidence that 400 were stored and you got some of them back, what happened to the rest? Where is the cooperation here?

Mr. SYDOW. We are pursuing the special remains cases. Over the last 2 years—especially in the last 2 years—and over the last 5 years, the Vietnamese have showed us documents which illustrate to us their remains-recovery process, their storage in centralized locations and their turnovers to the United States Government.

They have showed it to us openly, so we can see in their own documentation what they have done to remains that the mortician would have counted among the 400.

As I say, we are aggressively pursuing that. We are talking to them about the things that we learn out of their own documents.

Chairman GILMAN. And what is their response about the remaining warehoused remains? What are they saying to you?

Mr. SYDOW. Their position, as stated in 1991, was that they no longer have any stored remains. They concede that they did store remains in a period when they had no relationship with us, but that they have since provided all to us.

Chairman GILMAN. There seems to be a wide discrepancy on the numbers we had several years ago from the mortician and what you received.

You know, our information is that the French provided the Vietnamese Government \$1 billion over more than 30 years from 1954 to 1986. In fact, in one 3-month period in 1986, the Vietnamese provided 24,000 sets of remains that the French knew and contended that the Vietnamese had been holding in storage for ransom. Is that information correct, as far as you know?

Mr. SYDOW. As far as I know, sir, the French relationship with Vietnam was different than ours. The French had an agreed arrangement to bury French dead in cemeteries that were maintained by the Socialist Republic of Vietnam and that at a time certain the French decided to repatriate all of their remains. They had to pay for the expenses of doing that.

Chairman GILMAN. Twenty-four thousand sets of remains some 30 years after their conflict was concluded?

Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman. I do not know what incentive Vietnam is going to have to reform any further. What control will we have over them once we have lifted the embargo? We have normalized relations.

I think you said that there would be other remedies. What remedies? What kind of pressure are you going to put on them once you have normalized relations and you have lifted the embargo? American industry has gone over there to make as much money as possible. I do not understand what incentive the Vietnamese have to reform any further.

I have before me a document, given to me by Congressman Dornan, that lists 94 special remains, people who died in captivity; 55 last known alive in Vietnam; 87 last known alive in Laos; and seven last known alive on the Vietnamese/Laos border. Ninety percent of those not in Vietnam were under Vietnam control, so the numbers really do not jibe.

The numbers concern me a great deal. There are 2,202 families that still do not know what happened to their loved ones. That concerns me a great deal, but what concerns me more is the trust we are putting in this Government.

Sam Johnson, one of the men I admire the most and I think most Members of Congress admire the most, spent over 7 years in captivity and was tortured, along with John McCain and others. Johnson said you cannot trust the Vietnamese Government. They lie. All they do is lie. He knows them pretty well because he was stuck with them for 7-plus years, unlike any of us.

I submit that if Adolf Hitler had sued for peace and we had reached an accommodation with him, we would have been very reluctant to take his word for anything (normalizing relations, lifting an embargo if we had one against him) until we had some accounting. The same thing for Mussolini or Tojo.

Here we have a Communist government that is controlled by many of the same people who were in charge during the war and then who have not changed their policies. They are still hard-core Communists just like Castro. We are taking their word for it, and we now are about to normalize relations without having a complete and thorough accounting.

You say that there will be other remedies. I do not know what you can do besides sitting across the conference table and saying hey, guys, we really want some additional information. Will you give it to us? They will reply "We will work on it." They will drag it out. There will not be any resolution of the problem.

We will make excuses here in the United States: "We are working on it." Years go by. The families keep wondering, never knowing.

I think it is a tragedy what has happened. I cannot imagine anybody going to the families of those missing people, without a complete and thorough accounting, to inform them we are going to normalize relations with the bloodthirsty government in Vietnam who sent women and kids into combat, and who beat Americans, and tortured them. We know what they did in the Hanoi Hilton and elsewhere, yet this administration is normalizing relations.

Like the Chairman, I could ask a lot of questions. I think he is doing a great job, but the fact of the matter is that the vast majority of Americans, if they really understood this whole issue, would be appalled at what is taking place.

I really do not have any questions, Mr. Chairman. I am just sick about this, and I share the feelings of my good friend who was one of the few aces or the only ace in Vietnam in extensive combat. I remember his emotion earlier today when he talked about normalizing relations and mentioned his buddies who died in his presence or in his arms.

It just seems to me that what we are doing by normalizing relations without a complete and thorough analysis of the issue, is breaking faith with those who paid such a high price over there and the families left behind.

Ambassador LORD. Mr. Chairman, I think these are fair questions, and I would like to respond to some of them.

I will let my colleagues respond to the business about Laos and some of the other figures that were used, but let me address several of your points.

First on the question of incentive, I think it is a very fair question about leverage and how you get cooperation. The President had a choice at the beginning of his administration. There were really three routes he could have taken in order to get the fullest possible accounting.

I would point out again we are talking about fullest possible accounting. Full accounting or determining absolutely what happened in every single case, sadly, probably will never be reached. We will get as close as we can, but we have 8,000 missing still from Korea and 80,000 from World War II. We will do the best that we can.

Now, the President could have leapt forward toward normalization when he first came into office. I agree with you. If he had done that, I think we would have lost important leverage. He has taken modest, incremental steps over a 2½-year period to encourage progress and to reflect progress.

Another choice he might have taken was to stand off and have no engagement with Vietnam and just demand progress. Up until President Bush and Reagan and so on, we made very little progress because we took that posture. Starting with President Bush in particular taking a middle course of incremental progress and response to cooperation, I think we have made very significant progress forward.

The decision of the President, and I realize people can disagree, including yourself on that, is that if you stand completely back and do not encourage them or give them the incentive to move ahead, you do not make much progress. If you leap ahead quickly, you lose your leverage.

If, God forbid, they should slow down in their cooperation, we will keep them to their pledge, as I said earlier, the pledge the Prime Minister made just yesterday that they will do their utmost to continue their efforts to cooperate.

First of all, if there is a real pattern here and we are seriously concerned about it, and I do not think that is going to happen, but if so, then as I said in response to an earlier question, we should review our decisions. We have not done anything that is not reversible. We will watch very closely.

Mr. BURTON. If I might interrupt very briefly? Once the flood gates are irreversibly opened for American business and diplomatic relations, it is going to be almost an irreversible trend, Mr. Ambassador. You are not going to turn that around in a heartbeat. You just are not going to do it.

Ambassador LORD. I am just saying first, I do not think we will face that situation, but I am telling you in the extreme as to what we are prepared to at least consider.

Even beyond that, this is not the end of the process—certainly not the end of the process—of finding answers for the families, but not the end of the normalization process. We have diplomatic relations with almost every country in the world except a handful. That does not mean we have close relations or warm relations with all of them.

There are many economic steps that Vietnam would still like to see happen. There are many other aspects of more close relations that give them incentives to continue to cooperate, and so we do have a continuing leverage as we move ahead.

One last point I would make is you say the 2,200 families do not have any answers. Again I will leave it to the experts and, above all, to the families, but I think many of the families, through the efforts we have made and with the cooperation of the Vietnamese, at least know what happened to their loved ones, even if they do not have the actual remains.

Chairman GILMAN. I thank the gentleman for his inquiry.

Mr. Cunningham.

Mr. CUNNINGHAM. Thank you, Mr. Chairman. I appreciate you allowing me to take part in this hearing.

This has for quite a long time been a very difficult thing for many of us to even talk about. There is a lot of pain. There is a lot of anger and a lot of bitterness, and I come with that bias. I want you to know that, Mr. Ambassador.

General Wold, I would like to thank you for your service. I wanted to fly the SPAD when I first went over there. Unfortunately, the Navy was doing away with them so I got to fly the Phantom.

I do not want to not engage with Vietnam, and I would like your support. Evidently this thing is going to happen. What you need to do when something goes against the way you feel is you need to I think, regroup and do the best you can and make as much as you can.

I would like to ask for all of you, Mr. Ambassador and General, to go after certain things that we think are important. I do not know if you saw the movie, Hanoi Hilton. It was put together by the POW's on the atrocities that happened to them while they were in captivity. It pointed out how Jane Fonda and Tom Hayden knew

about those atrocities and refused to comment on them, which caused even greater harm to our POW's.

It also pointed out that a Cuban blew the head off of one of our POW's, which has been documented. We know who it is, but we would like Vietnam to give us the information and condemn the Cubans for killing one of our POW's in captivity.

I would also like for the Vietnamese to condemn the actions and, I think even in your opinion, the atrocities against our men and women in Vietnam from the trussing up of arms to their brutalities that were conducted. I have never heard statements out of the government against the Geneva Convention, and I would like that as well.

I would also like out of the Vietnamese a commitment to stop the activities of drug activities in the Golden Triangle in which they are involved. I know that is difficult, but at least there ought to be a start. Mexico to our border is just as bad.

I would also like for us to take a look at the re-education camps that I spoke to earlier, and I do not know if you were here, because they do exist. For many of the Vietnamese people—I look at the 1 million people that we have from Vietnam risking their lives to get out of that country. If it is so prosperous over there, why are a lot of people trying to leave it at the risk of their families and their lives? I know it would take a lot to make me do that with my family. I would just ask you, gentlemen, to take a look at that.

Many of us do not look at polls on what the American people think is right or wrong on this. We go by emotional feelings that we have and what our beliefs are and our documented beliefs are. I feel very strongly against what the President is doing, and I want you to know that. In that light, I want you to see what you can do to help us on these issues because I think they are very, very important.

The MIA issue has come up. I know that there are 95 people that the Vietnamese had in captivity in their hands that they have failed to give us information on. They have information. Of the 23,000 documents they have given us, only 1 percent of those pertain to POW's. One percent of 23,000 documents.

I would ask them for related records in the central committee that they have not only on the activities of some of the personnel in our country on antiwar protests, but the publications that related to antiwar jargon that they gave and also the documents they have and they hold on information of our POW's while they were captive. We have prisoners, but we also keep documents on them. Those have not been released.

I would also ask for POW related records at the internal affairs section of the party and the central committee. We have information that those exist. That is why many of us oppose this, and I do not think you would disagree that these folks lie.

I do feel that the leverage is gone, and I would say to you that when my daughter is bad I do not increase her allowance for leverage, and I do not let her have access to all her friends. Quite the opposite. Again, we are going to need your help to find out some of this information.

I would hope that our next move is not to normalize relations with Castro. Thank you.

Ambassador LORD. Let me just respond. My colleagues may wish to respond.

I pledge to you certainly our continued efforts and my personal efforts to keep after this issue as vigorously as possible. I realize we disagree on tactics and I am not going to persuade you, but I want to hope that you will understand we share the same objectives.

I listened with great empathy to your own testimony and great respect for your views and what you have been through, as I have also Representative Sam Johnson and also, I might add, Representative Peterson and Senator McCain, whose similar experiences have come out differently in terms of what ought to be done. I would hope we could keep the dialogue on one of mutual respect.

My main point is that I have listened carefully to you, and I will continue to do everything I can to ease the pain of the families.

My colleagues may wish to add to that.

General WOLD. Representative—

Mr. CUNNINGHAM. Just Duke.

General WOLD. I would just add to that that my focus is a lot narrower than Ambassador Lord's. My focus is solely for the Department of Defense on accountability. I take all of your requests seriously in that regard and commit to you that we will pursue those kinds of documents that you—

Mr. CUNNINGHAM. Would that include that one of the POW's has been murdered? I would think that that would fall under the purview; not just only that you find them, but the ones that were killed what happened to them in captivity.

General WOLD. My statement refers to documents of any nature which refer to any of our POW's that were held during the war.

Chairman GILMAN. Any further questions, Mr. Cunningham?

Mr. CUNNINGHAM. No, sir.

Chairman GILMAN. If not, I thank you for taking part in our hearing.

Gentlemen, we will stand in recess until the conclusion of the vote, and then we will come back as quickly as possible.

The committee stands in recess.

[Recess.]

Chairman GILMAN. The committee will please come to order. Members, please take their seats.

Mr. Manzullo.

Mr. MANZULLO. Thank you, Mr. Chairman.

Mr. Ambassador, I have more of a comment than a question. When you first began to testify before this committee, you made a rhetorical question as to where are the Congressmen and the fact that you had canceled meetings to be here.

You know, I just want to let you know how very much upset the International Relations Committee of the U.S. House of Representatives is that this body was never informed by the administration that the President was going to take the formal step of extending diplomatic relationships to Vietnam.

I just want to let you know that there are no Democrats here. It is just Republicans. The impression that we have, and I am sure I can speak on behalf of Chairman Gilman, is the fact that the reason that this body was never informed was to preempt a hearing

of this type whereby the American people would have the fullest opportunity to express their desires as to such a position being taken.

I am a free trader. I always have been. I always will be. I think there is a certain protocol that has to take place between the administration and these committees of jurisdiction, especially the International Relations Committee.

I want assurance from you in writing besides just this fact sheet that talks about what could happen with OPEC and GSP and everything where it is stated that the administration will begin an interagency review process in consultation from the Congress to determine Vietnam's eligibility for a number of economic programs and benefits.

I want to make sure that before the President takes action on any of these programs that Mr. Gilman is notified personally well in advance so he has the opportunity to schedule hearings so this body can undertake its representative function as we sit here, each of us representing between 580,000 and 650,000 people.

Would you be willing to give us a letter to that effect?

Ambassador LORD. I will certainly give you a letter that says we will cooperate fully with the Congress, consult with them and keep them fully posted.

Mr. MANZULLO. Prior to actions.

Ambassador LORD. First of all, I would argue that—

Mr. MANZULLO. Ambassador Lord—

Ambassador LORD. Am I allowed to answer your question?

Mr. MANZULLO. Let me rephrase the question. Are you willing to give us a letter stating that prior to the administration taking any of these actions that you will advise this committee to give us the opportunity to work with you?

You know, many here have mixed emotions about what is going on here. We are willing to work with the administration. We just want to be able to be players in this.

Ambassador LORD. Absolutely. You have every right to be, and we will certainly do that.

I would point out that there has been a lot of debate, a lot of consultations, a lot of testimony over the past 2½ years and before that on this issue. It is not as if the Congress has not been consulted and there has not been extensive testimony right up until yesterday's decision.

Also, there was a list of Congressmen who were supposed to be notified in advance, including key members of this committee. I would hope that was carried out. I was crashing on other aspects, but many of my colleagues were making the phone calls.

If Mr. Gilman or others were not notified in advance of the decision, I regret that. It will not happen again.

Mr. MANZULLO. Thank you.

Chairman GILMAN. If the gentleman will yield, there were no phone calls to our office.

Ambassador LORD. OK.

Chairman GILMAN. None of our colleagues on this committee told me that they had been invited. I did not see any in attendance.

Ambassador LORD. I will check on that, Mr. Chairman. I think you have the right to at least be informed certainly in advance, and

that was the intention. I just do not know how fully it was carried out, but I will check into it.

Chairman GILMAN. Our only information was through the press that there was an intended announcement to be made the next day. That is how we learned about it.

Mr. MANZULLO. If I might, this just goes to show what all these families are saying back home. If the White House missed a link in contacting the chairman of the International Relations Committee of the U.S. House of Representatives, something that critical, no wonder all these families have these questions.

We are Members of Congress. We are elected to represent them. When a vital link in communication so critical like that is missing, what are these families thinking of?

Chairman GILMAN. Is the gentleman concluded?

Mr. Brownback.

Mr. BROWNBACK. Thank you, Mr. Chairman. I appreciate that. I am sorry to be up here in Ms. Meyers' seat, but I was going to head for the floor for a minute or two.

Could I ask, Secretary Lord? You said that the Clinton administration, before it continues down this continuum we are on of recognizing Vietnam, and I suppose some of the next steps will be further trade and MFN—there is a continuum of steps we are on there; this was step two—that they would require the Vietnamese to make the utmost effort and cooperation before further normalization and efforts and integration takes place. Is that correct?

Ambassador LORD. That has been our policy all along, Mr. Congressman. It will continue.

Mr. BROWNBACK. OK. How is utmost defined?

Ambassador LORD. Obviously it is very difficult. People are going to debate this because you cannot prove a negative. You cannot prove whether there are things the Vietnamese—

Mr. BROWNBACK. But you can set points.

Ambassador LORD. Yes, and we have. These fact sheets that we have submitted and the testimony that we have been giving address those points.

Mr. BROWNBACK. But do you not think—

Ambassador LORD. We believe there have been very major efforts by the Vietnamese, and we will continue to hold them to their pledge.

Mr. BROWNBACK. Can we be specific on this like we are say on any other sort of international negotiation? If you do not get specific on it then it is in the eyes of the beholder as to what utmost is.

Can you be specific that we are going to have defined 50 more cases or that we are going to have these numbers set forward?

Ambassador LORD. You cannot do that, with all due respect, because you do not know exactly how many they are capable of resolving.

Mr. BROWNBACK. Well, can you—

Ambassador LORD. We will get as many done as we possibly can, of course.

Mr. BROWNBACK. Can you put in place a process by the Vietnamese? You are saying in your testimony that they have allowed peo-

ple to come forward with remains without punishment, correct, as an action that you said was cooperation?

Ambassador LORD. The amnesty program. That is right.

Mr. BROWNBACK. What about a reward program then? Can we require that of them to put that in as saying OK, if you will not give us specifics then here is what we are going to require processwise? Is that defined?

Ambassador LORD. Let us consider that, but I do not know whether we are going to get in the business of paying for remains in that way. I mean, that is a question I think people can disagree on.

Mr. BROWNBACK. Are we in the business of paying for remains this way?

Ambassador LORD. We certainly expect to receive more remains from their people. The combination of the amnesty program, the fact that we have provided, both as a government and some of our veterans groups, information on their missing and the engagement with Vietnam have all given the people of Vietnam more of an incentive to come forward and help. We have seen some of the results of that.

You are right that this is a very important fact, and we will continue to think of every way we can encourage that.

Mr. BROWNBACK. I would appreciate that.

General Wold, you mentioned in some of your testimony something that caught my curiosity. Do you think they have revealed to us every bit of information that the Vietnamese Government has?

General WOLD. I believe what I indicated, sir, was that we expect to see them continue to produce remains in the months ahead, as well as documents.

Mr. BROWNBACK. So you think they still have information that we do not or have not received?

General WOLD. Yes.

Mr. BROWNBACK. Why are we doing this then if we know they have information or remains that we have not received? Why are we doing this? Why would we not say you have to give us everything you have?

General WOLD. And that is our underlying request. I believe what we have been seeing, particularly in the last 4 months, is results of a process by which we are getting information—documents, if you will. We are getting remains through our joint field operations, as well as unilateral turnovers.

Mr. BROWNBACK. I understand, but you know that they have information that we have not received yet?

General WOLD. I do not know that, but just based on the fact that the process is continuing, I would hope, and I do believe, that we will get more in the future.

I am not making the judgment that they are withholding remains. I cannot make that judgment. That is a subjective thing.

Mr. BROWNBACK. Or information. You have stated now twice that—

General WOLD. Documents or remains. Both are information—forms of information.

Mr. BROWNBACK. But you have stated twice now that you think they have that and have not revealed all of it to us. Is that correct?

General WOLD. Yes, and if I had been asked this question 6 months ago I would have had the same answer. The results then in the following 6 months would have been that what we thought they had at that time has been turned over to us this next 6 months. I expect that process to continue in the next 6 months and beyond that period of time.

Ambassador LORD. Let me interject. We would hope to do better on documents. I think there is still a lot of potential there, but we cannot prove in this area any more than we can in the remains areas that they are deliberately withholding anything. Maybe they are. Maybe they are not. All we can do is point to the fact that through our policies we have gotten more information.

For example, it is at least theoretically possible, without trusting anybody, that the central authorities would not be aware of documents that provincial authorities have. By urging them to form unilateral teams to go out in the provinces and check on this information, we have turned up new documents.

Now, was that a deliberate withholding by the central government? I do not think we can make that accusation. Maybe it was. Maybe it was not.

Mr. BROWNBACK. It is a deliberate withholding by a government, right?

General WOLD. I am sorry?

Mr. BROWNBACK. It is a deliberate withholding by a government in Vietnam then.

General WOLD. No. I just said the opposite. We cannot make that accusation.

Mr. BROWNBACK. You said of the state government.

General WOLD. I am saying it is conceivable that the central authorities had not made the kind of efforts. Not deliberately withholding, but not the aggressive, unilateral efforts in the provinces to find out some of this information.

One of the contributions we have had from working closely with the families and the veterans was a suggestion that we put more emphasis on unilateral activities, as well as joint activities. We have done that, with their encouragement, and I think we have shown results.

I think we have to be very careful not to either flatly allege they have done everything in their power or flatly allege that they are withholding anything. These are subjective judgements. All we can do is press them, give them incentives and look at the record, which has been very positive under this administration.

Mr. BROWNBACK. Thank you, Mr. Chairman.

Chairman GILMAN. The gentleman's time has expired, and I thank the gentleman for participating.

Mr. Royce.

Mr. ROYCE. Thank you, Mr. Chairman.

Good morning, Mr. Secretary. I would like to briefly ask you, if I could, about three issues. The first is really the gentleman from China, Mr. Harry Wu. He has become a friend I think to many of us on this committee because we respect him. We respect him for

his courage and his eloquent testimony in speaking out about the conditions in China.

This committee has sat and listened to Mr. Harry Wu—along with a priest, a nun and a monk, who together spent probably more than 100 years in the LOGAI camps—tell us about the harvesting of organs there involuntarily: tell us about the export of toys and Christmas lights and other products from the camps to the west to earn hard currency. He has been a source of information about what really amounts to the largest gulag in the world today.

Let me just ask you. I would echo the hope expressed by Senator McCain and yourself last night on the Charlie Rose show that all leverage, including especially that of the U.S. corporate community, be brought to bear on the Chinese.

Could I just ask you what we are doing at this point to assure us that Harry Wu as a U.S. citizen will be returned to us?

Ambassador LORD. I would be very happy to comment if it is okay under the rules. Since it is not on the issue we are testifying on, I want to make sure the acting chairman will let me comment.

Mr. ROTH. There is no problem here.

Ambassador LORD. I do not know what the procedures are. I am happy to do it.

Mr. ROYCE. It is not often I have a chance to ask you about this, Mr. Lord, and I would like to do it today.

Ambassador LORD. You have a chance any time. Call me, and I will be glad to come up here and talk to you about this or any other issue.

Let me respond to your question. By the way I just was with Mrs. Wu myself during one of the breaks. I have known her for some time, and I am very concerned on a personal, as well as a policy basis.

We are doing everything we can diplomatically, Mr. Congressman, at this point. I have personally been involved. Much higher level people than I have been involved.

We made it very clear to the Chinese bilaterally. We have made it clear through other countries who we are encouraging to help out. We are using private citizens who have credibility with the Chinese to weigh in on this and its possible impact on our relationship, as well as the humanitarian dimensions.

We are saying to the Chinese, even leaving aside debating the merits of the case and without even talking about that, the fact that you gave him a visa. He had a valid passport. You have made your point. You have made your accusations. Let the man out. Let him get out of China. Otherwise it is going to complicate an already troubled relationship.

We are moving very forcefully on that, and we will keep after it.

Mr. ROYCE. I appreciate that. Let me just follow on with a question on Vietnam.

I see the chairman of our committee has put before us a resolution prohibiting funds for diplomatic relations and facilities unless certain conditions are met. One of my real concerns about Vietnam is the fact that it continues to be an oppressive, one party state. It is losing ground on human rights we have heard stifling all dissent, on lacking of any type of freedom for the press.

In the year since the normalization process began, from the testimony we have heard on this committee, the human and political rights situation in Vietnam has in some ways worsened. That is according to your own department's human rights report.

Secretary Shattuck's testimony here was pretty clear on that issue, especially with respect to what has happened with the leaders of the two largest religious groups in the country representing two-thirds of the citizens of the country.

That was the testimony of human rights groups, and indeed it is our experience here on the committee.

As far as this question of harassment of journalists and the harassment of human rights supporters, our concern, or mine especially, is what are we doing to leverage for human rights in Vietnam, to leverage for some type of freedom?

I recall in the negotiations with Nicaragua that we took certain steps to precondition lifting the embargo and precondition giving normalization relations in exchange for certain steps towards democracy. Indeed, that brought about eventually other political parties there. In Vietnam, by their own constitution, they will not allow anyone to be a member of any party except the ruling party.

I would like to hear what concrete steps and concrete expectations you propose in terms of the bilateral relationship as it relates to leveraging human rights in Vietnam.

Ambassador LORD. Let me make several comments. First, I would not quarrel with your description of in fact the very serious human rights problems in Vietnam. I would refer to the State Department report. I am not prepared to say the situation has necessarily gotten worse in the past year, but there is an awful lot of problems, and we will keep after them.

President Bush in his roadmap and President Clinton in his policy has put MIA's in this particular case, a unique case in many ways, as the highest priority in our relations with Vietnam, higher than any other priority, including human rights, although obviously this is a humanitarian issue as well.

As a criteria for moving ahead, whether on the embargo or liaison offices and now diplomatic relations, human rights has not been introduced as a specific condition. We felt that the MIA issue had to take the utmost priority here, along with their getting out of Cambodia and also letting people out of re-educational camps and the orderly departure program.

Now, we have taken human rights, nevertheless, very seriously all the way through, and we will continue. We have had three formal dialogs in the past year with Vietnam in New York, Washington, and Hanoi on human rights.

It is raised in almost every meeting that I have or other American officials have with the Vietnamese, both the general situation and principles like religious freedom and press freedom and so on and specific cases, whether American held or Vietnamese. This is an important part of our dialogue.

Now, I cannot give you exact conditions, nor would that be tactically wise or possible at this point, but I can assure you that as we move ahead in our relationship, assuming continued progress on MIA's, that human rights will be an important factor, along

with other factors as we face this with many countries, be it political, economic, security, narcotics, etc.

The warm intensity of our relationship in the out years will in part depend on improvements in the human rights situation. I cannot be more specific than that except to reiterate the importance we attach to it.

Mr. ROYCE. My last question would go to the issue of Radio Free Asia. I recall that the President and last year the Congress demanded and approved Operation Radio Free Asia, which was the concept for freedom broadcasting in support of democracy, and specifically we intended it for such countries as Vietnam.

Secretary Shattuck sat in the very position where you are in March and promised us that it would begin soon. My question would be there have been certain allegations of foot dragging on the part of the Department of the State or the administration. When can we get that underway?

The last comment I would make is in terms of a more overall concept. When are we going to start doing something concrete for democrats in China or Vietnam, that part of the world, instead of spending so much time—if I were to quote the President—spending so much time coddling dictators? Now, that is the way he put it on the campaign trail 4 years ago, and that was before they started snatching U.S. citizens.

I am looking at our actions in that part of the world, and I would just like some assurance that we are going to move human rights up to where it has some meaning. We in Congress feel, especially those of us that are members of the human rights caucus and those of us that serve on this committee, want to know that it is involved on an ongoing basis in our negotiations.

Ambassador LORD. Let me assure you that it is already an important part of our policy. If I could make a personal note, I feel strongly about these issues. One of the positions I held before coming back into this government was Chairman of the National Endowment for Democracy. I have been personally involved in these issues for some time.

On Radio Free Asia, I pushed very hard and testified as a private citizen for the establishment of Radio Free Asia. I am very much in favor of it. I do not believe there has been foot dragging. There are some real budgetary problems, as you well know, in terms of priorities and spending, but the administration is still committed to setting this up.

The Board for the Radios, including Radio Free Asia, has just been announced. I might point out in passing that my wife is on that board, so at least in our family we are very much in favor of Radio Free Asia. I hope the budgetary and other situations will allow that to go forward.

On human rights generally, I will not sit here and tell you, despite my commitment to human rights, that it is the only goal we have in American foreign policy, and I am sure you would not allege that either.

We have a tough conceptual choice with lots of countries. How do you balance that goal versus narcotics or MIA's or regional security or economics? I can assure you that it is a very high priority.

Certainly the United States presses human rights much more than any other country in the world. That is a tribute to us. We often lose economically because of it. We lose other things because of it. It is a price we are willing to pay as Americans. It does not mean, however, it is our only goal.

I can assure you that we will pursue this, and I will be glad to talk further and in more detail when we have time because it is a very important issue.

Mr. ROYCE. Radio Free Asia before the end of the year? Do you think we will see that implemented?

Ambassador LORD. That is above my pay grade in terms of that. I know it is the official position to move forward with it. I just do not know how the administration as a whole is going to sort out its spending priorities and how fast they can move.

Mr. ROYCE. We have allocated the funds. Thank you, Mr. Secretary.

Chairman GILMAN. Thank the gentleman for his participation. The time has expired.

Before asking our next colleague to question, I would like to introduce a delegation from the Hungarian Parliament who are visiting us today, along with Laszlo Hamos, president of the Hungarian Human Rights Foundation. Welcome to our committee.

Mr. Funderburk.

Mr. FUNDERBURK. Thank you, Mr. Chairman.

Mr. Ambassador, first I wanted to commend Sam Johnson and Bob Dornan for their moving testimony. My experience has been that such a move only perpetuates the Communist elite in power and cuts the rug out from under the Democrats.

Appeasement of Communist dictators who are not men of their word is really the policy, and it has always failed. We get nothing, but they are laughing all the way to the bank, and you know about the banks. Our Speaker, Newt Gingrich, said is this not the time in history when we should be ending Communist dictatorships instead of helping prop them up?

My questions to you are why does the State Department not ever learn from history, and how does recognition and favored treatment of Vietnam help end the Communist dictatorship and promote human rights and democratic government, which I do not believe they do, but I would like to know how you think they do that.

Ambassador LORD. The argument would be as we use it in other cases of oppressive governments that engagement can promote progress. If you have an embassy, you can push this dialog even more forcefully. This does not confer more legitimacy in any government. We have relations with a lot of unattractive governments around the world.

Again, I also believe that the opening up to the outside world in an age of information and technology in terms of trade and investment, and you put that together with computers, fax machines, and televisions, you cannot have open economics and closed politics for very long.

I believe in China, in Burma, in Vietnam and even some day in North Korea you are going to see more open political systems based not just on people's aspirations, but on the objective fact that you

cannot develop your economy in the modern world without the rule of law and without open political systems.

I think this kind of engagement does push the process. It is not enough by itself. You do not just sit back and say I hope economic reform will transform that society. You have to press it diplomatically. We have often used other bits of leverage consistent with other goals.

Mr. FUNDERBURK. How do you answer the question of the legacy in history?

For example, after Tiananmen Square or after what Ceausescu was doing in Romania or what the Vietnamese Government is doing to its people, some day those people, when they are free, are going to point a finger at us in the United States and say where were you when we were struggling for democratic government? You were in bed with the tyrants who were repressing us.

How do you answer that question? How do you think we can do that with a good face and morally?

Ambassador LORD. You have to do it case by case, of course, but as a general proposition you have to realistically deal with a government in power. You do not—

Mr. FUNDERBURK. But not appease them.

Ambassador LORD. But not appease them, not cozy up to them, and also maintain contact with the opposition or with people with different points of view and as to your rhetoric and your policies demonstrate where you hope they will go in the future and where your sympathies lie, even if you pragmatically in the short term have to deal with the government perhaps to stave off a nuclear crisis or to deal with some other urgent matter.

You cannot ignore every repressive or less than free government in the world. You will never get anything done. You do have an obligation to promote your values and make sure where your sympathies lie.

Mr. FUNDERBURK. I just do not think we should sell out the democrats and the believers in religious faiths.

Ambassador LORD. I agree with you.

Mr. FUNDERBURK. I think we are doing that with this policy.

Ambassador LORD. First of all, I agree with your objective. I do not think we should either, but I would disagree that we are doing it.

I mean, I think we have made very clear and certainly more than any other country in the world. I wish we would get more help from other countries, frankly. It would be much more effective if some of our friends, instead of just worrying about commercial deals, would join us in some of our human rights efforts. We get not enough support in that respect.

Mr. Chairman, could I go back to one item that came earlier? I think out of courtesy to you I should address this issue, and that is the matter of notification that I think Mr. Manzullo brought up.

Chairman GILMAN. Yes, please.

Ambassador LORD. First, I think you should have been notified. I gather you were not. I will tell you what I have been told is what happened. It was decided to inform the Republican and Democratic leadership through the conference chairman level. These calls were

made out of the White House, so leadership was notified. That was supposed to be the main thing that was going to be done.

I think, frankly, that the chairman of this committee should have been notified, and this will not happen again.

Chairman GILMAN. I appreciate your comments.

Mr. Funderburk, have you concluded?

Mr. FUNDERBURK. Yes.

Chairman GILMAN. Thank you for participating. The gentleman's time has expired.

Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman.

Ambassador Lord, I appreciate your testimony this afternoon, or this morning and afternoon, I guess.

I have a number of questions, some of which I will submit for the record, but I would like to ask you: I do not know if you have seen the statement by John Sommer from the American Legion, the executive director. He makes a number of very strong criticisms of the administration's policy.

He talks about the lack of definition. As a matter of fact, I will submit this to you and ask for a detailed response to every point that is made, which I will then ask, Mr. Chairman, to be made a part of the record because there are just so many questions raised that need and absolutely require an answer.

He points out, for example, that the veterans and family organizations were excluded from the most recent delegation which traveled to Vietnam and Laos last month. The question is why? Why were the people who are probably the most concerned of all excluded from that?

They point out that there are accounting errors in terms of attributing to one year the number of remains and people that were accounted for, POW's, MIA's. It really is brinkmanship here on the part of the administration. He calls it a glaring ineptitude on the part of the U.S. Government in resolving the issue at another point.

He points out on live sighting issues—and this is something that I was with Chairman Gilman and Jerry Solomon on back in the mid-1980's. When we went to Vietnam, we went to Hanoi and met with top officials. They told us that there may be American servicemen being held against their will, but it was "not under their control." They may be held in caves. They gave all of these different answers, which obviously fed a lot of speculation and raised some hopes and expectations.

I, like many other members of this committee, and I have served on the POW/MIA task force, looked at the DIA live sighting reports, looked at maps that show the preponderance of sightings in different areas over different years that would lead a reasonable man or woman to say that there is a reasonable belief that we left people behind. Gen. Eugene Thighe, you might recall, has said similar things when he left as being the head of DIA.

In looking at this criticism by the American Legion, for example, and I will just read it briefly, "Regarding live sighting investigations, we have no confidence in the manner in which they are being conducted. American investigators cannot move anywhere in Viet-

nam without being accompanied by their handlers from Vietnam's Office of Seeking Missing Personnel.

"Further, advance notice is given to the Vietnamese, so the effectiveness of U.S. personnel questioning Vietnamese citizens is jeopardized. Thus, communist officials have ample opportunity to 'stage manage' each investigation."

There is a pattern I see here. I, as you know, have been very critical of the delink of MFN. I have led two human rights trips to the People's Republic of China. I think the administration did a shameless thing when it raised expectations and said that we were going to use human rights and conditions there in China to decide whether or not we provide MFN for another year to the People's Republic of China.

When they got worse, we delinked, ripped up the accord and said go ahead, folks. We are going to jaw bone you. We are going to talk about the issue, but we are not going to be serious and use the only real lever that matters, and that is trade. You may in your heart of hearts agree with that, but it was an administration decision.

I mention that because one of the components there was a memorandum of understanding dealing with prison labor. You know that I have been to a gulag in China, Beijing Prison No. 1. We got in there, Frank Wolf and I, and took out some of the products that were being made with Tiananmen Square participants, people who had been arrested simply because of their pro democracy beliefs. They subsequently shut down that prison, as you know, in Beijing.

In order for us to go into any of those gulags, of which Harry Wu has documented so much at great risk to himself, and now he is a political prisoner again, an American citizen being held against his will in China for bringing this truth forward—we have to give advance notice so they can sanitize it and clean it up and tell them in advance that we want to see certain books and certain facilities. They are not going to show us anything.

The same thing happens with the UNHCR, again this pattern. We are now forcibly repatriating many of those Vietnamese soldiers who fought side by side with us. Mr. Dornan spoke about this earlier so eloquently. These people are going back potentially to re-education camps, our allies.

The UNHCR, with the administration standing right beside them, is saying we have repatriation monitors who always are with the Vietnamese person in tow when they conduct these investigations.

Who in their right mind is going to say yes, I am being harassed, I am being discriminated against, I am being perhaps even tortured or misdealt with when you have a Vietnamese handler standing right next to the person from the UNHCR? It is mind boggling. They are not going to take us to a prison where Americans are going to be. We do not have access.

One of the previous members of the House who spoke from the witness table said that there have always been MIA's. We had access to those battlefields. That is why Korea and that is why Vietnam are so troubling because we do not have access to those battlefields. We know that the lists of prisoners and those who came home just simply do not match.

If you could speak to this issue, some of the criticisms perhaps raised by Mr. Sommer, especially with regard to live sightings? If this is such a good deal and we have normalized relations now or are in the process of doing all of that, are we convinced that this is a good deal?

I was, again, with Mr. Gilman. We went to one of those prison camps in Hanoi. We did not expect to see live prisoners. Of course they are going to whisk them away if anybody was there. We know that. I mean, a fool would think they are going to lead you to a prison where Americans are being held against their will, and yet we buy into this pretense.

Ambassador LORD. You raise a lot of issues, Mr. Congressman. I cannot digest all of them included on the China front. I will be glad to discuss that with you further maybe on some other occasion, unless you want to get in great detail today.

Let me make a couple points. I do think my colleagues should talk about the live sighting operation. They are the experts.

Let me just make one point. There is no question if you could somehow get to some place completely by surprise it would be much more credible. I will let my colleagues comment on this, but it is difficult obviously in a sovereign country, particularly a tightly controlled one, to just sort of race in to wherever the hell you want to and get in there without a surprise.

Mr. SMITH. Again, the leverage—

Ambassador LORD. That is part of the problem.

Mr. SMITH. If the gentleman would yield briefly? With the leverage of normalizing relations, and we all know that this will accrue greatly to the benefit of Vietnam in terms of access to loans, access to investment, it is to their benefit to be more forthcoming rather than less. They have not been as forthcoming as I think—

Ambassador LORD. But I do not know of any country where they will just let foreigners literally go any place they want without telling them any time that they are about to go there.

Mr. SMITH. And let us not suggest that somehow the live sightings issue is being handled improperly.

Ambassador LORD. I will let my colleagues get into that. I can tell you that it is taken extremely seriously. We immediately investigate every live sighting case. There have been over 90 and no evidence turned up, but that does not address your basic point of credibility.

Let me say that Mr. Sommer has been on several trips with me. We have worked closely together. We obviously have—not with me, but I mean with the administration. He has a fundamental disagreement. I respect his views. He has been a valued participant.

I will, of course, make sure he and you get full answers to his questions. I have not read them yet. It is dated just today or yesterday. Some of the answers may be coming more appropriately from Defense, but we will make sure there is an administration answer to every question in here.

I cannot go into any more details. I will just say that we will continue to work with Mr. Sommer and other representatives of veterans and family groups. We met with them yesterday before the President's decision. They were on a couple of trips with us.

You are right. They were not on the most recent one. We never said they would be on absolutely every trip. We have lots of trips out there. I have been out there on my own. General Wold has. A lot of people have.

In this case, we thought if we pressed hard as a government delegation that maybe we could get some progress. I think we did in terms of these documents that were turned over of the unilateral actions.

The President did tell Mr. Sommer and others who were there yesterday that we will have another trip later this year including the veterans and family representatives.

Mr. SMITH. Did anybody want to respond on the live sightings?
Ambassador LORD. Yes, on the live sightings.

General WOLD. I would like my analyst, Warren Gray, to address perhaps in more detail the LSI's.

I would like to say, however, that in my own personal experience when I served 2 years in Moscow even on routine travel trips as a defense attaché or for any one of our attachés, it was not uncommon to wait 48 hours for approval to travel about that country. In many cases, approval was denied or the itinerary of our trip was altered.

In the history of our live sighting investigations in Vietnam, with one exception, I believe, we have never been denied our requests to investigate. We have had occasions where they have responded within one hour.

Beyond that, I think I would request that Mr. Gray address this issue in greater detail, if that is all right.

Mr. SMITH. I would be happy.

Mr. GRAY. Back in August 1991, we set up a mechanism with the Vietnamese in which we would be allowed to come in and do—

Chairman GILMAN. Mr. Gray—

Mr. GRAY [continuing]. Live sighting investigations.

Chairman GILMAN. Mr. Gray, would you identify yourself, please?

Mr. GRAY. Yes, sir. I am Warren Gray. I am chief of the Laos/Cambodia team, and I am chief of the Current Operations Division in DPMO. I control the live sighting investigator mechanism, or the LSI mechanism as we call it.

Chairman GILMAN. Please proceed.

Mr. GRAY. This was set up back in August 1991, and we used the DIA's Stony Beach team in Bangkok—these are Vietnamese linguists, Thai linguists, Lao linguists, Cambodian linguists—to do all live sighting investigations throughout Southeast Asia.

With regard to Vietnam, we set up a mechanism through which we could do no notice investigations. The first investigation requirement was carried in by Al Ptak. He handed it to the Vietnamese and said we want to go to this facility now to see if there are any Americans there. The Vietnamese said do it, and we did. There were no Americans there. They were Russians.

We have had since August 1991, the mechanism through which we could do no notice type live sighting investigations. We have conducted over 100 investigations in Vietnam. We have resolved live sighting reports. In some cases we have found the individual that accounted for the live sighting.

We had a report of a black working in a prison being seen outside the prison. We found the black. He was a Cameroonian, as opposed to an American. We resolved that live sighting, and we have resolved a large number of live sighting reports based on the investigations.

We always say to the Vietnamese this is the area that we want to go to to do the investigation. We do not say this is the witness that we want to talk to or this is the exact city we want to go to. We say simply this is the area that we want to go to to do the investigation.

The Vietnamese will go out and do the coordination and escort us. They escort us in every investigation into the area as we do the investigations, so absolutely we are escorted. We are doing it with their permission throughout Vietnam. We have done the same thing in Cambodia. We have done the same thing in Laos. I do not think it is a bad mechanism.

Mr. SMITH. In your expert opinion, are there any Americans being held captive against their will in Vietnam?

Mr. GRAY. We have not seen through the live sighting reporting and all the live sighting investigations any evidence of any live Americans anywhere in Vietnam, Laos, or Cambodia. Absolutely not.

Mr. SMITH. That is current day. How about previous years?

Mr. GRAY. The same thing. We have gone back and looked at the—

Mr. SMITH. Since the fall of Saigon you are saying there were no prisoners being held against their will?

Mr. GRAY. We have no evidence that there were live prisoners. We have gone back on every live sighting report.

I started the live sighting investigator reporting and investigations back in 1973 after homecoming. I was with the Joint Casualty Resolution Center. I was the officer assigned. I got the live sighting reports, and I directed the intelligence access to check them out. We have been checking those reports since 1973.

Mr. SMITH. Has there been any instance where the Vietnamese denied you access instantaneously?

Mr. GRAY. In the live sighting investigator mechanism, we have never been denied access to any facility. We have gone into every prison that we have identified.

Now, in one instance they said you cannot go into a facility. We went back to the Vietnamese and said it is important that we go in. We were allowed access to the facility. The bottom line is we have gone into every facility that we have identified for a live sighting investigation.

Mr. SMITH. How quickly, once you make the request, are you physically inside of that facility? I mean, I could be over on the floor and—

Mr. GRAY. If we said we want to go today to this facility, we could go today to this facility.

Now, the problem is that the reporting that we are going in to investigate sometimes is 10 or 15 years old, so we do not need to go today to do the live sighting investigation.

We are confident that if we get a report that we think is credible that needs to be checked out today that we can get into any facility in Vietnam today to do that investigation.

Mr. SMITH. Let me ask very—I will be happy to yield.

Mr. DORNAN. Warren, you know I think the world of you, and I think you are a good public servant and a patriotic American, but let us apply some logic.

If you had a real live, hot sighting report and your intelligence hit the nail on the head and there were two live Americans in that site or facility and you said we want to go here today, you and I both know what would happen, and so does every logical thinking American in this country. They would say to themselves, "Oh crud, we are caught. Think fast. It is a military security zone. We have secret equipment there."

You have written a report yourself how this happened with a yachtsman taken after the war, even innocent or drug running—nobody knows—caught between Bangkok and Thailand in the old pirate infested South China Sea. The Vietnamese had him in a jail at Roch Gido.

You wrote this report. I have seen it. Senator John Kerry said he wanted to go there. They called the camp: "We will be there in 3 hours. Have that American moved before we get there." They moved him, and Kerry went to the camp and bragged about how fast his inspection was. After he left with his American team and the liars accompanying the team, they moved the American back.

Two Congressmen on the floor who are of a different viewpoint cynically said, how do we know that? First, I say, because the yachtsman was released eventually and told the story, and then I told them about your excellent report.

Remember your young officer? Is her name Sandra Coflin or Caughlin?

Mr. GRAY. Yes, sir.

Mr. DORNAN. She said all the witnesses have been coached. All the people at live-sighting sites have been coached.

Mr. GRAY. That is in Laos.

Mr. DORNAN. In Laos. Probably all of the investigations are invalid. That is Laos. That is my principal area of focus.

I mean, if you just apply common sense here and use Chris Smith and Frank Wolf's experience in the Soviet Union, do you really think we are going to strike gold, eureka, and nail them and there is going to happen in Vietnam what happened in Laos where that one lieutenant that was escorting an American investigator kept asking, "What are your orders if we find an American here?" He kept bringing it up all day long. "What will you do?"

There may have been an American wounded whose spine healed improperly, crippled, married into the economy living on some farm that they thought they might stumble across.

I mean, you people with the best of intentions speak definitively as though you have this crackerjack commando outfit that is going to nail them on the spot and find Dave Hrdlicka after 30 years in captivity. Under current conditions, it is never going to happen.

You are dealing with liars and war criminals and people who tortured some Americans to death. They are still around. The sergeants and lieutenants who did the most severe torturing are now

the colonels. They are working in a corrupt system. We get manipulated.

You brag about the \$1 million, but it is to go look for teeth at crash sites. Although that may be important, it is not the warehousing that you dismiss today.

When I think, by your own research that I relied on—and you are the first one I ever heard use the word chemical substances on the bones; I then had it confirmed at the Central Investigative Lab at Hickam in Hawaii—we have only accounted for 160 out of the 400.

I am going to fly to Atlanta soon and meet with that mortician that Lester Wolf, 18-year Member of Congress and chairman who just entered the back door, put in this room and had polygraphed. Lester Wolf believed him, and I believed him. Ben Gilman was in the room.

He is now in his early eighties down in Atlanta, and I would like to hear from him again. I would like to polygraph him again for all the cynics today to know that there are about 260 boxes of remains.

Thank you, Mr. Smith.

Chairman GILMAN. The gentleman's time has expired.

Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you. I have been busy on the floor today in several debates, and I will try not to ask questions that have been asked before.

While I have the panel here—and please forgive me if this question has been asked—but if you had to say “yes” or “no” and there was no “maybe” and it was like you had to bet your mortgage, how many of you on the panel would say “yes,” the Vietnamese did keep a number of Americans after the war or the communist forces in Southeast Asia kept a number of Americans after the war, or “no,” they did not?

If you had to put your mortgage money on it, what would you say? Could we just go down the panel and say “yes” or “no”?

Ambassador LORD. I am not going to give you a yes or no. It is like, “Did you stop beating your wife?”

Mr. ROHRABACHER. All right.

Ambassador LORD. I am not about to say that I trust the Vietnamese.

Mr. ROHRABACHER. Actually, it is not like saying did you stop beating your wife. It is not that at all. It is just saying, do you believe that there is a—

Ambassador LORD. I am not going to say “yes”, and I—

Mr. ROHRABACHER [continuing]. Preponderance of information. We have to make decisions every day here based on a preponderance of information. If you say to yourself, “Well, unless I know absolutely that I am going to say ‘no’, we would not be voting for anything here.” There would not be any policy. What we have to do—

Ambassador LORD. If I say “yes”, that means that I am making an accusation that I cannot prove. If I say “no”, I look naive. We hope to get more people on the list than were given to us.

Mr. ROHRABACHER. Mr. Secretary, I think that says it all right there.

Ambassador LORD. I am sorry?

Mr. ROHRABACHER. I think you said it all right there.

Ambassador LORD. Yes. Exactly.

Mr. ROHRABACHER. That is fine.

Ambassador LORD. I am not going to be naive, and I am not going to charge someone when I do not have conclusive proof.

Mr. ROHRABACHER. I think people who say that the Vietnamese did not keep anybody and making that their position are naive. I think that is a very good statement on your part.

How about you, sir, Mr. Gray?

Ambassador LORD. But I also said I am not saying yes. I want to make that clear for the record.

Mr. ROHRABACHER. I understand, but you made it very clear that those people who are saying that the Vietnamese did not hold anybody are naive.

Ambassador LORD. Is there a chance that some people were held back? I can tell you this as someone who was there at the time. We had no conclusive proof they did that. We hope to get more names, particularly from Laos.

Mr. ROHRABACHER. I guess being a former journalist, I am trying to tell you that you never get to a point where you have conclusive proof except maybe in one percent of the things you are dealing with. You deal with a preponderance of information.

Ambassador LORD. I think in an emotionally charged issue like this, particularly for the families, to make a suggestion that you know they held somebody when you cannot be sure of it is not fair to the families. I am not going to do it.

Mr. ROHRABACHER. That was not the question.

Ambassador LORD. Well, if you have to answer yes or no, you run that risk.

Mr. ROHRABACHER. Mr. Gray, what would you say?

Mr. GRAY. I have never seen any evidence in all the search tasking requirements that I put out and reporting that there were live Americans held after 1973.

Mr. ROHRABACHER. Mr. Wold.

General WOLD. Mr. Congressman, I just do not know what happened after 1973 as to that question.

Mr. ROHRABACHER. Let me congratulate—Is it General Wold?

General WOLD. Yes, sir.

Mr. ROHRABACHER. I want to congratulate you for all the answers that you have given today that cover your ass because this is exactly what we have heard over and over again from you today. You are not lying. You are not here giving us false information. You are covering your rear end on every one of these answers, from what I heard earlier as well.

I congratulate you for at least not coming forward to try to give false impressions, which is what I hear on this issue so often.

I do believe it would be naive for someone to say that they would say I will bet my mortgage that they did not keep somebody. That would be very naive because in order to do that you have to believe that not one American prisoner of war was interrogated by Russians during the Vietnam war.

Now, I went into the heartland of Vietnam 2 years ago and stayed at a big building. It was a hotel. The guy who ran the hotel

during the war was there. He said oh, this is where all the Russians stayed. I said really, what did they do? As soon as an American airplane crashed, they would rush out to the airplane and look at every little piece of the airplane.

For us to believe they had hundreds of Russians running out to examine every little piece of the airplane that crashed but never asked to interrogate an American prisoner stretches that point to the breaking point.

Let me just say, Mr. Gray, and the others on the panel, that being a former journalist, I find the methodology used in relationship to the live sighting reports absolutely abysmal.

I have gone and questioned your people on the scene. If someone comes in with a live sighting report and says is there a way that I could collect a reward or is there some money available if I give you information leading to the securing of an American POW, they are not told look, there are Americans who can give you this; give us the information, and we will see that you are put in contact with these people. They are told get out of here. We cannot even discuss it with you.

Mr. Gray, where did that policy begin that your people on the scene in the field when someone comes in seeking to give information are basically sent away if the idea of money is ever brought up?

Obviously we do not want to give money to someone before we have not even just information, but before we have secured the release of a POW if someone like that exists, but to basically tell someone who wants to give us information that I am sorry, but you are going to have to do all this risk and there is no reward and our people have been not trying to encourage people in this way, who started that policy?

Mr. GRAY. That is not the policy. That is absolutely not the policy.

Mr. ROHRBACHER. Then your people are lying to me because I have heard that same issuance, that same directive, those same words reported back to me both in Cambodia, in Laos and in Vietnam.

Mr. GRAY. We will take a report from anybody that walks in. Now, when someone says I have given the report and now I want my reward, they are told that the U.S. Government policy is no reward for information. They are absolutely told.

Now, I have recommended to the folks in Thailand, Laos, and Cambodia to tell them up front that we will take any and all information that you provide, but the United States Government does not pay rewards for information.

Mr. ROHRBACHER. Yes. That is absolutely correct. Your people have also been instructed not to discuss the issue of money at all with these people to the point that they cannot say that there are private sources of money available for anyone who would secure the release of an American POW. Is that correct?

Mr. GRAY. Well, it is correct because I have discussed this with everyone in—

Mr. ROHRBACHER. If you do not pay rewards, you cannot sit there and discuss money with them.

Mr. GRAY. Let me go back and show you the problem with promising money to refugees.

Several years ago, a family whose son is missing in Laos went into the refugee camps in Thailand and said to the refugees we will pay for information on our son. Here is his name, his Social Security number and the tail number of the aircraft.

Within 2 weeks they had 35 live sighting reports of this young man, and the only information reported was his name, service number and tail number of the aircraft.

Mr. ROHRABACHER. Right. Right.

Mr. GRAY. Thirty-five people wanted to be paid for the information, and they were not. The family knew they had been taken by this.

Mr. ROHRABACHER. It is obvious that no one wants to pay money in exchange for information. It is not obvious that the policy of this government should be that if someone actually gives us information that leads to the securing of what could be a prisoner of war or information about a prisoner of war that that money cannot be transmitted at that point. Those are two different positions.

It is clear what you are saying. That is fine. It is very clear that you cannot just put out and say that any information we are going to give you some money on it. That is obvious, but that obvious point has been used to create a policy that turns people away.

Mr. Gray, are you aware that sources of information with the Vietnamese Government, people who work for the Vietnamese Government and the Vietnamese military, that their names when they have come into the MIA/POW teams that those names then are turned over to the Vietnamese Government?

Mr. GRAY. Turned over by whom? I am not sure what the—

Mr. ROHRABACHER. By the MIA/POW teams. By your people.

Mr. GRAY. It is not the policy of the folks to turn over the names to the Vietnamese Government.

Mr. ROHRABACHER. Are you aware of any situation where Vietnamese military officers' names have been turned over to the Vietnamese Government after they have come forward with information about potential MIA/POW information?

Mr. GRAY. No.

Mr. ROHRABACHER. You are not? Do you read all of the reports on these hearings? General Needham confirmed that to us last year. The only reason he confirmed it was because I went to Cambodia and Vietnam and found out about it, and he had to confirm it.

You are unaware that two majors came into our POW/MIA task force headquarters in Cambodia 2 years ago talking about the possibility of MIA/POWs in Vietnam and that their names eventually were turned over to the Vietnamese? You are unaware of that?

Mr. GRAY. I am aware of the report. I am aware of the live sighting investigation that was done into that report. I do not know that the names were turned over to the Vietnamese. We were given addresses and full names of the individuals.

Mr. ROHRABACHER. That is correct.

Mr. GRAY. We would not verify that.

Mr. ROHRABACHER. That is correct.

Mr. GRAY. During the investigations we turned up another possible suspect, the individual that we thought had turned up in Na Phen. We could not prove that. It just simply could not be proved. Now, I am not aware that they went to the Vietnamese.

Mr. ROHRABACHER. Mr. Gray, General Needham came here under this type of dialog or interrogation or whatever you want to call it or testimony. General Needham admitted that the names of those two Vietnamese majors had been turned over to the Vietnamese Government, which is a big sign that says anybody who cooperates with the Americans, you are going to get your throat slit.

You have another policy that says do not talk to us about any live sighting report if you expect to get anything back because there is not going to be any reward from anybody; not just the U.S. Government, but from anybody.

These are policies that deter any information about live sighting reports, and these are policies that are in place, as far as I know, right now. They have been in place for years.

Being a former reporter, as I say, it is distressing to see the collecting of information based on those type of policies.

I am sorry, Mr. Chairman, for going on too long. I will just say that I know that there are a lot of serious people, a lot of people who are honest. It is a hard issue. I am not casting doubt. I am hopefully not trying to say anybody is a bad American or anything like that.

I know that is a complex issue, but I think that there is every reason for a lot of us to be disturbed at the way it has been handled.

Thank you very much, Mr. Chairman.

Chairman GILMAN. Thank the gentleman for his participation.

Before turning over to the next inquiry, Mr. Lord, are you satisfied that Vietnam is truly complying with the United States/Vietnam consular agreement?

Ambassador LORD. I think we have pressed them very hard. I think there is still room for improvement.

Chairman GILMAN. A recent staff trip to Vietnam found that there were two U.S. passport holders in detention in Vietnam, neither of whom had been visited by U.S. liaison officers over the past year.

It is my understanding that this agreement requires access to U.S. passport holders in Vietnam within 48 hours. I ask you, is this the kind of compliance that leads us to believe that we can trust their reassurance of cooperation on POW/MIA issues?

Ambassador LORD. As I said, there is room for improvement on the consular side.

Let me just check with my colleagues if there are any details that I can help you with.

Chairman GILMAN. I would welcome that.

Ambassador LORD. He has confirmed what I thought was the case. Since we opened the liaison office, we have met with all the held Americans. I do not know whether they complied with the strict letter of the law, but at least we have met with them.

Let us get more detail for you, but we have met with these people. It is partly as a result of opening up that liaison office obviously. I think that does—

Chairman GILMAN. How recently did we visit with these people?

Ambassador LORD. I am sorry?

Chairman GILMAN. How recent was our—last visit?

Ambassador LORD. Let me get you all the facts on this case to you and get back to you.

Chairman GILMAN. Would you, and submit it in writing?

Ambassador LORD. Yes.

Chairman GILMAN. We will make it part of the record at this point.

Ambassador LORD. We take the consular rights very seriously, and we will continue to press them. I do think we will find in our response that it has not been as airtight as we would like, but I do not want to make any judgements now without giving you a full report.

Chairman GILMAN. We would welcome that.

Ambassador LORD. We have met with those Americans.

Chairman GILMAN. Just one more question. General Wold, did the Senate select committee not conclude that as many as 100 men may, and I quote "may," have remained alive after Operation Homecoming?

General WOLD. I will ask my colleagues for confirmation, but I believe the report of the Senate select committee concluded that there were no live Americans presently in Southeast Asia.

If your question goes to post or immediately following 1973, I do not have that answer readily available. I will provide that.

Chairman GILMAN. I am quoting now from an analysis of the Senate Select Committee's report.

The widely reported conclusion of the Senate select committee that although some evidence existed that as many as 100 men may have remained alive after Operation Homecoming, no proof could be found in U.S. Government intelligence files to support the stance that men remain alive today.

Have you seen that report?

General WOLD. Yes, sir. Now that you read it, I am familiar with that. We have not received any evidence since then to either prove or disprove that statement.

Chairman GILMAN. We thank you.

Mr. SMITH. Mr. Chairman, may I just ask one very brief question?

Chairman GILMAN. Mr. Smith.

Mr. SMITH. One of the problems with having some of the testimony at the end is, for instance, Ann Mills Griffiths will be testifying from the National League of Families, and I think it was George Will who called her the winter soldier of this whole issue as the one who has kept that vigil all those years.

She makes a very strong statement to the committee and on Page 10 points out that on April 16, 1993, Vice President Gore said on the Today show that:

The great push towards normalization of relations is very strong and a lot of other countries are moving there, but it is not going to go forward until we are satisfied that the Vietnam government has been totally forthcoming and fully cooperative in giving every last shred of evidence that they have on this issue.

Then she points out that within 3 months and despite the lack of significant results, the President decided to move forward on

Vietnam's highest priority, international funding for infrastructure development.

Was the Vice President engaging in hyperbole there? Has that standard been met?

What is your view as to whether or not, as she asks of the Congress, the President can certify to Congress that Vietnam is providing full cooperation in meeting expectations outlined in the U.S. Government's database? If he had to make that certification today, could he do that?

Ambassador LORD. First of all, I do not know the exact quote of the Vice President you are referring to, of course.

Mr. SMITH. Well, assuming it is correct; assuming it is not out of context and verbatim.

Ambassador LORD. I think you used the word normalization. That refers to what happened yesterday, not what happened a couple months after the alleged statement.

Mr. SMITH. Right.

Ambassador LORD. That is a 2-year period where further progress was certainly made.

The President has decided, to answer your second question, that there has been the kind of progress and cooperation that justifies our moving ahead as he did yesterday, but it is unfinished business. We will continue to work on it.

Mr. SMITH. But they have not been fully cooperative and totally forthcoming? Yes or no?

Ambassador LORD. Now we are getting into semantics.

Mr. SMITH. No, we are not getting into semantics. The Vice President on national television makes this bold statement reassuring all the families and people like myself who are in complete sympathy with the families, and then—

Ambassador LORD. First of all, we are all in complete sympathy with the families. Let us make that clear all the way around.

Secondly—

Mr. SMITH. But actions speak louder than words, and we are talking about actions of normalization—

Ambassador LORD. We think there has been—

Mr. SMITH [continuing]. Not something the President had to do yesterday.

Ambassador LORD. OK. We think there has been very full cooperation, and they have been very forthcoming.

Mr. SMITH. So the President could certify to Congress that Vietnam is providing full cooperation in meeting—

Ambassador LORD. The President, by his decision yesterday, certified his judgement and those of all his top advisors, including those that work with the Vietnamese every day, that they have been cooperating and that to a point to justify the step forward.

Mr. SMITH. Was the timing of the announcement in any way, shape or form or were there ever discussions anywhere in the White House, to the best of your knowledge, or in your shop to time it now rather than later because of the upcoming Presidential elections in this country?

Ambassador LORD. I am not going to get into all the private deliberations. Let me—

Mr. SMITH. I am asking—

Ambassador LORD. Let me be as forthcoming as I can on that. First, the basic timing was decided—

Mr. SMITH. Hopefully totally forthcoming.

Ambassador LORD. What?

Mr. SMITH. Hopefully totally forthcoming.

Ambassador LORD. I will give you the fullest possible accounting I can, yes.

Chairman GILMAN. Mr. Smith, this is the second round of questioning. Mr. Dornan has not had an opportunity.

Mr. SMITH. OK.

Ambassador LORD. Let me just answer the question. I will do it very quickly.

The timing is determined by progress on MIA's. Now, without confirming what actually was discussed within the private counsels of the Government, many analysts have pointed out that it is more difficult for the President to take this step in an election year than it would be in a non-election year.

The fact is that is not what has driven his decision. What has driven his decision is what kind of progress has been made. That is the sole criterion, and it has been so throughout this administration.

Mr. SMITH. I thank you.

Chairman GILMAN. Thank you, Mr. Smith.

Mr. Dornan.

Mr. DORNAN. When I had 11 hours and 35 minutes of hearings on June 28, I put everybody under oath as the chairman. I was a little bit loath to do that because we are all patriotic Americans, and I expect everybody to tell the truth and the whole truth. For me it pointed up the tragedy of this issue.

I remember I asked Ann Griffiths would you be offended, Ann, because I have known you so long to take an oath? She said my hand will go through the ceiling I will put it up so fast. I want to be under oath. I think everybody should be under oath to remind them of how serious this issue is and how serious the tragedy is.

Now, in the room is somebody who has worked this issue as long as Ann or me, Carol Bates. Carol was a young teenager in the audience on February 7, 1970, when on my first television show under my own name, the Robert K. Dornan show, that the POW bracelets were borne out of this bracelet that I have not had off my wrist in 27 years that I got in the Central Highlands of Vietnam.

I hope nobody is questioning my sincerity. I have worked this issue longer than any issue in my life—30 years—since my friend, Dave Hrdlicka, went down, the first F-105 pilot in the war, the first fighter pilot in Laos following pilot Charlie Shelton, who was only taken off POW status a few months back with a ceremony at Arlington and no remains: But that is Laos.

First of all, one little prologue here. One of my Vietnamese American friends in the audience said, and this is a lady with a Ph.D., I think, economic relations with China have not affected tyranny in China much. In fact, United States dollars have strengthened China's repressive dictatorship.

You and I, Winston, could argue that a lot. There are two sides of the story. Honorable people could make a case on either side. Have we strengthened their regime?

I believe that my Cuban American colleagues Ileana Ros-Lehtinen, Lincoln Diaz-Balart, Bob Martinez—both sides, liberals, conservatives, Republicans, Democrats—are correct. If we would have released the sanctions on Cuba, it would strengthen Castro and make the end of his life until God takes him down and out, it would strengthen him if we pulled the sanctions off at this time.

The Cuban-American community would not be treated the way Bill Clinton has treated the Vietnamese American community because they have clout, and they have three elected Congressmen. They have Senators and a Governor who listens to them.

They are strong in California and strong in New York. The head of my party for two 2-year terms, a combat doctor who works at L.A. General Hospital, Tierso DelHunco, is a Cuban-American. They have a strong committee, and the head of the Republican party under Tierso would not be treated the way we have treated the Vietnamese American community.

Winston Lord, because, Mr. Secretary and Mr. Ambassador, you are a good man and I believe in you, I want to correct something that was said here about Vietnamese-Americans who are in prison in Saigon right now. I want to give you their names, and I want to work with you. I know you will help me.

Here is a letter just today from a committee that I have the honor of being the American congressional chairman of. It is a non-violent committee. It is an up-front kind of committee to do this politically. It is called the International Committee for Free Vietnam. We have representatives from New Zealand, Australia, France, and Canada. I have met with all of them many times.

The director of all decisions, Steve Young, just sent me this. On a hunger strike going on as we meet here today, Nguyen, and we all know that is the Jones and Smith family name of Vietnam, Nguyen Tan, T-A-N, Tri, T-R-I, is on a hunger strike in prison in Saigon/Ho Chi Minh City. I will give you the address of the prison. It is 3 Ben, B-E-N, Bach, B-A-C-H.

He has never been charged with an offense. He is a political prisoner under Communist tyranny. He has been held since 1993 in violation of international law and probably Communist Vietnam law out of Hanoi. The warrant authorizing his detention has long expired, and in the prison with him is another Vietnamese American, Tran T-R-A-N, Quang, Q-U-A-N-G, Lien, L-I-E-N.

I believe that if we were tough and Mr. Clinton had called on the telephone and called Hanoi yesterday morning with the family members in the room and asked about these two people, I think they would be on their way on the next flight out of Saigon.

Then there is Mr. Doan. Please somebody fill in for the recorder—that is his family name—his last two names. D-O-A-N. I will not forget that. It is Dornan with the R and the N out of the middle.

Mr. Doan Viet Hoat is in prison in Hanoi sentenced to 12 years, kangaroo court, no evidence. He has already served 4 of those years. He is a human rights activist with all the stature of Chinese American Harry Wu. This is another reason why I think we have jumped the gun here.

Now, we can go around and around about Vietnam. I started out to hold my hearings on only Laos. Ann Mills Griffiths, who will tes-

tify later, a quarter-of-a-century friend of the chairman and mine, said do not do that. Do not put just the focus on Laos. It will look like we are giving up on Vietnam.

They are driving hell-bent for election and normalization. No matter what the Vietnamese American community says, no matter what the vets say, no matter what we family members say, no matter what all the concerned citizen groups say, no matter what everybody who has worked the hardest on this says, no matter what 80 percent of the former returned POW's say, they are going to do this.

McCain is telling them do it now before you get into a Presidential season. Here we have nine declared Republicans, yours truly included, who have already declared the Presidential season is on. It is an unseemly mess.

I listened to Ann, and I said OK, we will do Vietnam and the whole Southeast Asian area. Here is the tragedy. When we put the most knowledgeable people with the longest institutional knowledge on the witness table, the cameras are gone, the audience is down to almost nothing, and there is only a handful of Members. The same thing happened at my hearings.

We try to respect protocol. In this case we gave the courtesy to Members first, myself included, and two POW's. Then we go to the Government panel, and then the people who have broken their hearts and their backs on this issue come last. We always learn more from them, with all due respect to you, Mr. Secretary, and to the other distinguished, hard-working public servants who put time in on this issue.

I want to tell you something without getting somebody in trouble. General Wold, a general officer with as many combat decorations as yourself, sir, took one of my staffers aside after my hearings and said I am an infantry officer. I do not have a day of intelligence training. I did not want this job, and I did not ask for this job.

This is a job for trained intelligence officers. Instead, we fill slots JTFFA over there with combat tested patriots in artillery and intelligence and air combat branches, down in the weeds, SPAD pilots like yourself.

We have used great Americans like Admiral Larson, whose job was to get this whole thing out of the way, done with, over with. Give me the Stony Beach people for modern, current intelligence. I am looking at the future. The heck with the past.

I have seen this happen. I have had general officers under Nixon tell me to my face, "that I am here to pat these relatives on the head and get them out of the President's face." This was a tall, handsome Air Force brigadier general. It started turning me off on the way we handled this issue early on.

Maybe you were not in the room, but some of your staff was, I hope, this morning. Did you hear what I said about what Admiral Tom Moorer told me last night about 9 p.m. last night? President Johnson called him into his office when he was Chief of Naval Operations. Nixon made him Chairman of the Joint Chiefs.

He said Admiral Moorer, you tell the wives of our Navy officers to be quiet on this issue. I know people in the Pentagon are leaking

to them that their men are being tortured. That is when Jeremiah Denton, Senator to be, tapped out torture with his eyes. He said,

You tell the wives and the mothers and fathers and brothers and sisters while you are at it—the kids were not old enough them—to be quiet on this issue.

I brought up Avril Harriman's name. He called them detained by hostile power, and the news media once patted his breast pocket and said I am taking care of the hostages. I am taking care of that myself.

Admiral Moorer called him a war criminal. He said he is the one who really screwed up this whole thing in the beginning in Laos. We let them hold men for 9 years, known prisoners for 5 or 6 like the AC-130 crew. They just disappear into the mist.

One of the witnesses this morning said, "Can you imagine this happening today? We have learned from this. We will never leave our prisoners on the battlefield again." However I went to Italy 2 weeks ago. Do you know how lucky we were to rescue Scott O'Grady? The British would have called it a close-run thing; so much luck I cannot believe it.

If the Serbs had gotten him, they would have released all the U.N. hostages faster, and he would be having a press conference a day for the last month. We might still not have him back.

Screbronecia fell last night. Tonight probably Tuslau or some other city will fall. It is starting to remind me of our middle Vietnam years where we were a paper tiger under Johnson and did not do a darn thing.

We have to get together and have regular hearings under this Chairman, regular hearings maybe under oath constantly tracking this issue.

Here is what I would suggest to Secretary Lord, and I will close on this, Mr. Chairman. I said this morning that one of the time-proven methods of interrogation, and it was used to break our prisoners very effectively. It is used by every rookie cop who ever becomes a detective.

I have a picture here of McCain on the Senate side hugging Colonel Bui, B-U-I, Tin. This is not somebody who tortured McCain. This was one of the Colonels who played good cop. After they found out they had the crown prince, they sent for a Russian doctor. It saved my friend John's life.

Of course, he could hug him. He could not have hugged Bug or Rabbit or some of the other sadistic creeps who drooled and in some cases masturbated behind a curtain while they tortured medal of honor winner Bud Day. He saw that with his own eyes hanging from his arms from a ceiling in an auditorium like he was being crucified, watching this Major masturbate behind this curtain while he was being tortured.

There are some unbelievable stories here, but Colonel Tin was a good cop. Here is my closing proposition.

Mr. MANZULLO. Could you close within 1 minute, Congressman?

Mr. DORNAN. I will.

Mr. MANZULLO. We have two more panels.

Mr. DORNAN. I will. It is 30 years coming out of me here.

Mr. MANZULLO. I understand.

Mr. DORNAN. I will get 30 years out in a minute, Mr. Chairman.

Mr. MANZULLO. I understand.

Mr. DORNAN. Here it comes.

Mr. MANZULLO. One more minute, and I will gavel you down.

Mr. DORNAN. Here it comes, Mr. Chairman. I will play bad cop. Ben Gilman will bad cop. You play good cop.

We will hold up the money on setting up the embassy. You keep telling them look, we are trying to do what we can, but we have hot Congressmen and Senators here who have the goods on the Politburo archives, on the central committee archives, on the 260 remains and on the underground prison in the hills that are not at the coordinates that the team went out up in the hills, the mountains, the underground prison. It exists. It is in a military secure zone where you are not allowed to go.

You play good cop. I honor you. We will play bad cop. You honor us. We will now move into the future and whiplash them properly. We will probably keep them on track as our American businessmen run over there to get burned as they are getting burned in Moscow.

Thank you, Mr. Chairman.

Mr. MANZULLO. Thank you, Congressman Dornan.

Ambassador LORD. Can I make a couple of comments?

Mr. MANZULLO. Mr. Ambassador, I appreciate that. We have six more people, many of whom have to catch airplanes, and a dwindling number, but please go ahead and take a couple minutes.

Ambassador LORD. I will just take one minute—

Mr. MANZULLO. That would be fine.

Ambassador LORD [continuing]. As a courtesy to Mr. Dornan. It is not trying to make any debating point.

Mr. MANZULLO. I understand. Please go ahead.

Ambassador LORD. No. 1, I always act as if I am under oath. I want to make that clear. I do not see any difference. You do not lie no matter where the hell you are.

If you want us to take oaths, I would be happy to do it. I do not think it is necessary. I believe under procedure anyway if you testify and you do not tell the truth, you are in deep trouble. That is not the point here. I think we all agree that we get the truth out.

On the information that came from Steve Young, he is a very old friend of mine. We are in constant touch. I want to look at this information to see if there is anything new, and then we will get back to you.

I want to make it very clear that we are concerned about these cases. I have raised them. One of them I believe is not an American, Mr. Doan, but we will get this squared away.

The other one you mentioned we have had access to. There was one previous suggestion he was on a hunger strike. We went to see him, and he had not been. That does not mean he is not on one now. We will check all of this out.

Finally, on the bad cop/good cop, no, I do not agree with your suggestion. I have not been a good cop in the sense that you mentioned. I am not about to be one now. I will not be a good cop, nor will I be a bad cop. I do not want you to be a bad cop. I think that is too simplistic.

I think we have to be firm and tough, but I am not going to be a good cop in the sense of being overly polite or trusting, and I do not think you should be a bad cop in being unfair. I think we have

to be more balanced in both our roles. I will certainly work closely with you, but I do not like the title.

Mr. DORNAN. I will rephrase it. Tough cop/tougher cop. We will get the information.

Thank you.

Ambassador LORD. I do not agree that you are any tougher than I am.

Mr. MANZULLO. Everybody is a tough cop today.

We appreciate your testimony. I appreciate very much the testimony of this panel. It has been a very long afternoon. Thank you for setting aside your schedules and coming to speak for the House of Representatives.

Before you leave, we have Congressman Duncan Hunter, a member of the National Security Committee.

Mr. HUNTER. Thank you, Mr. Chairman. I think it is all of our duties to be here. That is our job. Thanks for being here.

Mr. Sydow, you testified before Mr. Dornan's personnel committee several days ago. Is that right?

Mr. SYDOW. Yes, sir.

Mr. HUNTER. My understanding, and this was reflected in a couple of national columns that I saw, was that you testified at that time that in your professional opinion, there were still a number of sets of remains in North Vietnam or in Vietnam. Is that right?

Mr. SYDOW. That is not completely precise, sir. We were dealing with the issue of the mortician. I have dealt with it twice this morning and afternoon before the committee. It simply is that if we take that particular witness' perceptions as completely valid, that there would be evidence of 100 or so remains.

The information is dated 1979. We have since been given documents which indicate a great deal more about what the Vietnamese are doing about those remains. We continue to pursue that issue aggressively.

Mr. HUNTER. That guy undertook several lie detector tests, did he not? A number of them?

Mr. SYDOW. Yes, sir. We consider him a valid witness, a credible witness.

Mr. HUNTER. So if you believe him and what he said he saw, there are another 180 such remains that have not been turned over?

Mr. SYDOW. The chairman, Chairman Dornan at the time, went through a logic which is he estimated that there were 400. At the time of his estimate, he included remains that would bring that total down to about 255.

In the interim period from then to now we have had returned over 160, and I think both Chairman Dornan's arithmetic and mine means that there is about 100 left as a discrepancy. Now, that information is dated today.

Mr. HUNTER. Well, everything is dated.

Mr. SYDOW. Yes, sir, and we have learned a lot since then. We need to look on that as good evidence.

Mr. HUNTER. Let me ask you a question. Have you seen any evidence that directly controverts that that you hold in just as high a regard?

Mr. SYDOW. No, sir.

Mr. HUNTER. So in your professional opinion, are there over 100 sets of remains left there?

Mr. SYDOW. We have to define what we mean by held. What the documents show us is a remains recovery process that is very complex. I can give you an example, a specific example.

We have a case where remains were returned, and the case is on its way to being resolved, which shows storage. What that meant was the remains were buried and then reburied in a centralizing location. When the Vietnamese went back to recover, they could not recover it all so they just gave us partial.

That information does not equate to somebody withholding anything. It is a mistake in the process. We are working with them to clarify all of these records and the——

Mr. HUNTER. But they still gave you a partial set of one man's remains, right?

Mr. SYDOW. That is correct.

Mr. HUNTER. So in that case, that set satisfied at least the identity of that particular person?

Mr. SYDOW. That is correct, sir.

Mr. HUNTER. Now, this guy said there were, according to his testimony and his lie detector passed tests, over 100 sets of remains left. Unless they made a terrible mistake and buried them beyond the point of retrieval, then this guy's testimony is to the effect that there are over 100 sets left. He passed his tests.

In his professional opinion, are there 100 sets left, whether you say they may have been reburied or something may have happened to them. In your professional opinion, are there 100 sets still over there?

Mr. SYDOW. There are 100 to get at least and possibly more. I think the numbers do not tell us something here.

Mr. HUNTER. Then my question to you is have the Vietnamese Communists not said that they basically have given us all the sets that exist?

Mr. SYDOW. They have said that.

Mr. HUNTER. So those two things are in contradiction, your evidence and what they said?

Mr. SYDOW. If we examine your assumptions, if the man is correct and if a mistake has not been made that they made——

Mr. HUNTER. But I am examining your assumptions, Mr. Sydow.

Mr. SYDOW. OK.

Mr. HUNTER. I have not seen this guy or the tests that were administered to him, but I know when you testified you held him as a valid witness who had told the truth and passed all of his lie detector tests and was the professional mortician who treated these things with chemicals or something and, therefore, had personal knowledge.

If you take your assumption that he is valid and he said there are 100 sets left and the Vietnamese say there are not any left, there is a contradiction between the two positions. Is that right?

Mr. SYDOW. That is correct, but you are assuming that he is precisely correct in the number that he chose, and you are——

Mr. HUNTER. I am just saying in excess of 100.

Mr. SYDOW. My thesis is that mistakes were made and that as we open up the process we will find out what he meant. We will get to the bottom of the answers.

Mr. HUNTER. The staff has given me a picture. I guess it was a picture taken from the Vietnamese archives of Navy Lieutenant Nordahl. Apparently he is in a state of treatment here in this photo that they took.

His remains have not been returned. I presume there are other cases like that where you have people whose identity you fixed and did not come back. Has that case been resolved to your satisfaction?

Mr. SYDOW. No, sir, but with respect to the family who we are putting on the spot here, I will say in this case the Vietnamese have been very cooperative in helping us get to the answers in this case.

It is one of the cases where they allowed us to exhume a whole public cemetery to find this man's remains. We exhumed a whole public cemetery near the City of Hai Phong to find where they had buried this man and were unable to do so.

Mr. HUNTER. Thank you, Mr. Chairman. I appreciate it.

Mr. MANZULLO. Thank you. Again, we thank this panel very much. We appreciate your patience and indulgence. I am sure we will see you again soon.

We are going to put the next two panels together to accommodate the travel schedules and so we still have some members remaining.

Mr. Richard Childress, president of Asian Investment Strategies; Mrs. Ann Mills Griffiths, executive director of the National League of POW/MIA Families; Mr. Carl Ford, Jr., president of Ford & Associates; Mr. John Sommer, executive director of the American Legion; Mr. Paul Spera, senior vice commander in chief, Veterans of Foreign Wars; Mr. Bill Bell, president, National Veterans Research Center.

The first one to sit down gets to speak first. Mr. Childress, as soon as you sit down, I am going to strictly enforce the 5-minute rule so everybody has an opportunity to give a statement. Tell me when you are ready to go, and I will turn the green light on.

Mr. CHILDRESS. I am ready.

STATEMENT OF RICHARD CHILDRESS, PRESIDENT, ASIAN INVESTMENT STRATEGIES, ACCOMPANIED BY CARL FORD, JR., PRESIDENT, FORD & ASSOCIATES; ANN MILLS GRIFFITHS, EXECUTIVE DIRECTOR, NATIONAL LEAGUE OF POW/MIA FAMILIES; JOHN F. SOMMER, JR., EXECUTIVE DIRECTOR, AMERICAN LEGION; PAUL SPERA, SENIOR VICE COMMANDER IN CHIEF, VETERANS OF FOREIGN WARS; AND BILL BELL, PRESIDENT, NATIONAL VETERANS RESEARCH CENTER

Mr. CHILDRESS. Mr. Chairman and other distinguished members, I am sorry Congressman Gilman is not here. I did want to say publicly, though—

Mr. MANZULLO. He will return shortly.

Mr. CHILDRESS [continuing]. Commending his long, long involvement in this issue. In the days when I was in the Reagan administration, he was task force chairman.

We had good bipartisanship at that time and focused less on process and more on getting a job done and that normalization might result from that focus instead of normalization as an objective that may solve a problem

Mr. MANZULLO. Mr. Childress, could you put the mike a little bit down and a little bit closer to you?

Mr. CHILDRESS. Certainly.

Mr. MANZULLO. Thank you.

Mr. CHILDRESS. I turn now to substance. I have a 14-page statement to put in the record. I am going to summarize very quickly.

Mr. MANZULLO. All statements will be submitted to the record without objection.

Mr. CHILDRESS. I am a proponent of normalization under certain circumstances that are not here now, despite yesterday's announcement. The current proponents' tortured rhetoric on business opportunities, strategic benefits, human rights benefits and POW/MIA is at an extraordinary and sometimes obscene level.

In my prepared testimony I take on each in depth, but briefly, Vietnam is not even close to being a new tiger in the economic sense, much less a newborn cub. The ultimate species is even in doubt. To paraphrase the Economist, something is still smelly in DOI MOI.

Bribery exists from top to bottom. The Communist Party is still in charge of business. Legal codes are not enforced. As much as 40 percent of the economy is underground, and over half of the imports are smuggled. If Vietnam grew today at a 10-percent rate for a complete decade, they would not even be where Indonesia is today.

Strategic benefits are another new reason posited. We do have concerns with the PRC, especially in Southeast Asia in the Spratly Islands, but by all measures—geography, population, economic clout, power projection capability, weaponry, including nuclear weapons—Vietnam will never be a counterweight to the People's Republic of China.

Integration into ASEAN, which we properly supported, and the attendant regional fora is what the PRC will respond to in this regard, but with or without the presence of a U.S. Ambassador.

The argument that the abysmal human rights environment will improve is overstated as well. The China experience gives little credence to the presence of business or an Ambassador to effect human rights except on the margin. The Politburo views human rights activities as a direct threat to their rule and their vital interests and a Western plot.

On POW/MIA, multiple assessments from wartime to now confirm that Vietnam went to great lengths to keep track of American personnel, alive and dead, who came under their control. This known system was further corroborated by admissions to me personally by the Vietnamese, forensic analysis of remains, archival documents, and witnesses.

A special national intelligence estimate, SNIE, was conducted while I was in the Reagan administration in 1986 and 1987. Several followup analyses were conducted by the Defense Intelligence Agency in the 1990's, and a case by case review is underway.

All have concluded at this point that Vietnam could account for hundreds of Americans through the unilateral return of remains and more thorough, full cooperation on archives. Sworn testimony here and last week has confirmed to me that nothing has changed despite the tortured way we got to this point.

Does that mean I have to quit?

Mr. MANZULLO. One minute.

Mr. CHILDRESS. All right. Under a policy of strict reciprocity in the Reagan and Bush administrations, 208 Americans were accounted for. The vast majority were from unilateral repatriations of stored remains.

Incredibly, the Clinton Administration now believes it is a positive sign that Hanoi has stopped returning stored remains. The reason for that is under this policy of incentives in advance, they have only accounted for 30 people and only eight since lifting the embargo.

None were from unilateral Vietnamese action because, Mr. Chairman, they are not going in the back room and saying here is what we want. Here is what we can give you. Let us negotiate. That was our approach.

The rhetoric, "superb and outstanding", is totally overinflated, and the measurements are wrong. They have also changed definitions of what the word unilateral means. It means stored remains. It meant that in the road map. It meant that in the Reagan administration. It was not about fragmentary remains from villagers, which they are now counting.

I heard earlier today that Vietnam was a new country. Quite frankly, the best count is for the 56 years from 1935 to 1991 a total of 30 people were in the Politburo. They are not yet in a hurry. We should not be. They are in a phase of their strategy. As long as we do not have continuity, they will continue to approach it in jugular terms, and we will continue to do it in capillary terms.

Thank you, Mr. Chairman.

[The statement of Mr. Childress appears in the appendix.]

Mr. MANZULLO. Thank you.

Mr. Ford.

STATEMENT OF CARL FORD, JR., PRESIDENT, FORD & ASSOCIATES

Mr. FORD. Mr. Chairman, other distinguished members of the committee, I am sincerely honored to appear before you today.

You have my prepared remarks, and rather than read excerpts from them I will simply add a few comments regarding yesterday's announcement, which came after I submitted my written statement.

I have long felt that it was sensible for the United States to normalize relations with Vietnam, but I also thought the decision by three Presidents to leave the timing of normalization up to Hanoi, based solely on its willingness to cooperate with us in achieving the fullest possible accounting for our POW/MIA's, was both a reasonable and honorable position to take.

The decision announced yesterday represents a change in direction for U.S. policy. We as a country are apparently no longer prepared to wait for Vietnam to do the right thing. Although much

was said yesterday about the level of Hanoi's cooperation on POW/MIA's, this is only a half truth.

As you will see in my written remarks, the level of Vietnamese cooperation is no better and in certain key areas worse than it was a few years ago. What has changed is the range of activities this administration uses to calculate Vietnam's effort.

In past administrations, progress was judged in terms of the results from Hanoi's efforts in several key areas. Other activities, such as field investigations, judged to be more show than substance, were specifically excluded from our calculations. This is no longer the case.

Some may argue that the standards set by past administrations were too tough, that we raised the bar too high. This may be true. My purpose is not to argue who is right or wrong on this point, but simply to note that the progress noted yesterday is not based on a change of Vietnamese behavior, but rather on a lowering of the standard used for judging the degree of Hanoi's cooperation.

I find it ironic and profoundly sad that as we close out one era in our relationship with Vietnam and begin another we do not seem to have learned much from our experiences from the 1960's.

Beyond the personal tragedies that both sides experienced during the war, one of the greatest losses was the American people's trust in government. Officials, fearing that the public would not support their policies, chose too often to shade the truth such as after the Tonkin Gulf incident or either lie outright as during the bombing of Cambodia. Because officials did not have the courage to tell us the whole truth and nothing but the truth, our system of government based ultimately on trust was damaged.

I hoped that we had learned this lesson. Yesterday's comments on Vietnam's cooperation as an important basis for normalizing our relations with Hanoi suggests that we have not.

Thank you. I look forward to your questions.

[The statement of Mr. Ford appears in the appendix.]

Mr. MANZULLO. Thank you, Mr. Ford.

Mrs. Griffiths. Jane Durgham Powers resides in the congressional district that I represent. I understand you are a good friend of hers.

Mrs. MILLS GRIFFITHS. Yes.

STATEMENT OF ANN MILLS GRIFFITHS, EXECUTIVE DIRECTOR, NATIONAL LEAGUE OF POW/MIA FAMILIES

Mrs. MILLS GRIFFITHS. Mr. Chairman and members of the committee, I was going to say to Mr. Gilman that it is an honor, that the first time I have been before his committee, to be able to call him Mr. Chairman. I know others of us were also equally honored, but particularly in view of his very long and well known interest in the issue.

I welcome the opportunity to be here. I did have a prepared statement. I would ask that it be included with its attachments in the record. There is insufficient time.

With the background that these two gentleman have, I would rather just hear more from them. They were the two that were responsible for 12 years for generating the policy that the 3 analysts

were operating under during the entire time of the Reagan administration and the Bush administration.

I participated in that policy making and development group, known as the interagency group. During that time, there was not the lack of integrity, the total obfuscation, the lack of honest answers and the nonsense and failure to answer anything directly that I heard today.

I have to say also that it was much more honest in some cases when they were under oath, but I agree that I feel like I am under oath whether or not given, so I agree with Ambassador Lord on that.

I would like to hit only on a couple of things that I saw in the media and statements that I heard today. I saw Senator McCain said, "I think it is going to be about a 48 hour story."

I would tell Senator McCain that amongst his many inaccuracies that I have seen stated over the last 3 years of his specific efforts to have the steps taken toward Vietnam, not to mention 10 years ago, as Congressman Dornan pointed out, that there have been many inaccuracies.

One of the most egregious was the statement that the Vietnamese had met the roadmap criteria established during the Bush administration, which Carl Ford and I participated in writing. Both of us can stand under oath and say that is blatantly false on the POW/MIA criteria.

As far as the White House saying that Vietnam has cut the number of last known alive MIA cases to 55, I think it finally got so confused that nobody knows how many are left.

I will say this. Nobody ever mentions that there are 77 cases, 139 people, last-known-alive cases, in Laos, over 90 percent of whom were lost in areas controlled by Vietnam. It is to Vietnam that you must look to resolve those last-known-alive cases that you certainly never heard about during all the great blather and congratulations of the last several weeks and days.

Also I saw a quote from an unnamed White House official that, "Vietnam has pressured Laos to begin accounting for the approximate 600 Americans missing there." That is absolute nonsense.

If anything, I think in some cases the Vietnamese held them back earlier, but we get much more integrity out of the Lao when we do get cooperation. It is just much more difficult to get it, because they did not have a process of thorough control over the country and collection and retention of evidence on Americans and their remains.

As far as the silly chronologies I have seen printed in the papers, there was a large gap in one that I saw today. The gap was from 1979 to 1988. I cannot remember exactly how many official delegations I was on to Vietnam during the Reagan administration and Bush administration combined, but it was a lot. There was no lack of dialog; there was just a whole lot more results.

I also heard a statement made today that we have had increased cooperation since the embargo was lifted. That is absolute poppycock. We have had eight Americans accounted for as a result of United States/Vietnam cooperation since the embargo was lifted.

There have been remains returned, but, unlike what General Wold said, zero by unilateral Government of Vietnam efforts. That

is a fact. They are now redefining unilateral, as I think was mentioned by both of these gentlemen.

It is absolutely appalling the amount of propaganda that I have seen. I heard Ambassador Lord's quote that it is two-thirds of the American people that support normalization. That figure, he said, has steadily increased.

Is it any wonder that it has increased with the redefinition of terms, the redefining of what progress is, the total nonsense coming out in what the CINCPAC and JTF and DOD call the active public affairs approach by our government to skew relevant information? It is no wonder. They are misleading the Congress, the American people and the Vietnamese in the process.

I will be even briefer. The President's statement that there were 29 Americans returned in the last 17 months and accounted for, the President would not have known this on his own. It is being spouted out of DOD again.

They are counting the number announced, not the number accounted for during that time; again, one of those slightly not totally inaccuracies, but just a little bit shaded to try to color the attitudes of people who are making decisions on the relationship with Vietnam.

There are many other things that I heard today that I find unbelievable coming out of the U.S. Government. They were not heard in earlier administrations in which I participated, but I would be glad to answer any questions. Believe me, I can back it up with U.S. Government documentation.

One of the things that I heard today that astounded me is now recounting the number of remains that our own Government expects Vietnam to be able to locate and provide. That, too, is new information, since the hearing under oath on June 28 apparently because, it was not mentioned there.

[The statement of Mrs. Mills Griffiths appears in the appendix.]

Mr. MANZULLO. Thank you very much.

Mr. Sommer.

STATEMENT OF JOHN F. SOMMER, JR., EXECUTIVE DIRECTOR, AMERICAN LEGION

Mr. SOMMER. Thank you, Mr. Chairman. I would like to begin by thanking Chairman Gilman for his many years of persistent work in attempting to bring about the fullest possible accounting of our POW's and MIA's and also for holding this hearing today.

I would ask that our full statement be entered into the record, and in the interest of brevity I will just hit a few points.

Chairman GILMAN. Without objection.

Mr. SOMMER. Thank you, sir.

I would like to begin by saying that candidate Clinton told the delegates to the American Legion's national convention in Chicago in 1992 that he would not normalize relations with Vietnam until the fullest possible accounting was achieved, should he be elected. That statement was reiterated on a number of occasions subsequent to the time that he was elected President.

In 1993, President Clinton made it clear to the Vietnamese that no further steps would be taken toward normalization until concrete progress was made in four areas. Those have been talked

about before, but I will mention them again—remains repatriation, live sighting investigations and field searches, trilateral investigations, and turning over of relevant documents that would assist in the resolution of cases of our missing American servicemen.

As far as the American Legion is concerned, little progress has been made in any of these areas, at least to the point that it could be considered concrete progress.

