

mine if they are *true*. The presumption seems to lie on the side of hoax and falsehood.

It is simplistic, and bordering on the evasive, for our Government to declare that "[o]nly the communist governments of Indochina know the answer." (See DOD's POW-MIA Factbook, July 1991.) One could infer from that statement that our own government is under no real obligation to act, let alone take heroic measures. In any case, the facts belie the "only they know" proposition. This DOD rhetoric ignores the fact that Laos, for example, is a desperately poor country whose infrastructure is so fragile that its major cities are not linked by a highway network. Travel from point to point may take 2 weeks. If one of the more than 500 pilots downed over Laos (only nine of whom were among those released in 1973 in Operation Homecoming) survived and fell into the hands of forces other than the Pathet Lao, for example, might he be alive today in one of the many remote parts of Laos not subject to the control of the central government? In terms of what is known and knowable, we have to consider that possibility seriously. Indeed knowledgeable U.S. Government officials found reason to believe that recently released photos, one set initially thought by some to be of Navy Lt. Daniel Borah and another strongly resembling Army Capt. Donald Carr, were taken in Laos. (Our delegation urged the Lao to give all possible assistance and access to U.S. efforts to investigate those cases. The Lao did follow through aggressively. That effort, however, led to the finding in the first case that the photos thought to be of Lt. Borah, compelling as they appeared to be, were not of an American.)

Organizational Structure

Just as the POW/MIA mission on which our Government is embarked appears to suffer from a lack of focus and misdirection of purpose, its execution is hampered by what could be characterized as a byzantine organizational arrangement.

After reviewing our Government's POW/MIA operations, we found ourselves asking the question, "who's in charge here?" One finds no satisfactory answer to that question. Indeed the answer seems to be "everyone", and, thus, "no one". Why that is so becomes readily apparent: the organizational landscape is crowded with different offices. These include a POW/MIA office in the Defense Intelligence Agency, the Joint Casualty Resolution Center (JCRC), the U.S. Army Central Identification Laboratory, Hawaii (CILHI), the Special Presidential Emissary for POW/MIA; and the POW/MIA Interagency Group.

Certain responsibilities among these offices overlap. Each reports to a different authority. Information-sharing among them is uneven. Coordination among them appears to be a matter of practice, but is not organizationally assured. Some are dedicated exclusively to POW/MIA issues; others are subject to being diverted from that effort to address entirely unrelated responsibilities. Finally, the authority of the entity dedicated to coordinating policy on POW/MIA matters, the Interagency Group, is simply undefined.

The missions of the various offices and agencies with responsibilities for POW/MIA matters vary widely in scope. For example, the able Special Presidential Emissary, General Vessey, has a very narrow formal mission: resolution of 119 "discrepancy cases." Nevertheless, the perception in America and abroad is that this official heads the entire POW/MIA investigative effort. We can only speculate as to whether this is due to his identification as a Presidential representative, the high esteem in which General Vessey is held, or some other reason.

An effort to pinpoint the various offices involved in the POW/MIA issue, their respective missions, and their reporting arrangements is, frankly, confusing. What then, do the families of those missing in action, or the foreign governments whom we are pressing, make of it?

While we have concluded that no one is really "in charge" of the government's POW/MIA effort, the command structure of the organizational components of that effort suggests too that it is not a high profile, high priority effort. For example, what the Defense Department reports to be "the only government organization which has as its sole mission resolving the status of U.S. military and civilian personnel who remain unaccounted for as a result of the Southeast Asian conflict" (i.e. JCRC) is headed by a *lieutenant colonel*.

The services have signalled the priority they assign to the issue both in the ranks at which these command positions are maintained and in the manner they have been filled. Instead of a regular rotation of command and the new vision and incentives for mission success that go with it, the services have permitted officers to remain in command slots for as much as a decade. These positions have become truly "dead end" slots, due, apparently, to the priority placed on the mission. As such, they have not attracted the best managers and commanders.

The services should not be singled out for blame. If we are correct in believing that the services have not assigned POW/MIA operations a high priority, we are saying no more than that they reflect an attitude which has been prevalent in other parts of our government. And yet the relatively low ebb at which these operations are carried out is at shocking variance from the expectations of the American public, let alone the families of the missing. At its most basic level, the relative lack of priority means the work of our people in the field is seriously hampered by poor support. JCRC personnel working in the field, for example, asked our assistance to acquire ordinary field equipment.

We were all impressed with, and touched by, the dedication and sacrifice of the men and women working in the field in such demanding work as investigation and excavation. We certainly don't want this report to impugn those who have given so much of themselves to the POW/MIA effort or to denigrate the fine work they're doing. Our call is for more focused leadership, and better organization and management. To call for a more aggressive effort is not to characterize ongoing activities as unimportant. To the contrary, we are sensitive to the commitment and efforts of those who labor to excavate remains, to interview refugees, to track down live-sighting reports, to find archival records, to catalog endless fragments of information, and to piece together bone and dental remains.

What is clearly missing is a single high-level office with responsibility to manage resolution of POW/MIA affairs, armed with the recognized priority, resources, and sense of urgency to accelerate and amplify ongoing efforts.

Allegations of "Coverup"

In view of the many-faceted effort involved in compiling a full accounting of the fate of the missing-in-action, it is profoundly disturbing that a number of Americans still cling to notions of government "cover-up". While it should go without saying, it is clear to us that *our Government is not engaged in any conspiracy or "cover-up" on the POW/MIA issue*. Unfortunately, the government's mishandling of the issue—the lack of priority assigned to it and the organizational problems in the command structure—has provided grist for the mills of the conspiracy theorists.

Significantly, an aura of clandestine secretiveness surrounds the entire POW/MIA operation. It is difficult to disassociate that secretiveness from the perception that a government operating in darkness must have something more to hide than its sources of information. The need to weigh carefully the value of maintaining the confidentiality of sensitive information against the public's right to know takes on extraordinary significance in the context of POW/MIA affairs especially with all the misinformation and perception of government wrongdoing.

When Americans question whether they can trust their own government, as many do regarding the POW/MIA issue, we should take notice. But the secrecy surrounding its POW/MIA operation compounds the credibility problem our government has in claiming "this is an issue of the highest national priority."

We believe it's time to bring the POW/MIA issue as fully as possible out into the open. To demystify it, it is imperative that we declassify much of it. Communicating completely, objectively, communication is an important part of what is needed to win public and accurately is never an easy task for government. But such confidence that everything possible is being done to render a full accounting of the missing in action.

In urging that our Government take steps to restore public confidence, we also emphasize the importance of continued sensitivity to the depth and volatility of feeling on the POW/MIA issue. Some groups and individuals continue to charge that governments in Indochina are holding large numbers of Americans against their will. We have found no evidence to corroborate such charges. However, it is important that U.S. public officials avoid actions that would fuel such speculation.

Ultimately, we call on the government to assure not only that its efforts are as open as possible, but that its focus be clear and unequivocal. That focus must, as a *first priority*, be on finding any Americans who may still be alive in Southeast Asia. A prescription for aggressive action is needed. It is clear that time is running out—and future efforts will be measured against that reality.

