

Central Intelligence Agency



Washington, D.C. 20505

August 3, 1998

The Honorable Max Cleland
United States Senate
Washington, D.C. 20510

Dear Senator Cleland:

In response to your request of 22 July 1998, I have decided to declassify, in full, the Key Judgments of NIE 98-03, Vietnamese Intentions, Capabilities, and Performance Concerning the POW/MIA Issue. In reaching this decision, I had to balance the legitimate interest of the public in this issue, including our common objective in resolving remaining uncertainties, and my obligation to protect intelligence sources and methods. These Key Judgments, which are available to the public, are reflected in the enclosure.

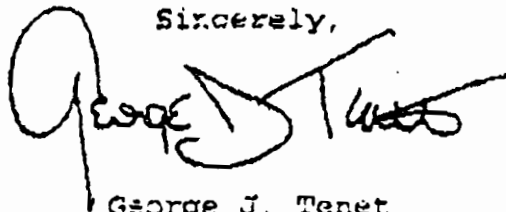
I believe declassification of the remaining text of the NIE would be inappropriate at this time, and perhaps harmful to efforts to recover MIA remains and resolve other open questions concerning the fates of Americans who remain unaccounted for. In my view, the release of the full text of the NIE could actually harm cooperation with Vietnamese and other officials whose work has been vital to successful remains recovery operations. For example, many of those identified as "cooperative" with US officials might be less willing or able to be so if their roles were publicized. Similarly, many American officials who cooperated in the preparation of the classified NIE did so with the expectation that their views would be kept out of the public record.

The Honorable Max Cleland

This NIE was specifically requested as an intelligence product, accessing the full array of information available to the Intelligence Community. As such, there are portions which involve sources and methods that would be damaged if it were released in full. A heavily redacted document would prevent some of this damage, but of itself would then spur interest in and demands for what was not released. Furthermore, in some cases the remaining text would not support some of the key judgments.

Of course, we will make the document available and brief interested Members of Congress through established channels.

Sincerely,

A handwritten signature in black ink, appearing to read "George J. Tenet". The signature is stylized with a large, looped "G" and a long, sweeping horizontal stroke at the end.

George J. Tenet
Director of Central Intelligence

Enclosure

Vietnamese Intentions, Capabilities, and Performance Concerning the POW/MIA Issue

Vietnamese Intentions, Capabilities, and Performance Concerning the POW/MIA Issue

Key Judgments

Since the early 1990s, we have seen evidence for increased Vietnamese cooperation on the POW/MIA issue in the strengthened staffing, increased responsiveness, and growing professionalization of the Vietnamese organizations that deal with this issue.

- In our view, Hanoi judges that closer ties to the United States are in Vietnam's own security and economic development interests, and that normalization requires progress on the POW/MIA issue.
- US financial support for cooperative action and willingness to agree to reciprocity on Vietnamese humanitarian concerns also encourage cooperation.

Consequently, we judge that Vietnam has become more helpful in assisting US efforts to achieve the fullest possible accounting of American personnel missing in action during the Vietnam conflict. On the issue of recovering and repatriating remains of US personnel, we rate Vietnamese cooperation as excellent. Cooperation also has been good on assisting with trilateral investigations and providing documents (see table).

We think the decision to be more cooperative with the United States on POW/MIA accounting has not come easily to the Vietnamese leaders. Longstanding ideological distrust, lingering animosity from the war, suspicion of American motives and fear of intelligence exploitation all have operated at times to limit Vietnam's willingness to cooperate on recovering or accounting for US MIAs. But our reporting suggests that the POW/MIA issue no longer has the political sensitivity it once had.

Incidents of outright refusal to cooperate with US investigators have decreased, but instances in which the Vietnamese raise objections to POW/MIA activities still remain. In most cases, the Vietnamese cite considerations of sovereignty—for example, in refusing to make internal Politburo documents accessible to US investigators; security, such as not allowing US officials to enter classified locations and facilities; or technical problems, such as difficulty in locating documents or records. Occasionally the Vietnamese state that local villagers are concerned about the intrusive nature of investigations and recovery activities.

Summary Evaluation: Vietnamese Cooperation With the United States on POW/MIA Accounting

Element	Level of Cooperation	Comments
Joint field Activities; recovery and repatriation of remains	Excellent	Has been improving since early 1990s; increasing professionalism on part of Vietnamese
Assisting with trilateral investigations	Good	Vietnamese working hard to obtain Laotian cooperation in recovery efforts
Providing documents, personal artifacts, and equipment	Good	Vietnamese have provided numerous documents but probably are holding out on those that would embarrass the government
Making officials available for interviews	Fair to good	Some retired officials resist interviews
Live sightings	Reluctant, but cooperation still reasonably good.	Vietnamese resent live-sighting investigations and question their utility
Transfer of POWs to the Soviet Union	Uncertain	Vietnamese say none were transferred but issue remains open

Moreover, although Vietnam's performance generally has improved with respect to the US POW/MIA issue, we think Hanoi has not been completely forthcoming on certain POW/MIA matters:

- In some instances, we believe full disclosure would prove embarrassing to the regime. For example, Hanoi continues to deny that US POWs were mistreated while in captivity in the North.
- We think Vietnam still has records it could make available to US investigators but which would discredit its denials of mistreatment.
- A few reports of transfers of US POWs to Russia and other countries are unexplained, and the books remain open.

Although 120 live-sighting investigations have been carried out by US teams, none has generated any credible evidence of American POWs left in Vietnam. Hanoi protests having to investigate such cases, but reports appear regularly—most recently on five POWs possibly being held in Laos—and established procedures for resolving them continue to be in effect.

Although Vietnam's overall performance in dealing with the POW/MIA problem has been good in recent years, the unresolved issues noted above suggest the need for continued close attention by the US Government.

We assess continued progress in POW/MIA accounting will require overcoming two types of obstacles:

- Technical problems, such as difficulty in retrieving archival materials, contacting leads, and conducting field activities by the Joint Task Force-Full Accounting (JTF-FA), are more amenable to resolution than political obstacles. Not all can be overcome—the passage of time and geographic change increase the difficulty of recovery operations—but some can be resolved through improving technology, maintaining US financial support, and continued professionalization on the part of the Vietnamese.
- Overcoming political obstacles—such as Vietnam's sensitivities about infringements on its sovereignty and obstructionist tendencies on archival research and live-sighting reports—will be more difficult. In the past, Vietnam has reacted best to straightforwardness combined with respect and US acknowledgment of Hanoi's own MIA accounting efforts.

We have reviewed the so-called 1205 and 735 documents, which purport—falsely in our view—to be reports to the party leadership containing statements that Hanoi held large numbers of US POWs above those acknowledged to the United States. We believe the judgments in the 1993 Department of Defense (DOD) assessment remain valid: that the documents are probably authentic GRU-collected documents (Soviet Military Intelligence). But many of the details of the documents, including dates and other facts, are implausible or inconsistent with reliable evidence. In particular, the numbers of POWs allegedly held by Hanoi at the times mentioned are inconsistent with reliable US Government statistics and far outnumber the actual total of open cases. We believe that neither document provides a factual foundation upon which to judge Vietnamese performance on the POW/MIA question.