Another problem that we have is with respect to the interpretation of cooperation. Returning congressional delegations and administration representatives have talked over the last year or year and a half about the glowing cooperation they are getting on the part of the Vietnamese. The cooperation that they are actually getting is that for which Vietnam is being paid substantial sums of money to assist the joint task force—full accounting and the crash site excavations.

What is needed is unilateral cooperation on the part of the Vietnamese in the recovery and repatriation of remains and collection and turning over of documents, particularly those which would be helpful in resolving cases of missing American servicemen. That is just not happening to the extent that it should be.

I must respectfully say that in listening to the earlier witnesses this morning that we do not agree with Representative Pete Peterson's position on normalization. However, there was one thing that he said that the American Legion is in total agreement with, and that is that we must not leave our soldiers on the battlefield in the future.

That was reminiscent of a statement that I made on behalf of the American Legion during the meeting with the members of the Presidential delegation prior to the President's announcement of his lifting the embargo on February 4 of last year. At that time I said that if we have learned one thing from the POW/MIA experience in Vietnam, it is that it must not happen again.

We went on to urge the President to take action to establish protections for the current members of the military and those who will be serving in the future. Because of the types of military actions that they are becoming involved in, they are not covered by the Geneva conventions or any other types of protection should they be captured by the enemy.

Later in 1994, following our discussions on this matter, there was a resolution that began winding its way through the United Nations, which has yet to be ratified. We do hope that there will be finalized action on that and that it will be ratified by the end of this year.

Notwithstanding the fact that the U.N. resolution may be ratified, this only covers U.N. sanctioned actions. Therefore, the American Legion would urge that this committee explore what needs to be done to protect the members of our military now and in the future.

In closing, I would like to say that the American Legion's goal continues to be the fullest possible accounting of our men who are missing in action in Southeast Asia, and truthful and forthright answers from the government to their families.

The American Legion will not break faith with these missing Americans or their families, as I mentioned a moment ago. We will

simultaneously work to ensure that this never happens to any member of the United States Armed Forces in the future.

Mr. Chairman, that completes my summary.

[The statement of Mr. Sommer appears in the appendix.]

Chairman GILMAN. We thank you for your statement.

Mr. Spera.

STATEMENT OF PAUL SPERA, SENIOR VICE COMMANDER IN CHIEF, VETERANS OF FOREIGN WARS

Mr. SPERA. Thank you very much, Mr. Chairman. It is a pleasure for me to be here to present to you the views of the Veterans of Foreign Wars and to first thank you for these hearings to try to get an answer to the question of when we will get a full accounting in Vietnam on our POW/MIA's.

Let me begin by saying that the commander in chief, Gunner Kent, has determined that it is time for a new direction. The official policy of the VFW today is that if, and I emphasize that word, by normalizing relations with Vietnam we can further the process leading toward our goal of the fullest possible accounting, then the VFW can support that decision.

Let me continue by saying what that does not mean. The goal of the VFW is now what it always has been—the fullest possible accounting for those individuals. We are not moved by the concerns of American business. It is not for us to be involved in the issues of regional security. In this issue we speak only for the missing, and they are our only concern.

We recognized early on that the fate of American's missing in Southeast Asia was in the hands of the Vietnamese and that their unilateral actions were the best means of resolving the heart-wrenching questions of the families of those missing. Nothing will be accomplished in the search for answers without the fullest cooperation of the Vietnamese leadership and their people.

While there has been some success in various areas such as archival research, without supporting documents it is difficult at best for us to form an independent determination on the accuracy of the conclusions which were reached. This is definitely an area where more must be done unilaterally by the Vietnamese.

On the major sticking point, the discrepancy cases, the Americans last known alive in captivity, this issue beyond all others cries out for unilateral Vietnamese actions. This is the area where the sincerity and willingness of the Vietnamese to deal with this issue are constantly being tested, and this is where unilateral actions on their part are indeed the most necessary.

In sum, the message that I need to leave today as the senior vice commander in chief of the Veterans of Foreign Wars is that we are not out of this discussion. We are now, as we always have been, consistently concerned with the return of those POW/MIA's and the information to put the questions of the families to rest.

In a few short weeks I will assume commandership of this organization, and I can assure you that we will remain a player. I can assure you that we will hold everyone involved to the highest standards to answer those questions for as long as I am a member of the VFW.

Thank you for your time.

[The statement of Mr. Spera appears in the appendix.]
 Chairman GILMAN. Thank you, vice commander.
 Mr. Bell.

STATEMENT OF BILL BELL, PRESIDENT, NATIONAL VETERANS RESEARCH CENTER

Mr. BELL. Thank you very much for the opportunity to testify here today. I have just a brief statement, and I would like to have the entire statement entered into the record if that is possible.

Chairman GILMAN. Without objection.

Mr. BELL. I believe a hearing concerning this issue today is most appropriate because only yesterday our President made an historic decision to normalize diplomatic relations with the Socialist Republic of Vietnam.

Recent comments by those in favor of this move have been designed to encourage veterans across the country to put the Vietnam war into the past. The slogan used by the Communist officials in Hanoi and mimicked by some here in America is "Vietnam is a country, not a war."

Considering the importance of the POW/MIA issue and human rights to veterans, perhaps it would be more correct for us to say that the Socialist Republic of Vietnam is a country established after the conclusion of the Vietnam war.

The desire to erase the full war or the desire to erase the war from the collective memory of our Nation prior to a full accounting for those who answered our Nation's call does not bode well for America's future as the leader of the free world.

It appears that the same spiritual poverty that allowed our leadership to abandon American POW's and MIA's after World War II, the Korean war and the cold war is destined to cause the abandonment of 2,202 more Americans in Vietnam.

Noticeably absent from the recent rhetoric concerning the diplomatic initiatives toward Vietnam are several fundamental aspects related to the overall POW/MIA accounting process.

We are told that improved relations will help the Vietnamese people in their quest for democracy and human rights. If this dream on the part of our leadership is realized, it would have undoubtedly been appreciated by the 58,000 Americans who gave their lives for the cause of freedom in Vietnam. However, for those of us who are still living, we are more interested as to when these political changes in Vietnam might occur.

We are also told that there are opportunities for trade in Vietnam and that this will be good for our Nation as a whole. Since Vietnam has a per capita of approximately \$200 per year and a national habit of rescheduling debts, those of us who are taxpayers have a great deal of apprehension concerning the source of capital for this anticipated economic boom.

There are also those who hold the opinion that Vietnam can serve as a buffer to China enhancing regional stability. Scholars who understand the age old relationship between these two coexisting Communist nations will most likely find this view to be inconsistent with reality.

The political and economic aspects notwithstanding, the centerpiece for this new initiative is apparently the likelihood for even

better cooperation from the Government of Vietnam in accounting for MIA's in the near term.

Veterans unable to predict the future can only monitor the process to see whether the fullest possible accounting is truly the objective of our Government's efforts or merely one possible byproduct of the new relationship motivated by other factors.

Veterans have certainly taken note of the fact that in the ensuing 17 months subsequent to the President's lifting of the trade embargo, only 8 Americans have been accounted for in Vietnam.

Although the United States Government claims that Vietnam is doing everything it can to account for the 2,200 American personnel still unaccounted for in Indochina, this contention is not supported by facts.

On the contrary, all available evidence suggests that the Vietnam Communist Party could rapidly account for a significant number of MIA cases, especially the 95 men associated with the special remains cases who either died due to disease or were executed in wartime prison camps or whose remains have been depicted in photographs released by Vietnam.

Evidence of a complex wartime recordkeeping system indicates that Vietnam could also provide important information on many of the 305 last known alive discrepancy cases, as well as crash sites and grave sites.

At this point, Mr. Chairman, I would like to enter into the record, if possible, a research document that I and my colleagues have done which outlines the Vietnamese knowledgeable concerning the overall accounting effort by them.

Chairman GILMAN. Without objection, it will be made a part of the record.

Mr. BELL. Reinforcing the argument against claims of outstanding Vietnam cooperation by the current administration, captured wartime documents and sources provided overwhelming evidence that as a part of their training, PAVN forces were given detailed instructions concerning the handling of American personnel captured or killed on the battlefield.

According to those instructions, "A detailed file was to be prepared on each POW as soon as he was brought to a detention camp. With regard to the deceased ones, records should be maintained listing such information as deceased date and burial location. Personal belongings of the deceased should be carefully kept. Similar records were to be prepared for the U.S. POW's who escaped, were missing, became lost, or were killed by enemy bombing."

Some of the testimony we have heard thus far, Mr. Chairman, raises several issues with me. I think the poll that we have heard recently saying that Americans are two to one in favor of normalization with Vietnam indicates that the people of this country have not been given the facts.

This morning we heard that the KGB is not cooperating in giving documents to the joint Russian task force. We have also heard from General Wold, who testified this morning that during the time he was in the attaché office in Moscow he was not allowed to travel. He had to have counterparts accompanying him wherever he went.

The first thing that comes to mind when you hear this type of situation is why do we not normalize or extend diplomatic relations to Russia? Of course, we already have, and it is obvious that this may not be such a critical factor in dealing with the Vietnamese.

We have also heard testimony about how the 193 discrepancy cases in Vietnam have been reduced down to 55. The important point that was not stressed is that there is not one shred of evidence that even indicates that those 55 men remaining are dead.

The other obvious implication in this testimony is that we have 160 men on that discrepancy list who have been declared dead on hard evidence. Twenty-five have been declared dead on remains, which we do consider empirical proof.

The hard evidence to declare these 160 men dead cannot be any stronger than the same hard evidence that we have saying that the Vietnamese are holding remains and that the Vietnamese had men in their custody who have never returned.

The mortician testified that he processed some 260 remains. Another report that was not mentioned is the report from a source in Bat Bat Prison who claimed that he observed approximately 600 remains. What is not clear is if the remains observed by this source are one and the same with the remains observed by the mortician.

Chairman GILMAN. If I might interrupt, the mortician came before a committee, and I was present when he testified, and indicated 400 sets of remains were being warehoused.

Please continue.

Mr. BELL. Yes, sir. The second source was also polygraphed and did pass that test. He claimed that the remains he saw were stored on shelves in a warehouse in plastic bags.

Subsequent to the testimony of this individual, we have received numerous remains with plastic adhered, indicating that they were in fact stored in plastic bags. We have also gone to that particular site in conjunction with the investigation of another case, and I have personally observed that the facility described by this source matches exactly the sketches that he prepared when he was interviewed in refugee status.

Also we hear about the difference between the State government and the central government. In other words, the central government will cooperate, but the state will not cooperate or the province or the district, et cetera. In Vietnam, you have a Communist Party in charge of the country. The government is one and the same.

We have also heard testimony about 1,750 live sightings, and after investigating these live sightings there is not one shred of evidence that there are any Americans remaining alive.

What was not mentioned in conjunction with this testimony is the fact that these 1,750 reports are firsthand, personal live sighting observations. The other thousands of reports, which were hearsay reports, were never considered in this equation.

Out of the 1,750 reports that were considered, only 100 were selected for investigation. Only the very first report investigated in early 1992 was investigated on an almost no notice basis.

The remainder of those reports, all the information pertaining to those reports has been given to the Vietnamese far in advance concerning the circumstances and the locations of the sighting, and Vi-

etnamese security personnel have always accompanied the investigator.

The comment today about exhuming an entire cemetery for the man in the photograph that we all observed, and I think it was Lieutenant Nordahl, only illustrates how the Vietnamese can move to revenue enhancement by keeping remains and having us dig up entire cemeteries where we have to hire Vietnamese personnel.

During the time that I was in charge, we paid those personnel \$25—I do not know what the figure is today—for labor. They received \$1.75. The remainder went to the Communist Party. Cadre working with us, the many hundreds of cadre, were paid at the rate of \$40. They received \$5.

We had a system set up where the Regional Contract Office in Singapore, the Regional Contract Office of the U.S. Navy, would make cash payments through the Bank of America and then electronic transfer into the External Affairs Section of the communist party's Central Committee.

It is my belief that paying millions of dollars in cash to a small, elite political group will only entrench their totalitarian regime in Vietnam and postpone freedom for the Vietnamese people.

Thank you.

[The statement of Mr. Bell appears in the appendix.]

Chairman GILMAN. Thank you, Mr. Bell.

We are going to recess until the vote is over. Our Members have dashed off to try to get back quickly. If the panelists would be patient, we will come back as quickly as we can.

The committee stands in recess until the vote is concluded.

[Recess.]

Mr. MANZULLO. Let us resume. You are such a patient group of people this afternoon. Thank you so much.

I have one question that I would like to ask to each of the panel members. I am just going to throw it up for grabs and let each of you answer it in whatever turn that you want to do it so you can be free to interact with each other.

A 1987 DOD memorandum based upon a Rand Corp. analysis of France's earlier experience with Vietnam in gaining return of French war remains said:

We can anticipate that Hanoi's objective is to obtain increasingly large economic and political concessions in exchange for piecemeal release of remains and information about our missing servicemen.

Is what we are witnessing once again not a repeat of the French experience in accounting from Vietnam, and why would anyone now believe a leopard can change its spots?

These are the questions that Mr. Gilman had asked me to request of the panel.

Mr. Childress, you spoke very, very quickly. Why do you not go first?

Mr. CHILDRESS. OK. You will not turn a light bulb on me this time?

Mr. MANZULLO. I am not going to turn it on. If I turn the light on, it is for me. Since I am the only one here, we will just leave it off.

Mr. CHILDRESS. In the main, there are a lot of parallels. Vietnam, when I was negotiating with them in the mid-1980's, they, of

course, were occupying Cambodia with a quarter of a million troops. Normalization was nowhere near as a discussion item.

My approach to them was that after a Cambodian settlement there may be a chance for normalization if they in fact work on the POW/MIA issue, but there is no payment. There is none of the rest, but to pre-position themselves for what they want as their objective.

We saw increasing numbers of remains coming out, and in fact what this administration is not saying is that the stored remains were coming out during the period when we gave them nothing. All of these stored remains came out of the warehouse before any liaison offices, before the trade embargo was lifted, before any of this. We had more accountability before we gave them incentives than after.

In terms of strategy, clearly knowing that it is Vietnam's strategy to have political or economic advantage, the idea is to put that at the end of the process and not before it. That is the only way you could motivate Vietnam to respond.

What is happening today is that in fact the Vietnamese have no reason to respond because the split Politburo is sitting there the Ministry of National Defense and Interior, the people that are holding the answers, not the reformers who are telling the people in the Politburo to resolve this. Why should we move when the Americans are giving us what we want anyway?

Our policy is reinforcing the wrong side of the Politburo. What we need to be positioned is that the reformers and the hard core in the Politburo realize that the United States will not move forward until certain questions are answered.

That takes serious negotiations. That takes someone to go up there very quietly, get rapport like we did for 8 years, sit down, give them the list of what our requirements are for resolution and say at the end of that period we will now start the modalities for normalization.

That is not the process that is going on. It is very visible delegations. It is praising everything that comes out because the process is aimed toward normalization, not resolving the problem.

Mr. MANZULLO. Does anybody else want to comment?

Mrs. Griffiths, you were absent when we asked the question, but essentially we are talking about Mr. Gilman's question, which is a dual quid pro quo.

In other words, should it be the posture of the United States to extend diplomatic relations and eventually GSP, EX-IM, OPEC, etc., based upon the openness of the Vietnamese Government, or, on the other hand, is the Vietnamese Government holding back remains in order to exact a better economic concession?

I had asked that question of the entire panel, but why do you not go ahead and answer that question, if you would like?

The rest of the members, please feel free to chime in your answers.

Mrs. MILLS GRIFFITHS. I am sorry I was late getting back. I did agree. I heard a lot of what Dick Childress said and agreed with what I heard him say coming in. I do not know who else might have reacted already.

I would say that we strongly disagreed, and for many of the reasons that Mr. Childress just outlined, because we keep meeting Vietnam's objectives in advance so that in fact we do take away the incentive for them to respond. The historic record proves that.

Although the League supports a policy of reciprocal steps by the United States, we have seen that consistently eroded. As I mentioned earlier, case in point was the road map where as Vietnam met criteria on Cambodia, the United States Government responded.

The POW/MIA criteria, even in the first phase, and Mr. Ford may have already addressed this or certainly could since he was there and helped draft it, those two major criteria that were front-loaded. The first steps of the road map were not met and have as yet not been met. Both of them concern unilateral actions by the Vietnamese.

I was quite astounded to hear the fuzzy rounding of numbers and different information that came up today. It is quite clear from U.S. Government evidence. You have shown one picture; there are many others.

This book right here is what the League delegation took to Vietnam in March of 1994. The veterans here with us and I were on the Presidential delegation in July of 1994 on the basis of this U.S. Government evidence that was in that book.

The Vietnamese made a commitment to renew and increase their unilateral efforts. They subsequently did form MOI, Ministry of Interior, and Ministry of Defense teams. Unfortunately, our own government then limited that Vietnamese response and initiative by trying to focus it in solely on records instead of allowing Vietnam to run with that initiative, of forming those teams, which they clearly understood was meant for them to be able to work together to return remains that our own Government has long stated are available and should be able to be located and made available by the government of Vietnam.

As far as the other economic steps that are pending, the President promised us in a meeting before the public announcement yesterday that we would have input into any further decisions on such questions before they made the decisions.

Quite frankly, speaking for us, at least, the consultation so far has been no more other than the one Presidential delegation I referenced. It has largely been for photo opportunities and ceremonies rather than any input in advance of a decision made.

Case in point was the embargo decision last year. Clearly everyone was called over to do the photo opportunity, but with the courtesy of being informed in advance.

Mr. MANZULLO. Were you given advance notice of the normalization by the President?

Mrs. MILLS GRIFFITHS. Was it 15 minutes? Fifteen or 20 minutes. We were called, all of us, I believe, around noon the day before and asked to be present for a meeting of the Presidential delegation, which this time, unlike the last mission, did include the League and the veterans groups.

We did go over for the briefing only. We did not stay for the ceremony that was held in the East Room because we felt it would be hypocritical to stand there.

Mr. MANZULLO. You got a one more day notice than the Republican party did.

Mrs. MILLS GRIFFITHS. Well, I cannot answer that. As I said, I think that the President's failure or the White House failure to actually postpone such a decision and to hurry and rush to such a decision, in my view, had several factors.

One was that these hearings were going to be held, and they had input as to the substance of the witnesses who would be able to testify in specific terms, having helped develop the policy, great familiarity with the intelligence and the knowledge of Vietnam's ability to move. I think there was some concern that that detailed data was beginning to come out more and more.

That was one factor, and this hearing had something to do with that. They did not have the courtesy, then, to try to strive for what had always been in the Reagan and Bush administrations bipartisan support.

Mr. MANZULLO. This hearing was set up as soon as Mr. Gilman found out that the President was about to extend diplomatic relations to Vietnam.

Mr. Ford.

Mr. FORD. Mr. Chairman, rather than duplicate what Dick and Ann have said so well, I would like to focus more narrowly on the question of the Vietnamese process that they started during the war with the French.

I think that it is the same process, but one that was perfected almost to a science. No country in the history of warfare has ever organized themselves in such a detailed way to follow, as Ann suggested, live Americans, their remains and other artifacts. They kept detailed records of everything. No country in the world has ever done this before.

It is clear that they knew going in that Americans, alive or dead, as with their experience with the French, were better than gold and something to be bargained with, something to be manipulated for their own national interest.

I grow frustrated when I hear people compare the experiences we had in Vietnam with those in Korea and World War II, suggesting that with the small numbers in Vietnam we should be satisfied because we have these huge numbers of people that are still missing or unaccounted for from these other wars.

I am sad for those families, but the fact is that the Japanese, the Germans, the Italians, the Russians, the Americans—nobody—was as organized and methodical and cynical and coordinated in keeping track of POW/MIA's in such detail.

Of course, for those of us who know that, we expect more out of Vietnam because they are different than those other people were. We often find people sort of lumping them in. They were different. Anyone who tries to tell you differently is blowing smoke, or they are just totally ignorant of this particular issue.

Thank you.

Mr. SOMMER. Mr. Chairman, here again in order to try not to go over the same ground that has already been covered, some of the proponents of normalizing relations with Vietnam have said within the past few days that Vietnam completed the road map that was laid out by the Bush administration and then has been cooperating

superbly and increasingly and all those nice adjectives since that time.

In the first place, the Vietnamese never signed on to the road-map, No 1. No. 2, all of the conditions that were set forth for the Vietnamese, to the best of my knowledge, were not completed by the time that the Bush administration went out of office, so those statements are incorrect.

Beginning with the new administration, unfortunately, it has become obvious that Vietnam is being rewarded in hopes that it is going to cooperate; betting on the come, in other words. That just does not work, particularly with someone who operates in the fashion that the Vietnamese Government does.

I do not think that we are ever going to get the cooperation that we know that we could have gotten if this would have been handled differently in resolving the cases of our missing servicemen.

We go back and take a look at the fact that there were a number of records that were specifically requested by the government in August 1993. The Vietnamese had not been forthcoming with any of those records up until the May delegation sans the veterans and family organizations went over. At that point in time, they just received a modicum of the information that they had originally requested in 1993.

We were briefed that the records received upon analysis or upon preliminary analysis would not resolve any cases of missing American servicemen. However, there was a possibility that they could lead to helping out with some of these cases.

That was approximately 3 weeks ago, and by the time it was used to hype the normalization of relations of Vietnam, this was terrific information and the best records that had ever been turned over by the Vietnamese Government.

Chairman GILMAN. Thank you, Mr. Sommer.

Vice Commander Spera?

Mr. SPERA. Thank you. I have to say that I agree pretty much with all of the thoughts that have been expressed by the panel on this question.

Let me say that today has been an education for me sitting in on a hearing like this for the first time. I listened to some of the comments that were made by panel members earlier, and I cannot believe that we are all living in the same world when I listen to some of them.

Congressman Peterson making the statement that we are not dealing with the same people today that we were back then is just untrue on its face. I mean, the people that I met last year when I went over with the Presidential delegation are the same people who were running the war back in the 1960's. They are now running the country, so we are dealing with the same people.

Contrary to what Congressman Peterson says, we do not come to this question out of hate or recrimination. We are not living in the past. We are living for today. We are living for the answers for those people who are looking for answers for their loved ones, but we are also looking for tomorrow, as has been said by other people.

The message that this country has to send to those young men and women who put on the uniform is that we will never let this

happen again. The best way to prove that is to answer all of the questions for what happened in Vietnam.

I listened to Ambassador Lord, and he questioned what their best reason would be for holding remains. He seems to think that since we have not received any remains in the last 4 years or 5 years that show evidence of being stored, in his mind that means there are no more.

In my mind, considering the fact that we have about 100 of them that we know are unaccounted for, that means they still have them. He wants to know why they would keep them. He wants to know what in their best interest, what their reason would be for holding remains.

I would state quite simply that if their self-interest means that if they give us warehoused remains today they have admitted to being liars. They have admitted to the fact that they have been lying to our Government.

They placed those in our Government and in private industry who have supported the steps that we have taken in the position of having defended their answers, which were patent lies to begin with. It is in their best interest to hide those last 100 remains.

I sit here and I listen to officials of our Government live in another world and say things like black is white and white is black and down is up. This has been an education for me, and one that I am going to remember.

Let me just simply restate the fact that there is no lessening in the commitment of the Veterans of Foreign Wars to the final resolution of this problem.

Chairman GILMAN. Commander Spera, we welcome your thinking. I hope maybe that it has influenced you in the position of the VFW.

Mr. Bell.

Mr. BELL. Yes, sir, Mr. Chairman. I think the reason that the Vietnamese have withheld remains and are at this point not giving back remains is because their strategists have simply made a decision that they do not have to.

The objective of our strategy as far as 3 years ago, the primary objective was the fullest possible accounting throughout Indochina in all three countries. A hoped for byproduct of that process was normalization with Vietnam at some point in time.

The Vietnamese have now managed to reverse that situation where the primary objective of our Government, not on an individual basis but of this administration, the primary objective is normalization of diplomatic relations with Vietnam, and a byproduct to be hoped for is at some point in time the fullest possible accounting.

Chairman GILMAN. Thank you, Mr. Bell.

Mr. Sommer, you were a participant in each of the Clinton administration Presidential delegations plus many trips on your own to that region.

Can you tell us what you think was the major accomplishment of these missions, if any, and why you were not included in the most recent delegation? Probably because of your opinion.

Mr. SOMMER. Mr. Chairman, I cannot answer that last question. That would have to have been answered by the earlier panel of witnesses.

However, I have been to Vietnam six times since 1991, and I guess for a point of reference, judging one against the other because of the fact that the format has been different on most of them, in looking at the two Presidential delegations that I was involved with on behalf of the American Legion, the difference between the delegation trip in 1993 and the trip in 1994 was that because of the consistent pushing by each of the individual representatives of organizations on the delegation when we were given the opportunity to speak the position of our organization—we were certainly not in lock step with the administration—plus the statements by the representatives of the administration, the difference between 1993 and 1994 was that as a result, and I think this is the only thing we can contribute it to is the result of all of the constant pushing for unilateral cooperation on the part of the Vietnamese Government that in 1994 both the Ministry of Interior and the Ministry of Defense advised us that they were in the process of developing teams that would do unilateral investigations in the jurisdiction of each of those two Ministries.

An interesting aside that comes to mind that is tied in with that is that during the final plenary session in Hanoi at the end of the 1994 delegation, Le Mai, the Deputy Foreign Minister, asked for some clarification at the technical level with respect to the difference in the cases between what should be done unilaterally and what should be done jointly.

We had a follow up meeting after our return to the United States. Following that meeting, as the senior member of the delegation, I put together a memorandum to the principals of the delegation making a list of requests of information that we would like to have had supplied back to us in answer to things that took place during the delegation. One of those was the status of the response to the inquiry by Le Mai with respect to the difference between unilateral and joint. We did not receive anything.

Following this, we have had a series of meetings at the State Department, at OPMO, at the old Executive Office Building.

Ann and I have discussed this amongst ourselves a number of times. She was also trying to get the same information because of the fact that it had not been forthcoming. This has been discussed and kicked around, and we have yet to get a satisfactory answer.

As far as I know, since July of 1994, there has never been a response back to the Vietnamese Government on this.

Mrs. MILLS GRIFFITHS. Yes. I agree with John. If I could just add, during this 1994 delegation at that final plenary, when Le Mai asked for the U.S. Government to provide that separation, he had just made the commitment to renew and increase unilateral efforts. He then asked for the separation so that they would know which cases the U.S. Government thought they should pursue.

Ambassador Lord in fact responded to that, welcomed the commitment to renew and increase, and said that they would put technical level officials together immediately, but then General Wold said he would rather wait until he got back to Washington and then follow it up.

Later, in trying to get this information and in solidifying the next steps, no senior official could remember the request that Le Mai had made.

The reason why we have never gotten an answer to our question is the U.S. Government has never to this date given the Vietnamese a response to the request of the Deputy Foreign Minister to implement the initiative that Vietnam was trying to make to be able to return remains and records.

Chairman GILMAN. Is there a note taker at your meetings?

Mrs. MILLS GRIFFITHS. None of the officials to the U.S. Government heard it. We were all taking note. Of course, we had been in many delegations; me more than anybody there I guess. That was the most important thing that was said during the entire time we were in Southeast Asia was that commitment and that request. I put three asterisks by it in a folder this big.

I called John when they said they did not remember this. He had it in his contemporaneous notes. Jack Clark of VVA had it in his contemporaneous notes, and Paul, I am sure, remembered it.

Chairman GILMAN. That follows the line of activity that had been pursued in the past apparently.

Senior vice commander, you seem to have gone through an education process today. We welcome that. Let me ask you. You say that if normalization is worthwhile you support it. If it is not, you do not support it.

What do you personally believe at this point? Will it or will it not help out what we are trying to do, and that is to get a full accounting?

Mr. SPERA. Personally—

Chairman GILMAN. Yes.

Mr. SPERA [continuing]. As a Vietnam veteran and not as the senior vice commander in chief of the Veterans of Foreign Wars?

Chairman GILMAN. Yes.

Mr. SPERA. No, I do not think it will advance the cause of answering the questions.

Chairman GILMAN. I appreciate hearing that. I hope you will notify the troops of your personal belief. As a former county commander, I welcome hearing that.

Mr. SPERA. I think that in a few weeks when we get to the national convention I have a feeling that some of the troops are going to be notifying us.

At this time I would like to excuse myself, if I could. I have a flight that I wanted to catch.

Chairman GILMAN. Yes, and we thank you for your patience and for all of the panelists.

Mr. DORNAN. Mr. Chairman.

Chairman GILMAN. Yes.

Mr. DORNAN. Before Paul catches that airplane, I want to make a promise and ask a question.

Chairman GILMAN. Mr. Dornan.

Mr. DORNAN. Before we break in October, November, December, and we are going to be out most of August, so in September, unless the full chairman wants to coop me with this committee, I want my Military Personnel Committee to reconvene to take a 2-month look at this.

I raise my right hand and swear to you that as many of this panel as I can have back goes first when the cameras are there and most of the Members of Congress are there—first because this is the most informative always.

Do you not agree, Mr. Chairman?

Chairman GILMAN. Yes, indeed.

Mr. DORNAN. This is where we get the most answers.

I wanted to ask Paul quickly. I know Garnett Bell lives down in Arkansas. Where do you live, Paul?

Mr. SPERA. I live in Massachusetts.

Mr. DORNAN. You are here. Ann is here.

Carl, where do you live?

Mr. FORD. I am here.

Mr. DORNAN. Dick, you are in the area here.

I am going to see if we cannot get committee funds to fly the two of you to come back. We will open with you. It will give us about a 2-month look at what has happened here.

I would hope to come to the VFW convention to talk to some of your task force and committee people because if you saw the evening news last night, you know what they are doing. They are playing the VFW off against the American Legion. I do not think it is fair, and I do not think it is accurate in the line and file of the member.

Chairman GILMAN. Commander Spera, thank you for being with us.

Panelists, please stand by. We are nearing the end. We do have a few more questions, and we will try to end up as quickly as possible.

Mr. SPERA. Let me leave you with one thought that I must leave you with. The official policy of the VFW right now, the Veterans of Foreign Wars, is that we do not oppose normalization. That is the policy of our organization.

Now, I do not want to leave you with any feeling that I am in opposition to that as the senior vice commander in chief. I do not want to leave anyone with any feeling that I disagree with the commander in chief's authority or his intelligence or his motives in arriving at that decision.

I support the commander in chief in all of the decisions that he makes, and I will continue to do so. I will continue to support the mandates that I receive at our national convention in Phoenix.

Thank you very much. With that, let me excuse myself.

Chairman GILMAN. Thank you, commander. We wish you well as the new national commander.

Mr. Bell, the President yesterday cited the recent release of hundreds of documents by Vietnam recently as a reason to normalize. Can you tell us what percentage are relevant to our efforts of accounting for our POW's and MIA's?

Mr. BELL. I think overall, Mr. Chairman, there are more in the neighborhood of 30,000 documents, and it is somewhere between 1 and 2 percent. The documents pertain either to incidents not involving Americans, or they pertain to cases that have already been resolved long ago. There is only a very small number that actually pertain to active cases.

I think the 116 documents that you mentioned, the important thing that I have noticed about those particular documents is the fact that 7 more cases of MIA's that the task force investigated and have already declared as nonrecoverable will now be reopened and reinvestigated as a result of those documents.

That is the inherent value to me of those documents is the fact that cases that have already been declared nonrecoverable now have some leads. They probably should not have ever been closed in the first place.

Chairman GILMAN. Thank you, Mr. Bell.

My last question goes to both Mr. Ford and Mr. Childress. Can you please tell us why you feel the Vietnamese have not met the road map?

Mr. Childress.

Mr. CHILDRESS. I think I covered part of that, Mr. Chairman, but I will reemphasize that when the roadmap was constructed the, Vietnamese were still in Cambodia. Cambodia was a very central, important part of that.

What happened was when the Vietnamese began to cooperate in the settlement, Cambodia and portions of that roadmap overtook POW/MIA in public and private importance with Vietnamese negotiations, the Paris negotiations and the rest of it. Everyone was going to try to seal this important settlement in Cambodia.

As we came toward the end of that, certain people in President Bush's administration felt very strongly that they should in fact give more than was deserved to Vietnam and downplay the POW/MIA criteria.

That process has continued to become worse because they not only said that the Bush roadmap criteria were met, but the derivative criteria that President Clinton announced, which really was unilateral repatriations from warehouses—that was the purpose of it, and I spoke to the Clinton administration the first month they came into office—became then redefined as unilateral actions being fragments from villagers and everything else.

We are in the situation now where we have redefinition. We have bad math. People cannot count any more, and when they do count they put them in different pots. That lack of continuity is not lost on the Politburo in Vietnam. They see the changes in definitions. They see the subsidies on crash sites.

They see they turned over a few documents, and there is loud praise all the way from CINCPAC to Washington. They see if they give somebody access to a province, whether you account for somebody or not, more loud praise from the young soldiers in the field.

I think it is moral cowardice for people in Washington to put the burden on a young captain in the field who is trying to maintain relationships with people so he can get to the next crash site.

It is moral cowardice to say I am going to rely on his judgment when many of the people making those statements know full well that captain does not have access to the intelligence data, does not have knowledge of Vietnamese culture, language, and the rest. That is what they are doing. It is decentralized to that young captain, and then they wash their hands of it.

Chairman GILMAN. So essentially you are saying they move the goal post out of political considerations?

Mr. CHILDRESS. That is right. They used to accuse us of moving the goal post. What they have done now is gotten rid of them. They have torn them down.

Chairman GILMAN. Mr. Ford, that same question?

Mr. FORD. Mr. Chairman, I agree with Dick in the emphasis that the fault lies here and not in Vietnam for the failure of the road map, but I cannot blame just the Clinton administration for that fact.

Ann and I sat in an office one night, and I thought we were fighting the Vietnam war over again. The wounds had not healed that night. The roadmap was very much of a compromise document.

It was designed, and obviously I am going to put the best face on my position and not the opposition, but it was designed to be a carrot and stick approach. What we came out with at least in a written document that our seniors approved was more carrots than sticks. In the implementation, all the carrots kept being given away and very few sticks.

I would apply the analogy to the Clinton administration, which I am not a part of and have not been so I cannot know for sure, but I would characterize what I have seen as being only a carrot approach. They do not even have any pretense of having any sticks.

With that knowledge, the Vietnamese, who obviously have some very serious internal problems of their own for not doing this—I cannot tell you what they are. I have some suspicions about some of them, but it is clear that they do not want to give us this information or give it to us easily.

If they get a signal that they can take us, that they already have our number in the bargain, why would they go through the painful process internally to turn over things to the Americans? I think that we are most to blame for the problem.

Chairman GILMAN. Thank you, Mr. Ford.

Mr. Rohrabacher.

Mr. ROHRABACHER. I have been in and out of this hearing all day, and I have had several debates on the floor of the House that I had to conduct. I am the chairman of an Energy and Environment Subcommittee of the Science Committee, and some of the things that I have to oversee were on the floor today, so I have been in and out. I am very sorry because I am very concerned about this issue.

I am sorry that I was not here for our colleague, Mr. Peterson's, testimony because it was Pete Peterson who told me on the way to Vietnam, I think it was 3 years ago, that when he was held by the Vietnamese during the war that for 3 years he was an MIA.

He also told me that during that 3 years he was an MIA, he was totally isolated from all other prisoners. He never saw an American during that time period. Does that indicate anything to anybody? As soon as he became a POW, he was integrated into the prison system with everybody else.

That indicates to me that there were two prison systems that existed. That indicates that the Vietnamese actually had some people that they held totally without the knowledge because had they not declared him a POW and integrated him into the rest of the system, Pete would have been one of the MIA's that were just missing

and unaccounted for. That goes down to your statement, Mr. Ford, about keeping records.

When I got to Vietnam, the first thing that dawned on me after talking with Pete and being a former journalist was that well, we need to see the records of the prison in which Pete was kept.

Does anyone have any knowledge of any prison records, the prison records that have been returned to us?

Mrs. MILLS GRIFFITHS. I only have one, and that is absolutely all I have, but I will tell you that in March 1994 when the league delegation went, we asked the Deputy Minister of Interior for the documents that you had requested. He told us that that should be relatively easy.

Now, the reason we asked for them specifically is we had just been briefed by JTFFA, and it was actually two live sighting investigators that we questioned. They were under instruction on this briefing. We had to pull out of them that they had just had ten successful prison visits.

I said well, what did you find? They described it. I said did you see the prison documents? Well, no. I said did you ask to see the prison documents? Yes, but they still did not say they refused to give them to us until I finally said to these Americans, were you refused the documents? They said yes. Then the Deputy Minister of Interior said it should be easy. We still do not have them.

Mr. ROHRABACHER. I think that this indicates that there is something terribly wrong, just this very fundamental fact. It is clear that with those specific records we could learn a lot of information. We have heard from Mr. Ford's testimony that the Vietnamese keep records meticulously, even more than anyone else.

I would like to move on to just a couple more questions. First of all, Mr. Childress. Dick and I are old friends from the White House days. How long were you at the National Security Council?

Mr. CHILDRESS. From 1981 to 1989.

Mr. ROHRABACHER. From 1981 to 1989. During that time period, were there any rescue missions that were attempted? Did our military at any time move forward in an attempt to set up a rescue mission?

Mr. CHILDRESS. I think some of that is on the record at the Senate select committee. Just before I arrived in 1981, there was one for Laos. There were a couple of times we were looking at things, but never reached the level to do that.

Mr. ROHRABACHER. While you were at the NSC, there was never an organized effort by our military to organize a rescue of people who they thought were being held as POW's being held in Southeast Asia?

Mr. CHILDRESS. Yes, but as I said, that took place in 1981 just before I arrived.

Mr. ROHRABACHER. There was not anything while you were there?

Mr. CHILDRESS. No, no, no. I got there in September 1981.

Mr. ROHRABACHER. The stories of an aborted rescue mission that was aborted a week or so before the mission was supposed to happen, that is not true?

Mr. CHILDRESS. No. That is, but that is the one we are referring to I think in Nammarath in Laos in early 1981.

Mr. ROHRABACHER. There was not anything after that?

Mr. CHILDRESS. No. No.

Mr. ROHRABACHER. I am going to mention one thing. Dick, it is hard to put you on the spot like this, but when I left the White House in 1988, I had a meeting with Ronald Reagan in the Oval Office. I had 5 minutes of time given alone with the President.

I discussed two issues with him. One was the MIA/POW issue, to which President Reagan answered yes, we know they have some, but, Dana, they are not being held. These men want to stay there because they are now married to local women and have local families, and it would be wrong to try to take them out. That was what the President of the United States told me in the Oval Office.

No. 1, did you ever make a report to the President of the United States that indicated that information?

Mr. CHILDRESS. No, and I briefed him many times after each mission and also had him briefed by DIA, which, by the way, is not being done now with this President, and analysts and situation room briefings.

He clearly could have had an impression. I mean, whenever you give live sighting report statistics, many times they were broken down in captive and noncaptive environments with some of the descriptions of a man living freely in a village and so forth.

Anecdotal things out of those kinds of briefings could have stuck with him, but there was never an emphasis on this. There was never one that said well, if there is anybody there they have to be deserters, nothing like that officially. I just cannot explain why he said it the way he did to you.

Mr. ROHRABACHER. Well, he honestly believed it. It was clearly something the President of the United States believed.

It is your position that you have never briefed the President telling him or giving him that information, because you would have been the one to brief him and tell him that?

Mr. CHILDRESS. Well, it is not just me briefing him. As I said, the head of DIA and analysts. I set up Oval Office briefings giving current intelligence information, but no briefing that I was ever present for would tell President Reagan this is something salient or this is the way it is or there is nobody but that.

Mr. ROHRABACHER. One last question, Dick.

Mr. CHILDRESS. Yes.

Mr. ROHRABACHER. Do you believe that there are American POW's being held now someplace or that there are Americans in Southeast Asia, former American servicemen who were being held at one time at least, who are currently living there with other families that have not returned home, either voluntarily or not voluntarily?

Mr. CHILDRESS. I do not know the real answer to the question obviously. There were some compelling reports. I mean, it seems like it is quite possible.

The mortician himself saw Americans—three Americans—in Hanoi. It is hard to say whether they were under guard or not. The mortician is a very credible source.

We have had refugee reports and other reports that have not been resolved one way or the other. It is quite possible, but I just do not know the answer obviously.

Mr. ROHRBACHER. Thank you very much.

Chairman GILMAN. The gentleman's time is expired. Thank the gentleman for his participation.

Mr. Smith.

Mr. SMITH. I have no real questions of this panel, but I do want to thank them for their sensitive testimony. I have read through most of it now sitting here, and I do thank you.

One thing that might be helpful for us on the committee, Mr. Sommer, you might recall earlier I had mentioned to Winston Lord that I would be asking him to respond point by point to the very serious allegations and questions you raised in your testimony.

Mr. FORD. I appreciate that very much, sir.

Mr. SMITH. It would be helpful for all of you if there were things that you wanted to know and if you find you are running into a brick wall, let us have that because it is probably something we need to know as well.

You have been the experts on this working it day in and day out for years. I would find that most appreciative, and we could make it a part of the record.

Mrs. MILLS GRIFFITHS. Mr. Smith, could I just say that there are three specific things that I did want to ask and I did want to make them a matter of the record, and that is that I have tried to obtain a declassified version of the special national intelligence estimate that Carl Ford ran during the Reagan administration. To date, that has not been released. If the committee could request that? I know there have been many Executive orders regarding declassification of everything pertinent. It was a published and finalized and, therefore, time dated, finished product. I cannot imagine why it would not be released, other than the policy considerations of not wanting to imply that Vietnam could do more unilaterally.

The other was I was given a letter by the Vice Foreign Minister of Vietnam, and he gave me a list. I do not remember how many documents he listed on it, but it is something I would like to put in the record so that it gives the committee, and Mr. Dornan is here, too, so his committee as well, a complete list of what the Vietnamese say they have given to the United States since March 1994 when we visited.

Chairman GILMAN. Without objection, that would be included in the record.

Mrs. MILLS GRIFFITHS. I appreciate your offer, and I certainly will get more things to you, sir.

Chairman GILMAN. Mr. Dornan.

Mr. SMITH. Can I just conclude?

Chairman GILMAN. Yes.

Mr. SMITH. You know, talk about an education. I found it appalling some of the things that Ambassador Lord said earlier. He is not a naive man. He knows the issues. He knows them intimately. It does not do our servicemen and their families one iota of good when these very vital issues are brushed aside and dealt with so frivolously. I was very disappointed in his testimony, to say the least.

Chairman GILMAN. Thank you, Mr. Smith.

Mr. Dornan.

Mr. DORNAN. Several of the panelists know that I said my dream panel under oath to try and extract information on how we began down this torturous path would be Secretary Kissinger, Ambassador Larry Eagleburger and Assistant Secretary Winston Lord.

A Congressman from Indiana came up to me in the cloakroom a few days ago. He said I heard your hour special order last night, and I think you have to consider subpoenaing and bringing before your committee former Secretary Robert McNamara, a thought so exotic, so radioactive with media potential on this Hill, that it had never, ever occurred to me.

I would defer to the senior chairman if he wants to do that because I learned in suffering through McNamara's book—half of it—that when he walked off the battlefield precisely on the river entrance where we have had all those beautiful, moving POW ceremonies and missing in action ceremonies with fly bys, it rained on him. Mercifully, there was no Air Force fly by.

It was February 29, 1968, the bloodiest month of the war. Our hospitals up and down Vietnam as a result of 4 weeks of Tet-offensive fighting were filled with amputees, double amputees and some triple amputees. Men were still dying of wounds, and he went skiing for a month at Aspen with a week side trip to the Caribbean. I think I would add him to that panel.

Now, I want to ask a series of questions. We want to be kind to you and let you go. Probably an Englishman came up with the cliché, collect your thoughts, but let me fire out these questions and come back to each of you for an answer. I just want to get them all out so you can be thinking about these questions.

To Bill Bell, could you give greater detail about the money paid to the Communist Party of Vietnam? I am sure all of you are shocked listening to radio and TV interviews at how many naive, well-meaning Americans say we normalized relations with Japan and Germany, so is it not time to do it with Vietnam?

Where is the history taught in our schools that we walked the battlefields and captured the archives and even at that lost some Americans into the Soviet Union, never to be heard from again?

Most Americans I guess do not understand that in a Communist country, the party rules. Hitler had a party police force called the SD and then the gestapo. The party preempts the government in Communist countries. This is very important, money paid to the Communist Party.

Carl Ford, what was the reason behind the selection of the last known alive discrepancy cases? I was out of the room, and I thought you might have already answered that. If you could just do it again and add anything to your thoughts that you did not say the first time?

Dick Childress, you stated a senior Vietnamese official had admitted holding hundreds of remains. I wanted you, if you could, once more just elaborate on that and give us his name.

One comment, and then to Dick Childress and Carl Ford, I think you have gone into this pretty well, the major difference between the policy of the Reagan and Bush administrations and right now and then what you possibly think we should do—any of you can answer this—during the next few months, because you notice Win-

ston Lord did not like the idea of good cop/bad cop. I said well, how about tough cop/tougher cop?

Look, if they are going to open an embassy and Mr. Gilman is successful in holding back the money, trying to open the embassy is a good cop no matter how you slice it. Holding back the money in the House and the Senate by votes, and I think we will win in both Chambers, is tough cop. We are going to work them. We are going to whipsaw them no matter what Medal of Honor winner Kerry says.

Before you answer that, I want to just make an observation, and I bet you will all agree with me. In my two trips to Hanoi and my eight trips in the south analyzing them as an enemy fighting force, I remember a young black sergeant with a Silver Star that I got a bunk next to my first trip there.

I said what is the enemy like? He said well, when he starts cutting bush, Charlie becomes Sir Charles. They are tough fighters, and they know what they are doing. He said they have a plan, and I do not know if we do. That was 1965.

I believe that I see in our Government people a condescending attitude. Maybe it is a lying, disingenuous approach, but it is like they are talking about children. I think it has a touch of racism in it like the Vietnamese are stumbling little children with these mil-dewing records. They are trying so hard, and they do not know what they are doing.

In my trips to Hanoi, I found intelligent, clever, manipulative, tough minded, dedicated Communists who knew precisely what they were doing.

Chris Smith has seen the same dedicated people in Russia and the former Soviet Union, have you not? They know exactly what they are doing. They are all Oscar caliber actors, and they play their parts beautifully. They think we are fools that do not know what we are doing.

As you said, Ann, at our hearing on June 28, they think they had won it all, and, by God, they had. You said that they thought they had this thing made, and they did. So far they think they have it made.

If we could start with you, Bill, please, about this money to the Communist Party? I am all through, and you folks are now at your own mercy when you want to end.

Chairman GILMAN. Mr. Dornan, if you will yield?

Mr. DORNAN. Yes, Mr. Chairman.

Chairman GILMAN. I regret I have a 5 p.m. meeting with my Governor upstairs. I want to thank our panelists for being so patient and wearing the time pretty thin here at the late hour, but you have done this before. It has been such an important hearing for all of us.

I was pleased to hear our next commander of the VFW say that he was educated by the hearing. I think we all were. I think we have all come to have a better understanding of the problem that still exists out there. It is through your dedication from all of your organizations.

Again, I thank Ann Griffiths for her many years of dedication; Dick Childress, who has been through the battlefield with us for so many years; Mr. Ford for your intensive work in getting all of

the information, and our good American Legion which has done so much good; and Mr. Bell for your analysis.

I thank you, and I thank my colleagues for staying until the bitter end here. I am going to ask Mr. Smith if you would be kind enough to preside.

Thanks again also to some of the interested veterans and families who have stayed with us right to the end. It has been a good hearing.

Please respond to our good colleague, Mr. Dornan.

Mr. SOMMER. Thank you, Mr. Chairman.

Mr. CHILDRESS. Thank you, Mr. Chairman.

Mr. BELL. Thank you, Mr. Chairman.

Concerning the money aspect, I have already discussed that somewhat today, but Congressman Dornan may not have been here.

We did pay for all of the activities and excavations regardless of whether we found anything or not. Everything had to be paid for, including helicopter rental, the cadre that escorted us, our security cadre, political cadres. Everyone that had any involvement at all was on a salary basis by the U.S. Government.

Of course, the rooms that we had to rent in the various provinces and districts we were overcharged, and they used this to set up for VVA and other veterans groups that are coming over there as basically tourists to use that money to renovate all these quarters.

We went through the initial phase before they had electricity and running water and air-conditioning. The more we worked out in the provinces and the districts and had to pay the going rate for this, the more money they had to renovate for people that are going there now. We were like trailblazers in that regard.

The French paid the Vietnamese a lot of money, but they had a lot more remains than what we have here in America. I think the Vietnamese got used to or accustomed to receiving that money over a long period of years, and they planned all along that this would be just another revenue enhancing project for the Americans.

I know that if you excavated a crash site or investigated a case in Canada or Australia, it would probably cost something. There is nothing free. The difference in this case is that the money is going to a small, elite group of people. The people out in the provinces and the districts, the people that do the labor, probably have no idea that this money is even being paid to the Vietnamese Government.

It would probably be a good project for our Voice of America or other media to report exactly who has been paid what, how much and where this money has gone. That might get a reaction out of the people to ensure that in the future the activities that are conducted are at least somewhat more realistic.

Mr. FORD. Congressman, could I insert a comment to what Bill has said?

Mr. DORNAN. I heard you loud and clear because I wanted earlier today to track, Bill, how we spent \$100 million and where it went.

I do not mean to be cruel about looking for teeth, but we know in World War II how many men died at sea on the biggest naval battles ever before or since. It is important to have these burials, but the families all are hoping that they are going to get a fulsome

box of hero's bones from that warehouse. That is what they all hang on hoping for.

When there has been, as Winston Lord said, not a full—everybody knows that—but the fullest accounting, it will be when not mysteries are solved, but known facts that we know are resolved.

I really appreciate that, and it is going to be an education process. I never thought I would have to educate a Marine sergeant and an Air Force officer who was shot down on his 67th mission, but I also was appalled at some of the high school level naivete on communism from two of my colleagues on the first panel.

You were going to say, Carl?

Mr. FORD. Congressman, I just wanted to supplement what Bill said because I think I have never seen anyone in the executive branch quibble about the money spent in Vietnam. There has been a lot of money spent. I think that—

Mr. DORNAN. Do you mean we pay first requested price for diggers?

Mr. FORD. The point is that the attitude I think that most Government officials have taken is that if that is what we have to do in order to get information that might be helpful in ending the uncertainties for the families, then that is money well spent.

What I would like to point out is that the Vietnamese are even more cynical than that in terms of charging us for going to locations that they have already been to, usually at the time of loss, and we know that they scoured the area, bundled things up, took photographs, made reports about each of these crash sites.

There are only a few crash sites that have never been visited, and they were usually in wild, inaccessible areas.

Mr. DORNAN. Quite seriously, Jane Fonda passed out combs made from the metal of American plane crashes.

Mr. FORD. They still have this today. There are large buildings in Vietnam in which knives, canteen cups, helmets, pistols, ID cards, everything that they found and policed up on the battlefield in a very systematic and organized way with units that were designated for these efforts they keep, and they have it. They know where it is.

Now, that does not mean that they have not lost things or that the record is perfect. The fact is that instead of simply saying OK, let us work on this case today and here is what we have, Americans, what do you have, and let us work together, we will wander out around in the countryside risking our young service people's lives in old, rickety, unworkable helicopters to land at a site and dig for 2 or 3 weeks in areas that we know the Vietnamese have already been to and took everything that was of value.

The reason we did it in the past is we had no option. They were so much opposed to giving anything to us—they were stonewalling—that we would take it because it was all we could get.

The fact is that we would go to a villager and say remember 20 years ago there was an airplane crash nearby? They would remember. They would say yes, that is the year the pig died or something. They would give us hints as to what was available.

Invariably, one of the common threads throughout all of these reports of the villagers is oh, yes, the officials came here in a big,

black car, picked everything up and took it back to the headquarters.

The cynical attitude is we have to pay to go out and look at these places. They could simply give us what they had found earlier. We could sit down in a room and settle many of these questions that the families have been asking for all these years.

My point is that if we spent \$100 million or we spend \$200 million, I think the American people would accept that it is money well spent, even though it went to the Communist Party, even though it was being jerked around by the Vietnamese in the process.

I cannot put a dollar value on the answers that our people out in the field are getting. I just simply am frustrated that people give the Vietnamese credit for those sorts of cynical, unproductive activities, but what else can we do? It is a last resort, not something we ought to be giving credit for.

Mrs. MILLS GRIFFITHS. I think I need to add one thing there, too. While I fully agree with what Bill said about a \$25 payment to a field operation and \$1.70 is what he gets and they do not even know that all this money is going elsewhere. As much as what Vietnam has done in the field, going to excavations that are unnecessary and doing the kind of massive field activities that require so many people, we urgently need and have a fairly good process of joint field activities in Laos where they did not have the kind of control and effort to go and pick everything up.

We do not believe that the Vietnamese or the Lao should have to pay to account for American servicemen and civilians. At the same time, what he is talking about is the deliberate manipulation of the system. It is not just Vietnam. Certainly the United States is paying a lot, but the manipulation that we are talking about is a serious problem.

Mr. DORNAN. Could I just ask a question of anybody that wants to comment? I am embarrassed to ask it because it is such obvious logic, but this idea that these honorable Government officials that sit in front of us pushing the line that I hear Senator Kerry push constantly and now John McCain and others that we can go anywhere we want with instant notification.

Has that ever been your experience, Carl, or you, Dick, or you, Bill, that we can say let us go, and they go, whatever the Vietnamese cliché for is the jig is up, we have nailed them, and we finally got a live American? It is absurd that they keep saying that like a mantra. We can go anywhere we want. Have there not always been military security zones?

Mr. FORD. I think that certainly in terms of live sightings it is essential that we be able to have access to various parts of Vietnam.

I would simply add why do we even go out there at all other than for live Americans? The fact is that the Vietnamese have it all together for us in various places. If they would just open the door and cooperate, we would not have to do anything. It is there.

They know it is there, and they have given enough to us that every time they give us a document or a photograph or make a mistake and give us the wrong piece of evidence, they simply are

building the case that we have always underestimated their knowledgeability.

At each step along the way, most of us who follow this problem are surprised. Do you mean they have that much? Each time we get a piece of information, I am more and more convinced that there is a substantial amount of information, including remains, that the Vietnamese either have, they know where it is, or they can give Ann and the families a credible piece of information, a file contemporaneous to the time, that will convince them that it cannot be recovered.

Mr. DORNAN. How about the selection, Carl, of the last-known-alive discrepancy cases?

Mr. FORD. Ann and Dick are probably better able to answer that because they were the ones that sorted it out.

Mr. DORNAN. Ann, why do you think they selected the ones that they did?

Mrs. MILLS GRIFFITHS. You go first.

Mr. CHILDRESS. Are you talking about the ones we selected?

Mr. DORNAN. Yes. Yes.

Mrs. MILLS GRIFFITHS. Because then there was a definition later.

Mr. CHILDRESS. The first selection, and this is why there is a lot of confusion about numbers and lists. There is the big list of 2,000 and some, and then there is the MIA's and all the things we have since gone through.

When General Vessey was appointed and we went with him on the first trip, Ann and I sat on the plane and said we have to sort down to a priority list of cases, not all last known alive, but include DIC's, other types of discrepancies and some compelling last-known-alive cases.

At that point, that list was about 226. I think it was scaled down to 196 later. It was a matter of having a negotiating tool for General Vessey on his first trip, that is, Mr. Thach, here are the kinds of cases we are talking about. Here is why we believe you can help us and what you should know.

Then more lists started—last-known-alive cases, priority discrepancy cases, priority remains cases. All of these were various lists used for negotiating. It has now become that this administration is taking negotiating lists and using them as a baseline and cutting down from them.

Mr. FORD. And suggesting that is all there is.

Mr. CHILDRESS. The intent of these lists were never to say that is all there was. They were negotiating tools to be used with the Vietnamese.

Mrs. MILLS GRIFFITHS. And one of the biggest—

Mr. SMITH. Will the gentleman yield on that?

Mr. DORNAN. Yes, but after this.

Are there any other live, known discrepancy cases that maybe should be added?

Mrs. MILLS GRIFFITHS. Yes. That is what I was saying, and I did say it earlier.

In Laos there are 77 cases involving 139 Americans. According to the specialists, over 90 percent of whom were lost in areas controlled by Vietnam. Vietnam is not being held responsible or accountable by the Clinton administration for anything on those. You

heard them say several times today, "We have reduced it to 55." That is nonsense.

Mr. CHILDRESS. The other thing they neglect to say when they determine fate is in most of these cases where they are determining the fate of the individual, they are also finding that the Vietnamese could recover the remains. I do not think that when they do discover that these cases are being moved to the special remains list.

Mrs. MILLS GRIFFITHS. They are not. They are definitely not.

The special remains cases now stand at—let us see, it was 81 with 98 people or 84 with 98 people. It is now 81 with 94 people. None of those cases have been added that Dick Childress just referred to—117 of what they called the Vessey last-known-alive list of 196—that have been determined dead.

On almost all those cases, the evidence on which they were determined dead also would indicate Vietnam should be able to locate and provide, or just provide, the remains.

Mr. DORNAN. The Chairman will—

Mrs. MILLS GRIFFITHS. They are not added to that discrepancy list.

Mr. DORNAN. The Chairman will probably adjourn when we go to vote. Before those second bells, if you could go over these figures with some of our staff, especially these new Laos ones?

Mrs. MILLS GRIFFITHS. They are in my testimony.

Mr. DORNAN. Bill, if you could comment on Capt. Rocky Versace, a West Pointer, and Kenneth Rohrbacher, who were executed?

Mrs. MILLS GRIFFITHS. They are in the testimony. They are in the book of testimony that I put in the record.

Mr. DORNAN. I have to ask one more question.

Mr. FORD. Congressman, there is no relationship between the number of discrepancy cases and the amount of information that Vietnam holds.

Mrs. MILLS GRIFFITHS. Right.

Mr. FORD. It is simply a matter of what happened on the day of loss. If we got lucky and saw somebody on the ground being led off by the Vietnamese or we had subsequent reports, we knew enough to ask the Vietnamese about that.

How do you ask the Vietnamese about a case that we lost on radar or that went down somewhere unknown over Vietnam? I guarantee you that the Vietnamese know, but we do not even know what to ask them.

When you say 55 cases or 105 cases, it has no relationship to what we should expect from the Vietnamese. That is a different problem. It is a difficult one, and one I do not have a good answer for, but it certainly has nothing to do with the number of discrepancy cases.

Mr. DORNAN. If I could just ask one thing that is kind of sensitive? There is no doubt in my mind, given the last 72 hours, that the most prominent name of any American on this issue across America today is Senator John McCain of Arizona.

Could I just ask you, Ann, to the best of your recollection when did John stop working with the League of Families, kind of break off relations, and they kind of went downhill?

When was it that he decided he wanted normalization, and no matter what anybody else thought, it was his personal decision? It seems to me it was 1985 or 1986.

Mrs. MILLS GRIFFITHS. It was, but it was when Senator McCain was then Congressman McCain. He was being attacked, in his view, unfairly at that time by people that in many cases were making allegations that they could not back up.

Mr. DORNAN. That is right.

Mrs. MILLS GRIFFITHS. It turned Senator McCain off because he was in a difficult campaign.

Mr. DORNAN. Right.

Mrs. MILLS GRIFFITHS. That was a problem for him. During that time, the Senator was not taking an active role. He was being accused of not being loyal to his missing comrades because he was not taking a more active role.

Mr. DORNAN. And that unfair criticism really turned him off?

Mrs. MILLS GRIFFITHS. That unfair criticism certainly jaded it to some degree, and then it certainly was 1985 when he started actively—he introduced a resolution, in fact, to establish a U.S. interest section, I believe it was, was it not? That was nixed by everybody, but that is when he first started to do it.

I think another problem was the Select Committee and his service on the Select Committee. As you know, the Select Committee focused on two polar opposites, but never on the substance in the middle. It was is anybody alive, and is there a conspiracy and cover up, but never on what Dick Childress, Carl Ford and I and all of us are talking about—Vietnam's knowledge and Vietnam's ability to account because people were saying that you are focusing only on remains or only on accountability.

The problem is if you get remains that are identifiable of a person who was last known alive, you have resolved a last known alive case, too, and answered the family's question. They never focused on it, and I think that was part of John's problem, too. They did not focus on the knowledgeability.

He went to the Kerry side because of animosity toward claims on the live prisoner side. Does that have something to do with a returned POW? I do not know.

Mr. CHILDRESS. Very briefly, you asked what should we do. This is in very simple terms.

What I would do is they are going to put together a list, a DOD list, a case by case scrub. If I was in the administration, what I would do is divide that list into two groups. One group is what is good for joint activities and one group that is subject to unilateral Vietnamese activity.

I would go to the Vietnamese with the unilateral list. I would not go to those crash sites any more on this list. I would lay it in front of them. This is your half. The joint we will do together.

That response to that list—either he is alive, his remains or convincing evidence why he cannot be recovered—will determine what further steps we take.

Mrs. MILLS GRIFFITHS. Yes.

Mr. SOMMER. And that information has already been asked for, as I mentioned earlier, by the Vietnamese. As far as we know and

from what we have been able to track, it has never been turned over to them. They have never been given a response.

Mrs. MILLS GRIFFITHS. I was even told by a source who shall remain unnamed, but in the current administration, that there will never be a separate list of cases to pursue unilaterally.

Mr. SMITH. One small follow up with regard to using the negotiating lists as the lists and then paring it down from that.

How does the administration respond to how duplicitous that is, and that that leaves a number of cases off the table that ought to be on it? Has anybody gotten a response from them?

Mr. FORD. I think in part they do not understand. They have talked about this so much in a sort of policy context that they have forgotten how it started and what its purpose was and the limitations in it.

This was a last effort to start a dialogue with the Vietnamese, who would sit there stone faced. You had to ask them intelligent questions. What about this? What about that? The only cases that we had to do that with were those cases that we had some information on.

Again, that had no relationship to how much knowledgeability the Vietnamese might have. It was a way of starting a dialogue. Over time, and I am not sure exactly why, it has become if they answer these questions about the discrepancy cases, it will solve the problem.

As I put in my testimony, it was always in my mind sort of a minimum confidence builder that the Vietnamese were really serious about cooperation if they would at least do this. We had a smoking gun. We had a photograph of a downed flyer. When we asked where the remains were, they simply stonewalled us. When we asked about the number two guy in the F-4, they would not even answer. They would not even say a word.

In those cases, if they would at least give us answers on the discrepancy cases, I would feel more confident that as time passed we would be able to get more information. If they will not give us the most obvious cases, the ones that we have them cold on, that we know that they can give us more answers—sometimes the remains, sometimes an explanation of why they do not have the remains or whatever, how am I expected to believe that they are just out of the clear blue sky going to tell me about things that they know, but I do not even know enough to ask them questions about?

Mr. DORNAN. Mr. Chairman, one final thought on the record here. I thought my statement this morning was pretty comprehensive, but there was one fleeting thought I did not get in the record to educate my colleagues.

If we all got in an airplane and went to Korea to the 8th Army Headquarters, and I did this with our 1986 trip where we arrived in Korea on Valentine's Day, and I sat there to test my own memory.

I said to the four star commander, how many men were Category I known alive in camp with no dysentery or no wounds or amputations or head wounds? The number came back as 389.

I hope you will all come to the dedication of the Korean Memorial, which is inspiring, on the 27th in 15 days because remember, the most unforgivable thing about this whole mess is that we went

through this in the Korean War, and we relived it and extended the agony.

The problem then, and it still persists 42 years later, is the Koreans, the tough, intelligent communists there, said, "You deal with us," and here comes the word, "unilaterally." We said, "no, you do it through the U.N." For 42 years, we have a stalemate while 389 men died a couple each year. It is ghastly.

Unilateral is an important word. I wanted to cave to the North Koreans for 25 years to unilaterally deal with them. Guess what? They are going to end the cease fire, and they are still saying, "they, do you want to talk to us about your prisoners?" Now I guess we are talking about graves. Maybe there are some tough survivors.

Mr. SMITH. Unfortunately, we have 2 minutes to go before this vote is concluded.

I want to thank our witnesses. The record will stay open for a couple of days if you have some additional submissions you would like to provide to us.

Your testimony was outstanding, and your life's work on behalf of our POW/MIA's is greatly appreciated by everyone. Thank you very much.

[Whereupon, at 5:30 p.m., the committee was adjourned.]

A P P E N D I X

HONORABLE JAY KIM
41st DISTRICT CALIFORNIA

COMMITTEE ON INTERNATIONAL RELATIONS
JULY 12, 1995

STATEMENT ON THE ACCOUNTING OF AMERICAN POW/MIAs IN SOUTHEAST ASIA

Mr. Chairman, thank you for yielding. First, I want to commend you for holding this very timely hearing, especially in light of President Clinton's decision yesterday to normalize relations with Vietnam.

Second, I want to extend my welcome to the witnesses who will testify before the Committee today. This is a very comprehensive panel of experts who will cover the full spectrum of views related to POW/MIA accounting and relations with Vietnam. I value the testimony from my colleagues who served in Vietnam--Jim Kolbe, Duke Cunningham and Bob Dornan--and especially the comments from my friends who endured unspeakable suffering as prisoners of war themselves, Sam Johnson and Pete Peterson.

I also want to pay special recognition to Mrs. Ann Mills Griffiths, the Executive Director of the League of Families. Her testimony will bring a very special perspective to this issue--that of the relatives of these Americans who have been missing and unaccounted for in Southeast Asia for these many long years. This is a very personal issue to each and every family member and Mrs. Griffiths has done an outstanding job making sure the League's views have always been in the forefront of the debate.

I also am looking forward to the testimony of today's other experts. I might note that Mr. Ford's and Mr. Childress' personal experiences in negotiating with the Vietnamese as officials in the Reagan Administration should be most insightful. Bill Bell has extensive experience "in country". The input of the representatives of the veterans organizations here today is also important for this Committee.

Mr. Chairman, while I support the normalization of relations with Vietnam in principle and under the right conditions, I oppose President Clinton's decision to normalize relations with Hanoi at this time. Vietnam has not yet met the primary conditions related to POW/MIA accounting set by President Clinton himself for normalization.

It is important not to substitute increasing field activities for achieving solid results. They are not equal. We should judge progress by results, not mere activities. Similarly, we should not substitute cooperation on joint field excavations and archival access for unilateral accounting by Vietnam. These are two distinctly different efforts which provide different kinds of answers. Insofar as Vietnam's unilateral efforts most likely will provide the kind of information needed to resolve the last known alive and other key discrepancy cases, it appears to me that in judging Vietnamese

cooperation we ought to give more weight at this time to the unilateral accounting process.

Last year, over the objections of many in Congress, President Clinton lifted the trade embargo and other economic sanctions against Vietnam. As it was presented to me, the justification for this action was that it served to acknowledge Vietnam's cooperation to date and to prompt new, concrete results from Vietnam, especially on the unresolved discrepancy cases. In other words, we hoped that Vietnam would reciprocate this generous expression of American good will by providing the answers to our questions about these special cases. Based on the loss circumstances, we know the Vietnamese government--and only the Vietnamese government--has, or can readily obtain, these answers.

Unfortunately, Hanoi has not reciprocated. It is my understanding that since the lifting of the embargo, not even one of these special cases has been resolved. It looks to me as if there was more unilateral accounting before President Clinton lifted the embargo or offered improved diplomatic status. Thus, it appears that the policy of showering significant benefits on Hanoi in return for results on the discrepancy cases has been a failure in this regard.

Based on this disappointing experience, I see no reason today for the U.S. to provide Vietnam with yet another significant benefit, namely the normalization of relations, when Hanoi hasn't even fulfilled its side of the first deal. Recognizing that Vietnam very much wants normalized relations and knows that it will obtain the greater immediate benefit from them, I hope today's witnesses will share their opinions as to why the U.S. should or should not link normalization with the fullest possible unilateral accounting of all of the discrepancy cases? I think we should. I think Vietnam would respond positively to such an offer. I thought this was President Clinton's original condition for normalization. So, why move the goalpost to benefit the Vietnamese at the expense of the families of those still missing and unaccounted for in Southeast Asia? These are questions to which this Committee needs answers.

As I said at the beginning of my statement, I am not opposed to normalized relations with Vietnam in principle. Vietnam is an important country in Southeast Asia that the U.S. cannot afford to ignore. Soon, Vietnam will be a member of ASEAN. And, once genuine economic and political reforms occur in Vietnam, the country certainly has the opportunity to become the next Asian tiger. I believe that normalizing relations will help--to what extent I do not know--but it will help start and then sustain the kind of reforms needed in Vietnam. Having a U.S. diplomatic presence in Vietnam is necessary if we are to provide the kind of consular services in Vietnam that American citizens enjoy almost everywhere else around the world. Having a U.S. diplomatic presence in Vietnam will also benefit our efforts to monitor and improve human rights. And, this presence will help American interests compete against the Japanese, other Asians, Australians and Europeans.

However, I fear that if we compromise any further on the issue of POW/MIA accounting--an issue President Clinton and his two immediate Republican predecessors all declared a highest national priority of the United States--why should Vietnam take us seriously on any other future bilateral concern? If the U.S. appeases Vietnam on the POW/MIA discrepancy cases, shouldn't

Vietnam expect similar kid-glove treatment with regard to future trade agreements? The U.S. needs to send a strong, clear message to Vietnam. We need to identify our priorities and stand by them. Ultimately, Vietnam will understand and respect this position.

The Communist Party still monopolizes the power in Vietnam. Thus, while we should engage Hanoi--and normalization of relations is part of that engagement process, we should not overlook either the underlying authoritarian nature of the current Vietnamese government or our past experiences in dealing with communist regimes. Only under these circumstances can a solid foundation for future, mutually-beneficial relations be constructed.

Finally, Mr. Chairman, I want to take this opportunity bring to the attention of our colleagues your dedication over the years to the families of these missing Americans and commitment to helping achieve the fullest possible accounting of their relatives. I know that this is a very emotional and complicated issue. I have learned that since coming to Congress, you have always made this issue a priority, serving on the Montgomery Select Committee and as the Chairman of the House POW/MIA Task Force. Therefore, especially to those of us who are new on the Committee, we are fortunate to have our own resident expert as Chairman.

Again, I look forward to the testimony we are to receive today and I thank the Chairman for yielding.

Prepared Statement of Representative David Funderburk
Before the House International Relations Committee
July 12, 1995

Mr. Chairman, I am the only member of this committee to have served as an ambassador to a communist country. I have seen first hand the barbarity and duplicity of communists. In what Winston Churchill called "the dark and lamentable catalogue of human crime" there is nothing on record to compare to the eighty years of destruction and human misery communism brought to Europe, Latin America, Africa, and Asia. Hundreds of millions died. Religious and political freedom was obliterated. To fight communism America spent thousands of lives and trillions of dollars. In light of that bloody history it is all the more tragic that the Clinton Administration has decided to ignore a clear campaign promise and recognize and assist one of the last but not most brutal communist dictatorships left--Vietnam.

The Vietnamese communists deserve only our contempt. They crushed our allies in South Vietnam, killing millions. They overthrew the governments of Cambodia and Laos. They forced the entire ethnic Chinese population of their own country into the sea, prompting Beijing to invade. They opened up "re-education" camps and suppressed all dissent and religious expression. As we speak, Buddhist monks are threatening to take to the streets to immolate themselves. Vietnam has entered into formal defense arrangements with Cuba and Iraq and has recently invited Saddam Hussein for a state visit thereby thumbing its nose at the world community.

Hanoi brutally murdered hundreds of American POWs

before the Paris Peace Accords were signed and they have lied about it ever since. Yet, the Clinton Administration claims that we must rethink our relationship with Vietnam and reward it with the benefits of American recognition and aid because "progress" has been made on the POW/MIA issue. That "progress" is so illusory it is scarcely worth the mention.

There has been no "progress" in accounting for over 300 Americans last known to be alive in the hands of their communist captors. According to information produced by Congressman Dornan's National Security Subcommittee on Personnel, Hanoi still refuses to hand over the remains of almost 100 Americans we know died in captivity. Recently, the communists have resorted to releasing scores of records and boxes of remains which when examined prove to be the bones of animals and ethnic Asians. In fact over 150 boxes of remains handed over to American authorities in recent years show signs of chemical processing and prolonged cold storage. Mr. Dornan's subcommittee disclosed that Hanoi stored over 400 boxes of preserved remains to use as leverage over American leaders. Vietnam has cynically and criminally played upon the emotions of POW/MIA families to extract financial and diplomatic concessions from this Administration.

In testimony last month, retired military POW/MIA investigators told the House that Hanoi still holds back remains, still holds back documentary evidence, and deliberately manufactures and manipulates crash site

evidence. The administration was forced to admit that none of the hundreds of documents and remains handed over to a blue ribbon Presidential delegation in May will lead to the closing of one POW/MIA case. In fact, leaders of the most prominent POW/MIA family and veterans' groups were asked to participate in the Administration's trip to Hanoi. They refused feeling that the entire process was "arranged" to conclude that the Vietnamese were working hard to full account for missing Americans.

The Pentagon's own Joint Task Force Full Accounting (JTFFA) has repeatedly been denied access to areas where live sightings have been alleged. In addition, the JTFFA has never been allowed to interview one witness without the presence of a Vietnamese military or political officer. Despite Administration claims that better relations with Hanoi have led to more MIA case closings the opposite is in fact true. During the Reagan Administration an average of 21 MIA cases were closed per year. Under Bush the average was 24. But, under the Clinton Administration case closings have fallen off to 12 per year. Since the open door on trade was granted to Hanoi five months ago, only five cases have been closed.

For those who argue that opening up Vietnam to our largest companies will pave the way for reform one need only look to China for refutation. We have been engaged in China for twenty-five years and all we have to show for it is an entrenched dictatorship and multinationals which are all too willing to bank on the slave like working conditions which

exist in that country. The same scenario will play out in Vietnam. But it won't stop there. The Administration will request and the Vietnamese will demand--in exchange for more "cooperation" on POW/MIAs--access to the Overseas Private Investment and the Export-Import Bank. Once again the American taxpayer will be stuck floating a brutal dictatorship which will never have the means to repay us.

Some in the Administration and Congress are now advocating that we open up relations with Vietnam and open up security ties with her in order to counter balance resurgent Chinese militarism. That is also a prescription for disaster. I have seen what happened when we toyed with a communist dictator who promised us that he would side with us against a more powerful adversary. We placated Ceausescu and turned a blind eye to one of the most savage regimes in the history of eastern Europe. Placating Romania was shameful then but it pales in comparison to the policy we are about to set for Vietnam.

Mr. Chairman, the only way for reform, the only way to stand up for our ideals is to say respect for human rights and progress toward democracy is the precondition for American recognition. Vietnam fails our ideals on all accounts not the least of which is the contempt it has shown for the emotions and sensibilities of our POW/MIA families. In the light, the Clinton policy on Vietnam is contemptible.

Statement of Representative Sam Johnson
Before the House International Relations Committee
July 12, 1995

Mr. Chairman

Thank you for the opportunity to come and testify before you and the subcommittee this morning.

As we all know, yesterday, President Clinton normalized relations with Vietnam, granting them full economic and political ties with the U.S. I find his move disappointing and surprising, in that it comes relatively quickly after his 1992 campaign promise that he would not normalize relations until a full accounting of U.S. POWs and MIAs had taken place. His move is yet another example of a campaign promise broken to the American public. During his campaign, Clinton promised to follow the "road map" that former president George Bush had laid out, which stipulated that in return for lifting the trade embargo, all POW/MIA cases would have to be resolved and remains would have to be repatriated to the U.S. before full diplomatic recognition could be extended to Vietnam. To date there are over 55 last known alive cases still pending.

The White House ceremony yesterday may have satisfied certain segments of our society whose desire it is to obtain access to a potentially growing third world market. But for the friends and family members of our lost servicemen, yesterday was a slap in the face carried out by an administration whose foreign policy acumen leaves a lot to be desired. By normalizing relations, President Clinton has failed the American people.

I spent seven years as a Prisoner of War in Vietnam, Mr. Chairman, and so as you know, I have more than a passing interest in our relations with this country. I understand the importance of exposing the closed, somewhat infantile markets of Vietnam to the free and open market system of the United States. American businesses, having not had the same access to Vietnam as most of our G-7 competitors, are warranted in their desires to gain access to the Vietnamese consumer and their labor markets. However, before we can begin the process of helping our former enemy reform its economy, we must put this issue to rest.

The time has come for the war to end. But the United States is not totally responsible for closing the book. I am fully prepared to allow the United States to engage in normal relations with Vietnam if they simply would turn over their records—which they admit to having on all POWs—and allow us to investigate without restriction. Vietnam has refused to do this.

Some say that with normalized relations Vietnam will be more generous with their documents and artifacts once relations are normalized. Why would they? By taking this action we are giving away the store and they are effectively off the hook. The incentive for them to cooperate is gone. They could go out and destroy all their records knowing they no longer have to bribe us little by little for normalization of relations. With the stroke of a pen yesterday, our leverage was eliminated. In fact, they have now increased leverage for every minor trade or political concession they may want in the future.

The popular justification for normalization of relations is that the Vietnamese have cooperated fully and completely in helping us access information on our servicemen. In reality though, they have been less than forthcoming. Just this past month, hearings were held in congress by my colleague Mr. Dornan in which members of the Pentagon's Defense POW/MIA Office (DPMO) testified that the government of Vietnam continues to hold back information and bodily remains as well as essential documents and records which DPMO officials feel are necessary to settling outstanding cases.

Mr. Chairman, It is important to look at quality and not quantity when assessing their cooperation. Between 1992 and 1994 Vietnam gave us over 21,000 documents and artifacts. Only 1 percent of those pertained to the POW/MIA issue. Our government has received animal bones that were supposed to be remains. We have been led to alleged crash sites that, upon inspection, were found to be carefully recreated just for an American visit. This does not illustrate cooperation on the part of the Vietnamese. What it does illustrate is the underhanded, manipulative government that I came to know very well during my seven years as a POW.

This mistrust is what nullifies the other justification for normalization; that Vietnam will assist the United States in dealing with China. It helps to look at recent history when we tried to position Iraq as a buffer to Iran and it backfired on us. If we want to deal with China, we need to be straightforward in doing so. However, this would require a consistent and well thought out foreign policy, which has never been a hallmark of this administration.

I know from my experience not to count on the Vietnamese. But, at the very least we should be able to count on our own president. Unfortunately, by his actions of yesterday, President Clinton did not convey the message that America will stand strong on principle and support those who served this country.

Prior to yesterday, I, along with my colleague Mr. Hunter, introduced H.Con.Res. 81, which stipulated, among other things, that full access to Vietnamese archives must be achieved before normalization could take place. Now that Clinton has announced normalization, I believe it will be important for us to work on blocking future funding for any economic relations with Vietnam. I strongly support the chairman's resolution, H.J. Res. 9, which prohibits funding for these activities, and look forward to working with him and my colleagues on this important issue.

Thank you Mr. Chairman

TESTIMONY OF CONGRESSMAN PETE PETERSON
House International Relations Committee
July 12, 1995

More than twenty years ago, I returned from Vietnam to a nation distressed by a controversial and divisive war. As a prisoner of that war for six and one-half years, I am no stranger to the full emotional and psychological impact that strife had on individual citizens and the nation as a whole.

While the wounds left by this war run deep and have been slow to heal, the time to move forward has come. The haunting and painful experience of the last thirty years must now give way to a prosperous future of bilateral cooperation between the U.S. and Vietnam. As a Vietnam veteran, and former POW, I know that the time for normalization has come.

I have traveled to Vietnam twice in the last five years and have been increasingly impressed with our progress in establishing a truly bilateral American/Vietnamese effort to achieve a full accounting of my colleagues who did not return from that tragic conflict.

In the time since the President lifted the trade embargo last year, Vietnam has been more forthcoming, providing new access to records, witnesses and areas where Americans were lost. Since January, 1993, we have found new answers and achieved tangible results:

- * 167 sets of remains have been returned to the U.S., and 37 have been identified.
- * We have conducted more than 16 joint field exercises with the Vietnamese.
- * Joint U.S.-Vietnamese teams have reviewed 27,000 archival items and conducted hundreds of interviews and Vietnamese witnesses, yielding new information.
- * We have resolved 80 of 135 discrepancy cases -- where individuals survived but did not return alive and remain unaccounted for.

American MIA investigators now have access to anyone anywhere in Vietnam. Such openness is a strong signal that Vietnamese officials are ready and willing to cooperate and assist us in our efforts. It may have taken some time, but I believe that now a sincere and trusting partnership has formed between the members of the American/Vietnamese joint investigative teams.

I am convinced that through more formal relations with Vietnam, we will even further enhance our ability to achieve the fullest possible accounting of our missing servicemen.

Formal diplomatic relations with Vietnam will also assist us in dealing with the complexities of the security challenges that exist in East Asia; will put us in a better position to encourage progress on human rights; and will motivate the Vietnamese to embrace a free market economy.

I think it is also particularly relevant that support for normalization is bipartisan and bicameral. Distinguished Vietnam vets, whether represented by organizations or on behalf of themselves, have come forward to say the time is now. We are all fully aware that the legacy of bitterness that followed the war in Vietnam still exists in the hearts of many veterans and their loved ones. However, we also know that the only true way to heal the pain of the past is to reach for the promise of the future.

It is time for resolution of the Vietnam conflict; retribution is no longer defensible. I firmly believe that the time for normalization of relations with Vietnam has come; it is clearly the right thing to do!

The Honorable Jim Kolbe
Testimony before the House Committee on International Relations
July 12, 1995

Thank you very much for the opportunity to testify today. I commend the Committee for holding hearings on this important issue, which I think deserves full discussion. I am here today to express my strong support for the decision to restore full diplomatic relations to Vietnam.

I served in the Vietnam War as a Navy officer on "swift boats," patrolling rivers and canals in the delta region. Let me be very clear on this point: having served in Vietnam does not bestow any unique qualification to have an opinion on this issue. But perhaps, it does provide me with some background on which to draw. In addition, in 1991, I co-led a Congressional delegation to Vietnam, in part to explore MIA issues. I have followed the situation in Vietnam very closely over the last 20 years.

In 1991, President Bush proposed a "roadmap" for improving our relations with Vietnam. Most importantly, Vietnam was required to take steps to help us account for our missing servicemen. In return for this cooperation, the United States would move incrementally toward fully normalized relations.

I support this major step, the normalization of diplomatic relations, because I believe Vietnam has met the conditions outlined by President Bush. The Vietnamese have become more cooperative on the MIA issue in recent years. In fact, according to nearly every U.S. official involved in the accounting process, Vietnam's cooperation has increased since the President lifted our trade embargo last year. I believe that diplomatic recognition of Vietnam will facilitate further cooperation.

Resolving the fate of our MIAs will remain the highest priority for our government. We owe that to our missing servicemen and their families.

However, our efforts to resolve the fates of our MIAs from the Vietnam War have been extraordinary and constitute the most extensive such accounting in our history. There are over 8,000 remaining MIAs from the Korean War and over

78,000 from World War II. The U.S. spends about \$100 million a year on our accounting efforts in Vietnam. Our efforts have reduced the number of MIAs to 1621 through painstaking investigation and identification processes. Most of the missing involve men lost over water, or in other circumstances where survival was highly unlikely, and where recovery of remains is difficult. Significantly, the number of "discrepancy" cases (the cases of those servicemen where the available information indicated that either the individual survived or could have survived) is now at 55. It was much higher than that when I visited Vietnam just four years ago. We could not have achieved this progress without the cooperation of Vietnam. Establishing regular diplomatic relations is certainly not the end of our efforts on the MIA issue, but simply the next appropriate step. We must remain vigilant to ensure that the Vietnamese adhere to the commitments they have made.

Establishing diplomatic relations with Vietnam will also advance other important U.S. foreign policy objectives. Given the increasingly bellicose behavior of China in East Asia, it is certainly in our national interest to take steps to stabilize the balance of power in the region. Normalizing relations with Vietnam and strengthening their political role in the region will help in this regard.

We all agree that Vietnam's human rights record needs substantial improvement. I believe that as we increase our diplomatic and economic ties to Vietnam, we will encourage more pluralistic and democratic political processes. While there are limits on the political reforms that a Communist nation undertaking economic liberalization will willingly make, the best foreign policy tools available to us are policies that promote capitalism, market reform, and free trade. These are precisely the tools that will stimulate internal reform and lead to greater respect for human rights and personal liberty in Vietnam. Indeed, there are currently many examples around the world which support the proposition that economic freedom ultimately results in social and political reform.

Our nation has always recognized a clear distinction between being at peace and being at war. We can never forget the pain and suffering of war. However, with this step, we can say that those who fought in Vietnam have had their commitment vindicated as economic and political freedom takes root in that country.

Thank you again for the opportunity to testify today.

RANDY "DUKE" CUNNINGHAM
81ST DISTRICT, CALIFORNIA

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Representative Randy "Duke" Cunningham
Testimony before the House Committee on International Relations
Regarding the Normalization of Relations with the Socialist Republic of Vietnam
July 12, 1995
2172 Rayburn House Office Building

Mr. Chairman:

I want to thank you for bringing this important topic before the House International Relations Committee. The Americans who selflessly served our country in Vietnam did our country a great service over 20 years ago. Many of them gave their lives over there, and a great number of them gave up their freedom to defend ours. We still do not know what has come of all of them.

As a Vietnam veteran who worked and flew alongside some of the American men who gave their lives in that war, I strongly oppose President Clinton's decision to normalize relations with the communist government in Hanoi. Citing the Vietnamese government's long record of human rights abuses, including the regular use of "re-education" camps to enforce Communist ideals, a number of Vietnamese-Americans in my district have asked me to do what I can to pressure their former government into becoming a responsible member of the world community. I fully intend to do so.

If, as the president directs, this country begins normal and regular trade and diplomatic relations with the Socialist Republic of Vietnam, we will send a signal that this country is willing to accept the activities of the Vietnamese government. Mr. Chairman, what comes next, normalization with Castro's Cuba?

We do not have a full accounting of all of the Americans that lost their lives or their freedom in Vietnam. Any trade or relational deals that we make with their government should

--more--

be contingent upon their full cooperation. We have an absolute responsibility to the friends, the families, and the memory of our POWs and MIAs to learn everything we can about their fate.

As a veteran, as an American of good conscience, and as a Member of the U.S. Congress, I consider it my responsibility to re-double my efforts to make sure that this country does not forget about the brave and selfless Americans who became our Vietnam POWs and MIAs.

**The Honorable Wayne T. Gilchrest
July 12, 1995
Statement before the House Committee
on International Relations
Hearing on the Full Accounting of
American POWs and MIAs in Vietnam**

Mr. Chairman, I thank you for this opportunity to share with you and the Committee my views on normalization of relations between the United States and Vietnam. It is in the United States' national, economic, strategic, and diplomatic interests to have closer ties with Vietnam. Normalization shall help us reach a full accounting of American Prisoners of War and Missing in Action. Greater contact with Vietnam will speed up the continuing efforts to have a full and complete accounting of American Prisoners of War and Missing In Action.

Normalization is part of the process of healing from the Vietnam War, an experience that has touched all Americans. The Vietnam War still teaches important lessons about the limits on American power as military force is used to achieve foreign policy goals. And, the Vietnam War teaches us that the fragile bonds of trust between the American people and their government must be protected and strengthened. When this trust is damaged, the basic elements of American society are placed at risk.

Nationally, we must not stay locked in the pain, sorrow, and grief that the Vietnam War caused. During the Vietnam War, hundreds of thousands of Americans made tremendous sacrifices to defend American freedoms and share these freedoms with the Vietnamese. There are many tragic stories and a lot of sadness from Vietnam. Part of the healing process is for people not to forget the past but to make a better future for our children. Let us allow the young people of America and Vietnam to work together for a better future for the world.

Through normalization we may gain the final victory that these American sacrifices sought. Through closer ties, the United States can influence the future of Vietnam as it begins to move away from communism and to a more free and open society. We can look backwards to the past with bitterness, or we can move ahead and challenge Vietnam to adopt more open, more democratic, more capitalistic ways of life.

Economically, American companies have been at a great disadvantage with European and Asian countries who have been freely trading with Vietnam for a number of years. American business know-how, American products are sought by the Vietnamese.

Diplomatically, Vietnam, with more than 70 million persons, (most of whom are under the age of thirty), shall be an important player in the region. Working with them as they build and grow into a more open society will serve American interests as we seek closer ties and open markets in Asia. Strategically, as we continue to rely upon open sea lanes in Asia for the movement of American goods, Vietnam cannot be ignored.

Finally, the decision to normalize relations between the United States and Vietnam has major significance for the brave American veterans who served in Vietnam and their families. We must never forget their sacrifices. The trials, tribulations, and suffering endured by POWs and MIAs and their families must

bear fruit. The government of Vietnam has made progress in resolving discrepancy cases involving American POWs and MIAs. Normalization is another step toward obtaining a full accounting. As more Americans travel to Vietnam, we will dramatically increase our chances of fully resolving the outstanding discrepancy cases.

Having served as a Marine platoon leader in Vietnam and been wounded in the service of my country, it was a rare privilege when in 1991 I participated in a Congressional delegation visit to Vietnam. Vietnam is a primitive country that is growing rapidly. It is through closer contact with the Vietnamese that we will acquire a full accounting of our missing service members.

Since that visit in 1991, as the Vietnamese have become more forthcoming with the information they possess, the U.S. has taken incremental steps toward normalization. Through normalization, we continue to encourage the Vietnamese government and gain a larger platform from which to influence the Vietnamese government. An increased American presence in Vietnam will help resolve the remaining cases.

It remains troubling that there are more than 2,000 servicemen unaccounted for in Southeast Asia, with 1,619 in Vietnam. As we recall other wars, we note that there are more than 8,000 servicemen who are MIA from Korea and more than 78,000 who are MIA from World War II.

Throughout this century, America and Viet Nam have made critical errors in judgement toward each other. The first American official, an OSS agent, met with Ho Chi Minh in 1945, and urged President Truman to establish a relationship with the Vietnamese leader. This recommendation was reportedly ignored. The rest is tragic history. I have had the pleasure of talking with the OSS agent, Archimedes Patti, who is still alive and living in Florida.

One of the major obstacles to improved relations with Vietnam is the issue of the MIAs. This is a priority problem. However, finding a realistic solution is more important than merely discussing the problem. Bringing together all resources, public and private, will help speed a resolution. Today, that means more Americans in Vietnam.

In 1945, the Vietnamese people viewed Americans as liberators against the tyrannical Japanese and the imperialist colonial power, the French. That special relationship still remains, though severely weakened.

Confusion, misinformation and political pressure must not dictate a nation's policies. After careful evaluation of our shared, turbulent history, the appropriate solution is to normalize relations. This policy will finally begin a healing process that will lessen the lingering sense of despair that relatives and friends of MIAs have felt for so long. This change will give the gift of hope to many.

Let me reassure you that I am fully committed to ensuring that our government honors its commitment to the men and women who served and died in the Vietnam War. After travelling to Vietnam in August 1991 with five Members of Congress who were also Vietnam veterans, I was encouraged that we would receive the full cooperation of the Vietnamese government. I remain persuaded that the Vietnamese government is committed to continuing to cooperate. Our government is pursuing all avenues

to find answers as to the fate of missing American POWs and MIAs. It is because we are serious about finding these answers that we do proceed with normalizing relations with Vietnam. It is our hope that as we normalize relations, and as more Americans go to Vietnam, we increase our ability to find answers.

U.S. Rep. Robert K. Dornan (R-CA/46)
Statement on Diplomatic Relations with the Socialist Republic of Vietnam
Wednesday, July 12, 1995

The Clinton administration's appalling decision to normalize relations with Vietnam based on "substantial" progress in accounting for American MIAs is totally without substance or justification. In reality, the Vietnamese communists have yet to answer for some 300 Americans last known alive under their control in Vietnam and Laos. In addition, Hanoi has returned a mere three sets of remains out of 97 Americans known to have perished in captivity. If the administration accepts this cruel charade as "prodigious diligence," it will encourage Hanoi to prolong the heart-wrenching nightmare of the families of the 2,200 missing servicemen.

Tragically, the U.S. government knows that the Vietnamese and their Laotian proteges carefully maintained detailed and extensive sets of records on prisoners of war and the remains of those who perished. Thus far, they have handed over a fraction of the pertinent documents they possess. The most recent batch that the administration acclaims admittedly gives no details that would resolve even one specific case. In addition, around 85 percent of some 600 Americans captured or missing in Laos were under Vietnamese control. Hanoi has refused to hand over the documents and extensive film and photo archives of their army units and advisory forces that operated in Laos.

The Vietnamese communists have a long history, as they demonstrated for over 30 years after their war with France, of bartering human remains for political gain. In recent years, the majority of remains returned in caskets from Hanoi draped with American flags have proven to be bones of animals or non-Americans. These cruel abuses of anxious families are actually considered anti-Geneva Convention war crimes.

Thus far, at least 163 sets of remains returned from Hanoi show evidence of chemical processing and prolonged storage. Everyone throughout the U.S. intelligence community has long believed, based on credible reporting, that after the war the communist regime had at least 400 such processed remains placed into storage for use in political bartering.