Foreign Cooperation on POW/MIA Issues

In reviewing with U.S. officials the cooperation we are receiving from the governments in the region, it became apparent—just as is the case with other aspects of the issue—that only part of the story is "getting out". Rather than "stonewalling", as many have believed to be the case, we found that cooperation by these governments, particularly Vietnam, is improving. Of course, only a few years ago we confronted a very different attitude in the region. Those working in the Departments of Defense, State, and other tasked agencies deserve credit for their collective efforts

which have helped to bring the Vietnamese, particularly, to the current level of cooperation.

This is not to say that we should be satisfied with the *levels* of current cooperation. In fact, we pressed that point consistently in high-level meetings throughout this trip. This is an important message, and one that should be raised repeatedly in all our contacts with those governments. In fact, Vietnamese officials gave promises of even more cooperation and allocation of resources; these assurances should be tested quickly.

At the same time, recognition should be given to the cooperation and assistance we are receiving. It is ironic that our government should have diplomatic relations with Laos, a country which, until recently, has provided relatively limited assistance in POW/MIA matters despite the widespread view that most of the unanswered questions concerning the missing-in-action lie in Laos, while maintaining a trade embargo against, and diplomatically isolating, Vietnam, a country which has substantially increased its cooperation on a range of POW/MIA issues. The question must be raised whether beginning the process of normalization of relations with Vietnam and lifting the economic embargo is likely to enhance or diminish Vietnam's cooperation on POW/MIA issues.

By contrast, Laos, while *saying* the right things, has done less than Vietnam. Laos has agreed to a "one-year plan" for investigating crash sites. The U.S. has made proposals to the Laotians aimed at increasing the resources—materiel and personnel—devoted to these efforts. Our delegation urged Lao officials to do so. We do find noteworthy the support the Lao furnished U.S. investigators this summer, which ultimately produced disappointing findings in the case of photographs family members had identified as being of Navy Lt. Daniel Borah.

Laos, which has diplomatic relations with us, seeks to elevate relations to the ambassadorial level, and to win most-favored nation trading status. But the Laotian government clearly understands that future relations with the U.S. depend on improved cooperation on MIA issues.

It is important, however, that we not focus too narrowly in our efforts to secure the fullest possible cooperation overseas on POW/MIA matters. The Vietnam War, we know, saw many East bloc countries, from nearby China to far-off Cuba, lend support to the North Vietnamese. That support ranged from materiel assistance to stationing military advisers in-country. The effort to resolve the POW/MIA issue is ultimately a search for information, and we must seek that out wherever it may be. Indeed the radically changed or changing geopolitical climate in many of North Vietnam's former wartime allies suggests that the opportunity to secure cooperation and information from such governments may be greater now than perhaps ever before. We appreciate that the Department of State has pursued such inquiry with the Soviet Union, China, and other governments. We do not question the aggressiveness of that pursuit. We simply urge the Department to continue to explore these channels, consistent with the priority this search demands.

Vietnam

It is clear that all the countries in the region want improved relations with the United States. They realize that the Soviet Union, their former patron, has more pressing domestic concerns, and they are anxious to avoid domination by Japan or China. Voices in this country have urged our Government to forge a lasting trading relationship with Vietnam, a country which seems to be seeking to put enmity behind it. In our view, both nations could potentially benefit in the long term from a closer political and economic relationship.

Vietnam is a country of roughly 70 million people. It is noteworthy that that population has climbed substantially since the war's end and the country's unification in 1975 when, according to United Nations census data, the combined population of North and South Vietnam totalled 48 million. Also, that population is relatively young, with a median age of 20.9 years, and its labor force is estimated to number 35 million. Domestically, Vietnam has instituted major economic reforms which have begun to improve the quality of its people's lives. Still Vietnam remains a desperately poor country with dramatic needs for infrastructure improvement and for economic development. The U.S. can play a major role in that nation's economic "blossoming" or we can cede those opportunities to international competitors.

Our State Department's formula for the process of normalization with Vietnam is set out in a "roadmap" which ties normalization of diplomatic and economic relations to continued progress on POW/MIA efforts and to Vietnam's carrying out our policy goals for achievement of a Cambodian peace settlement. The "roadmap" concept can be helpful, in our view. And our Government must be prepared to honor its

stated commitment to "immediately" proceed on the path toward normalization as soon as the conditions stipulated in the first phase of that understanding are met.

A roadmap can provide more than a single route to the destination, however. In other words, the "roadmap" should not become a "roadblock." While we see merit in conditioning full normalization of diplomatic and economic ties to certain actions by the Government of Vietnam, we believe that that government has taken steps which warrant our giving consideration to review and possible relaxation of certain aspects of our trade embargo. The relatively rapid progress toward a peace settlement in Cambodia also suggests the need to reassess the precise formula reflected in the "roadmap."

Vietnam's recent 7th Party Congress suggests both a continuing emphasis on market-based economic reform and a "tilt" toward China. These developments also suggest the value of a positive signal from the United States. Vietnam faces deep financial problems with the elimination of Soviet aid, and with Japanese and European companies poised to reap opportunities there for trade, our Government's posture ultimately may place U.S. firms at a competitive disadvantage.

In our view, a first step at least is warranted—to grant an exception to our country's trade embargo to permit telecommunications links between our countries. If we can re-establish telecommunications links with Iraq as we have recently done, we should do no less in Vietnam. It would appear that the bar to such links takes its heaviest toll not on the Government of Vietnam, but on our own Vietnamese-Americans, who are denied the means to speak with loved ones who remained behind as well as on U.S. personnel operating in Vietnam. A second element could be to eliminate the 25-mile travel restriction on Vietnamese officials working at the United Nations. We have called repeatedly on the Vietnamese to ease travel restrictions on U.S. officials and citizens traveling in that country. Our calls would be more credible if we eliminated what appears to be simply a punitive restriction. In that connection, it would be helpful for our Government to allow American businessmen to travel to Vietnam to explore commercial possibilities. Such a step, well short of actually conducting business, would also enhance search efforts by placing more American feet in-country and fostering more spontaneous travel to isolated regions. In taking such initial steps vis-a-vis Vietnam, however, it is important to avoid creating the perception that they represent elements of a quid pro quo. To that end, these steps could well be taken without fanfare or pronouncements; the message would be easily understood by the Vietnamese.

This delegation witnessed the promising working relationship which has developed between members of our POW/MIA office in Hanoi and their Vietnamese counterparts. The opening of that office, the access our people are getting to pertinent military archive materials, the Government's willingness to permit American officials to begin visiting prison facilities, and other actions taken in response to recent requests in connection with the publication of the "Robertson/Lundy/Stevens" photo, for example, are not insignificant acts. This is particularly so in light of the more hesitant and limited cooperation we have enjoyed in some of our dealings with the Lao.

