

STATEMENT OF

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Concerning POW/MIA affairs before the Subcommittee on East Asia and Pacific Affairs,  
Foreign Affairs Committee, United States Congress, 10 February 1994.

My credentials to address the POW/MIA issue are as follows:

- o From April until the end of December, 1993, special assistant to Major General Bernard Loeffke, the director, *Task Force Russia*. The Department of the Army organized *Task Force Russia* to support the U.S. side of the *U.S.- Russia Joint Commission on POW/MIA Affairs*. This task force searched for evidence and analyzed information concerning American POWs who may have been taken into the former U.S.S.R. following World War II, from the Korean theater of war, from the Indochina War, or taken captive during Cold War incidents. (The task force was reorganized, General Loeffke retired, and my position was eliminated.)
- o During February and March, 1993, was engaged by The American Legion to analyze, summarize, and write a report on the final *Report, Select Committee on POW/MIA Affairs, United States Senate*.
- o From February 1992 until January 1993, was an investigator on the staff of the Senate Select Committee on POW/MIA Affairs. Was a member of the team that concentrated on "live sightings" and later prepared the hearings on World War II, Korea, and the Cold War. Selected the sites for "live sighting investigations" for the committee chairman during the November 1992 visit to Vietnam and independently conducted an investigation that ranged from Saigon to Pleiku.
- o As a private citizen, followed POW/MIA matters closely from 1986 and became associated with POW affairs researchers, authors, organizations, family members, and interested congressmen. For example, in 1987 consulted with Congressman Frank McCloskey (Indiana) on a strategy for dealing with the POW issue. As a consequence, Mr. McCloskey introduced a resolution recommending removing the POW/MIA matter from the Defense Department, assigning the responsibility to the Department of State and placing it at the highest level.
- o From 1975 until 1977, wrote, for the U.S. Army Center of Military History, *Vietnam from Cease-fire to Capitulation*. This book is widely regarded as the definitive military history of this period of the war.

- o Returned to Vietnam in 1972 and served as director of training, the U.S. Army Advisory Group until ordered to organize and head the intelligence branch, Defense Attache' Office, Saigon. Performed this duty, and the additional duty of chief, operations, plans and training, until the evacuation of Saigon, 29 April 1975. These assignments enabled me to travel widely throughout South Vietnam and I became familiar with the terrain and military situation in most of the provinces. As chief of intelligence was the senior American military intelligence official in Vietnam, and I processed a number of reports of American POWs still in captivity in the South.
- o Following graduation from the U.S. Army War College, was assigned to the faculty as director of Asian and Pacific Studies. This enabled me to maintain my interest in the history, politics and military affairs of the region.
- o For one year, during heavy combat with enemy main forces during 1966 and 1967, was G2 (principal intelligence staff officer) in the 1st Infantry Division, *The Big Red One*.
- o Was assigned to the *The Big Red One* following duty on The Army Staff as desk officer for Indochina in the international plans and policy directorate, plans division, office of the deputy chief of staff for plans and operations (DCSOPS). In this assignment I handled all JCS actions involving the war in Indochina for the U.S. Army Chief of Staff.
- o Sent by the Army to earn a master's degree at The American University in Washington D. C. in 1963. International relations studies centered on international law and the history, culture and politics of southern and Southeast Asia. Thus began my special interest in Vietnam and the rest of Indochina.

Relations between the United States and the Socialist Republic of Vietnam (SRV) are rapidly improving. The process toward normalization of relations between the two former enemies was dependent upon Vietnam's cooperation in accounting for hundreds of Americans who became missing during the course of the Indochina War and whose fates are unknown. All officials of the U.S. Departments of State and Defense whose responsibilities included the POW/MIA question testified that the SRV has cooperated to the fullest extent possible and that normalization should proceed with the lifting of the trade embargo. The president has accepted this advice and the embargo has been removed.