On June 28, at a hearing before the Military Personnel Subcommittee of the House National Security Committee, which I chair, leaders of the National League of Families and National Alliance of POW/MIA Families implored the administration not to surrender the leverage of diplomatic and trade relations until after Hanoi delivers the fullest honest accounting.

During the same hearing, in remarkable testimony, current officials of the Pentagon's Defense POW/MIA Office (DPMO) and recently retired senior field investigators of the military's Joint Task Force Full Accounting (JTFFA) admitted under oath that the Vietnamese government continues to 1) withhold remains; 2) withhold essential documents and records; and 3) manipulate field investigation to include coaching and intimidating witnesses and, in some instances, manipulating evidence at crash sites.

Dornan - 2222

The commanding officer of the JTFFA, detachment commanders and investigation team leaders operating in Indochina are largely infantry or artillery officers with scant or no training or experience in intelligence, investigative work or interviewing techniques. This may explain why out of 141 "last known alive" cases rapidly listed as "resolved" by JTFFA during the past two years, only 24 were based on the return of remains. In repeated instances, JTFFA investigators do not demand to interview witnesses outside of the presence of government officials.

Even more incongruous, if not criminal, while conducting valid investigations the JTFFA hands over the names of friendly informers to communist officials. This is akin to FBI agents giving the names of mob informants to mafia chieftains while asking for assistance in preparing Justice Department investigations on kidnaping or extortion.

The argument posed by those who favor normalized relations is that better overall relations with the Vietnamese communists has led to better results in accounting for MIAs. This is flat out disproven by the actual record. During the "hardline" Reagan administration when U.S. officials adhered to strict negotiating principles, 169 MIAs from Vietnam were accounted for, an average of 21 per year. During the Bush administration, 96 MIAs were accounted for, averaging 24 per year. However, during the first two and a half years of the Clinton administration, only 30 MIAs have been accounted for, a drop to only 12 per year. But, tragically and more telling, since the administration lifted the trade embargo, the number of those accounted for has dropped to a mere eight.

The above record shows that although there will come an appropriate time to restore ties with Vietnam, we must first demand that it unilaterally account for those Americans "last known alive" or who were known to have "died in captivity." In addition, we must not betray the most courageous of Vietnamese citizens, Catholic and Buddhist clergy, intellectuals and even former revolutionaries who are all fighting for democratic reform. Until that time, we must not allow business profits or a desire to "put Vietnam behind us" stand in the way of an honorable and lasting resolution to the tragic legacy of that war.

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Congressman Dornan is chairman of the Military Personnel Subcommittee of the House National Security Committee and chairman of the Technical and Tactical Intelligence Subcommittee of the House Permanent Committee on Intelligence.

Photo of the remains of Air Force Major Marvin N. Lindsey, an MIA since 1965. His remains have never been returned, and the Vietnamese had previously denied any knowledge of his fate.

Photograph of Navy Lieutenant Lee E. Nordahl, an MIA since 1965. He is clearly receiving medical treatment in this photograph, yet the Vietnamese had previously denied any knowledge of his fate. His remains have never been returned to American custody.



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11/2/95's record Vietnam re-militarization IFC hearing
 Anthony Hansen
 "SECRET ARCHIVES"

DOJ/NTN

Habitat, a private nonprofit Christian organization headquartered in Americus, Ga., now boasts more than 1,100 local chapters. It has grown to become one of the top 20 homebuilders in the U.S. - 4,000

Don't Reward Vietnam

By Bruce Henschensohn

This week, President Clinton plans to give full diplomatic recognition to the Socialist Republic of Vietnam. Most of the controversy surrounding the move has focused on the POW/MIA issue. While this is important, it obscures the real significance of the administration's decision: By recognizing Vietnam now, Mr. Clinton would send a message to foreign governments that it's unnecessary to keep agreements with the U.S.

U.S. troops were removed from South Vietnam because of the agreements initiated on Jan. 23, 1973, by Henry Kissinger for the U.S. and Le Duc Tho for Vietnam. Before we make any new agreements with Hanoi, wouldn't it be worthwhile to remember the contents of this treaty, the last one between the two countries?

Chapter 4, Article 9 of the Paris Accords states that "the South Vietnamese people shall decide for themselves the political future of South Vietnam through genuinely free and democratic general elections under international supervision." Article 11 guarantees the "democ-

an organization-- and another thing to approve federal funds for it. One must ask, Will such funds be good for Habitat in the long run? More broadly, the implicit question here is one about the stance govern-

atic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work."

The accords were taken seriously by the American side. When President Nixon informed the nation of the signing of the accords, he said, "The people of South Vietnam have been guaranteed the right to determine their own future without outside interference."

But to this day, more than 22 years later, the Paris Accords remain unobserved by the Hanoi government. Not only did the North violate the treaty by invading the South in 1975, but since then the government has denied to the people of Vietnam every one of the liberties enumerated in the accords.

The pro-Hanoi lobby doesn't seem to care. Many business people in the U.S., it seems, ignore the moral aspects of recognizing Vietnam and look at it only as a means to fatten their wallets. They justify this approach by arguing that opening ties

new construction beyond the means of the poor?

The broader question here is that of government influence on the nonprofit sector. As Johns Hopkins's Lester Sala-

with Vietnam will pave the way for democracy and human rights.

Please. We've heard it all before. That was the business lobby's argument for giving "most favored nation" status to the People's Republic of China. Today, along with hundreds of thousands of others who suffer at Beijing's hands, the imprisoned American human-rights campaigner Harry Wu can testify that these arguments were false.

They've always been false. I have on my desk an old and tattered book published before our entry into World War II. Its title is "You Can't Do Business With Hitler," by Douglas Miller. Many Americans can business people ignored this advice then, just as many would ignore a book today called "You Can't Do Business With Le Duc Anh." But it remains as true today as in the 1930s: The U.S. shouldn't open ties with dictatorships that respect neither their own citizens nor foreign treaty obligations.

Mr. Henschensohn, a fellow at the Claremont Institute, was an aide to President Nixon at the time of the Paris Accords.

Handwritten: Document in the Paris Accords

Handwritten: Document in the Paris Accords

Handwritten: Document in the Paris Accords

**OPENING STATEMENT OF AMBASSADOR WINSTON LORD
HOUSE INTERNATIONAL AFFAIRS COMMITTEE
JULY 12, 1995**

Mr. Chairman, distinguished members of the Committee,

I welcome the opportunity to appear before you to discuss Vietnam. As you know, President Clinton announced yesterday his decision to establish full diplomatic relations with Vietnam. We believe this bold step can further the healing process for our nation and move us towards reconciliation among ourselves and with a former enemy. As President Clinton said yesterday, "This step will...help our own country to move forward on an issue that has separated Americans from each other for too long now....This moment offers us the opportunity to bind up our own wounds....We can now move on to common grounds. Whatever divided us before, let us consign to the past. Let this moment, in the words of the scripture, be a time to heal and a time to build."

The President made his decision to move forward with Vietnam on the unanimous recommendation of all his top advisors as well as our personnel overseas and at home engaged in the search for information on MIA's. It was also supported by many veterans and former POW's, including some in Congress who stood with the President yesterday.

I want to emphasize that the President's decision to establish diplomatic relations with Vietnam, as well as the other incremental steps taken over the years, was based on effective

Vietnamese cooperation which has led to progress on POW/MIA accounting. In reaching his decision, the President considered the Department of Defense's assessment of the documents recently turned over to a Presidential Delegation visiting Hanoi, high-level Vietnamese pledges of continued cooperation, and the record of other Vietnamese actions in POW/MIA accounting. On this basis, the President determined further tangible progress could best be promoted through closer bilateral ties.

Mr. Chairman, since 1993, I have made four trips to Vietnam, three as part of Presidential Delegations. During these visits, I have had the privilege of viewing firsthand the painstaking work of those devoted and loyal Americans who are working to resolve the outstanding POW/MIA cases. Some of these endure the heat and humidity of Southeast Asia's jungles and the ruggedness of the region's mountainous terrain. Others work diligently in laboratories in Hawaii to identify individuals from tiny bone fragments and scraps of personal effects. Still others seek answers in Pentagon offices, sifting shreds of information from documents and witness reports.

I could regale you with many stories of the hardships these Americans face in their efforts to account for our missing

personnel, but I will share only two today. The excavation and recovery of remains from one case required the establishment of a base camp on the side of a mountainous rock formation with a slope from 30 to 60 degrees. The twelve U.S. and fifteen Vietnamese recovery team members had to climb more than an hour from the base camp and the terrain was so steep that at points it required scaling rock faces hand over hand. Over the next two and a half weeks, the team climbed an hour each day from the base camp to the site, excavating at the site, then climbed for an hour back to the base camp.

The immediate area of the crash was a rocky slope 40 to 45 degrees in grade. Working from the lowest elevation to the heights at the site, the team worked over the next sixteen days removing surface rock, scraping and sifting through screens the associated soil, aircraft debris and human remains. The excavation yielded 187 bone fragments, 16 human teeth, personal effects, life support equipment, and other wreckage.

In another case, the recovery teams had to excavate a fishpond. To prevent the collapse of the adjoining rice paddies into the pond as it was drained, the team had to dam up the edges with woven-bamboo matting held in place by stakes. For six weeks the team sifted and washed the mud and muck from the pond, eventually recovering bone fragments, teeth with restorations, and two gold wedding bands.

These vignettes illustrate not only the hard work of our dedicated Americans, but also the level of cooperation we receive from the Vietnamese. Vietnamese teams work jointly with American teams during Joint Field Activities (JFA's). Vietnamese government officials at the national, provincial and local level have permitted us access to all parts of their country in our search for missing personnel. Vietnamese laborers assist our field teams in their excavations. All of these men and women, American and Vietnamese, deserve our thanks for their dedication and hard work.

Also deserving of the nation's thanks is General John Vessey who has worked tirelessly to resolve the issue of missing Americans. His efforts have benefitted many families and our nation as a whole.

This Administration has been and remains committed to achieving the fullest possible accounting for our prisoners of war and missing in action in Southeast Asia. This nation has pursued the most elaborate, extensive efforts to account for our missing in action from any war. The President reiterated our commitment yesterday. To achieve this objective, we have, over the years, sought ways to encourage further progress in the accounting process. The President's decision to lift the trade embargo and establish liaison offices with Vietnam in

February 1994 was based on his judgement these actions were the best way to promote further progress. The results since then have vindicated these decisions. We expect the establishment of diplomatic relations, the appropriate "next step", to lead to still further progress on this highest of national priorities.

At the time the embargo was lifted, the President stated additional steps in U.S.-Vietnam bilateral relations would depend on tangible progress toward the fullest possible accounting. He identified four key areas where progress was needed to advance the normalization process:

- recovery and repatriation of remains;
- resolution of the remaining discrepancy cases;
- trilateral investigations with Vietnam and Laos; and
- provision of documents.

We have made significant progress in each of these areas since the beginning of this Administration. We have seen improved Vietnamese cooperation on resolving POW/MIA cases, leading to the recovery of remains which have been or are in the process of being identified, and to provision of information which has been helpful in determining the fate of some missing individuals. The Vietnamese have carried out collaborative

field investigations and excavations; permitted travel throughout their country, including sensitive military areas; and granted access to prisons and graves and archives.

In the past two years, the Vietnamese have stepped up their unilateral efforts to advance the POW/MIA accounting process by locating remains, documents and witnesses. Over 180 pages of documents, many with valuable leads, were turned over to the Presidential Delegation which visited Hanoi in May. Additional documents have been passed since that visit. The Vietnamese have formed special research teams for the purpose of finding documents which may contain relevant information on our missing personnel. They are working with us and the government of Laos to find witnesses to cases in Laos. In addition, the Vietnamese government has granted amnesty to all Vietnamese citizens holding remains to encourage them to turn these over

With the establishment of diplomatic relations, our ability to further POW/MIA accounting is strengthened. Our liaison office in Hanoi will be upgraded to an Embassy. Early next month Secretary Christopher will visit Vietnam to press for further progress on MIA accounting. He will also raise other issues of concern that we can address more effectively with diplomatic relations -- human rights, the stemming of drug traffic, trade

and investment opportunities, and regional security. Soon our Ambassador will be on the spot to represent directly and forcefully the interests and concerns of the President and the American people.

Let me close with the words of President Clinton yesterday:
"...normalization of our relations with Vietnam is not the end of our effort. From the early days of this administration, I have said to the families and veterans groups what I say again here. We will keep working until we get all the answers we can." Be assured our commitment to this issue is firm. As we enter this new phase in our relationship with Vietnam, the POW/MIA issue will remain our central focus. We will continue to require Vietnamese cooperation at the highest levels until our objective of the fullest possible accounting is achieved.

Thank you.

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MILITARY PERSONNEL SUBCOMMITTEE

Statement

By

Deputy Assistant Secretary of Defense (POW/MIA Affairs)

James W. Wold

Congressional Hearing

Before the

House International Relations Committee

July 12, 1995

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HOUSE COMMITTEE ON NATIONAL SECURITY
MILITARY PERSONNEL SUBCOMMITTEE

Good morning Mr. Chairman. Although I have only served as Deputy Assistant Secretary of Defense for POW/MIA Affairs for the past fourteen months, my ties to the POW/MIA issue date back much farther; to my military flying days during both the Cold War and the War in Southeast Asia. I flew over 240 combat and search and rescue missions in Southeast Asia, and in 1973, during Operation Homecoming, I worked with many returning Air Force members, helping them make the necessary readjustments so they could resume their lives and their military careers.

Today, in my present position, I have a greater understanding of the issue, and my resolve on behalf of our missing Americans and their families is even stronger. The United States Government has committed more resources, deployed more personnel, and used more equipment than ever before in an effort to resolve the remaining cases of unaccounted for Americans in Southeast Asia. Never before in all the history of warfare has so much been done to get this kind of accounting.

Shortly after President Clinton's decision to lift the trade embargo against Vietnam, then acting director of the Defense POW/MIA Office Ed Ross, testified before a Congressional committee that the Department of Defense believed the lifting of the trade embargo would provide us with greater access to Vietnam and to Vietnamese people and thereby increase our prospects for attaining the fullest possible accounting. Today, I can confirm that has occurred. In the past year I have traveled to Vietnam on five occasions, twice as a member of Presidential Delegations and three times as the leader of Department of

Defense delegations. During these trips I have discussed the POW/MIA issue with senior government officials in Vietnam, received numerous briefings from the Joint Task Force - Full Accounting personnel, and met with State Department officials at our liaison office in Hanoi. I have also had the good fortune to observe our Department of Defense personnel in the field conducting joint operations with their Vietnamese counterparts.

As you are aware, 2,202 Americans currently remain unaccounted for in Southeast Asia. Of these, 1618 were lost in Vietnam. I report to you today that the United States Government has made, and continues to achieve, steady progress in its efforts to account for missing Americans as a result of the War in Southeast Asia. I would like to review our efforts in Vietnam.

President Clinton has repeatedly stated that further progress toward normalization will be predicated on progress in four areas: (1) concrete results from efforts by Vietnam to recover and repatriate American remains, (2) continued resolution of the fates of the 55 individuals involved in the remaining discrepancy cases, (3) further assistance from Vietnam in conducting investigations along the Lao-Vietnam border, and (4) accelerated efforts to provide POW/MIA-related documents.

The recovery, repatriation, and identification of remains continues to be the key measure of our accounting efforts. The return of a fallen American's remains to his or her family, or conclusive evidence why we cannot recover those remains, ultimately provides the only

true comfort to family members. With regard to the recovery of remains, in 1993 we repatriated 82 remains, 43 from joint activity and 39 from unilateral turnovers. Last year we recovered and returned to the United States 61 remains, 40 jointly and 21 as a result of unilateral turnovers. Thus far this year we have repatriated 24 remains, 16 as a result of joint efforts and 8 from unilateral returns.

The ultimate goal, however, remains the identification of remains so they can be returned to the families for proper burial. Our identification process is painstaking, deliberate and slow to insure accurate identification and accounting of missing Americans. As was the case during our recent identification of two Americans lost in Laos, the identification process often takes a year or more after remains have been repatriated. During the present administration, we have identified 39 remains repatriated from Vietnam; 10 in 1993, 26 last year, and 3 to date in 1995. In addition, the Central Identification Laboratory in Hawaii anticipates 40 - 50 additional remains will have been submitted to the Identification Review Board by the end of this year.

These numbers reflect the excellent joint cooperation we enjoy with the Vietnamese. Our teams currently travel throughout the country, and have virtually unrestricted access. Indeed, even areas that were once restricted—such as around Cam Ranh Bay and Haiphong Harbor—are now accessible to our teams. In addition, the Vietnamese have unilaterally taken broad steps to solicit cooperation from their public. During the past year, they widely publicized their amnesty program throughout the country, maintained a

separate office in Ho Chi Minh City dedicated to recovery of American remains, and listed the Joint Task Force detachment in the Hanoi phone book. These are more than symbolic actions, they are the continued signs of Vietnamese commitment to help the United States resolve this issue. However, our bottom line is to achieve the fullest possible accounting through the return of remains by the Vietnamese and by obtaining answers to our questions regarding the discrepancy and special remains cases which will enable us to reach resolution.

The U.S. government has long maintained that trilateral investigations of specific incidents in Laos could provide critical answers to the accounting process. We see such operations, involving Vietnamese witnesses, as pivotal to our investigations and recovery operations in Laos. In December 1994, I met in Hanoi with Lao and Vietnamese government officials to establish the formal process and routine procedures for conducting trilateral operations in Laos involving Vietnamese witnesses. After intense negotiation and discussion, all sides agreed upon procedures such operations.

Since the accord was struck last December, we have conducted trilateral operations in conjunction with three joint field activities in Laos, including our return to Lima Site 85 on Phou Pha Thi. In that instance, the Vietnamese commander of the sapper unit which overran the American base led a US - Lao joint team back to the site. He reconstructed events on top of the mountain, showing where Americans had been shot and killed.

Taking advantage of his leads, the investigation and recovery team extended operations

through Christmas -- but regrettably recovered no remains. Given the fact that the site was heavily bombed following the Vietnamese attack and contains little topsoil today, this result is understandable. Regardless, our field team put forward a tremendous effort in their search.

To date, Vietnamese government support for trilateral operations has been excellent and approved Vietnamese witnesses have been allowed to participate fully in joint field investigations in Laos. We are convinced that such operations will allow us to resolve some of the more difficult cases that remain in Laos. Our judgment is based on the additional information that has been gained regarding cases in which Vietnamese witnesses have participated. We also continue to request that the Vietnamese Government search for relevant wartime documents relating to their control of territories in Laos, including the Ho Chi Minh Trail. Of particular interest to us are specific reports of shootdowns, captures and burials -- documents, for example, which record the wartime operations of the 559 Group. On January 20, 1995, the Vietnamese reported finding no relevant documents other than the book "Statistical List of Enemy Aircraft Shootdowns," which was passed to U.S. officials in 1993.

During the previous two years, U.S. Government delegations, along with the National League of Families and various veteran service organization delegations, have requested that the Vietnamese Government provide us with archival material that could shed light on unresolved cases. Our efforts to acquire such Vietnamese documents are bearing

fruit and results continue to improve. In late 1994, at the urging of our Presidential delegation, the Vietnamese announced they had created unilateral teams in the Ministries of National Defense and the Interior to search for documents. Since then, these teams have traveled throughout the country searching for relevant documents to turn over to U.S. authorities. In January, we received the first indication of their efforts when one team reported on its efforts to locate "feeder" documents related to the 559 Shootdown Record. The team provided a detailed account of its search effort, and ultimate inability to locate such documents. Nevertheless, we continue to press for these source documents. In mid May, the Vietnamese provided the Presidential Delegation 116 documents totaling 187 pages, including sketch maps, and provincial records recovered by the two ministry teams. In addition, the Vietnamese provided an important unilateral report detailing Vietnamese knowledge about the Special Remains cases. Two weeks later, the Ministry of Interior's unilateral team provided an additional 44 documents totaling 86 pages. In late June, both teams provided US officials with additional documents which are currently being analyzed. The conclusion is that these unilateral teams are having considerable success in locating, retrieving, and providing to us documents which offer new leads that can further the accounting process.

Since the lifting of the embargo, we have made tangible progress in determining fate of the 196 individuals included in discrepancy cases (those involving individuals who were last known alive on the ground in Vietnam). Investigations during the past sixteen months have enabled us to confirm the fates of an additional 18 individuals, reducing the number

of those whose fate has not yet been determined to 55. Of these, each case has been investigated at least once, some as many as ten times. In addition to determining the fate of these individuals, we continue to account successfully for individuals involved in these incidents. Since February we have identified two individuals from the discrepancy case list, and CILHI anticipates some additional identifications will be made by year's end. Nevertheless, we continue to press for more progress and accounting, particularly with the Special Remains and Last Known Alive cases.

We also continue to conduct live sighting investigations when and where information warrants. The investigation of credible firsthand reports of live sightings receives our immediate attention and the first cut at available resources. The recent allegations by Mr. Bill Hendon received substantial media coverage. A special investigator conducted a thorough field investigation of Mr. Hendon's claims that a prison was hidden in a mountain at a specific location in Vinh Phu Province, approximately 50 NM northwest of Hanoi. Using the coordinates provided by Mr. Hendon and a global positioning system (GPS) receiver, the investigator went to several sites in question. One site turned out to be a truck depot; the other was in the middle of a rice paddy. There were no mountains near either site, and no indications of underground facilities. The investigation concluded with no evidence of American POWs being uncovered. Since 1975, DoD investigators have received over 1,750 firsthand reports of live sightings. Follow-up investigations have not yielded any convincing, firsthand evidence of American POWs being held in Vietnam or elsewhere in Southeast Asia.

In conclusion, Mr. Chairman, I would like to stress that the process and the mechanisms necessary to achieve the fullest possible accounting are in place. Although the pace at times can be agonizingly slow, the results I have outlined for this committee today demonstrate that our procedures are effective. We must never forget, however, that the goal of achieving the fullest possible accounting can only be achieved with diligence and hard work. With that in mind, I launched the ongoing DoD comprehensive review of all Southeast Asia cases. I hope to issue a report of that review soon. This all-encompassing look at every individual case will provide a solid analytic assessment of the appropriate "next steps" for achieving the fullest possible accounting. Our unaccounted for Americans deserve no less. I will work to ensure that we keep our promise to them. Thank you.



JAMES W. WOLD
 Deputy Assistant Secretary of Defense
 for Prisoners of War / Missing In Action

JAMES W. WOLD is the Deputy Assistant Secretary of Defense for Prisoners of War / Missing In Action.

Mr. Wold is a combat veteran of the war in Southeast Asia. In Vietnam, he flew 241 combat missions, including search and rescue missions for fellow crewmembers and other servicemen lost over Vietnam and Laos.

As a pilot of his A-1H Spad, he flew numerous close air support missions for U. S. Army Special Forces Teams and other ground tactical units. He is a highly decorated veteran, having been awarded the Legion of Merit with one oak leaf cluster, the Distinguished Flying Cross with 5 oak leaf clusters, the Air Medal with 16 oak leaf clusters, the Bronze Star and numerous other awards.

During his military career, he rose to the rank of Brigadier General at the age of 41, becoming one of the youngest generals at that time in the service. He served as the Defense Attaché at the U. S. Embassy in Moscow, and commanded Detachment A of the 56th Special Operations Wing in Vietnam. He was Chief of the Colonel's Division at Headquarters U. S. Air Force in the Pentagon, and was personally involved in the reception and resettlement of senior U. S. prisoners of war released by the Vietnamese during Operation Homecoming in 1973.

He retired from the Air Force after 26 years of distinguished active duty. He returned to North Dakota where he ran a successful general law practice in Cooperstown. Additionally, he served as senior legal advisor to his local city and county governments as well as State's Attorney for prosecution of all criminal cases within his county's jurisdiction.

He holds a bachelor's degree in Mechanical Engineering, a Masters in Aerospace Engineering, and a Masters in Advanced Management from the Harvard School of Business. He earned the Juris Doctorate in Law from the University of North Dakota.

Mr. Wold is a resident of rural Luverne, North Dakota. He was born and raised in Minneapolis and is married to the former Jo Anne Norheim of Pasadena, California. They have four children and 14 grandchildren.

Testimony of Richard T. Childress
Former Director of Asian Affairs
National Security Council (1981-1989)
July 12, 1995
House Committee on International Relations

Mr. Chairman, other distinguished members of the House International Relations Committee, thank you for this opportunity to appear before you to testify on the subject of U.S. policy toward Vietnam.

I would like to begin my testimony by attempting to focus on the facts that I believe should guide national policy decisions toward Vietnam by our government. While I am a proponent of normalization under certain circumstances, we are now facing an irrational environment created by advocates of normalization whose tortured rhetoric on business opportunities, national security interests, human rights and especially Vietnamese responsiveness to U.S. concerns on the POW/MIA issue has become so preposterous as to warrant close examination by the Congress.

Commercial Opportunities. Some lobby organizations funded by the business community would have you believe that Vietnam is becoming the new "tiger" in Asia and that normalization will allow U.S. businessmen to reap huge profits if only we would establish diplomatic relations. Not so loudly spoken is the final goal, support of our taxpayers for EXIM Bank lending, OPIC insurance and granting of most favored nation status.

These same people told us that Nirvana would be here for American business if only the trade embargo were lifted. It did not arrive.

As the President of my own consulting firm since 1989 which specializes in Southeast Asia, I have represented over 35 U.S. corporations. I have researched the Vietnamese market carefully for my own corporate purposes, as well as had access to serious political risk analysis by others with even greater resources than I.

The clear conclusion is that Vietnam is not close to being a new tiger. It is hardly a new-born cub, and the ultimate species is still in doubt. What the business lobby does not say, and what many U.S. businesses know, is that non-U.S. companies in Vietnam have been subjected to bribery and payoffs to Vietnamese officialdom from the highest to the lowest levels, including arrival at the airport; that despite well-written legal and investment codes, they are not implemented with any predictability and are subject to the whims of officialdom; that most projects of substance must be with state enterprises controlled by the trusted members of the Communist Party, along with Army and Interior officials; that the infrastructure cannot begin to support U.S. scale investments; that as much as 40% of the total economy is conducted under the table, and that well over half of imported goods have been smuggled through Cambodia and

China; that the Vietnamese even stiff their ASEAN neighbors through fickle changes in agreements on management contracts, share allocations, land prices, etc., and such changes are backed by corrupt government officials; that the unachievable goal of Vietnamese policy is to create a capitalist economy within a socialist state; that "off-the-book" accounting systems render meaningful financial analysis a joke; that many Asian investors currently in Vietnam are positioned for profits and a quick exit, if required; that only a fraction of approved investments (the numbers normally used) are implemented; that if all were implemented the economy could not absorb them; that overhead for rent, services, etc., substantially exceed other Southeast Asian countries and could be charitably labeled a racket; that the party is split on the question of fully opening the economy and could shut it all down if it created unstoppable pressures for political reform; that businessmen are under constant surveillance; and, finally, that American companies which have established themselves in Vietnam since the lifting of the embargo have been spending money, not making any.

This critique does not suggest Vietnam is not a potential future market, only that the current hype is obscene. It is a minuscule market even if all of the above challenges were overcome. They are beginning from a base so low that even if the much-quoted high growth rates continue, Vietnam will not even be a significant market for over a decade. Ten percent growth for a decade will not even bring them to the level of Indonesia today. Funds established for Vietnam projects cannot even find suitable investments; one of the largest (\$150 M) is solely invested in bonds and in neighboring countries. For the foreseeable future, oil and gas projects and those under the relative protection of multilateral institutions are the only real avenues for significant investment for U.S. corporations, and they will also be plagued by an unpredictable environment. To paraphrase *The Economist*, something is still smelly in Vietnam's "doi moi." The army of lobbyists are irresponsibly misleading American business, and it can cost U.S. corporations dearly in both executive time and corporate funds more profitably invested elsewhere.

National Security Interest. I would like to turn now to the notion that there is some vital national security interest for the U.S. to send a full Ambassador to the newly established liaison office. When I was in government, the phrase "vital" national interest meant vital, a direct threat to U.S. security interest. It was a phrase used sparingly since it assumed that the national power and treasure of the United States should be put at risk for a policy objective. Incredibly, I heard this phrase used by a State Department spokesman last week in regard to the normalization issue. This phrase, or its equivalent, is also being used by some of our elected representatives who should know better as well.

The argument, overstretched as it is, appears to assert that Vietnam is now, or in the foreseeable future, a significant counterweight to the PRC. It is bad enough that such poppycock is being mouthed; even worse, it is not being challenged. By any measure, geography, population, economic clout, power projection capability, weaponry, including nuclear weapons, and conservative projections of all of these factors clearly indicate Vietnam will never reach such a status.

Traditional animosities between Vietnam and the PRC, and Vietnam's vulnerable position, is why Hanoi looks toward the U.S., Japan, ASEAN and others. The bottom line is that it is in Vietnam's vital interest to open to the outside world, not ours. Clearly we have national security concerns about the future direction of Chinese policy in Southeast Asia, especially given their posture in the Spratlys, but U.S.-Vietnamese bilateral moves do little to offset these concerns. Vietnam's relevance to our regional concerns with the PRC are marginal. That can only be enhanced by Vietnam's accession to ASEAN which we had properly supported and will take place this month. In this regional forum and others, Vietnam's presence is warranted, the PRC will be present, and that is achievable without fully normalized relations with Vietnam. The PRC will take broader international concerns, ASEAN and regional concerns into account, but not Vietnam's in isolation with or without a U.S. Ambassador in Hanoi.

Human Rights. Another argument advanced by proponents of normalization is that it will positively affect the human rights environment in Vietnam. Again, the argument ignores the salient fact that some in the Vietnamese leadership see human rights concerns as a Western plot to change the political system. Preserving the system as a one party state controlled by the Vietnamese Communist Party is of vital interest to them. The extensive violations of human rights -- to include arbitrary arrest, detention, inhumane treatment, nationwide surveillance, severe restrictions on speech, assembly, religion, a total lack of political freedom, and the prevention of human rights organizations or labor unions to form -- taken collectively are symptoms of a system bent on preventing any challenge to its control.

While one could assert or argue that over time, greater exposure to the concepts of democracy through representation and commercial interaction will bring change, the experience in China and elsewhere does not give one great confidence that such change will be significant. Even if it were shown to be a proven path, given the paucity of business opportunities and the likely circumscribed conditions on a U.S. presence, our direct influence will only be on the margin.

POW/MIA. Before addressing the current status, I wish to provide an overview of the history of the issue from 1981-1989, the period when I had direct responsibilities as a member of the NSC staff.

President Reagan assumed office with a personal commitment to resolving the issue and had made public statements concerning it in the 1970s. Under his commitment, the administration was determined to pursue the issue as a matter of national priority during his term in office. Frankly, a mess was inherited. No policy-level negotiations were ongoing, getting information on POW/MIA was an all-time low intelligence priority, the previous administration had adopted a position endorsed by a House Select Committee and a Presidential Commission that there was no credible evidence that anyone remained alive in Southeast Asia and remains recovery was problematic at best, the JCRC in Bangkok was staffed with 2 personnel with no direct administrative support or a vehicle, the Central Identification Laboratory was undermanned, thousands of refugees had not been and were not being debriefed, the DIA had a small core

of dedicated analysts who felt the office was going to be closed completely in the 1970s.

The National League of Families had been demonstrating in front of the white House as well as foreign missions, did not trust the government, and although a member of the IAG, they did not consider it an effective policy body. Government-provided transportation for the families to come to Washington for briefings had been halted in the 1970s.

The only organized Congressional interest being shown was by the House Subcommittee on Asia/Pacific Affairs and the House POW/MIA Task Force while private Americans were attempting to organize Rambo-like raids, live-sighting reports were randomly classified, if at all, and there was little general public interest even among many veterans groups.

I could go on, but the challenges were immense.

1981-1983. During this period, a concentrated effort was made to begin addressing the myriad of hurdles we faced. Before I assumed my duties, the Interagency Group adopted policy proposals in 1981 that would form the basis of further development of a national strategy that was implemented by 1982 and can be summarized in the following basic points:

- High-level public policy statements were needed that would signal the Indo-chinese governments and others that things had changed and the issue was back on the U.S. agenda.
- Policy-level negotiations had to be opened with Vietnam and Laos.
- A bipartisan approach was needed so the strategy would be sustainable from administration to administration.
- A public awareness campaign was needed and was to be implemented through speeches, written materials and public commemorations.
- The issue had to be defined as humanitarian to minimize attempts by Hanoi to link the issue to other political issues and allow direct negotiations without alarming our allies facing over 250,000 Vietnamese occupation troops in Cambodia.
- Intelligence priorities had to be upgraded.
- Diplomatic approaches toward other countries requesting their help to urge cooperation from Vietnam and Laos were required.

- Integration of the National League of Families into our strategy and better communications with the families was needed in order to rebuild trust of those who had the most to gain or lose.
- Private irresponsible activities, such as cross-border forays, had to be actively discouraged while accepting information from any source.

The first policy-level delegation in years traveled to Hanoi in 1982, a four-member delegation of the national League of Families visited Vietnam and Laos in September of 1982 in coordination with the administration. Deputy Assistant Secretary of State O'Donohue traveled to Laos following the League trip and presented the Lao with a roadmap to improved relations and flagged the need for concrete POW/MIA cooperation. The Vietnamese agreed to increase the number of technical meetings and with the aid of the League Executive Director, Ann Mills Griffiths, I met for an extended informal dinner with Foreign Minister Thach in October 1983, the highest level meeting since the end of the war. The purpose was to urge mutual Vietnamese cooperation to resolve the issue, establish direct and open dialogue on U.S. expectations and set the stage for sustained high-level policy negotiations in the future.

Contact was increased with the Congress to brief them on our program and solicit full bipartisan support. The public awareness campaign was launched through the aforementioned speeches, supplemented by visits to veterans groups, holding of POW/MIA Recognition Day Ceremonies, the adoption of a national POW/MIA poster, the publication of a DOD Fact Book, media briefings, the flying of the League POW/MIA flag over the White House, Pentagon, State Department and Vietnam Veterans Memorial on POW/MIA Recognition Day.

Importantly, during this period, we raised the intelligence priorities, rewrote the intelligence collection plans to include POW/MIA, reinvigorated the refugee interviewing process and flagged the issue as a priority in national-level intelligence taskings. In addition, based upon the discrepancy cases at the end of the war, unresolved live-sighting reports and the history of Vietnamese manipulation of the issue, we changed the Carter administration live prisoner position from "no credible evidence" to the position that such a possibility could not be ruled out.

In the ASEAN meetings and bilaterally with other countries, to include the USSR and the PRC, the issue was raised and briefed with requests for support and information.

We reached out to the National League of Families and briefed them on our plans and priority. We acknowledged the errors of the 1970s and pledged our support to them. We told the families at meetings of the covert nature of the war in Laos and Cambodia and added the Lima Site 85 numbers to the official list of those missing and unaccounted for in SEA. I personally visited the League Executive Director and her staff early in 1982 to ask they provide recommendations, many of which went into our national strategy. The Deputy National Security Advisor met with the League Board and received further recommendations which were tasked to the administration by the

National Security Advisor in 1982. We pledged to include the League as well in our negotiations and make them a fully equal party in our IAG policy formulation. We dispatched casualty officers and other briefers to League regional meetings and reinstated COIN-Assist transportation for the families to come to Washington for government briefings.

1983-1985. During this period, our strategy deepened and we began to get accelerated concrete results from our efforts. On the technical level, frequency of meetings increased, unilateral repatriation of remains from Vietnam were the highest since the end of the war. Intelligence information increased. We entered into sustained policy-level negotiations on a plan with Hanoi to resolve the issue within two years. Sensitive dialogue on the need to resolve the live prisoner issue as a first priority was fully developed and the administration communicated this to the Vietnamese from the Cabinet level as well.

1985-1987. Encouraged by apparent Vietnamese agreement to finalize the two-year plan, the highest level delegation to go to Vietnam since the end of the war arrived in Hanoi, led by Assistant Secretary of Defense Richard Armitage and Assistant Secretary of State Paul Wolfowitz in 1986. Our hopes became dashed after our return, for despite Vietnamese pledges to treat the issue as humanitarian, they attempted to subvert the plan with political and other linkage. In October of 1986, Deputy Assistant Secretary Monjo and I led a delegation to New York to meet with senior Vietnamese officials to attempt to overcome the hurdles. I met afterwards with the same senior officials and the League Executive Director for an extended session to determine Vietnamese objections. Upon my return to Washington, it was obvious to all that the initiative was dead.

We then began discussions through the IAG in Washington on how to proceed. We agreed on the need to keep the issue humanitarian, but attempt to respond to Vietnamese expressed humanitarian concerns and raise the level of our representation to signal the administration's serious intent. The President agreed upon the conceptual recommendation to appoint a Presidential Emissary in October 1986. We felt it should be someone closely identified with the President, who understood the issue and would have credibility with the Vietnamese.

At the time, it was envisioned that the emissary would be a temporary assignment in order to reach high-level agreements necessary to reinstitutionalize the process. General Jack Vessey was asked in January 1987 if he would serve in this capacity and he accepted the job in early February. General Vessey had held a long, dedicated interest in the issue during his time as Chairman of the Joint Chiefs of Staff and is a man of known integrity. He was recommended by the League Executive Director and all concurred in his selection. General Vessey began his preparations and the government began to look at new initiatives that he could take with him to Hanoi. They were approved by the President, the Vice President and the Cabinet.

After much delay from Hanoi, they finally agreed to accept General Vessey and he led a delegation to Hanoi in August 1987 with unanimous resolutions of support from both Houses of Congress. Vietnam agreed during this meeting to resume POW/MIA cooperation and to focus their initial efforts on the representative discrepancy cases which we had selected for discussion. Throughout the remainder of the year, General Vessey met again with the Vietnamese, supplemented by an IAG delegation and expert teams on the POW/MIA issue and the issue of providing prosthetics support to Vietnamese citizens.

1987-89. This collective work began to show significant results in 1988 as unilateral remains repatriations resumed in large numbers. Once again during 1988, Vietnam attempted linkage which caused a temporary delay in cooperation. But 1988 became the high point in case resolution to date. The Vietnamese have once again scaled back the repatriation of remains in 1989 and it is now at an all-time low since 1982.

Negotiating with Vietnam. We recognized from the outset that reopening negotiations with Vietnam was a potential minefield. They remained in Cambodia with approximately 250,000 troops, Laos was essentially tied to them for security reasons as a landlocked country and our ASEAN friends, Cambodians and those supporting a comprehensive settlement needed reassurance. They hoped that opening dialogue with Vietnam on humanitarian issues did not mean the U.S. was going to weaken them by reinforcing the chauvinist side of the Vietnamese Politburo and we would be able to maintain both necessary commitments.

We went to great pains to reassure our friends and allies that this issue was one of highest priority, that it did not have to be in conflict with a settlement in Cambodia, we would keep them informed and in the long run it was in everybody's interest for such dialogue. Vietnam obviously welcomed our initiative after the lack of contact for so many years, and the earliest informal U.S.-Vietnamese discussions on Cambodia also ensued, albeit without headlines. Our basic message to the Vietnamese was that it was in their interest to seriously cooperate on the POW/MIA issue, especially discrepancy cases and attempt to resolve them prior to a settlement in Cambodia, as it would surely be a political obstacle without their full cooperation.

The split Politburo, as it remains now, exacerbated by the collapse of their economy and the Soviet Union, could not bring the political will to bear to resolve the issue in a sustained and credible way while I was at the NSC. The starts and stops, for a myriad of reasons, reflected the internal debate as to whether President Reagan could normalize with political immunity in the Nixon-China model as some felt, should they hold out for concessions. They continued to allow some exposing of Vietnamese knowledgability to indicate their potential, but not to come completely forward. Those in Hanoi who argued that POW/MIA was a wasting asset and it should be dealt with rapidly were relegated to fits and starts of cooperation. The streams of excuses to us were met head on, responded to when real and rejected when political or obligatory.

During the 1981-89 period, I am confident that the Vietnamese knew of our seriousness and knew that all incentives were on the table to come forward and negotiate. They also knew that the Reagan/Bush administration did not lie to them and was straight-forward concerning potential benefits that could accrue if they participated in a real healing between our countries.

One of the last excuses raised was that the U.S. had raised hurdles, moving goal posts and this was unpredictability from the U.S. side. It wasn't long until these same words were being repeated domestically. Thus the roadmap emerged from the more general messages previously given and well understood by Hanoi.

Given my experience, we should never take Vietnamese pledges, promises or excuses at face value. There are messages there, but they need to be read for what they mean during the timeframe they are given, from what level or agency as well.

Unlike us, they do not have to live with their words forever, for they represent tools to national goals, not pledges in the Western sense. They view it as patriotic deeds to national survival. It is not evil, it is reality.

Vietnamese Knowledgeability. Let me now turn to Vietnam's ability to resolve many of our concerns on the issue.

Multiple intelligence assessments from wartime through 1995 have confirmed that the Vietnamese went to great lengths to keep track of American personnel, alive and dead, who came under their control. This system extended from local to national levels and included reports, photographs, collection of artifacts and personal items. Further, dead Americans were catalogued, photographed, buried, exhumed and their remains stored. Based upon this known system and further corroborated after the war by admissions from the highest levels of the Vietnamese government, forensic analysis of remains, archival documents, and witnesses, these official assessments have also concluded that Vietnam could account for hundreds of Americans through the unilateral return of remains not available through joint field operations or archival data not yet provided.

The most compelling cases are those with major discrepancies between United States confirmed information, such as those Americans last known alive in Vietnamese custody, near Vietnamese forces, known to have died in captivity and others on whom Vietnam should have further information. In addition to complete lists of Americans missing or unaccounted for, various other selected lists have been provided over the years to the Vietnamese for priority attention in negotiations. While some accountability has been achieved in all categories, for the most compelling cases, the easiest for Vietnam to resolve unilaterally, Hanoi has not provided answers. Stalling on these core cases which impact directly on the live prisoner issue, as well as the continuing effort to achieve the fullest possible accounting, is indicative of Hanoi's continuing strategy to exploit United States concern for Americans still missing or unaccounted for in Indochina.

In the absence of such Vietnamese action, core cases cannot be resolved, and the situation has dictated United States criteria that an individual is accounted for only through the return of a live prisoner, his remains or convincing evidence why neither is possible.

The Vietnam POW/MIA issue has been a national concern in the first instance because unlike other American wars, except Korea, the United States did not have access to the battlefield, prison camps, archives or personnel at the end of hostilities. Further differentiations include long-standing Vietnamese policy to exploit the prisoner of war issue for political and economic reasons, and significantly this is the first war that spawned a family organization (The National League of Families) to represent their missing relatives. While media and popular attention has focused on sensational stories, the majority of the families have continually put forward reasonable expectations and proposals. Collectively, they acknowledge everyone will never be accounted for, as in every other war. Their position, reaffirmed consistently, is to only seek the fullest possible accounting. Publicly available information, the history of the issue and Vietnamese negotiating behavior provide a substantive foundation for their continued pressure on Hanoi and Washington to resolve the issue with integrity under officially stated criteria.

Final resolution of the POW/MIA issue does not mean everyone will be accounted for, but that the United States government must be able to objectively assure the families concerned that Vietnam has done everything reasonable to provide the fullest possible accounting. As of this writing, it is an assurance that the administration is not yet in a position to provide based on the known United States data base and the acknowledgment by the administration that Vietnam can do more.

A Special National Intelligence Estimate (SNIE) on Vietnamese knowledgeability was conducted by the Reagan administration in 1986-87, several follow-up analysis were conducted in the 1990s by DIA, and a current case-by-case analysis is now ongoing. Sworn testimony as recently as last week by DOD at hearings conducted before the House Military Personnel Subcommittee, Committee on National Security, indicated little has changed as they reconfirmed Vietnam's ability to unilaterally resolve hundreds of cases through the return of remains and greater access to archival material. I should add that the Vietnamese at the highest levels admitted to me personally in the 1980s their capability to do so.

Current Policy. Despite the purposeful rhetoric one hears from some administration officials and others characterizing Vietnamese cooperation as superb, current policy is failing in important respects. The following table demonstrates that accountability by Vietnam has slowed dramatically.

Patterns of Accountability

Insights can be gained through the analysis of remains repatriations from Vietnam in relation to various policy environments and specific events. The remains returned column indicates identified remains unilaterally returned by Vietnam and those recovered and identified from joint operations which began in 1988. These are shown in parenthesis. Prior to 1991, when Vietnam halted the repatriation of stored remains, almost 60% showed signs of previous storage.

1974-1975 Immediate Post-War Environment: Remains returned were associated with agreements reached in Paris before the fall of Saigon.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1974	23	Died in captivity cases from Hanoi cemeteries.
1975	<u>3</u>	
	Total: 26	

1976-1978 Carter Normalization Talks: Normalization talks offering incentives in advance, with POW/MIA as a hoped for by-product in an atmosphere of official presumptive findings of death and reduced expectations based upon the House Select Committee and Woodcock Commission conclusions.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1976	2	House Select Committee Report.
1977	33	Woodcock Commission early 1977; New York normalization talks.
1978	<u>11</u>	
	Total: 45	

1979-1980 Breakdown of Dialogue: Preceded by Vietnamese demands for reconstruction aid, invasion of Cambodia and alignment with USSR.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1979	0	
1980	<u>0</u>	
	Total: 0	

1981-1984 First Reagan Administration: Reopens dialogue on POW/MIA as national priority on a humanitarian basis with resolution a necessary precondition to normalization talks.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1981	3	
1982	4	First policy-level DOD mission, League of Families' trip to Vietnam/Laos.
1983	8	NSC/Politburo-level negotiations begin. Agreement to treat as humanitarian matter and understanding on stored remains.
1984	6	First full interagency delegation.
	Total: 21	

1985-1988 Second Reagan Administration: Continuity of policy and previous NSC/Politburo-level agreements reaffirmed in two-year plan negotiations, subsequent politicization of two-year plan by Hanoi leading to appointment of Presidential Emissary.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1985	38	DIC remains from South included for first time.
1986	13	Hanoi inserts political linkage to 2-year plan, rejected by United States.
1987	8	NSC negotiations to secure agreement on Presidential Emissary, first Vessey trip in October.
1988	63 (1)	Vietnam resumes unilateral return of remains in large numbers.
	Total: 122	

1989-1992 Bush Administration: Vessey efforts continue, in shadow of State focus on Cambodia and erosion of roadmap approach; POW/MIA efforts decentralized to CINCPAC and Senate Select Committee convenes.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1989	37 (2)	Vessey reappointed.
1990	17 (2)	Secretary Baker meets Thach.
1991	4 (2)	Roadmap proposed; unilateral repatriation of remains halts; Thach leaves, Cam appointed, Senate Select Committee begins.
1992	7 (6)	Vietnam again agrees to open archives.
	Total: 65	

1993-1994 Clinton Incentive Approach: Focus on joint operations with U.S. incentives in advance expecting Vietnamese reciprocity on POW/MIA.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1993	22 (22)	IFI restrictions dropped, embargo restrictions eased.
1994	8 (8)	Embargo lifted, agreement reached to establish liaison offices.
Total:	30	

Understandable confusion exists in the media over numbers of remains being repatriated by Vietnam. Prior to the Clinton Administration, fragmentary remains which Vietnam began to provide in the mid-1980s were not publicly announced as American until after identification. This policy led the Clinton Administration to announce when lifting the embargo that 67 Americans had been accounted for in his administration, when the actual number was 7 and has only reached 27 by the end of 1994. Lacking chain of custody and in many cases identifiable forensic characteristics, many of these are from "villagers or remains traders." A small number are identifiable even using DNA technology. Recognized as a potential face-saving vehicle in the mid-1980s for the return of stored remains, the Reagan administration agreed to accept them for review without public announcement. It has not yet been used by Hanoi as such a face-saving vehicle, but it has served to inflate the number of remains returned, identifiable or not.

One can judge through the above objective data from government statistics, that 208 Americans were accounted for under a strategy of strict reciprocity from 1981-1989, and the vast majority (as noted on the chart) were from unilateral Vietnamese repatriations. Under the Clinton Administration's approach of providing incentives in advance, to include lifting the restrictions on international financial lending, the lifting of the trade embargo and the establishment of liaison offices, only 30 Americans have been accounted for, none through unilateral Vietnamese actions and only 8 since lifting the trade embargo which was to usher in a resumption of full cooperation.

How can one then assert that progress has been superb, outstanding, unprecedented? How can people proclaim there has been more progress in the past two years than ever before? I have been told by some in this administration that I don't understand. "They simply don't care." That is a harsh judgment, but I myself am beginning to wonder.

When the Clinton Administration assumed office, I volunteered my time to help them understand the past. I wrote an 8-page letter to suggest what worked and didn't work for us; I left behind the complete decade-long negotiating record; and I visited the NSC and called upon State and Defense officials.

I found the normal inexperience of a new administration and did not expect them to become well-versed overnight. But they then failed to reestablish the Interagency Group on POW/MIAs and cut off the National League of Families from policy input. I found that administration officials were negotiating without having even read the past negotiating record; they began to put political spin on analytical positions from the intelligence community; they began a public diplomacy policy that had only praise for Vietnamese cooperation, regardless of the objective significance of what was being

provided. They redefined unilateral remains repatriations (the basis of the roadmap and the President's stated criteria) from stored remains by government authorities to the return of unidentifiable fragments from villagers. They began publicly announcing such recoveries as missing Americans before they were evaluated, much less identified, a shoddy misleading practice not followed in the past since many are Southeast Asian mongoloid or animal bones. (The Reagan and Bush administrations received hundreds of such fragments, but did not announce them and only announced those which were identified as American). They ceased serious negotiations for unilateral Vietnamese action and substituted large, periodic visible delegations and joint activities that can never resolve the priority cases since they are not in crash sites.

To be sure, there are people in the administration who care, but their analytical work on what Vietnam can really do is stopped from coming unvarnished to the leadership. The Defense POW/MIA Office is excluded from meetings of the Indochina Working Group. Hard-working, young military officers in the field, many of whom do not speak the language or know the overall background of the issue, much less having access to the intelligence studies, are touted as overall experts. Their words of praise to their hosts in order to reduce friction and ensure further access for joint activities are cynically used in Washington as a true measure of cooperation.

I have reluctantly concluded that POW/MIA is not a real priority of the Clinton Administration in our relations with Vietnam. If it is, then such incompetence and disarray really boggles the mind. The thrust is not focused on resolving the POW/MIA issue, but to creating an environment for normalization and hoping it brings progress. It is an empty strategy. Past and recent history with Vietnam since the lifting of the embargo proves the point. But in all things political, wrong decisions must be defended vigorously with distortion and public ceremony, as correct decisions carry their own message.

This defensiveness has reached such ridiculous levels that it is asserted that Vietnam has met the conditions of the Bush roadmap and President Clinton's criteria. Such assertions are false on their face concerning remains, last known alive discrepancy cases and documents. The shortfall is obvious and explosive. If the administration put as much energy in pursuing these shortfalls at the policy level as they have to redefine the problem, we might make real progress. Then and only then will Hanoi take us seriously. For now Hanoi does not believe real unilateral action is needed to reach their goals. It is clear why they believe this.

By the time this testimony is presented, the administration may well have again preempted the Congress on Vietnam. While I do not believe in the micromanagement of foreign policy by the Congress, the POW/MIA issue is also domestic, and our elected representatives have a stake in outcomes. It is time to act with greater oversight and restrictions, if necessary, until the President's representatives can certify that Vietnam has taken all necessary unilateral action or provide compelling reasons why the best analytical judgments of specialists in the administration are wrong.

In summary, I find no business, strategic, humanitarian and certainly no POW/MIA reasons to rush this process. Quite the contrary, but if the proponents want a solid formulation for normalization, they should also back away from rushing it now. Normalization will not accelerate commercial opportunities significantly, it will add little to our security interests and will set the stage for another future round of recriminations when the intelligence studies on POW/MIA become public. Hardly a path of healing, so often used as a national objective instead of a psychological condition.

These decisions are not about politics, healing, ending or refighting the war, they are about using objective facts and hard-headed analysis of American values and interests, versus emotional reactions to the Vietnam experience and armchair strategy. If individuals feel the need to heal, it should be their quiet struggle, not drive U.S. policy. If armchair strategists are worried about our Asian policy, I can agree it is a disaster, but Vietnam is not even a factor that can help meet that real challenge.

Statement on POW/MIAs

by
Carl W. Ford, Jr.

Prepared for

**Committee on International Relations
House of Representatives**

July 11, 1995

Mr. Chairman, and other distinguished members of the Committee, I am sincerely honored to appear before you today concerning the issue of normalization of relations with the Socialist Republic of Vietnam. I approach this responsibility, however, with a great deal of trepidation and considerable humility.

- First, I am by no stretch of the imagination an expert on Southeast Asia. I spent two tours of duty in Vietnam in the 1960s, but since then most of my experiences have been in Northeast Asia—China, Japan, and Korea.
- Secondly, concerning normalization, and especially the issue of POW/MIAs, I must admit to having more questions than answers.

With these two very important caveats in mind, however, let me share with you some of my thoughts concerning the fullest possible accounting for our POW/MIAs, and the relationship of this standard to normalization of relations with Vietnam.

As Ann and Dick will confirm, I have long believed that it is in America's interest to establish diplomatic relations with Vietnam. The notion that we should recognize only nations that we approve of has never made much sense to me. Diplomatic presence in a country gives us a greater opportunity, and even some additional leverage, to present our grievances, and protect U.S. interests. Obviously, there are exceptions to every rule, and in my case Pol Pot's Khmer Rouge regime in Cambodia comes to mind as never having deserved recognition except as a band of horrible cut throats.

In Vietnam, the idea of opening the country to western economic and political ideas has also always seemed sensible to me. On the other hand, although I know

that it is quite fashionable today to talk of Vietnam's strategic value vis-a-vis China, and I recognize that there is some truth in such an idea, I think this rationale is overstated. On balance, however, I think from a strategic perspective establishing diplomatic relations with Vietnam is over due.

Having said this, I recognize that there are other matters that must be considered. Three Presidents have pledged that they would not normalize relations with Vietnam unless they were convinced Vietnam was cooperating fully to provide the fullest possible accounting of our POW/MIAs, including the need to be fully forthcoming with POW/MIA-related records. Although some have argued that such a position overly politicizes the issue, and undermines our various other national interests with Hanoi, it has always struck me as a reasonable, even an honorable, stand to take. This is especially so in light of Vietnam's highly political and cynical use of the issue of American POW/MIAs when it served its perceived interest.

This, however, is a very personal view, and I accept that others may disagree with my priorities. Moreover, I think it is defensible for critics of the national priority on fullest possible accounting to argue that our national interests now outweigh the humanitarian aspects of the issue, and that the U.S. should move on with normalization regardless of how little real cooperation Vietnam provides to account for our POW/MIAs. Many critics also honestly believe that the best way to achieve the fullest possible accounting is by establishing full diplomatic relations. Unfortunately, many supporters of normalization also contend that their decision for moving forward is based on Vietnam's having met the standard set by the President for cooperation on POW/MIAs. In other words, Hanoi is now providing the fullest possible accounting that we can, or should, expect.

On this point, I respectfully disagree. Indeed, based on the evidence as I know it from my four years in the Pentagon, it is hard for me to understand how anyone could make such a claim. I suppose it is due in large measure to the complexity of the issue, and the enormous amounts of data that must be sifted through before one can make good judgments. Few senior officials have the time or inclination to take on such a task, and therefore may find it difficult to make judgments on the issue from first hand experience.

Studying the POW/MIA question also requires a different mind set than most officials usually employ. Frequently, policy makers must make their decision with very little good intelligence. In the case of POW/MIAs, however, it is just the oppo-

site. Most coming to the problem for the first time find the amount of data accumulated since the 1960s truly daunting. During my twenty-eight years in government service, most of it as an intelligence analyst, for example, I have never encountered a problem with so much information to draw upon for making judgments. Trying to sort the wheat from the chaff, and make sense of the huge amount of data available continually proved to be the biggest challenge. Having gone through it myself, I can understand how others might feel uncomfortable taking positions that they had not investigated personally.

Another complication is the large number of charlatans and nut cases over the years that have exploited the POW/MIA issue for their own twisted reasons. Each time they made the national news, and were then later proved wrong, it made it that much more difficult to believe the findings of truly honest and dedicated researchers. Accordingly, each false claim bred more and deeper skepticism. Even the government's efforts to expose the charlatans created doubts among the families of POW/MIAs who, in some cases, came to distrust those who were trying to help them the most.

At this juncture, I can understand why many people honestly do not know who to believe anymore. It is a shame, because I suspect that in some instances, a number of those who should know better are using these circumstances to advance their own policy preferences. Whatever the case, it seems to be working. With so much misinformation around and about, and the doubts that abound, almost every important point is surrounded by confusion. With this in mind, I would like to address a number of issues/problems that appear frequently in print and over the airwaves.

No one knows with any certainty how much more information the Vietnamese can provide that would shed light on the question of U.S. POW/MIAs.

True. I do not know how much more information Hanoi can provide to the U.S. on the subject of POW/MIAs. But, every bit of evidence I am aware of points to the conclusion that Vietnam continues to hold back a substantial amount of crucial information necessary for achieving a fullest possible accounting.

For the most part, this judgment is based on information obtained directly from the Vietnamese. When Hanoi finally turned over a number of documents in 1992, after repeatedly denying that such files existed, I was struck by how much we had *underestimated* Vietnam's knowledgeable ability, and how what they had given us provided

clear evidence, not to mention many hints, that what we had received was only the tip of the iceberg.

- A number of Vietnamese combat photos provided indicated that several dead Americans were at one point under Vietnamese control, but neither the remains of these individuals, nor any contemporary records documenting the loss of their bodies later, have ever been provided.
- The photos themselves, and other anecdotal information over the years, indicates that the Vietnamese investigated hundreds of crash sites and kept extensive records of their findings. Where are these other records? Why haven't they been turned over to our teams in Vietnam?
- Why are the detailed photographs obtained in a handful of cases, the only ones made available? Even if they failed to take photographs during every investigation, or taking into account some may have been lost over the years, you would still expect that more than we have been given are still in the files. In fact, the circumstances surrounding the turn over of the photos strongly suggest to me that it was merely a sample of what is still available in Vietnam's archives.

As with remains, the Vietnamese in thirty years have never given us all they had of anything the first, second, or even third time around. In every case, when they felt that it suited their interest they provided us bits of information, claiming all the while that no more existed. Later, usually after considerable pressure, they would provide additional information, but without mentioning their earlier claims of having exhausted their files.

For example, for the two years before they turned over the photos and other documents in 1992, Vietnamese officials told me both formally and informally that no records of POW/MIAs existed. They admitted that at some point in the past such information had been available, but during the years it had been lost and/or destroyed. On one occasion they became so angry when I continued to request that they turn over more of their files, that they threatened to break off the meeting claiming that my persistent questions suggested they were lying about not having any records.

Probably, the most intriguing bit of information obtained in 1992 from the

Vietnamese was a an ID card from an individual missing over Laos. Although the vast majority of the losses in Laos occurred in Vietnamese controlled areas along the border, Hanoi insisted from the beginning that it knows nothing of these POW/MIAs. When questioned, they referred investigators to the current Laotian government. The circumstantial evidence available, however, suggests that Hanoi knows far more than it is telling. The ID card was, and is, a concrete piece of data that strengthens the case for greater Vietnamese knowledgeability. I do not think that U.S. investigators have yet pressed this case with Hanoi, but I understand that some Vietnamese witnesses have been made available, though no case-specific documents.

Admittedly, the evidence presented above does not make an air tight case that the Vietnamese could tell us more, or provide a precise way to measure the extent of their remaining holdings. It does suggest, however, that the burden of proof should fall on those who argue that I have over stated Vietnamese knowledgeability. For my part, I can not find any data that would support claims that Hanoi is providing us with everything, or even most, of what it has readily available, except for the protestations of Vietnamese officials.

The best explanation from the critics usually comes in the form of a question: If the Vietnamese have this information (or remains) you claim is in the files, why don't they just give it to us? Such an approach is usually quite effective by putting researchers on the defensive. The honest answer is we don't know. But not knowing why the Vietnamese have lied over the years about the extent of their knowledge of American POW/MIAs, or their motivations for manipulating the issue for their own purposes, should not let critics off the hook. Those who trust Hanoi's claims should be required to show the evidence for their optimistic assessment. Vietnam could make their job a lot easier, of course, if it would just give us the remains of the individuals noted in the photographs, as well as many other discrepancy cases, or a credible explanation of why this is not possible.

Of the more than 2,000 POW/MIAs unaccounted for, only a handful—the so-called discrepancy cases—remain unresolved.

Not true, and very misleading. It is more accurate to say that the discrepancy cases are those in which the U.S. has concluded, after examining all the information that it has available, that Vietnam has greater knowledgeability than it is willing to admit. In many instances, the finding is that Hanoi should have the remains of an individual, or at least an explanation of why that is not the case. Unless the

Vietnamese address all of these cases, it is extremely hard to make the claim that Hanoi is fully cooperating.

Unfortunately, the situation is much worse than the small number of discrepancy cases would suggest. The list includes only those cases we know about. All the information we have collected over the years—especially the Vietnamese records available—however, indicates that all along the Vietnamese have had far more information on our POW/MIAs than we do. Since Hanoi would not share this knowledge with us, the U.S. has been forced to concentrate on those relative few cases we knew enough about to ask intelligent questions. Otherwise, Hanoi just stone walled our investigators. This does not mean that the discrepancy cases are the only ones for which the Vietnamese could provide answers. Indeed, the history of our efforts with Hanoi on this issue, and the bits and pieces of data grudgingly given by the Vietnamese over the years, both point to many more cases that Hanoi knows about, but is unwilling to help us with.

For many of us, the discrepancy cases are most important as a sign of cooperation, not as an end to the problem. We reason that if Hanoi is willing to help on these hard core cases, where in many instances the evidence constitutes a *smoking gun*, it would provide a good indicator that the Vietnamese were willing to cooperate on other cases as well. Vietnam's actions thus far on these most damning cases, however, should send off alarm bells about Hanoi's true state of cooperation with the U.S. on POW/MIAs. Instead, supporters of normalization use them as a testament of how much progress has been achieved. Baloney!

Vietnam's level of cooperation on POW/MIAs, especially over the last two and half years, is better and thus meets the test for establishing diplomatic relations.

True only if you use different measures of cooperation than was used during the previous two administrations. Supporters of normalization suggest that the level of Vietnamese cooperation is at an all time high. They use words such as *superb*, *fully*, and *excellent* to describe Vietnam's relations with U.S. teams in Vietnam. What they don't say is that in many instances they are using a different standard for determining cooperation than was used in the past. During the Reagan/Bush years, cooperation was determined on the basis of results: remains, files, information leading to accountability, etc. We specifically excluded activities, such as field investigations, on the grounds that this was more show than substance on Hanoi's part.

Except for a few rare exceptions, field investigations are conducted in locations that already have been fully exploited by Vietnamese officials, usually at the time of loss. We know that Hanoi collected materials at these sites, made written notes, and took custody of the live Americans and/or their remains. Unfortunately, they consistently refuse to share this information with us on site, opting instead to release some of it from time to time with no explanation or context that might aid our investigation. Returning to the sites years later, we are left with digging for any bone fragments the Vietnamese may have missed, and questioning nearby villagers on what they remember about the incident. Since we knew Hanoi was holding back vital information in these cases, giving them credit for letting us visit the various sites did not seem to make sense. Although Vietnamese practices have not changed—they still do not give us the information they collected at the time of loss before or during our investigations—Hanoi now receives credit for simply giving U.S. teams access to a site.

I do not mean to suggest that the old standard was necessarily better, or that it is inappropriate for the Clinton Administration to include credit for field investigations in their judgments on cooperation—although I do think that is the case. Rather, my point is that the current procedure for measuring cooperation is different than the one that was used in the past, making it difficult to make comparisons. In fact, if you remove field activities from the calculations, Hanoi's record of cooperation in my judgment is the same, or in some specific instances worse, than it was during the Bush Administration.

Normalizing relations with Vietnam will increase the prospect for even greater cooperation on Hanoi's part.

It is possible, but the record suggests that it is a fool's dream. Although we heard the same hopes offered prior to lifting the trade embargo, as suggested above, the level of cooperation fairly compared is no better, and in fact, worse than before in terms of concrete results. Logic suggests that Vietnam must have strong reasons for its years of stone walling, and circumstantial evidence suggests its reasoning will not change even after normalization. Moreover, Hanoi believes that they deserve recognition, and is unlikely to feel grateful that we finally got around to it. I'm afraid there is more wishful thinking than sound analysis in hoping for greater cooperation after we give our last significant bit of leverage.

In summary, I believe that you can make a case for normalizing relations with

Vietnam on national interest grounds. I also favor efforts to open the country to western political and economic influences. Where I part company with those advocating diplomatic relations now, however, is on the notion that Hanoi has met the President's criteria for measuring POW/MIA progress. In my judgment, Vietnam continues to resist cooperating fully with the U.S., and is unwilling to provide even the minimum level of information on those few cases about which we know—I repeat know—they have detailed knowledgeability. Normalizing now would likely give away our last best chance to achieve the fullest possible accounting that the families of POW/MIAs and our nation deserve.

CARI W. FORD, JR.
PRESIDENT, FORD & ASSOCIATES

Born in 1943 in Hot Springs, Arkansas, Mr. Ford graduated from Hot Springs High School in 1960, and after two years at Florida State University in Tallahassee, Florida, joined the U.S. Army. He graduated from Infantry OCS in December 1963 and the Airborne School a month later. After a tour with 29th Infantry Battalion, 197th Infantry Brigade, Fort Benning, Georgia, Mr. Ford served in Vietnam with MACV from 1965 to 1966.

Having completed his tour in Vietnam, Mr. Ford returned to FSU graduating with a BA in Asian Studies in 1968. The following year he received an MA in East Asian Studies from FSU, and rejoined the U.S. Army as a Military Intelligence Officer. After graduating from the Area Intelligence Officer Course at Fort Holabird, Maryland, he served with the 525th MI Group in the Central Highlands of South Vietnam (1970-1971). Upon his return to the United States, he was assigned to the Defense Intelligence Agency as a China Strategic Intelligence Officer.

Mr. Ford resigned his Regular Army commission in 1974 to accept a position as a China analyst with the Central Intelligence Agency. He also briefly followed developments in North Korea before being selected in 1978 as a CIA Congressional Foreign Affairs Fellow. He served in the office of Senator John Glenn as a legislative assistant for arms control and foreign policy.

In 1979, Mr. Ford left CIA to become the Democrats' professional staff member responsible for East Asia on the Senate Committee on Foreign Relations. In 1981 he was concurrently appointed as Senator Glenn's Foreign Policy and Defense Issues Director. During Senator Glenn's Presidential Campaign he served as the candidate's foreign policy and defense advisor. He returned to CIA as the National Intelligence Officer for East Asia in 1985.

In April 1989, Mr. Ford was sent to the Department of Defense on loan from CIA to serve as the Principal Deputy Assistant Secretary of Defense for International Security Affairs and concurrently Deputy Assistant Secretary of Defense for East Asia and the Pacific. He served as Acting Assistant Secretary of Defense for ISA from May 1989 until August 1989. In August 1991, Mr. Ford was again appointed Acting Assistant Secretary of Defense and served in that capacity until December 1991, when he assumed the concurrent duties of DASD for Near East and South Asian Affairs while retaining his Principal Deputy portfolio until February 1993.

Mr. Ford retired from CIA in May 1993 after almost twenty-eight years of government service to establish his own international strategic consulting firm, Ford & Associates, in Washington, D.C.

Mr. Ford is married to the former Sheila Roach of Lake Worth, Florida who is the Principal of Horace Mann Elementary School in Washington, D.C.. Mr. and Mrs. Ford have one child, Melinda, who is currently a graduate student at Tulane University.

Testimony of
Ann Mills Griffiths
Executive Director
National League of POW/MIA Families
before the
International Relations Committee
July 12, 1995

Mr. Chairman, distinguished members of the Committee....

First, it is an honor to call you, Mr. Gilman, by that title, particularly in view of your well known, long-standing support for the League and our efforts to account for America's POW/MIAs, our missing loved ones.

I welcome this first opportunity to appear before the International Relations Committee, but deeply regret that the President and his advisors saw fit to disregard the importance of the testimony to be provided in this hearing when announcing their decision to give up the last significant U.S. leverage to achieve accountability for our POW/MIAs.

As you know, I have testified frequently over the last 18 years to provide the POW/MIA families' views regarding the status of efforts to account for our relatives still missing from the Vietnam War. With your permission, Mr. Chairman, I would like to enter into the record my full testimony, with some important documents which buttress my statement, and devote my time to providing thoughts about recent events.

Preparation for today's hearing was difficult due to knowledge that the President would announce immediate normalization of relations with Vietnam. We strongly opposed the President's decision as premature, knowing that any objective analysis makes clear that Vietnam had not met the President's own POW/MIA criteria. There is no one who really knows this issue or the Vietnamese who can state that Vietnam is being fully cooperative or forthcoming on the POW/MIA issue.

Nevertheless, I reviewed testimony from a year ago and, sadly, it was all still quite relevant -- not much of substance on the issue has changed. In announcing his decision to normalize relations, the President stated that over the 17 months since he lifted the embargo, "Twenty-nine families have received the remains of their loved ones," and he is technically correct. However, the impression is misleading. Despite the high level of activity and public rhetoric, the remains of only eight Americans previously missing in Vietnam have been returned and accounted for since President Clinton lifted the embargo in February, 1994. The other 21 remains were recovered and returned before the embargo was lifted, but announced after the embargo was lifted, following identification by the U.S. Army's laboratory in Hawaii.

The statement itself, however, was somewhat encouraging. It demonstrates that at least the President is no longer being urged to credit his policy and approach as bringing results from unidentified remains fragments, the volume of field activity and expanded numbers of personnel.

In a meeting prior to the President's announcement, he met with the League and Veterans members of the 1994 Presidential Delegation to provide his rationale for normalizing relations. He stated his view that significant progress had been made and his firm conviction that normalizing relations will bring greater cooperation. He emphasized the importance of recently received documents which, in the view of experienced analysts, are of minor significance in comparison to some already released and others known to exist, but still withheld.

The President's current policy and approach -- of payment in advance in the hope that Vietnam will respond in good faith -- has not produced results in keeping with long-held expectations of the U.S. Government, nor has it fulfilled President Clinton's own POW/MIA criteria, most importantly in terms of unilateral Vietnamese actions to locate and return remains and provide key records. We see little possibility for improving this pattern, particularly now that the President has decided, prematurely in our view, to give Vietnam the last significant leverage to obtain accounting results.

There is no question that some in the Clinton Administration purposely ignored or dismissed U.S. intelligence assessments and the core data base in their push to normalize relations. These same officials continue to reach for superlatives to describe Hanoi's level of cooperation, despite evidence to the contrary.

The Clinton Administration still appears to view the process - Vietnam's well-compensated efforts to support joint field activities -- as the measure of progress, rather than results which account for missing Americans. Many of those now making policy decisions and public statements have no history on the issue and have made little effort to learn.

Just this week, an AP release quoted a DOD official with statements which totally distorted Vietnam's record of cooperation. The statement was made that "Over the past three years, 167 sets of remains have been returned to the United States from Vietnam, including 99 recovered on joint U.S. - Vietnamese field expeditions. The 68 others were turned over unilaterally by Vietnam." Unless you know the facts, you would assume that 99 identifiable American remains had been recovered by joint excavations and 68 more had been repatriated by the Vietnamese government. That is not true.

According to official reports, the 68 were remains fragments provided to U.S. field operators during joint field activities; they were not the result of unilateral efforts by Vietnam to locate and return remains, as called for in President Clinton's criteria. Hopefully, however, at least some portion will be identified as remains of U.S. personnel, but the invalid perception was, in our view, generated purposely to provide rationale to meet the language in the President's first POW/MIA criteria.

It was clear when President Clinton assumed office that the real priority for some in the policy-level bureaucracy -- then and now -- was the improvement of bilateral economic and political relations with Vietnam. To those individuals, the POW/MIA issue was and is an obstacle to their objectives, to be functionalized and moved to the side. The conscious reinterpretation or dismissal of intelligence, redefinition of long-established baseline for determining cooperation and consistent efforts to generate public support for their objectives, plus the over-stated praise for relatively minor achievements, set the stage for the action taken yesterday.

We again saw the same Senators and the policy-level bureaucracy orchestrating public and Senate support as we saw just over a year ago -- only this time, their objective was full normalization of diplomatic relations. Earlier, it was lifting the trade embargo and establishing liaison offices and, before that, it was ending U.S. opposition to Vietnam's access to International Financial Institution funds.

Having succeeded in getting the embargo lifted, which at the time was touted as virtually mandatory to keep American business competitive, some in the business community began complaining that their financial interests in Vietnam were suffering disadvantages as important market opportunities were lost to their competitors. Even before normalization of relations was granted, the business community was seeking protection and financial advantage from U.S. taxpayer funds available through the Trade and Development Agency, Exim Bank and OPIC, as well as advocating further financial benefit for the Vietnamese and themselves by urging that the Clinton Administration grant Vietnam Most Favored Nation tariff status.

Yesterday, during the meeting with President Clinton in the Cabinet Room, the President promised that before he took any economic steps such as these, he would seek input from the League and The American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Vietnam Veterans of America and the AMVETS. Hopefully, the President will supplement our input by obtaining unvarnished briefings from his own intelligence and analytical community, briefings I understand he has yet to receive.

Mr. Chairman, in our view, the President should have been informed of the real facts, the unvarnished reality. His policy-level bureaucracy should have been honest in providing input on which to base his decision on whether and when to normalize relations. Instead, the interagency policy-level bureaucracy rounded corners, changed definitions and manipulated analyses to justify the decision.

If full normalization of diplomatic and commercial relations was their true objective all along, instead of the fullest possible accounting as the President has consistently stated, then they should have the political courage and moral conviction to say so, rather than skewing facts to distort the perceptions of the Congress, the media, our nation's veterans and the general public.

Whether due to a lack of substantive knowledge, willingness to believe Vietnamese assurances or conscious decisions to distort the facts, senior U.S. officials have regularly downplayed and dismissed Vietnam's level of knowledge and responsibility to be forthcoming. Whether from the Departments of State, Defense, Veterans Affairs or the White House, statements continue to be made which, based upon the U.S. Government's data base, are not true.

The examples are extensive; however, the facts to substantiate what I have said are included for the record with my written testimony. All are either direct copies of Defense Department documents or compiled accurately into the core data which the League provided to the Vietnamese in March, 1994. One or two examples are very revealing.

While still in Hanoi on this most recent delegation in May, Assistant Secretary of State Winston Lord was quoted as saying of the Vietnamese that the U.S. has "no reason to believe they are not making a good faith effort" and judged the documents turned over as "significant." Yet the official briefing on the trip and the analytical assessment stated that these documents will not lead directly or immediately to case resolution.

Despite that analysis, Deputy Secretary of Veterans Affairs Hershel Gober, co-leader of the delegation, was quoted in the June 19th ASIAN WALL STREET JOURNAL as stating "I sincerely believe that the Vietnamese are making an honest effort to make a full and objective accounting," noting that it is never possible to account for all persons missing in combat. According to Defense Department specialists, these latest documents may provide a few useful leads for follow-up, but are insignificant in comparison to some released previously and to others not yet provided that our own government knows should be made available.

We, the families, appreciate any and all information, but obtaining a few documents should not require a high level U.S. Government delegation to Hanoi if, in fact, Vietnam is being fully cooperative and "making an honest effort" and a "good faith effort" as claimed by senior U.S. officials.

The League agrees that all 2,202 missing U.S. personnel will not be accounted for, nor have we ever held such expectations. For precisely that reason, the League's initial charter in 1970, long before the war's end, was based on obtaining the release of all prisoners and the fullest possible accounting, including the return of all recoverable remains.

Other officials, some in less visible positions, have made similar statements, referring to Vietnam's cooperation as outstanding, superb and extraordinary, when official analyses indicate that cooperation consistently falls far short of U.S. expectations.

In the months leading up to the Senate debate in 1994 and the subsequent lifting of the embargo, the Vietnamese were highly commended for turning over documents in late 1993 as evidence of their increased cooperation, but there was almost no comment on crucial analytical conclusions of the Defense POW/MIA Office.

The first, in September, was the Group 559 Shootdown Record pertaining to American losses in Laos, in areas then under Vietnamese control. DPMO's analysis stated:

"The significance of the Group 559 Shootdown Record rests most importantly in the fact that it provides clear proof of extensive record keeping and knowledgeability of U.S. losses in Laos by PAVN forces operating in that country. It also provides explicit cross references to where additional information might be located. Although it is difficult to believe that this document could not have been turned over to the U.S. side much earlier, or that additional Group 559 documents could not be turned over forthwith, it is still true that provision of this document represents significant cooperation by the Vietnamese and addresses longstanding requests by the U.S."

The second of the two examples occurred in December of 1993, when 18 documents were turned over to Ambassador Lord during one of his visits. Again, quoting DPMO's analysis:

"In and of themselves, these 18 documents are not significant in terms of case resolution and do not qualify as a satisfactory response to the query in August. While they contain a few minor leads that call

for further investigation, their greater significance is that they indicate the strong likelihood that the SRV has more documents, especially the so-called 'feeder' documents from which summary records are compiled.

"The entire tenor of the Vietnamese response to U.S. requests for answers, particularly on remains and documents, continues to be 'that's all we have' and to be 'procedural' in nature, when in fact there is strong evidence that other documents exist and that there are at least some remains under the control of the SRV Government they have not yet returned. The turnover of documents (which they have clearly had for years) to the current delegation illustrates that the Vietnamese continue their longstanding practice of providing documents only to high level emissaries. This measured response, if sustained, does not augur well for early resolution of the POW/MIA issue."

Mr. Chairman, I have submitted the entire analysis for the record, as provided to the League by DPMO. I would also point out that Vietnam has yet to provide any of the documents used to compile the entire Group 559 Shootdown Record which, according to U.S. analysts, "appears to be written in a single hand." Logic dictates that it required original documents to compile such a summary. Yet, as previously noted, U.S. Government officials continue to commend Vietnamese cooperation.

It is my understanding that U.S. Senators have even been told that there is no compelling evidence that Vietnam continues to withhold remains of Americans, and that the lack of such evidence was the basis for President Clinton's decision to lift the embargo. Mr. Chairman, based on evidence supplied to the League by the Department of Defense and which the U.S. Government has provided repeatedly to the Vietnamese, including photographs, documents and other evidence, that statement is untrue.

As you know, the League went to Vietnam, Laos and Cambodia in March, 1994. We took a large volume of POW/MIA case-related material that U.S. officials had provided to us for that purpose. A complete copy, with photographs, is submitted here for the record and your review.

The Clinton Administration purposely avoided and continues to avoid publicizing this data, as did the League initially, in the hope that the promises made primarily to U.S. officials and to me would be fulfilled. They haven't! Of even greater concern is that U.S. officials don't negotiate with the Vietnamese based on the data, an approach not lost on the Vietnamese Politburo.

With such glowing commendations from policy-level officials, not to mention the steady flow of praise from JTF-FA Detachment 2 in Hanoi about support for joint field activities, is it any wonder that some in the Congress believe that the Government of Vietnam is being fully cooperative? Or that the President and his cabinet believe it?

Worse yet, is it any wonder that the Vietnamese Politburo has not yet renewed and increased serious unilateral efforts to locate and return remains? Or to unilaterally provide the documents that our own government is confident they have available?

Over the years, Vietnamese assurances have been numerous and contradictory. In 1982, a Vietnamese Politburo member denied holding any remains of U.S. personnel, but subsequently admitted to the White House official at the table that remains were available in large numbers. (The Senate Select Committee followed this up partially and confirmed that the admission was made, but it was then buried.) Vietnam responded after this admission by repatriating relatively large numbers of remains in 1985.

In 1986-87, Vietnam halted unilateral remains repatriations for political reasons. They resumed repatriations in larger numbers in 1988, though to date have returned only 162 with evidence of central-level SRV Government storage, a level that doesn't even approach that which the Vietnamese mortician testified to in your presence, Mr. Chairman, in 1980.

Likely, others may recall the mortician's testimony which withstood scrutiny by U.S. Government officials, in which he stated that he personally had processed around 250 U.S. remains, and that he had seen many more for an estimated total of over 400. Of those, only 163 have been returned to date, not even close to the number he personally processed, and a much lower number than expectations published by the interagency intelligence community in 1987, refined and substantially reaffirmed in 1992 by DIA analysts and the POW/MIA Interagency Group in which I participated.

An unclassified copy is submitted for the record of material provided by Under Secretary of Defense for Policy Paul Wolfowitz to Vietnamese Vice Foreign Minister Tran Quang Co which gives considerable detail on U.S. Government expectations. Mr. Chairman, you would have to request the specific numerical expectations from U.S. officials since the numbers were excluded from the copy given to the Vietnamese. Our reason was concern that the several hundred expected might be too low an estimate, and that underestimation could impact adversely on the number ultimately received. Review since 1992 also affirms numbers in the hundreds.

Recent assertions, to include by U.S. Senators, that Vietnam has met the POW/MIA provisions of the Bush Administration's "road map" to improve bilateral relations with Vietnam are egregious distortions. That road map was written by the POW/MIA Interagency Group, in which I participated, and approved at the highest levels. Dealing with both the Cambodia settlement and POW/MIA issues, the road map was front-loaded with steps to account for last known alive (LKA) discrepancy cases, unilaterally repatriate remains and provide relevant records. Under no circumstances have the Bush Administration's POW/MIA criteria in the road map been met.

In addition, some of this commentary unfairly puts the burden of U.S. intelligence analysis on young military personnel working in Southeast Asia with no access to this data. A young serviceman stating his counterpart is providing good cooperation and support for joint field operations is hardly the basis for national policy; yet it has become a way to hide from facts.

Further, on July 2, 1993, President Clinton laid out four POW/MIA criteria related to Vietnam. Restated by Secretary of Defense Perry in his report to Congress on February 17th of this year, the criteria are valid for measuring accounting results:

- 1) Concrete results from efforts on their part (Vietnam's) to recover and repatriate American remains;
- 2) Continued resolution of discrepancy cases;
- 3) Further assistance in implementing trilateral investigations with Laos; and
- 4) Accelerated efforts (by Vietnam) to provide all POW/MIA related documents that will help lead to genuine answers.

Since President Clinton defined the criteria, progress on #2 has been almost totally limited to "fate determinations" produced by joint US/SRV investigations. Resolution means accountability, defined by the USG as the man returned alive, or his remains, or convincing evidence as to why neither is possible. In nearly all instances of the 117 with reported confirmation of death, evidence also indicates that Vietnam should be able to locate and provide remains. Of the 81 "special remains cases" (94 individuals) now being pursued jointly, unilateral efforts by Vietnam to locate and provide remains are required on all but the died-in-captivity (DIC) cases. The DIC cases require joint investigation due to wartime burial, mostly in the South.

On trilateral cooperation (#3), some Vietnamese witnesses have been located by the SRV in response to repeated U.S. requests and the joint archival research program. Several such witnesses have now been utilized during several joint operations in Laos.

Vietnam is now beginning to provide the names of additional witnesses. Importantly, however, other than the Group 559 summary, the SRV has not released records specifically related to the Lao (and Cambodian) cases which USG assessment indicates should be available. As previously noted, of special interest are the original source documents used by a single Vietnamese official to compile the Group 559 summary. Despite repeated requests, none have been released to the U.S. Government.

Regarding criteria #1 and #4, despite July 1994 commitments, the SRV Government only very recently (May, 1995) began to implement its pledge to renew unilateral efforts on records, but in a very limited way with a few documents which appear to be first-generation copies of regional archive records. Most were not new information and reported on joint and unilateral investigations conducted years ago. Vietnam has not yet renewed and increased its own efforts to locate and return remains or begun a sustained effort to provide definitive POW/MIA records for U.S. Government review.

Unfortunately, a major flaw of current strategy is that U.S. officials continue to ask for reports on Vietnam's unilateral efforts, rather than asking for results which account for missing Americans. That flawed approach gives Vietnamese authorities the impression that the U.S. is looking for convincing evidence that remains or original records are not available and, given Vietnamese cultural and nationalist sensibilities, guarantees an inconclusive outcome. If the Vietnamese turn over identifiable remains, no reports are needed or required; stored remains have routinely and rapidly been identified.

If the cumulative reports are accurate, senior officials now directly involved have recommended to the President that relations be fully normalized and that Secretary of State Christopher visit Vietnam during his trip to the region in early August. If factual and objective, the rationale could not have been that Vietnam has fulfilled the POW/MIA criteria that President Clinton established which, clearly, have not been met.

Deputy Assistant Secretary of Defense for POW/MIA Affairs James Wold has stated his expectation that his organization's ongoing comprehensive case review of all unresolved incidents will be completed by mid-July. Unless altered for political reasons at a higher level, the League anticipates that the results of this "scrub" will further define U.S. expectations on accountability that Vietnam should be able to provide and will again number in the hundreds. The results of this review should also enable the U.S. to respond accurately, at long last, to Vietnam's many requests for suggestions as to which cases are best pursued unilaterally versus jointly.

Excavations by CILHI and investigations by qualified specialists are needed to resolve questions on cases which lend themselves to joint efforts and should be pursued jointly. Cases on which analysis indicates that the best results should be achieved by Vietnam, on its own, should be given to the Vietnamese for unilateral follow-up by their Ministry of Interior and Ministry of Defense teams. This approach, long advocated by the League, offers the best potential for results which will account for our missing relatives.

The key is that both unilateral and joint efforts are required to achieve the fullest possible accounting. DPMO's comprehensive review will also bring forward a list of Americans on whom the U.S. believes accounting can be achieved. That list is one element of House Joint Resolution 89, which you introduced, Mr. Chairman. As you know, another is certification by the President that Vietnam is being fully cooperative with the U.S. in efforts to achieve the fullest possible accounting for our missing. Finally, the President would certify that Vietnam has provided central committee level documents pertaining to American POW/MIAs. The League strongly supports H. J. Res. 89, and its companion in the House, S.J. Res. 34, introduced by Senators Bob Smith and Bob Dole, both long-time supporters.

It is appropriate, at a minimum, that President Clinton be required to certify that Vietnam is taking the unilateral actions necessary to locate and return remains expected by U.S. Government analysis to be available and provide relevant records. He should be required to make such certification before moving any further to improve economic relations with Vietnam. He has repeatedly pledged that progress in resolving this issue is the determining factor in his decisions regarding bilateral relations.

It is interesting that Vice President Gore, during an April 16, 1993 appearance on NBC's TODAY SHOW, responded to a caller's question by stating in part, "The great push towards normalization of relations is very strong and a lot of other countries are moving there, but it's not going to go forward until we're satisfied that the Vietnamese government has been totally forthcoming and fully cooperative in giving every last shred of evidence that they have on this issue." Within three months, and despite the lack of significant results, the President decided to move forward on Vietnam's highest priority -- international funding for infrastructure development.

The League calls on all Members of Congress to take a stand and insist that before the United States moves any further to accommodate Vietnam's political and economic objectives, or those seeking profit at the expense of principles, the President certify to Congress that Vietnam is providing full cooperation in meeting expectations outlined in the U.S. Government's data base.

It is our view that, in good conscience, the President cannot now state that Vietnam is being fully cooperative of that they have acted unilaterally to meet his criteria. We urge the President to instruct his senior officials to focus negotiations with Vietnam for unilateral efforts to provide accountability -- remains and records -- before considering further steps to improve relations. If Vietnam makes the decision to cooperate fully, the results will be apparent to all, and the League could support economic steps in response. Until the U.S. negotiates on the basis of its own data, and the Vietnamese Politburo decides to move unilaterally to provide results, it would be premature for the U.S. to move one step further. It is our hope that Congress will hold the President to these reasonable standards.

Before closing, I would point out that the League's focus on Vietnam now and in the past is not only due to their ability to locate and provide remains and information on Americans missing in Vietnam, but also their proven ability to help account for the 499 missing in Laos and the 77 unaccounted for in Cambodia. According to the U.S. data base, the level of Vietnamese control maintained over areas of Laos and Cambodia where U.S. losses occurred is 82.3% in Laos and 90% in Cambodia, though the percentage of Vietnamese control is much higher on the 77 discrepancy cases in Laos, involving 139 personnel -- 90%. No mention is made by DOD, State or the White House of these established facts; however, it is to Vietnam that the U.S. must look for the fullest possible accounting of Americans lost in all three Indochina nations.

Mr. Chairman, I look forward to answering your questions.

**STATEMENT OF
JOHN F. SOMMER, JR.
EXECUTIVE DIRECTOR
THE AMERICAN LEGION**

BEFORE THE

**COMMITTEE ON INTERNATIONAL RELATIONS
UNITED STATES HOUSE OF REPRESENTATIVES
JULY 12, 1995**

Mr. Chairman and Members of the Committee:

The American Legion appreciates this opportunity to present testimony on a matter of highest national priority, the issue of prisoners of war and missing in action in Indochina. As this statement is written this may well be the final hearing to the premature and ill-conceived normalization of relations with Vietnam. At the very least, this issue deserves to be fully debated in the Congress, allowing the American people to see and hear the truth, before the President makes the decision to restore diplomatic relations with Hanoi.

At the very outset, we want to place on the record our definition of what would constitute the fullest possible accounting of America's POW/MIAs. Our definition, which is shared by other organizations and some members of Congress is turning over live prisoners, expeditiously repatriating the remains of those who were killed in action or died in captivity, or providing a valid, conclusive report why neither is possible.

The American Legion recommends that all concerned with this important issue should unite in adopting such a workable, logical definition of "fullest possible accounting" so that we can all agree on the ultimate goal toward which we should be working. As far as we know, the U.S. Government -- although it has supposedly been working to solve this problem for over 25 years -- has never articulated a definition of this fundamental objective. Unfortunately, The American Legion is of the opinion that achieving the fullest possible accounting will be extremely difficult if not impossible, absent any leverage to use in the accomplishment of this goal.

We understand that Assistant Secretary of State Winston Lord noted during a Senate briefing on June 20, that the U.S. government needs a policy for addressing cases that would never be accounted for. This falls under the third category set forth in our definition. However it should be noted that The American Legion expects every case to be investigated and analyzed as thoroughly as possible - with all leads followed before a decision is rendered that it is not possible to account for a missing serviceman.

In this statement, we intend to analyze Hanoi's cooperation in the four areas for progress specified by President Clinton through the Presidential Delegation to Vietnam in 1993, and which were reiterated by the Delegation in July 1994. Next, we want to acquaint the subcommittee with the multitude of problems we have encountered in dealing with the Executive Branch. Finally, we will offer some important recommendations on a viable future course of action on the Southeast Asia POW/MIA issue.

Presidential Delegation Objectives

This witness represented The American Legion as part of the Presidential Delegation which visited Vietnam in July 1993, and the Delegation that met with both the Vietnamese and the Lao in June and July, 1994. The veterans and family organizations were excluded from the most recent Delegation which traveled to Vietnam and Laos last month.

Before dispatching the Delegation in 1993, President Clinton made it clear that Hanoi should not expect any further favorable action toward normalization by the United States until it fully cooperated in four specific areas. We would like to review each area and provide our evaluation of the level of Vietnamese cooperation to date.

1. Concrete results by Vietnam to recover and repatriate the remains of missing Americans.

According to expert testimony on June 28 presented to the Military Personnel Subcommittee of the National Security Committee concerning remains, only 36 remains were identified during 1993-94. Many of these cases were group burials, rather than individual identifications, and some consisted of only a small number of teeth. This is in contrast to the period of 1985-88 when the number of remains returned and identified was 146. During the period 1989-92 the number was 96.

These repatriations consisted of numerous, nearly complete, skeletal remains with some exhibiting scientific evidence of warehousing and storage. This was a very clear indication of Vietnam's unilateral capability to rapidly resolve a large number of cases. Perhaps more important, the number of remains exhibiting such scientific evidence only accounts for approximately 60% of the total number of remains reported by sources deemed credible by our intelligence community to have been warehoused by the Vietnamese.

We are giving away our leverage while the leverage of the Vietnamese remains intact. This belief is underscored by the fact that of the 98 Americans who either died while being held prisoner in camps, or whose remains have been depicted in communist photographs, only three have been returned to their loved ones. From an ethical standpoint, the return of three Americans' remains may in fact be considered progress, but when you consider that we have 2202 other men who are still unaccounted for, perhaps the terms "outstanding" and "absolutely superb" are somewhat less than honest in describing the level of cooperation afforded us by Vietnam. Moreover, a detailed survey of all incidents occurring in Indochina, conducted by our government prior to the formation of the Joint Task Force, indicated that the Vietnamese have the unilateral capability to recover and repatriate some 1400 remains of our men, without deploying U.S. excavation teams into the field.

Additionally, Administration officials have stated rather emphatically that the 26 Americans accounted for in 1994 is the "highest yearly total since 1989." Unfortunately, this claim does not stand up under scrutiny. Of the 26 identifications in 1994, 19 of the remains were repatriated in 1993, and only 7 were recovered in 1994. According to available data, 42 Americans were accounted for in 1989, and 24 in 1990, with all of the remains being recovered during those respective years, not over a two or more year period. Based on this, the Administration's statements are incorrect.