Vietnamese officials characterize their cooperation in accounting for the fate of our missing-in-action as "humanitarian." Surely, it is in our interest to respond in a similarly humanitarian manner by opening telecommunications links. Although this step is currently contemplated only in the second phase of the "roadmap", favorable action at this time, reflecting some flexibility, seems appropriate.

Still, there is very credible evidence that, although Vietnam has turned over remains in the past, it continues to hold the remains of additional Americans. In discussions with Government officials, the delegation emphasized the importance of "unilaterally" returning recovered remains, and suggested that such action would benefit both of our countries. As the roadmap itself makes clear, the repatriation of remains in Vietnam's possession is an issue which must be resolved before we consider full normalization. In that regard, the Vietnamese can take still further action to repatriate remains. In our discussions, we requested the Vietnamese to institute appropriate steps to waive or alter laws which bar or inhibit Vietnamese citizens from bringing forward or identifying the whereabouts of remains of U.S. servicemen. While we obtained no commitment on this point, it is an issue we would urge our Government to pursue further.

Cambodia

We cannot overstate the importance to the region of achieving real peace in Cambodia. The "roadmap" is right, in our view, in calling on Vietnam to use its influence to press for a comprehensive peace settlement. The Cambodians themselves

have taken important steps in that direction. Here, too, our Government can reach its objectives along more than one road.

In our discussions, we urged Cambodian officials as well as the Vietnamese—who can play an important role—to work toward a comprehensive, lasting settlement. We pressed them to follow the general framework, if not the blueprint, of the Cambodian peace plan endorsed by the five permanent members of the U.N. Security Council. There are certainly limits to the leverage which the Vietnamese can exert, particularly given the well-founded Cambodian concern that the formula for a settlement not provide any opening for the Khmer Rouge to seize power. Nevertheless, there appear to be common interests within Cambodia and in the region in achieving a comprehensive, lasting settlement which ensures the right of the Cambodian people to elect their own government and which protects against the return of a genocidal regime in Phnom Penh. Resumption of relations between China and Vietnam points in this direction.

Differences remain on the nature and extent of a U.N. role in disarming and demobilizing the armed forces of the warring factions. These differences stem from an enormous and justified mistrust of the motives and plans of the Khmer Rouge. While we have encouraged adherence to the U.N. plan, one should not be surprised to see the nations most affected—Cambodia, Vietnam, China, and Thailand—reach their own understanding. As long as such an understanding is comprehensive in scope, and guarantees the Cambodian people self-determination, while checking foreign interference in Cambodian internal affairs, we do not believe such an accommodation should adversely affect the process of normalization of relations between the United States and Vietnam.

Stability in this region is clearly linked to stability in Cambodia. With that perspective, we note that Cambodian peace talks continue to progress at a pace which gives a real basis for optimism.

Laos

Like Vietnam and Cambodia, Laos is clearly a state in transition. It is progressing methodically, with substantial economic reforms, to develop something closer to a free-market economy. The country has only recently adopted a new constitution. It is a country with great needs. Understandably, Laos' concerns vis-a-vis the United States occupy a relatively lower priority than those of many other nations. In regional terms, however, it should not be overlooked. Its peasant farmers' production of opium-producing poppies, alone, demands that it not escape our attention. And certainly our Justice Department's Drug Enforcement Agency has real concerns. Laos may also hold answers to the MIA riddle, given its rugged terrain over which more than 500 pilots were lost, only a handful of whom were among those released by Hanoi in 1973. One must also acknowledge the vast humanitarian needs facing this country. U.S. Government-provided humanitarian assistance, frankly, is meager in scope.

Until recently, the Lao have appeared to move warily to meet our urgings. Some ascribe this to culture, others to limited resources—materiel and human, others to the question "why should they?"

One need not have confidently answered that question, however, to conclude that our Government can and should do more in Laos.

Regional Issues and the United States

We welcome the State Department's efforts to link improvements in cooperation on POW/MIA developments to easing in our relationships with these countries. Our extensive travel throughout Indochina provided graphic evidence, however, of the poverty of this region, of the toll of decades of war, and of the need for humanitarian and technical assistance. Each of these countries remain fascinated with America and looks to us with hope. Each wants to put war behind it.

A common pattern of commitment to economic reform holds some promise for improving the lives of the peoples of the region, as well as for cementing better relations between these nations and their neighbors and with the West. The question can be raised whether beginning the process of normalization with the countries of Southeast Asia, especially Vietnam, would encourage or discourage economic reform. From our study, the answer appears to be that economic reform would be encouraged by beginning the process of normalization.

In considering the question of improved relations with these countries in the future, it is important to appreciate that these are all states in transition. We can only speculate on where that transition will ultimately take them. At this point in time, though, one finds striking the contrast between the spirit of economic reform manifest in each of these countries, on the one hand, and their apparent ideological

rigidity, on the other. The degree to which real political reforms take root will, of course, ultimately color the depth and nature of future relations with us.

There are other important issues to be considered—issues regarding the plight of Cambodian refugees, political detainees in Vietnam, humanitarian and discrimination issues related to the treatment of those who served with us in the South Vietnamese armed forces, and narcotics control and interdiction. We pressed the respective governments on these and other issues, and urge the State Department to continue to do so.

There is much that can be done in this region, perhaps in part by our Government and certainly by nongovernmental organizations. Solely by way of example, one opportunity for important work lies in the humanitarian program for Amerasian youngsters and family members who pass through a transit center in Vietnam on their way to the United States. Thousands more will pass through its doors. While this center provides housing, often for many months, only very rudimentary English instruction and sewing and jewelry-making classes are available to the transit residents. The scene cries out for assistance to arm these people with the language and employment skills for the difficult transition ahead.

The region has seen much suffering. And, its needs are great. But we also found reason for hope—in the domestic changes underway, in momentum for peace in Cambodia, in the search for a positive relationship with this country.

RECOMMENDATIONS

In light of our findings, discussed above, we believe that progress in both accounting for the fate of America's missing-in-action in the Vietnam War and moving toward a comprehensive peace settlement in Cambodia can be advanced by a number of actions on the part of our Government. Accordingly, and with due regard to the expertise in, and jurisdictional authority of, several committees of the Congress, we offer the following recommendations for appropriate executive and legislative consideration. We recommend that:

1. The U.S. Government clarify the priority it attaches to resolving the POW/MIA issue—which, we urge, reflect that it truly considers it a high priority—and that it allocate a commensurate level of resources to that effort;
- 2.(a) Responsibility for policy formulation, coordination, and operations be vested in the Secretary of Defense; and (b) that the POW/MIA Interagency Group be disbanded;
3. In carrying out such responsibility for POW/MIA affairs, the Secretary of Defense establish a single office—headed by a highly motivated and able officer of at least one star rank, such position to be rotated at appropriate intervals—to be in charge of all POW/MIA activities and to whom all elements carrying out those activities report;
4. The Secretary reorganize those elements carrying out POW/MIA activities, particularly JCRC and CILHI, to assure integration and uniform reporting within a single command structure; and immediately replace current incumbents in command/director positions who have served in that capacity for 5 or more years;
5. The Secretary take all possible steps, coordinating as necessary with other involved Departments, to accelerate efforts to achieve as full an accounting as possible of the fate of America's missing in action, to include such specific measures as:
 - (a) deploying in Vietnam and Laos, particularly, (rather than in Hawaii or Bangkok) such additional personnel as "are deemed to be needed to expand efforts currently carried out under the auspices of the JCRC and CILHI; pressing Laos, Vietnam, and Cambodia for the right to assign such personnel for extended in-country stays of up to 6 months; and assigning certain of those personnel to work independently to clear landing zones near crash sites to reduce the time required by excavation teams to reach remote sites;
 - (b) strongly encouraging the governments of Vietnam and Laos to designate personnel for the United States to train to assist in our excavation efforts in those countries;
 - (c) pursuing aggressively an arrangement under which in-country teams can increase their access to excavation sites and the safety of such transportation (through negotiation to permit the use of U.S. helicopters and pilots, or in the alternative, arrangements for training Vietnamese, Lao, and Cambodian pilots to fly U.S. owned or leased helicopters which could be given to those governments upon completion of our Government's efforts;
 - (d) stimulating further cooperation from the governments of the region through increasing the school-building activities of the U.S. Army Corps of Engineers (through the Corps and possibly also through other Department assets such as Navy Seabee units) in Laos, and possibly replicating those efforts in Vietnam and Cambo-

dia, (consideration should also be given to such humanitarian assistance as construction of health clinics); and

(e) developing more reliable mechanisms for ground transportation of U.S. personnel in the field in Vietnam (to include consideration of deploying utility vehicles donated by the Japanese during the Persian Gulf crisis if they are readily available and could be serviced by dealers in Vietnam in lieu of the current practice of using vehicles which must be flown to Guam to be repaired);

6. The Secretary limit to an advisory role the involvement of nongovernment entities in the area of POW/MIA affairs, and that the Secretary consider establishing a Federal advisory committee through which such nongovernment entities might provide guidance;

7. The Secretary (a) review the classification procedures applicable to intelligence-gathering in POW/MIA affairs, and take all necessary measures to declassify information on, and gained through, such intelligence-gathering, to the maximum extent possible; and (b) strive to reduce the clandestine character of POW/MIA search activities (recognizing that that secretiveness may have more to do with the professional backgrounds of those assigned to such missions than to the requirements of the search itself);

8. The Secretary, after carrying out the above recommendations and any other actions to further efforts to provide as full an accounting as possible of the fate of those missing in action, *personally* communicate with the American people through electronic and print media, to the extent possible, to explain in full the means through which the Department is working to resolve the issue and the degree of success it has had, with the aim of enhancing public confidence in that process and minimizing the suspicions which have clouded that effort;

9. The Secretary, in coordination with the Secretary of State, develop a coordinated "master" plan for carrying out POW/MIA operations, which identifies the precise roles, responsibilities, and interaction of and among the respective Governments, agencies, and officials involved;

10. The Secretary prepare for the Special Presidential Emissary to Hanoi for POW/MIA Affairs (General Vessey) a follow-up list of additional compelling cases for resolution to be taken up upon completion of the original list of 119 "discrepancy cases" (with an eye to dispelling concerns that still more compelling cases were not included among the original 119);

11.* The Secretary of State consider—in light of both the progress already made toward realizing a comprehensive, lasting settlement of the civil war in Cambodia and actions taken by Vietnam—recommending to the President taking a first step or steps (consistent with the Secretary's assessment of the progress achieved) toward normalization of relations with Vietnam (to include our Government's carrying out the steps outlined in Phase I of the "roadmap"), and particularly toward recommending (a) the grant of an exception to the trade embargo to permit telecommunications links between the two countries, taking into account how that step is in our own country's best interest, its humanitarian significance, as well as Vietnam's substantial progress toward development of a market economy; and, (b) lifting the 25-mile travel ban on diplomats representing the Socialist Republic of Vietnam at the United Nations and easing the travel restrictions on officials of Vietnam and Cambodia who seek to visit the United States;

12. In light of the steps already taken by Vietnam, the Secretary—upon the signing of a Paris Conference/United Nations agreement on a Cambodian political settlement—begin immediately the process of normalizing relations with Vietnam as set forth in the April 1991 "roadmap", to include speedy action to facilitate telecommunication links as described in recommendation number 11, above; and

13. The Secretary of State consider any other steps within that official's control which might further U.S. Government efforts to hasten the process of obtaining as full an accounting as possible of the fate of America's missing in action as well as public confidence in that accounting, to include:

(a) determining whether provisions of Vietnamese law may deter or inhibit some Vietnamese citizens from relinquishing or identifying the whereabouts of remains of U.S. MIA's, and, if so, exploring with the Government of Vietnam legal remedies to encourage such citizens to return such remains to include consideration of our Government's instituting a policy of providing modest financial rewards in instances where the remains were subsequently identified as Americans; and

* The delegation recognizes that progress toward, and potentially imminent signing of, an agreement on a Cambodian political settlement may make this recommendation moot.

(b) coordinating with officials of the governments of Vietnam, Laos, and Cambodia to request their assistance in enabling family members of U.S. MIA's/POW's to move freely about those countries, and to encourage and facilitate the efforts of family members so interested to do so.

ITINERARY

Saturday, August 3

6:30 pm—7:30 pm: Briefing for members and staff by Deputy Assistant Secretary of State Ken Quinn at Andrews Air Force Base.

7:30 pm—7:45 pm: Press Conference at Andrews Air Force Base.

11pm: Depart Washington, DC for Hickam Air Force Base, Hawaii.

Sunday, August 4

2 am: Arrive Hickam Air Force Base, Hawaii.

Sleep

11 am—12 pm: Brunch with CINCPAC Rear Admiral Larry Vogt.

12 pm—1 pm: Briefing for members and staff by the Joint Casualty Resolution Center (JCRC) staff: Lt. Col Joe Harvey (Commander, JCRC); Lt. Col. Roger Gaebel (Negotiations officer); Major Jim Moye (Operations Officer); LCDR Sharon Armour (Executive officer); Mr. Ray Spock (Casualty Data Division Officer); Captain Chad Pohlars (Senior Analyst) at JCRC, Barbers Point—Hawaii.

1 pm—2 pm: Briefing for members and staff by the U.S. Army Central Identification Laboratory (CILHI) staff: Lt. Col. Johnnie Webb (Commander, CILHI); First Sergeant Richard Huston (First Sergeant); Captain William Hudson (operations Officer); Chief Warrant officer Michael Gosnell (Adjutant); Major Jimmie Schmidt (Odontologist); Mr. H. Thorne Helgesen (Lab Administrator); Dr. Kim Schneider (Anthropologist) at CILHI.

2:30 pm: Depart Hawaii for Bangkok, Thailand.

Tuesday, August 6

1 am: Arrive Bangkok, Thailand.