Unfortunately, indeed tragically, the facts of the situation do not fit the rationale for the conclusion. The fact is that the SRV, which then called itself the *Democratic Republic of Vietnam (DRV)*, as a matter of policy, kept hundreds of American POWs in separate facilities, out of communication with the POWs released in 1973. There is a large and solid body of evidence to support this conclusion. Without question, many if not most of these Americans perished during their captivity, but some may survive to this day. For the United States to lift

the embargo is one thing, and this act may have been completely justified on economic, political or humanitarian grounds, but to move rapidly toward the normalization of relations as a reward for Vietnamese "cooperation" and, in the process, abandon the missing American warriors and the hopes of their families is unconscionable.

Stated as briefly as possible, my view of the background of the Indochina POW/MIA situation is as follows:

During February and March, 1973, in operation *Homecoming*, the DRV released to United States' control 591 American POWs. This number included men held in the DRV prison system in and near Hanoi, a few released by the *National Liberation Front (Viet Cong)* at Loc Ninh in the south, and nine men who had been captured by North Vietnamese forces in Laos. The total also included a few civilians. All American officials concerned with the matter, civilian as well as military, had expected a far greater number to be released. Serious consideration was given to suspending the American withdrawal from South Vietnam until an acceptable accounting was produced by the Communists, but this action was swiftly aborted. The U.S. national policy became, "They are all home." This is the policy that has influenced all the official analyses of the hundreds of reports of Americans sighted in captivity throughout Indochina after the conclusion of *Homecoming*. It is this policy that gave rise to the "mind-set to debunk" cited in official criticisms of the flawed analyses of POW reports conducted by the Defense Intelligence Agency. This policy influenced the evaluation of all kinds of intelligence reports on POWs--communications intercepts, satellite photography, documentary evidence (such as the recently exposed Russian documents), and the testimony (often under polygraph) of hundreds of Vietnamese refugees, ex-officials, ex-officers, and even ex-Communist officials and third-country nationals. Our government insisted that those who had not come home were dead, and it declared them to be so in presumptive findings of death. Meanwhile, the United States imposed a trade embargo on Vietnam, and refused to engage in discussions toward normalization until the Vietnamese came forth with a "full accounting" of our MIAs. The "full accounting" demanded of the Vietnamese discounted entirely the possibility that POWs remained alive in captivity after *Homecoming*. It meant only, "tell us where the bodies are."

This brings us to the current situation which I describe as follows:

The United States deployed to Vietnam *Task Force Full Accounting (TFFA)*. For two years this military unit has conducted field investigations of airplane crash sites and suspected American grave locations throughout Vietnam, Laos and Cambodia. It has succeeded in recovering some fragments of remains which it transferred to the *U.S. Army Central Identification Laboratory* in Honolulu for identification. Despite truly heroic efforts under the

most trying conditions in remote, extremely difficult terrain and weather, *TFFA* has resolved only a few cases. Another Defense Department entity has investigated "live sightings", the term attached to reports of Americans seen in various degrees of control or captivity throughout Indochina after *Homecoming*. The validity of these "live sighting" investigations is questionable because most were conducted months and years after the sighting, were undertaken following advanced notification of the Vietnamese authorities, and in the company of Vietnamese security officials.

In June, 1992, the Senate Select Committee on POW/MIA Affairs (SSC) identified 244 Americans who were last *known to be alive* in enemy hands. None of these was returned to American control and the Vietnamese have offered no conclusive or reliable information on what happened to many of them. Moreover, the number of Americans who became missing in circumstances in which they could have survived the incident is far larger than this. SSC investigators examined hundreds of "live sighting" reports and concluded that, viewed in its totality, this body of reporting clearly indicated concentrations of Americans in captivity after *Homecoming* in a number of locations in North Vietnam, Laos, and South Vietnam, and remote from the prisons from which POWs returned. Important aspects of this human intelligence on "live sightings" have been reliably corroborated by overhead photography and communications intelligence, leaving no reasonable doubt that American POWs remained in captivity in Vietnam and Laos long after *Homecoming*. Furthermore, two documents recovered from Russian archives attest to the North Vietnamese *policy* of retaining substantial numbers of POWs as "security". The authenticity of the information in these documents is buttressed by testimony of ex-Communist officials. Efforts by the Defense Department's POW/MIA office to debunk these documents are conspicuously unconvincing, but demonstrate that the "mind-set to debunk" is alive and well.