In addition, The American Legion has obtained through declassified records compelling information that reported Americans were seen and remains of some who died between 1976 and 1980 were buried within and outside Vietnamese prisons. The reports specifically relate to 80 Americans who died in 5 prisons not known to hold our POWs during the war. After obtaining this information, we requested a meeting of the Presidential Delegation which was held on January 18, 1994, to set forth the documents and urge expedited searches for these remains by the U.S. Government. To our knowledge, no government official had previously

visited these five prisons other than one, Tan Lap - Phu Tho, and that was only after Senator Bob Smith's visit to the prison in July 1993. Several months subsequent to the January meeting a Stony Beach investigator was sent from Bangkok to "visit" at least some of the prisons. Emphasis is placed on "visit" because in discussing the matter with the investigator in July 1994, I learned that he had been provided none of the reference material we had submitted to provided the Acting Director of the Defense POW/MIA Office during the January meeting. This included sketch maps, detailed descriptions of the locations of the reported grave sites within and outside of the prisons, as well as other information that may well have proved useful in the investigations. This is but another example of glaring ineptitude on the part some U.S. government officials responsible for resolving this issue.

2. Continued resolution of "last-known-alive" discrepancy cases through a priority investigation team, plus continuation of live-sighting investigations.

It is extremely difficult to analyze this objective, because the Defense POW/MIA Office gives us little meaningful information. According to available information, General John Vessey initially compiled a group of "discrepancy cases," about 196 last-known-alive (LKA) cases, and shared them with the Vietnamese. Approximately 55 of the cases are still unresolved at this date. Of the 141 LKA cases listed as resolved, only 24 have been based on return of remains. Vietnam should be able to provide the other 117 remains. The Vietnamese should also be able to account for 125 LKA cases that occurred in Laotian areas controlled by Hanoi. We hasten to point out that the term "discrepancy cases" goes back to 1975, and the actual development of the list rests solely on the Federal Government. In addition, we have been advised that there were other equally compelling cases not added to the list at the time the latest group of discrepancy cases was compiled.

We suggest this Committee should really "dig-in" regarding this objective and require the Defense POW/MIA Office to present a detailed briefing of each case, specifying investigations conducted, results achieved, the basis for closing out the case and any remaining actions to be taken. Up to this point, the Pentagon has hidden behind spurious claims of classification and privacy to prevent the families of missing servicemen and the public from learning the true status of these very compelling cases which the Vietnamese government should be able to help resolve to our satisfaction.

The Secretary of Defense has not complied with Section 1034 of PL 103-337, enacted on October 7, 1994. It required him to provide complete lists of

POW/MIAs about which Vietnam and Laos should be able to provide more information. The original deadline for the report to Congress was November 21, 1994, yet today, over eight months later, only 50 percent of the list has been provided. We find it absolutely incredible that the Department of Defense, which has supposedly been working on this "highest priority" national issue for three decades, has been unable to come forth promptly with an accurate list of those priority cases it should be tracking.

Regarding live-sighting investigations, we have no confidence in the manner in which they are being conducted. American investigators cannot move anywhere in Vietnam without being accompanied by their "handlers," from Vietnam's Office of Seeking Missing Personnel. Further, advance notice is given to the Vietnamese so the effectiveness of U.S. personnel questioning Vietnamese citizens is jeopardized. Thus, communist officials have ample opportunity to "stage manage" each investigation. Additionally, live-sighting investigations are not conducted by JTF-FA personnel. Stony Beach personnel have to be flown in from Bangkok to conduct the investigations. While it is preferable that Stony Beach handle these cases, the logistical situation would prohibit any instantaneous investigations, if they were able to be accomplished.

3. Increased Vietnamese assistance in accounting for Americans missing in areas of Laos where Vietnamese forces operated during the war.

Concerning cooperation with the country of Laos, only a small number of prepared witnesses in Vietnam have been allowed to participate in the investigations inside Laos. The investigation teams working on the cases involving Americans who were captured in Vietnam and later moved to Laos have never to the best of our knowledge, been permitted to cross the Vietnam-Lao border during the course of the actual investigations. In order for the families to have confidence in the investigation process, the investigations must be genuine. The testimony from witnesses must be spontaneous, rather than rehearsed. The investigation leads must be followed promptly, rather than months after they are received, and the teams must have the flexibility to cross borders in pursuit of both new leads and witnesses as the investigation develop. Those supervising the investigations must be seasoned experts who have extensive knowledge of the cases, the target areas, the communist system of evacuation, detention, and exploitation, the culture, the people, and the language of both Vietnam and Laos. Underscoring this requirement is the fact that some 80 percent or more of the cases in Laos have incident locations which were actually under the control of communist Vietnamese forces during the war.

Investigations conducted in the same manner as those conducted in Indochina during the past three years would probably fail to withstand the scrutiny of the courts or the public here in the United States.

Potentially, this area should offer great opportunities since over 500 Americans are still unaccounted for in Laos and, during Operation Homecoming, no American POWs returned from Laos, although nine Americans captured in Laos returned through Hanoi. Anyone who has researched the message traffic from the American embassy in Laos in the spring of 1973 can see that evidence exists that the Lao did have live American POWs at that time, and the U.S. Government did absolutely nothing that we are aware of to investigate the matter. We have seen documents reporting land line intercepts which reveal the movement of American prisoners from Laos to North Vietnam in late 1973. While only partial information has been released to the archives, a complete search of all government records should be conducted relating to this matter.

Although cooperation by Laotian authorities is essential in resolving the fate of unaccounted for Americans, we believe strong emphasis for accounting for Americans lost in Laos should fall on Hanoi since the Pentagon has repeatedly stated that about 85 percent of them were lost in areas of Laos controlled by North Vietnamese forces.

We note that the Administration delegation which visited Vietnam and Laos in May, raised the need for trilateral investigations with Vietnamese General Secretary Do Muoi and Prime Minister Vo Van Kiet and received "assurances" from them in return. While visiting Laos, the delegation met with President Nouhak Phoumsavangh, Foreign Minister Somsavat Lengsavad and Minister of National Defense Choumali Saignasone and urged the Lao to cooperate in trilateral investigations, oral histories and archival research. This is all well and good, but American delegations have repeatedly visited Vietnam and Laos for the past two decades, making similar points, receiving similar "assurances," and returning home to find that little meaningful progress resulted from their efforts.

We would like to point out that some Members of Congress and others favored lifting the embargo against Vietnam so that the United States could, in their opinion, get better access to the countryside. The illogical nature of that contention becomes apparent when you recall that the United States never broke diplomatic relations with, or imposed an embargo against, Laos -- yet results from some few investigations in Laos have been extremely meager. Further, the theory that having

more businessmen on the ground in Vietnam will increase the opportunities to locate any surviving American POWs, or other related information, is questionable. The businessmen would seldom, if ever, venture out into the jungles and mountains and more importantly, the Communist Vietnamese government will never permit them access to prisons or other restricted areas in that country.

4. Expanded access to archives and continuing interviews to resolve questions about the fates of POWs and MIAs.

This is the most tenuous of the four objectives. The only information we have to go on are unsubstantiated statements by various U.S. Government officials that the Vietnamese are providing more and more access to wartime documents. We have not seen many of these alleged documents and we have not received much information from the Defense POW/MIA Office on their detailed contents. Therefore, it is not possible to even hazard a guess as to the status of this objective. We would, however, like to observe that in December 1992 the first director of the Defense POW/MIA Office, Alan Ptak, told The American Legion that up to that point Vietnam had only provided one percent of the documents and information the U.S. Government knows they possess.

Non-governmental sources have reported that, in the past few years, through joint and unilateral efforts, approximately 30,000 documents, photographs and other archival items have reached American hands; however, only about one percent of them are relevant to the cases of missing Americans.

It cannot be purely coincidental that Hanoi's government officials only "discover" vital reports on cases of missing American servicemen immediately prior to the arrival in country of high-level American delegations, such as the two recently completed ones. The initial analysis of the most recently received documents has not resulted in any verifiable accounting for missing Americans. Moreover, a number of these documents were requested by high-level American officials who knew they existed, in meetings with the Vietnamese in August of 1993. That leaves us with the presumption that Vietnam still has a long way to go in providing truly unrestricted access to relevant documents relating to missing US servicemen.

On June 16, in evaluating the usefulness of the new documents, the Department of Defense said that they "will not result in the immediate resolution of any cases" and that they "do not include information indicating the current

disposition of the remains or provide a credible explanation as to why the remains cannot be recovered."

Members of Congressional delegations, Administration officials and others continuously return from Vietnam making declarations of the "wonderful cooperation" the Vietnamese are providing the Joint Task Force-Full Accounting in helping resolve the POW/MIA issue. The cooperation Vietnam is providing is that for which they are being paid substantial sums of money by the United States. This consists of the joint U.S.-Vietnamese excavation of crash sites.

The cooperation that is needed is unilateral Vietnamese recovery and repatriation of remains, and unilateral actions on collecting and turning over documents, particularly those which would be helpful in resolving cases of missing American servicemen.

Define the role of Joint Task Force-Full Accounting

The American Legion basically has no quarrel with the job that is being done by the young military personnel who are assigned to the JTF-FA teams for the purpose of excavating crash sites. It is obviously not easy work, and many times the weather and terrain present formidable obstacles. This witness has observed that their attitudes are positive and they carry out their assignments as best they know how. Unfortunately, they know little about the country and its cultures, languages, government; or the manner in which the war was fought in Indochina.

However, having said that, those in senior or leadership positions have taken on a public affairs role, frequently dealing with the media, and, for the lack of a better term, lobbying members of Congress and others with glowing reports of Vietnam's "cooperation" on the POW/MIA issue. Word filtered back to us, prior to last year's vote on Senate resolutions in favor of and opposed to the lifting of the trade embargo, that JTF-FA personnel were advising members of Congressional delegations that the Vietnamese were being cooperative with them, but if the embargo was not lifted they feared the cooperation would not continue.

Mr. Chairman, the cooperation the Vietnamese are providing JTF-FA is that for which they are being handsomely compensated, as previously noted. It is highly unlikely that the leadership in Hanoi would discontinue providing logistical assistance to JTF-FA, knowing that the vast sums of money they are receiving would dry-up. Unfortunately, most visiting delegations take the reports of

"cooperation" at face value, base their judgments on the issue - and make public pronouncements thereon - based on incomplete information. It is apparent that any time the Vietnamese decide to turn over any significant - or seemingly significant documents, pictures or other "finds" - they are ceremoniously given to a high level delegation rather than a Joint Task Force-Full Accounting team.

Unfortunately, JTF-FA seems to have become politicized, and given a free reign in dealing with the media, which is unusual, given the fact it is a tactical military unit. The exact role of JTF-FA needs to be defined.

Senate Select Committee and POW Survey

The American Legion firmly believes that the U.S. Government has failed to use one of the best possible sources of information on what really happened to our POW/MIAs -- the 591 American POWs who returned during Operation Homecoming.

Clearly, the former Senate Select Committee on POW/MIA Affairs shared our concern. For, after encountering a flat refusal from the Pentagon for full access to the Operation Homecoming debriefing reports, only the Chairman and Vice Chairman were given access -- despite the fact that 285 returned POWs waived their rights to confidentiality.

To give you a clear picture of the Select Committee's total discontent with the Pentagon's stonewalling on this vital issue, let me quote from page 270 of the Select Committee's final report, where reference is made to a request to the Pentagon for access: "The committee request was in furtherance of a complete record, the suspicions surrounding the debriefing process...." Mr. Chairman, the phrase "the suspicions surrounding the debriefing process" sums it all up -- after decades of incompetence and evasion, some within the Pentagon simply cannot be trusted to pursue one of its most essential missions -- to honestly and objectively resolve the issue of American POWs and MIAs. This has been illustrated in internal reports criticizing the handling of the POW/MIA issue, which were classified by DoD.

On page 271, the Select Committee urged DoD "to conduct a full, independent review to clarify this issue for the public. The review should be undertaken by DoD staff and not assigned to the DIA, and the results should be provided to the appropriate oversight committees of Congress and made public."

Realizing that access to POW debriefings was essential, The American Legion conducted its own survey of the returned POWs. We mailed 500 survey forms and received a relatively high response rate of 47 percent. Of those responding, we received significant indicators that some of the returned POWs believe the issue is far from resolved. Eleven percent believed they had firsthand information on POWs who did not return during Operation Homecoming. Thirteen percent believed the Vietnamese operated additional prison systems from which American POWs did not return. Fifteen percent believed the Vietnamese segregated POWs having particular technical or intelligence knowledge and either transferred them to other countries or did not return them during Operation Homecoming.

On November 16, 1993, we wrote to President Clinton requesting him to implement the recommendation of the Select Committee cited earlier. To date we have not received an acknowledgment that the White House received our letter.

The Executive Branch "Stonewall" on the POW/MIA Issue

Mr. Chairman, we would now like to very briefly cite just some of the instances in which the Executive Branch has turned a deaf ear to sound information and suggestions emanating from The American Legion, POW/MIA families and other organizations.

- Investigations of live sighting reports have been nonexistent or are incomplete. Many documents received by the families have been heavily redacted and left unintelligible.
- Pilot recognition signals (often analyzed as valid by knowledgeable military photo interpreter experts) have been debunked and ignored. Radio intercepts have been buried in the files.
- Little or no emphasis has been placed on liberating live American POWs. Nearly all concentration has been on sifting through dirt at crash sites.
- The world-famous Soviet 1205 and 735 reports discovered in 1993 have been virtually dismissed out-of-hand, despite the fact that many experts believe they establish a prima facie case that Hanoi held back hundreds of American POWs during Operation Homecoming.

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-- Task Force Russia, a highly competent, dedicated group of experts searching for American POWs and remains of missing servicemen in the former Soviet Union, was disbanded just as it was starting to be effective.

-- After dedicated military officials produced a well documented report proving American POWs were taken from Korea to the Soviet Union, the Pentagon slapped a veil of secrecy over it -- despite President Clinton's promise to declassify POW/MIA documents. We understand it is now being reanalyzed under contract by the Rand Corporation. The joint U.S.-Russian Commission in its recently released preliminary report notes that documents obtained from the Soviet Archives make clear that there were incidents in which Soviet security services had concrete instructions to actively support the interrogation of American POWs during the Korean War.

Mr. Chairman, we could go on and on, but just this small sample indicates the scope of the problem -- for decades the Executive Branch of the U.S. Government, through faulty decisions and bureaucratic incompetence has failed in its moral duty to resolve the cases of American POWs and MIAs, and has many times slammed the door in the face of their grieving families when they have sought information about their loved ones. And always, this misdirection and incapacity has been cloaked in a totally unnecessary layer of classification, not to protect information from enemies, but from the American people. Additionally, the Administration continually tries to pawn off "process" and statistical motion as progress on the accounting issue when in fact the bottom line will reveal just the opposite.

What Needs to Be Done

Mr. Chairman, The American Legion, and its 3.1 million members from all parts of the nation, calls on you to continue the leadership role and help get the POW/MIA issue back on track toward real, effective action. We would like to briefly outline our views at this time and offer to meet with you or your staff to discuss details.

1. Take further favorable actions toward Vietnam only after Hanoi provides the fullest possible accounting for POW/MIAs in Vietnam or in areas of Laos and Cambodia it controlled during the Vietnam War. In this regard, we strongly urge passage of H.J. Res. 89, and its companion bill in the Senate, S.J. Res. 34. They prohibit the provision of funds for establishing diplomatic relations or granting most-favored-nation trading status to Vietnam until the President

fulfills three conditions. Under the resolution, funding would only be permitted after the President provides Congress a list of unaccounted for Americans from the Vietnam War about whom Vietnam likely has additional information, certifies to Congress that Vietnam is fully cooperating in the four areas he designated in July 1993, and certifies Vietnam is fully cooperating in providing access to relevant intelligence reports.

As we see it, the Congress is the only force that can prevent the premature normalization of relations with Vietnam. We implore all members of Congress to keep faith with the missing Americans who answered the call to the colors, their bereaved and long-suffering families, and the members of the Armed Forces now and in the future who rightly expect to be kept foremost in the national conscience should they fall into enemy hands.

2. The U.S. Government should make a maximum effort to resolve the fate of unaccounted Americans from World War II, the Cold War, and the Korean War by obtaining the return of any live prisoners, the repatriation of remains, and the fullest possible accounting for the missing.
3. The U.S. Government should not provide normalization or any type of aid to North Korea until it fully cooperates on POW/MIA matters.
4. Centralize POW/MIA activities in a powerful office reporting directly to the Secretary of Defense.
5. Declassify all POW/MIA information (except that revealing intelligence sources or methods) in a form readily available to public review.
6. Provide adequate personnel and resources so that investigative efforts of World War II, Cold War, and Korean War POW/MIA situations can be broadened and accelerated.
7. Initiate or strengthen joint commissions with Russia, the People's Republic of China, and North Korea to increase POW/MIA recovery efforts.
8. Establish a joint standing congressional committee on POW/MIA affairs to ensure continued action by the executive branch in addressing the POW/MIA issue.

9. The President and Congress should establish a Prisoner of War/Missing in Action Commission, comprised of individuals to include members of the nation's major veterans organizations, for the purpose of ascertaining during any conflict that American POW/MIAs are all accounted for, treated properly, and released from captivity at the earliest possible moment.
10. Congress should expeditiously pass and send to the President Title IV, Section 563, "Determination of Whereabouts and Status of Missing Persons, " of H.R. 1530, the Defense Authorization Bill for FY 1996.

For more than a decade, The American Legion has been on record in support of reform of the procedures for determining the status of missing American military and associated civilian personnel. Our concern for this issue has arisen from several convincing reports by families of missing servicemen of apparent lack of fair play and compassion in the U.S. Government's handling of the cases of their loved ones. Too often, they have been forced to conclude that arbitrary decisions were made, with little chance for their input during the determination phase and little opportunity for appeal or judicial review of decisions of the Executive Branch. Furthermore, the current law governing such cases was enacted over half a century ago. Since then, it has also become outmoded by far-reaching changes in technology and public perceptions of justice.

We are strongly convinced that Section 563 implements the necessary changes and reflects several years of enlightened research and coordination by many concerned members of the Congress and others involved in this important issue. In addition to providing a viable, equitable method for making future determinations of status, Section 563 provides for review of prior cases back to January 1, 1950. Looking to the future, Section 563 establishes procedures that will fulfill the U.S. Government's basic moral duty to look out for the interests of those who serve in the U.S. Armed Forces to protect our freedom, and give their families full opportunity for meaningful participation in making status determination and seeking judicial review of adverse decisions made in the cases of their loved ones.

We will continue to work with the Senate in an effort to pass this vital legislation in that body, as the House has already done.

11. The U.S. Government should seek appropriate changes to international laws and regulations relating to prisoners of war and missing in action. This is one of the few areas relating to prisoners of war and missing in action where true

progress has been achieved. The U.S. Government should expeditiously ratify the "Convention on the Safety of United Nations and Associated Personnel." This proposed treaty, negotiated under U.S. leadership at the United Nations late last year, would go a long way toward providing essential prisoner of war protections, similar to those provided by the Geneva Conventions, for American servicemembers captured during United Nations-mandated operations or when they are serving in association with such operations. Additionally, an international agreement should be negotiated to provide the same protections to American servicemembers during peacekeeping or humanitarian operations which are not mandated by the United Nations. The American Legion initiated this effort through discussion with the President and communications with other high level Administration Officials begun in February 1994, and will continue to press for further progress.

Mr. Chairman, we in The American Legion commend you for your interest in holding this hearing on this vital issue. As a nation, periodically we ask our young people to go to the ends of the earth to protect the freedoms we enjoy. More and more often, our armed forces are becoming involved in peacekeeping and humanitarian missions. It is simply and absolutely unconscionable that -- for almost half a century -- the Executive Branch, regardless of which political party controlled it, has utterly and repeatedly failed in its highest moral obligation to protect and liberate American POWs and account for the missing in action.

Representative Gilman, on behalf of The American Legion, I thank you for your leadership on this issue for over two decades.

Mr. Chairman, The American Legion urges you and the members of this subcommittee to follow up on the finding of today's hearing. The members of the Armed Forces, Veterans, and particularly the families of our missing servicemen deserve no less.

Mr. Chairman, that concludes our statement.

VETERANS OF FOREIGN WARS OF THE UNITED STATES



SENIOR VICE COMMANDER-IN-CHIEF

TESTIMONY OF

**PAUL A SPERA, SENIOR VICE COMMANDER-IN-CHIEF
VETERANS OF FOREIGN WARS OF THE UNITED STATES**

BEFORE THE

**COMMITTEE ON INTERNATIONAL RELATIONS
UNITED STATES HOUSE OF REPRESENTATIVES**

WITH RESPECT TO

NORMALIZATION OF RELATIONS WITH VIETNAM

**WASHINGTON, D. C.
JULY 12, 1995**

Good morning Mr. Chairman and members of the committee. I am Paul Spera, the Senior Vice Commander in Chief of the Veterans of Foreign Wars of the United States.

I want to thank you for the opportunity to express the views and concerns of the 2.1 million members of the Veterans of Foreign Wars on the topic of a full accounting of our POW/MIAs in the context of overall U.S. - Vietnam relations.

Our concern in this issue is the fate of Americans still unaccounted for in Southeast Asia. Our goal is now what it has always been, the fullest possible accounting for those individuals. We are not moved by the concerns of American business. It is not for us to be involved in issues of regional security. In this issue we speak only for the missing and they are our only concern.

To this end the Veterans of Foreign Wars has followed the progress made on this issue and we have spoken out at appropriate times. Since 1971 we have passed many resolutions on this issue. Each of them designed to further the search for the fullest possible accounting. We have always regarded the POW MIA issue to be a high priority for our organization and its members. Throughout the years in this sad chapter in America's history, the Veterans of Foreign Wars has been there -- and we have been consistent. We have consistently spoken out on what we believed to be the proper course.

We have declared consistently that the issue is non negotiable. We recognized early on that the fate of America's missing in South East Asia was in the hands of the Vietnamese. That their unilateral actions were the best means of resolving the heart wrenching questions of the families of those missing. Nothing will be accomplished in the search for answers without the fullest cooperation of the Vietnamese leadership and their people.

There have been encouraging signs in this area. The work of the Joint Task Force Full Accounting is producing some results. And may I add, that having been there to see what they must do to complete their mission -- I have the highest regard for those individuals on the ground and in the jungles doing the hard work necessary to complete a dig. They are to be commended. The Vietnamese are cooperating in these endeavors and they should be applauded for this, but more must be done to achieve the fullest possible accounting.

The tri lateral investigations have shown some success. We should thank the countries involved for their cooperation and urge them to expand their scope and increase their efforts. They should be urged on to greater activity in this area, in order to more quickly.

There has been some success in the area of archival research. Some answers have been provided and some reports have been made available. Without the supporting documents -- it is difficult at best to form an independent determination on the accuracy of the conclusions which were reached. This is definitely an area where more must be done., unilaterally by the Vietnamese.

The major sticking point remains -- the discrepancy cases. Americans last known alive in captivity. This issue beyond all others cries out for unilateral Vietnamese action. This is the area where the sincerity and willingness of the Vietnamese to deal with this issue are constantly tested -- And this is where unilateral actions on their part are the most necessary.

The issue has constantly evolved and we in the Veterans of Foreign Wars have not only observed that evolution, but have taken an active part in it. Our Commander in Chief Allen F. "Gunner" Kent has made four trips to that part of the world. One of them as a member of a Presidential delegation. A year ago I was privileged to be a member of a Presidential delegation. This past October our Junior Vice Commander in Chief, Jim Nier also made a trip to Vietnam and Laos. A copy of his report is being made available to the committee.

This issue has been a priority issue for the Veterans of Foreign Wars, and will remain a high priority. Because of that, we interact with other Veterans organizations, we observe the actions of our government and the Vietnamese and we reach our own conclusions. At our National convention in 1993, our delegates passed VFW resolution 418 which is attached for the Committee. While reaffirming our moral commitment to account for and, if at all possible, to recover our missing men it also recognizes that our strategy to reach that goal may vary as events unfold.

Based on the VFW's first hand involvement and the assessment of the current situation, and in keeping with resolution 418, the Commander in Chief has determined that it time for a new direction. It is therefore the policy of the Veterans of Foreign Wars that *IF by normalizing relations with Vietnam we can further the process, leading towards our goal of the fullest possible accounting, then the VFW can support such a decision.*

The reality is that further movement towards the fullest possible accounting will require greater effort by the Vietnamese unilaterally, and by a greater cooperation between our two countries. The position of the Veterans of Foreign Wars is that normalization will help to achieve that cooperation.

The goal is a common one and we must never forget what it is. The agony of those families seeking answers to their questions, and the fate of our missing in action are all we should be concerned with. The Veterans of Foreign Wars will continue to be an active participant in this issue. We will continue to work with any and all parties to further the accounting of our missing in action. We will also reserve the right to do as we have done in the past to make our stand based on our best assessment of the situation.

Thank you. I'll be glad to respond to your questions.

Testimony of Garnett E. Bell
House Committee on International Relations
July 12, 1995

Mr. Chairman, members of the Committee, thank you for this opportunity to testify concerning a matter of importance to all Americans, our POWs and MIAs who are still unaccounted-for in Southeast Asia.

I believe a hearing concerning this issue today is most appropriate, because only yesterday our President made an historic decision to normalize diplomatic relations with the Socialist Republic of Vietnam. Recent comments by those in favor of this move have been designed to encourage veterans across the country to put the Vietnam War in the past. The slogan used by communist officials in Hanoi, and mimicked by some here in America is "Vietnam is a country, not a war". Considering the importance of the POW/MIA issue and human rights to veterans, perhaps it would be more correct for us to say that "the Socialist Republic of Vietnam is a country, established after the conclusion of the Vietnam War.

The desire to erase the war from the collective memory of our nation, prior to a full accounting for those answered their nation's call, does not bode well for America's future as the leader of the Free World. And it appears that the same spiritual poverty that allowed our leadership to abandon American POWs and MIAs after World War II, the Korean War, and the Cold War, is destined to cause the abandonment of 2,202 more Americans in Vietnam.

Noticeably absent from recent rhetoric concerning the diplomatic initiatives toward Vietnam are several fundamental aspects related to the overall POW/MIA accounting process. We are told that improved relations will help the Vietnamese people in their quest for democracy and human rights. If this dream on the part of our leadership is realized, it would have undoubtedly been appreciated by the 58,000 Americans who gave their lives for the cause of freedom in Vietnam. However, for those of us who are still living, we are more interested as to when these political changes in Vietnam might occur. We are also told that there are opportunities for trade in Vietnam, and this will be good for our nation as a whole. Since Vietnam has a per capita income of approximately 200 dollars per year, and a national habit of rescheduling debts, those of us who are tax payers have a great deal of apprehension concerning the source of capital for this anticipated economic boom.

And there are also those who hold the opinion that Vietnam can serve as a buffer to China, enhancing regional stability. But scholars who understand the age-old relationship between these two coexisting communist nations will most likely find this view to be inconsistent with reality. The political and economic aspects notwithstanding, the centerpiece for this new initiative is apparently the likelihood for even better cooperation from the government of Vietnam in accounting for our MIAs in the near term. Unable to predict the future, veterans can only monitor the process, to see whether the fullest possible accounting is truly the objective of our government's efforts, or merely one possible by-product of the a new relationship motivated by other factors. Veterans have certainly taken note of the fact that in the ensuing 17 months subsequent to the President's lifting of the trade embargo, only eight Americans have been accounted for in Vietnam.

Although the U.S. Government claims that Vietnam is doing everything it can to account for the 2,200 American personnel still unaccounted-for in Indochina, this contention is not supported by facts. On the contrary, all available evidence suggests that the Vietnam Communist Party could rapidly account for a significant number of MIA cases, especially the 95 men associated with the "Special Remains" cases, who either died due to disease or were executed in wartime prison camps, or whose remains have been depicted in photographs released by Vietnam. Evidence of a complex wartime record keeping system indicates that Vietnam could also provide important information on many of the 305 last-known-alive discrepancy cases, as well as crash sites and grave sites.

Reinforcing the argument against claims of outstanding Vietnamese cooperation by the current administration, captured wartime documents and Sources provided overwhelming evidence that as a part of their training, PAVN forces were given detailed instructions concerning the handling of American personnel captured or killed on the battlefield. According to those instructions "a detailed file was to be prepared on each POW as soon as he was brought to a detention camp. With regard to the deceased ones, records should be maintained, listing such information as deceased date and burial location. Personal belongings of the deceased should be carefully kept. Similar records were to be prepared for the U.S. POWs who escaped, were missing, became lost, or were killed by enemy bombing."

According to the Central Identification Laboratory in Hawaii, the combined efforts of the Vietnamese agencies responsible for processing remains and personal effects resulted in a very efficient system for recovery and storage. A 1991 memo of the lab indicated that "CILHI had prepared a bar chart displaying the number of identified remains received during official repatriations from the SRV since March 1973, with contrasting bars showing the number of remains exhibiting some evidence of storage. The chart and supporting statistics were as of 31 January 1991. The total

number of identified remains was 260; the total number showing evidence of storage was 158. But what is most important for this committee to comprehend is the fact that the total number of remains exhibiting scientific evidence of storage and curation account for only approximately 60 per cent of the stored remains reported by Sources deemed credible by our own intelligence community.

After reviewing all available information concerning Vietnam's handling of the remains issue, the Defense Intelligence Agency (DIA) produced a detailed report outlining the U.S. Government's expectations for cooperation on the part of the Vietnamese in unilaterally turning over both remains and records. This study incorporated information obtained from defectors involved with processing or storage of remains, scientific analysis of remains, wartime interrogation reports, wartime captured document translation and analysis reports, and a detailed survey undertaken by the highly respected Joint Casualty Resolution Center (JCRC), indicating that 1485 remains could be recovered and repatriated by the Vietnamese, without the deployment of U.S. field teams in Indochina. There was no emotion or speculation displayed in the straightforward presentation prepared by professional Pentagon analysts. According to a key point of the DIA briefing: "Finally, our forensics experts tell us that approximately 70 per cent of U.S. remains returned by your government show evidence of long-term storage. By this we mean they exhibited minimal bone mass loss, commingling with other remains of individuals lost in widely disparate areas, and coating with preservatives and/or disinfectants. Thus, while your government has returned many sets of remains that exhibit evidence of storage, the information available to us leads us to the conclusion that there are still American remains that are readily available or easily retrievable and that could be repatriated to the U.S. in a very short period of time." Concerning the ability of Vietnam to provide records, the briefing indicated that: "Based on information acquired through original documents, wartime and refugee interviews, and other sources, we have learned that PAVN developed a specialized cadre and a dedicated organization to handle foreign prisoners and casualties during the first Indochina War. That cadre and organization, which appear to have continued to operate into the early 1960's, was adapted to deal with U.S. Forces when they were introduced into Indochina."

Chief Warrant Officer Solomon Godwin, from Hot Springs, Arkansas, who was captured in Hue, died while undergoing a lengthy period of interrogation by the Public Security Police. Due to his assignment as an Intelligence Advisor to the RVN National Police Special Branch in Hue, both CWO Godwin and captured CIA agent Eugene Weaver were held in a highly secret camp far removed from other American prisoners. Mr. Weaver survived the ordeal, and more recently the Soviet KGB has admitted to U.S. officials that not only did they have direct access to Mr Weaver for interrogation in

Vietnam, they also attempted to recruit him for intelligence operations here in the United States. Although an American eyewitness account provides proof that CWO Godwin was in the custody of communist forces at a fixed location, his remains have never been returned. Another clear example of Vietnamese intransigence is the case of SSGT Harold Bennett from Perryville, Arkansas. Another American captured with SSGT Bennett was told by guards that he was executed, because he had been wounded and unable to keep pace with the movement to a new camp. Although the American survivor provided a location for SSGT Bennett's burial, his remains have not been returned by Vietnam.

There is additional information available indicating that the intelligence shared by the Ministry of Public Security with the former Soviet Union and the Peoples Republic of China was considered valuable to the extent that it created competition between the two countries: "In spite of the obvious great importance for both sides of this collaboration, our military-scientific specialists in the DRV continue to operate under difficult circumstances, which are often artificially complicated by our Vietnamese comrades. It is known that trips to the sites of downed aircraft is the Soviet specialists' main method of collecting pieces of equipment. This system is set up by the Vietnamese side. The Vietnamese, however, hide the aircraft crash sites from us using various pretexts. They delay our trips, even after giving us permission to go to the crash site. It is for this reason that the main source of information regarding aircraft crash sites comes from the observation of Soviet specialists. There have been many times when downed aircraft were examined by qualified specialists before the arrival of our specialists. That has now been cleared up; it turned out to be Chinese."

Concerning Vietnamese knowledge of the 505 MIA cases remaining in Laos, several advisory units were deployed by Vietnam to that country during the war. One recently declassified study of the CIA describes Vietnamese involvement: "In support of increasing requirements for PAVN involvement in Laos, the Lao Dong Party established in 1959 a central control authority over all PAVN activities in Laos. Designated after the date of its establishment, Group (Doan)/Office 959 was under dual command of the Central Committee's Central Western Affairs Department (Ban Cong Tac Mien Tay Trung Uong) Military Staff and the Ministry of National Defense. Until 1968, Office 959 was responsible for control of all PAVN units in Laos. In 1968, control over PAVN combat units and advisory personnel to the LPLA was reorganized. Office 959 relinquished its control over PAVN units in north to the PAVN Northwest Military Region, and its control over PAVN units in central and south Laos to PAVN Military Region 4 group 68, which later became known as Group/Division 968. Office 959 and its subordinate advisory groups became solely responsible for advisory assistance to the LPLA, although it continued to coordinate its activities with the PAVN Northwest Region and with PAVN military

Region Group 68

Approximately 85 per cent of the remaining MIA cases in Laos, involving U.S. personnel, have incident locations in areas that were under the wartime control of Vietnamese forces. The PAVN-advised Lao Binh van efforts were similar to those conducted unilaterally by the Vietnamese in Vietnam. An example of Lao record-keeping is evidenced by the acquisition of a document pertaining to CPT Walter H. Moon from Rudy, Arkansas. This document was obtained from refugee sources in Thailand, and was titled "Biography of a Prisoner". It was obtained from a collection of similar documents from the Lao Military High Command Headquarters in Vientiane during the early 1980's. Although CPT Moon was executed while being held prisoner in a fixed camp, his remains have not been returned. Lao Military Security personnel observed in the same office where the document was obtained have been identified as having been involved with U.S. POW's during the war, and having participated in meetings with U.S. officials and MIA family members arriving in Laos to discuss the POW/MIA issue. Moreover, the government of Vietnam has already returned the remains of two U.S. pilots with incident locations inside Laos, with one of the locations in the Plain of Jars.

Regarding the manipulation of public opinion in America, the KGB trained Vietnamese services were responsible for both penetration of, and recruitment from the POW population. This element was charged with the mission of "promoting the antiwar movement and urging US and satellite troops to refuse to take part in operations and to demand prompt return home". This element also played a key role in advancing the strategy of the party far into the future. Charismatic cadre were also tasked with developing lasting friendships with some selected U.S. POW's believed to have the potential for influencing public opinion after being released to go home. Documents captured during the war included one Military Proselyting cadre's guidebook, which in addition to essays by American antiwar critics, contained the following instructions: "Special treatment was to be granted to U.S. PW's having special social standing, such as those who were the sons or relatives of American celebrities or high ranking officials in the U.S. Government. Intense propoganda and motivation should be imposed on these PW's".

This aspect was researched to a degree by the Senate Select Committee on POW/MIA. Deepening the dismay of MIA families dismay, shortly after the Senate Select Committee adjourned, some key personnel assigned to the committee tasked to investigate this controversial issue quickly seized high salaried positions within the U.S./Vietnam Trade Council, a business group designed to facilitate normalization and trade between the U.S. and Vietnam. According to a biographical sketch on the President of this business-lobby group, the U.S. Vietnam Trade Council has also developed close ties with the leadership of the Veterans of Foreign

Wars (VFW). If these reports prove to be accurate, I am sure this subject will be debated in great detail at our annual convention in Phoenix, Arizona next month.

Efforts of the Military Proselytizing Department to exploit U.S. officials and private businessmen began in earnest after the collapse of the south in 1975. Cadre assigned to the proselytizing effort were transferred to duties placing them in positions insuring continued contact with American targets with potential for exploitation regarding political and economic concessions, such as removing the trade embargo and improved U.S./Vietnam relations. For example female cadre, Ms Nguyen Thi Ngoc Suong has been reassigned as the Vice-chairman of the Vietnam Petroleum Organization dealing with representatives of American oil companies. Military Region-5 Military Proselytizing cadre Nguyen Chinh was transferred to become the Deputy Director of the Religious Affairs Department in Hanoi dealing with U.S. officials on religious freedom and human rights. Senior Intelligence Cadre Ho Nghinh was assigned to the Committee for Economic Development. The former Chief of the Military Proselytizing Department and Deputy Minister of Defense, LTG Tran Quang, has been assigned as head of the National Veterans Organization of Vietnam and targeted against U.S. veterans organizations.

The postwar reassignment of experienced proselytizing cadre into political, economic, human rights, and veterans affairs organizations involved with the United States indicates that the Vietnam Communist Party intends to continue its long established process of exploiting U.S. officials, business groups, and veterans organizations. The extent to which this has already occurred, to the detriment to MIA accounting, can only be determined by careful scrutiny of the official and unofficial contacts by representatives of organizations from both sides over the years. The amount of influence that Vietnam's proselytizing efforts have had on postwar policy-level decisions made in Washington can only be assessed by comparing concessions made to Vietnam by the White House with those made to the United States by the Politburo in Vietnam.

Given the political ramifications surrounding this issue, the various charges and denials have undoubtedly confused the average citizen. Additionally, for an American raised in the relatively simple aspects of democratic politics, understanding Vietnamese communist bureaucracy and policies can be daunting. Unfortunately, little has been published concerning the actual mechanisms, systems, and policies the Vietnamese communists used to process American POW's and remains. In an effort to provide the members of this committee with some factual information regarding the degree of knowledge and unilateral capability of the Vietnamese, my colleagues and I have prepared a brief research paper, which with your permission, I will enter into the record at this time. Please note that the content is referenced to specific official documents in archives from which the information was extracted.

Perhaps this Committee will perceive my testimony to be somewhat critical of our government's efforts. Please be assured that my remarks are intended to be salutary, in an effort to improve the process. Although I am no longer a part of the official process, I intend to follow this issue closely. I am not dedicated to the POW/MIA issue, but rather dedicated to an honest resolution of the issue. I am bound and determined that the veterans of this nation will never abandon our comrades-in-arms who cannot be here to represent themselves today. Whether these men are classified by our government as POW, MIA, or KIA there are nonetheless veterans, and their loved ones are family members in distress. Their welfare and piece of mind cannot be anything other than the highest possible priority for any veterans organization in America today. In order to strengthen the efforts of our government, I and my colleagues have been working with the MIA family members to construct a plan whereby both veterans and family members will have an opportunity to contribute to the achievement of the fullest possible accounting for our missing men. I would like to enter this plan into the record, and we ask for your support in putting it in place, on the ground in Vietnam.

In closing, I would like to cite one brief passage relevant to the nature of war:

War is an ugly thing, but not the ugliest of things

The decayed and degraded state of moral and patriotic feeling which believes that nothing is worth war is much worse

A man who has nothing for which he is willing to fight, and who cares only for his own personal safety

Is a miserable creature who has no chance of being free, unless made and kept so by the exertions of better men than himself.

Those left behind in Vietnam after Operation Homecoming are the better men, and we sincerely hope that your Committee will work with us too bring them home.

United States Department of State

Washington, D.C. 20520

JUL 28 1995



Dear Mr. Chairman:

As a follow-up to Assistant Secretary of State Winston Lord's appearance before the House International Relations Committee on July 12, we would like to reiterate the Administration's intention to consult closely with the Congress on future economic or trade-related steps with respect to Vietnam. The President has stated that our policy will be to implement the appropriate United States Government programs to develop trade with Vietnam consistent with U.S. law. The Administration will begin an inter-agency review process, in consultation with the Congress, to determine Vietnam's eligibility for a number of economic programs and benefits.

We hope this information has been responsive to your concerns. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Wendy R. Sherman".

Wendy R. Sherman
Assistant Secretary
Legislative Affairs

The Honorable
Benjamin A. Gilman, Chairman,
Committee on International Relations,
House of Representatives.



United States Department of State

Washington, D.C. 20520

JUL 28 1995

Dear Mr. Chairman:

As a follow-up to Assistant Secretary of State Winston Lord's appearance before the House International Relations Committee on July 12, I would like to provide you with additional details in response to the question you raised regarding two American citizens detained in Vietnam.

At the outset, let me reiterate what Assistant Secretary Lord said during the hearing: there clearly is room for improvement in the implementation of our May 1994 consular agreement with Vietnam. That said, the agreement has improved significantly our ability to gain consular access to detained American citizens. We are working to ensure we continue to receive such access at regular intervals, as well as timely notifications of new detentions of Americans.

With respect to the two specific cases raised during the hearing, those of Nguyen Tan Tri and Tran Quang Liem, a consular officer from the U.S. Liaison Office in Hanoi paid separate visits to the two men at the Security Investigation Office in Ho Chi Minh city on April 7, 1995. Vietnamese officials were present during the visits, during which the officer conversed with Mr. Tri and Mr. Liem in English.

Mr. Tri told the consular officer he had been held at the office since his arrest on November 13, 1993. He reported that he is fed twice a day and had lost five to ten pounds during his detention. Mr. Tri stated he had been eating throughout his imprisonment, and his physical appearance did not suggest he had been on an extended fast. Mr. Liem said he had been treated by a physician and provided with medication for a heart condition while in detention, but had been denied access to dental care.

The Honorable
Benjamin A. Gilman, Chairman,
Committee on International Relations,
House of Representatives.

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Beyond the issue of consular access, the cases of Mr. Tri and Mr. Liem raise concerns regarding extended pre-trial detention and rights to freedom of expression and association. U.S. officials have been candid and persistent in expressing these concerns, and have urged the Vietnamese government to release Mr. Tri and Mr. Liem and allow them to leave the country. Vietnamese officials have told us the two are under investigation for conspiring to overthrow the government and that no decision has been made whether to bring them to trial. The U.S. Liaison Office is now seeking second visits to Mr. Tri and Mr. Liem and has requested that a U.S. official be permitted to attend any court proceedings which may take place.

I hope this information has been responsive to your concerns. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,



Wendy R. Sherman
Assistant Secretary
Legislative Affairs

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

July 11, 1995

OVERVIEW

President Establishes Full Diplomatic Relations with Vietnam

Today, President Clinton announces the normalization of diplomatic relations with Vietnam. The President takes this step to achieve more progress in accounting for POW-MIA's, help close the wounds of the war, and enable us turn together toward a common future.

Provide Better Accounting for POW-MIA's. President Clinton's policy toward Vietnam has been driven by a single, overriding goal -- to find more answers about the American service personnel reported missing in action or taken as prisoners of war:

- The Clinton Administration has devoted more resources to this effort than any other.
- Improvement in relations with Vietnam has depended solely on progress on this issue.

Made Progress on POW-MIA's. Since the President lifted the trade embargo last year, Vietnam has been more forthcoming, providing new access to records, witnesses and areas where Americans were lost. Since January 1993, we have found new answers and achieved tangible results:

- 167 sets of remains believed to be American have been returned to the U.S., from which 39 Americans have been identified.
- We have conducted more than 16 joint field exercises with the Vietnamese.
- Joint U.S.-Vietnamese teams have reviewed 27,000 archival items and conducted hundreds of interviews with Vietnamese witnesses, yielding new information.
- We have made a determination of the fate of 80 of 135 discrepancy cases -- where individuals survived but did not return alive and remain unaccounted for -- leaving only 55 individuals in this category.

Help Resolve the Fate of POW-MIA's. Normalization will help us press for more progress in securing the return of the remains of lost military personnel and clarifying the fate of those who could not be found.

Presidential Delegation to Visit Before the End of the Year. The President will send another delegation to press Vietnam for more progress on POW-MIA's. He has invited representatives of veterans and families organizations to accompany the delegation.

Establishing Full Diplomatic Relations. President Clinton will upgrade our liaison office in Hanoi to an embassy and review candidates to be the U.S. Ambassador to Vietnam.

Bipartisan Support from Vietnam Veterans in Congress. Senators John Kerry, John McCain, Chuck Robb and Bob Kerrey and Representative Pete Peterson -- all distinguished Vietnam veterans -- support normalization.

Continue to Advance Democracy, Economic Reform and Human Rights in Vietnam. Next month, the President will send Secretary Christopher to Vietnam to expand and strengthen our dialogue on human rights, democracy and economic reform.

Economic Relationship. We will begin normalizing our economic relations with Vietnam consistent with our commitment to ensuring progress on human and labor rights, i.e., MFN, GSP, OPIC, EX-Im Bank.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 11, 1995

FACT SHEET

Vietnam War POW/MIA Cases
Progress Under the Clinton Administration

President Clinton's policy toward Vietnam has been driven by a single, overriding goal -- achieving progress in accounting for service personnel reported missing in action or taken as prisoners of war. More resources have been devoted to this effort under this Administration than any other, and improvement in relations with Vietnam has depended solely on progress on this issue.

President Clinton lifted the trade embargo with Vietnam only after tangible progress was achieved on the recovery of remains, on resolving discrepancy cases and on locating documents. In the months since, Vietnam has increased its efforts, providing unprecedented access to records, witnesses and areas where Americans were lost. In addition, cooperation between the governments of Vietnam, Laos and the United States has yielded additional information.

President Clinton has vowed to exhaust every possible avenue of investigation and will hold Vietnam to its pledge to help find the answers we seek. Normalized relations with Vietnam will allow the United States to press for further progress.

Recovery and Repatriation of Remains

- 167 remains repatriated to U.S.; 39 remains identified. (Since February 94, 85 remains repatriated, 29 remains identified)
- Pentagon expects 40-50 additional remains from Vietnam to be identified in 1995.
- Conducted 16 joint field activities with Vietnamese. (9 since February 94)
- U.S. Government has received new, comprehensive report covering 79 of 81 pending "special remains" cases -- cases in which the Vietnamese government should have information because of photographs, grave registrations and other items.

Discrepancy Cases

- Fate has been determined for all but 55 discrepancy cases -- down from 135 cases in January, 1993 and an original of 196. These are cases in which individuals survived but did not return alive and remain unaccounted for. (18 since February 94)

Trilateral Investigations with Vietnam and Laos

- U.S., Vietnam and Laos have conducted four field activities since new agreement between Vietnam and Laos reached December 1994.
- Missions have uncovered witnesses, yielded new information and prompted future excavations.

Release of Documents

- This year, Vietnamese have released several hundred pages of documents containing maps and records of army units compiled by the Ministries of Interior and National Defense.
- Joint U.S.-Vietnamese research teams have reviewed 27,000 archival items.
- Joint teams have conducted hundreds of interviews with Vietnamese witnesses, yielding new information on many cases.

Note: Trade Embargo lifted in February 94.

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

July 11, 1995

FACT SHEET

Background Paper on Economic Relationships

A decision to "normalize relations" does not automatically make Vietnam eligible for a broad range of economic programs and benefits. There are a series of statutory requirements that need to be either fulfilled or waived in order to make Vietnam eligible for most economic programs or benefits. The analysis below is not intended as a comprehensive analysis but is rather designed to outline the statutory requirements for some of the economic benefits/programs under review.

The Administration will begin an inter-agency review process, in consultation with the Congress, to determine Vietnam's eligibility for a number of economic programs and benefits. Until this process is complete, it will not be possible to specify dates or decisions for the initiation of such programs and benefits.

I. Most Favored Nation Status

In order to receive MFN, a bilateral commercial agreement with Vietnam which meets the requirements set forth in the Trade Act must be negotiated and approved by both houses of Congress. In addition, pursuant to Jackson-Vanik, the President must either issue a finding that Vietnam allows free and open emigration, or issue an annual waiver of that requirement if he determines that such waiver will substantially promote the objectives of the law and if he has received assurances that Vietnamese emigration practices will henceforth lead substantially to the achievement of those objectives.

II. GSP

Section 502(b)(7) of the Trade Act conditions eligibility for designation as a "beneficiary developing country" for purposes of the Generalized System of Preferences (GSP) upon a number of factors, including a country's respect for "internationally recognized workers rights," as that term is defined in Section 502(a)(4) of that Act. Under this section, "internationally recognized workers rights" include (i) the right of association, (ii) the right to organize and bargain collectively, (iii) a prohibition on the use of any form of forced or compulsory labor, (iv) a minimum age for the employment of children, and (v) acceptable conditions of work with respect to minimum wages, hours of work and occupational safety and health.

III. Export-Import Bank

General human rights restrictions ordinarily do not apply to EXIM loans or guarantees. A country's human rights performance, by definition a "nonfinancial or noncommercial consideration," may be a basis for denying EXIM loans or guarantees only if the President determines that a denial for such reasons would be in the national interest "where such action would clearly and importantly advance United States policy in such areas as ... human rights."

EXIM is prohibited from providing loans or other credits to "Marxists-Leninist" countries, and Vietnam is deemed to be Marxist-Leninist for purposes of the provision. The President may determine that provision of financing is in the "national interest" and waive the prohibition on a case-by-case or country basis (12 U.S.C. Section 635(b)(1)(H)(iv)(2)). EXIM programs are also subject to Jackson-Vanik.

IV. OPIC

Under Section 231A of the Foreign Assistance Act, the Overseas Private Investment Corporation (OPIC) may insure, reinsure, guarantee or finance a project only if the host government is taking steps to adopt and implement laws to extend internationally recognized worker rights as defined in Section 502(a)(4) of the Trade Act of 1974 (see discussion of GSP above). The President may waive this requirement if he determines it is in the national economic interest to do so. OPIC programs are subject to Jackson-Vanik.

Two additional provisions of the Foreign Assistance Act apply to OPIC: Sec. 115, which prohibits assistance to countries which engage in a consistent pattern of gross violations of internationally recognized human rights, and Sec. 620(f), which prohibits assistance to Communist countries (subject to a national interest waiver).

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

July 11, 1995

FACT SHEET

Diplomatic Relations with Vietnam

Current State of U.S.-Vietnam Relations

- In May, 1994, the U.S. and the Socialist Republic of Vietnam ("SRV") formally entered consular relations within the framework of the 1963 Vienna Convention on Consular Relations to which both states are party. Subsequently, the U.S. and the SRV opened "liaison offices" in Hanoi and Washington, D.C., respectively, following resolution of outstanding property issues.
- The U.S. and the SRV routinely conduct a wide range of mutually beneficial activities of a quasi-diplomatic nature, e.g., POW/MIA affairs; negotiations concerning the settlement of SRV public and private debt to the U.S. and U.S. nationals; human rights discussions; protection of arrested U.S. nationals in Vietnam.

The Effect of the President's Decision

- The President's decision to establish diplomatic relations with the SRV under the framework of the 1961 Vienna Convention on Diplomatic Relations, to which both states are party, is simply an extension of the May, 1994 decision to enter consular relations.
- The opening of formal diplomatic relations between the U.S. and the SRV is principally of symbolic importance; it will have little immediate impact upon the manner in which the U.S. and Vietnam conduct their affairs. Diplomatic relations will, however, facilitate the ability of the two states to discuss and negotiate outstanding issues at an appropriate level.

Procedure for Establishing Diplomatic Relations

- As a matter of international law, the establishment of diplomatic relations requires nothing more than the mutual consent of the two states. In recent practice, the U.S. has done this through the exchange of brief letters at the political level -- typically, a letter from the President or Secretary of State to his foreign counterpart.

- Although the establishment of diplomatic relations does not require the exchange of ambassadors or the opening of permanent diplomatic missions, this is the traditional pattern, and we would expect to do so in this instance.
- While no decision has been made, we would expect to continue to use the building in which we recently opened the liaison office, as well as other properties, for the embassy.
- We will shortly begin to review lists of possible candidates as U.S. Ambassador to Vietnam.

Domestic Legal Consequences

- The domestic legal consequences of the establishment of formal diplomatic relations between the U.S. and Vietnam will be largely technical and modest.
- Although some U.S. laws are expressly tied to the existence or not of diplomatic relations, such instances are relatively few and are not of great significance. For example, 22 U.S.C. 2370(t) precludes the U.S. from furnishing foreign assistance to states with which the U.S. has severed diplomatic relations; SRV diplomats will benefit from greater privileges and immunities in the U.S.

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THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

July 11, 1995

FACT SHEET

Background Paper on POW/MIA Accounting

1. Remains

Thus far in 1995, remains have been repatriated for 24 individuals and three sets of remains have been identified. Our Joint Task Force experts believe that another 40-50 identifications of remains from Vietnam will be made this year (as well as a comparable number for remains from Laos and the rest of Southeast Asia). This compares favorably to 1994, when 26 identifications were announced (the highest total since 1989).

In addition to this progress from ongoing joint and unilateral activities, the May 1995 Presidential delegation made significant progress with respect to an important group of cases referred to as the Special Remains cases. These are a group of 84 cases about which we believed there was a greater probability that Vietnam either had or could obtain information. We therefore presented Vietnam with a list of these cases in August 1993 and asked them to provide us with a comprehensive report about their efforts to investigate these cases.

During the May delegation, Vietnam provided the Presidential delegation with a 187 page report on both unilateral and joint efforts to resolve these cases. In the judgment of the Joint Task Force-Full Accounting, the report contains "significant new leads" on 7 cases and will lead to new joint investigations that could potentially recover remains.

To date, 3 of the 84 cases have been resolved, with additional cases undergoing identification at the Central Identification Laboratory in Hawaii. While the Joint Task Force expects that there will continue to be progress on resolving these cases, it will be a relatively prolonged process.

2. Documents

After claiming for more than a year that it did not have any of the documents on the list submitted by the National League of POW-MIA families, Vietnam provided to the recent Presidential delegation some of the types of generic documents requested by the League (e.g., some provincial lists of U.S. casualties, registers of shootdowns from 10 provinces in northern Vietnam). Vice Foreign Minister Le Mai sent a letter on June 5 to Ann Mills Griffiths, the Director of the League,

indicating that some progress had been made to date in locating documents on the League's list and that efforts to locate additional documents will continue.

This commitment appears credible in light of two developments: the provision of two reports to the delegation detailing the activities of the two search teams established in the Ministries of Defense and Interior last year, and the provision of another group of documents to the Joint Task Force after the delegation's departure. Cumulatively, these developments suggest that Vietnam is making a bona fide effort to be forthcoming on documents and that a process is in place which will yield more results in the future.

3. Discrepancy Cases

Discrepancy cases are those in which we have evidence that individuals could have survived their loss. Of the original 196 cases, no determination of fate had been made for 135 cases as of January 1993. This was reduced to 55 cases in June 1994.

Many of the remains cases have been investigated five or more times. There has been some progress in identifying the remains of individuals whose fate has been determined but whose remains had not previously been accounted for. The Central Identification Laboratory currently has additional sets of remains associated with discrepancy cases which it believes to be identifiable over the course of the next six months.

4. Completion of Pending Live Sighting Case

Resolution of this pending case, which depends on the confirmation of the identification of one witness, may be imminent. After more than two years of investigation, the significant investigatory work which has been done on this case appears to suggest that the live sighting report in question is invalid. More importantly, this prolonged case appears to be unique; 90 other live sighting cases have been conducted routinely since 1992, suggesting that this case is not indicative of a major problem. For example, Vietnam granted approval expeditiously for a live sighting investigation based on the information provided by Billy Hendon to the Joint Task Force in Hanoi last month. The investigation was conducted on June 18, and proved to be negative.

REMAINS RETURNED FROM VIETNAM
JOINT VS UNILATERAL RECOVERIES

YEAR	REMAINS REPATRIATED	JOINT RECOVERIES	UNILATERAL RECOVERIES	REMAINS IDENTIFIED
1973	0	0	0	0
1974	23	0	23	23
1975	3	0	3	0
1976	2	0	2	5
1977	34	0	34	33
1978	11	0	11	11
1979	0	0	0	0
1980	0	0	0	0
1981	3	0	3	3
1982	4	0	4	4
1983	9	0	9	8
1984	8	0	8	6
1985	41	0	41	30
1986	26	0	26	14
1987	8	0	8	7
1988	135	0	135	28*
1989	104	3	101	65**
1990	43	2	41	17**
1991	28	8	20	15
1992	35	13	22	3
1993	82	43	39	10
1994	61	40	21	26@
1995	24	16	8	3
TOTALS	684	125	559	311#

REMAINS RETURNED AND IDENTIFIED-FROM VIETNAM (Con't)

* Includes one remains that was received from an unofficial source that resulted in accounting for the serviceman (Edmunds/Reference Number [REFNO] 1311).

** Includes remains not carried by Defense POW/MIA Office (DPMO) as unaccounted for (McCarty in 1989, Parrish in 1990).

@ Includes one remains recovered during a Joint Field Activity (JFA), but not officially repatriated (returned by a Central Identification Laboratory-Hawaii (CILHI) team member-Hall/REFNO 1982).

The total of 311 includes the two not carried by DPMO (see ** above), but do not include Grainger (REFNO 0037) whose 1965 recovery/ID was discovered during an April 94 Department of Defense (DoD) administration review of accounting procedures. Thus, the adjusted totals of 310 for Vietnam match the DoD Public Affairs figures as of June 15, 1995.

July 6, 1995

REPORT TO THE PRESIDENT
BY THE PRESIDENTIAL DELEGATION
ON POW/MIA ISSUES

Introduction:

At your instructions, a small government team representing the Departments of Veterans Affairs, State, Defense and the National Security Council traveled to Vietnam (May 15-17) and Laos (May 17-18) to review progress to date on POW/MIA issues and to seek increased future cooperation there in this regard.

Before our departure, we met with representatives of the veterans and families groups to review our objectives and to seek their suggestions for our meetings with Vietnamese and Lao Government officials. We also met with them after our return to debrief them on the results of the trip.

Overview:

The delegation felt this was the most productive of our three visits to Vietnam on the POW/MIA issue. Equally important, events during and immediately after suggest the Vietnamese have established a routine means of facilitating the inter-ministerial actions required to search central and provincial documentary holdings, and they have created the mechanisms and channels required to respond to requests from the U.S. side for relevant information, including for identification and location of witnesses. This conclusion is strengthened by the fact, during the week of 29 May, following the delegation's return to Washington, the Vietnamese provided an additional 44 documents to the Joint Task Force Detachment in Hanoi. These documents represent the results of the Ministry of Interior Special Team investigations in seven provinces.

The Vietnamese reports and documents on POW/MIA issues we received were responsive to some of the earlier requests made by Presidential delegations as they relate to Special Remains cases and to provincial records. We brought back a personal communication for you on the POW/MIA issue from the Prime Minister.

From the Lao, we received similar expressions of ongoing cooperation, including in the important area of trilateral case investigations. This cooperation should give us a better opportunity to locate evidence related to a greater number of cases than would have otherwise been possible. Both Governments expressed appreciation for our cooperative exchanges on this issue and indicated the delegation should consider future visits as the situation warrants.

The Vietnam Visit (May 15-17):

Meetings in Hanoi with the Prime Minister, the Party General Secretary, the Acting Foreign Minister, the Deputy Ministers of Defense and Interior and other government officials from relevant agencies were cordial but candid. Vietnamese officials from the highest level to the working level staff pledged continued Vietnamese cooperation in resolving the humanitarian issue of POW/MIA accounting and didn't attempt to shift the focus of the discussion to their own MIAs, as they had last year during the previous delegation. In fact, there was considerable appreciation expressed for efforts by U.S. veterans groups to provide information to the Vietnamese in their efforts to obtain information on their own 300,000 missing military personnel.

There was a positive, workman-like air about the deliberations on technical issues and the Vietnamese early-on presented the United States with a compilation of recent materials produced by the Ministry of Defense and Ministry of Interior POW/MIA teams. These teams were created last year at the request of previous Presidential Delegations. It is clear there are new leads in these materials which will assist us in investigating a number of cases.

Another report, originally requested in August 1993 and requested again by the 1994 Presidential Delegation, describes joint and unilateral Vietnamese activities to account for a group of so-called "Special Remains" cases. (The Special Remains cases cover photograph, graves registry, died in captivity and remains recovered but not repatriated cases.) This document, covering all but two of the pending cases, details both unilateral and the joint activities which have been undertaken to resolve these cases. In this report, Vietnam makes specific recommendations about pursuing each case. In seven cases, significant new leads are reported -- one case identifies a new site for excavation and another helps to refine a different burial location. Those Vietnamese recommendations are all subject to further review and decision with Department of Defense experts. Preliminary analysis and discussion of the documents began virtually as soon as the papers changed hands. These unilateral efforts by the Vietnamese authorities complement the efforts of the joint investigation teams in important ways.

The delegation continued to press for a more complete and comprehensive response to the League's March 1994 request for reports or documents in several categories. Foreign Ministry officials asked the delegation to inform the League and the veterans groups this report would be forthcoming soon, and a letter and list of documents from Vice Foreign Minister Le Mai was passed to the League by the Vietnamese Liaison

Office on June 5. Some of the documents we received as well as the subsequent documents passed to the Joint Task Force during the week of May 29 reflected Vietnamese archival searches in Hanoi and the provinces. These searches revealed additional province shoot-down records, a long-sought set of materials raised first with the Vietnamese by the League of Families after the provision of an earlier document of this nature.

As on previous occasions, the delegation had comprehensive briefings with the Joint Task Force - Full Accounting personnel stationed in Hanoi, this time supplementing the discussion with briefings by members of the U.S. Liaison Office which was established on January 28 this year. We were once again briefed about the difficult and dangerous investigatory and recovery work being undertaken, often under hazardous conditions in remote areas of the country. Our official personnel in Hanoi remain convinced they are receiving excellent cooperation from the Vietnamese in carrying out these joint investigations and excavations.

From our initial plenary session in Hanoi with Vice Foreign Minister Le Mai and representatives of the other SRV agencies working on the POW/MIA issue through our final session with General Secretary Do Muoi, it was evident the Vietnamese were seeking to be more forthcoming on priority POW/MIA issues, such as documents and special remains cases. The Vietnamese paid considerable attention to the progress which had been made in resolving concerns raised by previous delegations and focused on the number of remains recoveries and repatriations since the visit last July.

One significant and positive change from last year is Vietnam's current approach to locating witnesses to facilitate investigations of losses in Laos. Vietnam made very productive contributions to the preparations for the investigation of the mountaintop losses at Phou Pha Thi and the C-47 crash site in Khammouane Province in Laos by locating witnesses and cooperating with the Lao to establish a mutually acceptable means of facilitating field investigations of these incidents. The Vietnamese officials with whom we spoke indicated additional witnesses were to be interviewed by Lao officials prior to a number of crash site investigations scheduled for June.

It was clear from the comments of all with whom the delegation met that Vietnam is seeking to establish diplomatic relations and to obtain more normal economic relationships with the U.S. as soon as possible. We acknowledged the cooperation and some progress on POW/MIA issues since the last delegation's visit in July 1994 and discussed with them a number of other issues.

We raised, for example, human rights and narcotics cooperation and discussed Vietnam's upcoming membership in ASEAN (July 1994) and participation in the ASEAN Regional Forum discussion of regional security issues. Finally, as we prepared to depart, Foreign Ministry officials presented to the delegation head a letter for you from Prime Minister Vo Van Kiet, focusing on Vietnamese commitment to support the fullest accounting efforts on POW/MIAs. (A copy of the text of our press statement at the end of the Vietnam visit is attached.)

The Laos Visit (May 17-18):

Our stop in Laos was shorter but equally intense, including meetings with the Foreign Minister, the Minister of Defense, and the President. Here too we received continuing pledges of cooperation on the POW/MIA issue from all levels of the Lao Government. Lao officials said they considered the delegation's visit to have "elevated the relationship another step."

We focused attention on the recent successes in setting up arrangements for trilateral investigations and Lao agreement to requests made during the last delegation visit for expanded teams and more flexibility in their operations. We noted the recent work by Vietnamese witnesses at Phou Pha Thi and the C-47 crash site had been very helpful even though remains had not been recovered in the former location and we were just starting excavations at the crash site.

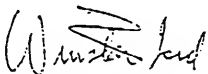
The delegation urged the Lao to be more forthcoming on archival research and oral history activities, both areas where we have had slower results. We asked the Lao Ministries to seek agreement on how to best implement plans for comprehensive archival research and interviews. We raised a specific case in which a reluctant witness has prevented us from possibly locating a grave site and asked the Lao authorities to assist us in this regard. The Lao promised to do what they could in these areas.

As a result of the Lao Government's cooperation in the recent past and to encourage further cooperation, the delegation informed the Foreign Minister that the Secretary of State had decided to waive indefinitely the restrictions on bilateral aid. This news was warmly received by the Minister and by all other senior leaders. The Lao Government, as the delegation was told last year, has long considered the elimination of this prohibition as tantamount to ending the era of hostility in our bilateral relationship. President Nouhak personally expressed his appreciation to the U.S. Government for this action.

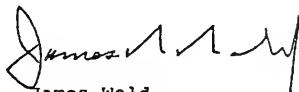
As in the case of the Vietnam meetings, the delegation also took the occasion of the visit to discuss bilateral and regional issues as a means of providing further incentive to the Lao to pursue an expanded relationship. Our discussion of Lao economic goals and our continuing concerns with narcotics issues and refugee repatriation were focal points of this discussion. Lao Government interest in better understanding the state of play in our talks with North Korea on nuclear issues also provided a useful reference to overall U.S. concerns and intentions in the region. (The text of our press statement on this portion of the visit is attached.)



Hershel Gober
Deputy Secretary
Veterans Affairs



Winston Lord
Assistant Secretary
Department of State



James Wold
Deputy Asst. Secretary
Department of Defense



INTERNATIONAL
SECURITY AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

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28 JUN 1995

Assessment of the
Government of the Socialist Republic of Vietnam Documents
Presented to the May 1995 Presidential Delegation

Introduction: On May 15, 1995, the Government of the Socialist Republic of Vietnam (SRV) presented the U.S. Presidential Delegation with 116 documents totaling 187 untranslated pages. This group of documents, the fourth of five such SRV Government unilateral document turnovers, demonstrates the SRV Government's effort to more systematically review archival materials outside Hanoi and turn over this material to the U.S. Government. This document turnover, along with two others in the past three months, represents the positive impact of SRV initiatives undertaken during the past year such as utilizing ministry teams to search for documents, and seeking information from war-time veterans.

The documents received during the Presidential Delegation's visit to Hanoi in May 1995 fall into three groupings: (1) documents addressing Vietnam's unilateral investigations of the 84 Special Remains Cases; (2) documents detailing unilateral investigations undertaken by the Ministry of Interior's Group for Seeking Special Information on Remains and Missing in Action; (3) and documents detailing investigations undertaken by the Ministry of National Defense's MIA Specialists Team. Some of the documents received satisfy specific requests by various U.S. delegations during the past two years.

This particular group of unilaterally collected documents is the most detailed and informative of the reports received to date. More than 800 separate POW/MIA-related documents have been turned over to U.S. officials by the SRV Government since the inception of JTF-FA in January 1992. These documents range from personal diaries of military personnel to important shoot-down records of military regions controlled by the North during the war.

Although the information contained in the documents presented to the Presidential Delegation will not result in the immediate resolution of any cases, some of the information does provide new case leads. As this information is assessed in context with all other information known for a related case, DoD can pursue these new leads to move toward a fuller accounting. As is the case with other POW/MIA related documents, once they have been shared with the primary next of kin and privacy statutes are considered, applicable documents will be turned over to the Library of Congress where they will be available to the general public. The Defense Office for Prisoners of War/Missing In Action will publicize the timing for these events in its newsletter and other appropriate channels.



Documents Addressing Vietnam's Unilateral Investigations of Special Remains Cases: These documents, consisting of 79 Special Remains case reports totaling 118 pages, respond to U.S. Government requests for information relative to those cases. The majority of these reports chronicle both joint and unilateral case investigations, with some strictly detailing SRV unilateral efforts on cases. The reports also address earlier U.S. Government requests for the Vietnamese to document their unilateral investigative efforts involving the Special Remains cases dating as far back as the late 1970s. While the reports offer new leads for seven cases, they do not contain information which would enable the U.S. to account immediately for any of the individuals concerned. For one new lead, the Vietnamese identify a new site for possible excavation; for another, they more accurately define a burial location. Also included in the documents are recommendations for additional searches for new witnesses and archival material. In addition to offering new leads, the Vietnamese propose further investigation of seven cases which JTF-FA had previously concluded were unrecoverable. For example, the SRV Government suggests we jointly investigate an onshore site for one case previously thought to involve an overwater loss.

Documents Derived from Unilateral Ministry of Interior Investigations: The most immediately useful of the information turned over is found in the seven documents, totaling 9 pages, provided by the Ministry of Interior's Group for Seeking Special Information on Remains and Missing in Action. The group visited six provinces (Vinh Phu, Tuyen Quang, Yen Bai, Hoa Binh, Ninh Binh, and Thanh Hoa) in northern Vietnam during May 4 - 12, 1995 to locate pertinent wartime documents, as well as current provincial records regarding POW/MIA activities. As a result of their effort, new summary and name list documents were recovered and turned over. Taken together, these documents provide another seven viable leads and six detailed sketches for seven unaccounted for cases.

Documents Derived from Unilateral Ministry of National Defense Investigations: The Ministry of National Defense's MIA Specialists Team provided thirty documents, totaling 60 pages. All but one of these documents date back to 1988 and precede the initiation of joint investigations. The information contained within these documents was previously obtained from other sources and has already been used to construct joint investigative leads. The other document describes a recent unilateral Vietnamese investigation and proposes that a possible crashsite that has yet to be jointly investigated is not the actual crashsite. Although this document suggests that a joint investigation is no longer warranted, joint activities scheduled for the site will proceed to ascertain whether the possible crashsite does in fact exist.

Documents that Respond to Previous Requests: During the past two years, the Presidential Delegation, Senator John Kerry, DASD Wold, and a delegation representing the National League of POW/MIA Families requested that the SRV Government provide specific documentation of provincial records of U.S. casualties and graves, and registers of shootdowns from ten northern Vietnamese provinces. Three of the documents from

Vinh Phu Province and two from Thanh Hoa Province presented to the Presidential Delegation satisfy items on the list of previously requested documents.

Continued Turnovers: The turnover of archival documents to the Presidential Delegation, and the subsequent turnover on 30 May of an additional 44 documents (totaling 86 pages recovered by the Ministry of the Interior's team) suggests that the Vietnamese have established a routine means of facilitating the inter-ministerial actions required to search central and provincial documentary holdings, that they have established the mechanisms and channels required to respond to U.S. requests for relevant information, and that the relevant ministerial and provincial authorities are working to achieve a level of responsiveness that could result in documents that contribute to the accounting process.

Initial analysis of the documents turned over on 30 May indicates that they are from six provinces and, like the set given to the Presidential Delegation, contain new leads which will assist in the accounting process.

Senior SRV officials have also assured us that they are actively looking for all of the documents requested by U.S. Government delegations and the National League of POW/MIA Families during the past two years. Deputy Minister of Foreign Affairs Le Mai reaffirmed this commitment in a recent letter to the League's Executive Director.

INDEX OF SELECTED STATEMENTS

Alexander Haig, Jr.

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Commander-in-Chief, U.S. European Command, 1974-1979

Supreme Allied Commander Europe, 1974-1979

Secretary of State, 1981-1982

Harold Brown

Secretary of the Air Force, 1965-1969

Secretary of Defense, 1977-1981

Admiral E.R. Zumwalt, Jr., USN (Ret.)

Commander, U.S. Naval Forces, Vietnam 1968-1970

Chief of Naval Operations and Member of JCS, 1970-1974

General David C. Jones, USAF (Ret.)

Vietnam, 1969

Air Force Chief of Staff, 1974-1978

Chairman, Joint Chiefs of Staff, 1978-1982

Admiral Charles R. Larson, USN

Commander-in-Chief, Pacific Fleet, 1990-1991

Commander-in-Chief, U.S. Pacific Command, 1991-1994

Ambassador William Crowe

Commander-in-Chief, Allied Forces Southern Europe, 1980-1983

Commander-in-Chief, U.S. Pacific Command, 1983-1985

Chairman, Joint Chiefs of Staff, 1985-1989

Senator John Kerry (D-Massachusetts)**Senator John McCain (R-Arizona)****Senator Frank H. Murkowski (R-Alaska)****Senator J. Bennett Johnston (D-Louisiana)****Congressman Pete Peterson (D-Florida)**

Statement by Al Haig, Jr.

July 10, 1995

My old friend, Retired General Jack Vessey, who has served as our Chief Negotiator on matters relating to Prisoners of War in Southeast Asia, has informed me that the Government of Vietnam has been cooperative on the POW issue. I, therefore, support the opening of diplomatic relations with the conviction that we will learn more about the POW issue with a more normal presence in the country. In sum, in my view, the opening of relations with Hanoi meets the political, economic and security interests of the United States.

STATEMENT BY HAROLD BROWN

President Clinton is right to normalize relations with Vietnam, both in the interests of U.S. foreign policy and to find out all we can about those servicemen still missing in action. We must not forget the Vietnam War or its lessons, but twenty years later it is time to look to a new future, in East Asia as elsewhere.

Harold Brown



E. R. ZUMWALT, JR.
ADMIRAL, U.S. NAVY (RET.)

Statement from Admiral Elmo R. Zumwalt, Jr., USN (Ret.)
Commander, U.S. Naval Forces, Vietnam 1968-1970
Chief of Naval Operations and Member of JCS, 1970-1974

I strongly support President Clinton's decision to establish diplomatic ties with the Government of Vietnam at this time.


I have this conviction for the following reasons:

-- It optimizes the opportunity to obtain a final reckoning concerning those MIA's whose remains have not yet been recovered. The extensive presence of Americans throughout Vietnam which will follow the establishment of diplomatic ties will increase the opportunity to acquire first-hand reports that have eluded both governments to date. In my September 1994 visit to Vietnam, I personally assured myself of the extensive cooperation of the Government of Vietnam with those U.S. personnel seeking such information.

-- The diplomatic recognition will give our medical establishment access to data concern the affects of Agent Orange in the Vietnamese population. These data will be of great benefit to U.S. veterans suffering from exposure to Agent Orange.

-- It is in the economic and foreign policy interests of the U.S. to establish formal ties.

-- The time has clearly come to bind up the wounds of war.


E. R. Zumwalt, Jr.
Admiral, USN (Ret.)

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DAVID C. JONES
1433 SOUTH QUEEN STREET
ARLINGTON, VA 22202

July 11, 1995

Statement by General David C. Jones, USAF (Ret)
Vietnam 1969, Air Force Chief of Staff 1974-78,
Chairman, Joint Chiefs of Staff 1978-1982

I strongly endorse the decision of President Clinton to establish diplomatic relations with the Government of Vietnam. I believe the critically important work of resolving the remaining missing-in-action issues can be enhanced through such a recognition.


David C. Jones

STATEMENT BY ADMIRAL CHARLES R. LARSON, USN

During my tenure as Commander in Chief of the Pacific Command, I oversaw the establishment of Joint Task Force Full Accounting which entailed working very closely with the government of Vietnam to account for our missing servicemen who made the ultimate sacrifice in a very difficult conflict.

My role as commander of that task force was to apprise the President and our national leadership of our progress in this accounting, to assess the strategic implications of relations with Vietnam and to provide information which could help the President assess his objectives with respect to Vietnam and the entire Pacific region.

One of the pieces of information which I briefed the President about was the cooperation and commitment of the Vietnamese government in accounting for our servicemen. Clearly, the "Roadmap to Normalization" of relations with Vietnam depended on the success of this effort. Subsequently, the President lifted the trade embargo on Vietnam in 1994.

The President's decision now to normalize diplomatic relations with Vietnam is certainly a difficult and courageous one which should allow us to move forward on all fronts, including the continued accounting for our missing servicemen.

STATEMENT BY AMBASSADOR CROWE

The President has taken a bold and timely decision in establishing diplomatic relations with Vietnam. I support him unequivocally.

I served in Vietnam. Men and women who were close to me gave their lives there in the service of their country. I will never forget them, and this nation will forever remember their noble sacrifice.

Twenty years later, it is time to recognize that the nature of our relationship with Vietnam must change to reflect new global realities. Serious progress has been made in obtaining the fullest possible accounting of our prisoners and missing in the war. These efforts must and will continue.

The President has taken a wise and difficult decision, and I stand with him unreservedly.

United States Senate

WASHINGTON, DC 20510

Statement by Senator John Kerry
On Establishment of Full Diplomatic Relations with Vietnam
July 11, 1995

Today the President has taken a courageous and historic step. The establishment of diplomatic relations with Vietnam concludes the final chapter of our painful and wrenching national involvement in Southeast Asia. Twenty years after the last U.S. helicopter lifted off of the roof of the American embassy in Saigon, the war has finally come to an end and the process of national healing can truly begin. In my view, this is in the interest of all Americans, whether they supported or opposed the war, whether they fought in it or did not. The time has come to look forward and to pursue the interests that we have in Vietnam, and the region, today.

Our paramount interest is accounting for those American servicemen still missing in action. The record shows that the way to get answers is through cooperation and engagement, not isolation. Since we began to actively engage the Vietnamese on this issue in 1987, Vietnam has turned over 520 sets of remains; 170 of which have been positively identified as American. The remainder are pending investigation. We have resolved the fate of 141 out of the 196 Americans who were last known alive. Vietnam has turned over more than 27,000 materials including over 800 wartime documents such as shoot down records and personal diaries of North Vietnamese and Vietcong military commanders and cooperated with us in 5 trilateral investigations.

I supported the President's decision last year to lift the trade embargo because I believed it would accelerate the accounting process. And it did. I support the step he has taken today because I am convinced it will encourage even greater cooperation on this critical issue.

Finally, I believe that our strategic and economic interests in Southeast Asia, as well as our ability to promote human rights in Vietnam, will be strengthened by placing our relations with Vietnam on a normal, diplomatic footing.

U. S. S e n a t o r o A r i z o n a



John McCain

FOR IMMEDIATE RELEASE

Tuesday July 11, 1995

Statement by Senator John McCain
On the Restoration of Diplomatic Relations with Vietnam

(Washington, D.C.) – The following is a statement by U.S. Senator John McCain regarding normalization of diplomatic relations with Vietnam: "I support the President's decision today to restore full diplomatic relations with Vietnam. This would not be an easy decision for any President to make. President Clinton has shown courage and honor in his resolve to do so.

"President Clinton, like Presidents Bush and Reagan before him, took very seriously his pledge to the American people that the first priority in our relationship with Vietnam would be the accounting for Americans missing in action in Vietnam.

"Given the importance of that commitment, President Clinton insisted that Vietnam cooperate with our accounting efforts to such an extent that normalization was clearly justified and that "tangible progress" toward the fullest possible accounting be clear enough to assure us that the prospects for continued cooperation were excellent.

"Vietnam has shown that level of cooperation. The President has kept his commitment. Normalizing relations with our former enemy is the right thing to do.

"In 1991, President Bush proposed a "roadmap" for improving our relations with Vietnam. Under its provisions, Vietnam was required to take unilateral, bilateral and multilateral steps to help us account for our missing. Vietnam's cooperation has been excellent for some time now, and has increased since the President lifted our trade embargo against Vietnam in 1994.

"That view is shared by virtually every American official, military and civilian, involved in the accounting process, from the Commander-in-Chief of U.S. Forces in the Pacific to the enlisted man excavating crash sites in remote Vietnamese jungles. It is also shared by General John Vessey who served three presidents as Special Emissary to Vietnam for POW/MIA Affairs, as capable and honorable a man as has ever worn the uniform of the United States.

"It is mostly my faith in the service of these good men and women that has convinced me that Vietnam's cooperation warrants the normalization of our relations under the terms of the roadmap. It would be injurious to the credibility of the United States and beneath the dignity of a great nation to evade commitments which we freely undertook.

-more-

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-2-

"I should also note that Admiral Jeremiah Denton, my acting Senior Ranking Officer at the Hanoi Hilton and a courageous resister, as well as my dear friend Ev Alvarez, the longest held POW in Vietnam, join me and many other former POWs in supporting the restoration of diplomatic relations.

"Other factors make the case for full diplomatic relations even stronger. Increasingly, the United States and Vietnam have a shared strategic concern that can be better addressed by an improvement in our relations.

"I am not advocating the containment of China. Nor do I think such an ambitious and complex strategic goal could be achieved simply by normalizing relations with Vietnam. But Vietnam, which will become a full member of ASEAN later this month, is an increasingly responsible player in Southeast Asian affairs. An economically viable Vietnam, acting in concert with its neighbors, will help the region resist dominance by any one power. That is a development which is clearly in the best interests of the United States.

"Human rights progress in Vietnam should also be better served by restoring relations with that country. The Vietnamese have already developed complex relations with the rest of the free world. Instead of vainly trying to isolate Vietnam, the United States should test the proposition that greater exposure to Americans will render Vietnam more susceptible to the influence of our values.

"Vietnam's human rights record needs substantial improvement. We should make good use of better relations with the Vietnamese to help advance in that country a decent respect for the rights of man.

"Finally, the people of Arizona expect me to act in the best interests of the nation. We have looked back in anger at Vietnam for too long. I cannot allow whatever resentments I incurred during my time in Vietnam to hold me from doing what is so clearly my duty. I believe it is my duty to encourage this country to build from the losses and the hopes of our tragic war in Vietnam a better peace for both the American and the Vietnamese people. By his action today, the President has helped bring us closer to that worthy goal. I strongly commend him for having done so."

-30-

**NORMALIZATION OF RELATIONS WITH VIETNAM
FLOOR STATEMENT
Tuesday, July 11, 1995
Senator Frank H. Murkowski**

Mr. President. A new chapter begins today in relations between the United States and Vietnam. With President Clinton's announcement that he is prepared to establish full diplomatic relations with the Government of Vietnam, the two-decade long campaign to obtain the fullest possible accounting of our MIAs in southeast Asia enters a new and more positive phase.

I support the President's decision because I continue to believe, and the evidence supports, that increased access to Vietnam leads to increased progress on the accounting issue.

Resolving the fate of our MIAs has been, and will remain, the highest priority for our government. This nation owes that to the men and the families of the men that made the ultimate sacrifice for their country and for freedom.

In pursuit of that goal, I have traveled to Vietnam three times and I held over 40 hours of hearings on the issue in 1986 as

Chairman of the Veteran's Committee. The comparison between the situation in 1986 and today is dramatic.

In 1986 I was appalled to learn that we had no first hand information about the fate of POW/MIAs because we had no access to the Vietnamese government or to its military archives or prisons. We could not travel to crash sites. We had no opportunity to interview Vietnamese individuals or officials.

All of this has now changed. American Joint Task Force - Full Accounting (JTF-FA) personnel located in Hanoi now have access to Vietnam's government and to its military archives and prisons. They freely travel to crash sites and interview Vietnamese citizens and officials. The extent of U.S. access is illustrated by an excavation last month that involved overturning a Vietnamese grave site

As a result of these developments, the overall number of MIAs in Vietnam has been reduced to 1,621 through a painstaking identification process. Most of the missing involve men lost over water or in other circumstances where survival was doubtful, and where recovery of remains is

difficult. Significantly, the number of discrepancy cases (the cases of those servicemen where the available information indicated that either the individual survived or could have survived) has been reduced from 196 to 55. The remaining 55 cases have been investigated at least once.

Much, if not most, of this progress has come since 1991 when President Bush established an office in Hanoi devoted to resolving the fate of our MIAs. Opening this office ended almost two decades of isolation, a policy which failed to achieve America's goals.

It is an understatement to say that our efforts to resolve the fates of our MIAs from the Vietnam War have constituted the most extensive such accounting in the history of human warfare. There are over 8,000 remaining MIAs from the Korean War and over 78,000 from World War II. These are wars where we were victorious and controlled the battlefield. I find it ironic that we have already moved to set up liaison offices in North Korea when that government has not agreed to the joint operation teams that have been used successfully in Vietnam. Nor has North Korea granted access to archives, gravesites, or former POW camps. Vietnam, on the other

hand, has worked steadily over the last four years to meet the various goalposts layed down by successive U.S. administrations.

In 1993, opponents of ending our isolationist policy argued that lifting the trade embargo would mean an end to Vietnamese cooperation. This is distinctly not the case. As the Pentagon assessment from the Presidential delegation's recent trip to Vietnam notes, the records offered are "the most detailed and informative reports" provided so far by the Government of Vietnam on missing Americans.

During the post-embargo period, the Vietnam Government cooperated on other issues as well, including resolving millions of dollars in diplomatic property and private claims of Americans who lost property at the end of the war.

While we have made progress, Americans should not be satisfied. But there are limits to the results we can obtain by continuing a policy which, even though modified, remains rooted in the past and is still dominated by the principle of isolation. We have reached that limit -- it is time to try a policy of full engagement.

Recognizing Vietnam does not mean forgetting our MIAs. Recognizing Vietnam does not mean that we agree with the policies of the Government of Vietnam. But it does help us promote basic American values such as freedom, democracy, human rights and the market place. When Americans go abroad or export their products, we export an idea. We export the very ideas that Americans went to fight for in Vietnam.

Moreover, diplomatic relations give us greater latitude to use a carrot-and-stick approach. Diplomatic, economic, and cultural relations should flourish, but we retain leverage because Vietnam still seeks most-favored-nation status, and other trading privileges which the United States controls.

Establishing diplomatic relations should also advance other important U.S. goals. A prosperous, stable and friendly Vietnam integrated into the international community will serve as an important impediment to Chinese expansionism. Normalization should offer new opportunities for the United States to promote respect for human rights in Vietnam. Finally, competitive U.S. businesses which have entered the

Vietnamese market after the lifting of the trade embargo will have greater success with the full faith and confidence of the U.S. government behind them.

Mr. President. Let me conclude by saying that I hope this step will continue this country's healing process. I think the time has come to treat Vietnam as a country, not a war.

Louisiana's Senator

BENNETT JOHNSTON

*Ranking: Committee on
Energy & Natural Resources*

*Ranking: Appropriations Subcommittee
on Energy & Water Development*

*Member: Budget Committee,
Special Committee on Aging*

*Select Committee
on Intelligence*

**Senator Bennett Johnston
on the Establishment of Diplomatic Ties Between
the United States and Vietnam
July 11, 1995**

I strongly support the President's move. Since we lifted the trade embargo, the Vietnamese government has been totally cooperative on the MIA issue, even to the point of allowing us to dig in their cemeteries to search for the remains of U.S. servicemen. Further, having relations is the best way to maximize our influence in the promotion of human rights.

EDITOR'S NOTE: Johnston will be at the White House Rose Garden today at 1:45 p.m. for the President's formal announcement.

Contact: Scott Trahan or Aundra McCardell 202-224-5824

07/11/95 16:17 ☎

NSC PRESS OFFC --- EA

PETE PETERSON

20-2515-0902

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**Congress of the United States
House of Representatives
Washington, DC 20515-0902**

May 23, 1995

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Dear Colleague:

As we work this week to reevaluate America's role in global affairs, particularly with respect to Vietnam, I want to bring to your attention an article written by Senator John McCain (R-AZ) entitled, "Let's Normalize Relations with Vietnam," The Washington Post, Sunday, May 21, 1995. I think Senator McCain and I are as qualified as anybody in Congress on the subject of Vietnam; and on the issue of normalizing relations, we are in total agreement.

As I have said before on the House floor, twenty years of bitterness is enough. It is now time to work towards the future and not live in the past. It is time for constructive, not destructive efforts to build relations between our two countries.

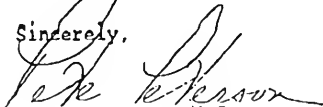
I have been impressed with the progress that has been made in establishing a truly bilateral American/Vietnamese effort to achieve a full accounting of U.S. MIAs. Professional staff have been assigned by both governments, our teams have access to anyone in any place in Vietnam, and the effort is clearly a priority for both countries. I found especially promising the remarkable improvement in the level of trust and sincerity among the members of the American/Vietnamese joint investigative teams.

But are we going to find every American who was lost in Vietnam? Unfortunately, no. Have we found all of those lost in past wars? Absolutely not. Rather than asking for the impossible, let us work for what is achievable. Let us seek the fullest possible accounting. That is what we have promised the families, and to that goal, I remain committed.

It is now time to move forward in our relationship with Vietnam: to continue progress on MIA accounting; to encourage progress on human rights; to move Vietnam successfully from a command economy to a market economy; and to deal better with the complexities of security challenges in East Asia.

No longer is it acceptable simply to seek retribution for the past. Now is the time for us to work towards resolution for the future. It is the right thing to do.

Sincerely,





INTERNATIONAL
SECURITY AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

2400 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-2400



30 OCT 1995

In reply refer to:
1-95/46205

Honorable Benjamin Gilman
Chairman, Committee on International Relations
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I am submitting this letter in reply to Congressman Christopher H. Smith's request for the Department of Defense (DoD) to respond to the testimony by Mr. John F. Sommer, Jr. of the American Legion that the Executive Branch has "stonewalled" on the POW/MIA issue. These critical comments were made in a statement before the Committee on International Relations on July 12, 1995. Mr. Sommer's remarks appear in bold text.

-- Investigations of live sighting reports have been nonexistent or are incomplete. Many documents received by the families have been heavily redacted and left unintelligible.

DoD Response:

The live sighting investigator (LSI) program was established in late 1991, and with the concurrence of the Vietnamese, Lao and Cambodian Governments, a trained investigator from the Defense Intelligence Agency team in Thailand was able to enter each country and conduct on-the-ground investigations. After conducting 119 initial and follow-up investigations in Vietnam, 11 in Laos and 14 in Cambodia, the U.S. Government has been able to resolve many of the first hand live sighting reports.

In some of the investigations, the LSI was able to identify the individual referred to in the live sighting report, and to determine that the individual was neither an American or a POW. During other investigations the LSI was able to discern beyond a reasonable doubt that there were no live American POWs in the area as reported.

Although the LSI program has not had significant use in 1995 due to a lack of first hand live sighting reports, the U.S. Government maintains the capability to conduct live sighting investigations in each country, and each of the governments have agreed that short notice type investigations can be conducted immediately after the receipt of information that merits investigation. It should be noted that during the past several years very few live sighting reports have been received, even though a large number of Vietnamese, Lao and Cambodian refugees have been returning to their home country, or been settling outside Southeast Asia.



Additionally, most live sightings are not resolved exclusively through an investigation. Analysis of these reports utilizing an all-source intelligence data base often reveals that we already have enough information to evaluate the report and resolve it without resorting to an LSI. Some reports are simply not credible on the face value or are so lacking in information that any follow-up in the field is impossible.

To date, the LSI program has been successful because the investigators have been given freedom of access to all facilities associated with live sighting reports, as well as to the villages and residents in the area of the claimed sighting. LSIs have generally been able to move at will throughout the area in question, and able to conduct unrestricted interviews of any and all persons in the area.

Nearly all of these collection reports associated with the POW/MIA issue are sensitive, classified intelligence source reports. Since these reports contain source identifications as well as methods of intelligence collection, redaction is mandatory in compliance with DoD directives. I must stress, however, that the information redacted relates only to sources, methods, and privacy concerns, and as such, does not remove the substance of the intelligence information contained in the report. As you are hopefully aware, the primary next-of-kin, without exception, may have access to the intelligence information (redacted for sources, methods, and privacy concerns) in the case file of their loved ones, if they request it.

In instances where a family member has expressed concern about a piece of redacted intelligence that might be perceived to be unintelligible, U.S. Government representatives have endeavored to discuss the report in detail and to provide background information that would help to understand the report. This approach has been well received and understood by most of the family members.

-- Pilot recognition signals (often analyzed as valid by knowledgeable military photo interpreter experts) have been debunked and ignored. Radio intercepts have been buried in the files.

DoD Response:

The U.S. Government's POW/MIA accounting effort places a significant emphasis on Human Intelligence (HUMINT), Signals Intelligence (SIGINT) and Imagery Intelligence (IMINT) collection. This type of information has never been debunked or ignored; on the contrary, dedicated highly-qualified analysts thoroughly review all reports of this type for pertinent information.

The allegation appears to be aimed at a particular incident associated with the Senate Select Committee proceedings. A panel of six competent, seasoned U.S. Government imagery analysts, representing a cross-section of the intelligence community, provided that committee with a written report indicating that their analysis and conclusions could not support the findings of another witness regarding the reported existence of an alleged pilot recognition signal on film. The government has

taken the unusual steps of allowing family members in two cases into the National Military Intelligence Center (NMIC) to view the actual computer-enhanced imagery. In one case the family member determined that there were no relevant pilot recognition signals as to her case. In the second instance, the three family members stated that they saw relevant pilot recognition imagery. At the same time, however, the professional analysts who were present and viewing the same presentation stated there was none. While we are at a loss to explain what the family members claim to have seen, the U.S. Government position that no pilot recognition signal exists on the film in question is based on the conclusions of the professional imagery experts with decades of experience. This is not a case of debunking; it is the government's best attempt to provide a thorough explanation to the families involved while at the same time hewing to the available evidence. Unfortunately, a family was inaccurately and wrongfully notified by individuals without any imagery expertise that their loved one was alive in Southeast Asia and making signals on the ground; an act which we view as unfortunate, reprehensible, and irresponsible.