Sleep

8 am—9 am: Coffee for members and staff with the American Chamber of Commerce in Thailand at the Imperial Hotel: David Hendrix (County Corp. officer, Citibank N. SA.); Harold Vickery (Director of Vickery, Prapone, Pramuan & Worachai, ROP); Toby Marion (General Manager, Caltex Oil Thailand T.T'D); David Lyman (Partner of Tilleke & Gibbins ROP); Thomas Seale (Executive Director of the American Chamber of Commerce in Thailand); Kenneth Lambert (Chairman, KLPL Asia); Raymond Eaton (Chairman, Export Development Trading); Beth Krasna (Director, Krasna & Associates); Jerry Loupee (Managing Director, Himont Asia Pacific); Richard Blue (Representative, The Asia Foundation); David Copeland (Managing Director, Black & Veatch International); Douglas Gardner (Chief of Finance & Admin., Maekong Committee); Tom Olson (Country Manager, American President Lines); Jack Phillips (Resident Manager, Premier oil Pacific LTD); William Reinsch (Managing Director, Transpo International LTD); Annick Hemsin (Director, Tilleke & Gibbons Consultants LTD).

8 am—10:30 am: Working breakfast for members and staff with Deputy Chief of Mission Victor Tomaseth (US Embassy—Bangkok) and Special Assistant to the Ambassador Andre Sauvageot at the Imperial Hotel.

11 am—2 pm: Briefing and working lunch for members and staff with Major Frye and Colonel Kohl of JCRC and CILHI at the US Embassy—Bangkok (includes briefing for members only).

2 pm—3 pm: Briefing for members and staff by Drug Enforcement Agency (DEA) staff: Glen Cooper and Don Stern at the US Embassy—Bangkok.

3:30 pm: Depart Bangkok, Thailand for Vientiane, Laos.

4:30 pm: Arrive Vientiane, Laos.

4:30 pm—6:30 pm: Briefing for members and staff by Charge D'Affaires Charlie Salmon at the US Embassy—Vientiane (including several embassy staff).

6:30 pm—10:30 pm: Reception and Dinner for members and staff with Charlie Salmon, US Embassy staff, and Lao officials (See attached list) at Charlie Salmon's Residence.

Wednesday, August 7

7:45 am—8:45 am: Working breakfast for members and staff with US experts assisting the government of Laos on economic reforms and UN representatives at Charlie Salmon's Residence.

9 am—10 am: Meeting for members and staff with Vice Minister of Foreign Affairs Soubahn Srithirath of Laos.

10 am—11 am: Meeting for members and staff with Vice President of the National Assembly Thongsing Thamoavong of Laos.

11 am—12 pm: Meeting for members and staff with Foreign Minister Phoun Sipraseuth of Laos.

12 pm—1 pm: Meeting for members and staff with Minister of Foreign Economic Relations Phao Bounnaphonh of Laos.

1 pm: Depart Vientiane, Laos for Phnom Penh, Cambodia.

3:30 pm: Arrive Phnom Penh, Cambodia.

4:30 pm—6 pm: Meeting for members and staff with Foreign Minister Hor Nam Hong of Cambodia.

7 pm—10 pm: Meeting and Dinner for members and staff with Deputy Prime Minister Kong Som 01, Deputy Foreign Minister Long Visalo, Member of Parliament Dr. Abdul Xoyome, Member of Parliament Ms. Som Kim Suol, Deputy Director of the Department of Foreign Affairs Sim Suong, and Director of the Department of the America's Theam Chuny.

10 pm—11 pm: Press interviews.

Thursday, August 8

7 am: Depart Phnom Penh, Cambodia for Hanoi, Vietnam.

10:30 am: Arrive Hanoi.

12 pm—2 pm: Working Lunch and Briefing for members and staff with Bob Detatte, Researcher at US MIA office in Hanoi, at Boss Hotel.

2 pm—3 pm: Meeting for members and staff with Director of the Americas Department Mr. Dang Nghiem Bai at the Vietnamese Ministry of Foreign Affairs (old French Governor's Palace), including Vietnamese Foreign ministry Officials.

3 pm—4 pm: Meeting for members and staff with Foreign Minister Nguyen Co Thach at the Vietnamese Ministry of Foreign Affairs, including Vietnamese Foreign Ministry officials.

Delegation split into two groups.

Group A: Reps. Carper, Kolbe, and Skaggs.

4 pm—6 pm: Visit to Prosthetics Center (AFMA Center) hosted by Director Dang Hanh Loc and Le Duc Loi (engineer).

Group B: Reps. Peterson and Gilchrest.

4 pm—6 pm: Visit former POW prison compound. Reps. Peterson and Gilchrest attended.

Delegation regroups

7 pm—10 pm: Dinner for members and staff at the Vietnamese Ministry of Foreign Affairs hosted by Mr. Dang Nghiem Bai and staff of the Americas Department.

Friday, August 9

8 am: Depart Hanoi for Ho Chi Minh City.

10:30 am: Arrive Ho Chi Minh City.

2 pm—3 pm: Visit to the Amerasian Transit Center for members and staff with ATC Director Mr. Le Van Thien and ATC Deputy Director Mr. Tuan.

3 pm—4 pm: Visit to the Orderly Departure Program for members and staff with Alison Krupnick (consul).

5 pm—6 pm: Meeting for members and staff with Vice Chairman of the People's Committee Pham Chanh Truc, Deputy Director of the Foreign Affairs office of HCPL City Huynh Ngoc An, Economic Advisor Nguyen Hau, at the residential palace.

Saturday, August 10

7 am: Depart Ho Chi Minh City for Da Hang.

9 am: Arrive Da Hang.

Delegation split into two groups.

Group A: Reps. Carper, Peterson, and Kolbe.

9 am—10 am: Visit with Vietnamese members of the 14th Joint U.S.-Vietnamese Excavation Team: Director Nguyen Dinh An, Ngo Van Tran, Doan Ngoc Dau, and Mai Quy Trung.

10 am—11 am: Visit with US and Vietnamese members of the 14th Joint US-Vietnamese Excavation Team: Investigation & Recovery Team Commander Bill Bell, Investigation Team Chief James Webb, Team Medic Garry Bolduc, Team Analyst Keith Flanagan, Team Analyst Stephen Thompson, Grave Recovery Specialist Randall Nash, and Grave Recovery Specialist Tommy Taylor.

Group B: Reps. Skaggs, Rhodes, and Gilchrest.

9 am—11 am: Tour of Da Hang.

Delegation regroups

11 am: Depart Da Hang for Hanoi.

1 pm: Arrive Hanoi.

2:30 pm: Meeting for members and staff with General Secretary, Vietnamese Communist Party, Do Muoi, including Foreign Ministry officials.

4:30 pm Depart Hanoi for Hawaii.

Cross international date line

Saturday, August 10

2 pm: Arrive Hawaii. Press Conference.

3 pm—5 pm: Discussion with CINCPAC General Fields and Major General Christmas.