It is erroneous to say that radio intercepts are buried in the files or have been intentionally hidden. Analysts from the HUMINT, SIGINT and IMINT communities have worked closely to ensure that all reporting is reviewed and considered. Every report of substance has been reviewed over and over again, and numerous follow-up investigations conducted. While classified results of these investigations cannot be made public, to the extent it can be redacted and made available to family members, it is.

-- Little or no emphasis has been placed on liberating live American POWs. Nearly all concentration has been on sifting through dirt at crash sites.

DoD Response:

Resolution of the POW/MIA issue is a matter of our nation's highest priorities and has been so through the last three Presidential Administrations. In its accounting efforts, the U.S. Government operates under the assumption that live Americans may be held against their will in Southeast Asia, but has been unable through 22 years of intensive efforts to prove that contention. A significant percentage of the overall U.S. Government effort is focused toward the live POW issue. The vast majority of source interviews, live sighting investigations, photo investigations and field investigations are conducted, in part, to determine if live Americans continue to be held as POWs against their will. Toward that end, many intelligence resources have been dedicated on a priority basis, especially those within the disciplines of HUMINT, SIGINT and IMINT.

In addition, priority discrepancy--also known as "last-known-alive"--cases have been identified and continue to be aggressively investigated in Vietnam, Laos, and Cambodia. These are cases involving American personnel who were known to be alive, not gravely wounded, and in proximity to the enemy at the time of their loss, however, neither they nor their remains were returned in 1973. The priority investigation of these cases continues to be a major element of the U.S. Government's effort to pursue the live POW question.

Of the 196 original priority discrepancy cases in Vietnam, 27 have been resolved through the repatriation and identification of remains. In 114 other cases, it has been officially determined that the missing person died, thus eliminating the possibility of there being a live POW among those cases. Nevertheless, we still seek to account for these 114 through the repatriation of remains. The remaining 55 are still classified as priority discrepancy cases which we pursue and for which we still seek an accounting. In Laos, all 81 of the priority discrepancy cases remain open and require further investigation. We have resolved one of the original 19 priority discrepancy cases in Cambodia, and continue to pursue the other 18 cases.

Again, let me emphasize that our commitment to accounting for all Americans is the driving force in our activities. We do not view the excavation of remains and the investigation of live sighting reports as independent activities. Both contribute to our understanding of what happened to the Americans who did not return from Southeast Asia. Therefore, we vigorously pursue both. In our effort to leave no stone unturned, we go where the evidence leads us.

-- The world-famous Soviet 1205 and 735 reports discovered in 1993 have been virtually dismissed out-of-hand, despite the fact that many experts believe they establish a prima facie case that Hanoi held back hundreds of American POWs during Operation Homecoming.

DoD Response:

Contrary to the assertions by Mr. Sommer, the U.S. Government has treated the "1205 and 735" reports quite seriously. As pointed out in the enclosed January 24, 1994 U.S. intelligence community assessment of these and other associated reports, the numbers asserted therein are inconsistent with known facts, and mutually contradictory. These views represented then, as now, the opinions of POW-MIA experts from throughout the intelligence community, including the Central Intelligence Agency, Defense Intelligence Agency, the Department of State, and the Department of the Army's former Task Force Russia, as well as noteworthy experts from outside the U.S. government.

Government efforts to analyze, follow up, and pursue issues concerning the reports with the current governments of Vietnam and Russia have been aggressive and focused. Nothing has been found which can corroborate the assertions of these reports. While our questions of these governments have not yielded anything to confirm the reports, we have gained an understanding of their wartime procedures. Our examination of the real wartime prison system, potential numbers of MIAs or POWs available to match the claims, and the on-the-ground facts concerning these issues which we have investigated during seven years of intensive investigations have provided no additional evidence to corroborate the "1205 and 735" reports, and offer no new evidence of any U.S. POWs beyond those who have been unaccounted for.

Despite the inconsistencies within the reports, the U.S. Government (through the U.S.-Russia Joint Commission) continues to press the Russian Government for additional Vietnam-era documents in order to resolve these discrepancies. Moreover, the U.S. Government continues to

request access to all documents pertaining to U.S. POW/MIAs. These actions underscore the fact that these documents are not being dismissed.

-- Task Force Russia, a highly competent dedicated group of experts searching for American POWs and remains of missing servicemen in the former Soviet Union, was disbanded just as it was starting to be effective.

DoD Response:

Task Force Russia was never "disbanded." Based on the Senate Select Committee's recommendation to consolidate DoD's POW/MIA efforts, Task Force Russia was combined with the DIA POW/MIA office, the DoD Central Documents Office, and the Office of the Secretary of Defense (OSD) POW/MIA office to form the Defense POW/MIA Office (DPMO) on July 16, 1993. All POW/MIA activities were consolidated under a single Deputy Assistant Secretary of Defense to provide greater permanence and visibility to the POW/MIA issue, and to eliminate duplication of effort. Task Force Russia under Army control was an ad hoc organization with neither authorized personnel nor a charter. Within DPMO, the Joint Commission Support Directorate (JCSJ) became that component which is, on a full-time basis, pursuing the work originally undertaken by Task Force Russia. Moreover, several current members of DPMO were previously part of Task Force Russia, thereby contributing to the continuity of effort. Consolidation at the OSD level has provided the mechanism for requisitioning qualified personnel from Army, Navy, and Air Force, and, in the face of government-wide downsizing, justification to continue operations at personnel levels begun as Task Force Russia. Interviews and Russia archival searches in Moscow, and U.S. archival searches and analysis in Washington, have increased significantly since the formation of DPMO.

Effectiveness of the U.S. - Russia Joint Commission's work is shown by advertising and television appeals resulting in Mr. Saiko's coming forward with Captain John Dunham's ring in December 1993, setting off a chain of events culminating in positive identification of his remains and burial at Arlington Cemetery on August 1, 1995. Additionally, recent visits by Russian commission members General Volkov, Colonel Osipov, and Colonel Orlov for assistance in setting up their own POW/MIA office as well as to help resolve Korean War cases, demonstrates Russian recognition of the continuing outstanding work begun under Task Force Russia.

-- After dedicated military officials produced a well documented report proving American POWs were taken from Korea to the Soviet Union, the Pentagon slapped a veil of secrecy over it -- despite President Clinton's promise to declassify POW/MIA documents. We understand it is now being reanalyzed under contract by the Rand Corporation. The joint U.S.-Russian Commission in its recently released preliminary report notes that documents obtained from the Soviet Archives make clear that there were incidents in which Soviet security services had concrete instructions to actively support the interrogation of American POWs during the Korean War.

DoD Response:

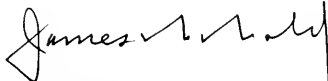
The 77-page document was written by Task Force Russia analysts as a working paper for use during the Sixth Plenary session in Moscow (August/September 1993). The primary purpose of the working paper was to show the Russians that a wide body of information suggested that the Soviets had taken American POWs to the Soviet Union. The report included declassified intelligence data and other documents. However, conclusions made in this paper were circumstantial; not conclusive. It was felt by the U.S. side that the Russians, once confronted with this circumstantial evidence, could no longer lightly dismiss American suggestions that these transfers took place. The report achieved its goal. The Russians subsequently went on record stating that the "possibility of the transfer of American POWs could not be dismissed out-of-hand." The Russians were careful, however, to avoid saying that such transfers took place, but they did move away from adamant denial that the transfers could have taken place. The question remains of intense interest to the U.S. Government in its quest to account for missing Americans from the Korean and Cold War eras, and is subject of intense scrutiny by the U.S. - Russia Joint Commission.

The Rand Corporation was contracted by DoD in 1991 to set up mechanisms for Russian document retrieval. They are no longer under contract to the Defense POW/MIA office. Issues raised in this paper continue to be pursued by DPMO analysts during plenary sessions, through letters and messages, and through aggressive oral history and archival research programs in Russia and the former Soviet republics.

In this reply, as requested, we have focused on the areas in Mr. Sommer's statement in which the government is accused of "stonewalling." There are other statements in Mr. Sommer's testimony which we feel either misrepresent the facts, or with which we otherwise disagree. However, we appreciate this opportunity to respond in part.

If my office can offer any further assistance, please let me know.

Respectfully,



James W. Wold
Deputy Assistant Secretary of Defense
(POW/MIA Affairs)

Enclosure:

As stated

cc:

Representative Lee Hamilton
Representative Christopher H. Smith



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IMMEDIATE RELEASE January 24, 1994

The Department of Defense today has released a coordinated, interagency intelligence analysis of two documents from the former Soviet Union's Communist Party Central Committee archives received during proceedings of the U.S.-Russia Joint Commission on POW-MIAs. A copy of this report is attached.

As new information becomes available, we will continue to assess these reports. At the request of the U.S. Government, the Russians are searching their records for additional information related to these documents and American POWs.

-END-

Recent Reports on American POWs in Indochina: An Assessment

Introduction

On 8 April 1993 the cochairman of the US-Russian Joint Commission on POW-MIAs received officially a document from the former Soviet Union's Communist Party Central Committee archives that purports to be a Russian-language translation of an official Vietnamese report on American POWs held in North Vietnam in 1972. This same document was released and publicized shortly afterward by researcher Stephen Morris. The document asserts that Hanoi held 1,205 American prisoners in mid-September 1972, a number more than twice as large as the number actually freed in Operation Homecoming in early 1973 and far higher than the United States Government believes could have been captured. This report is hereinafter referred to as the "1205 Report."

In mid-May 1993 a review of documents being declassified by the Central Intelligence Agency and State Department under Executive Order 12812 uncovered a series of reports (originally disseminated in 1970) from a North Vietnamese defector named Dang Tan. These reports appeared generally to corroborate the idea that there were more POWs held alive in Hanoi than the Vietnamese Government admitted. One of these "Dang Tan Reports" claimed that in 1967, when Tan left the North, Hanoi already held "more than 800" US pilots as POWs. On 2 September 1993 the Cochairman of the US-Russian Joint Commission on POW-MIAs received another Russian language intelligence document from the former CPSU archives containing information pertinent to the POW-MIA situation. This fragmentary GRU report--purportedly part of a report given to a Vietnamese Communist Party plenum in late December 1970-early January 1971--refers to 735 "American fliers" held in Hanoi at that time. We will refer to this report as the "735 Document."

At the request of the Acting Deputy Assistant Secretary of Defense for POW-MIA Affairs, a committee of intelligence community analysts from the Defense Intelligence Agency, Central Intelligence Agency, and State Department's Bureau of Intelligence and Research, as well as other POW-MIA specialists convened to review and assess the information contained in the "1205 Report," the "Dang Tan Reports" and the "735 Document." The following assessment represents the consensus of those representatives and should be considered a step in an ongoing process to evaluate all information pertinent to the POW-MIA subject. As further information becomes available, it will be updated.

Separately from this analysis, US Government representatives have made considerable efforts to follow up on information in the "1205 Report." One of the principal objectives of General John Vessey's 18-19 April 1993 trip to Hanoi and of a US Congressional delegation that visited there 31 May-1 June 1993 was to obtain information pertinent to the Russian document. Although the Vietnamese charge that the "1205 Report" is a fabrication, they did provide General Vessey and Senator Kerry with several documents on POW-MIA matters and extensive interviews with and official reports about General Tran Van Quang--the supposed author of the speech presented in the Russian document. These materials have not enabled us

to resolve questions about the reports, but the information has been useful for analytical purposes.

Efforts to obtain more information from Moscow on the "1205 Report" are continuing. The Russians say they have not been able to locate a Vietnamese language version of the report, nor have they explained how or by whom it was originally acquired. At the request of the US Government, they are continuing to search their records.

The "1205 Report" -- Is It What It Claims To Be?

The "1205 Report" appears to be an authentic Russian intelligence report, consisting of two parts: a covering memorandum and summary, signed on 1 December 1972 by GRU chief Petr Ivashutin, and a "Translation of the report of Deputy Chief of the General Staff, Vietnamese People's Army, General-Lieutenant Tran Van Quang, at the session of the Politburo, Central Committee of the Vietnamese Communist Party, 15 September 1972." Most of the attached report is about a planned political subversion campaign against the South Vietnamese government. The remainder deals with the numbers and treatment of American POWs. At no point in the report itself is the speaker identified, the audience specified, or the precise date of the report provided. That information comes only from the Russian, GRU-originated cover memo.

The report itself contains some verifiable, or at least plausible information, the most credible of which is in the section about political operations planned for South Vietnam. For example:

- It identifies several South Vietnamese leaders (one incorrectly) who were known opponents of the regime of President Nguyen Van Thieu and who were reported to have had clandestine contacts with representatives from the North.
- It accurately depicts the circumstances surrounding the surrender of a South Vietnamese unit during the 1972 Easter Offensive, admitting that the North's propaganda had misrepresented the event.
- It predicts an upsurge in terrorist attacks beginning in October 1972, which was indeed noted in the Mekong Delta region in November, although not on the scale or with the political effect predicted in the document.

The report, however, also contains numerous errors and inconsistencies, particularly in the section on POWs. Because of these errors--detailed below--we cannot accept without question that the "1205 Report" is a report to the Vietnamese Politburo or that General Quang delivered the speech. We cannot dismiss the "1205 Report" as a fabrication, but before we can accept it as what the Russian cover memo claims it is, we must have better evidence of its authorship and credibility.

Incongruous Numbers

The document has multiple incongruities. Most importantly, the numbers provided in the "1205 Report" cannot be reconciled with US Government records and known facts:

- The figure of 1,205 American POWs is far higher than any other estimate from any reliable source. If it were true, it means there were 669 more prisoners in North Vietnam than we ever believed to be the case. Returning POWs (who kept careful track of each other during their imprisonment) were unaware of any other American prisoners. Moreover, if Americans had been segregated by rank, as the document claimed, returning Americans of each rank should have known about additional POWs in their respective ranks.
- To have remained unknown to other Americans, this number of additional POWs would have to have been separated from other prisoners at, or close to, where they were captured and immediately sent to a separate prison system. We have found no evidence of an additional system. The United States has employed technical means to search thoroughly for signs of prisons and developed detailed information on the known Vietnamese prison system. Over the last 20 years, thousands of interviews have been conducted with people who could have had knowledge of such systems: American and South Vietnamese POWs, reeducation camp and prison inmates, and Vietnamese refugees and defectors, including former North Vietnamese civilian and military officials. No information has emerged that would substantiate the inference of the "1205 Report" that a separate prison system existed.
- The figure 1,205 is also inconsistent with our understanding of how many Americans would have survived the events in which they were lost to become captives. Based on information available to US researchers as of 19 January 1994, at most, the fates of 73 Americans lost in Vietnam are still uncertain. This figure is derived from US wartime records, nearly six years of on-the-ground investigation throughout Vietnam, and interviews with thousands of Vietnamese residents. For the number 1,205 to be correct, we would have to assume that 669 Americans--including some whose wartime commanders declared them "killed in action/body not recovered"--actually survived and were captured and transported to an unknown prison system. This is highly implausible, not only because of the lack of evidence of a secondary prison system, but also because investigation has verified that virtually all of those who had been declared KIA-BNR were indeed killed as reported.

Errors and Omissions

The Russian document contains numerous errors of fact. Some of these have been discussed in the press and reflect the experience of returned POWs:

Claimed in the 1205 Report

POWs were segregated by rank, with majors in one camp, colonels in another.

Sixteen US officers with the rank of Colonel (O-6) were held in Hanoi in 1972, seven captured in the North and nine in the South or elsewhere.

Prisoners were classified and would be released on the basis of their political cooperation and attitude.

Prisoners were dispersed to 11 different camps after the US raid on Son Tay Prison in 1970.

Analysts consider that there are several things missing from the speech that should have been mentioned if it was delivered at the time claimed.

- On 16 September, supposedly the day following the speech, three American pilots were released into the custody of an American peace activist, a plan that had been made public two weeks earlier. It is curious that, in a report supposedly made to the Politburo, no mention is made of this plan.
- Vietnam's public and private position on POW releases, as of 31 August 1972, was that captured Americans would be released after a negotiated solution to the conflict and a cease-fire in Vietnam and concurrently with the withdrawal of US forces from South Vietnam. Contrary to the "1205 Report," Laos and Cambodia were not included in the terms.

On a more subjective level, some analysts consider the overall tone and length of the "1205 Report" speech inappropriate for delivery to the Politburo, the highest decisionmaking organ in North Vietnam. In their experience with other official Central Committee reports, a more formal style is usually adopted. The frequent use of the first person and occasional hortatory exclamations found in the "1205 Report" are more consistent with an address delivered to peers or underlings.

Reported by Returned US POWs

POWs were not segregated by rank but were held together in several facilities.

According to US records, only 10 O-6 pilots were lost during the entire war, nine over the North, and one over Laos. Only four became POWs.

Although Hanoi may have classified and planned to free US POWs based on their attitude, those released in 1973 were freed in the order of their date of capture.

Prisoners were not dispersed after Son Tay but were consolidated into four more heavily-defended camps.

Where Was Tran Van Quang in 1972?

Tran Van Quang and other Vietnamese have denied the authenticity of the "1205 Report" on grounds that Quang was not Deputy Chief of Staff but rather a Military Region commander in September 1972. US Government biographic records tend to corroborate Quang's story, especially as supplemented by an extensive interview he gave to a US Congressional delegation to Hanoi.

According to US biographic records, Quang was publicly identified as a Deputy Chief of the General Staff in 1959, and again in 1974, but we believe he probably did not function in that position in the intervening period. Quang's military-career is not well-known, in part because he served for several years in the South as an "underground" military leader. (He was noted publicly only twice, as the author of articles in military publications in 1965-66). Available evidence suggests two tours in the South, one from 1960 to 1964, and another from 1966 to 1972. During the second tour he first commanded Military Region IV—along the northern side of the DMZ. In August 1966 he was placed in command of troops in the newly-created "Tri-Thien-Hue" Military Region, also known as the "B-4 Front," in northern South Vietnam. In that capacity he was heavily involved in the bloody occupation of Hue during the Tet Offensive of 1968.¹

Quang claims he remained as B-4 Commander through the 1972 North Vietnamese Offensive (the "Easter Offensive"), which lasted from April to September. He gave the US Congressional delegation copies of a letter sent to him in the South by General Secretary Le Duan in August 1972 (he is addressed by his pseudonym, Bay Tien). He also provided a copy of a November 1972 document that reorganized the B-4 command, relieving him of duty there. US Government biographic records for that period are spotty. Fragmentary information from prisoner interrogations suggests that Quang was in the B-4 Front at least as of the end of April 1972. During the 1972 offensive, North Vietnamese troops captured the provincial capital of Quang Tri and held it until the end of September 1972, when they were finally driven out by heavy US bombing and a South Vietnamese assault. It is likely Quang remained with his troops in the B-4 Front during this critical battle. Quang claims he was not in Hanoi during the period that the report cited in the Russian document was supposedly delivered. He said he was only passing through Hanoi in mid-December en route to East Germany for medical treatment.

A report to the Politburo on POWs in captivity would more likely have been delivered by an official of the General Political Directorate than someone from the General Staff, in our judgment. POWs were under the control and administration of the "Enemy Proselytizing Department" of the General Political Directorate, and officers of that department jealously guarded information about them. Other than disclosures Hanoi

¹ In a January 1988 article in the Vietnamese military journal, *Tap Chi Quan Doi Nhan Dan*, Quang criticized the lack of coordination between main force North Vietnamese units (presumably out of Military Region IV) and local guerrillas during the 1968 "Tet" Offensive. He claimed the problem had been resolved by 1972, suggesting his experience spanned the period.

made in 1970 and 1971, the Vietnamese withheld information on the number of US POWs not only from Washington, but from Moscow.

A Note on Numbers

Given the Vietnamese propensity for exaggerating figures, there is additional reason to doubt the numbers in the "1205 Report." In our view, unless a set of figures can be verified as having been delivered in circumstances that absolutely required accuracy, they should be considered questionable. The tendency to exaggerate numbers is evident throughout Hanoi's historical records of the Vietnam War. General Tran Van Quang, for example, in his 1988 military journal article on the Tet Offensive of 1968, asserted that 8,000 Americans were killed or captured in the attack on Hue alone. The Vietnam Military History Institute of the Ministry of National Defense in 1990 claimed, according to a Vietnamese researcher, that during the seven weeks of the Tet Offensive, 43,000 Americans (and over 100,000 other "enemies") were "annihilated," and 2,370 airplanes were destroyed. According to US records, 4,256 Americans lost their lives in all of South Vietnam during the period from 29 January to 30 March 1968. In and around Hue, 28 Americans were captured in the initial assault on the city, and the US Marines suffered 147 killed and 857 wounded in recovering the city. There are numerous other examples of officially sanctioned exaggeration of battle statistics, mainly for propaganda purposes.

The Dang Tan Reports

That same judgment holds for the reports from a Central Intelligence Agency source that recently have been made public. Dang Tan, a North Vietnamese medic who "rallied" to the South Vietnamese cause in April 1969, was debriefed over an extended period at the National Interrogation Center in Saigon. Numerous reports were disseminated from Tan's interrogation, seven of which concerned the treatment of American POWs. Because the US Government was increasingly concerned about POWs at that time (witness the Son Tay raid), and because we had so little data on POW conditions, Tan's information was given broad circulation, even though it was dated and acquired second or third hand. The reports made clear that much of his reporting was based on what he remembered from briefings or conversations with North Vietnamese officials.

The most striking portion of Tan's reporting is contained in a report disseminated on 12 January 1970, in which he claims that Hanoi held "more than 800" Americans as of late 1967, when Tan left the North, and that they were categorized on the basis of their degree of cooperation. Even at that time, the CIA had doubts about the accuracy of this aspect of Tan's reporting. Tan had initially reported an even higher figure, then scaled back his estimate when challenged by his interrogators. In 1971, it was decided to "surface" Tan and pass his information on to the press. The CIA instructed that Tan's press release be edited to remove any reference to the number of POWs in Hanoi. The rationale was that the number was so much higher than the United States Government believed had been captured that it detracted from Tan's credibility on other points.

Tan's reporting on the POW issue contains inaccuracies:

- As of September 1967, in all of Indochina, there were 282 air crew believed held prisoner and 292 air crew carried in MIA status (a total of 574 theoretically possible POWs, significantly below Tan's late 1967 figure of "over 800").
- Tan alleged that POWs captured in the South were sent to North Vietnam within six months. In fact, some Americans were held in the South until late in the war, even in the B-3 Front area, where Tan worked.
- Among Tan's most noteworthy claims at the time was that Hanoi gave Soviet officials access to US prisoners and that US POWs were being sent to other Communist countries. In fact, only one POW reported being interrogated by a Soviet official, and that was in 1973, three years after Tan's report. There is no credible evidence that American POWs were moved out of Indochina.

Not all of Tan's reports are erroneous, and he did report accurately on some aspects of POW conditions in the North. However, he clearly embellished his reports with rumor and hearsay. And it is notable that at least some in the Intelligence Community found his reporting questionable, even at a time when little information was available on the condition and number of American POWs in Hanoi.

The "735 Document"

This document, dated in 1971 and released by the Russians at the end of a 2 September 1993 plenary meeting of the Joint Commission on POW-MIA Affairs, is quite fragmentary. We have only two complete pages, 11 and 18, of a longer report, making it difficult to analyze closely. Like the "1205 Report," it is a GRU document, transcribing and translating the text of an oral report presented at a Vietnamese Communist Party conclave. We have no indication when or how the report was acquired and have only the GRU cover memo to identify the speaker, time, and place of delivery. Nonetheless, we believe the report is a genuine GRU document, not a fabrication, as claimed by Hanoi.

There are, however, certain problems with the report. The cover memo indicates the speech was presented at the 20th Plenum of the Vietnamese Communist Party Central Committee, held from late December 1970 to early January 1971. Verifiable records indicate the 19th Plenum was held during that period, and the 20th was not held until February 1972. The number probably was mistranscribed and the speech was actually delivered at the 19th Plenum. According to the cover memo, the speech was delivered by "Khoang An'," a Secretary of the Central Committee. Our biographic records show that a Hoang Anh was a member of the Central Committee Secretariat at that time. His principal area of responsibility was agriculture. The limited publicity given the 19th Plenum by the Vietnamese at the time included reference to a report on agriculture, but it did not indicate who delivered the report. Although Anh had a military background--he was a Vice Minister of Defense in 1957, according to our records--we cannot

establish any tie in 1970-71 to the Vietnamese army or any other POW-related organization that would have enabled him to speak authoritatively on the subject.

Aside from the anomaly of an agriculture specialist speaking on POWs, analysts have the same problem with the numbers in this document that they have with the "1205 Report." Anh claims that 735 "captured American fliers" were held in Hanoi as of the date of the plenum, early 1971. US records indicate that 384 of the 591 POWs released in 1973 were prisoners in early 1971. Four additional POWs, who subsequently died in captivity, were imprisoned at the time. Analysis of the circumstances surrounding the loss of every MIA prior to early 1971 suggests that 82 additional individuals could have survived their downing and been captured. Even if we assume that all did survive and were alive in 1971, the total number of prisoners Hanoi could have been holding at the time could not have exceeded 470 (384 + 4 + 82). Finally, analysts noted that the "735 Document" and "1205 Report" are inconsistent with each other by any accounting. To have had 1,205 US pilots in captivity by late 1972, Hanoi would have to have held far more than 735 by early 1971.

We have no idea of where the number 735 came from, or why Anh referred to it in this report. Analysts found it interesting that, in both the Quang and Anh reports, reference is made to opposition within the Party to the leadership's handling of the war, as well as the negotiations with the United States. If these two documents are excerpts from actual speeches, it is possible the speakers exaggerated the figures for political effect.

Conclusions

In summary, we found portions of the "1205 Report" that were unrelated to the POW-MIA issue to be plausible, and we believe it probably is an authentic Soviet document. However, its description of the POW situation in 1972 is replete with errors, omissions, and propaganda that seriously damage its credibility. As additional information becomes available, we will continue to assess the document. But at this point, our bottom line is that the document is not what the Russian GRU claimed it to be and the information suggesting that more than 600 additional POWs existed is not accurate. We cannot dismiss the document as a complete fabrication, but we need more information to understand its origin and meaning. The Dang Tan reports contain much unsubstantiated hearsay, probably embellished, and his estimates of POW numbers are not credible. The "735 Document" is too fragmentary to permit detailed analysis, but the numbers cited are inconsistent with our own accounting.

In our analysis of these documents, we encountered the same problems that we have experienced since the beginning of the conflict in Vietnam: inaccuracies, inconsistencies, exaggerations, and fabrications. The Russians would have experienced the same difficulties. Although the USSR was an ally of Vietnam during the war, it was an uneasy relationship, particularly as Soviet support began to fade during the era of détente. That the GRU continued to collect intelligence on the Vietnamese Politburo,

suggests that Moscow had doubts it was getting accurate information through official liaison channels. We believe there is more information in Russian, and particularly GRU, archives on this issue. There probably also is more information in Vietnamese party and military archives that could shed light on these documents. We continue to pursue information on these issues in both locations.



Statement

by the

Honorable Duane P. Andrews

Assistant Secretary of Defense.

(Command, Control, Communications, and Intelligence)

before the

Select Committee on POW/MIA Affairs

United States Senate

October 15, 1992

Mr. Chairmen, members of the Committee. While I am pleased to support your hearing which is examining markings on buildings and terrain in Southeast Asia that may relate to American POW/MIAs and to have this opportunity to set the record straight on a lot of incorrect information that is in circulation, I have great apprehension in discussing in an open hearing topics that relate to the capabilities and practices of our Nation's intelligence activities. I believe that it is a poor security practice to "talk around" classified activities. My concerns have been heightened by the intelligence and operations information that was recently widely disclosed in the TV and print media. It seems that we and officials that have served before us have been indicted in the court of public opinion for ignoring signs that Americans were left behind based on an inaccurate bill of particulars that was drawn up using incomplete, selectively leaked intelligence.

I understand the frustration with classification expressed by many in the general public and in particular by the families and Veteran's organizations that are so concerned with the POW/MIA issue. They appear to believe that we are unnecessarily keeping this intelligence material behind a veil of secrecy—that as it relates to events from decades ago it therefore no longer requires classified protection. This is not the case. Much of what we have discussed in closed meetings is based on current intelligence sources and methods. This is not, as some have charged, an attempt to hide a perceived government failure to liberate our POWs. Rather, it is the fulfillment of our obligation to protect those intelligence means and methods vital to our global responsibilities in the defense of the Nation.

Notwithstanding his reservations about public discussion of intelligence matters, Secretary Cheney has authorized me to present an unclassified statement describing certain of our intelligence activities and other related activities that were undertaken in response to certain symbols that have been purported to indicate the possible presence of American prisoners of war in Vietnam and Laos. These symbols have been referred to in the press as the USA and K, the 1973 or 1573 TH, the Morse Code K, the 52 or B52, the "arrow and P, and what were believed to be a series of escape and evasion identity numbers that were seen by Joint Services Survival, Evasion, Resistance, and Escape Agency, or JSSA, personnel on some photographs of Laos.

To the extent that I can in an open session, and to the best of my knowledge based on what I have pulled from the reports of actions that were undertaken by the Defense Intelligence Agency and by the JSSA, I will review our current understanding of these symbols. Following my statement Mr. William Gadoury of the Joint Task Force-Full Accounting will present his statement concerning certain activities related to the search for Americans and the USA symbol. Colonel Bob Bonn, Commander of the the JSSA, Mr. Bob Dussault, Colonel Bonn's deputy, and Mr. Al Erickson, a SERE instructor and evasion and escape expert, and Mr. Sheetz, Mr. Santora, and Mr. Knapper from the Defense Intelligence Agency are present. These individuals are prepared to independently confirm the accuracy of what I relate.

However, I must caution that in open session we will be unable to present the full range of information available to us on these matters—information that we have previously presented to the Select Committee in closed meetings. Any questions that require getting into classified information in order to provide a complete answer will have to be answered in a closed hearing. Please do not take this as an indication that we are not willing to answer your questions fully. We have willingly made all of our documents available to the Select Committee and we will willingly answer all of your questions. We just have to do so in a responsible manner when dealing with sensitive intelligence or escape and evasion matters. If we divulge the tradecraft used in either area it may cost American lives in future conflicts.

Before I review the specific symbols of interest I would like to make a few comments concerning imagery. I believe that a short general description of this topic will help you understand the complexity of the issue and the technical jargon we use when discussing imagery. When someone mentions photographs we probably think of the snapshots we get back from the drug store or the one hour film processor or the portraits we have taken on special occasions. When we talk of imagery we are talking about quite a different thing. Although some of our imagery is produced by light directly falling on a wide strip of film, most is produced by very high technology processes involving devices which transform the varying light signals into digital signals. These digital signals can be read out on very high resolution workstations—a kind of very high definition television—or to control the projection of laser light onto a film negative. Such imagery can be made up of a single view of the area or it can be made up of two images taken slightly apart in time or from two slightly different angles. This allows us to view the image as if it were in three dimensions.

We examine such film on a light table under very powerful optics. In effect we put it under a microscope. Interpreting the information contained in a film positive or negative is not a skill you can pick up quickly. I was an imagery analyst in my earlier years in the Air Force. It took me six months of basic schooling and another six months of on-the-job training before I was considered qualified to sign my name to an Imagery Interpretation report. Today, we send our analysts to an additional three months of advanced schooling after they have had this basic qualification training. When viewing an image it is often easy to "see" things in nature that appear to be man-made but which on closer examination are shadows and foliage.

When an intelligence analyst has a question about an area or a specific point target he submits an imagery request. This request is given an appropriate priority and will be imaged. This image does not go directly to the intelligence analyst that requested that it be taken. Rather, a skilled imagery interpreter examines the image and prepares an imagery interpretation report. This written report, and occasionally a print or photograph of the target, is forwarded to the analyst. Some times when an imagery interpreter examines an image he or she will see something that was not mentioned in the original analyst's request. An example is the USA seen by a CIA imagery interpreter

who was examining imagery of Laos for another purpose. In such a case the imagery interpretation report is forwarded to the analytic section responsible for the unexpected sighting.

I also should address why we are showing line drawings of the symbols we are here today to discuss. A fair question is "You are very open about what these symbols are or appear to be so why not show photographs of them?" The reason is straightforward. If a camera scientist can get his hands on an image he can determine many characteristics of the camera that took the picture. Its location, its focal length, the camera's stability, its sensitivity to the varying intensity of light, and a host of other technical parameters. We do not want the scientists of other countries to obtain such knowledge of our technical capabilities. Such knowledge would help them hide things from us that we need to see to support our military forces and for national security.

Now I will turn to the symbols that have been the subject of so much discussion. I will review each of the images of interest in turn. I believe this will support our conclusion that of all the millions of square kilometers of territory in Southeast Asia that we have examined over the years we really only have two unexplained sets of symbols which were clearly intended to communicate something to an observer from above.

The first symbol of interest is a 1973 TH. This symbol was imaged on May 20, 1973 and again on July 10, 1973 on the Plain of Jars in Laos. The Plain of Jars was a hotly contested area during the war in Indochina. Lao General Vang Pao and his Hmong soldiers fought valiantly for control of this vital area which contains within its borders the key lines of communication for central Laos. Control of the Plain of Jars shifted back and forth between Royal Lao Army and Pathet Lao and Vietnamese forces during the war.

The imagery, now unclassified, which contains this set of symbols was obtained using an unmanned airborne reconnaissance system. It has been interpreted as either a 1573 or 1973 and either TA or TH. None of the four possible combinations of these symbols correlate to a classic distress symbol or to the escape and evasion symbols that our crews were trained to use. Another explanation is that the four numbers resemble a personal authenticator number but we have been unable to correlate them with any individual. Although it is not what we would expect to be used by an unaccounted-for U.S. military person, the symbols remains of interest to the Defense Department because they have not been explained.

Possible explanations for the appearance of these symbols are many, though none seem particularly convincing. For instance, the U.S. Government provided aid to General Vang Pao through CIA-operated Air America assets. Some Air America crews were downed in action. One such U.S. aviator, Emmet Kay, went down on May 7, 1973 approximately 8 kilometers from the area where this symbol was either tramped, cut, cleared or etched into the elephant grass. (Emmet Kay returned to the U.S. in September 1974.) Some have surmised that Emmet Kay's Hmong crew might have made the symbol during

the few hours they were free before capture. The leader of the Hmong was a Major Thao. We can speculate that he may have trying to signal their location by abbreviating his name. We may never know the answer to this as Major Thao died in captivity.

Others have surmised that the symbol could have been placed on the ground by a group of Thai personnel that were also captured during this period by the Pathet Lao. TH, of course, is the two character U.S. country code for Thailand. We know that these three Thai individuals were held in captivity with Emmet Kay and his Hmong crew members. Many attempts have been made over the years to follow this lead. Only recently, a new lead has surfaced indicating that one of the Hmong may now be available for interview in Thailand. If we are successful in our attempt to interview this individual we may learn more. But at this point, we have no way of knowing if the symbol was or was not made by either the Thai individuals or the Hmong.

Another, and less likely, theory for the symbol relates to the downing of an AC-130 gunship in December 1972, some 300 miles away in southern Laos just across the Lao/Thai border. While only two crew members were known to have survived, one of the crew members that stayed with the plane down to its impact on the jungle floor was Captain Thomas Hart. Captain Hart is the only downed aviator whose initials and loss circumstances could possibly correlate with the initials TH. While Captain Hart's remains were recovered in 1985 by the JCRC, even if Captain Hart had survived, it is unlikely that he would have chosen to evade for over 300 miles through some of the roughest territory in Laos. He would more likely have gone a relatively short distance due West toward Thailand and freedom.

All we know for sure at this point in time in 1992 is that the symbol remains unexplained despite having been analyzed in depth on at least four separate occasions: by the Pacific Command in 1973; by the JCRC and DIA in 1976; by DIA in 1986/87; and by the DIA, CIA and JSSA in 1992. Neither the DIA, JSSA or the JTF-FA have been able to make a correlation to any individual. While positive results may have been hoped for in 1973-75, it is not likely that 19 years later we will be able to pick up the trail in Laos. In short, the origin and meaning of this symbol is unexplained and probably will remain so.

I will now turn to the USA & possible K symbols. This symbol was imaged on January 22, 1988 in a narrow rice paddy valley in Northeast Laos near Sam Neua, Laos. This imagery was taken for a project unrelated to POW/MIAs and was not looked at by an imagery analyst until early December 1988. While the actual imagery remains classified, the line drawing we have with us today is unclassified. As you can see, the letters USA are clearly distinguishable, and each letter is estimated to be more than twice the height of a normal sized man. On the imagery, below the USA letters some additional markings can be seen. Some have speculated that these markings are in the pattern of the number 34 or even the letter K, or perhaps even a so-called walking K distress symbol. This symbol was only imaged once. By the time it was discovered in

December 1988 by the Central Intelligence Agency and immediately brought to DIA's attention, it was no longer observable on the ground.

Once this symbol was made known to DIA, investigative steps were promptly taken. The full range of follow-up steps taken by the U.S. Government have been briefed to the Committee in a closed meeting. What I can say here in open session is that all appropriate means of information collection, including the full range of intelligence assets available to the U.S. Government, have been brought to bear to no avail. Like the prior symbol discussed that appeared on the Plain of Jars in 1973, this USA symbol remains unexplained.

There is still disagreement as to whether or not the markings and shadings seen below the USA letters are in actuality some type of evader symbol. It is clear to DIA and CIA imagery analysts that the USA letters were constructed by scraping away the rice stubble from a harvested rice paddy in dry season. One likely explanation for what appears to some as a 34 or possible K is the dumping of extracted rice stubble in several piles at random. Clearly, the supposed K is not in any fashion comparable to the USA letters--not in size, not in means of construction, not in spatial orientation, and certainly not in clarity. When this image was further examined through the application of sophisticated computer-enhanced analysis, including the use of so-called false color analysis to differentiate between grey scales, this alleged K symbol appears even more likely to be the mounding of rice stubble and thus even less convincing as a possible K.

So what do we have here? No one, not DIA, not CIA and not JSSA, can correlate the USA and possible K symbols with an unaccounted for individual. While the Lao government has admitted that prior to 1973 prisoners were kept in Pathet Lao headquarters caves located in the Sam Neua area, prisoners were not known to be held there after the war ended. These caves have been visited many times in recent years by Americans and other Westerners, and it was clear by the late 1980's that the caves are no longer in use. Other facilities that would likely be used for hiding American POWs are not known to exist anywhere else in Sam Neua.

I acknowledge that there have been isolated reports of POWs being held in some areas of Laos, including Sam Neua. But after giving these reports, most of which come from refugee sources, a full and complete evaluation, the Department has been unable to develop convincing evidence that U.S. POWs are being held in Sam Neua today, nor do we have any evidence they were being held there in 1988.

Mr. Bill Gadoury, an investigator who covers Laos for the Joint Task Force - Full Accounting, has an interesting story to tell that may relate to the USA symbol. As I indicated earlier, Bill will tell this story at the conclusion of my statement.

Where we are now with regard to the USA symbol can be summarized as

follows: 1). The USA and possible K remains unexplained, despite having tasked every means of information collection available through the Intelligence Community. Many collection capabilities have been exercised multiple times to no avail. 2). No correlation to a known unaccounted-for individual can be made by DIA, JSSA or the JTF-FA. And 3). Until an unexpected lead develops, there is little more that can be done other than continuing to monitor the situation. We have discussed in our closed meeting how we are accomplishing this monitoring.

I will now address the possible K symbol in Morse code on the roof of a building. This possible symbol was seen on July 30, 1975 when DIA and CIA imagery analysts noticed several light spots on the roof of one building within a known prison compound in Vietnam Northeast of Haiphong. The photography remains classified, so DIA has prepared line drawings for our discussions in open session.

Noticing a distinct color difference -- some roof sections were much brighter than the remainder of the roof on one barracks-type building -- CIA imagery analysts attempted to discern a possible pattern. They made a tenuous call that the pattern could be a dash - dot - dash in Morse code, which could be the letter K or the letters N and T. Although this was an admittedly tenuous imagery analytic call, an intense all-source analysis was mounted by DIA.

What they learned can be summarized at the unclassified level as follows. First, the prison compound was formerly a French detention facility, used later during the Vietnam war years as a provincial jail. We know that it was used to house captured South Vietnamese commando infiltrators, several of whom were ultimately interviewed after emigrating from Vietnam after the war. These former inmates stated that no U.S. prisoners were ever known to be incarcerated there during wartime.

Other sources provided postwar information. This prison, known to us now as the Dong Vai Reeducation Camp, was used from late 1975 to late 1978 by the North to house former Army of Vietnam (ARVN) officers and other South Vietnamese officials who underwent "reeducation" to prepare them for "proper functioning" in the new socialist/communist unified Vietnam. Thus, from late 1975 Dong Vai became part of a much larger reeducation camp system in Vietnam that has been described to us in great detail by many of the thousands of South Vietnamese refugees that have been interviewed by DIA's investigative personnel. Taken as a whole, the body of reporting from Dong Vai paints a consistent picture--this camp was used for reeducation and not for housing U.S. prisoners.

A closer look at the photography of July 30, 1975 reveals some very interesting details. The front gate is wide open and no special security measures are apparent. The roofs of a number of buildings inside and just outside the compound are off, indicating probable rehabilitation of the jail facility, no doubt preparing it for its subsequent use as a reeducation camp.

Fusing all this information, we see a very consistent picture. First, after the fall of Saigon, Dong Vai was renovated and subsequently used as part of the reeducation camp system. Second, the replacement of roof tiles accounts for the color differences seen on July 30, 1975. In fact, the photography shows that one section of the roof of the building in question is open, indicating that tile replacement was still in progress. Further, photography of the compound taken in January 1975 before this reconstruction process started failed to show any roof tile color variations. And photography of December 1975 after the roof reconstruction was complete, shows weathering of the sections replaced in July; no color variations are observable.

The Dong Vai reeducation camp had a rather short lifetime. By late 1978, most of the reeducates had either been released or were moved to other reeducation camps further south. For Vietnam and China, the late 1970's were punctuated by recurring security threats and border crises. We can speculate that because this facility was so far north, the Vietnamese decided to close it for security reasons, or perhaps it was no longer needed as part of the reeducation camp system. What is known through recent photography is that ~~the guard towers, fencing and other security provisions have been long removed,~~ many of the buildings have been torn down and much of the former prison/camp area has reverted to agriculture.

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IN DSE

In short, the fused, all-source analytic view of DIA and CIA is that Dong Vai was not a facility that housed American prisoners; that roof reconstruction accounted for the roof tile color differences seen only on July 30, 1975; and, that it is highly unlikely that symbols were consciously placed on the roof structure as a signal. JSSA fully agrees with this assessment. We consider this possible symbol closed and are no longer pursuing it.

I will now address the 52 or B52 symbol. Based upon source reporting in 1979 and 1980 that American prisoners might be held in a detention facility in southern Laos, imagery analysts began to review the area for the presence of a detention facility. In doing so, the numbers 52, believed to be a possible symbol, were observed five times between December 1980 and March 1981 in a facility located in the area southeast of the city of Nhommarath, Laos. The photography, which remains classified, shows a possible 52 in an agricultural area within the camp. The possible symbol was first observed on December 4, 1980, with subsequent observations on December 30, 1980, January 2, 1981, February 6, 1981 and March 8, 1981. Slight changes in the structure of the symbol were noted from sighting to sighting and as late as March 8, 1981, the symbol was still in place, however, the top portion of the 5 could no longer be seen.

The symbol was located within a row crop area between the walls of an inner compound and the perimeter fence. Although imagery analysts have arrived at different conclusions as to whether there was actually a 52 symbol or not. Because of the variations in the size and structure of the possible numbers from observation to observation there was strong suspicion that what the imagery analysts were reporting as a possible 52, might be nothing more

than shadowing within the row crop area. During continued analysis of the possible numbers, some imagery analysts reported that there might even be a "B" associated with the symbol, however, the possible B appeared to be another instance of shadowing within the area under observation.

The source reporting which was the basis for requesting the imagery analysis came to DIA from the CIA which stated that the reporting should be read with caution since there was some question as to the reliability of the sources involved. As noted earlier, the facility in question was located near the Lao city of Nhommarath, which is situated in Khammouane Province; the city of Nhommarath is within 50 kilometers of the Mekong River and the border of Thailand. The proximity of this facility to Thailand raised doubts that the Lao Communists would actually hold American prisoners in an area so close to Thailand.

In 1980 and 1981 there was not a large number of sources as yet available who had visited the area or been within the facility near Nhommarath. Nevertheless, photographs of the interior of the facility in question were turned over to U.S. Government representatives. The photographs, taken in early 1981, indicated that Western prisoners were not present within the facility. The exact measures undertaken by the U.S. Government to inspect the facility and to determine whether American prisoners were being held or not remains classified. In addition, the body of reporting from human sources who had detailed knowledge of the interior and purpose of the facility does not support the notion that American prisoners had ever been held within the facility.

There was not then and there has never been proof that American prisoners were held in the facility near Nhommarath. As a matter of fact, continued analysis since 1980, photographs of this facility and human sources support our best judgement that Americans were not held in the facility. The facility is now known to have been a reeducation camp used by the Communist government that took power in 1975 to educate former Royal Lao Army officers and certain officials from the Royal Lao government. This camp has been described to us in detail by former inmates that have been interviewed outside of Laos. There is even more reason to believe now that what was interpreted as a possible 52 symbol was nothing more than the irregular furrows of many individual garden plots.

I will now turn to the symbols referred to as an arrow and a "p." In mid-1992, during a routine review and analysis of central Laos, analysts discovered a possible symbols which included a large arrow and the possible letter "p." These symbols were on the ground in December 1987. Further review of these possible symbols revealed that although one symbol has the overall shape of an arrow, the stem does not join the arrow head. The stem of the arrow may be up to 100' in length. The possible "p" symbol appears to be nothing more than a scarred area on the ground with vegetation, perhaps a bush or two, growing in the center.

There is no evidence that this possible symbol has any association with Americans, whether living freely or in captivity. Explanations for the possible arrow include natural limestone outcroppings or logs. An imagery search was conducted in both directions of the axis of the possible arrow with negative results. When imaged this area was undergoing the slash and burn process associated with clearing jungle for agricultural use. When next imaged this area was under cultivation. While we are attempting to identify refugees in Thailand who came from the area where the symbol was observed, we have little hope of gaining further information on these five year old possible symbols.

This gets us to the bottom line of the various symbols which we believe were intended by their makers to be detected from above. To date, we have two unexplained sets of symbols. One was imaged in 1973 and one was imaged in 1988. A full range of follow up actions were undertaken. None of these symbol can be tied to a U.S. POW but neither can we absolutely disprove that "possibility."

I would now like to turn to some apparent evader symbols that have been cited as recent evidence of POWs in Laos. These supposed symbols were seen by members of the JSSA on a poor quality positive print of an image. For context, the JSSA is a 65 person organization located in three states and headquartered at Fort Belvoir, Virginia. As commander, Colonel Bonn reports to the Air Force Director of Operations. The Air Force and JSSA are executive agents for the Department of Defense for two major areas: Joint operational evasion and escape matters, and Code of Conduct and SERE training. They have a third, more recent charter as an executive agent for the purpose of drafting, in coordination with the Services and other DoD agencies, a Department of Defense Directive on POW/MIA matters. The latter project is in progress.

Under the JSSA E&E charter, they are responsible for working E&E operational matters with command planners and operators to ensure tactics, procedures, equipment, and training are adequate and consistent with JCS policy. The JSSA also acts as executive agent for the Assistant Secretary of Defense for Force Management and Personnel with respect to Code of Conduct and SERE training. To accomplish this they have a special training unit with 19 people responsible for providing advanced instruction and exercises for selected high risk-of-capture personnel from all the military services. This unit trains these personnel in Code of Conduct, SERE, and hostage survival courses, both in residence and using mobile training teams.

The JSSA has also been charged by DoD to conduct periodic inspections of five SERE certified training schools operated by the Army, Navy and Air Force; to research and analyze prisoner of war and actual SERE experiences for lessons learned to improve training; and to maintain a Code of Conduct-related research library.

That then, in a nutshell, is the JSSA. The JSSA does not have and never has had MIA accountability as a functional responsibility. They are not cognizant of all-source intelligence related to MIAs and have never been tasked by anyone to conduct a comprehensive review of reports of downed, missing, or captured personnel in Southeast Asia. However, in 1978 the JSSA did do a survey of Operation Homecoming POW debriefs and compiled a data base of all references to sightings of non-returnees. The only POW analytical role the JSSA now performs is to review POW and peacetime hostage debriefs for lessons we can apply to the training programs we oversee.

The JSSA has never been asked to review DIA's MIA efforts. The JSSA is not an inspector general and has no one qualified in intelligence analysis or photographic interpretation to perform such a function.

Aside from the project to draft a DoD Directive, the JSSA's current involvement in POW/MIA matters was solely due to requests by the Select Committee that they review poor quality, poor resolution copies of photography for evaluation with respect to evasion and escape techniques of ground signal communication. This they did with some degree of discomfort at being asked to be photographic interpreters, a technical skill they do not possess and which was called to the Committee's attention by the DoD POW/MIA Central Documentation Office—this is the organization that I established to declassify POW/MIA documents and to support the Select Committee.

On June 22, the Chief Counsel of the Select Committee requested that the JSSA evaluate the photograph containing the USA symbol discussed earlier. The letter of request asked the JSSA to provide an independent evaluation of the symbol's probable origins, meaning, and if they are consistent with accepted SERE training and procedures. The JSSA was also asked to evaluate a photograph of a second larger area some distance to the southwest.

In forwarding the JSSA's response on July 10, the Director of the DoD Central Documentation Office cautioned Mr. Codinha, Chief Counsel of the Select Committee, that the JSSA does not maintain a capability to perform imagery analysis and that imagery was only one source used in the intelligence process and that to fully comprehend the significance of a photo, information from multiple sources must be considered and examined by analysts from an appropriate intelligence organization.

I regret that I was not personally aware of the Committee's request to the JSSA and our response in July. I believe we could have avoided the resulting misunderstandings if we had been aware that the JSSA was attempting in good faith to perform a function that was well outside their area of expertise. Basically, the JSSA personnel viewed a very poor quality print with a magnifying glass and saw a lot of numbers and letters. They then matched these symbols against their authenticator lists of missing airmen. Where matches occurred they indicated that these might be possible "evader" symbols. I do not want to get more specific on these symbols as much of the

escape and evasion tradecraft is classified and may well be used again. I am concerned that all of the media attention to these symbols has probably compromised any attempts by any possible surviving American POWs to use the symbols that were taught to them in Southeast Asia.

Viewing a poor quality print with a magnifying glass is just not how imagery exploitation should be done. This ignores the basic principles of imagery interpretation which considers the pattern, shape, size, shadow, surroundings, tone and texture of each artifact. When the JSSA personnel viewed the original quality imagery of the printed photograph on a light table using high resolution optics the nature of all the supposed evader symbols became clear. They were simply vegetation, shadows or artifacts of the photographic production process. Some possible symbols were even in the tops of 200 foot tall trees, an unlikely place for an evading POW to leave a signal. When shown photographs of other locations including Africa and Utah, the JSSA personnel also "saw" the same kinds of symbols—symbols which again disappeared on the light table. Each and every apparent evader symbol was reviewed by JSSA on the light table and none were found to be real. Now I don't want to give the impression they were imagining things. Often when you look at a photographic print you can see numbers and letters in the shadows. That is why we do not normally interpret such prints for intelligence purposes and that is why it takes a long time to train imagery interpreters: it is easy to be misled. In this case it is unfortunate that untrained personnel were used to support an unwarranted conclusion concerning evader symbols in Laos.

Mr. Chairman that concludes my statement. I respectfully request that Mr. Gadoury of the Joint Task Force Full Accounting present his statement before we entertain questions. I make this request as I believe his statement is relevant to the questions that may remain concerning the USA and possible K ... symbols.

HOUSE INTERNATIONAL RELATIONS COMMITTEE
HEARINGS ON:
VIETNAM: WHEN WILL WE GET A FULL ACCOUNTING?

July 12, 1995

QUESTION FOR THE RECORD

QUESTION NUMBER 1 (in text)

VIETNAMESE VILLAGER RETURNED REMAINS

Question (Bereuter): General Wold, is there some general categorization about the completeness of remains that have been turned over since 1990 so that they would appear from a smaller fragmentation being turned over that they were from crash sites versus potential warehousing?

Answer: As a general observation, the remains turned over by the Vietnamese prior to 1990 were fairly complete and in relatively good condition. The remains returned since 1990 are not as complete, missing many of the smaller bones of the body. Bones of the hands, feet, ribs, and vertebra are seldom present in the remains returned since 1990. There is also a greater degree of deterioration of the bones in the remains which have been returned by the Vietnamese during the past five years.

559 DOCUMENT

Question (Gilman): You referred in testimony, and I think it was in your testimony, General Wold, to a statistical list of enemy aircraft shootdowns which was passed to our officials in 1993. I do not recall ever seeing that document. Is that in your possession?

Answer: Yes, sir (document attached next under).

DOWNED AIRCRAFT

Record

Enemy Aircraft Shot Down

From 1966 to 1975

F. Working Station	LIGHT	DATE	Quantity	USED IN SITUATION	DATE SITUATION	BY	REMARKS	STORAGE	QUANTITY	CLASS	PRICE	EXPLANATION
53	15/12	9.30	15000	1/55		JR.F.		1/55	5000	5000	100	Material used
54	10	1.45	111	1/55		JR.F.		1/55	111	111	100	Material used
55	13	18.5	150	1/10		JR.F.		1/10	150	150	100	Material used
56	11	10.25	200	1/1		JR.F.		1/1	200	200	100	Material used
57	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
58	14	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
59	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
60	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
61	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
62	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
63	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
64	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
65	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
66	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
67	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
68	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
69	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
70	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
71	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
72	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
73	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
74	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
75	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
76	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
77	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
78	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
79	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
80	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
81	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
82	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
83	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
84	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
85	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
86	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
87	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
88	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
89	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
90	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
91	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
92	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
93	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
94	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
95	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
96	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
97	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
98	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
99	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used
100	16	10.25	150	1/10		JR.F.		1/10	150	150	100	Material used

CITY	DATE	TIME	SUN	ARTILLERY USED IN HOODTOWN				STORAGE	CONCRETE CRASH	PILOT	EVIDENCE	Age Group
				17	18	19	20					
431	5/16	2:30	2/									
	4-143	6:52	15/3									
433	4-112	6:55	3/1									
	5-122	8:30	3/1									
410	4-113	8:35	3/1									
531	4-145	8:35	4/18									
	4-14											
322	4-8	2:30	1/19									
	11-10	1:50	12/13									
	10-11	1:53	1/1									
	5-1	3:52	3/1									
423												
	1-17	1:5	1/1									
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	1-22	1:30	1/1									
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	1-26	1:50	1/1									
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UNIT	DATE		MATERIAL USED IN GOODPAIN				STORAGE	FILING	CARD	PROB	EVIDENCE	No. message	ELEMENT
	100	101	102	103	104	105							
491	C ₁	1/14	1/14	1/14	1/14	1/14	1	1	South A.C. 17		1/14	1/14	1
492	C ₂	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
493	C ₃	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
494	C ₄	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
495	C ₅	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
496	C ₆	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
497	C ₇	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
498	C ₈	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
499	C ₉	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
500	C ₁₀	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
501	C ₁₁	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
502	C ₁₂	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
503	C ₁₃	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
504	C ₁₄	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
505	C ₁₅	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
506	C ₁₆	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
507	C ₁₇	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
508	C ₁₈	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
509	C ₁₉	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
510	C ₂₀	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
511	C ₂₁	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
512	C ₂₂	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
513	C ₂₃	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
514	C ₂₄	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
515	C ₂₅	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
516	C ₂₆	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
517	C ₂₇	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
518	C ₂₈	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
519	C ₂₉	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
520	C ₃₀	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
521	C ₃₁	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
522	C ₃₂	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
523	C ₃₃	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
524	C ₃₄	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
525	C ₃₅	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
526	C ₃₆	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
527	C ₃₇	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
528	C ₃₈	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
529	C ₃₉	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
530	C ₄₀	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
531	C ₄₁	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
532	C ₄₂	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
533	C ₄₃	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
534	C ₄₄	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
535	C ₄₅	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
536	C ₄₆	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
537	C ₄₇	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
538	C ₄₈	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
539	C ₄₉	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1
540	C ₅₀	1/14	1/14	1/14	1/14	1/14	1	1	AIN		1/14	1/14	1

The image shows a page of graph paper with a grid pattern. The grid consists of small squares. The page is mostly blank, with some faint markings and a large blacked-out area at the bottom left. There are some very faint, illegible markings scattered across the page, possibly from a previous page or bleed-through. The page number '298' is printed at the top center.

EVIDENCE	Q&A LOCATION	EVIDENCE POSITION	Q&A STORAGE NUMBER	Q&A	Q&A	Q&A	Q&A	Q&A	Q&A
37122	145	145	145	145	145	145	145	145	145
37123	145	145	145	145	145	145	145	145	145
37124	145	145	145	145	145	145	145	145	145
37125	145	145	145	145	145	145	145	145	145
37126	145	145	145	145	145	145	145	145	145
37127	145	145	145	145	145	145	145	145	145
37128	145	145	145	145	145	145	145	145	145
37129	145	145	145	145	145	145	145	145	145
37130	145	145	145	145	145	145	145	145	145
37131	145	145	145	145	145	145	145	145	145
37132	145	145	145	145	145	145	145	145	145
37133	145	145	145	145	145	145	145	145	145
37134	145	145	145	145	145	145	145	145	145
37135	145	145	145	145	145	145	145	145	145
37136	145	145	145	145	145	145	145	145	145
37137	145	145	145	145	145	145	145	145	145
37138	145	145	145	145	145	145	145	145	145
37139	145	145	145	145	145	145	145	145	145
37140	145	145	145	145	145	145	145	145	145
37141	145	145	145	145	145	145	145	145	145
37142	145	145	145	145	145	145	145	145	145
37143	145	145	145	145	145	145	145	145	145
37144	145	145	145	145	145	145	145	145	145
37145	145	145	145	145	145	145	145	145	145
37146	145	145	145	145	145	145	145	145	145
37147	145	145	145	145	145	145	145	145	145
37148	145	145	145	145	145	145	145	145	145
37149	145	145	145	145	145	145	145	145	145
37150	145	145	145	145	145	145	145	145	145

INVENTORY USED IN SHOOTDOWN

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HAZIT	DATE	ARTICLER	USED IN MOD. EQUIP.	USED IN MOD. EQUIP. MOD.	SYSTEM MOD.	REMARKS	REMARKS
C-1	1.10	1.105					Forward by modification
C-2	1.15	1.15					
C-3	1.20	1.20					
C-4	1.25	1.25					
C-5	1.30	1.30					
C-6	1.35	1.35					
C-7	1.40	1.40					
C-8	1.45	1.45					
C-9	1.50	1.50					
C-10	1.55	1.55					
C-11	2.00	2.00					
C-12	2.05	2.05					
C-13	2.10	2.10					
C-14	2.15	2.15					
C-15	2.20	2.20					
C-16	2.25	2.25					
C-17	2.30	2.30					
C-18	2.35	2.35					
C-19	2.40	2.40					
C-20	2.45	2.45					
C-21	2.50	2.50					
C-22	2.55	2.55					
C-23	3.00	3.00					
C-24	3.05	3.05					
C-25	3.10	3.10					
C-26	3.15	3.15					
C-27	3.20	3.20					
C-28	3.25	3.25					
C-29	3.30	3.30					
C-30	3.35	3.35					
C-31	3.40	3.40					
C-32	3.45	3.45					
C-33	3.50	3.50					
C-34	3.55	3.55					
C-35	4.00	4.00					
C-36	4.05	4.05					
C-37	4.10	4.10					
C-38	4.15	4.15					
C-39	4.20	4.20					
C-40	4.25	4.25					
C-41	4.30	4.30					
C-42	4.35	4.35					
C-43	4.40	4.40					
C-44	4.45	4.45					
C-45	4.50	4.50					
C-46	4.55	4.55					
C-47	5.00	5.00					
C-48	5.05	5.05					
C-49	5.10	5.10					
C-50	5.15	5.15					
C-51	5.20	5.20					
C-52	5.25	5.25					
C-53	5.30	5.30					
C-54	5.35	5.35					
C-55	5.40	5.40					
C-56	5.45	5.45					
C-57	5.50	5.50					
C-58	5.55	5.55					
C-59	6.00	6.00					
C-60	6.05	6.05					
C-61	6.10	6.10					
C-62	6.15	6.15					
C-63	6.20	6.20					
C-64	6.25	6.25					
C-65	6.30	6.30					
C-66	6.35	6.35					
C-67	6.40	6.40					
C-68	6.45	6.45					
C-69	6.50	6.50					
C-70	6.55	6.55					
C-71	7.00	7.00					
C-72	7.05	7.05					
C-73	7.10	7.10					
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C-78	7.35	7.35					
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C-80	7.45	7.45					
C-81	7.50	7.50					
C-82	7.55	7.55					
C-83	8.00	8.00					
C-84	8.05	8.05					
C-85	8.10	8.10					
C-86	8.15	8.15					
C-87	8.20	8.20					
C-88	8.25	8.25					
C-89	8.30	8.30					
C-90	8.35	8.35					
C-91	8.40	8.40					
C-92	8.45	8.45					
C-93	8.50	8.50					
C-94	8.55	8.55					
C-95	9.00	9.00					
C-96	9.05	9.05					
C-97	9.10	9.10					
C-98	9.15	9.15					
C-99	9.20	9.20					
C-100	9.25	9.25					

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UNIT	DATE	ST	ST	REPORT	EVIDENCE
C-134	6-35	1F4	1F4		
A3	11-20	1A80C	1F4		
AH/EB24	4-28	1F50C			
61 J10	7-40	1A16			
G-3-35C	11-24				
C-135	6-20	1F4			
G-131	1-25	1A3			
G-132	11-20	1F4			
G-133	1-25	1F4			
G-134	1-25	1F4			
G-135	1-25	1F4			
G-136	1-25	1F4			
G-137	1-25	1F4			
G-138	1-25	1F4			
G-139	1-25	1F4			
G-140	1-25	1F4			
G-141	1-25	1F4			
G-142	1-25	1F4			
G-143	1-25	1F4			
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G-145	1-25	1F4			
G-146	1-25	1F4			
G-147	1-25	1F4			
G-148	1-25	1F4			
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G-208	1-25	1F4			
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G-361	1-25	1F4			
G-362	1-25	1F4			
G-363	1-25	1F4			
G-364	1-25	1F4			

EVIDENCE

3850 557
Storage

Case No.	Item Description	QTY	UNIT	DATE	LOCATION	STATUS
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C-199
C-200

FORM	DATE	MS	FR	7	25	MS	ST	57	EW	BY	MS/NO	599	SHRAGE	FIRING	POSITION	CASH	POSITION	EXPENSE
587	12/12/27	2510	241	2	2													
588	12/13/28	2511	241	2														
589	12/14/28	2512	241	2														
590	12/15/28	2513	241	2														
591	12/16/28	2514	241	2														
592	12/17/28	2515	241	2														
593	12/18/28	2516	241	2														
594	12/19/28	2517	241	2														
595	12/20/28	2518	241	2														
596	12/21/28	2519	241	2														
597	12/22/28	2520	241	2														
598	12/23/28	2521	241	2														
599	12/24/28	2522	241	2														
600	12/25/28	2523	241	2														
601	12/26/28	2524	241	2														
602	12/27/28	2525	241	2														
603	12/28/28	2526	241	2														
604	12/29/28	2527	241	2														
605	12/30/28	2528	241	2														
606	12/31/28	2529	241	2														
607	1/1/29	2530	241	2														
608	1/2/29	2531	241	2														
609	1/3/29	2532	241	2														
610	1/4/29	2533	241	2														
611	1/5/29	2534	241	2														
612	1/6/29	2535	241	2														
613	1/7/29	2536	241	2														
614	1/8/29	2537	241	2														
615	1/9/29	2538	241	2														
616	1/10/29	2539	241	2														
617	1/11/29	2540	241	2														
618	1/12/29	2541	241	2														
619	1/13/29	2542	241	2														
620	1/14/29	2543	241	2														
621	1/15/29	2544	241	2														
622	1/16/29	2545	241	2														
623	1/17/29	2546	241	2														
624	1/18/29	2547	241	2														
625	1/19/29	2548	241	2														
626	1/20/29	2549	241	2														
627	1/21/29	2550	241	2														
628	1/22/29	2551	241	2														
629	1/23/29	2552	241	2														
630	1/24/29	2553	241	2														
631	1/25/29	2554	241	2														
632	1/26/29	2555	241	2														
633	1/27/29	2556	241	2														
634	1/28/29	2557	241	2														
635	1/29/29	2558	241	2														
636	1/30/29	2559	241	2														
637	1/31/29	2560	241	2														

599 SHRAGE POSITION

FIRING POSITION

CASH POSITION

EXPENSE

599 SHRAGE POSITION

FIRING POSITION

CASH POSITION

FIRING POSITION

CASH POSITION

EXPENSE

599 SHRAGE POSITION

FIRING POSITION

CASH POSITION

EXPENSE

Total:

From 1945 to 1948

Shot down 2466 aircraft which included 4255 aircraft shot down on the spot
 890 aircraft crashed at night

Faces shot down aircraft

Air Support force 1435 aircraft

Engineer force 262 "

Infantry force 238

Airfield used in shot down

aircraft 32 aircraft

100mm artillery 8 "

57mm 5 "

37mm 2 "

22mm 2 "

82mm 1 "

4.2 inch 1 "

200mm 1 "

Infantry groups 260

Type of down aircraft

F0 - 1st aircraft	091: 64 aircraft	P 50 - 1 aircraft	6119 - 35 aircrafts
F5 - 2 "	A 6 - 10 "	617 - 110 "	120 - 2 "
F8 - 3 "	A 7 - 38 "	6180 - 133 "	62 - 4 "
F10 - 4 "	A 12 - 5 "	6114 - 8 "	601 - 14 "
F10A - 5 "	A 17 - 8 "	6123 - 5 "	0010 - 159 "
F10S - 54 "	P 05 - 13 "	627 - 9 "	215 - 7 "
F10L - 5 "	P 04 - 133 "	654 - 1 "	Helio - 876 "
F10H - 5 "	T 11 - 37 "		
	B 16 - 28 "		

Analysis:

Analysis of shot down aircraft which were shot down: 2084
 Analysis of shot down aircraft force: 372 (396 Helio)
 Bottom
 A 100mm Helicopter Assault in August 1968
 Navy, Army, Helicopter Assault in Dec. 68; 2 Helio were shot down
 C-130, Helicopter Assault in Feb and Mar. 69; 93 Helio were shot down
 Navy, Army, Helicopter Assault in Feb and Mar. 71; 260 aircraft shot down including 247 Helio
 Fleet Helicopter Assault in Feb. 72 and Mar. 72; 14 aircraft were shot down including 1 Helio
 51 days of the campaign from Oct. 72 to Feb. 73, no Helio were shot down
 Captured above all pilots (3 MIA, 1 way, 1 capt, 4 MIA)
 Killed 96 prisoners remain deceased and 193 Americans in the down aircraft

A large grid of small squares, typical of a ledger or account book page. The grid is composed of many small squares, with some larger squares or sections defined by thicker lines. The grid is mostly empty, with some faint markings or lines visible within the cells.A large grid of vertical lines, typical of a ledger or account book page. The grid is composed of many vertical lines, creating a series of narrow columns. The grid is mostly empty, with some faint markings or lines visible within the columns.

18 3/16/51

DISEASE	LOCAL NAME	PHASE BY R.C.I.		
		1st	2nd	3rd
CA 118	22/6 1/16	483		
CA 119	22/6 1/16		114	
CA 120	22/6 1/16		21, 24, 210	
CA 121	22/6 1/16		1, 20, 2	
CA 122	22/6 1/16		1, 10, 2	
CA 123	22/6 1/16		1, 10, 2	
CA 124	22/6 1/16		1, 10, 2	
CA 125	22/6 1/16		1, 10, 2	
CA 126	22/6 1/16		1, 10, 2	
CA 127	22/6 1/16		1, 10, 2	
CA 128	22/6 1/16		1, 10, 2	
CA 129	22/6 1/16		1, 10, 2	
CA 130	22/6 1/16		1, 10, 2	
CA 131	22/6 1/16		1, 10, 2	
CA 132	22/6 1/16		1, 10, 2	
CA 133	22/6 1/16		1, 10, 2	
CA 134	22/6 1/16		1, 10, 2	
CA 135	22/6 1/16		1, 10, 2	
CA 136	22/6 1/16		1, 10, 2	
CA 137	22/6 1/16		1, 10, 2	
CA 138	22/6 1/16		1, 10, 2	
CA 139	22/6 1/16		1, 10, 2	
CA 140	22/6 1/16		1, 10, 2	
CA 141	22/6 1/16		1, 10, 2	
CA 142	22/6 1/16		1, 10, 2	
CA 143	22/6 1/16		1, 10, 2	
CA 144	22/6 1/16		1, 10, 2	
CA 145	22/6 1/16		1, 10, 2	
CA 146	22/6 1/16		1, 10, 2	
CA 147	22/6 1/16		1, 10, 2	
CA 148	22/6 1/16		1, 10, 2	
CA 149	22/6 1/16		1, 10, 2	
CA 150	22/6 1/16		1, 10, 2	
CA 151	22/6 1/16		1, 10, 2	
CA 152	22/6 1/16		1, 10, 2	
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CA 154	22/6 1/16		1, 10, 2	
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CA 192	22/6 1/16		1, 10, 2	
CA 193	22/6 1/16		1, 10, 2	
CA 194	22/6 1/16		1, 10, 2	
CA 195	22/6 1/16		1, 10, 2	
CA 196	22/6 1/16		1, 10, 2	
CA 197	22/6 1/16		1, 10, 2	
CA 198	22/6 1/16		1, 10, 2	
CA 199	22/6 1/16		1, 10, 2	
CA 200	22/6 1/16		1, 10, 2	

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Handwritten notes and signatures in the right margin, including '166' and '21'.



NO. DE PROJ.	DATA DE INICIO	DATA DE FIM	VALOR	UNIDADE	VALOR UNITARIO	TOTAL
1	10/10/50	10/10/50	10000	m ²	10000	10000
2	10/10/50	10/10/50	20000	m ²	20000	20000
3	10/10/50	10/10/50	30000	m ²	30000	30000
4	10/10/50	10/10/50	40000	m ²	40000	40000
5	10/10/50	10/10/50	50000	m ²	50000	50000
6	10/10/50	10/10/50	60000	m ²	60000	60000
7	10/10/50	10/10/50	70000	m ²	70000	70000
8	10/10/50	10/10/50	80000	m ²	80000	80000
9	10/10/50	10/10/50	90000	m ²	90000	90000
10	10/10/50	10/10/50	100000	m ²	100000	100000

NO. DE PROJ.	DATA DE INICIO	DATA DE FIM	VALOR	UNIDADE	VALOR UNITARIO	TOTAL
11	10/10/50	10/10/50	110000	m ²	110000	110000
12	10/10/50	10/10/50	120000	m ²	120000	120000
13	10/10/50	10/10/50	130000	m ²	130000	130000
14	10/10/50	10/10/50	140000	m ²	140000	140000
15	10/10/50	10/10/50	150000	m ²	150000	150000
16	10/10/50	10/10/50	160000	m ²	160000	160000
17	10/10/50	10/10/50	170000	m ²	170000	170000
18	10/10/50	10/10/50	180000	m ²	180000	180000
19	10/10/50	10/10/50	190000	m ²	190000	190000
20	10/10/50	10/10/50	200000	m ²	200000	200000

NO. DE PROJ.	DATA DE INICIO	DATA DE FIM	VALOR	UNIDADE	VALOR UNITARIO	TOTAL
21	10/10/50	10/10/50	210000	m ²	210000	210000
22	10/10/50	10/10/50	220000	m ²	220000	220000
23	10/10/50	10/10/50	230000	m ²	230000	230000
24	10/10/50	10/10/50	240000	m ²	240000	240000
25	10/10/50	10/10/50	250000	m ²	250000	250000
26	10/10/50	10/10/50	260000	m ²	260000	260000
27	10/10/50	10/10/50	270000	m ²	270000	270000
28	10/10/50	10/10/50	280000	m ²	280000	280000
29	10/10/50	10/10/50	290000	m ²	290000	290000
30	10/10/50	10/10/50	300000	m ²	300000	300000

Día y No.	M. Q. D. S. T. A. N. O.	P	A. C.					M. A. S.	T. A. N. C. O. S.
			1	2	3	4	5		
14 Jul	57	1	15	15	15	15	15	15	
15 Jul	58	2	15	15	15	15	15	15	
16 Jul	59	3	15	15	15	15	15	15	
17 Jul	60	4	15	15	15	15	15	15	
18 Jul	61	5	15	15	15	15	15	15	
19 Jul	62	6	15	15	15	15	15	15	
20 Jul	63	7	15	15	15	15	15	15	
21 Jul	64	8	15	15	15	15	15	15	
22 Jul	65	9	15	15	15	15	15	15	
23 Jul	66	10	15	15	15	15	15	15	
24 Jul	67	11	15	15	15	15	15	15	
25 Jul	68	12	15	15	15	15	15	15	
26 Jul	69	13	15	15	15	15	15	15	
27 Jul	70	14	15	15	15	15	15	15	
28 Jul	71	15	15	15	15	15	15	15	
29 Jul	72	16	15	15	15	15	15	15	
30 Jul	73	17	15	15	15	15	15	15	
31 Jul	74	18	15	15	15	15	15	15	
1 Aug	75	19	15	15	15	15	15	15	
2 Aug	76	20	15	15	15	15	15	15	
3 Aug	77	21	15	15	15	15	15	15	
4 Aug	78	22	15	15	15	15	15	15	
5 Aug	79	23	15	15	15	15	15	15	
6 Aug	80	24	15	15	15	15	15	15	
7 Aug	81	25	15	15	15	15	15	15	
8 Aug	82	26	15	15	15	15	15	15	
9 Aug	83	27	15	15	15	15	15	15	
10 Aug	84	28	15	15	15	15	15	15	
11 Aug	85	29	15	15	15	15	15	15	
12 Aug	86	30	15	15	15	15	15	15	
13 Aug	87	31	15	15	15	15	15	15	
14 Aug	88	32	15	15	15	15	15	15	
15 Aug	89	33	15	15	15	15	15	15	
16 Aug	90	34	15	15	15	15	15	15	
17 Aug	91	35	15	15	15	15	15	15	
18 Aug	92	36	15	15	15	15	15	15	
19 Aug	93	37	15	15	15	15	15	15	
20 Aug	94	38	15	15	15	15	15	15	
21 Aug	95	39	15	15	15	15	15	15	
22 Aug	96	40	15	15	15	15	15	15	
23 Aug	97	41	15	15	15	15	15	15	
24 Aug	98	42	15	15	15	15	15	15	
25 Aug	99	43	15	15	15	15	15	15	
26 Aug	100	44	15	15	15	15	15	15	
27 Aug	101	45	15	15	15	15	15	15	
28 Aug	102	46	15	15	15	15	15	15	
29 Aug	103	47	15	15	15	15	15	15	
30 Aug	104	48	15	15	15	15	15	15	
31 Aug	105	49	15	15	15	15	15	15	
1 Sep	106	50	15	15	15	15	15	15	
2 Sep	107	51	15	15	15	15	15	15	
3 Sep	108	52	15	15	15	15	15	15	
4 Sep	109	53	15	15	15	15	15	15	
5 Sep	110	54	15	15	15	15	15	15	
6 Sep	111	55	15	15	15	15	15	15	
7 Sep	112	56	15	15	15	15	15	15	
8 Sep	113	57	15	15	15	15	15	15	
9 Sep	114	58	15	15	15	15	15	15	
10 Sep	115	59	15	15	15	15	15	15	
11 Sep	116	60	15	15	15	15	15	15	
12 Sep	117	61	15	15	15	15	15	15	
13 Sep	118	62	15	15	15	15	15	15	
14 Sep	119	63	15	15	15	15	15	15	
15 Sep	120	64	15	15	15	15	15	15	
16 Sep	121	65	15	15	15	15	15	15	
17 Sep	122	66	15	15	15	15	15	15	
18 Sep	123	67	15	15	15	15	15	15	
19 Sep	124	68	15	15	15	15	15	15	
20 Sep	125	69	15	15	15	15	15	15	
21 Sep	126	70	15	15	15	15	15	15	
22 Sep	127	71	15	15	15	15	15	15	
23 Sep	128	72	15	15	15	15	15	15	
24 Sep	129	73	15	15	15	15	15	15	
25 Sep	130	74	15	15	15	15	15	15	
26 Sep	131	75	15	15	15	15	15	15	
27 Sep	132	76	15	15	15	15	15	15	
28 Sep	133	77	15	15	15	15	15	15	
29 Sep	134	78	15	15	15	15	15	15	
30 Sep	135	79	15	15	15	15	15	15	
1 Oct	136	80	15	15	15	15	15	15	
2 Oct	137	81	15	15	15	15	15	15	
3 Oct	138	82	15	15	15	15	15	15	
4 Oct	139	83	15	15	15	15	15	15	
5 Oct	140	84	15	15	15	15	15	15	
6 Oct	141	85	15	15	15	15	15	15	
7 Oct	142	86	15	15	15	15	15	15	
8 Oct	143	87	15	15	15	15	15	15	
9 Oct	144	88	15	15	15	15	15	15	
10 Oct	145	89	15	15	15	15	15	15	
11 Oct	146	90	15	15	15	15	15	15	
12 Oct	147	91	15	15	15	15	15	15	
13 Oct	148	92	15	15	15	15	15	15	
14 Oct	149	93	15	15	15	15	15	15	
15 Oct	150	94	15	15	15	15	15	15	
16 Oct	151	95	15	15	15	15	15	15	
17 Oct	152	96	15	15	15	15	15	15	
18 Oct	153	97	15	15	15	15	15	15	
19 Oct	154	98	15	15	15	15	15	15	
20 Oct	155	99	15	15	15	15	15	15	
21 Oct	156	100	15	15	15	15	15	15	
22 Oct	157	101	15	15	15	15	15	15	
23 Oct	158	102	15	15	15	15	15	15	
24 Oct	159	103	15	15	15	15	15	15	
25 Oct	160	104	15	15	15	15	15	15	
26 Oct	161	105	15	15	15	15	15	15	
27 Oct	162	106	15	15	15	15	15	15	
28 Oct	163	107	15	15	15	15	15	15	
29 Oct	164	108	15	15	15	15	15	15	
30 Oct	165	109	15	15	15	15	15	15	
31 Oct	166	110	15	15	15	15	15	15	
1 Nov	167	111	15	15	15	15	15	15	
2 Nov	168	112	15	15	15	15	15	15	
3 Nov	169	113	15	15	15	15	15	15	
4 Nov	170	114	15	15	15	15	15	15	
5 Nov	171	115	15	15	15	15	15	15	
6 Nov	172	116	15	15	15	15	15	15	
7 Nov	173	117	15	15	15	15	15	15	
8 Nov	174	118	15	15	15	15	15	15	
9 Nov	175	119	15	15	15	15	15	15	
10 Nov	176	120	15	15	15	15	15	15	
11 Nov	177	121	15	15	15	15	15	15	
12 Nov	178	122	15	15	15	15	15	15	
13 Nov	179	123	15	15	15	15	15	15	
14 Nov	180	124	15	15	15	15	15	15	
15 Nov	181	125	15	15	15	15	15	15	
16 Nov	182	126	15	15	15	15	15	15	
17 Nov	183	127	15	15	15	15	15	15	
18 Nov	184	128	15	15	15	15	15	15	
19 Nov	185	129	15	15	15	15	15	15	
20 Nov	186	130	15	15	15	15	15	15	
21 Nov	187	131	15	15	15	15	15	15	
22 Nov	188	132	15	15	15	15	15	15	
23 Nov	189	133	15	15	15	15	15	15	
24 Nov	190	134	15	15	15	15	15	15	
25 Nov	191	135	15	15	15	15	15	15	
26 Nov	192	136	15	15	15	15	15	15	
27 Nov	193	137	15	15	15	15	15	15	
28 Nov	194	138	15	15	15	15	15	15	
29 Nov	195	139	15	15	15	15	15	15	
30 Nov	196	140	15	15	15	15	15	15	
1 Dec	197	141	15	15	15	15	15	15	
2 Dec	198	142	15	15	15	15	15	15	
3 Dec	199	143	15	15	15	15	15	15	
4 Dec	200	144	15	15	15	15	15	15	
5 Dec	201	145	15	15	15	15	15	15	
6 Dec	202	146	15	15	15	15	15	15	
7 Dec	203	147	15	15	15	15	15	15	
8 Dec	204	148	15	15	15	15	15	15	
9 Dec	205	149	15	15	15	15	15	15	
10 Dec	206	150	15	15	15	15	15	15	
11 Dec	207	151	15	15	15				

NO	DATE	DESCRIPTION	AMOUNT	INITIALS	REMARKS	DATE	INITIALS	REMARKS
1	1951
2	1951
3	1951
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Item No.	QTY	UNIT	DESCRIPTION	PRICE	TOTAL	DATE	REMARKS
1	100	EA
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

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FROM	TO	DATE	DESCRIPTION	AMOUNT	DATE	DESCRIPTION	AMOUNT
101	102	10/1	101-102	101.00	10/1	101-102	101.00
102	103	10/2	102-103	102.00	10/2	102-103	102.00
103	104	10/3	103-104	103.00	10/3	103-104	103.00
104	105	10/4	104-105	104.00	10/4	104-105	104.00
105	106	10/5	105-106	105.00	10/5	105-106	105.00
106	107	10/6	106-107	106.00	10/6	106-107	106.00
107	108	10/7	107-108	107.00	10/7	107-108	107.00
108	109	10/8	108-109	108.00	10/8	108-109	108.00
109	110	10/9	109-110	109.00	10/9	109-110	109.00
110	111	10/10	110-111	110.00	10/10	110-111	110.00
111	112	10/11	111-112	111.00	10/11	111-112	111.00
112	113	10/12	112-113	112.00	10/12	112-113	112.00
113	114	10/13	113-114	113.00	10/13	113-114	113.00
114	115	10/14	114-115	114.00	10/14	114-115	114.00
115	116	10/15	115-116	115.00	10/15	115-116	115.00
116	117	10/16	116-117	116.00	10/16	116-117	116.00
117	118	10/17	117-118	117.00	10/17	117-118	117.00
118	119	10/18	118-119	118.00	10/18	118-119	118.00
119	120	10/19	119-120	119.00	10/19	119-120	119.00
120	121	10/20	120-121	120.00	10/20	120-121	120.00
121	122	10/21	121-122	121.00	10/21	121-122	121.00
122	123	10/22	122-123	122.00	10/22	122-123	122.00
123	124	10/23	123-124	123.00	10/23	123-124	123.00
124	125	10/24	124-125	124.00	10/24	124-125	124.00
125	126	10/25	125-126	125.00	10/25	125-126	125.00
126	127	10/26	126-127	126.00	10/26	126-127	126.00
127	128	10/27	127-128	127.00	10/27	127-128	127.00
128	129	10/28	128-129	128.00	10/28	128-129	128.00
129	130	10/29	129-130	129.00	10/29	129-130	129.00
130	131	10/30	130-131	130.00	10/30	130-131	130.00
131	132	10/31	131-132	131.00	10/31	131-132	131.00
132	133	11/1	132-133	132.00	11/1	132-133	132.00
133	134	11/2	133-134	133.00	11/2	133-134	133.00
134	135	11/3	134-135	134.00	11/3	134-135	134.00
135	136	11/4	135-136	135.00	11/4	135-136	135.00
136	137	11/5	136-137	136.00	11/5	136-137	136.00
137	138	11/6	137-138	137.00	11/6	137-138	137.00
138	139	11/7	138-139	138.00	11/7	138-139	138.00
139	140	11/8	139-140	139.00	11/8	139-140	139.00
140	141	11/9	140-141	140.00	11/9	140-141	140.00
141	142	11/10	141-142	141.00	11/10	141-142	141.00
142	143	11/11	142-143	142.00	11/11	142-143	142.00
143	144	11/12	143-144	143.00	11/12	143-144	143.00
144	145	11/13	144-145	144.00	11/13	144-145	144.00
145	146	11/14	145-146	145.00	11/14	145-146	145.00
146	147	11/15	146-147	146.00	11/15	146-147	146.00
147	148	11/16	147-148	147.00	11/16	147-148	147.00
148	149	11/17	148-149	148.00	11/17	148-149	148.00
149	150	11/18	149-150	149.00	11/18	149-150	149.00
150	151	11/19	150-151	150.00	11/19	150-151	150.00
151	152	11/20	151-152	151.00	11/20	151-152	151.00
152	153	11/21	152-153	152.00	11/21	152-153	152.00
153	154	11/22	153-154	153.00	11/22	153-154	153.00
154	155	11/23	154-155	154.00	11/23	154-155	154.00
155	156	11/24	155-156	155.00	11/24	155-156	155.00
156	157	11/25	156-157	156.00	11/25	156-157	156.00
157	158	11/26	157-158	157.00	11/26	157-158	157.00
158	159	11/27	158-159	158.00	11/27	158-159	158.00
159	160	11/28	159-160	159.00	11/28	159-160	159.00
160	161	11/29	160-161	160.00	11/29	160-161	160.00
161	162	11/30	161-162	161.00	11/30	161-162	161.00
162	163	12/1	162-163	162.00	12/1	162-163	162.00
163	164	12/2	163-164	163.00	12/2	163-164	163.00
164	165	12/3	164-165	164.00	12/3	164-165	164.00
165	166	12/4	165-166	165.00	12/4	165-166	165.00
166	167	12/5	166-167	166.00	12/5	166-167	166.00
167	168	12/6	167-168	167.00	12/6	167-168	167.00
168	169	12/7	168-169	168.00	12/7	168-169	168.00
169	170	12/8	169-170	169.00	12/8	169-170	169.00
170	171	12/9	170-171	170.00	12/9	170-171	170.00
171	172	12/10	171-172	171.00	12/10	171-172	171.00
172	173	12/11	172-173	172.00	12/11	172-173	172.00
173	174	12/12	173-174	173.00	12/12	173-174	173.00
174	175	12/13	174-175	174.00	12/13	174-175	174.00
175	176	12/14	175-176	175.00	12/14	175-176	175.00
176	177	12/15	176-177	176.00	12/15	176-177	176.00
177	178	12/16	177-178	177.00	12/16	177-178	177.00
178	179	12/17	178-179	178.00	12/17	178-179	178.00
179	180	12/18	179-180	179.00	12/18	179-180	179.00
180	181	12/19	180-181	180.00	12/19	180-181	180.00
181	182	12/20	181-182	181.00	12/20	181-182	181.00
182	183	12/21	182-183	182.00	12/21	182-183	182.00
183	184	12/22	183-184	183.00	12/22	183-184	183.00
184	185	12/23	184-185	184.00	12/23	184-185	184.00
185	186	12/24	185-186	185.00	12/24	185-186	185.00
186	187	12/25	186-187	186.00	12/25	186-187	186.00
187	188	12/26	187-188	187.00	12/26	187-188	187.00
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191	192	12/30	191-192	191.00	12/30	191-192	191.00
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Chungking 1972-1973

Alt. (ft)	Loc. No.	Time	Wind	Temp	Humid	Clouds	Remarks
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608	487/173	11:13-11:14					
609	488/173	11:15-11:16					
610	489/173	11:17-11:18					
611	490/173	11:19-11:20					
612	491/173	11:21-11:22					
613	492/173	11:23-11:24					
614	493/173	11:25-11:26					
615	494/173	11:27-11:28					
616	495/173	11:29-11:30					
617	496/173	11:31-11:32					
618	497/173	11:33-11:34					
619	498/173	11:35-11:36					
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621	500/173	11:39-11:40					
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623	502/173	11:43-11:44					
624	503/173	11:45-11:46					
625	504/173	11:47-11:48					
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627	506/173	11:51-11:52					
628	507/173	11:53-11:54					
629	508/173	11:55-11:56					
630	509/173	11:57-11:58					
631	510/173	11:59-12:00					
632	511/173	12:01-12:02					
633	512/173	12:03-12:04					
634	513/173	12:05-12:06					
635	514/173	12:07-12:08					
636	515/173	12:09-12:10					
637	516/173	12:11-12:12					
638	517/173	12:13-12:14					
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647	526/173	12:31-12:32					
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649	528/173	12:35-12:36					
650	529/173	12:37-12:38					
651	530/173	12:39-12:40					
652	531/173	12:41-12:42					
653	532/173	12:43-12:44					
654	533/173	12:45-12:46					
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663	542/173	13:03-13:04					
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777	656/173	16:51-16:52					</

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1974-1975

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Station	Time	Altitude	Remarks
12000 ft	11:45 AM	12000	12000 ft
11000 ft	11:50 AM	11000	11000 ft
10000 ft	12:00 PM	10000	10000 ft
9000 ft	12:10 PM	9000	9000 ft
8000 ft	12:20 PM	8000	8000 ft
7000 ft	12:30 PM	7000	7000 ft
6000 ft	12:40 PM	6000	6000 ft
5000 ft	12:50 PM	5000	5000 ft
4000 ft	1:00 PM	4000	4000 ft
3000 ft	1:10 PM	3000	3000 ft
2000 ft	1:20 PM	2000	2000 ft
1000 ft	1:30 PM	1000	1000 ft
Sea Level	1:40 PM	0	Sea Level

12000 ft 11:45 AM
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F. 14	802	Ad	5	37	548	9	000	57
F. 15	802	Ad	5	37	548	9	000	57
F. 16	802	Ad	5	37	548	9	000	57
F. 17	802	Ad	5	37	548	9	000	57
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Documents provided to House Committee on
International Relations on July 12, 1995
by National League of Families
Executive Director Ann Mills Griffiths

- 1) President's remarks in announcement on normalization of diplomatic relations with Vietnam - 7/11/95
- 2) President's remarks in announcement of lifting trade embargo on Vietnam - 2/3/94
- 3) League Status of the Issue - 6/26/95
- 4) League Vietnam's Ability to Account for Missing Americans
- 5) Remains and Records Brief - provided to SRV Vice Foreign Minister Tran Quang Co by Under Secretary of Defense for Policy Paul Wolfowitz, 5/26/92 in meeting at Defense Department.
- 6) Letter from Col. William H. Jordan, Commander CILHI to AMG dated 3/1/95
- 7) Defense Department Assessment of the Government of the SRV Documents presented to the May '95 Presidential Delegation dated 6/28/95.
- 8) DPMO Preliminary Assessment of Documents provided Presidential Delegation, May 1995 dated 5/22/95
- 9) League Excerpt of Core Information from book turned over to SRV March 18-30, 1994.
- 10) DPMO Group 559 Shootdown Record Preliminary Assessment dated 9/23/93
- 11) DPMO Assessment - Vietnamese POW/MIA related Documents provided to AMB. Lord in Hanoi on 12/14/93 (Assessment date 12/15/93).

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 11, 1995

REMARKS BY THE PRESIDENT
IN ANNOUNCEMENT ON NORMALIZATION OF DIPLOMATIC RELATIONS
WITH VIETNAM

East Room

2:03 P.M. EDT

THE PRESIDENT: Thank you very much. I welcome you all here, those of you have been introduced and distinguished members of Congress and military leaders, veterans, others who are in the audience.

Today I am announcing the normalization of diplomatic relationships with Vietnam. (Applause.)

From the beginning of this administration, any improvement in relationships between America and Vietnam has depended upon making progress on the issue of Americans who were missing in action or held as prisoners of war. Last year, I lifted the trade embargo on Vietnam in response to their cooperation, and to enhance our efforts to secure the remains of lost Americans and to determine the fate of those whose remains have not been found.

It has worked. In seventeen months, Hanoi has taken important steps to help us resolve many cases. Twenty-nine families have received the remains of their loved ones and at last have been able to give them a proper burial. Hanoi has delivered to us hundreds of pages of documents shedding light on what happened to Americans in Vietnam. And Hanoi has stepped up its cooperation with Laos, where many Americans were lost.

We have reduced the number of so-called discrepancy cases, in which we have had reason to believe that Americans were still alive after they were lost to 55. And we will continue to work to resolve more cases.

Vietnam, just as it did in Eastern Europe and the former Soviet Union. I strongly believe that engaging the Vietnamese on the broad economic front of economic reform and the broad front of democratic reform will help to honor the sacrifice of those who fought for freedom's sake in Vietnam.

I am proud to be joined in this view by distinguished veterans of the Vietnam War. They served their country bravely. They are of different parties. A generation ago they had different judgments about the war which divided us so deeply. But today they are of a single mind. They agree that the time has come for America to move forward on Vietnam. All Americans should be grateful especially that Senators John McCain, John Kerry, Bob Kerrey, Chuck Robb and Representative Pete Peterson, along with other Vietnam veterans in the Congress, including Senator Harkin, Congressman Colby and Congressman Gilchrist, who just left, and others who are out here in the audience have kept up their passionate interest in Vietnam, but were able to move beyond the haunting and painful past toward finding common ground for the future. Today, they and many other veterans support the normalization of relations, giving the opportunity to Vietnam to fully join the community of nations and being true to what they fought for so many years ago.

Whatever we may think about the political decisions of the Vietnam era, the brave Americans who fought and died there had noble motives. They fought for the freedom and the independence of the Vietnamese people. Today the Vietnamese are independent, and we believe this step will help to extend the reach of freedom in Vietnam and, in so doing, to enable these fine veterans of Vietnam to keep working for that freedom.

This step will also help our own country to move forward on an issue that has separated Americans from one another for too long now. Let the future be our destination. We have so much work ahead of us. This moment offers us the opportunity to bind up our own wounds. They have resisted time for too long. We can now move on to common ground. Whatever divided us before let us consign to the past. Let this moment, in the words of the Scripture, be a time to heal and a time to build.

Thank you all. And God bless America. (Applause.)

FND

2:12 P.M. EDT

Hundreds of dedicated men and women are working on all these cases, often under extreme hardship and real dangers in the mountains and jungles of Indochina. On behalf of all Americans, I want to thank them. And I want to pay a special tribute to General John Vessey, who has worked so tirelessly on this issue for Presidents Reagan and Bush and for our administration. He has made a great difference to a great many families. And we as a nation are grateful for his dedication and for his service. Thank you, sir. (Applause.)

I also want to thank the presidential delegation, led by Deputy Secretary of Veterans Affairs Hershel Gober, Winston Lord, James Wold, who have helped us to make so much progress on this issue. And I am especially grateful to the leaders of the families and the veterans organizations who have worked with the delegation and maintained their extraordinary commitment to finding the answers we seek.

Never before in the history of warfare has such an extensive effort been made to resolve the fate of soldiers who did not return. Let me emphasize, normalization of our relations with Vietnam is not the end of our effort. From the early days of this administration I have said to the families and veterans groups what I say again here: We will keep working until we get all the answers we can. Our strategy is working. Normalization of relations is the next appropriate step. With this new relationship, we will be able to make more progress. To that end, I will send another delegation to Vietnam this year. And Vietnam has pledged it will continue to help us find answers. We will hold them to that pledge.

By helping to bring Vietnam into the community of nations, normalization also serves our interest in working for a free and peaceful Vietnam in a stable and peaceful Asia. We will begin to normalize our trade relations with Vietnam, whose economy is now liberalizing and integrating into the economy of the Asia-Pacific region. Our policy will be to implement the appropriate United States government programs to develop trade with Vietnam consistent with U.S. law.

As you know, many of these programs require certifications regarding human rights and labor rights before they can proceed.

We have already begun discussing human rights issues with Vietnam, especially issues regarding religious freedom. Now we can expand and strengthen that dialogue. The Secretary of State will go to Vietnam in August where he will discuss all of these issues, beginning with our POW and MIA concerns.

I believe normalization and increased contact between Americans and Vietnamese will advance the cause of freedom in

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

February 3, 1994

REMARKS BY THE PRESIDENT
IN ANNOUNCEMENT OF LIFTING TRADE EMBARGO ON VIETNAM

The Roosevelt Room

5:06 P.M. EST

THE PRESIDENT: Thank you very much. I want to especially thank all of you who have come here on such short notice. From the beginning of my administration, I have said that any decisions about our relationships with Vietnam should be guided by one factor and one factor only: gaining the fullest-possible accounting for our prisoners of war and our missing in action. We owe that to all who served in Vietnam and to the families of those whose fate remains unknown.

Today I am lifting the trade embargo against Vietnam because I am absolutely convinced it offers the best way to resolve the fate of those who remain missing and about whom we are not sure. We've worked hard over the last year to achieve progress. On Memorial Day I pledged to declassify and make available virtually all government documents related to our POWs and MIA. On Veterans Day I announced that we had fulfilled that pledge. Last April, and again in July, I sent two presidential delegations to Vietnam to expand our search for remains and documents.

We intensified our diplomatic efforts. We have devoted more resources to this effort than any previous administration. Today, more than 500 dedicated military and civilian personnel are involved in this effort under the leadership of General Shalikashvili, Secretary Aspin and our Commander in the Pacific, Admiral Larson.

Many work daily in the fields, the jungles, the mountains of Vietnam, Cambodia and Laos, often braving very dangerous conditions, trying to find the truth about those about whom we are not sure. Last July I said any improvement in our relations with Vietnam would depend on tangible progress in four specific areas:

First, the recovery and return of remains of our POWs and MIA. Second, the continued resolution of discrepancy cases -- cases in which there is reason to believe individuals could have survived the incident in which they were lost. Third, further assistance from Vietnam and Laos on investigations along their common border, an area where many U.S. servicemen were lost and pilots downed. And, fourth, accelerated efforts to provide all relevant POW/MIA-related documents.

Today, I can report that significant, tangible progress has been made in all these four areas. Let me describe it. First, on remains. Since the beginning of this administration, we have recovered the remains of 67 American servicemen. In the seven months since July, we've recovered 39 sets of remains, more than during all of 1992.

Second, on the discrepancy cases. Since the beginning of the administration, we've reduced the number of these cases from 135 to 73. Since last July, we've confirmed the deaths of 19

MORE

servicemen who were on the list. A special United States team in Vietnam continues to investigate the remaining cases.

Third, on cooperation with Laos. As a direct result of the conditions set out in July, the governments of Vietnam and Laos agreed to work with us to investigate their common border. The first such investigation took place in December and located new remains as well as crash sites that will soon be excavated.

Fourth, on the documents. Since July, we have received important wartime documents from Vietnam's military archives that provide leads on unresolved POW/MIA cases. The progress achieved on unresolved questions is encouraging, but it must not end here. I remain personally committed to continuing the search for the answers and the peace of mind that families of the missing deserve.

There's been a substantial increase in Vietnamese cooperation on these matters over the past year. Everyone involved in the issue has affirmed that. I have carefully considered the question of how best to sustain that cooperation in securing the fullest possible accounting. I've consulted with my national security and veterans affairs advisers, with several outside experts, such as General John Vessey, the former Chairman of the Joint Chiefs of Staff, who has been an emissary to Vietnam for three presidents now. It was their view that the key to continued progress lies in expanding our contacts with Vietnam.

This was also the view of many distinguished Vietnam veterans and former POWs who now serve in the Congress, such as Senator Bob Kerrey and Congressman Pete Peterson, who are here. And I want to say a special word of thanks to Senator John Kerry -- is he here? There he is. He just came in. And Senator John McCain, who had to go home on a family matter and could not be here. But I thank the two of you so much for your leadership and your steadfastness. And all the rest of you -- Senator Robb and so many others, especially those who served in Vietnam, for being counted on this issue and for taking all the care you have for such a long time.

I have made the judgment that the best way to ensure cooperation from Vietnam and to continue getting the information Americans want on POWs and MIAs is to end the trade embargo. I've also decided to establish a liaison office in Vietnam to provide services for Americans there and help us to pursue a human rights dialogue with the Vietnamese government.

I want to be clear: These actions do not constitute a normalization of our relationships. Before that happens, we must have more progress, more cooperation and more answers. Toward that end, this spring I will send another high-level U.S. delegation to Vietnam to continue the search for remains and for documents.

Earlier today, I met with the leaders of our nation's veterans organizations. I deeply respect their views. Many of the families they represent have endured enormous suffering and uncertainty. And their opinions also deserve special consideration. I talked with them about my decision. I explained the reasons for that decision. Some of them, in all candor, do not agree with the action I am taking today.

But I believe we all agree on the ultimate goal -- to secure the fullest possible accounting of those who remain missing. And I was pleased that they committed to continue working with us toward that goal.

Whatever the Vietnam war may have done in dividing in our country in the past, today our nation is one in honoring those who served and pressing for answers about all those who did not return. This decision today, I believe, renews that commitment and

our constant, constant effort never to forget those until our job is done. Those who have sacrificed deserve a full and final accounting. I am absolutely convinced, as are so many in the Congress who serve there and so many Americans who have studied this issue, that this decision today will help to ensure that fullest possible accounting.

Thank you very much.

* * * *

Q Mr. President, aren't you giving up some leverage, though? Could we ask you about that? And what do you anticipate in terms of American trade? What's the size of the market? What do you think the opportunities are?

THE PRESIDENT: I have no idea. Because I can -- I wanted to make sure that the trade questions did not enter into this decision. So, we never -- I never had a briefing on it, and we never had a discussion about it. I thought it was very important that that not be a part of this decision.

I don't think we're giving up anything. It was the consensus of all those who had been there, who had worked there that we had gotten so much more cooperation that we needed to keep moving the process forward, and that we would lose leverage if there were no forward movement. Have we given up anything? I don't think so. Nothing we are doing today is irreversible if the cooperation ceases. So I am convinced we are moving in the right direction for the right reasons.

Q Mr. President, you mentioned people who had served in Vietnam had served; you did not. Did this have any role in your decision, and did it make it more difficult for you to reach this decision?

THE PRESIDENT: No. I do think, however, everybody my age, whether they were in Vietnam or not, knew someone who died there, knew someone who was wounded there. And I think people in our generation are perhaps more insistent on trying to get a full accounting, more obsessed with it than perhaps people who are younger and people who are older, except those who had children there.

I have spent an enormous amount of time on this issue. I got a personal briefing when I was in Hawaii last summer. I have talked to some of the young people who were there digging in the jungles for the remains. I have really thought about this, and I have tried to listen hard to -- when Senator Kerry and Senator McCain and their delegation came back, we had a long meeting here about it. I think the people, all the people my age just want to know we've done everything we can. And I think this is consistent with doing that.

Q Mr. President, on another subject, what do you hope to achieve with the immigration crackdown that was announced today? And do you have any concerns that people's rights will be violated?

THE PRESIDENT: Well, we're going to do our best not to violate anybody's rights. What we hope to achieve is a continued environment in which America will be open for legal immigration. We are a nation of immigrants which we are a nation of immigrants -- which we can do our best to protect our borders.

Q You've had, sir, two influential business groups say that they prefer other plans than yours to health care. Does that hurt you?

THE PRESIDENT: One was the Chamber of Commerce.

Q Does their stand, saying that other directions are the way to go, particularly the Business Roundtable, does that hurt you in negotiations as you move forward?

THE PRESIDENT: All I know -- I don't want to make too much of it, because the people who came in here to see me said it was a negotiating strategy. And I said, well, if all of you are providing health care coverage to your employees, I don't think you want to come out for a position against providing guaranteed health insurance to all American workers. So I don't know what to make of it, but I wouldn't read too much into it. This is the beginning of what will be a protracted legislative discussion.

Q Tonight, sir, Ronald Reagan is apparently going to take issue with some of your criticisms of him. Do you feel that you have been unfairly savaging his record in the 1980s?

THE PRESIDENT: Gee, I don't think I've been very critical of him at all. You know, I disagreed with the economic policy, I said so. But I don't -- I think if you go back over the rhetoric of this last year, it's been fairly free of obsession with the past; I'm not much into that. I'm looking toward tomorrow.

Q You hired Gergen, after all. (Laughter.)

THE PRESIDENT: What greater compliment could I pay President Reagan?

MR. GERGEN: Last question. (Laughter.)

END

5:17 P.M. EST



202/223-6846

NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA
1001 CONNECTICUT AVENUE, NORTHWEST, SUITE 919

WASHINGTON, D.C. 20036-5504

UPDATE LINE: 202/659-0133

STATUS OF THE POW/MIA ISSUE: June 26, 1995

2,202 Americans are still missing and unaccounted for from the Vietnam War: VN - 1,618 (North - 595; South - 1,023); LA - 499; CB - 77; PRC territorial waters - 8. The League's objectives are the return of all U.S. prisoners, the fullest possible accounting for those still missing and repatriation of all recoverable remains.

The League's highest priority is resolving the live prisoner issue. Official intelligence supports the fact that Americans known to have been alive in captivity in Vietnam, Laos and Cambodia were not returned at the end of the war. In the absence of evidence to the contrary, it must be assumed that these Americans are still alive today. As a matter of policy, the U.S. Government does not rule out the possibility that American POWs could still be held.

Unilateral return of remains by Vietnam has thus far proven to be the most effective means of obtaining accountability. Extensive joint field activities in Vietnam have brought some progress through joint recovery or turnover in the field of remains fragments, but only 41 Americans have been accounted for in 1993-95 from that process (VN - 30; LA - 8; CB-3). Archival research in Vietnam has produced approximately 30,000 documents, photographs and other materials, but only 1% pertain to missing Americans. A comprehensive wartime and post-war process existed in Vietnam for collection and retention of information and remains. For this reason, unilateral SRV efforts to locate and return remains and provide records offer the greatest short term potential; joint field operations are also needed to achieve the longer-term fullest possible accounting. The League looks forward to implementation of Vietnam's pledges in July, 1994 to renew and increase their own efforts.

Joint field activities in Laos have been productive and, increasingly, the Lao Government has permitted greater flexibility while U.S. teams are in-country. Agreements reached in 1994 between the U.S. and the Indochina governments now enable Vietnamese witnesses to participate in joint operations in Laos and Cambodia when necessary. In Cambodia, joint investigations, excavations and surveys have received excellent support. Nearly 85% of U.S. losses in Laos and 90% of those in Cambodia occurred in areas controlled by Vietnamese forces during the war. Field operations in Laos and Cambodia are the only means of obtaining accountability, but repeated U.S. requests for SRV records of incidents in both countries have not yet been provided by Vietnam.

U.S. intelligence and other evidence confirms that hundreds of U.S. personnel can best be accounted for by unilateral Vietnamese efforts to locate and return remains and provide relevant documents. Despite these facts, President Clinton lifted the trade embargo and opened liaison offices. The burden is now on the Clinton Administration to obtain greater accounting results. The League supports steps by the U.S. to respond to concrete results, not advance political and economic concessions in the hope that Hanoi will respond.

For the latest information, call the League's Update Line, 202/659-0133, 24 hours a day.

POW/MIA STATISTICS

Live Sightings: As of June 29, 1995, 1,759 first-hand live sighting reports in Indochina have been received since 1975; 1,720 (98%) have been resolved: 1,216 (69%) were equated to Americans now accounted for (i.e. returned POWs, missionaries or civilians detained for violating Vietnamese codes); 45 (3%) correlated to wartime sightings of military personnel or pre-1975 sightings of civilians still unaccounted for; 460 (26%) were determined to be fabrications. The focus of current analytical and collection efforts are the 39 (2%) unresolved first-hand reports which can be further divided: 27 (1.5%) are reports of Americans sighted in a prisoner situation; 12 (.5%) are non-POW sightings. The years in which these 39 first-hand sightings occurred is listed below:

Year	Pre-75	75	76	77	78	79-81	82	83-91	92	93	94	TOTAL
POW	10	0	3	1	2	0	1	4	1	3	2	26
Non-POW	1	1	0	0	2	0	0	0	1	3	4	12

Accountability: At the end of the Vietnam War, there were 2,584 American prisoners, missing in action or killed in action/body not recovered unaccounted for. As of June 26, 1995, 2,202 are still missing and unaccounted for; a breakdown of the time frame during which the 382 Americans were accounted for follows:

1974-1975	Post war years:	28
1976-1978	US/SRV normalization negotiations:	47
1979-1980	US/SRV talks break down:	1
1981-1984	1st Reagan Administration	23
1985-1988	2nd Reagan Administration	146
1989-1992	Bush Administration	96
1993-1995	Clinton Administration	41

Over 90% of the 2,202 missing Americans were lost in Vietnam or in areas of Laos and Cambodia controlled by Vietnamese forces during the war. Unilateral SRV repatriations of remains have accounted for the vast majority; all but 3 of the Americans accounted for in Laos have been the result of joint excavations. The breakdown by country of the 382 Americans accounted for from the Vietnam War:

Vietnam	309*	Laos	67*
China	2	Cambodia	4

*4 remains were recovered from indigenous personnel; 1 from North Vietnam and 3 from Laos. (Note: Statistics were provided by the Defense POW/MIA Office.)

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VIETNAM'S ABILITY TO ACCOUNT FOR MISSING AMERICANS

Family members, veterans and other League supporters throughout the country oppose further steps to improve economic and political relations until Hanoi makes the decision to cooperate fully to resolve the POW/MIA issue. The League supports a policy of reciprocal steps by the U.S. to respond to efforts by Vietnam to locate and return remains and provide case-specific POW/MIA-related documents.

One way of viewing what the U.S. knows and what Vietnam can do is by looking at what Vietnam has not, but could have done. At the end of the war, U.S. intelligence and other data confirms over 200 unaccounted for discrepancy cases of Americans last known alive or reported alive and in close proximity to capture. Vietnam knows that these are highest priority cases, directly related to the live prisoner issue. In over 100 of these cases, joint field investigations in recent years have reportedly been sufficient to confirm death. If deceased, remains of these Americans are logically the most readily available for return since they were in captivity or on the ground in direct proximity to Vietnamese forces. Yet, Vietnam has consistently avoided accounting for these Americans and returned very few of their remains.

U.S. wartime and post-war reporting on specific cases, captured Vietnamese documents concerning the handling of U.S. prisoners and casualties, and debriefs of communist Vietnamese captives, reinforced by U.S. monitored directives and other reporting, form a clear picture of a comprehensive Vietnamese system for collection of information and remains, dating back to the French-Indochina War. Specific sources, such as the mortician in 1979, substantiated by others in the 1980's, highlighted remains collection and storage as a key aspect of Vietnam's policy for eventual dealings with the U.S.

Assessment of community-wide intelligence serves as the basis for long-standing U.S. expectations that hundreds of Americans could be readily accounted for by unilateral Vietnamese action to locate and return remains. In 1986-87, the entire intelligence community maintained higher estimates, but the numbers were subsequently further screened to establish the most realistic targets for the SRV government to meet.

During the war and since, the Vietnamese communists placed great value on the recovery and/or recording of burial locations of U.S. remains. In wartime, if jeopardized by imminent discovery or recovery by U.S. forces, burial was immediate to hide remains, which were disinterred and photographed when possible, then reburied or transferred to Hanoi, if feasible. Evidence of this process is confirmed by U.S. intelligence.

Forensic evidence serves as another basis for establishing expectations. Roughly 53% of the 308 identified remains returned from Vietnam since the end of the war have shown evidence of both above and below ground storage. This is hard evidence, confirmed by forensic scientists, but the number is far below U.S. expectations on remains repatriations.

-over-

The total number of identified remains returned from Vietnam with evidence of storage (163) does not equal the number reported stored by valid sources, nor come close to the U.S. Government's assessment of remains available for unilateral SRV repatriation. Evidence of storage also exists on remains returned in 1993, but not yet identified. An important signal was also sent by the SRV in a 1989 stored-remains repatriation. Both instances revealed province-level storage/curation.

After two years of no results from the Vietnamese in 1979-80, during a September, 1982 ABC "Nightline" program, Vietnamese Foreign Minister Nguyen Co Thach flatly denied that Vietnam was holding any U.S. remains, as did senior Vietnamese officials throughout the Carter Administration. Yet, in 1983, Vietnam returned eight remains with clear evidence of storage. Negotiations for a two-year plan in 1985 brought the largest number of remains obtained to that point; nearly all 38 showed evidence of storage. In 1987, negotiations resulted in the largest number of remains returned during one year -- 62 in 1988 -- 30 of which were returned at one time. Nearly all were virtually complete skeletons which showed clear evidence of storage; there are more recent examples.

Vietnamese officials have also admitted storage of remains. In 1985, following up an initiative through a regional government, a U.S. National Security Council (NSC) official met privately with a Vietnamese Politburo member during an NSC-led U.S. delegation to Hanoi. The carefully drawn plan was for negotiations on live prisoners and remains. The Vietnamese minister indicated that live prisoners were not on the table for discussion, but, as discussed through the third party, hundreds of remains were.

In order to test the scope of Vietnamese knowledge, two specific cases were officially presented to SRV officials in 1985/86 with a request for their unilateral assistance; both losses occurred in Lao territory under Vietnamese control during the war. One was returned unilaterally in 1988, 98% complete and stored above ground since the 1972 incident. Vietnam has unilaterally repatriated stored remains from very remote locations spanning the entire war, not just highly populated areas.

There is continuity today. In 1991 and 1993, the SRV provided graves registration lists with names of unaccounted for Americans. Inclusion of these names was likely again purposeful, as was filtering through private channels photographs of dead, unaccounted for Americans whose remains have not yet been returned. Combat photography was directed by the Vietnamese government; their soldiers did not own personal cameras, much less carry them. Regardless of mixed or conflicting signals on both sides, these and other actions by Vietnamese officials are intended to signal the U.S. Government of remains availability.

Information obtained from field operations after the war, including from recent Joint Task Force-Full Accounting activities, also reveals that central Vietnamese authorities systematically recovered U.S. remains. Eyewitnesses reported central-level supervision of remains recoveries of Americans still unaccounted for. In 1994, the SRV leadership pledged to renew and increase their own efforts to locate and return remains and to provide relevant documents. The U.S. should clarify its expectations on unilateral SRV actions, then reciprocate by taking steps sought by Vietnam after concrete results are provided.

4/27/95

PROVIDED TO SRV VICE FOREIGN MINISTER TRAN QUANG CO BY UNDER SECRETARY OF DEFENSE FOR POLICY PAUL WOLFOWITZ, MAY 26, 1992 IN MEETING AT DEFENSE DEPARTMENT

REMAINS AND RECORDS BRIEF

INTRODUCTION

WE ARE VERY PLEASED TO HAVE THIS OPPORTUNITY FOR BOTH OF OUR COUNTRIES TO REVIEW IN DEPTH THE MATTER OF POW/MIA RECORDS AND REMAINS, BOTH OF WHICH HAVE GREAT BEARING ON OBTAINING THE FULLEST POSSIBLE ACCOUNTING. DURING HIS LAST VISIT GENERAL VESSEY TOLD MINISTER CAM HOW THE INFORMATION AVAILABLE TO US HAS CREATED EXPECTATIONS ABOUT THE DEGREE OF ACCOUNTING WHICH IS POSSIBLE-- PARTICULARLY ON THE RECOVERY OF REMAINS. WHEN ASSISTANT SECRETARY SOLOMON CAME HERE IN EARLY MARCH, HE REITERATED GENERAL VESSEY'S EARLIER POINT THAT INFORMATION ABOUT YOUR GOVERNMENT'S EFFORTS TO COLLECT AMERICAN REMAINS BOTH DURING THE WAR AND SINCE WOULD BE VERY HELPFUL IN INCREASING UNDERSTANDING OF THE ISSUE. THE FACT THAT THIS INFORMATION EXCHANGE IS TAKING PLACE IS A MEASURE OF HOW FAR WE HAVE COME IN OUR JOINT EFFORTS TO COOPERATE IN RESOLVING THIS ISSUE. WE ARE HERE IN THAT SPIRIT, HOPING THAT THESE DISCUSSIONS WILL BRING GREATER UNDERSTANDING, OPENNESS AND RESULTS FROM OUR COOPERATIVE EFFORTS. WE WILL PROVIDE INFORMATION WHICH SERVES AS A BASIS FOR U.S. POLICY REGARDING THESE ISSUES.

WE PROPOSE TO BEGIN WITH A SUMMARY OF THE INFORMATION AVAILABLE TO US CONCERNING YOUR GENERAL SYSTEMS FOR COLLECTION OF INFORMATION AND REMAINS. WE WOULD THEN HOPE TO HEAR YOUR PRESENTATION ON THE SAME SUBJECTS AND ANY OTHER YOU WOULD CARE TO RELATE.

THE U.S. HAS COLLECTED A LARGE AMOUNT OF INFORMATION REGARDING YOUR GOVERNMENT'S RECORD-KEEPING ON U.S. CASUALTIES AND POWS, AND EFFORTS TO COLLECT AND STORE U.S. REMAINS. TODAY WE WILL OUTLINE THE SCOPE OF THAT INFORMATION AND DESCRIBE OUR UNDERSTANDING OF HOW YOUR PROGRAMS OF RECORD-KEEPING AND REMAINS COLLECTION WORKED, AS WELL AS INFORMATION THAT STRONGLY INDICATES TO US THAT YOUR GOVERNMENT PRESERVED AND STILL MAINTAINS RECORDS ON AMERICANS KILLED OR CAPTURED BY PAVN FORCES IN VIETNAM, AND IN LAOS AND CAMBODIA. WE WILL ALSO DESCRIBE THE BASIS FOR OUR ASSESSMENT THAT A SIGNIFICANT NUMBER OF U.S. REMAINS EITHER HAVE BEEN RECOVERED OR SHOULD BE EASILY RECOVERABLE, INCLUDING THE 17 PRIORITY DISCREPANCY CASES NOTED BY ASSISTANT SECRETARY SOLOMON DURING HIS RECENT VISIT TO HANOI, ON WHICH JOINT INVESTIGATION HAS CONFIRMED DEATH.

DURING THE WAR, U.S. FORCES CAPTURED THOUSANDS OF DOCUMENTS. AMONG THESE WERE MANY DOCUMENTS ASSOCIATED WITH PAVN DIRECTIVES MANDATING RECORD-KEEPING AND REPORTING ON U.S. CASUALTIES AND POWS. SOME OF THESE DOCUMENTS DISCUSSED THE DIRECTIVES THEMSELVES; OTHERS DISCUSSED ENFORCEMENT OF THE DIRECTIVES; STILL OTHERS NOTED INDIVIDUAL INSTANCES IN WHICH CADRE FAILED TO FOLLOW PROPER RECORD-KEEPING AND REPORTING PROCEDURES. ADDITIONAL INFORMATION ON THESE MATTERS WAS ACQUIRED FROM RALLIERS AND CAPTURED VIETNAMESE POWS, FROM RETURNED U.S. POWS, AND FROM VIETNAMESE NEWS BROADCASTS AND PUBLICATIONS.

DURING THE POSTWAR PERIOD, REFUGEES AND OTHER PERSONS PROVIDED US WITH INFORMATION ABOUT YOUR GOVERNMENT'S RECORD-KEEPING AND REMAINS COLLECTION SYSTEMS, BOTH IN THE NORTH AND THE SOUTH, AS WELL AS IN AREAS TRAVERSED BY THE STRATEGIC ROUTE LINKING THE TWO AND OTHER AREAS WHERE PAVN FORCES WERE DEPLOYED IN LAOS AND CAMBODIA. DURING JOINT FIELD ACTIVITIES, WE HAVE INTERVIEWED MANY WITNESSES WHO TOLD OUR TEAMS ABOUT OFFICIAL RECORD-KEEPING ON INDIVIDUAL CASES, AS WELL AS WITNESSES WHO KNEW OF CASES IN WHICH OFFICIALS OF YOUR GOVERNMENT LATER RETURNED TO BURIAL SITES TO COLLECT THE REMAINS OF MISSING AMERICANS. WE HAVE ALSO HAD AN OPPORTUNITY TO VIEW VIETNAMESE DOCUMENTS AND PUBLICATIONS THAT CONTAIN IMPORTANT INFORMATION ON AMERICANS MISSING AND UNACCOUNTED FOR DURING THE WAR. SOME OF THESE DOCUMENTS AND PUBLICATIONS ALSO DESCRIBE YOUR GOVERNMENT'S EFFORTS TO PRESERVE ARCHIVAL RECORDS AND TO COLLECT U.S. REMAINS FROM ORIGINAL BURIAL SITES.

AS YOU KNOW, TO OUR GOVERNMENT, FULLEST POSSIBLE ACCOUNTING MEANS THE RETURN OF A LIVING PERSON, THE RETURN OF HIS OR HER REMAINS, OR A CREDIBLE REASON WHY NEITHER IS POSSIBLE. WE KNOW THAT IT WILL NOT BE POSSIBLE TO ACCOUNT FOR EVERYONE BY THE RETURN OF A LIVING PERSON OR HIS OR HER REMAINS. IN MANY CASES IT WILL ONLY BE POSSIBLE TO ACQUIRE INFORMATION ABOUT THE FATE OF THE PERSON OR ABOUT THE LOSS INCIDENT, MAINLY THROUGH RESEARCH INTO YOUR ARCHIVAL RECORDS. IN SOME CASES, IT WILL NOT BE POSSIBLE TO LEARN ANYTHING AT ALL. OUR ABILITY TO IDENTIFY THIS LAST GROUP OF CASES, THOSE FOR WHICH THERE WILL NEVER BE ANY ANSWERS, WILL ULTIMATELY DEPEND ON CONFIDENCE DEVELOPED AS RESULTS ARE ACHIEVED AND ON THE SUCCESS OF OUR JOINT RESEARCH EFFORTS. THROUGH SUCH RESEARCH, A REALISTIC ASSESSMENT CAN BE MADE REGARDING THE EXTENT OF YOUR GOVERNMENT'S ABILITY TO HELP PROVIDE ANSWERS AND TO DETERMINE WHICH CASES WILL LIKELY REMAIN UNRESOLVED DUE TO LACK OF KNOWLEDGE.

RECORDS

I'D LIKE TO SPEAK FIRST ABOUT OUR EXPECTATIONS AS TO THE NATURE AND EXTENT OF INFORMATION THAT LIKELY COULD BE FOUND IN ARCHIVAL RECORDS.

BASED ON INFORMATION ACQUIRED THROUGH ORIGINAL DOCUMENTS, WARTIME AND REFUGEE INTERVIEWS, AND OTHER SOURCES, WE HAVE LEARNED THAT PAVN DEVELOPED A SPECIALIZED CADRE AND A DEDICATED ORGANIZATION TO HANDLE FOREIGN PRISONERS AND CASUALTIES DURING THE FIRST INDOCHINA WAR. THAT CADRE AND ORGANIZATION, WHICH APPEAR TO HAVE CONTINUED TO OPERATE INTO THE EARLY 1960S, WAS ADAPTED TO DEAL WITH U.S. FORCES WHEN THEY WERE INTRODUCED INTO INDOCHINA.

ACCORDING TO OUR UNDERSTANDING, YOUR GOVERNMENT'S PRINCIPAL POW HANDLING ARM WAS THE CUC DICH VAN OF THE GENERAL POLITICAL DIRECTORATE, PAVN. THE CUC DICH VAN OPERATED IN CONJUNCTION WITH THE MINISTRY OF PUBLIC SECURITY/MINISTRY OF INTERIOR. PAVN DOCUMENTS IDENTIFY OFFICE 22, GROUP 875, DEPARTMENT OF MILITARY JUSTICE, GENERAL POLITICAL DIRECTORATE, AS A COMPONENT THAT MAINTAINED RECORDS CONCERNING U.S. POWS, AS WELL AS DEAD

AMERICANS. PAVN DOCUMENTS ALSO CONFIRM GROUP 875 HELPED SUPERVISE THE COLLECTION AND PRESERVATION OF REMAINS OF DEAD AMERICANS. ALTHOUGH GROUP 875 WAS DISBANDED AFTER THE WAR, WE HAVE SEEN INDICATIONS THAT ITS ARCHIVAL RECORDS, AND THOSE MAINTAINED BY THE CUC DICH VAN AND THE MINISTRY OF INTERIOR, CONTAIN EXTENSIVE INFORMATION ON AMERICAN CASUALTIES AND POWS AND ON YOUR GOVERNMENT'S EFFORTS TO COLLECT AND PRESERVE AMERICAN REMAINS.

ALTHOUGH THE RECORDS OF THE ELEMENTS MENTIONED ABOVE REPRESENT POTENTIALLY THE MOST EXTENSIVE AND MOST VALUABLE COLLECTION OF INFORMATION ON U. S. POWS AND CASUALTIES, WE HAVE ALSO IDENTIFIED OTHER ELEMENTS THAT SHOULD HAVE SIGNIFICANT INFORMATION ON THESE MATTERS. AT THE CENTRAL GOVERNMENT LEVEL, FOR INSTANCE, TWO ORGANIZATIONS--THE DEPARTMENTS OF AIR DEFENSE AND THE NAVY--SHOULD HAVE VERY USEFUL INFORMATION ON INCIDENTS INVOLVING DOWNED U.S. AIRCRAFT AND THE FATE OF THEIR CREW. MUCH VALUABLE INFORMATION SHOULD ALSO BE LOCATED IN MILITARY AND CIVIL ORGANIZATIONS AT THE REGIONAL AND PROVINCIAL LEVEL. YOUR GOVERNMENT HAS CONFIRMED WHAT OTHER SOURCES HAVE TOLD US REGARDING THE IMPORTANT ROLE THAT REGIONAL AND PROVINCIAL COMMANDS EXERCISED IN HANDLING U.S. POWS AND IN DOCUMENTING AND REPORTING ON POWS AND CASUALTIES. SUCH SOURCES HAVE ALSO INDICATED THAT THESE ELEMENTS PREPARED MULTIPLE COPIES OF REPORTS ON INCIDENTS INVOLVING AMERICANS, ON POW INTERROGATIONS AND ON U.S. BURIAL SITES. WE UNDERSTAND THAT YOUR REPORTING PROCEDURES CALLED FOR THESE COMMANDS TO FORWARD COPIES OF SUCH REPORTS, ALONG WITH I.D. MEDIA ASSOCIATED WITH U.S. PERSONNEL, TO HIGHER HEADQUARTERS AND EVENTUALLY TO HANOI. COPIES OF SUCH REPORTS AND SUPPORTING DATA SHOULD STILL EXIST IN ARCHIVES MAINTAINED AT THE REGIONAL AND PROVINCIAL LEVELS, AS WELL AS AT THE CENTRAL LEVEL. OVER THE LAST SEVERAL MONTHS, WE HAVE SUBMITTED PROPOSALS TO VISIT SOME OF THESE ARCHIVES.

ALTHOUGH WE DO NOT EXPECT TO FIND RECORDS ON 100 PERCENT OF OUR MISSING, WE DO ANTICIPATE FINDING INFORMATION ON A VERY GREAT NUMBER OF CASES. SUCH RECORDS SHOULD CONTAIN INFORMATION DESCRIBING LOSS INCIDENTS AND, IN MANY CASES, DOCUMENTING THE FATE OF OUR PERSONNEL. MANY OF THESE RECORDS SHOULD ALSO INCLUDE INFORMATION REGARDING GRAVESITES AND WILL HELP US TO ASSESS WHETHER REMAINS HAVE ALREADY BEEN RECOVERED OR MIGHT STILL BE RECOVERABLE. INFORMATION FROM THESE RECORDS HAS THE POTENTIAL TO PROVIDE ANSWERS IN A RELATIVELY SHORT PERIOD OF TIME TO A LARGE NUMBER OF FAMILIES WHO STILL HAVE QUESTIONS REGARDING THE FATE OF THEIR LOVED ONES. INFORMATION FROM YOUR ARCHIVES WILL ASSIST OUR JOINT EFFORTS IN ALL AREAS OF MUTUAL CONCERN, INCLUDING INVESTIGATION OF LIVE-SIGHTING REPORTS, RESOLVING THE LAST KNOWN ALIVE DISCREPANCY CASES, AND IN SUPPORTING OUR JOINT LONGER TERM EFFORTS TO REPATRIATE THE REMAINS OF THE DEAD YET TO BE RECOVERED IN THE MOST EFFICIENT WAY POSSIBLE.

REMAINS

NOW, I WILL TURN TO WHAT WE BELIEVE COULD BE ACHIEVED THROUGH VIETNAM'S UNILATERAL EFFORTS TO RECOVER AND RETURN REMAINS AND THROUGH ACCESS TO RECORDS THAT DOCUMENT YOUR GOVERNMENT'S EFFORTS,

SUCCESSFUL AND OTHERWISE, TO LOCATE AND RECOVER U.S. REMAINS. SOME OF OUR INFORMATION ABOUT YOUR GOVERNMENT'S RECORD-KEEPING PROCEDURES RELATES TO VIETNAM'S EFFORTS TO LOCATE, COLLECT, AND STORE THE REMAINS OF U.S. WAR DEAD. OUR INFORMATION ON THIS PROGRAM COMES FROM A VARIETY OF SOURCES DESCRIBING THE COMPREHENSIVE SCOPE OF YOUR GOVERNMENT'S PROGRAM, ITS EXTENSION TO THE SOUTH, TO AREAS ASSOCIATED WITH THE STRATEGIC ROUTE, AND TO AREAS OF LAOS AND CAMBODIA WHERE PAVN FORCES WERE DEPLOYED.

ONE OF THESE SOURCES, A VIETNAMESE MORTICIAN WHO EMIGRATED TO THE U.S., REPORTED THAT HE PERSONALLY WORKED ON OVER 290 SETS OF REMAINS THAT HE WAS CONFIDENT WERE THOSE OF AMERICANS. THE MORTICIAN SUCCESSFULLY DEMONSTRATED TO OUR EXPERTS THAT HE COULD DISTINGUISH BETWEEN MONGOLOID AND CAUCASIAN REMAINS. HE ALSO SAID THAT IN THE HANOI FACILITY WHERE HE WORKED HE SAW MORE THAN 400 BOXES WHICH HE UNDERSTOOD HELD AMERICAN REMAINS. YOUR GOVERNMENT HAS, OF COURSE, RETURNED A NUMBER OF REMAINS TO US IN SUBSEQUENT YEARS, BUT COMPARISON OF THE NUMBER AND TYPE OF THOSE REMAINS WITH THOSE THE MORTICIAN SAW REVEALS A SIGNIFICANT SHORTFALL. ALTHOUGH VIETNAM HAS RETURNED OVER 400 REMAINS, MANY OF THESE WERE MONGOLOID, AND MANY OTHERS DO NOT EXHIBIT EVIDENCE OF PRESERVATION OR LONG-TERM ABOVE GROUND STORAGE DESCRIBED BY THE MORTICIAN AND OTHER SOURCES. IT IS LOGICAL, THEREFORE, THAT WE ARE NOT ABLE TO CONCLUDE THAT ALL THE REMAINS PROCESSED OR OBSERVED BY THE MORTICIAN HAVE BEEN RETURNED TO THE U.S.

THE MORTICIAN, WHOSE KNOWLEDGE EXTENDED ONLY TO 1977, PASSED A POLYGRAPH CONCERNING HIS OBSERVATIONS. OTHER SOURCES, INCLUDING SOME WHO HAVE ALSO PASSED POLYGRAPHS, HAVE CONFIRMED WHAT THE MORTICIAN TOLD US. MOST PROVIDED A HIGHER ESTIMATE OF THE NUMBER OF REMAINS THAT HAD ALREADY BEEN COLLECTED AS OF 1977-79. THESE OTHER SOURCES, INCLUDING WITNESSES QUESTIONED DURING JOINT INVESTIGATIONS, HAVE REAFFIRMED THAT EFFORTS TO COLLECT AND STORE U.S. REMAINS CONTINUED WELL INTO THE 1980'S.

OUR ASSESSMENT ABOUT YOUR GOVERNMENT'S REMAINS COLLECTION PROGRAM IS INFLUENCED BY OUR UNDERSTANDING OF TRADITIONAL VIETNAMESE BURIAL PRACTICES AND BY YOUR GOVERNMENT'S HANDLING OF FRENCH REMAINS. SPECIFICALLY, THE PRACTICE OF INTERRING REMAINS IN TEMPORARY BURIAL SITES, THEN REMOVING AND TREATING THEM BEFORE FINALLY REINTERRING THE REMAINS IN A PERMANENT GRAVESITE WAS FOLLOWED IN SOME INSTANCES WITH U.S. REMAINS. IN ADDITION, YOUR GOVERNMENT UNDERTOOK TO RELOCATE THE REMAINS OF YOUR OWN SOLDIERS TO HEROES' CEMETERIES IN VIETNAM. THIS ALSO SUGGESTS THAT THE SAME PRACTICE COULD HAVE BEEN APPLIED IN DEALING WITH U.S. REMAINS.

FINALLY, OUR FORENSICS EXPERTS TELL US THAT APPROXIMATELY 70 PERCENT OF U.S. REMAINS RETURNED BY YOUR GOVERNMENT SHOW EVIDENCE OF LONG-TERM STORAGE. BY THIS WE MEAN THEY EXHIBITED MINIMAL BONE-MASS LOSS, COMINGLING WITH OTHER REMAINS OF INDIVIDUALS LOST IN WIDELY DISPARATE AREAS, AND COATING WITH PRESERVATIVES AND/OR DISINFECTANTS.

THUS, WHILE YOUR GOVERNMENT HAS RETURNED MANY SETS OF REMAINS THAT

EXHIBIT EVIDENCE OF STORAGE, THE INFORMATION AVAILABLE TO US LEADS TO THE CONCLUSION THAT THERE ARE STILL AMERICAN REMAINS THAT ARE READILY AVAILABLE OR EASILY RETRIEVABLE AND THAT COULD BE REPATRIATED TO THE U.S. IN A VERY SHORT PERIOD OF TIME. BY STORAGE WE MEAN REMAINS KEPT ABOVE OR BELOW GROUND, COLLECTED INTO ONE OR MORE CENTRALIZED FACILITIES, OR LOCATED IN DOCUMENTED GRAVES. IN THIS REGARD, RECORDS THAT DOCUMENT THE SUCCESSES AND FAILURES OF YOUR REMAINS RECOVERY PROGRAM WOULD BE PARTICULARLY USEFUL. IF THERE IS ANY GAP BETWEEN OUR EXPECTATIONS AND YOUR CAPABILITIES, IT IS IN OUR MUTUAL INTEREST TO CLOSE THAT GAP.

TO GUIDE FURTHER DISCUSSION, WE HAVE PREPARED A SERIES OF CASE NARRATIVES WHICH WE PROPOSE BE DISCUSSED BY TECHNICAL EXPERTS FROM BOTH SIDES. WE HAVE WITH US SEVENTEEN COMPELLING CASES THAT SERVE AS EXAMPLES IN SUPPORT OF OUR ASSESSMENT. THERE ARE MANY ADDITIONAL CASES THAT COULD ALSO ILLUSTRATE THIS POINT, BUT WE HAVE SINGLED OUT THESE BECAUSE THEY ARE THE CASES DISCUSSED BY MR. SOLOMON AND MR. LE MAI. WE WOULD LIKE TO DESCRIBE THESE CASES BRIEFLY TO YOU NOW.

CASE 1934 (ANDERSON) IS AN EXAMPLE OF A CASE IN WHICH THE INFORMATION AVAILABLE TO US SUGGESTS THAT YOUR OFFICIALS HAVE ALREADY RECOVERED REMAINS. IN BOX 6 OF THE SEPTEMBER 1990 REPATRIATION, YOU REPATRIATED A SET OF REMAINS THAT WERE ASSOCIATED IN AN ACCOMPANYING SRV DOCUMENT WITH INCIDENT DATA RELATING TO CASE 1934. THE REMAINS IN QUESTION, WHICH DISPLAYED FORENSIC EVIDENCE OF STORAGE, WERE NOT THOSE OF CASE 1934, BUT RATHER THOSE OF ANOTHER AMERICAN LOST IN THE SAME PROVINCE MANY YEARS EARLIER. WITNESSES INTERVIEWED DURING JOINT INVESTIGATION OF THIS CASE IN NOVEMBER-DECEMBER 1990 SAID OFFICIALS RECOVERED THE REMAINS IN 1974-75. LOGIC THUS LEADS US TO THE CONCLUSION THAT YOUR GOVERNMENT HAS RECOVERED THE REMAINS OF LIEUTENANT COLONEL ANDERSON.

CASE 0680 (JEFFERSON). DURING ROUND 2 OF OUR JOINT INVESTIGATIONS, VIETNAMESE WITNESSES DESCRIBED 1ST LT JEFFERSON'S DEATH AND HIS BURIAL ON A MILITARY STATE FARM. EXTENSIVE EXCAVATION AT THIS LOCATION DURING ROUND 4, HOWEVER, FAILED TO TURN UP ANY EVIDENCE OF A GRAVE. YOUR MILITARY FORCES AT THE TIME CAREFULLY DOCUMENTED THE CIRCUMSTANCES OF THE INCIDENT, THE DEATH AND SUBSEQUENT BURIAL OF 1ST LT JEFFERSON, AND THE CAPTURE OF HIS FELLOW CREWMEMBER, COLONEL NORMAN C. GADDIS. IN FACT, COL GADDIS' CAPTURE RECEIVED WIDE COVERAGE IN THE VIETNAMESE PRESS. DUE TO THE NOTORIETY SURROUNDING THIS CASE, THE ACCESSIBILITY OF 1ST LT JEFFERSON'S BURIAL SITE, ITS RELATIVE PROXIMITY TO HANOI, AND ITS LOCATION ON MILITARY PROPERTY, 1ST LT JEFFERSON'S REMAINS WERE AN OBVIOUS CANDIDATE FOR EARLY RECOVERY.

CASE 0761 (DOVE AND SQUIRE). DURING ROUND 7 OF THE JOINT INVESTIGATIONS, JOINT TEAMS LOCATED WRECKAGE ASSOCIATED WITH THIS INCIDENT. BASED ON THE TYPE OF AIRCRAFT AND THE CONDITION OF THE WRECKAGE, IT WAS CONCLUDED THAT CAPTAIN DOVE AND MAJOR SQUIRE WERE IN THE AIRCRAFT WHEN IT CRASHED. THIS LOSS OCCURRED VERY NEAR THE HEADQUARTERS OF BINH TRAM 14, WHICH WOULD HAVE PREPARED AND

FORWARDED REPORTS TO MILITARY REGION AUTHORITIES ON THIS INCIDENT. THESE REPORTS WOULD HAVE PROVIDED THE BASIS FOR THE ENTRY ON THIS CASE THAT APPEARS IN THE MILITARY REGION 4 RECORD OF U.S. AIRCRAFT DOWNINGS. THESE REPORTS WOULD HAVE DOCUMENTED THE DISPOSITION OF THE REMAINS OF THE TWO U.S. AVIATORS AND RECORDED THEIR BURIAL SITES. WITNESSES IN VIETNAM HAVE INFORMED US THAT GOVERNMENT OFFICIALS HAVE ALREADY RECOVERED SEVERAL SETS OF U.S. REMAINS FROM THIS AREA OF ROUTE 20. REPORTS ON THOSE RECOVERIES, AS WELL AS RECORDS OF THE ORIGINAL 0761 INCIDENT, SHOULD HELP CLARIFY THE CURRENT LOCATION OF THESE TWO MEN'S REMAINS.

CASE 0859 (HARDY). THIS INCIDENT INVOLVED TWO MEN, CAPTAIN DERRICKSON AND FIRST LIEUTENANT HARDY, BOTH OF WHOM DIED IN THE INCIDENT. ALTHOUGH THE DISPOSITION OF CAPTAIN DERRICKSON'S REMAINS ARE NOT YET CLEAR, IT APPEARS THAT 1ST LT HARDY'S REMAINS WERE RECOVERED BY VIETNAMESE OFFICIALS. WITNESSES INTERVIEWED DURING ROUND 13 DESCRIBED THE RECOVERY AND BURIAL OF PARTIAL REMAINS AT THAT TIME. DURING ROUND 14, YOUR GOVERNMENT PROVIDED US WITH A LIST OF BURIAL SITES OF 25 U.S. PERSONNEL WHO WERE KILLED IN MILITARY REGION 4. 1ST LT HARDY'S NAME, ALONG WITH DETAILED PERSONAL DATA, APPEARS ON THAT LIST. ALTHOUGH THE TITLE OF THE LIST DESCRIBES THE AMERICANS AS "KILLED AND TORN APART", THE SRV HAS REPATRIATED THE IDENTIFIABLE REMAINS OF FIVE INDIVIDUALS NAMED ON THIS LIST.

CASE 0641 (O'GRADY). MAJOR O'GRADY WAS CAPTURED BY PAVN FORCES, BUT HE DIED WITHIN A FEW HOURS. RECORDS ON THIS INCIDENT AND ON MAJOR O'GRADY'S DEATH WERE FORWARDED TO REGION AND TO HQ 280TH AIR DEFENSE REGIMENT. THESE RECORDS INCLUDED A RECORD OF MAJOR O'GRADY'S ORIGINAL GRAVE SITE, WHICH WAS NEAR KILOMETER 21, ROUTE 12. OUR JOINT INVESTIGATION TEAM ATTEMPTED TO LOCATE THAT GRAVE SITE DURING ROUND 13 BUT WAS NOT SUCCESSFUL. SEVERAL WITNESSES IN QUANG BINH PROVINCE HAVE TOLD US OF OFFICIAL REMAINS RECOVERY ATTEMPTS THAT BEGAN IN THIS AREA IN LATE 1972. DUE TO THE ACCESSIBILITY OF MAJOR O'GRADY'S BURIAL SITE AND THE FACT THAT RECORDS DOCUMENTING THE LOCATION OF HIS GRAVE WERE AVAILABLE TO SRV OFFICIALS, WE BELIEVE THAT RECORDS OF THE EFFORT TO RECOVER U.S. REMAINS FROM QUANG BINH PROVINCE WILL CONTAIN INFORMATION ON THE RECOVERY OF COL O'GRADY'S REMAINS.

CASE 0826 (MOORE). PAVN UNITS RESPONSIBLE FOR DOWNING CAPTAIN MOORE'S AIRCRAFT PREPARED REPORTS ON HIS INCIDENT AND ON HIS DEATH AND BURIAL. THESE RECORDS, WHICH WOULD HAVE DOCUMENTED THE LOCATION OF HIS GRAVE, WERE SENT TO MILITARY REGION 4 AND WOULD HAVE BEEN AVAILABLE TO SRV OFFICIALS WHO, BEGINNING IN LATE 1972, VISITED QUANG BINH PROVINCE TO REPORT ON THE FATE OF U.S. PILOTS AND TO RECOVER THEIR REMAINS. WE BELIEVE THAT CAPT MOORE'S REMAINS WOULD HAVE BEEN A NATURAL FOCUS OF THESE EFFORTS, AND THAT RECORDS OF REMAINS RECOVERY ATTEMPTS IN QUANG BINH PROVINCE WILL CONTAIN INFORMATION RELEVANT TO THIS CASE.

CASE 1843 (WILES). LIEUTENANT WILES WAS BURIED IN A WELL DOCUMENTED AND EASILY LOCATABLE GRAVE SITE IN VAN TRACH VILLAGE, BO TRACH DISTRICT. DURING ROUND 10 OF OUR JOINT INVESTIGATIONS,

WITNESSES DESCRIBED THE BURIAL AND LOCATED THE ORIGINAL GRAVE SITE. THEY ALSO TOLD US THAT OFFICIALS RETURNED TO THE GRAVE SITE THREE DAYS AFTER BURIAL AND EXHUMED THE BODY IN ORDER TO TAKE PHOTOS OF THE CORPSE, PRESUMABLY TO FULFILL STANDARD REQUIREMENTS FOR REPORTING ON THE DEATH OF U.S. PERSONNEL. WHEN OUR EXPERTS EXCAVATED THIS GRAVE SITE, THEY REPORTED THAT THE GRAVE APPEARED TO HAVE BEEN PREVIOUSLY EXCAVATED WITH A THOROUGHNESS THAT SUGGESTED A PROFESSIONAL RECOVERY. INFORMATION FROM WITNESSES AT THE SCENE STRONGLY SUGGESTS RECOVERY WAS BY SRV OFFICIALS.

CASE 1747 (PEARCE). BASED ON INFORMATION IN U.S. FILES, WARRANT OFFICER PEARCE IS KNOWN TO HAVE DIED IN HIS INCIDENT. FACTS REGARDING THE LOCATION AND CONDITION OF HIS REMAINS, EVIDENCE THAT PAVN TROOPS WERE QUICKLY ON THE SCENE, AND OTHER REPORTING RELATING TO WO PEARCE STRONGLY SUGGEST THAT REPORTS ON THIS INCIDENT WERE SUBMITTED TO HIGHER HEADQUARTERS AND REACHED HANOI. THOSE RECORDS SHOULD PROVIDE VERY USEFUL DATA THAT WOULD FACILITATE SRV RECOVERY OF WO PEARCE'S REMAINS.

CASE 1639 (PEDERSON). DURING ROUND 6, VIETNAMESE WITNESSES CONFIRMED WARTIME EVIDENCE THAT SERGEANT FIRST CLASS JOE P. PEDERSON DIED IN VIETNAMESE CAPTIVITY WHILE BEING EVACUATED TO A PW CAMP. TWO INDIVIDUALS WHO WERE ALSO CAPTURED WITH HIM, PRIVATE ROBERT T. PHILLIPS AND SPECIALIST FOUR JAMES M. ROZO, SURVIVED AND REACHED THE CAMP. WE BELIEVE THAT RECORDS RELATING TO THE CAPTURE OF ALL THREE MEN--AS WELL AS RECORDS PREPARED BY THE WARTIME CAMP COMMANDER RELATIVE TO THE CAPTIVITY, ATTEMPTED INDOCTRINATION, AND FATE OF PFC PHILLIPS AND SP4 ROZO---SHOULD ALSO CONTAIN INFORMATION IDENTIFYING THE LOCATION OF SFC PEDERSON'S BURIAL SITE. THIS INFORMATION SHOULD HAVE BEEN AVAILABLE TO PAVN FORCES WHO WERE CHARGED WITH RECOVERING THE REMAINS OF U.S. WAR DEAD. THOUGH THE EXAMPLES CITED HERE PERTAIN TO REMAINS AVAILABILITY, I.E. PEDERSON, WE ARE MOST ANXIOUS TO OBTAIN INFORMATION ON PFC PHILLIPS AND SP4 ROZO, BOTH LAST KNOWN ALIVE DISCREPANCY CASES.

CASE 0976 (SYKES AND REHE). PRIVATE FIRST CLASS SYKES AND PRIVATE FIRST CLASS REHE WERE CAPTURED ALONG WITH SIX OTHER U.S. PERSONNEL. U.S. RETURNEES LATER REPORTED THAT WHILE THEY WERE BEING EVACUATED TOWARD A PW CAMP, PFC SYKES AND PFC REHE WERE LEFT BEHIND AT DIFFERENT LOCATIONS ALONG THE EVACUATION ROUTE BECAUSE THEY WERE INJURED AND SLOWED THE PACE OF THE PARTY. EACH WAS LEFT ALIVE, SEVERELY WOUNDED, IN IDENTIFIABLE POSITIONS OCCUPIED BY YOUR FORCES. PAVN GUARDS LATER INFORMED THE U.S. POWS THAT PFC REHE AND PFC SYKES HAD DIED FROM THEIR WOUNDS. DURING INVESTIGATION IN ROUND 5, LOCAL OFFICIALS INDICATED THE BODY OF A BLACK SOLDIER, APPARENTLY PFC SYKES, HAD BEEN PREVIOUSLY RECOVERED BY THE PUBLIC SECURITY SERVICE. LOCAL OFFICIALS ALSO INDICATED THAT PAVN FORCES HAD RECOVERED ANOTHER SET OF REMAINS, PRESUMABLY THOSE OF PFC REHE, FROM THE CEMETERY OF A PAVN FIELD HOSPITAL.

CASE 0168 (MAYER). WITNESSES INTERVIEWED DURING ROUNDS 1 AND 2 SAID THAT LIEUTENANT MAYER'S REMAINS WERE TAKEN TO A HOSPITAL WHERE THEY WERE AUTOPSIED AND PHOTOGRAPHED. THE REMAINS WERE BURIED IN A CASKET IN LANG SON TOWN CEMETERY. THE PHOTOGRAPHER

SAID THAT PHOTOS AND RECORDS OF THE INCIDENT WERE FILED AT THE PROVINCIAL PUBLIC SECURITY OFFICE, BUT THESE WERE DESTROYED DURING THE CHINESE INVASION, AND THE GRAVE CAN NO LONGER BE LOCATED. DURING ROUND 15, THE TEAM INTERVIEWED THE PUBLIC SECURITY SERVICE OFFICER WHO OBSERVED THE AUTOPSY, FINGERPRINTED THE BODY, AND PREPARED A REPORT THAT WAS FILED AT PROVINCE AND WAS FORWARDED TO THE CRIMINAL LAW DEPARTMENT OF THE MINISTRY OF INTERIOR. THIS WITNESS AND ONE OTHER SAID THE REMAINS WERE BURIED IN A CEMETERY NEAR NATIONAL HIGHWAY 1A SOUTH OF LANG SON TOWN. ALTHOUGH WITNESSES IN LANG SON OBSERVED THAT THE CEMETERY WHERE LT MAYER WAS BURIED HAD BEEN DESTROYED IN 1987 BY ROAD CONSTRUCTION, INFORMATION IN U.S. RECORDS INDICATES THAT GOVERNMENT OFFICIALS HAD ALREADY RECOVERED SEVERAL SETS OF REMAINS FROM LANG SON PROVINCE WELL BEFORE THE CHINESE INVASION. LT MAYER'S REMAINS, BURIED IN AN ESTABLISHED CEMETERY NEAR THE PROVINCE CAPITAL, WOULD HAVE BEEN AMONG THE EASIEST AND THE MOST OBVIOUS TO HAVE BEEN COLLECTED AT THAT TIME. MOREOVER, OTHER INFORMATION SUGGESTS THAT ALL OF THE REMAINS PREVIOUSLY COLLECTED FROM LANG SON PROVINCE HAVE NOT YET BEEN RETURNED TO THE U.S.

CASE 0124 (MELLOR). ACCORDING TO INFORMATION ACQUIRED DURING ROUND 9 OF THE JOINT INVESTIGATIONS, THE DISTRICT MILITARY COMMANDER TOOK CHARGE OF CAPTAIN MELLOR'S PERSONAL EFFECTS AND EQUIPMENT. HE ALSO ORDERED THAT THE BODY BE BURIED, BUT NO ONE IN THE VILLAGE WOULD BURY IT. A DISTRICT MILITARY CADRE, HOWEVER, TOOK PHOTOS SOME DAYS LATER. WITNESSES ALSO CONFIRMED THAT CENTRAL MILITARY AUTHORITIES TRIED TO RECOVER CAPTAIN MELLOR'S REMAINS IN 1973-74, ALLEGEDLY WITHOUT SUCCESS. REINVESTIGATION OF THIS CASE IN ROUND 15 CONFIRMED MUCH OF THIS INFORMATION. ADDITIONALLY, AT THAT TIME TWO WITNESSES STATED THAT VERY SMALL PORTIONS OF REMAINS HAD BEEN LOCATED IN THE AREA SOMETIME IN THE PAST. THESE VERY FRAGMENTED REMAINS WERE REPATRIATED IN MARCH 1992. HOWEVER, WE ALSO HAVE INFORMATION INDICATING THAT PAVN SUCCESSFULLY RECOVERED SEVERAL SETS OF U.S. REMAINS FROM LANG SON PROVINCE AND STILL HAS DOCUMENTS RELATED TO THIS CASE IN ITS POSSESSION IN HANOI. RECORDS DOCUMENTING THE 1973-74 ATTEMPT TO RECOVER THESE REMAINS IN LANG SON PROVINCE WOULD HELP CLARIFY LINGERING UNCERTAINTY AS TO THE CURRENT DISPOSITION OF CAPT MELLOR'S REMAINS.

CASE 0105 (LINDSEY). INFORMATION ACQUIRED TO DATE CONFIRMS THAT MAJOR LINDSEY DIED IN HIS INCIDENT AND THAT HIS REMAINS WERE TAKEN FROM THE SITE AND BURIED AT A NEARBY MILITARY CAMP. WITNESSES HAVE SUPPLIED CONFLICTING INFORMATION ON THIS CASE, BUT THE REGIONAL MILITARY COMMAND TOOK PHOTOS OF THE BODY AND TOOK CHARGE OF MAJ LINDSEY'S PERSONAL EFFECTS AND EQUIPMENT IN KEEPING WITH STANDARD REPORTING REQUIREMENTS RELATED TO U.S. CASUALTIES. YOUR GOVERNMENT HAS RELEASED DOCUMENTS THAT CONFIRM THAT VIETNAMESE OFFICIALS CONDUCTED UNILATERAL RECOVERIES IN THIS AREA IN THE EARLY 1970S. DUE TO THE LOCATION OF MAJ LINDSEY'S GRAVE SITE IN AN ESTABLISHED MILITARY CAMP AND THE DOCUMENTATION PREPARED ON THIS DEATH AND BURIAL, MAJ LINDSEY'S REMAINS SHOULD HAVE BEEN AMONG THE EASIEST AND MOST OBVIOUS REMAINS TO COLLECT. RECORDS OF THE EFFORTS, WHETHER SUCCESSFUL OR NOT, TO COLLECT U.S. REMAINS IN LANG SON PROVINCE WILL CONTAIN INFORMATION THAT WOULD CLARIFY THE CURRENT

LOCATION OF MAJ LINDSEY'S REMAINS.

CASE 1901 (BROWN). IN JULY 1972, CAPT BROWN SUCCESSFULLY PARACHUTED FROM HIS AIRCRAFT AND WAS IN RADIO CONTACT WITH U.S. FORCES ON THE GROUND IN THUA THIEN PROVINCE. THE OTHER CREW MEMBER WAS SUCCESSFULLY RESCUED. CAPT BROWN'S DEATH WAS CONFIRMED DURING JOINT INVESTIGATION. CAPT BROWN WAS LOST IN AN AREA OCCUPIED BY PAVN FORCES, WHO INVESTIGATED HIS LOSS INCIDENT. JOINT INVESTIGATION REVEALED THERE WERE NO CIVILIAN WITNESSES ON THE SCENE. MILITARY RECORDS CONCERNING CAPT BROWN'S SHOOTDOWN AND DEATH WILL LIKELY CONTAIN INFORMATION ON THE ORIGINAL DISPOSITION OF HIS REMAINS.

CASE 1882 (MCCARTY). IN SEPTEMBER 1990, VIETNAM REPATRIATED A SET OF REMAINS THAT YOUR GOVERNMENT ASSERTS ARE ASSOCIATED WITH 1ST LT MCCARTY. SCIENTIFIC ANALYSIS INDICATES, HOWEVER, THAT THE REPATRIATED REMAINS ARE INSUFFICIENT TO PERMIT FORENSIC IDENTIFICATION. THIS CASE WAS INVESTIGATED DURING ROUNDS 12 AND 15. DURING BOTH INVESTIGATIONS WITNESSES DESCRIBED 1ST LT MCCARTY'S DEATH AND THE BURIAL OF HIS NEARLY COMPLETE REMAINS. WITNESSES ALSO INDICATED THAT LT MCCARTY'S REMAINS WERE LATER EXHUMED BY DISTRICT MILITARY OFFICIALS PROBABLY IN THE MID-1970S. DURING ROUND 12, THE JOINT TEAM WAS PROVIDED THREE CONTEMPORARY REPORTS DETAILING THE INCIDENT AND THE EXHUMATION OF THE 1ST LT MCCARTY'S REMAINS. HOWEVER, DURING ROUND 15, WITNESSES PROVIDED CONTRADICTORY INFORMATION AS TO THE CIRCUMSTANCES OF THE EXHUMATION AND A POSSIBLE SECONDARY BURIAL SITE. A SEARCH OF VIETNAMESE FILES FOR ADDITIONAL INFORMATION RELATING TO THE ORIGINAL GRAVESITE, THE LATER EXHUMATION, AND THE CHAIN OF CUSTODY OF THE EXHUMED REMAINS MAY REVEAL INFORMATION THAT WILL HELP RESOLVE THIS CASE.

CONCLUSION:

IN CLOSING, I WOULD LIKE TO SAY THAT TODAY WE HAVE SHARED WITH YOU OUR UNDERSTANDING OF VIETNAM'S WARTIME RECORD-KEEPING SYSTEM AND OF YOUR WARTIME AND POSTWAR PROGRAM TO COLLECT AND PRESERVE U.S. REMAINS. WITH SERIOUS COOPERATION FROM YOUR GOVERNMENT IN THE UNILATERAL RETURN OF U.S. REMAINS AND THE SHARING OF ARCHIVAL RECORDS ON U.S. CASUALTIES AND POWS, RAPID RESULTS COULD BE ACHIEVED. PROGRESS ON SUCH A SCALE WOULD HAVE A PROFOUND AND FAVORABLE IMPACT ON THE FAMILIES, THE AMERICAN PEOPLE, AND THE U.S. CONGRESS, FIRST BECAUSE IT WOULD GO FAR IN ADDRESSING SOME OF THE MOST URGENT AND COMPELLING QUESTIONS RELATING TO THIS ISSUE, AND SECOND, BECAUSE IT WOULD ENABLE US TO ACCOUNT FOR A LARGE NUMBER OF OUR MISSING. AS YOU KNOW, SUCH RESULTS WOULD ALSO FAVORABLY AND DIRECTLY AFFECT THE PACE AND SCOPE OF THE ADMINISTRATION'S ABILITY TO MOVE FORWARD IN THE CONTEXT OF U.S. POLICY ON NORMALIZING RELATIONS.

WE HOPE YOU RECOGNIZE THAT OUR INTENTION IS NOT TO RECRIMINATE OR PLACE BLAME, BUT TO WORK ^{constructively} SENSITIVELY WITH YOUR GOVERNMENT TO RESOLVE THIS ISSUE IN THE INTEREST OF MEETING THE CONCERNS OF THE FAMILIES OF THE MISSING AND ADVANCING THE NORMALIZATION OF OUR RELATIONS.



DEPARTMENT OF THE ARMY
 UNITED STATES ARMY CENTRAL IDENTIFICATION LABORATORY, HAWAII
 310 WORCHESTER AVENUE
 HICKAM AFB, HAWAII 96853-5530
 March 1, 1995



Ann Mills Griffiths, Executive Director
 National League of Families
 1001 Connecticut Avenue, Northwest, Suite 919
 Washington, D.C. 20036-5504

Dear Mrs. Griffiths:

I am responding to your Fax of February 8, 1995 in which you asked for information pertaining to remains returned from Southeast Asia, 1973-1995. I hope the enclosed tables and data provide the answers you seek.

Table 1 reflects: (a) the number of remains returned from Vietnam whose identification was approved in the given year, regardless of the year returned; (b) the breakdown by means of acquisition; (c) the number of those remains exhibiting some evidence of storage.

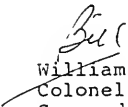
Table 2 reflects: (a) the number of remains returned from Vietnam in the given year and subsequently identified (either in that year or later); (b) the breakdown by means of acquisition; (c) the number of remains exhibiting some evidence of storage.

No such tables were prepared for Laos or Cambodia since, with rare exceptions, all returned remains were acquired during joint excavations.

It is difficult to address your question as to the length of time required for us to recommend an identification, other than what we have done in the following tables. The only option would be a case-by-case review, which would entail a significant amount of time. There are variables other than the condition of the remains that can delay the identification process, e.g., inadequate antemortem records, resolving questions as to live sightings, life support equipment analyses, the need for additional excavation of the site, DNA testing, addressing next-of-kin concerns, etc.

As I'm sure you know, there is a grey area differentiating those remains turned over by villagers to the VNOSMP, and those remains unilaterally discovered/recovered by the VNOSMP. There has been scant documentation provided concerning this, except in recent times, so at least a portion of those remains we have credited to the unilateral efforts of the VNOSMP may in fact have been turned in by villagers to the VNOSMP, Public Security Service, or other government agencies.

Sincerely,


William H. Jordan
Colonel, U.S. Army
Commanding Officer

Enclosures

CILHI TABLE 1 - ID BY YEAR OF APPROVAL - SRV

(1 Mar 95)

YEAR	JOINT EXCAVATION	TURNOVER TO TEAM	TURNOVER TO VNOSMP	TOTAL UNILATERAL BY VNOSMP	OF TOTAL UNILAT: # STORED
1974	-	-	-	23 ¹	-
1975	-	-	-	-	-
1976	-	-	-	5 ²	3
1977	-	-	-	33	33
1978	-	-	-	11	6
1979	-	-	-	-	-
1980	-	-	-	-	-
1981	-	-	-	3	3
1982	-	-	-	4	-
1983	-	-	-	8	8
1984	-	-	-	6	5
1985	-	-	-	30	23
1986	-	-	-	14	12
1987	-	-	-	7	5
1988	-	1 ³	-	27	13
1989	1	2	-	62	34
1990	-	-	-	17	11
1991	-	1	1	13	5
1992	1	1	-	1	-
1993	6	-	2	2	1

¹DICs: Not "stored" in the classic sense, but buried in retrievable locations

²Two remains (Judge & McMahon - 2043) may be categorized as were the DICs, i.e., not "stored" in the classic sense, but buried in retrievable locations.

³Not in this category; these remains were turned in by a refugee in Malaysia, and resulted in accounting for the serviceman.

CILHI TABLE 1 (Con't) - ID BY YEAR OF APPROVAL - SRV (1 Mar 95)

YEAR	JOINT EXCAVATION	TURNOVER TO TEAM	TURNOVER TO VNOSMP	TOTAL UNILATERAL BY VNOSMP	OF TOTAL UNILAT: # STORED
1994	19	6	-	1	1 ⁴
1995	-	-	-	-	-
TOTALS	27	11	3	267	163

Note: The grand total of the four categories is 308. This figure includes two not carried by DPMO as unaccounted for (McCarty & Parrish); it does not include one (Grainger) whose 1965 recovery/identification was discovered during an Apr 94 DOD admin review of accounting procedures. Thus, the adjusted grand total is 307, which is in agreement with the DOD Public Affairs number of accounted for Americans as of 1 Mar 95.

⁴These remains (Karger - 1175) had been "stored" by a villager, and turned over to a joint team.

CILHI TABLE 2 - ID BY YEAR OF REPATRIATION - SRV (1 Mar 95)

YEAR	JOINT EXCAVATION	TURNOVER TO TEAM	TURNOVER TO VNOSMP	TOTAL UNILATERAL BY VNOSMP	OF TOTAL UNILAT: # STORED
1974	-	-	-	23 ⁵	-
1975	-	-	-	3	3
1976	-	-	-	2 ⁶	-
1977	-	-	-	33	33
1978	-	-	-	11	6
1979	-	-	-	-	-
1980	-	-	-	-	-
1981	-	-	-	3	3
1982	-	-	-	4	-
1983	-	-	-	8	8
1984	-	-	-	6	5
1985	-	-	-	38	30
1986	-	-	-	13	10
1987	-	-	-	8	5
1988	-	2 ⁷	-	62	34
1989	1	1	1	33	13
1990	-	-	-	17	12
1991	1	1	-	2	-
1992	5	1	1	-	-
1993	16	3	1	1	1 ⁸

⁵DIC; not "stored" in the classic sense, but buried in retrievable locations.

⁶These two remains (Judge & McMahon - 2043) may be categorized as were the DICs, i.e., not "stored" in the classic sense, but buried in retrievable locations.

⁷Includes one remains turned in by a refugee in Malaysia that resulted in accounting for the serviceman.

⁸These remains (Karger) had been "stored" by a villager, and turned over to a joint team.

CILHI TABLE 2 (Con't) - ID BY YEAR OF REPATRIATION - SRV (Mar 95)

YEAR	JOINT EXCAVATION	TURNOVER TO TEAM	TURNOVER TO VNOSMP	TOTAL UNILATERAL BY VNOSMP	OF TOTAL UNILAT: # STORED
1994	4	3	-	-	-
1995	-	-	-	-	-
TOTALS	27	11	3	267	163

Note: The grand total of the four categories is 308. This figure includes two not carried by DPMO as unaccounted for (McCarty & Parrish); it does not include one (Grainger) whose 1965 recovery/identification was discovered during an Apr 94 DOD admin review of accounting procedures. Thus, the adjusted grand total is 307, which is in agreement with the DOD Public Affairs number of accounted for Americans as of 1 Mar 95.

INTERNATIONAL
SECURITY AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

2400 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-2400

28 JUN 1995

**Assessment of the
Government of the Socialist Republic of Vietnam Documents
Presented to the May 1995 Presidential Delegation**

Introduction: On May 15, 1995, the Government of the Socialist Republic of Vietnam (SRV) presented the U.S. Presidential Delegation with 116 documents totaling 187 untranslated pages. This group of documents, the fourth of five such SRV Government unilateral document turnovers, demonstrates the SRV Government's effort to more systematically review archival materials outside Hanoi and turn over this material to the U.S. Government. This document turnover, along with two others in the past three months, represents the positive impact of SRV initiatives undertaken during the past year such as utilizing ministry teams to search for documents, and seeking information from war-time veterans.

The documents received during the Presidential Delegation's visit to Hanoi in May 1995 fall into three groupings: (1) documents addressing Vietnam's unilateral investigations of the 84 Special Remains Cases; (2) documents detailing unilateral investigations undertaken by the Ministry of Interior's Group for Seeking Special Information on Remains and Missing in Action; (3) and documents detailing investigations undertaken by the Ministry of National Defense's MIA Specialists Team. Some of the documents received satisfy specific requests by various U.S. delegations during the past two years.

This particular group of unilaterally collected documents is the most detailed and informative of the reports received to date. More than 800 separate POW/MIA-related documents have been turned over to U.S. officials by the SRV Government since the inception of JTF-FA in January 1992. These documents range from personal diaries of military personnel to important shutdown records of military regions controlled by the North during the war.

Although the information contained in the documents presented to the Presidential Delegation will not result in the immediate resolution of any cases, some of the information does provide new case leads. As this information is assessed in context with all other information known for a related case, DoD can pursue these new leads to move toward a fuller accounting. As is the case with other POW/MIA related documents, once they have been shared with the primary next of kin and privacy statutes are considered, applicable documents will be turned over to the Library of Congress where they will be available to the general public. The Defense Office for Prisoners of War/Missing In Action will publicize the timing for these events in its newsletter and other appropriate channels.

Documents Addressing Vietnam's Unilateral Investigations of Special Remains Cases: These documents, consisting of 79 Special Remains case reports totaling 118 pages, respond to U.S. Government requests for information relative to those cases. The majority of these reports chronicle both joint and unilateral case investigations, with some strictly detailing SRV unilateral efforts on cases. The reports also address earlier U.S. Government requests for the Vietnamese to document their unilateral investigative efforts involving the Special Remains cases dating as far back as the late 1970s. While the reports offer new leads for seven cases, they do not contain information which would enable the U.S. to account immediately for any of the individuals concerned. For one new lead, the Vietnamese identify a new site for possible excavation; for another, they more accurately define a burial location. Also included in the documents are recommendations for additional searches for new witnesses and archival material. In addition to offering new leads, the Vietnamese propose further investigation of seven cases which JIF-FA had previously concluded were unrecoverable. For example, the SRV Government suggests we jointly investigate an onshore site for one case previously thought to involve an overwater loss.

Documents Derived from Unilateral Ministry of Interior Investigations: The most immediately useful of the information turned over is found in the seven documents, totaling 9 pages, provided by the Ministry of Interior's Group for Seeking Special Information on Remains and Missing in Action. The group visited six provinces (Vinh Phu, Tuyen Quang, Yen Bai, Hoa Binh, Ninh Binh, and Thanh Hoa) in northern Vietnam during May 4 - 12, 1995 to locate pertinent wartime documents, as well as current provincial records regarding POW/MIA activities. As a result of their effort, new summary and name list documents were recovered and turned over. Taken together, these documents provide another seven viable leads and six detailed sketches for seven unaccounted for cases.

Documents Derived from Unilateral Ministry of National Defense Investigations: The Ministry of National Defense's MIA Specialists Team provided thirty documents, totaling 60 pages. All but one of these documents date back to 1988 and precede the initiation of joint investigations. The information contained within these documents was previously obtained from other sources and has already been used to construct joint investigative leads. The other document describes a recent unilateral Vietnamese investigation and proposes that a possible crashsite that has yet to be jointly investigated is not the actual crashsite. Although this document suggests that a joint investigation is no longer warranted, joint activities scheduled for the site will proceed to ascertain whether the possible crashsite does in fact exist.

Documents that Respond to Previous Requests: During the past two years, the Presidential Delegation, Senator John Kerry, DASD Wold, and a delegation representing the National League of POW/MIA Families requested that the SRV Government provide specific documentation of provincial records of U.S. casualties and graves, and registers of shootdowns from ten northern Vietnamese provinces. Three of the documents from

Vinh Phu Province and two from Thanh Hoa Province presented to the Presidential Delegation satisfy items on the list of previously requested documents.

Continued Turnovers: The turnover of archival documents to the Presidential Delegation, and the subsequent turnover on 30 May of an additional 44 documents (totaling 86 pages recovered by the Ministry of the Interior's team) suggests that the Vietnamese have established a routine means of facilitating the inter-ministerial actions required to search central and provincial documentary holdings, that they have established the mechanisms and channels required to respond to U.S. requests for relevant information, and that the relevant ministerial and provincial authorities are working to achieve a level of responsiveness that could result in documents that contribute to the accounting process.

Initial analysis of the documents turned over on 30 May indicates that they are from six provinces and, like the set given to the Presidential Delegation, contain new leads which will assist in the accounting process.

Senior SRV officials have also assured us that they are actively looking for all of the documents requested by U.S. Government delegations and the National League of POW/MIA Families during the past two years. Deputy Minister of Foreign Affairs Le Mai reaffirmed this commitment in a recent letter to the League's Executive Director.



DEFENSE PRISONER OF WAR/MISSING IN ACTION OFFICE
2400 DEFENSE PENTAGON
WASHINGTON, DC 20301-2400

22 MAY 1995

(REC'D 5/25/95)
07



A PRELIMINARY ASSESSMENT OF DOCUMENTS PROVIDED
PRESIDENTIAL DELEGATION, MAY 1995

INTRODUCTION

This particular turnover of documents represents the third series of unilateral reports that we have received. While it is still being evaluated, it is the most detailed and informative to date. The documents received from the Vietnamese during the Gober-Lord-Wold Presidential Delegation's visit to Hanoi in May 1995 fall into three groupings: (1) documents addressing Vietnam's unilateral investigations of the 84 Special Remains Cases; (2) documents detailing unilateral investigations undertaken by the Ministry of Interior's Group for Seeking Special Information on Remains and Missing in Action; (3) and documents detailing investigations undertaken by the Ministry of Defense's unilateral MIA Specialists Team. Altogether there are 116 documents totaling some 187 pages. Some of the documents received were specifically requested by DPMO during previous visits made by Presidential Delegations, DASD James Wold, Senator John Kerry, and the National League of Families.

Although the information contained in the most recently received documents will not result in the immediate resolution of any cases, in a few cases, the documents may provide information that can result in new leads. The most useful information may be found in the work accomplished by the Ministry of Interior in locating various wartime and recent provincial records. The reports on the Special Remains Cases do address earlier U.S. Government requests to document unilateral SRV investigative efforts that took place as far back as the late 1970s. They do not, however, provide the necessary information which would enable the U.S. to account for the individuals through the SRV's unilateral recovery of remains or a credible explanation why they cannot be recovered. We anticipate that the ongoing DoD comprehensive review of cases will help clarify the Special Remains cases.

DOCUMENTS ADDRESSING VIETNAM'S UNILATERAL INVESTIGATIONS
OF SPECIAL REMAINS CASES

There are 79 Special Remains reports, totaling 118 pages. A majority of the reports chronicle joint and more importantly unilateral investigations of a case. Some of the reports detail the SRV's unilateral efforts on a case, but none provide specific information leading directly to case resolution. For the first time, however, the reports encourage further joint activity on some of the cases. In seven cases, significant new leads are reported. In one case, the Vietnamese identify a new site for excavation. In another, they refined a different burial location, additional searches for more witnesses and archival



material are also recommended. In seven cases deemed to be unrecoverable by the JTF, the Vietnamese propose further investigation.

DOCUMENTS DERIVED FROM UNILATERAL MINISTRY OF INTERIOR INVESTIGATIONS

From 4-12 May 1995, the Ministry of Interior's Group for Seeking Special Information on Remains and Missing in Action visited six provinces in northern Vietnam in a unilateral documents search. The provinces were Vinh Phu, Tuyen Quang, Yen Bai, Hoa Binh, Ninh Binh, and Thanh Hoa Provinces. The group collected and turned over to the U.S. seven new summary and name list documents (nine pages). U.S. analysts are aware of two other similar documents, one from Hoa Binh and the other from Vinh Phu, which were turned over to us on an earlier occasion. Taken together, the documents received in May 1995 provide seven viable leads and six detailed sketches which provide further information on unaccounted for cases.

DOCUMENTS DERIVED FROM UNILATERAL MINISTRY OF DEFENSE INVESTIGATIONS

The 30 documents, totaling 60 pages, provided by the Ministry of Defense's MIA Specialists Team date from the 1988 time frame that preceded the initiation of joint investigations. With one exception, these documents appear to be the basis for later joint investigative leads. The exception involves a recent unilateral investigation which eliminated a possible crashsite that had not been jointly investigated.

DOCUMENTS RECEIVED THAT WERE SPECIFICALLY REQUESTED

Three documents originating from Vinh Phu Province and two from Thanh Hoa Province were received in response to our specific and oft repeated request for provincial lists of U.S. casualties, U.S. graves, and registers of shootdowns from ten of the provinces in northern Vietnam. This list of documents was carried to Vietnam by two presidential delegations, Senator John Kerry, and DASD Wold.

NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS
AND MISSING IN SOUTHEAST ASIA

EXCERPT OF CORE INFORMATION
FROM BOOK TURNED OVER TO SRV

MARCH 18-30, 1994

INCIDENTS IN VIETNAM: LAST KNOWN ALIVE

The following lists 76 Americans who are still missing and unaccounted for from incidents which occurred in Vietnam. These individuals were known to have been captured or alive on the ground in proximity of your government's military forces. In view of Vietnam's policy and practice, known to have been effectively implemented, for collection and retention of information on and remains of American POWs and casualties, it is to your government the families of these Americans look to for accountability. Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, most of these cases cannot be finally resolved for the family concerned.

Names of Unaccounted for Americans

PFC Humberto Acosta-Rosario, USA (Case # 1258)*
 CPL Carlos Ashlock, USMC (Case #0678)
 1LT Kenneth Backus, USAF (Case #0706)
 LT Daniel Borah, USN (Case #1927)*
 COL Herbert Brennan, USAF (Case #0928)*
 SPC5 Harry Brown, USA (Case # 1046)
 CPT John Brucher, USAF (Case #1388)
 SGT Louis Buckley, USA (Case #0344)
 SPC4 Walter Cichon, USA (Case #1112)
 LTC Kelly Cook, USAF (Case #0904)
 1LT James Crew, USAF (Case #0904)
 CPL Douglas Dahill, USA (Case #1428)
 1LT Charles Dale, USA (Case #0094)
 SPC4 David Demmon, USA (Case #0094)
 CDR Thomas Dunlop, USN (Case #1816)
 CPT Robert Elliot, USAF (Case #1049)
 PFC William Ellis, USA (Case #0372)
 1LT Danny Entrican, USA (Case #1748)
 LCDR Michael Estocin, USN (Case #0656)
 PFC Dickie Finley, USA (Case #1308)
 PFC Joseph Fitzgerald, USA (Case #0715)
 SPC4 Paul Fitzgerald, USA (Case #0867)
 SPC4 Donald Fowler, USA (Case #1244)
 1Lt San D. Francisco, USAF (Case #1329)
 MSGT Henry Gallant, USA (Case #0109)
 LT Joseph Greenleaf, USN (Case #2044)
 SPC4 Wade Groth, USA (Case #1046)
 WO Alan Gunn, USA (Case #1046)
 MAJ John Hamilton, USAF (Case #0644)
 LCPL Roger Hamilton, USMC (Case #0647)
 1LT James Hamm, USAF (Case #1086)
 PFC Olin Hargrove, USA (Case #0867)
 SGT Steven Hastings, USA (Case #1244)
 CPT John Held, USAF (Case #1131)
 LTC Roosevelt Hestle, USAF (Case #0386)
 SFC Cecil Hodgson, USA (Case #0242)

CPL William Hunt, USA (Case #1065)
SGT Di Ibañez, USMC (Case #0723)
SGT John Jakovac, USA (Case #0715)
1LT Clive Jeffs, USAF (Case #1723)
PFC William Johnson, USA (Case #0997)
1LT Charles Lane, USAF (Case #0805)
1LT Bruce Lawrence, USAF (Case #1222)
CPT John McDonnell, USA (Case #1402)
PFC Brian McGar, USA (Case #0715)
PSC4 James McLean, USAF (Case #0054)
SSGT Michael Millner, USA (Case #0930)
1LT George Mims, USAF (Case #0213)
MAJ James Morgan, USAF (Case #0903)
CPT George Morris, USAF (Case #1981)
SPC4 Larry Morrow, USA (Case #1868)
SSGT Charles Newton, USA (Case #1428)
SGT Donald Newton, USA (Case #0258)
Mr. Daniel Niehouse, Civilian (Case #0529)
CPT Elton Perrine, USAF (Case #0706)
1LT Delbert Peterson, USAF (Case #0267)
1LT Mark Peterson, USAF (Case #1981)
PFC Robert Platt, USA (Case #0728)
LCPL Kenneth Plumadore, USMC (Case #0839)
1LT Larry Potts, USMC (Case #1820)
SGT Charles Prevedel, USA (Case #1428)
SSGT Dallas Pridemore, USA (Case #1274)
1LT Jerry Roe, USA (Case #1046)
1LT Peter Russell, USA (Case #1244)
1LT Walter Schmidt, USMC (Case #1205)
2LT Gary Scull, USA (Case #1572)
MAJ Edward Silver, USAF (Case #1222)
SPC4 Burt Small, USA (Case #0607)
WO David Soyland, USA (Case #1747)
PFC Donald Sparks, USA (Case #1456)
SPC4 Douglas Strait, USA (Case #1668)
SGT Madison Strohlein, USA (Case #1756)
MAJ Lawrence Tatum, USAF (Case #0453)
SSGT Fred Taylor, USA (Case #0109)
MAJ Eugene Wheeler, USMC (Case #1598)
WO Walter Wroblewski, USA (Case #0703)

* Details are provided on these example cases.

LT DANIEL V. BORAH, JR., USN (CASE #1927)

On September 24, 1972, LT Borah was shot down over Quang Tri province, South Vietnam, near the DMZ. Radio contact was made with LT Borah during his descent and a beeper was heard upon landing.

U.S. observers saw LT Borah's parachute being removed from the trees by enemy forces. Reliable sources indicated that the 284th AAA Bn shot down an aircraft and captured its pilot on September 24, 1972. This information correlates to LT Borah's incident. What became of LT Borah after his parachute was removed from the trees by the Vietnamese?

In January 1989, a unilateral or joint investigation team investigated an unidentified crashsite, but it could not be correlated to LT Borah's incident. No witnesses were produced, nor any records provided.

In July 1991, a photograph surfaced in Southeast Asia that reportedly depicted LT Borah in captivity in Laos. In 1992, this photograph was determined to show a Lao hill tribesman, not LT Borah.

In January 1993, a team interviewed witnesses provided by Vietnamese. None had firsthand knowledge of LT Borah's incident or ultimate fate. A potential eyewitness to LT Borah's shootdown and subsequent fate was identified as "Phap," executive officer of the C-9 company. Several witnesses reported hearsay information that a pilot died during a parachute descent; this possibly correlates to LT Borah's incident.

In July 1993, a team interviewed several villagers, none of whom could provide any firsthand information concerning LT Borah's fate.

During a December 1993 Priority Case Investigation Team investigation, no witnesses with information pertaining to LT Borah's incident were located or interviewed. No archival information was provided.

Two individuals have been identified as being knowledgeable of LT Borah's incident. They should be located and interviewed. Additionally, if LT Borah was captured, records from one or more of the following: 284th AAA Bn, B5 Front, Military Region 4 or Military Region Tri-Thien-Hue may contain information on this case.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

PFC HUMBERTO ACOSTA-ROSARIO, USA (CASE #1258)

PFC Acosta-Rosario's unit was engaged with PAVN and militia forces in a battle near the Ben Cui rubber plantation, 25 km east of Tay Ninh city. After his unit withdrew under fire, PFC Acosta-Rosario was reported missing along with another soldier. When the unit returned to the area, they found the remains of the other missing American, and some newly dug graves. They investigated the graves and determined they did not contain American remains. There was no sign of PFC Acosta-Rosario. Two captured documents, written on August 23, 1968, reported the capture of two Americans by elements of PAVN's 7th Division. One of the Americans was PFC Walter Ferguson, who was held in various camps in Tay Ninh until his death in 1970. The only other individual missing in that area at that time was PFC Acosta-Rosario.

Multiple wartime sources reported the capture of two Americans on August 22 and 23, 1968 in Tay Ninh. One of the captured Americans is believed to be PFC Acosta-Rosario. However, unlike the other individual, there was no further information or reporting on Acosta-Rosario.

In October 1992, a joint investigation team interviewed former members of the local militia, who participated in the fighting near the Ben Cui plantation in 1969. They could not identify the main force units involved in the fighting, and they did not know of any Americans captured or buried in the area. One militia member said he knew of a burial site for Vietnamese in the area, but he believed it had been destroyed when a road was built through the area. Witnesses from a local village said they had been evacuated during the war and were not allowed to return until 1975. They had no knowledge of American remains found in the vicinity of the Ben Cui plantation.

During June-July 1993, the Priority Case Investigation Team was unable to locate any witnesses in Tay Ninh Province who had knowledge of this case. The people living in the vicinity of the Ben Cui rubber plantation in Tay Ninh were evacuated from the area during the war and apparently did not return until 1975, so they are unlikely to have any first-hand information on this loss incident. However, the unit credited with capturing Acosta-Rosario has been identified, so members of that unit need to be located and questioned on their knowledge of the incident and the fate of the captured American.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

COL HERBERT O. BRENNAN, USAF (CASE #0928)

On November 26, 1967, COL Brennan and 1LT Condit were flying an F-4C that was downed near a heavily fortified portion of Strategic Route 20 in Bo Trach District, Quang Binh Province. Parachutes were not observed, but beeper signals were heard shortly after impact.

In December 1988, a joint investigation team located an F-4 crashsite within 500 meters of the location, but could not identify the specific aircraft. (There are five other unresolved F4 losses in close proximity.) There was no evidence of remains; possible evidence of at least one crewmember out of aircraft when it crashed. Vietnamese said there were no related reports of remains or survivors and provided two witnesses who had only vague hearsay knowledge. The team was told the local people were evacuated during wartime, when only PAVN were present, but no PAVN witnesses or records were provided.

In July 1991, records researchers discovered a Military Region 4 record of U.S. aircraft losses containing one entry which clearly relates to this incident and one entry that possibly relates. The first entry states two pilots were killed; the second entry states one was captured/one killed, but the date is problematic.

In May 1992, a witness provided an investigation team information, remains and identification media related to 1LT Condit. The witness led the team to the site where he allegedly recovered the materials, and an excavation revealed that it was the location where 1LT Condit had landed in his parachute. The team recovered additional remains at the site, but none correlated to COL Brennan. A June 1993, excavation recovered personal effects and material from the aircraft, enabling the crashsite to be correlated to this incident. The crashsite had been heavily scavenged.

In January 1994, the Priority Case Investigation Team presented a list of archival and/or interview leads to the Quang Binh Province People's Committee. Vietnamese Province and Center representatives stated that because this province and region was a wartime operational area, and due to the difficulties of Vietnamese military record keeping in general, they believe all available records had been provided to the U.S.. Quang Binh Province officials indicated that no interview subjects were available.

Since beeper signals were heard shortly after the crash; and a survey of the crash site indicated at least one of the crew was out of the aircraft when it crashed; and because the remains of 1LT Condit were discovered away from the crash site, indicating at least one crewman had ejected; Was COL Brennan also able to eject before the crash?

Does Entry 983 in the Military Region 4 shutdown record correlate to this case? Entry 980, which clearly correlates, indicates both pilots died. Entry 983 is incorrectly dated one week later, but the coincidence of location, aircraft type, and unit, combined with the notation that one pilot was captured, requires further response.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

REMAINS DISCREPANCIES

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, most of these cases cannot be finally resolved for the family concerned.