Sunday, August 11

6 am: Depart Hawaii for Colorado (initial disembarkation) and for Washington, DC

BRIEFINGS RECEIVED IN PREPARATION FOR TRIP TO SOUTHEAST ASIA

The following meetings and briefings were held prior to departure for Southeast Asia, August 3, 1991:

July 22

Khenthong Nouanthasing, Second Secretary, Embassy of Laos

July 23

Jim Webb, former Secretary of the Navy

July 24

Bill Herod, Editor Indochina Digest, trade journal Robert Muller, -Vietnam Veterans of America Foundation

July 25

Rep. Lane Evans, who recently traveled to Vietnam General Vessey, -President's Special Emissary to Vietnam Marie Huhtala Acting Director, -Office of Vietnam, Laos, Cambodia affairs; Scot Marciel, Laotian Desk --Officer; Frank Light, Vietnamese Desk Officer; Department of State

July 29

Ann Mills Griffiths, National League of Families
Kien Pham, Special Assistant to Assistant Secretary of Defense for International Security Affairs

Bob Sheets, Chief, Special Office for POW/MIA, Defense Intelligence Agency
Lionel Rosenblatt, President, Refugee International
Senator John McCain, who recently traveled to Southeast Asia
Gerritt Gong, Resident Scholar on Southeast Asia, Center for Strategic & International Studies (CSIS)

July 31 Allen Pell Crawford, Investigative Journalist, Washington Post

Bill Franke & Steve Hayes, 'Operation Smile', private humanitarian relief operation in Vietnam

Paul Mather, former Commander, Joint Casualty Resolution Center
Senator John Kerry, who recently traveled to Southeast Asia

Aug 1

Chris Lamb, Former Australian Ambassador to Burma and Thailand, now based in Washington

Jay Winik, National Defense University

Carl Ford, Assistant Secretary of Defense for East Asian & Pacific Affairs

Aug 1

Dick Cheney, Secretary of Defense

Captain Red McDaniel, Col. Mike Peck

Aug 3

Ken Quinn, Deputy Assistant Secretary of State, who recently returned from Southeast Asia

The CHAIRMAN. Now there are obviously some instances of fraud here. They have been proven. It is clear that there is fraud.

Have you got any sense from the policy perspective of what, if anything, people are seeking to gain from a policy point of view by perpetrating fraudulent POW/MIA claims?

Mr. QUINN. I am really not familiar with the details of fraudulent POW/MIA claims.

The CHAIRMAN. Well, photographs were circulated which were asserted to represent POW's. And the photographs have been proven to be fraudulent.

So someone saw fit to offer up a photograph knowing full well that it came out of a Soviet magazine, for instance.

It is a hoax, right? What is the purpose of that hoax? Is the purpose to keep America angry at Vietnam? Is the purpose to stir up the water so that we will not normalize? Is the purpose, I mean, what is the purpose? What are they trying to do, make money?

Mr. QUINN. I think there are a lot of people who want to make money. I think it is hard to put, impute motives to what people are doing. But I think that there is no end as to what people will go to to try and sell something if they think there is a buyer.

The CHAIRMAN. Have we ever bought any? I do not think anybody has paid for them, have we?

Mr. QUINN. Not that I know of.

The CHAIRMAN. So where is the money?

Mr. QUINN. I think the impression has been around, there have been stories that there have been rewards. There are stories about that in Vietnam and Cambodia and Laos that if you would provide POW/MIA materials or remains you might be able to get a visa. Certainly there are people, boat people, who have left with the mistaken belief that this could somehow help them get accepted for resettlement in the United States of America.

I think these kinds of rumors and myths have floated about in Vietnam and Cambodia. And it is like, you know, during the war there was always people trying to sell you bad intelligence, made up information. Some people are looking to ingratiate themselves. Some want to go the United States. Some may do it for motives that I could not understand. And others do it because they think there is money.

And if you are a middle man in Vietnam and you can convince somebody who is going to take off as a refugee or somebody in Cambodia who is heading for the Thai border that, look, you will be better off if you have something that looks like it POW/MIA information, they can probably sell that.

So I think there is no doubt that there is that type of activity that goes on.

The CHAIRMAN. Any other questions? Senator Smith.

Senator SMITH. There was an article about, I do not know, 3 months or 4 months ago, June, I think, in the Washington Times, as I recall, about a story that a former Pathet Lao general, General

Singaphou had allegedly had a discussion with two Americans from the embassy, is what the article said.

And that he had stated to them that Americans had survived and been captured in 1968 at the so-called Lima Site-85, which as far as I know from all of the briefings that I have had on it as far as we know that everybody died there. Did that come to your attention at all?

Mr. QUINN. Yes, sir, it did, Senator. And during my visit to Vientiane in July when I raised the Borah, Carr, Robertson, Stevens, and Lundy photos, I also brought up the subject of access to this general.

And at that time I obtained from the Lao government their agreement that they would provide us access to him.

Senator SMITH. And have we gotten that access?

Mr. QUINN. Yes, sir.

Senator SMITH. We have? We have spoken to General Singaphou? And if you can say it in open session, what was his response?

Mr. QUINN. I believe his response was that he was remote and distant from that operation at that time and that he did not have the specific information about it.

Senator SMITH. So he denied then that he had such a conversation?

Mr. QUINN. I am not sure if he denied having said that, but I think he denied that he had that kind of information that he knew to be true.

Senator SMITH. Thank you.

The CHAIRMAN. Senator McCain.

Senator MCCAIN. No more questions.

The CHAIRMAN. Are you aware of any rescue missions that were made to go into Vietnam to try to pull people out?

Mr. QUINN. By the U.S. Government?

The CHAIRMAN. Yes.

Mr. QUINN. Do you mean beyond the Songte raids?

The CHAIRMAN. Beyond the Songte raid.

Mr. QUINN. No, sir, not unilateral American. I do not think so. You are talking about, certainly, during the war I remember the stories.

The CHAIRMAN. No, since the war, during the 1980's.

Mr. QUINN. No, sir.

Senator MCCAIN. U.S.-sponsored, he means.

The CHAIRMAN. U.S. Government or U.S.-sponsored rescue missions.

Mr. QUINN. I am not aware of any rescue missions.

The CHAIRMAN. Mr. Secretary, thank you.

We will leave the record open with respect to your testimony. There will be some questions that we will submit in writing and we would appreciate your answers thereto. And thank you very, very much for taking the time.

If I could ask Secretary Ford and Major Generals Ryan and Christmas if they would come forward please. Thank you, gentlemen, for your patience.

Senator SMITH. Mr. Chairman, I wonder if I could take a moment to clarify the record on the point that I made regarding the reason.

Staff indicates to me the reason why the document that we were referring to as the Gaines report was not provided here was because it was a classified document and should not have been provided. So that is the reason why the document was not here. And that is appropriate.

And as far as I know that document was turned over to staff and is in the room. Just because it is classified, I have not gone up to see it.

The CHAIRMAN. Gentlemen, could I ask you to rise? And if we could just go through the formalities.

[Witnesses sworn.]

The CHAIRMAN. We very much appreciate your patience. It has been a long day here and I think you are testifying again tomorrow. And I know you have a lot to do other than testify.

On the other hand, I think the testimony of each of you is terribly important for this process. And we are very appreciative of the time you have taken to be here.