1. REMAINS PREVIOUSLY RECOVERED BY SRV, NOT REPATRIATED (EXAMPLE CASES)
 - 1LT Richard Milikin, USAF (Case #0435)
 - LTC Robert D. Anderson, USAF (Case #1934)
 - 1LT James M. Jefferson, USAF (Case #0680)

2. SRV: PRIORITY DISCREPANCY CASES WITH DEATH DETERMINED BY JOINT INVESTIGATIONS (EXAMPLE CASES)
 - CPT Donald Cook, USMC (Case #0050)
 - 1LT Charles Lane, USAF (Case #0805)

3. PHOTOGRAPHIC EVIDENCE OF REMAINS AVAILABILITY (EXAMPLE CASES)
 - MAJ Marvin W. Lindsey, USAF (Case #0105)
 - MAJ Joseph C. Morrison, USAF (Case #1329)
 - LTjg Lee E. Nordahl, USN (Case #0215)

4. OFFICIAL SRV RECOVERY OF REMAINS IN (FORMER) NGHIA BINH PROVINCE
 - CPL Thomas F. Douglas, USMC (Case #0195)
 - CPL Victor J. Pirker, USMC (" ")
 - 1LT Richard A. Miller, USMC (" ")
 - 1LT Francis E. Visconti, USMC (" ")

5. OFFICAL SRV RECOVERY OF SEVEN REMAINS IN BINH DINH PROVINCE
 - CPT Ferris A. Rhodes, Jr., USA (Case #1687)
 - WO1 Thomas R. Okerlund, USA (" ")
 - WO1 Luis G. Holquin, USA (" ")
 - SGT Carl A. Palen, USA (" ")
 - SSGT Patrick J. Magee, USA (" ")
 - WO1 Dennis N. Omelia, USA (" ")
 - 1LT Michael D. Parsons, USA (" ")

6. U.S. PERSONNEL NAMED ON SRV GRAVES REGISTRATION DOCUMENTS
(EXAMPLE CASES)

CPT Thomas E. Reitmann, USAF (Case #0200)
LT Marvin B. Wiles, USN (Case #1843)

7. AMERICAN REMAINS REPORTEDLY RECOVERED BY VIETNAMESE OFFICIALS

CDR Carl B. Austin, USN (Case #0202)
1LT James Huard, USAF (Case #1898)
LTjg Jacob D. Logan, USN (Case # 0202)
CDR John C. Mape, USN (Case #0301)
1LT Joseph W. McDonald, USMC (Case #1842)
CPT Samuel O'Donnell, Jr., USAF (Case #1898)
MAJ Ernest A. Olds, Jr., USAF (Case #1079)
LCDR Gerald R. Roberts, USN (Case #0201)
CPT Alton C. Rockett, Jr., USAF (Case #0717)

8. PROVISIONAL REVOLUTIONARY GOVERNMENT (PRG)
DIED-IN-CAPTIVITY LIST (EXAMPLES)

~~PFC Frederick J. Burns, USMC (Case #0951)~~ *remains recovered / ID'd*
PFC Joe L. DeLong, USA (Case #0689)
SSGT Dennis W. Hammond, USMC (Case #1042)

9. REPORTED RECOVERY OF REMAINS OF DIED-IN-CAPTIVITY PERSONNEL

10. RECOVERED REMAINS HELD BACK FOR LACK OF IDENTIFICATION

1. REMAINS PREVIOUSLY RECOVERED BY SRV, BUT NOT REPATRIATED

1ST LT RICHARD MILIKIN, USAF (CASE #0435)

On August 20, 1966, Captain Ed Hawks and 1st Lieutenant Richard Milikin were shot down while on a night reconnaissance mission southwest of Ron, Vietnam, in Quang Binh Province. Captain Hawks was able to eject from the burning aircraft and was rescued by a helicopter approximately 6 hours later. Though an intermittent beeper signal was heard following the shootdown, the fate of 1st Lt. Milikin was unknown.

In April 1993, a joint US/SRV team investigated this case. A number of witnesses interviewed reported credible information which relates to this incident. This information included the discovery of the body of the second crewman, 1st Lt. Milikin, near the site of the crashed aircraft in Mai Hoa Village, subsequent burial at a site nearby, and the turn-in of the crewman's pistol, identity card and other personal items to district officials.

One of the witnesses, Hoa Van The, a village deputy military commander during the war, also pointed out that in 1975 a provincial policy cadre arrived in Mai Hoa Village to locate and re-mark the grave site of the pilot. At a later time, a team from Bo Trach District came and exhumed the remains.

Mr. The's report corroborates hearsay information reported to a joint US/SRV investigation team working in this same area in December 1988. In addition, the name of 1st Lt. Milikin appears on the Quang Binh Province registry of graves of Americans. 1st Lt. Milikin's remains have not yet been repatriated by the SRV.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

LTC ROBERT D. ANDERSON, USAF (CASE 1934)

LTC Anderson was the pilot of an F4 shot down over Vinh Phu Province on October 6, 1972. The weapons officer ejected from the aircraft and was captured just after he landed. The wind had carried his parachute across the Red River from the crash site so he had no information on what happened to LTC Anderson after the crash.

In September 1990, the Vietnamese government repatriated remains that they associated with LTC Anderson and noted "(the) pilot was exploded and the locality recovered a small amount of bones and flesh which they buried. No personal effects were recovered." These remains, which showed signes of storage, correlated to another American, who was also lost in Vinh Phu Province, Major Leski Hauer, USAF.

This incident was investigated by a joint US/SRV team in December 1990. Witnesses from Van Luong Village, Tam Thanh District, said they remembered an American ejected and was captured, and the other American was killed in the crash. When the local militia went to the crash site, they recovered partial remains which they buried under the supervision of district officials. The district officials told the militia members to bury the remains away from the crash site and near the road so they could be recovered more easily in the future.

The militia commander said two or three years after the incident, government officials came to exhume the remains. The officials brought a letter of introduction from the district headquarters but the local commander did not remember the officials' names.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

1LT JAMES M. JEFFERSON, USAF (CASE # 0680)

On May 12, 1967, COL Norman C. Gaddis and 1LT James M. Jefferson were flying an F4C that was downed in Ha Son Binh Province. COL Gaddis was captured immediately upon landing. About 30 minutes later, he was shown articles belonging to 1LT Jefferson. Upon his repatriation in 1973, COL Gaddis said he did not know whether 1LT Jefferson had been able to eject prior to the crash. However, U.S. observers reported two ejection seats and one fully deployed parachute.

A wartime source reported one crewman had been captured in the incident, and one had died of injuries sustained from bailing out at too low and altitude. A North Vietnamese press account on August 29, 1969 claimed COL Gaddis had been captured alive, and his crewman had died in the cockpit.

This incident occurred within the parameters of what is currently a military state farm, property which was also under the Vietnamese control of military authorities during wartime. Due to the incident location, military authorities would have necessarily reported the events of this incident, including 1LT Jefferson's death and the location of his burial, to higher authorities. The capture of COL Gaddis received wide coverage in the North Vietnamese press. Due to these circumstances; and because the location is relatively close to Hanoi and easily accessible, 1LT Jefferson's remains present a logical choice for subsequent official Vietnamese retrieval and relocation.

This incident was investigated during joint field activities in October 1988 and January 1989. During the October 1988 joint investigation, Vietnamese witnesses stated that one pilot had been captured. They stated that the other pilot had died in the crash, and they had buried his remains. The joint team attempted to excavate the grave site in January, 1989, but they was unable to locate 1LT Jefferson's remains.

This incident was discussed during technical meetings in December 1988, March 1989, and July 1990. The SRV was asked to unilaterally investigate this case, based on the evidence that Vietnamese archives contain information which would account for the fate of 1LT Jefferson.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

2. SRV: PRIORITY DISCREPANCY CASES WITH DEATH
DETERMINED BY JOINT INVESTIGATION

MR1, Lang Son Province

LT Roderick Mayer, USN (Case #0168)

MR1, Bac Thai Province

1LT Donald Bruch, USAF (Case #0322)

MR1/MR3, Ha Bac/Hai Duong Province

MAJ John Robertson, USAF (Case #0459)

MR2, Ha Tuyen Province

* 1LT Charles Lane, USAF (Case #0805)
CPT Ronald Sittner, USAF (Case #0804)

MR2, Nghia Lo Province

CPT Martin Steen, USAF (Case #0349)

MR2, Phu Tho/Vinh Phu Provinces

CPT Walter Kosko, USAF (Case #0114)

MR2, Son La Province

MAJ Marvin Lindsey, USAF (Case #0105)
1LT Martin Massucci, USAF (Case #0158)
CPT Fredric Mellor, USAF (Case #0124)
CPT Charles Scharf, USAF (Case #0158)

MR2, Vinh Phu Province

LTC Robert Anderson, USAF (Case #1934)

MR3, Ha Tay Province

1LT James Jefferson, USAF (Case #0680)

MR3, Hoa Binh Province

1LT James McCarty, USAF (Case #1882)
LT James Patterson, USN (Case #0691)

MR4, Ha Tinh Province

LTJg William Tromp, USN (Case #0304)

MR4, Quang Binh Province

CPT Victor Apodaca, USAF (Case #0727)
CPT Bradley Cuthbert, USAF (Case #1327) - *pending I D.*
CPT Thomas Derrickson, USAF (Case #0859)
CPT Jack Dove, USAF (Case #0761)
LCDR David Greiling, USN (Case #1234)
1LT John Hardy, USAF (Case #0859)
CPT Herbert Moore, USAF (Case #0826)
MAJ Joseph Morrison, USAF (Case #1329)
MAJ John O'Grady, USAF (Case #0641)
MAJ Boyd Squire, USAF (Case #0761)
LT Marvin Wiles, USN (Case #1843)

MR4, Nghe An Province

LT Michael Dunn, USN, (Case #1004)
 LCDR Norman Eidsmoe, USN (Case #1004)

MR4, Nghe Tinh Province

LTjg Roger Innes, USN (Case #0952)
 LCDR Leonard Lee, USN (Case #0952)

MR4/B5, Quang Tri Province

CDR Harley Hall, USN, (Case #1982) - I'd 3 teeth; no chain of custody
 WO Dale Pearce, USA (Case #1747)
 1Lt Bruce Walker, USAF (Case #1820)
 CPL James Worth, USMC (Case #1810)

MR4/B3/CB, Dac Lac Province/Cambodia

Ms. Betty Olsen, CIV (Case #1018)

MR5, Binh Dinh Province

SSGT Frank Badolati, USA (Case #0242)
 SSGT Ronald Terry, USA (Case #0242)

MR5, Phu Yen Province

PFC Francis Wills, USA (Case #0258)

MR5, Quang Nam Province

SSGT Dennis Hammond, USMC (Case #1042)

MR5, Quang Nam Da Nang Province

PFC Robert Babula, USMC (Case #0439)
 PFC John Bodenschatz, USMC (Case #0439)
~~PFC Robert Borton, USMC (Case #0439)~~ remains rfd '95; I O '95
 SSGT Richard Bram, USMC (Case #0108)
 PFC Dennis Carter, USMC (Case #0439)
 SFC John Dingwall, USMC (Case #0108)
 SFC Edward Dodge, USA (Case #0051)
 LCPL Richard Fischer, USMC (Case #0977)
 LCPL Robert Gage, USMC (Case #0381)
 PFC Paul Hasenback, USA (Case #0646)
 CPL Thomas Mangino, USA (Case #0646)
 CPT Kurt McDonald, USAF (Case #0051)
 PFC Daniel Nidds, USA (Case #0646)
 PFC David Winter, USA (Case #0646)

MR5, Quang Ngai Province

1LT James Egan, USMC (Case #0235)
 CPL Gregory Harris, USMC (Case #0358)

MR5, Quang Tin Province

PFC Richard Rehe, USA (Case #0976)
PFC Derri Sykes, USA, (Case #0976)

MR5/B3, Dac Lac Province

Mr. Henry Blood, CIV (Case #1017)
AFC Bennie Dexter, USAF (Case #0333)
Mr. Daniel Gerber, CIV (Case #0011)
Mr. Archie Mitchell, CIV (Case #0011)
Dr. Eleanor Vietti, CIV (Case #0011)

MR5/B3, Gia Lai-Kontum Province

PFC Joe Delong, USA (Case #0689)
Mr. Robert Gryzb, CIV (Case #0937)
CPL James Schiele, USA(Case #0762)
PFC James Van Bendegom, USA (Case #0762)

MR5/B3/LA, Kon Tum Province/Laos

SFC James Salley, USA (Case #1737)
SGT Philip Terril, USA (Case #1737)

MR6, Binh Thuan Province

Mr. Jack Erskine, CIV (Case #1321)

MR6, Ninh Thuan Province

Mr. James Simpson, CIV (Case #1318)

MR7, Dong Nai Province

SGT Samuel Adams, USAF (Case #0180)
SGT Charles Dusing, USAF (Case #0180)
SSGT Thomas Moore, USAF (Case #0180)

MR7, Gia Dinh Province

Mr. Tanos Kalil, CIV (Case #1375)

MR7, Song Be Province

SSGT Joseph Compa, USA (Case #0096)
SSGT Robert Curlee, USA (Case #0096)
SGT Craig Hagen, USA (Case #0096)
1LT Walter Hall, USA (Case #0096)
CPT Bruce Johnson, USA (Case #0096)
SFC Fred Owens, USA, (Case #0096)
WO Donald Saegart, USA (Case #0096)

MR7, Song Be/Binh Duong Provinces

CPL James Rozo, USA (Case #1639)
PFC Joe Pederson, USA(Case #1639)
PFC Robert Philips, USA (Case #1639)

MR7, Song Be/Bien Hoa Province

PFC Tommy Malone, USA (Case #0326)

MR7, Tay Ninh Province

- * CPT Donald Cook, USMC (Case #0050)
- PFC James Ray, USA (Case #1093)

MR7/CB, Song Be Province/Cambodia

PFC Walter Ferguson, USA (Case #1260)

MR9, Soc Trang Province

1LT Richard Bowers, USA (Case #1414)

MR9, Tra Vinh Province

LCDR John Graf, USN (Case #1523)

MR9, Vinh Long Province

Mr. Richard Cocheo, CIV (Case #1010)

MR Thua Thien Hue/B4, Thua Thien Province

CPT Wayne Brown, USAF (Case #1901)

CPT Williard Collins (Case #0267)

SGT Robert Foster, USAF (Case #0267)

CWO Solomon Godwin, USMC (Case #1035)

1LT Bernard Plassmeyer, USMC (Case #1660)

* Details are provided on these example cases.

CPT DONALD G. COOK, USMC (CASE #0050)

On December 31, 1964, CPT Cook was captured while investigating a helicopter crashsite for survivors in Phuoc Tuy Province, vicinity of YS 850900. He was later held in various prison camps north of Saigon, where he was detained with other American prisoners. In 1967, he became seriously ill and died while being moved between camps. According to the Provisional Revolutionary Government list turned over in Paris in 1973, he died in captivity in South Vietnam on December 8, 1967.

Despite what is know regarding this incident, CPT Cook has yet to be accounted for.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

1LT CHARLES LANE, JR., USAF (CASE #0805)

On August 23, 1967, two F-4s were shot down in close proximity over Ha Tuyen province. Other aircraft in the flight observed three parachutes and heard four emergency beeper signals. MAJ Tyler was captured immediately and CPT Carrigan was captured three days later; both returned during Operation Homecoming. Their backseaters, CPT Sittner and 1LT Lane, respectively, were unaccounted for. CPT Carrigan reported that prior to his capture, he heard someone call his name, and that he also saw a large footprint in the area. MAJ Tyler could not have left the footprint as he was unconscious from the time he ejected until after he was captured. It is not clear whether this should be associated with 1LT Lane, or CPT Sittner.

Based on material evidence recovered near the crash site, it appears 1LT Lane ejected from the aircraft before it crashed. An analysis of related material evidence was completed in May 1993, and no parts of the pilot's flight suit or survival vest were found with the life support items.

In March 1990, a joint investigation team located two crash sites in close proximity, but were unable to determine which site was associated with 0804, and which related to this incident. Local witnesses report seeing 3 (possibly 4) parachutes, but finding only two pilots (Tyler/Carrigan). Witnesses said they found a pair of boots with some foot bones in them near one of the sites in 1970; investigators tentatively associated this account with 1LT Lane, based on the sequence in which the F-4s were downed and where the captured pilots were found. Witnesses also said they recovered signal flares and an ID card, but no longer had those items in their possession.

In December 1991, during a reinvestigation, witnesses added that near the boots, they found an ejection seat, a fully deployed parachute, and various personal items associated with the F-4 crew. Another witness said when he returned to this site in 1983, he found decayed portions of the parachute and boots, but no remains. The team uncovered parts of a plastic survival map, metal plate and other unidentified burned artifacts, all within one square meter area, just under the surface. Some of the witnesses reported that a Chinese unit recovered wreckage shortly after the incident.

In May 1992, during an excavation of cases #0804 and #0805 crash sites, investigators were able to correlate each site to a specific case. In the same area as the boots and foot bones were reportedly found, an excavation found pieces of a knapsack, 1LT rank insignia, parts of a survival vest and a survival radio. These items were recovered from 15cm under ground and were spread out over a wide area. The condition of the material was consistent with items that had been buried for many years. No remains were found.

In October 1993, the SRV turned over to archival researchers a document entitled "Combat Statistics of the Vietnam People's Air Force 1965-1972," which includes an entry that appears to relate to this incident, however, no additional information about the crew has yet been provided.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

3. PHOTOGRAPHIC EVIDENCE OF REMAINS AVAILABILITY

1LT Lee A. Adams, USAF (Case #0307)

WO John A. Berry, USA (Case #1334)

1LT Donald W. Bruch, Jr., USAF (Case #0322)

LT Edward A. Dickson, USN (Case #0053)

CPL Billy K. Evans, USA (Case #1334)

* MAJ Marvin W. Lindsey, USAF (Case #0105)

CDR Doyle W. Lynn, USN (Case #0088)

** LT Gilbert L. Mitchell, USN (Case #1075)

* MAJ Joseph C. Morrison, USAF (Case #1329)

* LTjg Lee E. Nordahl, USN (Case #0215)

* CPT John W. Seuell, USAF (Case #1870)

MAJ Hobart Wallace, USMC (Case #0996)

* Details and photos (or photocopies) are provided on these example cases.

** In July 1984, remains were repatriated which SRV officials identified as those of LT Mitchell. Upon examination, however, they proved to be the remains of LCDR Richard C. Nelson, USN, crewmate of LT Mitchell.

MAJ MARVIN W. LINDSEY, USAF (CASE #1329)

MAJ Lindsey was downed by anti-aircraft artillery on June 29, 1965 while on a reconnaissance mission over Son La Province. He was the sole crewman aboard his aircraft.

Numerous requests for information on the fate of MAJ Lindsey have been made by U.S. officials since early 1973, intensified during more recent times by requests in October 1986, October 1987, December 1988, March 1989, October 1989, and July 1990.

This incident has been jointly investigated three times. In October 1988, MAJ Lindsey's crash site was identified. A witness stated that MAJ Lindsey was killed upon landing and buried nearby. Excavation was attempted, but the grave was not located. A JCRC investigator accidentally discovered a log entry in a Son La Museum log indicating that MAJ Lindsey was captured alive.

On January 4, 1989, the U.S. team was shown a photo of a deceased aviator believed to be MAJ Lindsey, and introduced to new witnesses to MAJ Lindsey's reported death and burial. Another burial site excavation was attempted without success.

On February 9, 1990, new witnesses were again introduced, with corresponding new stories. VNOSMP produced new documents to prove the Son La Museum log entry which indicated MAJ Lindsey was captured alive actually related to a returned POW. A new site was also excavated, again unsuccessfully.

In November 1991, Time Magazine representatives purchased from the Vietnam News Agency a copy of the photograph alleged to depict the body of MAJ Lindsey. At a subsequent technical meeting, the SRV revealed that they had additional information on MAJ Lindsey and they provided a photograph of him, apparently dead. They stated that MAJ Lindsey was shot to death as he hung suspended in his parachute.

The U.S. Government now has another photograph depicting MAJ Lindsey's remains, indicating that his body was extensively and systematically photographed at the time of his loss incident in mid-1965.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.



OFFICIAL VIETNAMESE PHOTOGRAPH

MAJ MARVIN W. LINDSEY, USAF
JUNE 29, 1965

FACT SHEET

NAME: MITCHELL, GILBERT LOUIS

RANK: Lieutenant Commander

SERVICE: U.S. Naval Reserve

DATE OF LOSS: March 6, 1968

COUNTRY OF LOSS: North Vietnam

DATE OF BIRTH: July 10, 1941

PLACE OF BIRTH: Los Angeles,
CA

HOME OF RECORD: Tehachapi, CA

CURRENT STATUS: Presumed Killed in Action, Body not Recovered

TYPE OF AIRCRAFT: A-6A "Intruder"

UNIT: Attack Squadron 75

SHIP OR CARRIER: USS Kitty Hawk (CVA-63)

CIRCUMSTANCES: Lieutenant Commander Mitchell was the bombardier/navigator of an A-6A assigned to an attack mission near Haiphong railroad, North Vietnam. His aircraft failed to return to the designated rendezvous point and no distress radio signals were received. Anti-aircraft artillery fire and surface-to-air missile activity in the area was reported to be moderate to heavy. Intense airborne search efforts failed to produce any trace of Lieutenant Commander Mitchell, his pilot or their aircraft. In accordance with the Missing Persons Act, a presumption of death was made October 9, 1973. Since his remains have not been recovered and returned, he is listed by the Department of Defense as unaccounted for in Southeast Asia.

NARRATIVE

On 6 March 1968, an A-6 aircraft, serial number 152922, disappeared while flying over Hai Phong City. The crew members on board this aircraft were LCDR Gilbert L. Mitchell and LCDR Richard C. Nelson, both U.S. Navy. On 7 March 1968, a radio broadcast from Hanoi stated that an A-6 aircraft had been shot down over Hai Phong. A four minute film and commentary was made depicting Vietnamese attempts to salvage this aircraft. It reported that the two crewmen had been killed. A 4 January 1972 article in Nhan Dan also reported the downing of this aircraft on the night of 6 March 1968 and the death of the pilots.

Data pertaining to these two individuals are as follows:

Name: Mitchell, Gilbert Louis

Rank: LCDR, US Navy

Date of Birth: 10 July 1941

Race: Caucasian

Height: 1.80 Meters

Weight: 72.4 Kilos

Hair: Brown

Eyes: Hazel



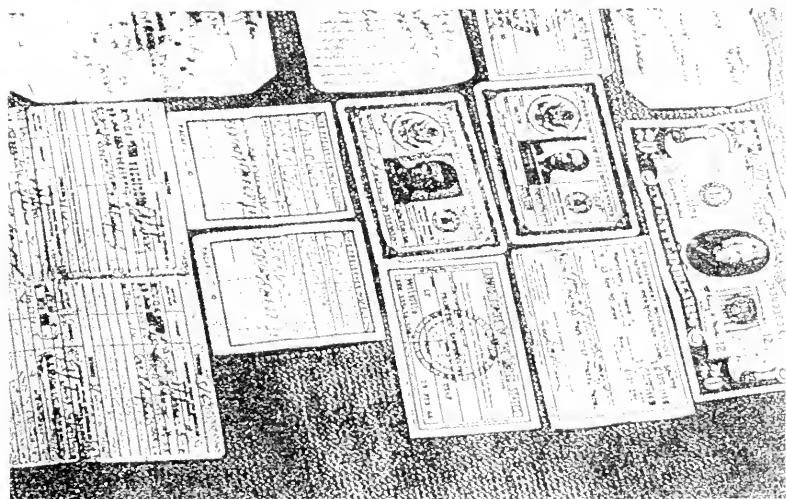
MAJ JOSEPH C. MORRISON, USAF (CASE #1329)

On November 25, 1968, MAJ Joseph C. Morrison and 1LT San D. Francisco were flying an F-4D that was downed in a heavily fortified area of Quang Binh Province. U.S. search and rescue forces made voice contact with MAJ Morrison on November 25th and with 1LT Francisco on November 25th and 26th. On November 25th, Radio Hanoi announced the shootdown and said the pilots had been captured. The same day an article in Nhan Dan also announced that the pilots had been captured alive.

The U.S. Government requested information on the fate of MAJ Morrison and 1LT Francisco at least eleven times from April, 1973 to May, 1991. This incident has been jointly investigated on four occasions. Initially, the aircraft wreckage was located, but no information was obtained on the fate of the crew. Subsequently, the VNOSMP said that MR4 records had no information on the fate of the aviators.

The Joint Team was later provided a list of graves of U.S. pilots in MR4, labeled "Air Pirates Killed and Torn Apart," implying no remains available. The names of both aviators were on the list. During records research in August 1991, MAJ Morrison's pistol and aircraft data plate were found on display in the 280th Air Defense Regiment Museum. A full-body photograph of MAJ Morrison was made available to the U.S. Government, yet MAJ Morrison's remains have not been returned to his family.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.



OFFICIAL VIETNAMESE PHOTOGRAPH

MAJ JOSEPH C. MORRISON, USAF
 1LT SAN D. FRANCISCO, USAF
 NOVEMBER 25, 1968

LTjg LEE E. NORDAHL, USN (CASE #0215)

LTjg Nordahl and his co-pilot, LCDR Guy D. Johnson, were lost on a reconnaissance mission over North Vietnam on December 20, 1965. Vietnamese citizens have reported that LTjg Nordahl was captured some 200 meters from where his co-pilot LCDR Johnson was initially buried.

Information about LTjg Nordahl has been requested on at least five occasions -- April 1975, July 1982, October 1983, September 1985, and July 1988.

The SRV unilaterally repatriated the remains of LCDR Johnson on March 18, 1977. In December 1988, the Director of the VNOSMP, Mr. Nguyen Can, provided identification media for LTjg Nordahl, but said this was all the material available on LTjg Nordahl.

Subsequently, a wartime photograph has been made available to the U.S. Government. The photo depicts Vietnamese doctors and nurses in a hospital environment standing around LTjg Nordahl, who is lying down partially covered.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.



OFFICIAL VIETNAMESE PHOTOGRAPH

LTjg LEE E. NORDAHL, USN
DECEMBER 20, 1965

JOINT TASK FORCE - FULL ACCOUNTING
CAMP H. M. SMITH, HAWAII 96861-5025



CASE 1870-0-01 AND 02

NARRATIVE

ON 6 JUNE 1972, MAJOR JAMES A. FOWLER AND CAPTAIN JOHN W. SEUELL WERE THE CREW ABOARD AN F-4D FIGHTER (SERIAL NUMBER 66-6232) IN A FLIGHT OF FOUR AIRCRAFT ON A COMBAT AIR PATROL MISSION. THEIR AIRCRAFT WAS HIT BY A SURFACE-TO-AIR MISSILE AND CRASHED IN THE VICINITY OF GRID COORDINATES VK879141, APPROXIMATELY 15 KILOMETERS NORTH OF YEN BAI AND 700 METERS EAST OF ROUTE 160, YEN BAI PROVINCE. THE OTHER FLIGHT MEMBERS SAW NO PARACHUTES AND HEARD NO ELECTRONIC BEACON SIGNALS. ABOUT THIRTY MINUTES LATER, THE CREW OF ANOTHER FLIGHT TRANSITING THE AREA REPORTED HEARING TWO ELECTRONIC BEACON SIGNALS OF SHORT DURATION. HOWEVER SEARCH AND RESCUE EFFORTS WERE NOT CONDUCTED DUE TO THE HOSTILE THREAT IN THE AREA.

ON 4 DECEMBER 1985, THE VIETNAMESE GOVERNMENT TURNED OVER MAJOR FOWLER'S IDENTIFICATION TAG AND CAPTAIN SEUELL'S MILITARY IDENTIFICATION CARD AND GENEVA CONVENTION CARD. THE VIETNAMESE OFFICIALS INDICATED THAT THE PERSONAL EFFECTS WERE OBTAINED FROM THE LOCAL PEOPLE. ACCORDING TO ACCOUNTS FROM THE LOCAL PEOPLE, THE PERSONAL EFFECTS WERE RECOVERED AT THE TIME OF THE INCIDENT. THE REMAINS WERE BURIED DURING THE WAR BUT THE GRAVES WERE LATER DESTROYED BY U.S. BOMBS, MAKING THE REMAINS UNRECOVERABLE.

A U.S. ARCHIVAL RESEARCH TEAM WORKING AT THE AIR DEFENSE MUSEUM IN HANOI EXAMINED A MUSEUM ACCESSION RECORD AND FOUR DOCUMENTS WHICH MAY BE ASSOCIATED WITH THIS CASE.

PASSED TO OFFICIALS OF THE
VIETNAMESE GOVERNMENT DURING THE
29 SEP 93 COORDINATION MEETING

VIETNAMESE ANNOTATIONS INDICATE THE DOCUMENTS WERE RECOVERED FROM AN AMERICAN AIRCRAFT SHOT DOWN ON 6 JUNE 1972 7 KILOMETERS FROM YEN BAI MUNICIPALITY. THE DATE AND LOCATION OF SHOOT DOWN CORRELATE TO THIS INCIDENT.

PERTINENT DATA ARE AS FOLLOWS:

NAME: FOWLER, JAMES ALAN
RANK: MAJOR, U.S. AIR FORCE
DATE OF BIRTH: 7 JANUARY 1938
RACE: CAUCASIAN
HEIGHT: 1.78 METERS
WEIGHT: 81.1 KILOGRAMS
HAIR: BROWN
EYES: BLUE

NAME: SEUELL, JOHN WAYNE
RANK: CAPTAIN, U.S. AIR FORCE
DATE OF BIRTH: 24 FEBRUARY 1946
RACE: CAUCASIAN
HEIGHT: 1.75 METERS
WEIGHT: 72.5 KILOGRAMS
HAIR: BROWN
EYES: BROWN



4. OFFICIAL RECOVERY OF REMAINS IN (FORMER) NGHIA BINH PROVINCE

CPL THOMAS F. DOUGLAS, USMC (CASE 0195)
 CPL VICTOR J. PIRKER, USMC (" ")
 1LT RICHARD A. MILLER, USMC (" ")
 1LT FRANCIS E. VISCONTI, USMC (" ")

During the 19th joint US/SRV field investigation of Case 0195, in Binh Thuan Village, Binh Son District, Quang Ngai Province, Mr. Phung Thanh Mai told the team he found some American remains buried on the beach (BT668052) in 1981. This incident involves the loss of four men in a helicopter that disappeared in adverse weather as it flew along the coast. An association between the recovered remains and these Americans unaccounted for cannot be made until U.S. experts have had an opportunity to examine the remains.

Mr. Mai had heard about an American buried near the beach, and he went there after he learned the Vietnamese Government was looking for the remains of Americans killed during the war. Mr. Mai found an almost complete skull (missing three or four teeth), two shin bones, and other pieces believed to be part of the hip bones. The day after he found the remains, Mr. Mai turned them in to the Public Security Office in Binh Son District. He was given a receipt for the remains and he heard later that the bones were turned over to Nghia Binh Province officials.

In May 1993, during the 23rd joint US/SRV field investigation of this incident, the Vietnamese team leader, Mr. Nguyen Che Dang, gave the team two documents that substantiated Mr. Mai's claims. The first document was a typed copy of Mr. Mai's receipt. The other, entitled "Report of Turn Over of Set of American Bones," was signed by Vietnamese Officials. The document stated that the officials signed for and then took the remains from Nghia Binh Province in 1983. No remains have been returned by the SRV with any identification or other information that would associate them with these four unaccounted for Americans.

5. OFFICIAL RECOVERY OF SEVEN REMAINS IN BINH DINH PROVINCE

CPT FERRIS A. RHODES, JR., USA	(CASE 1687)
WO1 THOMAS R. OKERLUND, USA	(" ")
WO1 LUIS G. HOLQUIN, USA	(" ")
SGT CARL A. PALEN, USA	(" ")
SSGT PATRICK J. MAGEE, USA	(" ")
WO1 DENNIS N. OMELIA, USA	(" ")
1LT MICHAEL D. PARSONS, USA	(" ")

During an investigation in August 1990 in Quang Nam-Da Nang Province, the joint team met with Mr. Nguyen Cong Da, the former Assistant Chief of the Enemy Proselyting Section of Inter-Region 5. Mr. Da informed the joint team that sometime during February or March 1979, he had been ordered by Military Region 5 to conduct an operation to recover American remains from a grave location in Phu Phong Village, Tay Son District, Binh Dinh Province.

Mr. Da took a team to Phu Phong Village, where they excavated the seven graves pointed out by local officials. Mr. Da said his team had found several web belts and canteens as well as the remains, all of which they gathered and turned over to the military justice section of MR5 Headquarters. Mr. Da said he was never advised of the results of his efforts regarding the recovery of the seven American remains.

Only one incident involving the loss of seven individuals occurred within a 30 kilometer radius of Phu Phong Village. This incident, involves the loss on January 3, 1971 of a U6A utility aircraft with seven Army personnel aboard. This aircraft was lost from radar during inclement weather; its last known location was less than 25 kilometers from the location described by Mr. Da. An extensive but unsuccessful search was made for this aircraft following its disappearance. No new information has been discovered since the incident occurred.

There is a strong analytical basis for believing the remains recovered in 1979 by Mr. Da and his team and turned over to MR5 Headquarters, are those of the crew of the aircraft associated with case 1687.

Two remains, returned in January 1989, were purportedly recovered from Binh Hiep Village. Binh Hiep is near Phu Phong Village. While these two remains may relate to this incident, some information suggests a possible relationship to another incident. In any case, at least five of the remains recovered by Mr. Da in 1979 have not been returned.

6. U.S. PERSONNEL NAMED ON SRV GRAVES REGISTRATION DOCUMENTS 46

MAJ Ivan D. Appleby, USAF (Case #0853)
 1LT Robert D. Avery, USMC (Case #1156)
 CPT John E. Bailey, USAF (Case #0335)
 MAJ Galileo F. Bossio, USAF (Case #0407)
 LTjg Virgil K. Cameron, USN (Case #0408)
~~CDR Billie J. Cartwright, USN (Case #0220) remains ID'd 94~~
 LTC Kelly F. Cook, USAF (Case #0904)
 1LT Brent E. Davis, USMC (Case #0279)
 1LT Robert J. Di Tommaso, USAF (Case #0407)
 CPT Robert M. Elliot, USAF (Case #1049)
 CPT John N. Flanigan, USMC (Case #1484)
 1LT Ronald W. Forrester, USMC (Case #1973)
 LTC Peter J. Frederick, USAF (Case #0621)
 CPT Tommy E. Gist, USAF (Case #1181)
~~LT Edward F. Gold, USN (Case #0220) remains ID'd '94~~
 1LT John K. Hardy, Jr., USAF (Case #0859)
 CPT Terrin D. Hicks, USAF (Case #1248)
 LT Gary D. Hopps, USN (Case #0251)
 CPT Robert E. Hoskinson, USAF (Case #0407)
 1LT James L. Huard, USAF (Case #1898)
 CDR Donald R. Hubbs, USN (Case #1091)
 COL Wallace G. Hynds, Jr., USAF (Case #0782)
 MAJ Dale A. Johnson, USAF (Case #0507)
 WO William A. Kimsey, USA (Case #1001)
 CPT Donald L. King, USAF (Case #0338)
 LTjg Fredrick W. Knapp, USN (Case #0887)
 CPT John M. Martin, USAF (Case #0923)
 MAJ Michael O. McElhanon, USAF (Case #1250)
 1LT Everett A. McPherson, USMC (Case #0279)
 1LT Richard M. Milikin, USAF (Case #0435)
 1LT Joe R. Mossman, USN (Case #0143)
 CPT Samuel O'Donnell, Jr., USAF (Case #1898)
 MAJ John F. Overlock, USAF (Case #1250)
 1LT Ronald L. Packard, USAF (Case #0778)
 LT Charles C. Parish, USN (Case #1236)
 LT Orland J. Pender, Jr., USN (Case #1910)
 CDR John R. Pitzen, USN (Case #1910)
 * CPT Thomas E. Reitmann, USAF (Case #0200)
 CDR Richard Rich, USN (Case #0692)
 CPT Alton, C. Rockett, USAF (Case #0717)
 CPT John W. Swanson, Jr., USAF (Case #0736)
 * LT Marvin B. Wiles, USN (Case #1843)
 LCDR George H. Wilkins, USN (Case #0391)
 LTjg Donald J. Woloszyk, USN (Case #0259)
 MAJ Patrick H. Wood, USAF (Case #0591)
 LT John B. Worcester, USN (Case #0175)

* Details are provided on these example cases.

CPT THOMAS E. REITMANN, USAF (CASE #0200)

On December 1, 1965 the F-105D aircraft piloted by CPT Reitmann was hit and downed by anti-aircraft fire while flying a mission approximately three kilometers southwest of the Cao Nung railroad bridge in the vicinity of XJ 535 835, Ha Bac Province. No further contact with Captain Reitmann was ever established.

On April 6, 1988 a number of remains were repatriated. SRV-provided documentation associated one set of remains with CPT Reitmann. Later examination and analysis, by the CILHI revealed that these remains were those of LT John McCormick, rather than CPT Reitmann.

In October 1992, a joint US/SRV team investigated this incident. A number of witnesses provided information which the Vietnamese element of the team assert was related to this case. Several witnesses claimed to have observed the shootdown, and related questionable information regarding remains which they associated with this event.

In its October 30, 1972 document, "Summary of Enemy Pilots Killed in Hai Hung," the military headquarters of Hai Hung Province listed the grave of Thomas E. Reitmann as one of ten which were registered.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

LT MARVIN B. WILES, USN (CASE 1843)

On May 6, 1972, LT Wiles was the pilot of one of two Navy A7E aircraft over North Vietnam. At approximately 10:00 a.m., his aircraft was shot down by a surface-to-air missile over Bo Trach District, Quang Binh Province. LT Wiles ejected and descended into a small hamlet approximately three kilometers northeast of the missile site.

Witnesses during the 10th joint US/SRV field activity said the pilot bailed out but was shot and killed. They described the burial and located the original grave site in the local cemetery. Reportedly, three days after the burial, district officials ordered the body exhumed, in order to take photographs; it was buried again at the same location. When joint investigators excavated the site, they found the grave empty, but for a zipper pull-tab from a flight suit. They reported the grave appeared to have been previously excavated with a thoroughness that suggested professional recovery. Information from witnesses at the scene strongly suggests recovery was made by SRV officials.

The name of LT Wiles is listed on the Quang Binh Province graves register.

Despite witness accounts, listing on the graves registration document and individual convincing testimony of recovery by SRV authorities, LT Wiles has yet to be accounted for by the SRV government.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

7. AMERICAN REMAINS REPORTEDLY RECOVERED BY VIETNAMESE OFFICIALS

CDR Carl B. Austin, USN (Case #0202)
 LTjg Jacob D. Logan, USN (Case #0202)

This case involves an F-4 shot down in 1966. The pilot was killed. Two witnesses report that villagers buried the body, and that a Vietnamese recovery team exhumed the remains after 1973.

1LT James Huard, USAF (Case #1898)
 CPT Samuel O'Donnell, Jr., USAF (Case #1898)

This case involves an F-4 shutdown. Two witnesses reported the two crewmen were buried, and then in 1976 or 1977 the remains were exhumed by a Vietnamese recovery team in Ha Trach Village.

CDR John C. Mape, USN (Case #0301)

This case involves an A01H shot down in April 1966. Remains were reportedly taken from the crash site and turned over to the VNSOMP during the May 1991 investigation. No records indicate that these remains were ever presented for review by a joint forensics team.

1LT Joseph W. McDonald, USMC (Case #1842)
 CPT David B. Williams, USMC (remains returned 6/21/89)

This case involves the 1972 shutdown of fighter aircraft, in which two crewmen were killed. Three witnesses have told us that in 1976 a vietnamese recovery team dug at the site, but only recovered one set of remains.

MAJ Ernest A. Olds, Jr., USAF (Case #1079)

Several witnesses in Quang Trach District described the shutdown of an F-4 and burial of 2 sets of remains, and the exhumation of those remains by a Vietnamese recovery team in the late 1970's.

LCDR Gerald R. Roberts, USN (Case #0201)

This case involves an A-1H which crashed in December 1965. Witnesses in Ky Long Village reported that they turned over remains associated with this case to district officials at the time of the incident. Our joint teams have not been able to obtain remains or further information in the village.

CPT Alton C. Rockett, Jr., USAF (Case #0717)

Two witnesses have described the shutdown of an F-4, burial of remains, and subsequent exhumation in 1978 by a district level team in Quang Trach district.

PROVISIONAL REVOLUTIONARY GOVERNMENT (PRG) DIED-IN-CAPTIVITY LIST

SSGT Samuel Adams, USAF (Case #0180)
 SGT Harold G. Bennett, USA (Case #0049)
 Mr. Henry F. Blood, CIV (Case #1017)
~~* PFC Frederick J. Burns, USMC (Case #0951)~~ *remains returned/ID'd*
 CPT Donald G. Cook, USMC (Case #0050)
 * PFC Joe L. DeLong, USA (Case #0689)
 SSGT Charles G. Dusing, USAF (Case #0180)
 CPT William F. Eisenbraun, USA (Case #0106)
 PFC Walter Ferguson, Jr., USA (Case #1260)
 Mr. Joseph W. Grainger, CIV (Case # 0037)
 Mr. Robert H. Grzyb, CIV (Case #0937)
 * SSGT Dennis W. Hammond, USMC (Case #1042)
 Mr. Gustav Hertz, CIV (Case #0052)
 Mr. Tanos E. Kalil, CIV (Case #1375)
 TSgt Thomas Moore, USAF (Case #0180)
 Mr. Daniel L. Niehouse, CIV (Case #0529)
 Ms. Betty Olsen, CIV (Case #1018)
 SGT Joe Parks, USA (Case #0048)
 PFC James M. Ray, USA (Case 1093)
 SFC Kenneth M. Roraback, USA (Case #0024)
 SFC James Salley, Jr. , USA (Case #1737)
 CPT John R. Schumann, USA (Case #0099)
 SGT Earl E. Shark, USA (Case #1277)
 PFC William M. Smith, USA (Case #1399)
 SGT Leonard M. Tadios, USA (Case #0047)
 CPT Humberto R. Versace, USA (Case #0021)
 CPT Orien J. Walker, USA (Case #0086)
 Earl C. Weatherman, (Case #9951)
 CPT Robert M. Young, USA (Case #1610) 29

* Details are provided on these example cases.

PFC JOE L. DELONG, USA (CASE #0689)

On May 18, 1967, Private First Class Joe L. Delong was captured when his company was overrun by People's Army of Vietnam (PAVN) forces near grid coordinates YA713310, 55 km west-southwest of Pleiku and 14 km northwest of Duc Co in Gia Lai-Kon Tum Province.

Former U.S. POWs said they were held with PFC Delong in a prison camp they referred to as "Camp 101". The returnees believed the camp was in Cambodia, in the vicinity of YA5787, near Hill 1484, approximately two km from the Vietnamese boarder. According to the POW debriefs, on our about November 6, 1967, PFC Delong and two other prisoners attempted to escape from the camp. Two of the prisoners were captured shortly afterwards but PFC Delong was able to evade capture for a short period of time.

On or about November 8, 1967, the camp commander and several guards told the prisoners that PFC Delong had been shot three times and killed while resisting capture. Camp personnel then showed the prisoners pieces of blood stained clothing they identified as having belonged to PFC Delong.

PFC Delong's name and date of death appeared on the Died-in-Captivity list provided by the Provisional Revolutionary Government of South Vietnam in January 1973. The date of death cited was November 1967.

In May 1993, Mr. Nguyen Phoi, a former Enemy Proselyting Section cadre member, was interviewed by the oral history team about his knowledge of U.S. prisoners. He identified PFC Delong's case as one of the eight U.S. Cases with which he was familiar and he identified an additional witness who knew about Delong's death.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

CPL DENNIS W. HAMMOND, USMC (CASE #1042)

Corporal Dennis W. Hammond was captured together with Corporal Joseph S. Zawtocky on February 8, 1968 in what is now Quang Nam-Danang Province. They both died at a Military Region 5 detention camp in the western part of the province and, according to several returnees held with them, were buried in the vicinity of the camp.

Returnees from this camp reported that death certificates, treatment records, and burial records were maintained by the camp commander. In addition, Corporal Hammond's name and reported date of death (March 7, 1970) were included on the Died-in-Captivity list provided by the Provisional Revolutionary Government of South Vietnam in January 1973.

In August 1985, Corporal Zawtocky's remains and a set of remains tentatively identified as Corporal Hammond were repatriated to the U.S.. The remains identified as Corporal Zawtocky's were confirmed to be his but those associated with Corporal Hammond were determined to be Southeast Asian mongoloid.

In August 1990, witnesses told the joint team that the MR5 camp was located in Tra Giac Village (Hamlet 4), Tra My District, Quan Nam - Danang Province. They added that in early 1979, a military force recovered remains from all graves that could be located in MR5. One source reported that he participated in a recovery operation at Hamlet 4 and used lists, sketches, and a map (with gravesites plotted) provided by the MR5 Department of Military Justice. The source was assisted by the chairman of Tra Giac Village.

Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, this case cannot be finally resolved for the family concerned.

9. REPORTED RECOVERY OF REMAINS OF DIED-IN-CAPTIVITY PERSONNEL

During a joint field investigation conducted in March 1992, a former POW camp cadre for COSVN, Mr. Nguyen Thanh Cong, was interviewed in Song Be Province regarding his knowledge of American POWs held in a COSVN controlled camp in Cambodia. Mr. Cong reported that sometime after 1973, former COSVN POW camp commander, Mr. Tam Huy, and camp interpreter, Mr. Tri (possibly Nguyen Hung Tri), recovered the remains of three Americans who died of malaria while in the camp.

The remains of only American previously held in a COSVN POW camp has been repatriated WO1 Michael Varnado, USA, in April 1989. Three other DIC cases were known to be in COSVN-controlled camps in Cambodia: Robert Young, Walter Ferguson, and James Ray; all are still unaccounted for. In addition, other individuals who were associated with the Varnado/Young loss incidents are still unaccounted for: CPL Bunyan Price, CPL Rodney Griffin, CPT Dale Richardson. Evidence indicates that Bunyan Price may have been captured.

With the knowledge that the remains of three Americans who died in captivity were recovered by Vietnamese officials, one of which was identified as the remains of Michael Varnado, additional remains from this COSVN-controlled POW camp may be recoverable.

10. RECOVERED REMAINS HELD BACK FOR LACK OF IDENTIFICATION

In June 1991, a delegation from the Socialist Republic of Vietnam visited the U.S. facilities of the JCRC and CILHI in Hawaii for the purpose of familiarization and mutual exchange of information on the issue of missing Americans. During the course of this visit, several Vietnamese officials elaborated on the recovery of American remains in Vietnam.

One official explained that a number of assorted bones of Americans have been collected; they include incomplete remains such as arm bones and leg bones, but very few teeth. The total number of remains is indeterminate since they consist only of remains portions; however, the official offered an estimate of anywhere between 50 and 80 incomplete sets of remains which have been collected. He added that, because of the lack of teeth and no access to U.S. individual medical records, these are all considered by the SRV to be unidentifiable remains.

These remains should be jointly examined by a US/SRV forensic team and remains which could be those of American personnel should be repatriated to the U.S. for further analysis at the CILHI.

INCIDENTS IN LAOS: LAST KNOWN ALIVE

The following lists 78 Americans, involving 41 cases, who are still missing and unaccounted for from incidents which occurred in Laos, most in areas where Vietnamese forces were known to have operated during the war. In view of Vietnam's policy and practice, known to have been effectively implemented, for collection and retention of information on and remains of American POWs and casualties, it is to the Government of Vietnam that the families of nearly 85% of American losses in Laos look for accountability. Some cases should be known to the Lao Government, as noted. Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, most of these cases cannot be finally resolved for the family concerned.

Names of Missing AmericanKnowledgeable Government

SPC4 Robert Acalotto, USA (Case #1708)	SRV
WO Randolph Ard, USA (Case #1719)	SRV
Cpt Arthur Baker, USAF (Case #0070)	LPDR
LTC Clarence Blanton, USAF (Case #2052)	SRV/LPDR
SGT Timothy Bodden, USMC (Case #0720)	SRV
* SSGT Russell Bott, USA (Case #0536)	SRV
SGT Alan Boyer, USA (Case #1108)	SRV
MAJ William Brashear, USA (Case #1437)	SRV
SFC George Brown, USA (Case #1108)	SRV
SSGT William Brown, USA (Case #1514)	SRV
MAJ Charles Brownlee, USAF (Case #1347)	SRV
1LT Sheldon Burnett, USA (Case #1719)	SRV
MSGT James Calfee, USAF (Case #2052)	SRV/LPDR
MAJ Ralph Carlock, USAF (Case #0606)	SRV/LPDR
SSGT James Cohron, USA (Case #0984)	SRV
* LT Barton Creed, USN (Case #1724)	SRV
CWO Fredrick Cristman, USA (Case #1730)	SRV
CPT Benjamin Danielson, USAF (Case #1535)	SRV
TSGT James Davis, USAF (Case #2052)	SRV/LPDR
Mr. Charles Dean, Civilian (Case #1994)	LPDR
Mr. Eugene DeBruin, Civilian (Case #0018)	LPDR/SRV
SFC Ronald Dexter, USA (Case #720)	SRV
1LT Thomas Duckett, USAF (Case #1683)	SRV
MSGT Raymond Echevarria, USA (Case #0480)	SRV
* COL Patrick Fallon, USAF (Case 1463)	SRV
CPT Gary Fors, USMC (Case #0947)	SRV
CPT Russell Galbraith, USAF (Case #1339)	SRV/LPDR
SPC5 Ricardo Garcia, USA (Case #1730)	SRV
1LT John Gardner, USMC (Case #0720)	SRV
CPT James Gates, USA (Case #0297)	SRV
SSGT Henry Gish, USAF (Case #2052)	SRV/LPDR
CPT Robert Greenwood, USAF (Case #1918)	LPDR/SRV
SSGT Willis Hall, USAF (Case #2052)	SRV/LPDR

CPT Stephen Hanson, USMC (Case #0720)	SRV
1LT Peter Hesford, USAF (Case #1100)	SRV
TSGT Melvin Holland, USAF (Case #2052)	SRV/LPDR
CPT David Holmes, USAF (Case #0275)	SRV/LPDR
CPT David Hrdlicka, USAF (Case #0084)	LPDR/SRV/USSR
SGT Charles Huston, USA (Case #1108)	SRV
1LT Ronald Janousek, USMC (Case #1478)	SRV
SPC5 Randolph Johnson, USA (Case #1708)	SRV
SFC James Jones, USA (Case #0480)	SRV
CPL Bruce Kane, USMC (Case #1478)	SRV
A1C Charles King, USAF (Case #1348)	SRV
SSGT Herbert Kirk, USAF (Case #2052)	SRV/LPDR
CPT John Lafayette, USA (Case #0297)	SRV
SFC Glen Lane, USA (Case #1191)	SRV
SFC Billy Laney, USA (Case #0720)	SRV
CPT James Lewis, USAF (Case #0070)	LPDR
LTC Carter Luna, USAF (Case #1405)	SRV
* MAJ Oscar Mauterer, USAF (Case #0253)	SRV
1LT David May, USA (Case #1708)	SRV
LTC Scott McIntire, USAF (Case #1782)	SRV
CPT William Mullen, USMC (Case #0323)	UNKNOWN
1LT Henry Mundt, USAF (Case #1437)	SRV
SSG Robert Owen, USA (Case #1191)	SRV
MAJ Gilbert Palmer, USAF (Case #1063)	UNKNOWN
SGT Norman Payne, USA (Case #1343)	SRV
SSGT David Price, USAF (Case #2052)	SRV/LPDR
1LT Dennis Pugh, USAF (Case #1573)	SRV
SSGT Ronald Ray, USA (Case #1522)	SRV/LPDR
WO Jon Reid, USA (Case #1708)	SRV
SSGT Leo Seymour, USA (Case #0750)	SRV
TSGT Patrick Shannon, USAF (Case #2052)	SRV/LPDR
CPT Charles Shelton, USAF (Case #0079)	LPDR
SPC4 Donald Shue, USA (Case #1514)	SRV
MAJ Owen Skinner, USAF (Case #1683)	SRV
CPT Warren Smith, USAF (Case #0370)	SRV
WO Jon Sparks, USA (Case #1730)	SRV
TSGT Donald Springsteadah, USAF (Case #2052)	SRV/LPDR
LTC Robert Standerwick, USAF (Case #1698)	SRV
SFC Willie Stark, USA (Case #0536)	SRV
1LT Aubery Stowers, USAF (Case #1100)	SRV
SGT Randolph Suber, USAF (Case #1522)	SRV/LPDR
SSGT Gunther Wald, USA (Case #1514)	SRV
SFC Eddie Williams, USA (Case #0480)	SRV
SSGT Peter Wilson, USA (Case #1669)	SRV
CPT Don Wood, USAF (Case #0233)	LPDR
CPT William Wood, USAF (Case #1918)	LPDR
SSGT Don Worley, USAF (Case #2052)	SRV/LPDR
CPT Thomas Wright, USAF (Case #1063)	UNKNOWN

*Example cases

LT BARTON S. CREED, USN (CASE #1724)

On March 13, 1971, LT Barton S. Creed was flying an A7E on a strike mission over Salavan Province. While pulling out of a strafing run, his aircraft sustained damage from ground fire. LT Creed ejected from the aircraft and descended with a good parachute. After touching down, he made radio contact with the forward air controller, stating that he was injured with a broken leg and arm and was losing consciousness. Search and rescue (SAR) forces arrived within the hour, but were unable to attempt rescue due to intense ground fire. Radio contact was soon lost; however, LT Creed's last voice transmission indicated his capture was imminent. The next day, SAR forces returned to the area and discovered that LT Creed's parachute several hundred meters from the incident site and was spread out in this area. As the SAR forces approached, they were met with intense ground fire. They determined that it was a trap, and suspended all SAR efforts.

In October 1992, a joint US/LAO investigation team interviewed residents of the village nearest to the recorded loss location. No one provided any knowledge of shoot downs or crash sites in the area. An aerial search of the area was conducted with negative results.

In November 1993, a JTF-FA joint field activity team interviewed residents of the village near the loss location of record with negative results. JTF-FA analysis indicated that the crash site may be 10 kms south of the loss location of record and interviewed residents of one village near suspected loss location. One witness knew of a crash site possibly associated with this incident; no one had any firsthand knowledge of the shutdown, or any knowledge of the pilot. A thorough surface search was conducted, and recovered aircraft wreckage was correlated to this incident.

12th Company, 44th Bn (possibly an AAA unit) is indicated in the Group 559 Document as the possible unit that shot down Lt. Creed. Also, there is a possible correlation in this document, based on incident date an aircraft type. It states that the pilot died soon after capture.

Vietnamese archival documents should contain information regarding LT Creed's fate, as he was last known alive on the ground in an area heavily defended by ground fire. All indications point to his being captured, and because he was injured, he may have been taken to an aid station/hospital. If LT Creed did not survive long after his last radio transmission, Vietnamese records should provide information regarding the location of this remains, which should be retrievable. The Group 559 Document indicates a possible shutdown unit and possible information concerning this incident.

COL PATRICK M. FALLON, USAF (CASE #1463)

On July 4, 1969, COL Fallon was shot down in Xiang Khoang Province, Laos. He was able to eject and established voice contact with his wing man after reaching ground. COL Fallon stated that he was under fire and possibly wounded. Enemy forces were then noted closing on COL Fallon's position, voice contact was lost. When SAR forces arrived a short time later, they were driven off by intense enemy fire.

In December 1992, an archival research team correlated a document found in the PAVN Central Museum, Hanoi, to COL Fallon, based on the date of his shoot down, aircraft type, ordinance type used and general location.

In July 1993, joint field investigators interviewed residents of the six villages located nearest to the incident area about the incident with negative results. One villager provided aircraft parts possibly related to the incident, but had no first hand knowledge of either the shoot down or the fate of COL Fallon. A thorough ground search was conducted at and around the reported incident location with negative results.

Archival researchers should continue to search for information regarding the PAVN unit responsible for COL Fallon's shoot down and possible capture, as well as other records pertaining to this incident. If COL Fallon was captured the responsible PAVN unit should have recorded further information regarding his location and fate. Similarly, the responsible PAVN unit should have recorded information regarding his death and burial. Joint or unilateral archival research should conclusively determine the fate of COL Fallon.

LTC CARTER LUNA, USAF (CASE #1405)

On March 10, 1969, LTC Luna and CPT Aldis Rutyna were flying the second F-4D in a flight of two on a strike mission over Savannakhet Province, Laos. Their aircraft sustained damage during their last attack and both men were forced to eject. Both men landed safely on the ground and sought cover from enemy forces. Radio contact was established with both downed airmen and SAR forces were able to rescue CPT Rutyna.

CPT Rutyna reported that although he was unable to locate LTC Luna once they reached the ground, he believed LTC Luna touched down about 40 yards from his own position. CPT Rutyna also reported that while on the ground, he heard enemy activity all around his position. Radio contact with LTC Luna was lost approximately one hour prior to the rescue of CPT Rutyna.

In March 1993, a joint US/Lao investigation team visited the of last known location vicinity, but were unable to locate any witnesses among the local population who could provide information regarding this incident. The team conducted an unproductive ground search of the recorded coordinates.

Vietnamese archives should provide information regarding which NVA/Pathet Lao units were operating in the area during the time of the incident. The records or archives of this unit(s) should provide conclusive evidence regarding the fate, capture or death and burial, of LT Luna.

If LTC Luna was captured, what unit captured him and where was he taken? If he did not survive the loss incident, what became of his remains? What NVA/Pathet Lao units were operating in or responsible for the area LT Luna was lost in? Where are their records/archives?

The Vietnamese should have knowledge on the fate and disposition of LTC Luna.

SSG RUSSELL P. BOTT, USA (CASE #0536)
SFC WILLIE E. STARK, USA (" ")

On November 29, 1966, SSG Bott and SFC Stark, the only American members of a six-man reconnaissance patrol, were inadvertently inserted into Savannakhet Province, Laos. On December 2, 1966, during a fire fight, two ARVN members were killed and SFC Stark was wounded in the chest and leg. As the extraction helicopter approached, SSG Bott, who was with SFC Stark, signalled the two surviving ARVNs to go to the egress point; he refused to leave the wounded Stark. The last transmission heard from Bott stated his ammunition was almost gone, and he was going to destroy the radio. One of the rescue helicopters was shot down, with all crew aboard killed-in-action (case #0537). The next day, a team swept the general area in which SSG Bott and SFC Stark were last located. They found trails, blood trails, and a large amount of expended ammunition; however, they were unable to find SSG Bott or SFC Stark.

In March 1993, a JTF-FA team flew to the villages located closest to the incident site. The villagers provided no information and stated that they were not in the area when the incident took place. The villagers stated that Vietnamese units were in the area, but, they were unable to identify the type or name of the units. The team also visited the loss location, and was unable to locate any evidence of remains, personal effects or burial sites.

In January 1994, a team flew to the location identified by a forward air controller who was present at the time of the incident. No evidence of remains, personal effects or burial sites were noted in the area.

Information was recently located in the "559 Document" which possibly correlates to this case and case #0537. The entry states that on December 2, 1966, six Americans and five local soldiers were killed. The Vietnamese unit mentioned in this document should be able to explain what happened to SSG Bott and SFC Stark. The unit should be located and questioned regarding their fates.

MAJ OSCAR MAUTERER, USAF (CASE #0253)

MAJ Mauterer's A-1E was hit by ground fire while flying over Khammouan Province, Laos on February 15, 1966. MAJ Mauterer successfully parachuted to the ground, but heavy enemy fire prevented recovery. Voice communications were never established, but an emergency beeper signal was detected. Source reporting suggests MAJ Mauterer may have been captured.

In May 1993 a joint investigation team flew into the last known location of MAJ Mauterer and questioned villagers on any information they may have. Villagers stated that they had all abandoned their villages and that the Vietnamese controlled the area. The team was unable to acquire any additional information to resolve the status of MAJ Mauterer.

Although U.S. investigators have not found any direct connection to the Vietnamese Government, the crashsite is located directly on the main artery of the Ho Chi Minh trail. As such, Vietnamese units should have knowledge of the incident. Villagers currently residing in the area were questioned about the loss incident during 1993, but admitted to no knowledge of American pilots being captured.

The Vietnamese units assigned in the incident location should be identified as they would have specific knowledge of MAJ Mauterer's fate.

INCIDENTS IN LAOS: KNOWLEDGE EXPECTED

The following lists 58 Americans, involving 33 cases, who are still unaccounted for from incidents which occurred in Laos, many in areas where Vietnamese forces were known to have operated during the war. In view of Vietnam's policy and practice, known to have been effectively implemented, for collection and retention of information on and remains of American POWs and casualties, it is to the Government of Vietnam that the families of nearly 85% of American losses in Laos look for accountability. Some cases should be known to the Lao Government, as noted. Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, most of these cases cannot be finally resolved for the family concerned.

<u>Names of Unaccounted for Americans</u>	<u>Knowledgeable Government</u>
CDR Donald Aldern, USN (Case #1641)	LPDR
1LT Henry Allen, USAF (Case #1579)	LPDR
MAJ Richard Ayers, USAF (Case #1596)	SRV
SSGT Marvin Bell, USAF (Case #1643)	SRV
SGT Gerald Biber, USA (Case #0005)	LPDR
SFC John Bischoff, USA (Case #0005)	LPDR
1LT Donald Bloodworth, USAF (Case #1650)	LPDR
CPT Donald Breuer, USMC (Case #1947)	SRV
WO2 Jack Brunson, USA (Case #1751)	SRV
CPT Park Bunker, USAF (Case #1686)	LPDR
MAJ John Carroll, USAF (Case #1944)	SRV
MAJ Joseph Chestnut, USAF (Case #1666)	LPDR
CPL William Copley, USA (Case #1325)	SRV/LPDR
SSGT Michael Dean, USAF (Case #1643)	SRV
Mr. Charles Duffy, Civilian (Case #002)	LPDR
CPT Richard Elzinga, USAF (Case #1579)	LPDR
LT Bruce Fryar, USN (Case #1542)	SRV
MAJ John Geeglien, USAF (Case #1643)	SRV
MAJ Frank Gould, USAF (Case #1959)	SRV
LTC Norman Green, USAF (Case #0980)	LPDR
PO2 John Hartzheim, USN (Case #1062)	SRV
CPT Raymond Hetrick, USAF (Case #0256)	SRV
1LT Gordon Hill, USAF (Case #1642)	LPDR
CPT Russell Hunter, USAF (Case #0250)	SRV
1LT Wayne Irsch, USAF (Case #0980)	LPDR
MSGT Paul Jenkins, USAF (Case #1643)	SRV
MAJ George Jensen, USAF (Case #0339)	SRV
OMAJ Harold Kahler, USAF (Case #1454)	LPDR
MAJ John Kerr, USAF (Case #0802)	SRV/LPDR
1LT Scott Ketchie, USMC (Case #1824)	SRV
CPT Ernst Kiefel, USAF (Case #0250)	SRV
SGT Gregory Lawrence, USAF (Case #1298)	SRV
SSGT William Madison, USAF (Case #0339)	SRV
CPT Michael Masterson, USAF (Case #1303)	LPDR

LTC Glenn McElroy, USA (Case #0276)	SRV
AFC Kenneth McKenney, USAF (Case #0339)	SRV
CDR Paul Milius, USN (Case #1062)	SRV
CPT Walter Moon, USA (Case #0005)	LPDR
CPT Burke Morgan, USAF (Case #0802)	SRV/LPDR
CPT Clinton Musil, USA (Case #1751)	SRV
CPT John Nash, USA (Case #0276)	SRV
CPT Wayne Newberry, USAF (Case #1293)	SRV
CPT Joseph Pirruccello, USAF (Case #1536)	LPDR
AFC Alan Pittmann, USAF (Case #0524)	SRV/LPDR
SSGT James Preston, USAF (Case #0339)	SRV
CPT Robert Rausch, USAF (Case #1596)	SRV
MAJ Lavern Reilly, USAF (Case #0339)	SRV
MAJ Donald Russell, USAF (Case #0935)	SRV/LPDR
CPT Mitchell Sadler, USAF (Case #1642)	LPDR
SCPT William Sanders, USAF (Case #1644)	SRV
CPT Leroy Schaneberg, USAF (Case #1643)	SRV
1LT Daniel Singleton, USAF (Case #1366)	SRV
CPT Marshall Tapp, USAF (Case #0339)	SRV
1LT George Thompson, USAF (Case #0339)	SRV
MAJ Russell Utley, USAF (Case #1366)	SRV
MAJ Albert Wester, USAF (Case #1298)	SRV
SGT James Williams, USAF (Case #0339)	SRV

INCIDENTS IN CAMBODIA: LAST KNOWN ALIVE

The following lists 18 Americans, involving 10 cases, who are still missing and unaccounted for from incidents which occurred in Cambodia, nearly all in areas where Vietnamese forces were known to have operated during the war. In view of Vietnam's policy and practice, known to have been effectively implemented, for collection and retention of information on and remains of American POWs and casualties, it is to the Government of Vietnam that the families of 90% of American losses in Cambodia look for accountability. Some cases could be known to former or current Cambodian officials, as noted. Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, most of these cases cannot be finally resolved for the family concerned.

Names of Unaccounted for AmericansKnowledgeable Government

★WO Richard Bauman, USA (Case #1727)	SRV
★SPC4 Craig Dix, USA (Case #1727)	SRV
Mr. Sean Flynn, Civilian (Case #1588)	CB
★SPC4 Rodney Griffin, USA (Case #1610)	SRV
PFC Gary Hall, USMC (Case #1998)	CB
LCP Joseph Hargrove, USMC (Case #1998)	CB
★SPC4 Bobby Harris, USA (Case #1727)	SRV
PVT Danny Marshall, USMC (Case #1998)	CB
★SPC4 Bunyan Price, USA (Case #1610)	SRV
Mr. Terry Reynolds, Civilian (Case #1836)	CB
★CPT Dale Richardson, USA (Case #1610)	SRV
★SFC Jerry Shriver, USA (Case #1431)	SRV
★SGT Curtis Smoot, USA (Case #1722)	SRV
Mr. Dana Stone, Civilian (Case #1588)	CB
Mr. Brian Walsh, Civilian (Case #2049)	CB
★SFC Charles White, USA (Case #1006)	SRV
Mr. John Yim, Civilian (Case #2060)	CB
★CPT Robert Young, USA (Case #1610)	SRV

INCIDENTS IN CAMBODIA: KNOWLEDGE EXPECTED

Some cases could be known to former or current Cambodian officials, as noted. Even with original incident data and information provided by both governments or jointly obtained, unless the Government of Vietnam undertakes unilateral efforts, most of these cases cannot be finally resolved for the family concerned.

On these cases, circumstances of loss or subsequent information is convincing that knowledge should be available. In some cases, there is convincing evidence that the individual did not survive the incident of loss; in many, there is also convincing evidence that Vietnamese officials have recovered remains not yet returned.

<u>Names of Unaccounted for Americans</u>	<u>Knowledgeable Government</u>
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SGT Gregory A. Antunano, USA (Case #1762)	SRV
SSGT Deverton C. Cochrane, USA (Case #1634)	SRV
CPT Randall D. Dalton, USA (Case #1762)	SRV
SGT William A. Evans, USA (Case #1398)	SRV
PFC James A. Green, USA (Case #1635)	SRV
SSGT Larry G. Harrision, USA (Case #1709)	SRV
1LT Eric J. Huberth, USAF (Case #1619)	SRV
1LT Thomas W. Knuckey, USA (Case #1749)	SRV
CPL Carl J. Laker, USA (Case # 1634)	SRV
1LT Lawrence E. Lilly, USA (Case #1728)	SRV
MAJ Harold B. Lineberger, USAF (Case #1695)	CB/SRV
PFC Ashton N. Loney, USMC (Case #2038)	CB
CPL Michael F. May, USA (Case #1398)	SRV
SGT Armando Ramirez, USA (Case #1446)	SRV
CPT Jon E. Swanson, USA (Case #1709)	SRV
SGT Phillip C. Taylor, USA (Case #1749)	SRV
CPT Alan R. Trent, USAF (Case #1619)	SRV

SFC CHARLES WHITE, USA (CASE #1006)

On January 29, 1968, SFC Charles White and two other members of a reconnaissance team were being extracted by helicopter from their operational location in Ratanokiri Province, Cambodia. During extraction, SFC White fell from the rope harness from an altitude of approximately 60 meters. The incident occurred approximately eight kilometers north of Kham Dorang and four kilometers east of the Cambodian/Lao border in Ratanokiri Province. A ground rescue team was inserted into the area on January 31, and in searching the incident location, discovered the spot on the ground where SFC White had impacted as well as the path he had taken through the canopy. The rescue team discovered additional evidence that indicated the area had been searched by hostile forces the previous day; however, the team was not able to locate a body or grave site.

In November-December 1993, a joint field activity team tried to investigate the loss incident site. Due to the remote location of this site and extreme difficulty associated with the insertion of the team, only an aerial reconnaissance was conducted. This effort was impeded by the principal topographic feature of the area, dense triple canopy jungle. No landing zones or villages were identified within 20 kilometers of the loss site. Due to safety and security considerations, plus the existence of numerous impediments to ground movement, an on-site investigation will probably not be possible.

The potential for resolution of this case rests with possible archival material in Vietnam. The Vietnamese units assigned in the incident location should be identified and questioned whether SFC White survived his fall and whether he was captured. If he did not survive, or was killed, the unit should be able to determine what happened to his remains.

CASE 1727: WO RICHARD BAUMAN, WO JAMES HESTAND, SP4 CRAIG DIX AND
SP4 BOBBY HARRIS, U.S. Army

INCIDENT: On March 17, 1971, WO Bauman, WO Hestand, SP4 Harris, and SP4 Dix were crew members aboard a UH-1H helicopter that was struck by ground fire and crashed in triple canopy jungle approximately 13 kilometers northwest of Snuol, Kratie Province, Cambodia. A medical evacuation helicopter located the crash site but was driven off by intense enemy ground fire. Subsequent attempts by search and rescue forces to relocate the crash site were unsuccessful. WO Hestand was captured and subsequently released by the Vietnamese in February 1973. Upon his release he stated that SP4 Harris had been killed in the crash and that he last observed WO Bauman and SP4 Dix trying to evade the enemy. Other information indicates that WO Bauman and SP4 Dix were subsequently killed and buried approximately 400 meters southeast of the crash site. This information also indicated that SP4 Harris was buried near the downed aircraft. The antiaircraft company, 1st Regiment, Vietnamese Communist 5th Division, reportedly shot down the helicopter. The Division headquarters was located about 500 meters north of the crash site.

CENTRAL QUESTIONS:

Were WO Bauman and SP4 Dix captured by enemy forces? Where is the grave of SP4 Harris located? Can the Vietnamese provide information that could lead to the resolution of this case?

JOINT OR UNILATERAL INVESTIGATIONS:

Joint Field Activity 93-1C, October 1992: Team unable to investigate site due to security threat posed by presence of Khmer Rouge forces.

Joint Field Activity 93-2C, December 1992: Team unable to investigate site due to security threat posed by presence of Khmer Rouge forces.

Joint Field Activity 93-3C, February 1993: Team unable to investigate site due to continued presence of Khmer Rouge.

Joint Field Activity 94-1C, Sep-Nov 1993: Survey/recovery operations at site revealed heavy scavenging. No evidence was uncovered concerning potential burial sites. Remains and information provided by witnesses during the early phase of this investigation were not related to REFND 1727.

Joint Field Activity 94-2C, November 1993: Team excavated the crash site and recovered seven possible human skeletal fragments and aircraft wreckage. Prior to this iteration, information was acquired from the co-pilot involved in this case who had been captured by the Vietnamese and released in February 1973.

PRIORITY LEADS:

The Vietnamese should have knowledge on the fate and disposition of the three unaccounted for American soldiers associated with this case.

KNOWLEDGEABILITY:

Vietnam.

CASE 1610: WO MICHAEL VARNADO, WO DANIEL MASLOWSKI, SP4 FREDERICK CROWSON, PVT TONY KARRECI, CPT ROBERT YOUNG, CPT DALE RICHARDSON, SP4 BUNYAN PRICE, AND SP4 RODNEY GRIFFIN, U.S. Army

INCIDENT: On May 2, 1970, WO Varnado, WO Maslowski, SP4 Crowson, PVT Karreci, CPT Young, Cpt Richardson, SP4 Price, and SP4 Griffin were aboard a UH-1H helicopter that was downed near the Vietnamese/Cambodian border. The aircraft went down approximately eight kilometers southwest of Memot in Kampong Cham Province, Cambodia. The pilot was able to crash land the helicopter in a rice field. All of the occupants were unhurt at the time and left the aircraft to take cover. PVT Karreci evaded capture and returned to U.S. control on May 4, 1970. WO Varnado, WO Maslowski, SP4 Crowson, and CPT Young were captured. WO Maslowski and SP4 Crowson were released in February 1973. WO Varnado and CPT Young died in captivity. Both deaths were acknowledged by the Provisional Revolutionary Government of South Vietnam. WO Varnado was listed as dying on 21 Sep 1970 and CPT Young as 17 Nov 1972. On April 27, 1989, the SRV repatriated the remains of WO Varnado. CPT Young died at Vietnamese prison camp known of TB 21; it was located about 15 kilometers northeast of Kratie City, near the village of Phum Chang Krang, Sambok District, Kratie Province, Cambodia. Repatriated American POWs held at this facility confirmed the death of CPT Young. His remains, however, have yet to be recovered. CPT Richardson, SP4 Price, and SP4 Griffin were last seen running for cover after the aircraft landed; they remain unaccounted for.

CENTRAL QUESTIONS: Were CPT Richardson, SP4 Price and/or SP4 Griffin captured by enemy forces? Where is the grave of CPT Young located?

JOINT OR UNILATERAL INVESTIGATIONS:

Joint JTF-FA/SOC Investigations, April 1992: Team conducted an investigation on the crash site and a purported burial site. Villagers from the village of Romeas Chol were interviewed. The Team was led to the crash site where recovery operations were conducted. No remains were uncovered. Subsequent analysis of aircraft wreckage indicated this site did not correlate to REFNO 1610.

Joint Field Activity 93-1C, October 1992: Team attempted to locate the grave of CPT Young in Kracheh Province. Local villagers interviewed; they knew of former presence of Vietnamese POW camp but reported that it no longer existed. The Team visited the alleged location of the camp only to discover it was now an area devoid of trees and under cultivation. The Team also reinvestigated this case at the site in Kampong Cham Province. Small, unidentifiable pieces of wreckage were all that was recovered.

Joint Field Activity 93-3C, Jan-Feb 1993: Team investigate another crash site possibly associated with REFNO 1610. Limited wreckage was discovered. Villagers had no information on the fate of the aircrew. The team was led to a possible burial area that appeared to have been recently scavenged. No remains or personal effects were found.

Joint Field Activity 94-2C, Nov-Dec 1993: Team conducted investigations on REFNO 1610 in Stung Treng Province. No information relevant to the resolution of this case was uncovered.

PRIORITY LEADS:

The Vietnamese should have knowledge on the location of CPT Young's grave since he was held and died at a prison camp in Cambodia that was administered by, and under the complete control of, Vietnamese forces. Likewise, the SRV should have records on at least the fate, if not the final disposition, of CPT Richardson, SP4 Price, and SP4 Griffin.

KNOWLEDGEABILITY:

Vietnam.

CASE 1431: SFC JERRY SHRIVER, U.S. Army

INCIDENT: On April 24, 1969, SFC Jerry Shriver and SGT Ernest Jamison were members of a 25-man American/Vietnamese platoon that was ambushed approximately 23 kilometers southeast of Memot. SFC Shriver was last seen entering a tree line at the edge of the landing zone. Other members of the platoon spoke to SFC Shriver on the radio but contact was lost within several minutes. During the battle, several Americans, to include SGT Jamison, and Vietnamese were killed. The surviving members of the platoon were extracted from the area; SGT Jamison's body was left behind. SFC Shriver and several Vietnamese soldiers could not be located. On June 12, 1970, an American recovery team located the remains of SGT Jamison and several Vietnamese soldiers. No evidence was uncovered concerning the fate of SFC Shriver.

CENTRAL QUESTIONS: Was SFC Shriver captured alive by enemy forces or killed while attempting to evade?

JOINT OR UNILATERAL INVESTIGATIONS:

Joint U.S./SOC Investigations, April 1992: Team investigated this case as well as REFNOs 1398 and 1410 along the Vietnamese-Cambodian border in Kampong Cham Province. Numerous villagers were interviewed but none had knowledge of missing Americans or potential grave sites.

Joint U.S./SOC Investigations, June 1992: Team denied permission to visit location due to presence of Khmer Rouge.

Joint Field Activity 93-1C, October 1992: Team's attempt to investigate case in village of Phum Chaom thwarted by fact the area was flooded. Team interviewed witnesses in village of Phum Boeng Chroung Kraom, some of whom claimed to have recovered artifacts and bones east of the village. Team denied permission to move on foot to incident location due to flooding, the presence of the Khmer Rouge, and numerous land mines.

Joint Field Activity 94-1C, Sep-Nov 1993: Team unable to investigate area due to presence of Khmer Rouge.

Joint Field Activity 94-3C, Feb-Mar 94: Team will attempt to investigate case on-site during present iteration.

PRIORITY LEADS:

Site visitation for thorough search when security conditions permit. Possible leads may also be found in archival research in Vietnam since the Vietnamese should have knowledge on the fate and disposition of SFC Shriver.

KNOWLEDGEABILITY:

Vietnam.

CASE 1722: SGT CURTIS SMOOT, U.S. Army

INCIDENT: On March 10, 1971, SGT Smoot, WO Craig Houser, and SP4 Robert Kiser were crew members aboard an OH-6A observation helicopter. The aircraft was hit by a rocket and crashed on the southeast bank of the Chhlong River, approximately 20 kilometers north northeast of Snuol and five kilometers west southwest of Samraong in Kratie Province, Cambodia. The helicopter burst into flames and fell into the river. A ground team searched the area and recovered the remains of SP4 Kiser. The team found two U.S. flight helmets, parts of flight clothing, and a People's Army of Vietnam (PAVN) helmet. The helmet was discovered near some boot prints. During the ground search, members of the team heard pistol shots about 100-150 meters from the crash site. On March 13, WO Houser, who survived the crash and successfully evaded the enemy, returned to U.S. control. He reported that he had no knowledge of SGT Smoot after the aircraft was hit.

CENTRAL QUESTIONS:

Did SGT Smoot survive his incident? If he did, was he killed in a firefight with the enemy while attempting to evade or possibly captured?

JOINT OR UNILATERAL INVESTIGATIONS:

Joint Field Activity 93-1C, October 1992: Team interviewed witnesses in Samraong village and then proceeded to incident site. A search of the river bank was conducted with negative results. Additional witnesses were interviewed. Although these sources possessed knowledge of the incident, no one knew of the disposition or fate of the aircrew.

Joint Field Activity 93-2C, December 1992: Team investigated this case in Kracheh Province. At crash site location, team conducted skirmish searches along the river banks to the woodline adjacent to the river, with negative results. Site was also the object of an aerial reconnaissance. The wreckage is in the Chhlong River, under water. No wreckage debris or personal effects were recovered.

PRIORITY LEADS:

The Vietnamese should have knowledge on the fate and disposition of SGT Smoot.

KNOWLEDGEABILITY:

Vietnam.

Defense Prisoner Of War/Missing In Action Office

assessment

September 23, 1993

**GROUP 559 SHOOTDOWN RECORD
PRELIMINARY ASSESSMENT****SUMMARY**

- ▶ The Group 559 Shootdown Record is a 58-page hand written summary record of U.S. and allied aircraft that units of Group 559 claimed to have shot down during the period 1965-75. This document was turned over to the Joint Document Center in Hanoi on September 1, 1993.
- ▶ Group 559 was the Vietnamese military command in charge of the Ho Chi Minh Trail network during wartime. Records of this organization represent one of the most likely sources for information about U.S. losses in areas of Laos controlled by the Peoples' Army of Vietnam (PAVN) during wartime.
- ▶ A preliminary analysis of the Group 559 Shootdown Record reveals correlations to a total of 241 individuals (105 incidents in which Americans were captured, killed, or became missing).
- ▶ There is no information in this document to suggest that any Americans, other than known and accounted-for POWs, were captured and made prisoners.
- ▶ Analysis of this document makes clear that the Vietnamese have additional Group 559 records that may contain information useful to POW/MIA case resolution. Although this document contains a few references to the fate of air crews, the information contained therein will be of value chiefly in establishing Vietnamese knowledgeability of specific cases and in providing order of battle (OB) data of potential value for future long-term investigation.

PRELIMINARY ANALYSIS

- ▶ Like the 84-page Military Region 4 Shootdown Record, the Group 559 Shootdown Record is prepared in ledger style consisting of a chronological listing in columnar format. The formal title of this record is "Record of Enemy Aircraft Shot Down from 1965 to 1975." The first 11 pages of the document consist of what the Vietnamese describe as a "working draft" list of aircraft downed during November 1971 - February

1973. The information on these pages is replicated in the final pages of the record, pages 50-56. The document appears to be written in a single hand. Original entries are in blue ink; there are some corrections overwritten in red ink. *Copied from what, by whom?*

- 4 of 9/93 →
- ▶ The Vietnamese have been queried as to the date of origin of this document but have not yet responded. The U.S. has only a photocopy of the original, and there is no way at present to determine independently when this record was prepared. It is clear, however, that the Group 559 Shootdown Record was compiled after the fact from original records. This is apparent both in its form and appearance as a summary document and by virtue of the fact that the document itself, in its first 11 pages, makes explicit reference to contemporary wartime documents from which information was obtained.
 - ▶ The first 11 "working draft" pages contain a column called "electronic message report number," in which appear cross references to numbered messages. This column and the information contained therein have been omitted in the pages at the end of the document where the rest of the information on these shootdowns is replicated.
 - ▶ For instance, the first entry on Page 4 contains a cross reference to electronic message number "01k.10/2." Data in the second entry is also drawn from this same message number, as evidenced by a set of ditto marks. Entries 3-5 refer to electronic message number "02k.23/2," and entries 6-13 to "03.3/3."
 - ▶ The significance of the first half of this numbering system is not clear at this time, but the numbers in the second half, for example "10/2," are apparently dates of message transmittal (given in day/month format), similar to U.S. date time groups. These dates show a short lag time between incident dates and message date. For example, downings on January 28 and 29, 1972, are noted on message "01k.10/2," the "10/2" referring to February 10, 1972. Similarly, downings on February 4-10, 1972, are noted on message "02k.23/2," referring to February 23, 1972.
 - ▶ The existence of additional Group 559 records is also clearly implied by the page numbers appearing on the document, which make clear that this record is part of a larger document. In all there are three series of page numbers in the upper right hand corners of the total 58 pages.
 - ▶ The first series appears to be the numbering system for the larger document of which the Group 559 Shootdown Record occupies pages 146-203. These numbers are legible on about two-thirds of the photocopied pages on hand.

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- ▶ The second series appears within a stamped seal which is not clearly discernible in the photocopied version. These numbers all are in a similar form--"3/1, 3/2...3/26...3/57, 3/58"--suggesting numbering of all 58 pages as part of a third tab or third chapter in a larger work.
 - ▶ The last series of numbers appear beside the second series and number the pages 1-58, without the "3/" designation. In at least one place, these numbers correct misnumbering within the "3/" series.
 - ▶ The last page of the Group 559 Shootdown Record contains a statistical summary of the record's contents.
 - ▶ According to this summary, the record lists 2,466 aircraft that were claimed to have been downed (or hit) by Group 559 units. These downings are then broken out statistically in several ways, for instance, by aircraft type or type of unit or weapon by which they were downed. (Note: Analysts have not yet validated these numbers against claimed downings/hits enumerated in the body of the document). Like the Military Region 4 Shootdown Record, however, this document evidences vastly inflated claims of air defense victories.
 - ▶ The summary asserts that 11 (9) American pilots were captured alive, including 2 lieutenant colonels, 1 major, 4 (2) captains, and 4 lieutenants. The numbers in parenthesis--which were in the original blue ink--were overwritten in red ink, indicating corrected data.
 - ▶ Individual entries in the Group 559 Shootdown Record actually note 12 pilots captured. These include 1 lieutenant colonel (Case 1101); 3 majors (Cases 1127, 1698, and 1982); 4 captains (Cases 1198, 1790, and 1111--2 individuals); and 4 lieutenants (Cases 1393, 1526, 1734, and 1894). All of these are returned POWs. Seven were captured in Laos, one in North Vietnam, and four in South Vietnam.
 - ▶ Relevant individual entries in the record note the ranks of only 5 of these 12 Americans, indicating that additional records containing the ranks of the other POWs were available to the compiler of this record.
 - ▶ The summary also indicates that the bodies of 96 persons were observed and 143 were killed in their aircraft. (Note: These numbers have also not yet been validated. It appears, however, that not all these will correlate to unaccounted-for Americans. Some will relate to foreign nationals; others to Americans whose remains were recovered during or after the war).

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- ▶ Also turned over at the same time as the Group 559 Shootdown Record was a separate, undated list labeled "Units that Captured/Took Enemy Pilots." (Note: the title is translated as "captured/took" because this list contains entries for pilots who are described as having died, as well as those who were captured alive and returned at Operation Homecoming). All entries on the list are replicated in the Group 559 Shootdown Record, leading to the conclusion that the list was compiled as a working draft summary of the larger document. This list also contains information not found in the Group 559 Shootdown Record, however, again indicating that the list's compilers had access to additional records not yet made available.
 - ▶ The only Americans listed as captured alive on this list are known POWs who have been accounted for.
 - ▶ This list appears to be an imperfect working draft summary of entries drawn from the Group 559 Shootdown Record. The top half of this list has been crossed out, although entries are still clearly legible. Some of the entries on the top half are replicated on the bottom half. Two entries on the bottom half have been lined out. One entry has been incorrectly transcribed from the original Group 559 Shootdown Record, resulting in a mixup of two entries.
 - ▶ The Group 559 Shootdown Record proved to be surprisingly accurate as to date, time, and aircraft type. This was contrary to early expectations that the accuracy might have been adversely affected by difficult reporting conditions in this remote area. All entries contain relatively detailed OB data. A few contain locational data. Very few contain information regarding fate.
 - ▶ The OB data will require additional, probably time consuming, follow up. The data appear to focus only on PAVN units; preliminary analysis indicated no sign of Lao participation.
 - ▶ Some entries contain locational data in the form of Lao place names, high point designations, or kilometer markings on various routes. Some of this information may prove useful in supporting joint field activities or in helping locate off-the-radar-scope cases in which crashsites have never been determined.
 - ▶ A few entries contain information regarding fate of the crew. This data is concise and without detail, stating merely that one or more enemy pilots were killed. In some cases involving MIAs, this may be new information.
 - ▶ Initial analysis was limited to evaluation of entries that correlate to incidents involving captured, missing, and killed Americans. No effort was made to correlate operational losses in which air crews were rescued or recovered. Several entries which did not

correlate to incidents of principal interest to the POW/MIA issue, however, contain notations indicating pilots had ejected or had been rescued, which suggests the possibility of reference to an operational loss.

- ▶ The initial round of analysis resulted in correlations to a total of 241 Americans.
 - ▶ In all, 141 of the total 241 individuals in these initial correlations are still MIA, and 53 were declared KIA during wartime. As previously indicated, 12 of the 241 are returned POWs. The remainder (35) represent personnel whose remains were recovered during wartime or whose remains have been returned and identified during the postwar period.) *any stored.*
 - ▶ During this preliminary analysis, data were interpreted strictly and correlations made conservatively. Correlations were made only in cases where virtually all data elements matched. In nearly all cases, this meant that date, aircraft type, general time of day, and general area (indicated by unit area of operations or other geographic data) matched.
 - ▶ Other correlations will doubtless result from more extensive long-term analysis. For instance, with further work, analysts should be able to correlate most or all of the helicopter losses suffered in operation Lam Son 719 during early 1971. Due to the large number of vague entries claiming helicopter downings in the same area during this period, no correlations of these helicopter losses were attempted during this initial run through. Moreover, additional analysis may reveal correlations in which date of incident has not been noted correctly.
- ▶ The record is clearly confined to the area of operations of Group 559, which extended from the start of the Ho Chi Minh Trail on the Laos side of the Quang Binh border through Laos towards South Vietnam. Although analysts expected this record to cover losses over the southern length of the trail, perhaps even to Tay Ninh Province, this proved not to be the case. The explanation for the southern limits of coverage is still under analysis.
 - ▶ DPMO analysts have computer plotted all 241 correlations using ARCINFO software (see Enclosure). The result is a dramatic representation of air defense operations along the Ho Chi Minh Trail network. In the north (the northernmost plot is 174000N), a pattern of aircraft crashsites outlines the three feeder routes coming out of North Vietnam through the Mu Gia Pass, the Ban Karai Pass, and just north of the DMZ. The routes through Laos are clearly indicated, as are the supply routes into South Vietnam at Route 9 in Quang Tri Province, via the A Shau Valley in Thua Thien Hue Province, and into the southern border area of Quang Nam - Da Nang Province.

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- ▶ Interestingly, the southernmost plot is at 151600N, and early analysis reveals no sign of any information in the record on incidents to the south of that area. If this early analysis holds true, it suggests that some administrative boundary existed in this area, and additional records will have to be sought for coverage of southern Ho Chi Minh Trail losses. This break appears to lie at the southern boundary of Quang Nam - Da Nang Province which, perhaps not coincidentally, is also the boundary between Military Region 5 and the B-3 Front. The significance of this break is not clearly understood at this time but continues under study.
 - ▶ Although the loss locations of correlated incidents lie broadly in the eastern half of Laos, these sites range from very close to the Vietnam border to 50-70 kilometers to the west in many areas. One 1972 loss in central Saravan Province, over 100 kilometers from the border with Vietnam, is also noted. Clearly, investigation of cases involving aircraft shot down by PAVN units in Laos will require work well outside any narrowly defined border region.
 - ▶ Of the 241 total individuals represented in these correlations, 85 percent were lost in Laos, 14 percent in South Vietnam, and 2 percent in North Vietnam. Most of the South Vietnam losses are found in the Route 9 and A Shau Valley areas. One North Vietnam loss, Case 0240 which occurred in 1966, appears to reflect the early establishment of Group 559 units on Route 20. There are three 1972 incidents that occurred in the eastern half of Vietnam, both to the north and the south of the DMZ. This appears to reflect the deployment of every unit available during the 1972 Spring Offensive and the subsequent readjustment of forces in this entire area as the North Vietnamese offensive gained ground in Quang Tri Province.
 - ▶ Not all incidents that would be expected to be located within the Group 559 area of operations appear to be noted in this document. (DPMO analysts have also computer-plotted these incidents). The failure of an incident to appear in this document, however, should not necessarily be interpreted as proof that the Vietnamese were not responsible or knowledgeable. The coverage of different periods within the document is spotty for many time frames. For instance, there are intervals, sometimes months, in which reporting is so sparse as to suggest loss of original documents. Although correlations to some of these "missing" incidents will doubtless be made upon further analysis, the issue of why some incidents do not appear in this document will be a matter for further investigation.

CONCLUSION

- ▶ The significance of the Group 559 Shootdown Record rests most importantly in the fact that it provides clear proof of extensive record keeping and knowledgeability of U.S. losses in Laos by PAVN forces operating in that country. It also provides explicit cross references to where additional information might be located. Although it is difficult to believe that this document could not have been turned over to the U.S. side much

earlier, or that additional Group 559 documents could not be turned over forthwith, it is still true that provision of this document represents significant cooperation by the Vietnamese and addresses longstanding requests by the U.S.

- ▶ The document's significance for case resolution is less clear or immediate. Except in those few instances where there is explicit reference to aircrew fate, information contained within the document will prove useful mostly in support of long-term and predictably laborious archival and field investigation. Although it is very probable that additional Group 559 documents exist, getting the Vietnamese to release that material will probably be a long and drawn out process. Moreover, although experience has time and again demonstrated that Vietnamese assertions that wartime records have long been lost or destroyed should not be taken at face value—witness the sudden appearance of this document—nonetheless, the issue of how much of the original Group 559 documentation still exists is a real one. The outline of future records research may need to be rethought to deal with these issues and to support what promises to be an extended process of records exploitation.

- ▶ In documenting PAVN responsibility for aircraft downings several tens of kilometers inside Laos, the Group 559 Shootdown Record provides manifest evidence of PAVN activity well inside the immediate border area. Given this clear proof of Vietnam's geographic reach during wartime, it may be necessary to rethink the U.S. approach toward trilateral investigations of relevant Lao cases.

Prepared by DPMO Research and Analysis Division

Defense Prisoner Of War/Missing In Action Office

assessment

I-93/56278

December 15, 1993

**VIETNAMESE POW/MIA RELATED DOCUMENTS PROVIDED TO
AMBASSADOR LORD IN HANOI, SRV, ON DECEMBER 14, 1993****INTRODUCTION**

On December 14, 1993, SRV Vice Foreign Minister Nguyen Dy Nien passed 18 POW/MIA-related documents to a visiting U.S. delegation led by Assistant Secretary of State Winston Lord. These documents comprise three distinct groups. Group One, four documents, contains brief summaries of the unilateral and bilateral efforts from 1982 to the present for each of the 84 cases now being investigated by the joint Special Remains Team. Group Two, 13 documents, contains the reports of SRV unilateral investigations and remains collection activities conducted in 1988 prior to the beginning of the Vessey-initiative joint investigations. Group Three, a single document, provides a 1978 listing of U.S. servicemen killed in northern Vietnam whose remains have not been recovered. The following is an assessment of each of these three groups of documents.

GROUP ONE

The Group One documents represent the Vietnamese response to our queries on 84 discrepancy cases which were presented to Vice Foreign Minister Le Mai on August 9 -10, 1993. The questions were divided into four categories and each document in Group One corresponds to one of the categories.

- ▶ Photographs of Remains: For over half of the cases listed the Vietnamese used a standard response that it would be very difficult to find any remains but they would continue investigations if the U.S. felt it was necessary. In the September assessment of the same list, the Vietnamese asserted more directly that the remains were not recoverable. The SRV did agree to excavate two cases based on leads developed during joint field activities. The position that remains have already been returned and that the mistake lies in our accounting process is a recurring theme in the SRV responses to the Group One documents. In the main the Vietnamese responses are procedural and they do not offer any new information or leads in response to our queries on the 84 cases.

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- ▶ ▶ As an example of the SRV response, in Case 0996 (Wallace), they maintain that the remains for this case were returned in 1986 and recommend that the U.S. Government review its records. It should be noted that in September 1993, in response to the same question, the Vietnamese said Wallace's remains were not recoverable.
 - ▶ Graves Registration: In 24 of the 39 entries, the Vietnamese say they have been unable to find any grave or information relating to the case. Fourteen entries note specifically that a body was torn to pieces, there was no grave, and they informed the U.S. Government about this fact in 1988. Six of the cases listed are scheduled for joint field activities. The remaining nine entries involve procedural problems and instances where the Vietnamese say they have repatriated the remains but this contention is not consistent with our records. Overall, the response to our questions about the graves register does not provide any new information.
 - ▶ Died-in-Captivity: The Vietnamese preface their response to questions about the Died-In-Captivity list by reasserting that the only information they have on these cases was included on the 1973 list. In the individual case assessments for 24 of the 27 cases, the Vietnamese say they do not have enough information to do any excavation but as soon as the U.S. finds new information they will be willing to participate in joint recovery. Through the efforts of the Special Remains Team (SRT), sufficient information has been developed to go ahead with dry season excavations for the remaining three cases (Cases 0021, 0047, 0048). The response in this document suggests that some progress has been made but it has come solely through the efforts of the SRT.
 - ▶ Recovered Remains: For most of the cases on this list the Vietnamese said the remains have already been repatriated. The SRV explained that the remains were in boxes marked as "unidentified." They did not explain how they were able to associate the unidentified remains with specific cases on this list.
 - ▶ ▶ In response to our questions about Case 0202 (Austin and Logan), in which witnesses told U.S. investigators that central government cadre recovered the remains, the Vietnamese suggested that the U.S. reexamine the sources' reporting.

GROUP TWO

- ▶ Unilateral Case Investigation Reports: With one exception (Report # 4/Case 0180), there is no indication that the U.S. had previously received this particular group of VNOSMP unilateral case investigation documents. Material in U.S. case files indicates that the VNOSMP conducted several unilateral investigations prior to the commencement of the joint investigations. In fact, it has been reported that this material was used by

Vietnamese investigators during the joint investigations. Most of the cases referenced in

these reports have since been investigated in more detail and the results have superseded the information provided in these particular documents. However, Reports 7 and 10 may contain leads on a few cases that require further investigation.

- ▶▶ Report # 7, although un-correlated to a specific case, appears to equate tentatively to Case 1422 (Jefferson/Ecklund), based on timeframe, location, and circumstances of loss. If so, there are possible witnesses identified in the report that should be interviewed.
- ▶▶ Report # 10 (Case 0037) cites several witnesses for which there is no report of interview by the JTF-FA when they investigated the case in July 1992. These witnesses should be interviewed if possible.
- ▶ Lists of Remains: The information in Document Number 13 (two lists) is not new and as a response to the query represented by the 84 cases presented in August, falls short. The same lists of names (none of which correlate to any unaccounted for individuals) and some remains were provided to the U.S. in 1988. The majority of the remains were identified by CILHI experts immediately as Mongoloid and left in Vietnam. The remainder were taken to CILHI for more detailed examination.
 - ▶▶ Indicative of the difficulties encountered at the laboratory, one set of remains (associated with the name "Scanlow") was identified as Major John L. Espenshied, USAF (Case 1504). The balance of the remains were determined to be Mongoloid.

GROUP THREE

- ▶ This is a single document titled "List of American Personnel Killed During the War in the SRV (Remains Not Recovered)" and dated 2 November 1978. It consists of three pages of columnar data containing a total of 72 line entries. In addition to name, column headings include birth date, rank and service, aircraft type, date and place of death, personal effects, and condition of body or grave. Common to all 31 entries on the first page is the notation that the named individuals were buried, but that their graves were then lost. Common to the 29-entry second page is the comment that the bodies are "disintegrated." The 12 entries on the third page also carry the "disintegrated" note; however, no names are attached to any of these incidents, with only a date and place of death indicated. Seemingly, the common theme of this document is the notion that all 72 entries represent instances where remains should be deemed non-recoverable.
- ▶ Very little new information is provided in this document. The document does reveal the existence of several identity cards or Geneva Convention cards not previously known to

the U.S. side. In other instances, loss locations are not the same as reflected in U.S.

records. The lack of specific name associations for the 12 incidents listed on the third page, one puzzling listing of a name not known to be a casualty, and at least one apparent gross misidentification of a loss location all call for additional examination.

- ▶ Of key importance, six of the individuals whose remains are listed as "buried, grave lost" have already had their remains repatriated in the 1985-90 time period. In addition there are a number of instances wherein remains are deemed "disintegrated," even though it is known with certainty that the individual was able to exit the aircraft and safely descend to the ground prior to the crash. Moreover, during joint investigations U.S. personnel have been told by witnesses that SRV officials have previously exhumed other listed remains. The above noted factors, particularly that six listed individuals have already had their remains repatriated, all serve to invalidate this document as a basis on which to conclude that the remains of the listed individuals are non-recoverable.

CONCLUSION

In and of themselves, these 18 documents are not significant in terms of case resolution and do not qualify as a satisfactory response to the query presented in August. While they contain a few minor leads that call for further investigation, their greater significance is that they indicate the strong likelihood that the SRV has more documents, especially the so-called "feeder" documents from which summary records are compiled.

Based on the responses contained in the Group One documents, it appears that the Vietnamese are willing to support our continued efforts to resolve the 84 SRT cases. However, their response also very clearly shows that they believe the onus for developing new information or leads to resolve these cases lies squarely with the U.S. The Group Two documents are clearly passe and have little intrinsic value, and in fact demonstrate the SRV policy of holding back until the time is right, politically, for their turnover. The Group Three document, another example of a document long-held by the SRV but not revealed to the U.S., indicates SRV thinking on the issue of non-recoverability of remains. In itself, however, it provides little new information of consequence.

The entire tenor of the Vietnamese response to U.S. requests for answers, particularly on remains and documents, continues to be "that's all we have" and to be 'procedural' in nature, when in fact there is strong evidence that other documents exist and that there are at least some remains under the control of the SRV Government that they have not yet returned. The turnover of documents (which they have clearly had for years) to the current delegation illustrates that the Vietnamese continue their longstanding practice of providing documents only to high level emissaries. This measured response, if sustained, does not augur well for early resolution of the POW/MIA issue.

Prepared by DPMO Research and Analysis Division

SPECIFIC DOCUMENT REQUESTS OF VIETNAM
National League of Families Delegation
March 22-24, 1994

- The documents used to compile the Group 559 Summary, as well as other summaries previously provided to the U.S., i.e. the Military Region summaries.
- Access by qualified U.S. specialists to interview the deputy commander of the SRV-led attack on Phou Pha Thi (Lima Site 85), plus others who participated who may have direct knowledge.
- Original detention/prisoner records of the ten prisons visited just prior to the March 22, 1993 visit by the League delegation to Hanoi, as briefed by JTF-FA and Stony Beach.
- In mid-December of last year, the SRV provided Assistant Secretary Lord with a list of the names of 60 Americans, plus 12 unknown cases, whose remains were said to be unrecoverable. (Seven were later repatriated and identified, three of which showed evidence of prior storage.) This list, prepared by the Ministry of Defense Directorate for Military Justice on November 2, 1978 did not include the names of Americans whose remains were recovered, and that list was requested.
- Also resulting from Ambassador Lord's discussions in December of last year was the Ha Bac Province daily journal of war time actions, written by the Ha Bac Provincial Military Command, People's Army of Vietnam. This official document is very detailed, by day and hour, on all U.S. losses which occurred in that province; such journals for other provinces were likely prepared. The League noted that provision of such journals would signal the seriousness of the SRV's efforts to be fully forthcoming and requested that they be provided. Deputy Minister of Interior Le Minh Huong agreed to the League's request to rapidly pursue this matter.
- During Senator Kerry's May 31-June 1 visit last year, the SRV provided the senator with a report written by the Military Command Section, Cam Pha District, Quang Ninh Province. It detailed the loss incident of LT Phillip S. Clark, USN, whose remains were returned November 3, 1988. The League urged SRV officials to provide other such district or Province Military Command reports to help end the uncertainty of other families.

Note 2/8/95: This list of League requests for SRV documents was developed in coordination with USG POW/MIA specialists, based upon their priority for follow-up. It was provided to highest level SRV officials by the League in March, 1994, at which time SRV Deputy Minister of Interior Huong stated that it should not be difficult to respond. A response was again requested by the Presidential Delegation in July 1994, by PDAS/EAP Peter Tomsen in October, 1994, another personal request during my meeting in Washington with SRV FM Nguyen Manh Cam on October 3, 1994 and by DASD for POW/MIA Affairs Jim Wold in November, 1994. On each occasion, U.S. officials and I were assured that a response would be forthcoming. To my knowledge, no documents have yet been provided; a witness was made available for the first trilateral US/LPDR/SRV effort in Laos.

PROVIDED TO NATIONAL LEAGUE OF POLYMER FAMILIES EXECUTIVE
DIRECTOR, AND MILLS GRIFFINS, BY LETTER OF JUNE 2, 1995.

LIST OF DOCUMENTS, INFORMATION PROVIDED TO U.S. SIDE
(AFTER THE LEAGUE DELEGATION'S VISIT, MARCH 1994)

01. Information given by Vu Doan Thanh, Nguyen Van Suu related to Phou Pha Thi Battle.
02. Information given by Mr. Truong Muc related to Phou Pha Thi battle.
03. Information given by Le Ngoc Quynh related to Phou Pha Thi battle.
04. Information given by Hoang Trung Sen related to Phou Pha Thi battle.
05. Unilateral investigation report of air crash incident in Tinh Loc (Ha Tinh)
06. Unilateral investigation report of air crash incident in Hong Loc (Ha Tinh)
07. Unilateral investigation report Vu Quang, Que Son, Ha Tinh (0681).
08. Unilateral investigation report in Viet Xuyen, Thach Ha, Ha Tinh
09. Unilateral investigation report in Phu Gi, Huong Khe, Ha Tinh.
10. Unilateral investigation report in Thach My, Thach Ha, Ha Tinh.
11. Unilateral investigation report in Ky Long, Ky Anh, Ha Tinh.
12. Unilateral investigation report in Emong Trach, Emong Khe, Ha Tinh (case 0263).
13. Unilateral investigation report in Huong Trach, Huong Khe, Ha Tinh. (case 1675)
14. Unilateral investigation report in Tan Loc, Can Loc, Ha Tinh.
15. Unilateral investigation report in Thach Huong, Thach Ha, Ha Tinh.
16. Unilateral investigation report in Phuong Dien, Huong Khe, Ha Tinh.
17. Unilateral investigation report in Phuong Dien, Huong Khe, Ha Tinh.
18. Unilateral investigation report in Huong Trach, Huong Khe, Ha Tinh (case 1242).
19. Unilateral investigation report in Cam Ninh, Cam Xuyen, Ha Tinh.
20. Unilateral investigation report in Nghi Trung, Nghi Loc, Nghe An (case 1004).

21. Unilateral investigation report in Dien Kim, Dien Chau, Nghe An.
22. Unilateral investigation report in Hung Loi (case 1866).
23. Unilateral investigation report in Dien Hai, Dien Chau, Nghe An.
24. Unilateral investigation report in Nghi Thu, Nghi Loc, Nghe An.
25. Unilateral investigation report in Trang Son, Do Luong, Nghe An.
26. Unilateral investigation report in Ky Son (case 0788).
27. Unilateral investigation report in Nghi Phu, Vinh, Nghe An.
28. Unilateral investigation report in Hong Son, Do Luong, Nghe An.
29. Unilateral investigation report in Hong Son, Do Luong, Nghe An.
30. Unilateral investigation report in Dong Vinh, Vinh, Nghe An.
31. Unilateral investigation report in Dien Ky, Dien Chau, Nghe An.
32. List of U.S. pilots captured in Vinh Phu (1966 - 1972).
33. List of U.S. pilots died in Vinh Phu.
34. A sketch map of a pilot grave in Tam Canh, Binh Xuyen, Vinh Phu.
35. List of U.S. pilots died in Vinh Phu.
36. Report of US MIAs in Thanh Hoa.
37. Situation of pilot graves in Thanh Hoa.
38. A news report on an anti-air battle in Tuyen Quang.
39. Report of U.S. pilots captured and died in Ninh Binh.
40. Sketch map of an U.S. air crash on 10 Sep 1972.
41. Sketch map of an U.S. air crash on 15 August 1965.
42. Sketch map of an U.S. pilot grave.
43. Sketch map of an U.S. air crash on 15 Augst 1965.
44. Sketch map of an U.S. air crash on 6 Nov. 1965.
45. Sketch map of an U.S. pilot grave shot down in 1965.
46. Sketch map of an U.S. air crash in Yen Dong.

47. sketch map of an U.S. air crash in Khanh Loi.
48. sketch map of an U.S. air crash in Khanh Ninh.
49. sketch map of an U.S. air crash in Khanh Ninh.
50. sketch map of an U.S. air crash in Gia Hung.
51. sketch map of an U.S. air crash in Gia Lam.
52. sketch map of an U.S. air crash in Khanh Ninh.
53. List of U.S. pilots died in Yen Bai.
54. Report of the special team of the Interior Ministry, 13 May 1995.
55. Report of the special team of the Defense Ministry, 13 May 1995.
56. Report of the MOI Special Team in Hai Phong.
57. Report of the MOI Special Team in Quang Ninh.
58. Report of the MOI Special Team in Lang Son.
59. Report of the MOI Special Team in Ha Bac.
60. Report of the MOI Special Team in Hai Hung.
61. Report of the MOI Special Team in Son La.
62. Report of the MOI Special Team in Bac Thai.
63. Report of unilateral investigations in Son La.
64. Sketch map of an incident in Moc Char.
65. sketch map of graves of two pilots in Yen Chan.
66. sketch map of an U.S. air crash in Thuan Chau.
67. List of U.S. MIA cases in Son La.
68. List of U.S. pilots died in Son La.
69. List of U.S. aircraft shot down in Son La.
70. Report of unilateral investigations in Son La.
71. List of U.S. air crashes in Ha Bac.
72. List of news sources on U.S. air crashes in Ha Bac.

73. Sketch map of an air crash in Quy Son, Ha Bac.
74. Sketch map of an U.S. grave at Mai Dinh village.
75. Sketch map of U.S. grave at Dien Loc hamlet.
76. Sketch map of an U.S. grave at Hoang Thanh village.
77. Report of U.S. pilots died in Ha Bac.
78. Report of U.S. graves in Quang Ninh.
79. List of U.S. pilots died in Quang Ninh.
80. List of U.S. pilots died in Quang Ninh (in details).
81. Sketch map of an U.S. grave at Duong Hoa village.
82. Sketch map of an U.S. grave at Duong Lap village.
83. Sketch map of an U.S. grave on Cai Bau Islet.
84. Sketch map of an U.S. grave at Pham Hong Thai village.
85. Sketch map of two U.S. graves at Da Cong.
86. Sketch map of an U.S. grave at Din Sinh village.
87. Sketch map of an U.S. grave at Tien An village.
88. Sketch map of an U.S. grave on Van Bo islet.
89. Report of U.S. graves in Quang Ninh.
90. List of U.S. pilots died in Hai Phong (1965 - 1972).
91. List of U.S. pilots captured in Hai Phong (1965 - 1972).
92. Five pictures related to U.S. MIAs in Hai Phong.
93. Instruction of the Bac Thai Public Security Office to the district public security offices on U.S. graves in Bac Thai.
94. List of U.S. graves in Bac Thai.
95. Report of investigation of U.S. air crash in Ngoc Phai village.
96. Report of investigation of U.S. air crash in Son Cam village together with sketch map.
97. Report of investigation of U.S. air crash in My Phuong village together

with sketch map.

98. Report of investigation of U.S. grave near Cho Moi town together with sketch map.
99. Report of investigation of U.S. grave in Quyét Thang village together with sketch map.
100. Report of investigation of U.S. grave in Dar. Chu village together with sketch map.
101. Report of U.S. graves in Dong Hy district.
102. Report of U.S. grave in La Hien village together with sketch map.
103. Report of U.S. grave in Khe Mo village together with sketch map.
104. List of U.S. MIA cases in Lang Son.
105. List of U.S. pilots died in Hai Hung.
106. Report of investigation of U.S. graves in Hai Hung.
106. List of U.S. aircraft shot down in Hai Hung (1965-1972)
107. Sketch map of U.S. grave in Tan Ky village.
108. Sketch map of U.S. grave in Nguyen Giap village.
109. Sketch map of U.S. grave in Lien Hoa village.
110. Sketch map of U.S. grave in Tan Hung Cemetery.
111. sketch map of U.S. grave in Ai Quoc village.
112. Sketch map of U.S. grave in Dan Tien village.
113. Sketch map of U.S. grave in Toan Thang village.
114. Sketch map of U.S. grave in Cam Giang village.
115. Sketch map of U.S. graves in Ngoc Lam village.

POW's and Politics: How Much Does Hanoi Really Know?
Written by: Garnett "Bill" Bell and George J. Veith

POW's and Politics: How Much Does Hanoi Really Know?

The recent debate concerning a possible move by President Clinton toward diplomatic recognition of Vietnam offers an opportunity to re-examine the most pernicious legacy of the Vietnam War. From a policy standpoint, the two most enduring problems were the "Vietnam Syndrome" and the POW/MIA dilemma. The "Vietnam Syndrome" alluded to a perceived public disillusionment to intervene with U.S. military forces in regional or ethnic conflicts, and to sustaining a strong commitment to an anti-communist approach to foreign affairs. A resounding victory on Kuwaiti sand allowed then President Bush in a speech given at the conclusion of "Operation Desert Storm", to declare that "we had put the Vietnam syndrome behind us". Having skewered the "Vietnam syndrome", American policy-makers undoubtedly hoped these lingering issues from the Vietnam war had finally loosened their grip on both the public and the American political elite. The slow Vietnamese march towards a free market economy had raised U.S. policy makers expectations that the U.S. and Vietnam could reexamine their strained relationship. While the Bush administration's "Road Map" spelled out U.S. requirements to re-open economic and political ties with Vietnam, the primary internal U.S. political issue was undoubtedly a satisfactory resolution of the remaining unresolved POW/MIA questions.

However, in the Spring and Summer of 1991, the surfacing of photos allegedly depicting Americans still held in captivity lead to the creation of a Senate Select Committee to investigate the war-time fate of many American servicemen. For years, family members of the missing servicemen have struggled with these questions. During the Vietnam War, family members of the POW/MIA's had organized into groups such as the National League of Families to pressure the U.S. Government into placing more emphasis on the issue. The Democratic Republic of Vietnam's (DRV) actions regarding American POW's had become well-documented, ranging from refusal to allow ICRC inspections of POW camps to brutal torture to stonewalling on who it held as prisoner. Notwithstanding Vietnamese claims to have released all the American prisoners they held at the completion of "Operation Homecoming", serious questions remained regarding Americans known to have been captured but not released or accounted for. Despite repeated U.S. efforts through various forums to achieve answers to these questions, post-war mechanisms designed to account for the remaining missing quickly collapsed.

Outraged over what many viewed as Vietnamese political manipulation of a basic humanitarian issue, an activist community arose, combining veterans of the Vietnam War with more vocal family members. The activists have also continually savaged the U.S.

Government over its post-war POW/MIA policies and actions, culminating in bitter charges of a politically motivated coverup of evidence indicating the presence of live American prisoners remaining in Vietnamese or Lao custody. Several books, most notably Sauter's and Saunders', *Soldiers of Misfortune* and *The Men We Left Behind*, Nigel Cawthorne's *The Bamboo Cage*, and Monika Jensen-Stephenson's *Kiss The Boys Goodbye*, have further developed this conspiracy theory.

The Government has vehemently denied these allegations, and has steadfastly maintained that it possesses no credible evidence that any American servicemen remained as prisoners after "Operation Homecoming". The widely reported conclusion of the Senate Select Committee, that although some evidence existed that as many as 100 men may have remained alive after "Operation Homecoming", no "proof" could be found in U.S. Government intelligence files to support the stance that men remained alive today, let alone support any wide-ranging conspiracy theory. Obviously believing itself vindicated in the January 1993 findings of the Senate Select Committee, the DOD has pressed on with its remains recovery activities in Southeast Asia under its Joint Task Force-Full Accounting (JTF-FA), an expanded organization from its prior unit, the Joint Casualty Resolution Center (JCRC). The report went further and counterattacked some of the POW/MIA activists, exposing several fraudulent operators. The recent publication of Susan Katz Keating's *Prisoners of Hope* and Malcolm McConnell's *Inside Hanoi's Secret Archives*, has swung the pendulum even further, leaving many of the activists reputations in public ruin.

How did we get to this situation? How has the public discourse grown so rancorous over what would seem to be an obvious consequence of war, that men disappear as a result of combat. That answer may be as complex as the issue, but notably absent from this acrimonious debate has been any balanced examination by U.S. scholars of the Vietnamese system for handling American POW's and remains. With some exceptions, the mainstream media has also generally avoided investigating the complex questions of the POW/MIA issue. Apparently, most Vietnam-era pundits find no intellectual discomfort in their opposite positions of having eviscerated the military's war-time statements while now completely accepting Governmental testimony on the POW/MIA issue. Although they dutifully reported the information released or discussed during the Senate Select Committee hearing, after having raised several false alarms in the past, the media has now begun subtly lumping the radical activists and more strident family members in the same community as UFO watchers and those convinced they have recently spotted Elvis pumping gas at their local convenience store.

Believing themselves abandoned on all fronts, many family members and veterans groups have grown despondent, giving in to

conspiracy theories ranging from "Secret Returnee" programs to beliefs in hundreds of men still being held in Southeast Asia. Deepening the families dismay, shortly after the Senate Select Committee adjourned, some key personnel assigned to the committee tasked to investigate this controversial issue quickly seized high salaried positions within the U.S./Vietnam Trade Council, a business group designed to facilitate normalization and trade between the U.S. and Vietnam. According to a biographical sketch on the President of this business-lobby group, the U.S. Vietnam Trade Council has also developed close ties with the leadership of the Veterans of Foreign Wars (VFW). The POW/MIA families suspicions have additionally been fueled by U.S. Government claims of "outstanding" or "superb" Vietnamese cooperation, even though after receiving numerous significant concessions from the current administration, the Vietnamese have continued to slowly release to U.S. Government officials and complacent veterans groups small, piecemeal increments of remains and records.

Confronted with this situation, MIA family members, veterans, and activists have pointed increasingly to their belief that the Vietnamese kept detailed records of wartime incidents involving American personnel still unaccounted-for, and if it had the political will to do so, the communist apparatus controlling the POW/MIA issue in Indochina could rapidly account for many more POW/MIA's. Given the political ramifications surrounding this issue, the various charges and denials have undoubtedly confused the average citizen. Additionally, for an American raised in the relatively simple aspects of democratic politics, understanding Vietnamese communist bureaucracy and policies can be daunting. Unfortunately, little has been published concerning the actual mechanisms, systems, and policies the Vietnamese communists used to process American POW's.

The sheer intransigence of the Vietnamese, manifested in their coldly calculating long-term manipulation of the issue, has obviously created a climate of great suspicion. Yet, in the U.S., reasoned discussion has vacillated between two polar extremes of unsubstantiated theorizing by misinformed individuals and increasingly defensive outright denials from the Government. The U.S. intelligence community has further compounded the difficulty for any outside reviewer to piece together the outlines of the Vietnamese POW system in this highly emotionally atmosphere through a haphazard declassification process, which is often mistaken for governmental stonewalling. Even after allowing for these complexities, the adversity qualified historians face when dealing in the grey area between national security considerations and public discussions of controversial events does not explain the dearth of scholarly studies. This article seeks to take the first step in addressing that problem, and outlines our views on the Vietnamese communist prison and administrative system, and our differences with the beliefs of the Defense Prisoner of War and

Missing-in-Action Office (DPMO).¹

Sensitized from the bitter results of the peace talks and eventual prisoner exchanges during the Korean War, American intelligence labored to penetrate the inner-working of the Vietnamese bureaucracy. As a result, the U.S. military placed great emphasis on targeting Vietnamese POW installations and policies, creating a collection and recovery program code named "Brightlight". Much information on Vietnamese procedures was gleaned from interrogations of captured or surrendered PAVN or NLF soldiers and from monitoring NVN news broadcasts and publications during the war. Additionally, Allied forces captured millions of communist documents that provided elaborate detail of their plans and personnel.² On the post-war live prisoner issue, DPMO's position is that, after extensive wartime intelligence efforts, and combined with information provided by early American releasees, they were able to identify with some precision both the numbers and locations where American POW's were being held in North Vietnam during the war. Upon debriefing the returned POW's after "Operation Homecoming", these locations were basically confirmed, and the returnees, desperate to prevent a repetition of the Korean POW experience, had labored mightily to ensure that every POW and camp was identified and reported to the U.S. government when they were released. Thus, the returnee debriefs, other still classified war-time intelligence, and the "lack of proof" resulting from post-war refugee interviews and all-source analysis forms the basis for DPMO's stated beliefs that no prisoners remain alive in Southeast Asia.

By examining these declassified interrogation reports and reviewing selected captured documents, along with interviews of Vietnamese cadre involved in the processing of American POW's and remains conducted by members of the JCRC after the war, a picture emerges of a complex system heavily influenced by Vietnam Communist Party (formerly the Lao Dong Party) policies and goals and strictly controlled by trusted party political cadre. The obvious implication is that those critical of U.S. Government claims to the effect that Vietnam is cooperating in healing the wounds of war, are to a degree at least, justified in maintaining their views. Although the DPMO continued to study the Vietnamese prison system to identify the procedures which they used to process American POW/MIA's, it has focused primarily on the Enemy Proselytizing Department (*Cuc Dich Van*) of the Peoples Army of Vietnam (PAVN).

However, the authors believe that the systems for handling of American POWs organized by the Vietnamese Communist Party were far more complex and multi-channeled, reflecting not only DRV security and intelligence issues, but short and long-term propaganda concerns. This is not to be confused with the so-called "second prison system" which the Vietnamese allegedly used for hiding a group of POW's separate from the main body of POWs, but rather a

delineation of duties between the military forces, the public security forces, and the Party Central Committee Propaganda Organ. This delineation not only prevented duplication of effort, but it served to compartment the intelligence gathering and overall exploitation effort from a security standpoint as well, and served both the short-range and long-term interests of the Party. It is this least understood aspect of war-time communist methodology that has had the greatest impact on American post-war POW/MIA efforts since the ending of that tragic war.

Vietnamese POW policies and views:

The Vietnamese philosophy of liberation known as *dau tranh*, (literally struggle), evolved into what the Viet Cong termed the "three pronged struggle" comprised of "armed struggle" (*Dau tranh vu trang*), "political struggle" (*Dau tranh chinh tri*), and "proselytizing" (*van*).³ In the English language the term "proselytize" means to convert from one belief or faith to another. Since during the war years religious activity was not encouraged, and the Vietnam Communist Party was the sole political party allowed to exist, the term proselytize came to mean in the Vietnamese language to accept the leadership and doctrine of the Vietnam Communist Party. In transforming the idea of proselytizing into a usable process, which former PAVN Commander General Vo Nguyen Giap called "disintegrating the enemy," party planners divided the members of the opposing force into three basic categories: soldiers of the enemy, cadre of the enemy, and the civilian masses.

It is necessary, then, to understand the communist view of the difference between "soldiers" and "cadre" of the enemy. The Western mind normally first considers the rank, or position, of the individual to determine which category will be applied. In the eyes of the Asian communist, however, although rank is often considered important, it is the attitude and political awareness of the individual that will ultimately enable one to make this crucial distinction. Thus, each category was handled by a separate proselytizing cadre section. "Soldiers" of the enemy were handled by Military Proselytizing cadre (*Binh van*), "Cadre" of the enemy by Enemy Proselytizing (*Dich van*), and the "masses" by Civilian Proselytizing (*Dan van*).

The cadre system, borrowed by the Vietnamese Communist Party from the Soviet and Chinese models, was designed to insure control of the military and political "struggle" to liberate South Vietnam. In order to institute this process, General Giap linked armed military struggle with political struggle, and as a result every PAVN military organ, down to and including company sized units, had both a commander and a political officer. While battalion and smaller sized units were managed by "party subchapters" (*Chi bo*) under the leadership of the political officers (*Chinh tri vien*),

regimental and larger sized units were managed by "party chapters" (*Dang bo*) under the direction of political commissars (*Chinh uy*).

Although the military commanders were primarily responsible for tactical operations on the battlefield, all major decisions were ultimately approved by the political commissar. These military politicians were also responsible for writing detailed performance evaluations, and for assessing the reliability and suitability of all members occupying key positions, including the unit commanders. In addition to monitoring the commanders, other important responsibilities of the political officers included the evacuation, detention, medical treatment, and exploitation of prisoners of war. In outlining the role of the party in dealing with American prisoners, some of the following points were emphasized: "The battalion Party Committee and the Chapter Committee should consider the mission and capability of the unit before prescribing criteria ((for the capture of prisoners)). In meetings, Party Chapters must use their time ((to study)) to thoroughly understand the importance of PW's. Party Chapters are also responsible for detecting the ideological weaknesses of soldiers and Party members in capturing and handling prisoners in order to provide appropriate leadership".⁴

Party cadre attached to PAVN or VC units were responsible for implementing the POW policy when they captured U.S. personnel by properly training their soldiers in Party policies. Both the Enemy and Military Proselytizing cadre were assigned to sections attached to the various commands ranging from COSVN to Military Region or Front and below. These cadre would inspect the different units or POW camps in their areas for compliance, and would write monthly, semi-annual, and annual reports, which were forwarded to higher echelons. In the more southern parts of South Vietnam and in Cambodia, these reports were sent via courier along the commo-liaison routes. Further north, the cadre could transmit using the telephone wire nets which extended down the Ho Chi Minh Trail into MR-5 and the B-3 Front.

Prisoners, especially American prisoners, were considered a strategic asset to the North Vietnamese. NVA/VC policy on foreign POW's, which dated back to the war against the French, was still applicable towards U.S. POW's. Instructions by the NLF in December of 1963 after the release of some early captured American stressed both the propaganda and document collection themes. "Take advantage of prisoners for international propaganda purposes. The prisoners must express good impressions about the Liberation Front...records of the deceased Americans were kept, and their remains were carefully maintained...You must understand the experiences and procedures for the release of prisoners in order to provide the necessary documents in the propaganda program".⁵

Reinforcing the argument against claims of outstanding

Vietnamese cooperation by the current administration, captured wartime documents and Sources provided overwhelming evidence that as a part of their training, PAVN forces were given detailed instructions concerning the handling of American personnel captured or killed on the battlefield. According to those instructions "a detailed file was to be prepared on each POW as soon as he was brought to a detention camp. With regard to the deceased ones, records should be maintained, listing such information as deceased date and burial location. Personal belongings of the deceased should be carefully kept. Similar records were to be prepared for the U.S. POWs who escaped, were missing, became lost, or were killed by enemy bombing." ⁶

The communists had many reasons for actively managing this POW exploitation program. "There is a threefold purpose in taking U.S. prisoners: They can be exploited for intelligence purposes; they can be exploited for propaganda and counter-propaganda purposes through radio broadcasts and interviews published in the neutralist and pro-communist press; they can be used politically to further the cause of communism beyond the limited context of Vietnam by propagandizing them, brain washing them, and converting them into communist or pro-communist cadres who will work actively for the Party in their own country after they have been released". ⁷

The authors are not suggesting that NVA/VC policies were always perfectly adhered to, or that documents pertaining to captured U.S. may not have survived the journey to Hanoi or were simply lost due to the ravages of war. Indeed, at times VC troops or North Vietnamese militia were either unaware of Central Committee policies or failed to carry them out, especially in the early years of the war. However, Party cadre labored hard to educate their soldiers and civilians to capture Americans alive, and to collect all their documentation. Proselytizing sections were urged to emphasize care of the POW, "for to do otherwise harms the revolution, decreases the chance for prisoner exchanges, and limits the international propaganda impact". ⁸ In reviewing dozens of captured documents and interrogation reports, a consistent theme emerges of careful handling of not only American prisoners or their remains, but any documents or material possessions captured with them. Nothing was overlooked that could be used for implementing Party policy, a policy which was driven by communist ideology to both extract as much useful intelligence information from U.S. prisoners as possible, and even more importantly, create the seeds of communist revolution in the prisoners home country by "educating" the POW's in communist beliefs. To accomplish this task, the North Vietnamese leadership invested POW responsibility with several ministries.

The Ministry of Public Security :

The primary responsibility for handling American POW's rested

with the Ministry of Public Security. The relationship of the public security apparatus to the overall process of exploiting American personnel was described by the CIA in a 1975 study, which clearly outlined the responsibilities of the MPS: "The MPS is similar in organization and mission to the Soviet Committee for State Security (KGB). The MPS is the executive arm of the communist party (*Dang Lao Dong*-Workers Party) of the DRV. It is responsible for the overall security of the party, internal security within the DRV, and for foreign intelligence operations. It has the overall responsibility for the administration and detention of POWs. Within the MPS, the two organizations responsible for evaluating information obtained from American POWs by the MPS or MND were the General Research Organization (*Co quan Nghien cuu Tong Hop*), and the National Intelligence Organization (*Co quan Tinh bao Quoc gia*), with the former concentrating on follow-up interrogations for exploitation of western technology, often shared with the USSR and the PRC, and the latter concentrating on operational leads and recruitment in foreign countries. These two organizations coordinated their efforts to identify, evaluate, develop, and gain the cooperation of prisoners for foreign operational leads used in long term planning. In general, the MPS conducted the basic intelligence screening of all U.S. POWs for the DRV intelligence community. It disseminated knowledgeability briefs (KB's) to various interested DRV agencies and ministries. It solicited requirements, except from the MND which interrogated prisoners on its own requirements. As noted previously, the MPS collected information on economic, political, scientific, and strategic military topics, as well as foreign operational leads. Information was shared with both the Soviets and People's Republic of China (PRC). Within the DRV, the MPS forwarded its KB's and interrogation reports through Party channels to the MND and the Office of the Prime Minister for coordination throughout the remainder of the DRV government."⁹

Although the Ministry of Public Security and Ministry of National Defense shared some responsibilities relating to captured Americans, the MPS was vested with the overall responsibility for all American and other foreign prisoners captured in North Vietnam, South Vietnam, Laos, and Cambodia, and therefore maintained the most detailed lists of American and foreign prisoners held throughout Southeast Asia. In southern Laos along the Ho Chi Minh Trail, captured Americans were moved to the nearest PAVN military station (*Binh Tram*) and transferred to the control of Logistics Group (*Doan*) 559. The system in South Vietnam and Cambodia was controlled by forward commands of the MPS and the MND attached to COSVN. With the breakup of MR 5 into 3 distinct regions in early 1967, Hanoi assumed direct responsibilities of the northern provinces of South Vietnam, leaving COSVN in charge of the southern half.

The MPS had two main offices in Vietnam, with Office "A" in

Hanoi and Office "B" collocated with the Central Office for South Vietnam (COSVN) in the south. The southern office of the MPS also maintained detention facilities in the outskirts of Hanoi at Thanh Tri. This prison, where U.S. POW's captured in south Vietnam and later moved to the north were detained, was designated "Hanoi B". Detention facilities of the MPS Office "A" in northern Vietnam were staffed by personnel of Prisons Department C-51 in Hanoi, while those in southern Vietnam fell under the authority of Prisons Department C-53, located in the Lo Go area of northwestern Tay Ninh province. Some remains of U.S. POW's held in C-53 were repatriated after the war ended, but other prisoners executed there on orders of the party have never been returned. Live-sighting reports on American prisoners held in the C-53 prison continued to be received by the U.S. Government until late 1974, but were never acted upon due to procrastination and the sudden collapse of the Saigon Government. In the north, intelligence interrogations of American POWs were conducted by Interrogation Department C-44 in Hanoi. In the south, interrogations were conducted by public security cadre attached to the various Party Regions and provinces throughout southern Vietnam, or by cadre assigned to the Security Section of COSVN. In selecting cadre for duty with the security services the party was at the forefront: "The party should be regarded as the sole body that provides absolute and direct leadership. Whenever possible, security sections at various echelons were to be staffed by Chapter Party Committee members exclusively, and individual Party Chapters were to as "steering" nucleuses in the various security and intelligence communities.¹⁰ Information gained from interrogations of American POWs was processed and forwarded to the MND and the Office of the Prime Minister for coordination throughout the remainder of the government."¹¹

Coordination with the Office of the Prime Minister is considered noteworthy, since the Vietnamese Office for Seeking Missing Personnel (VNOSMP), established after the war to work with American POW/MIA specialists, also reports to the Office of the Prime Minister. The Office of the Prime Minister also managed part of the war-time propaganda effort through the Vietnam News Agency (VNA) and the Radio Diffusion Board. It is important to note that Radio Hanoi, like the Vietnam News Agency (VNA), while under the control of the Central Party Propaganda and Training Department (Cuc Tuyen Truyen Dao Tao), was attached to the Office of the Prime Minister. When considering the relationship between the Office of the Prime Minister against the long term implications of Vietnam's propaganda efforts, it is not surprising that such radio broadcasts and the recent "discovery" of VNA photographs of deceased American personnel have formed the basis for the U.S. Government's categorization of literally hundreds of cases, where neither the missing man or his remains have been returned, as so-called "discrepancy cases." As the U.S. began to conduct the first joint field investigations in Vietnam during 1988, the Radio Diffusion Board continued to send signals to the U.S. concerning the POW/MIA

issue when the following broadcast by Radio Hanoi was monitored: "At a press conference on 4 July held in the Soviet Ministry of Foreign Affairs Press Center, Comrade Sukaret (Translator's note: spelled phonetically) the head of the public prosecutor's office raised the issue of Soviet soldiers who were captured as POWs in Afghanistan. He rejected the fabricated themes of a number of reactionary circles that apparently some repressive cases are being prepared in regards to the Soviet POWs captured in Afghanistan in case they return home. He emphasized that the military personnel who belong to the element of Soviet voluntary forces engaged in the fighting in Afghanistan who were captured as POWs and returned to the Fatherland from abroad will entirely enjoy the rights of political society and other rights of every Soviet citizen as specified in the Soviet constitution. Stemming from the lofty humanitarian viewpoint of socialism, the Soviet State is prepared to be lenient to all those Soviet POWs whose actions, because they were unable to withstand enemy torture, have caused damage to the interests of the Soviet State. Comrade Sukaret stated that approximately 312 Soviet military personnel have been captured in the Afghanistan conflict. A number of them were sacrificed while searching for a way to escape from the prison camps of the Afghan counter-revolutionaries. Currently there are approximately 200 people being held in Afghanistan, a few tens of people in America, and a small number in Canada and western Europe. He hoped that the administrations of the countries involved in this issue, especially America and Pakistan, would create conditions for the Soviet POWs to soon return and reunite with their families." ¹²

In addition to military prisoners, Public Security camps also processed "civilian" prisoners. In a document of the Binh Dinh Province Security Committee pertaining to captured Vietnamese personnel, "Camps for POWs and defecting soldiers should only be used to confine personnel from military or semi-military units. GVN cadres such as Inter-family Chiefs, Hamlet Chiefs, administrative personnel, "plainclothesmen," reconnaissance unit personnel and civilians should be placed under the control of Security Sections." ¹³ Other documents of the Binh Dinh Province Party Committee captured during the war indicate that personnel transferred from regular detention camps to security agencies were scheduled for "further investigation."

Also included in the security system were American civilians who performed other than normal military duties. These personnel were considered as "spies," and subjected to very thorough interrogations. Even American female volunteer workers, such as school teachers and medical specialists captured in Hue during the 1968 "Tet" offensive, were suspected of being "spies." In some cases, those prisoners who were not successful in explaining their backgrounds either disappeared, died in captivity due to brutal

interrogations, or were executed after capture. Those who were able to convince their captors that they were genuine volunteers, such as the female prisoners captured in Hue, were required to sign statements to be broadcast over Radio Hanoi, and then released to American control. In the case of the American females captured in Hue, the unedited radio broadcasts were made from Hanoi only days after the statements were recorded near the Demilitarized Zone (DMZ). On the other hand, Chief Warrant Officer Solomon Godwin, from Hot Springs, Arkansas, who was also captured in Hue, died while undergoing a lengthy period of interrogation by the Public Security Police. Due to his assignment as an Intelligence Advisor to the RVN National Police Special Branch in Hue, both CWO Godwin and captured CIA agent Eugene Weaver were held in a highly secret camp far removed from other American prisoners. Mr. Weaver survived the ordeal, and more recently the Soviet KGB has admitted to U.S. officials that not only did they have direct access to Mr. Weaver for interrogation in Vietnam, they also attempted to recruit him for intelligence operations here in the United States. Although an American eyewitness account provides proof that CWO Godwin was in the custody of communist forces at a fixed location, his remains have never been returned. Another clear example of Vietnamese intransigence is the case of SSGT Harold Bennett from Perryville, Arkansas. Another American captured with SSGT Bennett was told by guards that he was executed, because he had been wounded and unable to keep pace with the movement to a new camp. Although the American survivor provided a location for SSGT Bennett's burial, his remains have not been returned by Vietnam.

During interrogations, the MPS was supported by its subordinate "Medical Office." Some known functions of this office included: "providing medical guidance and support to MPS interrogators on the most effective medical and psychological techniques in exploiting and gaining the cooperation of American POWs in the DRV".¹⁴ This included the use of various drugs and serums and other techniques which might induce the POWs to provide information while in a semi-conscious state, and providing the necessary medical care after the use of torture. These forms include: propagandizing the POW and of influencing him through the appropriate exposure of different equipment, weapons and torture techniques or by exposing the prisoners to others who were tortured, and preparing studies and performing research on the most effective Soviet, French, Communist Chinese and other oriental and western medical techniques which could be used in public security activities. The preparation of such research studies included working with Soviet and Communist Chinese intelligence advisers who were qualified in the use of medical techniques for intelligence purposes and coordinating medical matters with the MPS Technical Department, and with its Scientific Criminal Affairs Laboratory in regard to the analysis and preparation of devices/equipment for use by the MPS Medical Office in its support of the MPS interrogation elements.¹⁵

Some insight as to how information obtained from American personnel was shared with the USSR and PRC was reported by the CIA in Saigon just prior to the withdrawal of American forces: "Starting with the 1960 visit to NVN of a deputy chief of the KGB and the initiation of professional training for MPS cadres in the Soviet Union sponsored by the KGB, the MPS maintained a close but controlled liaison with Soviet KGB officials in Hanoi. Conversely, although the Chinese Communist advisors to the MPS were withdrawn in 1958, the MPS continued to maintain liaison with the Communist Chinese Ministry of Public Security officials attached to their Hanoi embassy to exchange information. (Field Comment: Although the Source does not claim the MPS also maintained a field relationship with KGB or Chinese MPS officials in other countries, he has identified MPS officials under North Vietnamese Embassy cover in Laos and Cambodia with known and frequent contact with Soviet and Chinese Embassy officials in those countries.) The Soviet KGB, with its wide range of activity against the United States, has provided political and military information to the MPS. In exchange the MPS and the North Vietnamese Army have furnished the KGB information on US pilots imprisoned in North Vietnam and on other US military and civilian prisoners in North Vietnamese hands. In addition, the KGB worked with the MPS in establishing the original interrogation requirements for all US prisoners and, although neither the KGB nor the Chinese Ministry of Public Security was allowed direct access to any US prisoner, the MPS accepted specific intelligence requirements from the Soviets and Chinese which it used in prisoner interrogations. (Source Comment: The primary Chinese concern was with the capabilities of US aircraft. MPS officials speculated that the Chinese intended to use technical interrogation and examination of US aircraft to supplement Chinese Communist aircraft design.)¹⁶

There is additional information available indicating that the intelligence shared by the MPS with the USSR and the PRC was considered valuable to the extent that it created competition between the two countries: "In spite of the obvious great importance for both sides of this collaboration, our military-scientific specialists in the DRV continue to operate under difficult circumstances, which are often artificially complicated by our Vietnamese comrades. It is known that trips to the sites of downed aircraft is the Soviet specialists' main method of collecting pieces of equipment. This system is set up by the Vietnamese side. The Vietnamese, however, hide the aircraft crash sites from us using various pretexts. They delay our trips, even after giving us permission to go to the crash site. It is for this reason that the main source of information regarding aircraft crash sites comes from the observation of Soviet specialists. There have been many times when downed aircraft were examined by qualified specialists before the arrival of our specialists. That has now been cleared up; it turned out to be Chinese."¹⁷

The Ministry of National Defense:

As mentioned, the MPS and MND shared responsibilities for the exploitation of American prisoners. While some of the prisoners who entered both the security and propaganda systems were later transferred to the custody of PAVN military forces, others were released, swapped, executed, or simply disappeared. Civilian prisoners screened by the MPS and found not to be "spies," but still not released to American control, were transferred to the custody of the *Dich van* (Enemy Proselytizing) Element. It is this element that the DPMO has concentrated most of its research efforts.

The military system for handling American POW's began at the capturing unit on the battlefield, and extended to Hoa Lo Prison in Hanoi. Although this system was managed by PAVN military forces, such operations were nevertheless controlled by the party, through the various political officers or political commissars, up to the General Political Directorate (*Tong cuc Chinh tri*) of the military high command in Hanoi. Almost all of the captured Americans who lived to return home went through this system. All prisoners were carefully screened and evaluated by experts of the Ministry of Public Security, which made recommendations concerning the further evacuation and future potential of captured personnel.

The three service components of the Ministry of National Defense (MND) function as the Ministry's intelligence, security, and proselytizing arms. All the services have a role in the prisoner system and the exploitation of captured or detained Americans. The elements included the Central Research Department, which collected military intelligence and was organized similar to the Soviet "GRU", the Enemy Proselytizing Department, and the Military Security Department. The Enemy Proselytizing Department (*Cuc Dich Van*) was the senior PAVN authority for POW matters and, "had the primary responsible for the administration and indoctrination of American POW's. The CDV closely coordinated with the MPS regarding the placement of U.S. POW's in MPS-run facilities. The CDV drew up indoctrination plans and recommendations for the interrogations of U.S. POW's by the Research Department".¹⁸

The Research Department maintained several separate offices tasked with the exploitation of American POWs, the Research Office (*Phong 70*), the Reconnaissance Office (*Phong 71*), the Technical Reconnaissance Office (*Phong 72*), and the Foreign Countries Intelligence Office (*Phong 76*). The Military Proselytizing and the Enemy Proselytizing Departments maintained offices designated C-12 and C-14 respectively, located near the "Citadel" POW Camp in Hanoi. Both the Research and Enemy Proselytizing Departments maintained master lists of all captured American POWs. The Military Security Department Office (*Phong 50*), which coordinated

closely with the General Department for Security (*Tong cuc An ninh*), of the MPS designated PH-46, was later changed to KP-36, and finally KH-50.

Enemy "cadre" targeted by the *Dich van* element were perceived as being more loyal to the opposing force, and, therefore, not worthy of trust for the long term propaganda aspect. Since Americans, like the French before them, were obviously foreigners, and far removed from loyalty to Vietnam, they were normally considered as "cadre" and placed under the control of the *Dich van* element. Due to the amount of tactical and technical knowledge possessed by enemy cadre, a principal mission of the *Dich van* element was the extraction of military information to be shared with the various PAVN Commands. In some areas where there were large concentrations of American forces, such as the Hue-Quang Tri area, a specialized sub-element designated *My van* (American proselytizing) was added to the existent structure. There is no indication that the third main proselytizing element, *Dan van*, designed to sway the civilian masses of the countryside, had any relationship to POW's.

The Unknown Military Proselytizing System:

The general purpose of *Binh van* was to destroy Army of the Republic of Vietnam (ARVN) and U.S. military strength, or at least reduce its efficiency, through a spectrum of politically motivated acts. This was the main thrust of General Giap's "disintegrating the enemy" process. The *Binh van* element was oriented toward "soldiers" of the enemy, rather than "cadre," because this particular element sought not only to persuade soldiers to cross over to the communist side themselves, but to elicit their assistance in luring other soldiers to cross over as well. Due to the degree of importance placed by the communists on the motivation of personnel taken into custody and their potential value toward propaganda efforts, any individual who voluntarily crossed over to the communist side would be considered a "soldier," and would, therefore, be under the control of the *Binh van*, rather than the *Dich van* element. This policy was apparently consistent without regard to the rank or position of the individual. This, however, is an assumption, since no known senior U.S. personnel defected to the communist side during the war.

Such distinctions may also have been considered as a point of law, since anyone who crossed over would normally be considered as a *Hang binh*, or deserter, and not subject to the law of land warfare. According to Vietnam's law on Vietnamese nationality "Foreign citizens and apatrid (sic) persons residing in Vietnam, abiding of their own free will by the Vietnamese Constitution and law, are eligible to Vietnamese naturalization if they fulfill the following conditions: to be eighteen years old or more; knowing the Vietnamese language; having resided in Vietnam at least five years.

In special cases, foreign citizens are eligible to Vietnamese nationality without being asked to fulfil (sic) the above mentioned conditions: have made contributions to the cause of protecting and defending the Vietnamese homeland."

During oral history interviews conducted in 1988, when questioned concerning the differences between the Military and Enemy Proselytizing elements, knowledgeable communist cadre summed up the situation by stating that the difference between the *Binh van* and *Dich van* elements was very similar to the difference between the Central Intelligence Agency and the Defense Intelligence Agency of the United States.¹⁹ Such interviews also revealed that while the *Dich van* element was under the military control of either the headquarters of the South Vietnam Liberation Armed Forces (SVNLAF), code named "Mien" (i.e. "Region") in southern Vietnam, or the General Political Directorate of PAVN in Hanoi, the *Binh van* element was under the direct control of either the southern arm of the Politburo in the Central Office for South Vietnam (COSVN) in South Vietnam, code named "R," or the actual Politburo in Hanoi.²⁰

This is a critical point, and represents the most important divergence between DPMO's position and ours, because the *Binh van* element had the responsibility of coordinating with the Politburo in arranging prisoner exchanges or in obtaining approval for scheduled executions. In the case of American POWs held in southern Vietnam, a directive issued by COSVN head and Politburo member Pham Hung in 1969, and forwarded to units of the South Vietnam Liberation Armed Forces (SVNLAF) stressed the importance of cooperation between the Military and Enemy Proselytizing Elements: "Close liaison with the Military Proselytizing Section was to be conducted to obtain an understanding of the psychological development within the enemy ranks so that an effective propaganda campaign could be carried out to intensify further the anti-war movement and decrease the enemy's combat effectiveness." The directive further stated that "American POWs constituted valuable capital assets and were an effective weapon in the field of the VC political and diplomatic struggle."²¹

The *Binh van* element maintained both foreign and domestic interest, since it was responsible for influencing the families of the captured men, in the hope that dissention would spread throughout the masses inside Vietnam, as well as the homelands of the invading force (i.e., France or America). Personnel from the Propaganda and Training Department assigned to Military Proselytizing duties held no government positions, but were simply referred to as Party Cadre (*Can bo Dang*). In most cases, such cadre were graduates of the Communist Party Ideological School designed to train party cadre for critical positions. This elite course was called the "Nguyen Ai Quoc" school (*Truong Nguyen Ai Quoc*), i.e., Nguyen the Patriot, a pseudonym used at one point by

Ho Chi Minh. Although the principal location for this school was in Hanoi, some cadre reassigned to *Binh van* duties during the war were trained at a southern branch of the school located inside Laos and adjacent to Kontum province, Vietnam.²² Due to the agitation-propaganda aspect, and the sensitive nature of operations designed to lure both Vietnamese and American personnel to desert and collaborate, the *Binh van* function was considered a propaganda matter, and, therefore fell within the purview of the Propaganda and Training Department of the Communist Party Central Committee, but coordinated closely with the Ministries of Public Security and National Defense.

By building on the World War II era "Armed Propaganda Teams" (*Doi Tuyen truyen Vo trang*), of which General Giap served as a Team Leader, the Vietnamese leadership was able to utilize trusted party cadre in re-orienting those teams toward both foreign and domestic opposing forces for long term guerrilla war. By operating solely on instructions issued by the Politburo, the Party cadre were able to instill the will of the party through assassination, extortion, coercion, intimidation, and political/diplomatic maneuvering. Foreign (e.g. Chinese, Japanese, French, American, Cambodian) prisoners and remains were considered as a key part of their near and long term negotiating strategies. At the same time, they stressed the lenient policy of the "Revolution" for those who willfully cooperated with their efforts to place the Communist Party in complete control of the nation.

Directives issued in 1970 by the Standing Committee of the southern arm of the Politburo, COSVN, as well as the headquarters for Military Region 5, in central Vietnam southwest of Danang, called for all units to increase efforts aimed at capturing American personnel. Such units were instructed to hide the bodies of Americans killed-in-action (KIA), and to collect all personal documents for forwarding to Hanoi. Such documents were needed by the *Binh van* element, in order to develop propaganda broadcasts oriented toward POW/MIA family members in the United States. One such release came in November 1967 when Hanoi announced the death of USMC Lance Corporal James O. Pyle. Actually Pyle was alive and well, but his field pack with letters containing the address of his parents in America was captured by PAVN forces during an attack. Thus Pyle's personal documents, lost in the area of Danang, found their way to Hanoi, far north of the battlefield.²³

According to one Source, arrangements were made by the *Binh van* element whereby any American families notified concerning the capture or death of a relative in Vietnam would be able to establish contact. All such arrangements were to be made through the Permanent Office of the National Front for the Liberation of South Vietnam in Cuba. "The POW's family would be notified of his detention through this office which would receive at least the man's name, rank, and serial number from COSVN. COSVN was often

able to furnish family data from memorabilia carried by the prisoner. COSVN would forward all this information together with a current photograph of the prisoner to the Liberation Front's office in Cuba."²⁴

Upon being captured, each American POW was required to complete a standard questionnaire. The purpose of the questionnaire was to collect information which would be used to promote the overall goals of the Binh van element (i.e., persuading American military personnel in Vietnam to ask the U.S. Government to send them home; persuading the American military not to fight the Viet Cong and that the latter were fighting a just cause; persuading the U.S. Government not to support the Army of the Republic of Vietnam nor to condone the killing of innocent civilians in "liberated" areas.²⁵ The Binh van element were also interested in personal information from POW's concerning relatives, including their mailing address in the United States. Such information was obtained in an attempt to gain the "support of the individual POW, his family and friends, and the American public. "American POWs were categorized according to their perceived intelligence and propaganda value. POWs were categorized as "A" (i.e. special due to the important information they possessed), "B" (i.e. those who had the same intelligence value as "A," but who were uncooperative, "C" (i.e. those whose continued presence in the DRV, after thorough debriefing, offered little or no advantages to the DRV. These POWs were released whenever it best served the DRV's purpose). No attempt was made to contact relatives in the U.S. of certain categories for the following reasons: "Prisoners in categories "A" and "B" were not exploited for the purposes of collecting information through their contacts in the U.S. or by attempting these contacts to engage in anti-war activities. This was not done because it might have led to the surfacing of their identities. The identity of category "A" prisoners was carefully guarded because identifying them as POWs rather than as missing or killed-in-action would permit the U.S. to employ countermeasures to negate the value of the information they provided. Similarly, the identity of the category "B" prisoners was kept secret because they may not have survived the interrogations or other techniques used to make them cooperate."²⁶

Regarding the manipulation of public opinion in America, the Binh van element was responsible for both penetration of, and recruitment from the POW population. This element was charged with the mission of "promoting the antiwar movement and urging US and satellite troops to refuse to take part in operations and to demand prompt return home". The Binh van element also played a key role in advancing the strategy of the party far into the future. Charismatic Binh van cadre were also tasked with developing lasting friendships with some selected U.S. POW's believed to have the potential for influencing public opinion after being released to go home. Documents captured during the war included one Military

Proselyting cadre's guidebook, which in addition to essays by American antiwar critics, contained the following instructions: "Special treatment was to be granted to U.S. PW's having special social standing, such as those who were the sons or relatives of American celebrities or high ranking officials in the U.S. Government. Intense propaganda and motivation should be imposed on these PW's".²⁷ An interrogation report compiled in 1969 indicated that "Before 1968, North Vietnamese military and civilian personnel were hostile to U.S. military personnel and often killed those who were captured. In 1969, however, the North Vietnamese Government issued an order stipulating that captured U.S. military and civilian personnel be kept alive for anticipated exchange and compensation. Moreover, it was specified that special attention should be paid to captured Americans who had made specific achievements, or came from wealthy families."²⁸ It had been hoped that the Americans could possibly be exchanged for gold". Concerning postwar efforts to influence U.S. public opinion, after the collapse of the south in 1975, cadre assigned to the Binh van were transferred to duties placing them in positions insuring continued contact with American targets with potential for exploitation regarding political and economic concessions, such as removing the trade embargo and improved U.S./Vietnam relations. For example, MR-5 female Binh van cadre, Ms Nguyen Thi Ngoc Suong was reassigned as the Vice-chairman of the Vietnam Petroleum Organization dealing with representatives of American oil companies. MR-5 Binh van cadre Nguyen Chinh was transferred to become the Deputy Director of the Religious Affairs Department in Hanoi dealing with U.S. officials concerned with human rights. Cadre Ho Nghinh was assigned to the Committee for Economic Development. Former Binh van cadre and Deputy Minister of Defense, LTG Tran Quang, was assigned as head of the National Veterans Organization of Vietnam and targeted against U.S. veterans organizations.

As American strategists began to withdraw United States forces from the battlefields of Vietnam, the two elements of *Binh van* and *Dich van* became almost synonymous, thus the term which began to appear in captured communist documents in the late 1960's and early 1970's indicated a combining of the two; *Binh/dich van*.²⁹ Subsequent to the ending of the war in Vietnam, the *Binh van* element was reorganized as the propaganda element of the restructured "Enemy Proselytizing and Special Propaganda Department" (*Cuc Dich van va Tuyen Truyen Dac Biet*). During the war years, other specialized Van elements were created when the situation dictated, including intellectual proselytizing (*tri thuc van*).³⁰

An interrogation report from a former member of the *Dich van* element in southern Vietnam provided the following: "The Enemy Proselytizing Office of the South Vietnamese Liberation Army (SVNLAF) Political Staff has the primary responsibility for the

administration, indoctrination and interrogation of foreign military and civilian prisoners as well as for Army of Vietnam (ARVN) captured personnel. It had no jurisdiction over captured VC deserters, captured Vietnamese civilians, or U.S./Allied/ARVN deserters who voluntarily rally directly to VC organizations." This category included both McKinley Nolan and Robert Garwood. Concerning the relationship between the *Binh van* and *Dich Van* elements, the same document states that "the only other COSVN-level organization which was in contact with the PDV (*Phong Dich van*) detention facilities was the COSVN Military Proselytizing Section (*Ban Binh van*). The PDV (*Phong dich van*) sent information copies of all its indoctrination and interrogation reports to the Military Proselytizing Section via the SVNLAFF Political Staff.³¹ Another document underlining the coordination between the *Binh van* and *Dich van* elements issued by the *Dich van* Section, Political Department of the SVNLAFF is titled "Public Presentation of U.S. Prisoners of War": "To make a rational use of POW's during their detention [period], the Political Department of Mien [Zone] (i.e. southern Vietnam, aka B-2) had, for the first time and in coordination with the Military Proselytizing Section of the Region (i.e. Party Committee Region, *Khu uy*), organized meetings during which U.S. POW's were publicly presented to the masses with a view to propagandizing our military victories and motivating the masses' hatred of the Americans and readiness to fight any American move in the Western Zone [of South Vietnam's Delta]." ³²

Concerning Vietnamese knowledge of the 505 MIA cases remaining in Laos, several advisory units were deployed by Vietnam to that country during the war. One recently declassified study of the CIA describes Vietnamese involvement: "In support of increasing requirements for PAVN involvement in Laos, the Lao Dong Party established in 1959 a central control authority over all PAVN activities in Laos. Designated after the date of its establishment, Group (Doan)/Office 959 was under dual command of the Central Committee's Central Western Affairs Department (*Ban Cong Tac Mien Tay Trung Uong*) Military Staff and the Ministry of National Defense. Until 1968, Office 959 was responsible for control of all PAVN units in Laos. In 1968, control over PAVN combat units and advisory personnel to the LPLA was reorganized. Office 959 relinquished its control over PAVN units in north to the PAVN Northwest Military Region, and its control over PAVN units in central and south Laos to PAVN Military Region 4 group 68, which later became known as Group/Division 968. Office 959 and its subordinate advisory groups became solely responsible for advisory assistance to the LPLA, although it continued to coordinate its activities with the PAVN Northwest Region and with PAVN military Region Group 68. This organizational system for PAVN operations in Laos remained intact through at least 1975".³³ At differing times, PAVN advisory groups operating in Laos included Groups 6, 95, 100, 363, and 763. The Lao High Command Political Staff's Military Security Section (*Suan Sua Ka Suc*) (i.e. *Binh van* element) had

approximately 200 personnel, and engaged in recruitment and penetration operations against enemy forces. Coordination for inter-party liaison between Vietnam and Laos was the responsibility of International Liaison Group 101.

Approximately 85 per cent of the remaining MIA cases in Laos, involving U.S. personnel, have incident locations in areas that were under the wartime control of Vietnamese forces. The PAVN-advised Lao Binh van efforts were similar to those conducted unilaterally by the Vietnamese in Vietnam. An example of Lao record-keeping is evidenced by the acquisition of a document pertaining to CPT Walter H. Moon from Rudy, Arkansas. This document was obtained from refugee sources in Thailand, and was titled "Biography of a Prisoner". It was obtained from a collection of similar documents from the Lao Military High Command Headquarters in Vientiane during the early 1980's. Although CPT Moon was executed while being held prisoner in a fixed camp, his remains have not been returned. Lao Military Security personnel observed in the same office where the document was obtained have been identified as having been involved with U.S. POW's during the war, and having participated in meetings with U.S. officials and MIA family members arriving in Laos to discuss the POW/MIA issue. Moreover, the government of Vietnam has already returned the remains of two U.S. pilots with incident locations inside Laos, with one of the locations in the Plain of Jars.

Other Vietnamese offices:

The Intelligence and Security Services also played a key role in security matters involving American prisoners. In addition to monitoring foreign diplomatic communications in Hanoi, the Technical Reconnaissance Office, KG-3, of the Ministry of Public Security was responsible for the censorship of all letter mail and parcels sent to or from U.S. POWs. KG-3 also planted audio and video surveillance devices in both detention cells and interrogation rooms occupied by U.S. personnel, and monitored POW "tap" codes in use during the war. Some foreign journalists working on postwar film projects in Hanoi have been provided motion picture footage of U.S. POW's, which was obviously filmed without the knowledge of the subjects.

Concerning the processing of the remains of Americans who died in captivity, Office KG-5 of the MPS performed forensic science duties in examining the remains to determine the cause of death. KG-5 personnel were included in Vietnamese delegations that visited the JCRC and the Central Identification Laboratory (CILHI) in Hawaii. KG-5 personnel normally examined U.S. remains at the Forensics Laboratory located in the Da Phuc area northwest of Hanoi, or the Criminal Science Institute located at 66A Yet Kieu Street in Hanoi. To accommodate the processing of remains of Americans who died in the south, KG-5 established an additional

section in Office "B" of the MPS located in southern Vietnam designated KG-5B. In processing skeletal remains for repatriation to the United States, Office KG-5 coordinated with the Policy Office of Enemy Proselytizing Department (also referred to as the Graves Management Agency (Co quan Quan ly Mo Ma)) of the PAVN General Political Directorate, and military hospitals, such as Military Hospital 108 (Quan y Vien 108) in Hanoi. Concerning the recovery and examination of U.S. remains, artifacts, weapons, and aircraft parts throughout the provinces, Offices KG-5 and KG-5B coordinated closely with the Political Security Department, PH-16, in Hanoi, or Office X-16 in the south. The Political Security Department was comprised of several offices including a Political Security Section, Legal Section, Technical Reconnaissance Section, Foreign Personnel Contacts Section, Records Section, and Intelligence Collection Section.

Another document described the relationship between the Military Justice Department (MJD, now reorganized in the General Political Directorate as the "Military Police and Criminal Investigation Department") and the MPS: "Between 1964 and March 1973, the MJD worked jointly with the Ministry of Public Security (now known as the Ministry of Interior) in guarding U.S. prisoners of war (POW's) in the northern SRV. During this period, the MJD was tasked with providing physical protection for U.S. POW detention facilities, such as the Son Tay facility. It had no jurisdiction over the central Hoa Lo Prison in Hanoi, which was guarded by, and under the administration of, the Ministry of Public Security. Although the MJD provided external guard forces for other U.S. POW detention facilities, the internal administration of these facilities was under the Ministry of Public Security, which maintained U.S. POW records and directed the interrogation of U.S. POW's." ³⁴

The Political Security Department also maintained offices in each province, with increased manning in areas with high rates of incidents involving U.S. personnel, such as Ha Dong, Hai Phong, Thanh Hoa, Nghe An, and Quang Binh. According to the Central Identification Laboratory in Hawaii, the combined efforts of the MPS and MND resulted in a very efficient system for recovering and storing U.S. remains and personal effects. A 1991 memo of the lab indicated that "CILHI had prepared a bar chart displaying the number of identified remains received during official repatriations from the SRV since March 1973, with contrasting bars showing the number of remains exhibiting some evidence of storage. The chart and supporting statistics were as of 31 January 1991. The total number of identified remains was 260; the total number showing evidence of storage was 158." ³⁵

After reviewing all available information concerning Vietnam's handling of the remains issue, the Defense Intelligence Agency (DIA) produced a detailed report outlining the U.S. Government's

expectations for cooperation on the part of the Vietnamese in unilaterally turning over both remains and records. This study incorporated information obtained from defectors involved with processing or storage of remains, scientific analysis of remains, wartime interrogation reports, wartime captured document translation and analysis reports, and a detailed survey undertaken by the highly respected Joint Casualty Resolution Center (JCRC), indicating that 1485 remains could be recovered and repatriated by the Vietnamese, without the deployment of U.S. field teams in Indochina.³⁶ There was no emotion or motivation displayed in the straightforward presentation prepared by professional Pentagon analysts. According to a key point of the DIA briefing: "Finally, our forensics experts tell us that approximately 70 per cent of U.S. remains returned by your government show evidence of long-term storage. By this we mean they exhibited minimal bone mass loss, commingling with other remains of individuals lost in widely disparate areas, and coating with preservatives and/or disinfectants. Thus, while your government has returned many sets of remains that exhibit evidence of storage, the information available to us leads us to the conclusion that there are still American remains that are readily available or easily retrievable and that could be repatriated to the U.S. in a very short period of time." Concerning the ability of Vietnam to provide records, the briefing indicated that: "Based on information acquired through original documents, wartime and refugee interviews, and other sources, we have learned that PAVN developed a specialized cadre and a dedicated organization to handle foreign prisoners and casualties during the first Indochina War. That cadre and organization, which appear to have continued to operate into the early 1960's, was adapted to deal with U.S. Forces when they were introduced into Indochina."³⁷

Already embarrassed by reports of "warehousing and storage" provided by a Vietnamese mortician who escaped by boat from Vietnam in 1979, and who later testified before a concerned U.S. Congress, Vietnam's Propaganda Department moved to counter the DIA briefing by raising the issue of "grave robbers," and "remains traders." This was not altogether unexpected by skilled U.S. negotiators with long-time experience in dealing with Asian Communists, but at least some officials responsible for the issue sought to give the Vietnamese the benefit of the doubt, and attempted to gain sympathy for Vietnam's position from key White House officials. The President's Special Emissary for POW/MIA Affairs in Vietnam forwarded a memo stating "It appears to me that the difficulties of terrain, the effects of high-G impacts on the human body, the effects of climate on the remains, the errors in location of remote area graves and associated difficulties of finding them several years later, and the questionable efficiency of a reporting system under wartime attack might push the probabilities in the various steps well below that which the DIA has implicitly assumed. Further, I don't believe we have any real handle on the extent

civilian scavenging of crash sites and battlefields has disrupted the government's attempts to collect remains. Simply put, there are a lot of unknowns in Vietnam. Getting remains into "the warehouse" was not so easy as the hearer of the DIA briefing may infer.³⁸

Incoming President Clinton's so-called "point-man" on the POW/MIA issue, Veterans Administration Deputy Secretary Hershel Gober, himself a Vietnam veteran and native Arkansan, travelled to Vietnam to observe digging operations west of Danang during 1994. After returning to the U.S., Deputy Secretary Gober began calling for more movement in the normalization process. In September 1994, a delegation from the Arkansas Governor's Task Force on POW/MIA coordinated a "fact finding" trip to Vietnam with Deputy Secretary Gober. After a four day visit to Joint Task Force-Full Accounting (JTF-FA) and Vietnamese Office for Seeking Missing Personnel (VNOSMP) in Vietnam, the delegation included the following in their trip report: "The United States needs to expedite the normalization process with the Socialist Republic of Vietnam at the earliest possible moment. The strategic benefits to be gained by an alliance with this country to offset the influence of Communist China should be paramount in the long range goals of the United States. The Defense Department is apparently hamstrung in its efforts to completely resolve the MIA issue because of the standards imposed upon them for resolution of the identity of remains. We therefore strongly recommend that the President ask the United States Congress to enact legislation to establish a final, definitive, category, with the approval of the next of kin of the missing Americans, to reach conclusions based on reasonable standards without having to depend upon identification techniques not yet technically feasible". In the report, the delegation acknowledged several organizations for making the trip possible including: the Arkansas Industrial Development Commission, the Maybelline Company, Remington Arms, and Delta Airlines.³⁹

Mention by the Arkansas delegation of the situation wherein the members came away with the conclusion that the Defense Department was "hamstrung in its efforts to completely resolve the MIA issue," and the President should recommend that Congress enact legislation to establish a final conclusion without having to depend upon "identification techniques not yet technically feasible," indicates far more profound political insight than could normally be expected of a delegation of state-level officials from Arkansas. A review of events leading up to the departure of the delegation, however, may shed some light on this particular aspect. One month prior to departure of the delegation from Arkansas, the Military Command in Hawaii held a round-table discussion dedicated to approaching this same delicate issue. According to the results of the meeting: "The purpose of this message is to encourage submission of cases through established AFIRB procedures where insufficient biological remains exist to establish identity of the remains. USACILHI is

currently preparing cases for submission that will rely on acceptance of non-biological evidence to establish the identity of the remains." ⁴⁰

Thus it becomes increasingly obvious that regardless of the amount of hard intelligence and scientific evidence concerning Vietnam's duplicity made available to Washington and Hawaii, the White House has been repeatedly counseled to move forward in the normalization process, under the guise that Vietnam is not only cooperating for the present, but for unexplained reasons is expected to be even more forthcoming in the near term. In order to lay the ground work for explaining this phenomenon the Defense Department has released subtle indications to the effect that "we have previously been operating under false assumptions." This new, progressive attitude has been well received by major American corporations seeking to do business in Vietnam, as well as some aging American veterans of the Vietnam War, who still suffer from psychological problems due to their wartime service, and who now return on "Veterans Initiative Trips," to heal. However, for professional historians and researchers, who must be content to work with facts, rather than the emotional aspect, a 1987 DoD memo resulting from an extensive Rand Corporation analysis of the French experience in coping with the POW/MIA issue provides a dramatic illustration of Vietnam's coldly calculated intent: "Despite the substantial political and economic concession the French have made to Hanoi since 1954, France has never received a full accounting for its missing and dead. The Vietnamese communist government has consistently circumvented and violated the terms of the 1954 agreement concerning the accounting for France's missing servicemen. Hanoi's actions clearly demonstrate that its only interest in the French military graves in Vietnam and the requests for remains by the families of the deceased is in the economic and political benefits that the Vietnamese Government can derive from control of these remains. We should keep this in mind in dealing with Hanoi. We can anticipate that Hanoi's objective is to obtain increasingly large economic and political concessions in exchange for piecemeal releases of remains and information about our missing servicemen." ⁴¹

Conclusions:

Although the U.S. Government claims that Vietnam is doing everything it can to account for the 2,200 American personnel still unaccounted-for in Indochina, this contention is not supported by facts. On the contrary, all available evidence suggests that the Vietnam Communist Party could rapidly account for a significant number of MIA cases, especially the 95 men associated with the "Special Remains" cases, who either died due to disease or were executed in wartime prison camps, or whose remains have been depicted in photographs released by Vietnam. Evidence of a complex wartime record keeping system indicates that Vietnam could also

provide important information on many of the 305 last-known-alive discrepancy cases, as well as crash sites and grave sites.

The postwar reassignment of experienced proselytizing cadre into political, economic, human rights, and veterans affairs organizations involved with the United States indicates that the Vietnam Communist Party intends to continue its long established process of exploiting U.S. officials, business groups, and veterans organizations. The extent to which this has already occurred, to the detriment to MIA accounting, can only be determined by careful scrutiny of the official and unofficial contacts by representatives of organizations from both sides over the years. The amount of influence that Vietnam's proselytizing efforts have had on postwar policy-level decisions made in Washington can only be assessed by comparing concessions made to Vietnam by the White House with those made to the United States by the Politburo in Vietnam.

References:

1. The Defense Department's agency for handling the POW/MIA issue is called the Defense POW/MIA Office, known by the initials DPMO. Specialists of the DIA working on the issue since the war years have now been incorporated into this organization.
2. Known as the Combined Document Exploitation Center, or CDEC by its military acronym, an enormous cache of enemy documents were screened, translated and reproduced on microfilm. The collection currently resides at the National Archives in Washington, DC in Record Group 472,
3. Pike, Douglas. PAVN: People's Army of Vietnam, Presidio Press, 1986, p. 153.
4. "Experience gained in capturing U.S. prisoners". Captured North Vietnamese documents of the Combined Documents Exploitation Center (CDEC) Document Log #02-2090-70, Roll 941, Records of the Military Assistance Command, Vietnam Record Group 472, National Archives, Washington.
5. "NLF Instructions on Treatment of American Prisoners". Indochina Archive, Unit POW/MIA file 12/63, Institute for East Asian Studies, University of California, Berkeley, CA. The Archive currently resides at the Center for Vietnamese Studies at Texas Tech University, Lubbock, TX.
6. "Guide for Interrogation of US Prisoners of War, Military Proselytizing Section, VC MR-5", CDEC Bulletin 48,829, Log # 4-1654-72, Roll 903, RG 472, NA, hereafter referred to as "Guide".
7. "Viet Cong Policy Toward and Exploitation of U.S. Prisoners of War". CIA Intelligence Information Report, dated 14 March 1967, LBJ Library, NSF Country File, Vietnam, Folder 81, Document 70, Austin, TX. This document is also located in the CIA's ORIS database, available by FOIA. Due to heavy and often uneven redaction policies, CIA cables are often missing cable numbers and other identifying media. Again, the authors have attempted to provide as much information to the reader. All CIA documents listed are in the Authors' possession. All CIA cables hereinafter referred to as CIA cable.
8. "VC Treatment of US Prisoners of War", Strategic Research & Analysis Division, Directorate of Intelligence Production, dated 15 October 1969, p. 2, quoting a captured document.
9. "The Responsibilities of the Democratic Republic of Vietnam Intelligence and Security Services in the Exploitation of American Prisoners of War", Central Intelligence Agency (CIA), dated 17 Nov 75, page 3-7, Roll 513, Folder 31, Vietnam-era POW/MIA

documentation collection, Library of Congress, Washington, D.C. Hereafter referred to as Responsibilities.

10. Central Office for South Vietnam (COSVN) Directive # 165.
11. Responsibilities, page 6.
12. Radio Hanoi Broadcast July 6, 1988.
13. "Special Reports on RVNAF POWs Detained in Various Camps in Binh Dinh Province". This document can be found in the Indochina Archive, POW File for September 1972.
14. Responsibilities, page 17.
15. Responsibilities, page 18.
16. "Exchange of Intelligence Information by North Vietnam with the Soviet Bloc Countries and Communist China between 1958 and 1968", CIA cable dated 30 April 1973, L.O.C. Vietnam-are, Reel 513, Folder 27.
17. Task Force Russia Document TFR-136-11.
18. "Delineation of Responsibilities of the North Vietnamese Army Enemy Proselytizing Department, The "Cuc Nghien cuu", and the Ministry of Public Security in the Handling and Interrogation of US POWs in NVN", CIA cable dated 15 July 1970, L.O.C., Reel 320.
19. Discussions with SRV Military Police and Criminal Investigation LTC Pham Van Khoi. The information presented is the result of many conversations Bill Bell had with LTC Khoi concerning Vietnamese wartime organizational structure. LTC was a member of Office 22, Group 875, and was involved field grade U.S. POWs during the war.
20. JTF-FA Oral History Interview by Bill Bell with Senior Colonel Pham Van Ban, aka Ba (3) ban, Hanoi 7 Jan 93.
21. "South Vietnam Liberation Army (SVNLAF) Directive 1/H Exhorting Subregion 1 Troops to capture Many Prisoners of War, Particularly Americans, to Serve the Political and Diplomatic Struggles" CIA cable, dated 24 Jun 71.
22. JTF-FA Oral History Interview by Bill Bell with former Military Proselytizing Chief, Major General Vo van Thoi, Saigon, SRV, 18 Jan 93.
23. Stars and Stripes, 18 Dec 67, page 6.
24. CIA Information cable, Saigon, Vietnam, 12 Feb 68.

25. CIA Information cable IN 636181, TDCS-314/04542-72, 15 Jun 72.
26. Responsibilities, page 20.
27. Guide.
28. CIA, FIR, 1969 North Vietnamese Policy on Prisoners of War.
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32. Vietnam Documents and Research Notes, Document # 65, Aug 1969.
33. "Intelligence and Security Operations of the Socialist Republic of Vietnam Ministry of National Defense Enemy Proselyting Department", CIA Study, Dec 1979.
34. "The Military Justice Department of the Socialist Republic of Vietnam (SRV) Ministry of National Defense; Past and Present Responsibilities for the Detention of Prisoners; Past Guarding of U.S. Prisoners of War (DOI: 1964-june 1981), Cable, CIA dated 8 Sep 82, L.O.C., Reel 320.
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37. Defense Intelligence Agency, Records and Remains Brief, undated, (Document in the author's possession).
38. Gen John Vessey memo for Secretary Baker, Secretary Cheney, and General Scowcroft, 12 Jan 92, (Document in the author's possession).
39. Report of the Arkansas POW/MIA Verification Task Force Delegation Visit to Hanoi, Vietnam September 9-16, 1994.
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41. Office of the Asst Secretary of Defense (ISA) Fact Sheet, dated October 1987.

Humanitarian Action Plan in Support of Government-to-Government Casualty Resolution Efforts in Vietnam.

Purpose

--The purpose of the Humanitarian Action Plan shall be to supplement official efforts by the governments of the United States of America and the Socialist Republic of Vietnam to resolve the status of casualties resulting from the Vietnam War.

--Definition of casualty resolution: The return of a missing person, or his/her remains, or convincing evidence as to why neither is possible.

Organization

--Establish a national-level humanitarian organization in Vietnam designed to function as a bridge between the veterans and MIA family members of the United States of America, and veterans and MIA family members of the Socialist Republic of Vietnam. This organization shall be incorporated as "The Bridge," and shall be administered by World Touch International and the National League of Families. The "Bridge" shall be located in Danang, Vietnam. The "Bridge" shall be directed by a National Board of Directors, and advised by an Honorary Board of Advisers in the United States. In Vietnam, the "Bridge" shall work closely with the Ministry of Labor, War Invalids, and Social Affairs.

--At the state, territorial, and selected city levels, establish Humanitarian Service Teams (HSTs) comprised of veterans and MIA family members. Each HST shall be directed by the National Board of Directors, and shall operate in support of the national "Bridge" organization. Each HST shall be advised by a state, territorial, or city-level Honorary Board of Advisers.

Division of Responsibilities

--The National Board of Directors shall convene periodic meeting sessions in Washington, D.C. as required and agreed upon by the members of the board. The National Board of Directors shall coordinate with the various religious and charitable organizations, veterans organizations, MIA family member organizations, the various agencies of the U.S. Government, the U.S. Congress, and the Liaison Office of Vietnam in Washington, D.C., for support of projects planned by the "Bridge".

--The state, territorial, and selected city Humanitarian Service Teams shall convene periodic meeting sessions in each of their respective areas as required and agreed upon by the teams. The HSTs shall participate in periodic joint U.S./Vietnam in-country

veterans-to-veterans and family-to-family seminars in the corresponding provinces and cities of Vietnam, as scheduled by the National Board of Directors, through the office of the "Bridge". (See Appendix A).

Funding

--Funds for the operations of the "Bridge" office in Vietnam shall be provided by fund-raising activities of the state, territorial, or city HSTs in conjunction with Goad Ministries. The "Bridge" shall manage accountability of funds through the 501 (c) 3 of World Touch International, administered by the National League of Families. Funding for in-country projects planned by the "Bridge" shall be provided by private contributions and the U.S. Agency for International Development.

In-country Contacts

--The National Board of Directors shall arrange national-level seminars with policy level officials of Vietnam, in order to map out a strategy for country-wide veteran-to-veteran, and family-to-family contacts by the HSTs in Vietnam. The "Bridge" shall review all information obtained by the in-country HSTs, and keep the National Board of Directors informed concerning progress achieved. Information or artifacts correlating to any specific individual shall be forwarded to the corresponding state or province HST for presentation to the family of the missing man.

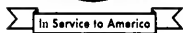
--The HSTs shall adopt the schedule of activities, as outlined by the "Bridge", in implementing the veteran-to-veteran and family-to-family contacts at the local levels. Information or artifacts obtained by the HSTs at the local level shall be reported to the "Bridge" for appropriate research and analysis. Human remains or biological evidence shall be reported to the Central Identification Laboratory in Hawaii (CILHI).

Relations

The National Board of Directors shall coordinate with the national and local media for public awareness, and to insure that the public is informed concerning the actual level of cooperation afforded by Vietnam. The National Board of Directors shall inform the Honorary Board of Advisers concerning the level of cooperation, and encourage/facilitate trade and disaster assistance as appropriate.

Appendix "A" Comprehensive Plan for Accounting for POW's and MIA's

1. Hai Phong	Hawaii
2. Ha Giang	South Dakota
3. Cao Bang	North Dakota
4. Lai Chau	Alaska
5. Lao Cai	Iowa
6. Lang Son	Michigan
7. Tuyen Quang	Wyoming
8. Yen Bai	Minnesota
9. Bac Thai	Pennsylvania
10. Son La	Montana
11. Vinh Phu	Illinois
12. Ha Bac	Colorado
13. Quang Ninh	Washington
14. Hoa Binh	Kentucky
15. Ha Tay	Nevada
16. Hai Hung	Indiana
17. Thai Binh	Connecticut
18. Ha Nam	Vermont
19. Ninh Binh	Virginia
20. Thanh Hoa	Massachusetts
21. Nghe An	North Carolina
22. Ha Tinh	South Carolina
23. Quang Binh	Maine
24. Quang Tri	Louisiana
25. Thua Thien-Hue	Arkansas
26. Quang Nam-Danang	Texas
27. Kon Tum	Idaho
28. Quang Ngai	Delaware
29. Binh Dinh	Oregon
30. Gia Lai	Nebraska
31. Dak Lak	Oklahoma
32. Phu Yen	Rhode Island
33. Khanh Hoa	Maryland
34. Song Be	Missouri
35. Lam Dong	West Virginia
36. Binh Thuan	New Hampshire
37. Ninh Thuan	California
38. Tay Ninh	Arizona
39. Dong Nai	Utah
40. Soc Trang	New Jersey
41. Long An	Ohio
42. Dong Thap	New Mexico
43. Tien Giang	Kansas
44. An Giang	Wisconsin
45. Ben Tre	Tennessee
46. Vinh Long	Georgia
47. Tra Vinh	Alabama
48. Can Tho	New York
49. Kien Giang	Mississippi
50. Minh Hai	Florida
51. Ba Ria-Vung Tau	Guam, Puerto Rico, Virgin Islands
51. Hanoi	Washington, D.C.
52. Ho Chi Minh	San Francisco



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A Not-For-Profit Veterans Service Organization Chartered by the United States Congress

July 11, 1995 "VVA, At Work in Your Community"

The Honorable Benjamin A. Gilman
 Chairman, House Committee on
 International Relations
 House of Representatives
 2170 Rayburn House Office Building
 Washington, D.C. 20515

Dear Congressman Gilman:

Thank you for your invitation to participate at the hearing before your committee on Wednesday, July 12, 1995. Unfortunately, Jack Clark did not receive your invitation until Monday, July 10, 1995.

We understand that you intend to query the hearing participants about fullest possible accounting of POW/MIAs in Southeast Asia. In the resolution passed at our 1993 National Convention, Vietnam Veterans of America established as our standard for measuring fullest possible accounting, "the return of all live Americans or their remains, or convincing evidence beyond a reasonable doubt why that cannot be achieved." By this standard, fullest possible accounting has not yet been achieved.

As you are aware, Vietnam Veterans of America is opposed to normalization of relations with Vietnam until the fullest possible accounting has been obtained. Because of the failure to achieve this objective Vietnam Veterans of America supports S.J. Res. 34 and H.J. Res. 89.

Although we will not present oral testimony on Wednesday, we will monitor the hearing and the response of U.S. government representatives. If appropriate, we will submit written follow-up testimony.

Vietnam Veterans of America will continue to support every responsible effort to achieve fullest possible accounting of American POW/MIAs in Southeast Asia.

Sincerely,

James L. Brazee, Jr.
 President

NEWS from

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1055 North Fairfax Street * Suite 200 * Alexandria, VA 22314 * 703/519-7000

For Immediate Release:
July 10, 1995Contact: Eugene "Red" McDaniel
(703) 519-7000**FORMER U.S. POWs OPPOSE NORMALIZATION WITH VIETNAM**

Alexandria, VA -- In a letter sent to President Clinton today, 60 former U.S. POWs -- including Congressman Sam Johnson, (R-TX); LtGen John Peter Flynn, USAF(Ret); BG Robinson Risner, USAF(Ret); and Captain Red McDaniel, USN(Ret) -- from the Vietnam War expressed their opposition to establishing diplomatic relations with Vietnam "until you, as Commander in Chief, tell us Hanoi is being fully forthcoming in accounting for our missing comrades." The letter was sent by Captain McDaniel, President of the American Defense Institute, on behalf of former U.S. POWs from Vietnam concerned with recent reports that a White House announcement of the move is imminent.

"While we appreciate Vietnam's support for U.S. crash site recovery and archival research efforts," the former POWs stated, "we know first-hand Vietnam's ability to withhold critical information while giving the appearance of cooperation."

Elsewhere in the letter, the former POWs contend that Hanoi "could do much more" to resolve many of the unresolved POW/MIA cases.

"Some of our fellow servicemen became missing during the same incidents which we survived...Some were captured and never heard from again...Some were known to have been held in captivity for several years and their ultimate fate has still not been satisfactorily resolved...Still others were known to have died in captivity, yet their remains have not been repatriated to the United States."

The former POWs expressed their concern that many of the "reports from U.S. and Russian intelligence sources that maintain several hundred unidentified American POWs were held separately from us during the war, in both Laos and Vietnam, and were not released by Hanoi during Operation Homecoming in 1973...have yet to be fully investigated" and called on the President to "send a clear message to Hanoi that America expects full cooperation and disclosure on American POWs and MIAs before agreeing to establish diplomatic and special trading privileges with Vietnam."

Attached is a copy of the letter and the list of the former POWs.

July 10, 1995

AN OPEN LETTER TO PRESIDENT CLINTON FROM FORMER U.S. POWS

The Honorable William J. Clinton
President of the United States
The White House
Washington, DC 20500

Dear Mr. President:

As former U.S. Prisoners of war during the Vietnam Conflict, we are writing to request not to establish normal diplomatic relations with Vietnam until you can certify that there has been full disclosure and cooperation by Hanoi on the POW/MIA issue. While we appreciate Vietnam's support for U.S. crash site recovery and archival research efforts, we know first-hand Vietnam's ability to withhold critical information while giving the appearance of cooperation. We were all subjected to such propaganda activity during the war, and we would be the least surprised if Hanoi was continuing to use similar tactics in its dealings with the United States.

Of particular concern to us are the several hundred POW/MIA cases involving our fellow servicemen who were captured or lost in enemy-controlled areas during the war, yet they still have not been accounted for by Vietnam. We understand that much of the fragmentary information provided by Vietnamese officials to date indicates they could do more to resolve these cases.

Some of our fellow servicemen became missing during the same incidents which we survived. They have not been accounted for. Some were captured and never heard from again. They have not been accounted for. Some were known to have been held in captivity for several years and their ultimate fate has still not been satisfactorily resolved. They have not been accounted for. Still others were known to have died in captivity, yet their remains have not been repatriated to the United States. They have not been accounted for.

Finally, we remain deeply concerned with reports from U.S. and Russian intelligence sources that maintain several hundred unidentified American POWs were held separately from us during the war, in both Laos and Vietnam, and were not released by Hanoi during Operation Homecoming in 1973. Many of these reports have yet to be fully investigated.

America deserves straightforward answers if Vietnam really wants normalized diplomatic and economic relations. If Vietnam truly has nothing to hide on the POW/MIA issue,

Terry Uyeyama, Col, USAF(ret)
Richard D. Vogel, Col, USAF(ret)
Ted Guy, Col, USAF(ret)
Paul E. Galanti, CDR, USN(ret)
Laird Guttersen, Col, USAF(ret)
Lawrence J. Stark, Civ
Michael D. Benge, Civ
Marion A. Marshall, Lt Col, USAF(ret)
Richard D. Mullen, CAPT, USN(ret)
Philip E. Smith, Lt Col, USAF(ret)
William Stark, CAPT, USN(ret)
David F. Allwine, MSgt, USA(ret)
Bob Barrett, Col, USAF(ret)
Jack W. Bomar, Col, USAF(ret)
Larry J. Chesley, Lt Col, USAF(ret)
C.D. Rice, CDR, USN(ret)
Robert L. Stirm, Col, USAF(ret)
Bernard Talley, Col, USAF(ret)
Paul Montague, Civ
Leo Thorsness, Col, USAF(ret)
Robert Lerseth, CAPT, USN(ret)
Ray A. Vodhen, CAPT, USN(ret)
Richard G. Tangeman, CAPT, USN(ret)
John Pitchford, Col, USAF(ret)
Steven Long, Col, USAF(ret)
Brian Woods, CAPT, USN(ret)
Dale Osborne, CAPT, USN(ret)

then why have they not released their wartime politburo and prison records on American POWs and MIAs? Why have they not fully disclosed other military records on POWs and MIAs?

We would only be compounding a national tragedy if we normalized relations with Hanoi before you, as Commander in Chief, can tell us Hanoi is being fully forthcoming in accounting for our missing comrades.

Perhaps more than any other group of Americans, we want to put the war behind us. But it must be done in an honorable way. We, therefore, ask you send a clear message to Hanoi that America expects full cooperation and disclosure on American POWs and MIAs before agreeing to establish diplomatic and special trading privileges with Vietnam.

Sincerely,

John Peter Flynn, Lt Gen, USAF(ret)
Robinson Risner, Brig Gen, USAF(ret)
Sam Johnson, Member of Congress

Eugene "Red" McDaniel, CAPT, USN(ret)
John A. Alpers, Lt Col, USAF(ret)
William J. Baugh, Col, USAF(ret)
Adkins, C. Speed, MAJ, USAF(ret)
F.C. Baldock, CDR, USN(ret)
Carroll Beeler, CAPT, USN(ret)
Terry L. Boyer, Lt Col, USAF(ret)
Cole Black, CAPT, USN(ret)
Paul G. Brown, LtCol, USMC(ret)
David J. Carey, CAPT, USN(ret)
John D. Burns, CAPT, USN(ret)
James V. DiBernado, LtCol, USMC(ret)
F.A.W.Franke, CAPT, USN(ret)
Wayne Goodermote, CAPT, USN(ret)
Jay R. Jensen, Lt Col, USAF(ret)
James M. Hickerson, CAPT, USN(ret)
James F. Young, Col, USAF(ret)
J. Charles Plumb, CAPT, USN(ret)
Larry Friese, CDR, USN(ret)
Julius Jayroe, Col, USAF(ret)
Bruce Seeber, Col, USAF(ret)
Konrad Trautman, Col, USAF(ret)
Lawrence Barbay, Lt Col, USAF(ret)
Ron Bliss, Capt, USAF(ret)
Arthur Burer, Col, USAF(ret)
James O. Hivner, Col, USAF(ret)
Gordon A. Larson, Col, USAF(ret)
Robert Lewis, MSgt, USAF(ret)
James L. Lamar, Col, USAF(ret)
Armand J. Myers, Col, USAF(ret)

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