Mr. Secretary, particularly I want to express appreciation to you. I think certainly since I have been front and center on this as Chairman of the committee and prior to that I have had nothing but cooperation from you. And I have appreciated it enormously. I think you have been forthcoming. You have been available to us. And you have indicated, and I think helped change significantly the relationship and the attitude with respect to this.

The committee appreciates that. And I think nothing will serve all of us better than to continue that and to have that kind of relationship here.

And so we begin, I think; on a very good footing. And I want to express the gratitude of the committee for that.

We welcome your opening statements and then we will proceed to ask questions.

STATEMENT OF CARL W. FORD, JR., PRINCIPAL DEPUTY ASSISTANT SECRETARY OF DEFENSE, INTERNATIONAL SECURITY AFFAIRS

Mr. FORD. Thank you, Mr. Chairman. I would, if you would allow me, just submit my written testimony for the record and make a few informal comments.

The CHAIRMAN. Without objection, your full statement will be placed in the record.

[The prepared statement of Mr. Ford follows:]

PREPARED STATEMENT OF CARL W. FORD, JR.

Mr. Chairman, Senator Smith, and other members of the Committee, I am pleased to appear before you today as a witness. Yours is an important task: to educate the American people about the POW/MIA issue; to provide legislative oversight for Executive Branch policy; and to review the process by which the POW/MIA issue is pursued and, hopefully, resolved. I welcome this opportunity to address the Committee, and provide you with an overview of Defense's efforts to resolve the POW/MIA issue. Our first commitment is to the families. We seek as a priority to end the uncertainty for thousands of families whose loved ones are still unaccounted for from all our nation's wars.

Let me first reaffirm the importance attached to the POW/MIA issue by the Department of Defense. Simply stated, resolution of the POW/MIA issue is one of the highest national priority. This priority is fully supported by President Bush, Secretary Cheney, and General Powell. We have acted to implement this policy by press-

ing the governments of Indochina to expand POW/MIA operations. Until recently, the results have been meager. Over the past year, new promises of cooperation by the Indochina states have allowed us to increase the numbers of personnel dedicated to our effort. Our augmentation is now largely complete, having added 88 new people to the some 150 world-wide, who already work on the POW/MIA issue full-time.

Secretary Cheney has also recently created the position of Deputy Assistant Secretary of Defense for POW/MIA Affairs. This individual will provide a single point of leadership within the Pentagon for the POW/MIA issue. In addition to the DASD, Secretary Cheney has increased the staff from 3 to 14. This expansion was dictated largely by the increased scope of our operations in Southeast Asia. I would like to briefly describe our expanded operations, and then respond to your questions.

Live Sightings

Our most urgent priority is investigating whether or not live Americans are held against their will in Southeast Asia. The *live prisoner* issue has been at the forefront of our investigations. While the governments of Indochina have consistently denied that they are still holding American prisoners, their denials have not deterred us from pursuing the *live prisoner* issue directly on each and every occasion, and at all levels, with them for several years. We intend to keep the pressure on.

Although we have thus far been unable to prove that Americans are still detained against their will, information available to us precludes ruling out that possibility. Our assumption is that at least some Americans are still held captive. Should any report prove true, we will, as President Bush has pledged, take *decisive* action to return them home. We have a live-sighting investigator on the staff of our Hanoi Office, that I will discuss later, and we are hopeful that he will be granted free access by the Vietnamese to carry out his duties. To date, we have not reached complete agreement with the Vietnamese on the modalities of investigating live-sightings in Vietnam, but we are continuing to negotiate this important issue at every opportunity.

Investigating live-sightings reports will continue to be our first priority. We will dedicate all resources necessary to support this vital requirement just as we have with the photographs that have appeared prominently in the media this past summer. Unfortunately, during our investigations of the photographs, we have uncovered a number of fabricators. Although the time spent tracking down these low-lives is necessary, it detracts from the time we can spend investigating the many compelling cases in which there is the greatest likelihood that the serviceman may still be alive.

We are also plagued by a number of well intentioned, and not so well intentioned, part-time private investigators. The worst of this group traffic in reports obtained from unnamed sources in Southeast Asia, invite publicity to their claims of live Americans, promise great results, and often seek to raise money to keep their efforts going. It is also common practice for them to claim that their information is proof positive of government ineptitude and cover-up. In the process, they raise the expectations of the families desperate for any sign that a loved one is still alive. Unfortunately, when we investigate their we find no Americans, only unsubstantiated hearsay accounts, and too often signs of deceit and fabrication. Individuals who repeatedly provide false information, well intentioned or not, should be called to account for their actions. The families have suffered enough.

Vietnam

Over the past year, the Vietnamese have demonstrated increasing levels of cooperation in resolving the fates of Americans missing in Indochina. Increased access to Vietnam and Vietnamese wartime records is largely due to the personal efforts of the President's Special Emissary to Hanoi for POW/MIA Affairs, Gen. John Vessey, USA (Ret.). His persistence has allowed us to forge ahead at an accelerated pace. In April, he led an interagency delegation to meet with Foreign Minister Thach in Hanoi. At that meeting, General Vessey and Foreign Minister Thach agreed to establish a POW/MIA Office in Hanoi that would: conduct in-country investigations of reported first hand live-sightings; research historical records; conduct forensic review of jointly or unilaterally recovered remains; and conduct advance planning and execute joint field operations. On July 8, the U.S. POW/MIA Office opened in Hanoi with an initial staff of five. So far, the Office has been a success, providing a ready point of contact with the Vietnamese, and increasing communication between their officials and American POW/MIA specialists.

In September we completed the 14th Joint U.S.-Vietnam Field Investigation. This joint investigation was our most ambitious effort to date, and Vietnam's preparations and cooperation were improvements over past field investigations. Of signifi-

cance, the Vietnamese allowed our resident researcher access to contemporaneous wartime documents that addressed the specific incidents of several previously unaccounted for Americans. As a result of these efforts, we believe that we may be able to confirm the death of an additional five individuals. We are hopeful that the Vietnamese will provide access to similar records for other wartime military regions.

Despite these improvements, we are still not satisfied with Vietnam's performance. Vietnamese officials could do much more to assist our efforts. Too often our office finds that public pronouncements of increased cooperation by Hanoi do not produce satisfactory arrangements on the ground. Promises to cooperate on live-sightings, improved helicopter transportation, and complete access to historical records remain only partially fulfilled. Vietnam's foot dragging on the unilateral repatriation of remains is especially frustrating.

Laos

During early 1991, we conducted the first joint investigations of discrepancy cases involving Americans last known to be in Pathet Lao hands. Shortly thereafter, in May of this year, the U.S. and Lao agreed to an expanded plan for increased joint cooperation on POW/MIA and other humanitarian issues for the rest of 1991. Activities agreed upon include further joint investigations of discrepancy cases, small scale joint surveys and recoveries and joint crash site excavations. So far, we have conducted the first three activities under the expanded program. Actual Lao cooperation on the ground has not yet fully succeeded in implementing the promised schedule. For example, we have had to delay a field activity scheduled to start late this week until the Lao repair the helicopter that they had planned to dedicate to the mission. We believe that these shortcomings are more a function of limited resources and capabilities than a lack of commitment. In fact, they have been very cooperative on urgent investigations such as the purported Borah photograph. We have two major field operations planned before the end of this year, and I am hopeful that implementation will continue to improve rapidly and enable both countries to get back on track.

Border Cases

Approximately 85 percent of the losses in Laos occurred in areas under the control of Vietnamese forces during the war. Accounting for Americans lost in such areas must be a trilateral effort between the Lao, Vietnamese, and U.S. While field operations inside Laos will necessarily be bilateral U.S.-Lao activities, the success of such efforts will largely depend upon U.S.-Vietnam cooperation. The historic records and documents required must come from the Vietnamese. We have developed a plan to work on these difficult border cases and are planning to request a meeting with the Lao and Vietnamese in Hawaii this December to explain our proposals.

Cambodia

Phnom Penh has recently begun to cooperate with us in accounting for Americans missing in Cambodia. Since July, three investigative teams have traveled to Cambodia to follow-up on the photographs alleged to be of live American POW's. Their cooperation assisted our specialists in tracking down a number of what proved to be fraudulent photographs. Since July, we have also conducted two technical meetings with the Cambodians, the first such activity since Phnom Penh fell in 1975. Phnom Penh officials have also unilaterally returned remains that we hope will prove to be an American unaccounted for from the 1975 Mayaguez incident. We are hopeful that their cooperation will continue to improve.

Korea and the Cold War

In addition to our efforts in Indochina, we recognize that there are 8,177 Americans unaccounted for from the Korean War, and perhaps as many as several hundred missing as a result of Cold War incidents. Accounting for these men is also of concern. We will continue to press the appropriate Governments for the fullest possible accounting.

The North Koreans hold the answers to these 8,177 Americans, including 389 initially classified by their Services as prisoners of war. Negotiations with the North Koreans on this subject have been conducted by the United Nations Command Military Armistice Commission (UNCMAC). The UNCMAC acts on behalf of all 16 nations, as well as the Republic of Korea, whose men fought and died in defense of freedom in Korea. The North Koreans have proved unwilling to cooperate fully with the UNCMAC, preferring instead to have occasional discussions with our embassy officials in Beijing, and to use Congressional delegations to return a small number of American remains to U.S. control. With the help of Senator Smith, we are pursuing an alternative approach that we hope will be more successful.

In the past year, we have made several approaches to the Soviets to investigate whether they possess information on Americans lost in Cold War aircraft incidents. In some of these cases, our information suggests that crewmembers survived their incidents of loss. The Soviets, however, have repeatedly denied any knowledge of the fates of these individuals. In April, the Department of State sent a demarche to the Soviets regarding this issue. More recently, Secretary of State Baker raised the issue with his Soviet counterpart during the Moscow Summit. The Soviets pledged at that time to make relevant KGB records available to our specialists. We have sent a second demarche requesting access to the promised records. We have raised the issue of Cold War losses with a delegation of Soviet and Russian veterans' groups when it visited my office last month. With their help, we hope to raise the consciousness of other veterans, and convince them that this issue is one of signal importance to the American people.

Recent Photographs

As the Committee is aware, there have been a number of photographs that have surfaced in the media, and which have been identified by family members as MIA's from the Vietnam war. We take each identification seriously, and will use our full resources to answer the questions raised by these photos. I would like to briefly give you a status report.

Colonel Robertson, Lieutenant Commander Stevens, and Major Lundy

The first photograph to appear in the media this summer—identified by family members as depicting Colonel Robertson, Lieutenant Commander Stevens, and Major Lundy has proven difficult to investigate. No one has claimed to have seen any of the individuals pictured. The associated reporting, except for limited biographic data widely circulated by POW/MIA activists in Southeast Asia, has also proven false. In addition, our photographic experts indicate that the photograph has been altered. The alteration is similar to changes made to five other purported POW photos that we have proven to be hoaxes. The identifications by the families are the only positive information we possess. We are continuing our investigation, however, the information available to us strongly suggests that two of the individuals allegedly pictured perished at the time of their loss incidents. In the absence of additional reporting, we may not be able to resolve this case.

LT Daniel V. Borah

A photograph taken in Laos surfaced earlier this year that was identified by family members as LT Borah. In addition, a forensic anthropologist positively identified the person in the photo as LT Borah. With the help of Laotian officials our investigators were able to locate the individual who turned out to be a 77-year old Lao highland tribesman. The man was interviewed, photographed, and fingerprinted. He identified himself in the photo, as did a second individual who also appeared in the picture. Family members who want to see the tribesman for themselves will leave in a few days for Southeast Asia. They will be accompanied by our investigator who first interviewed and photographed the man in Laos.

CPT Donald G. Carr

The case of CPT Carr is quite compelling because of the remarkable likeness between the 1989-1990 photograph we obtained from Colonel Jack Bailey, USAF (Ret.), and CPT Carr's wedding picture. Secretary Cheney met with Colonel Bailey on 8 October. During the meeting Colonel Bailey promised that he would give our investigators access to his subresources, and introduce us to the individual who took the photograph. Accordingly, I dispatched a Department of Defense team to accompany Colonel Bailey to Southeast Asia. Unfortunately, after a week in Bangkok, Colonel Bailey was unable to provide the access or information he had promised. He also disclosed that the photograph—instead of having been taken in Laos as he previously indicated—may actually been taken in Burma or Thailand. Despite this setback, we continue to apply all our available resources to locating the individual pictured in the photograph.

USG Commitment

The Department of Defense is firmly committed to achieving the fullest possible accounting for missing Americans from all our nation's wars. You would be hard pressed to find a group of individuals more dedicated to the task of resolving the fates of our POW/MIA's than those who currently work on this issue. They work long and hard, often in primitive field conditions, to learn the facts about our missing in action. It is thankless work, but work that our teams enthusiastically undertake. You will have an opportunity to talk to three of these individuals later in the

hearing. I am sure you will discover first hand why we are so proud of the people that work this issue.

In a few minutes General Christmas will outline one of the newest signs of our commitment to this issue—the establishment of a Joint Task Force in our Pacific Command, to focus and expand our field investigations. Given the opportunities provided by the Indochinese governments, the task force will bring a new intensity to our operations. We now have the staff and expertise available to move forward as quickly as the Indochinese governments will allow. The ball is in their court.

Thank you, Mr. Chairman.

Mr. FORD. You have been very patient while my colleagues from the administration read their statements. It has been a long day and I think that I will not do that to you or to any of those who may be listening.

I would like to comment about the issue of manpower. And why all of a sudden have we increased the size and character of our effort? And at least try to put some perspective on it from where I sit since I was one of those who was recommending some of the changes, both organizationally and in manpower.

I think that it is important for you to understand and recognize how difficult it's been all these years for my predecessors to get cooperation from the Vietnamese, the Lao, and the Cambodians. General Vessey and others have done an outstanding service for our country, but one which has been frustrating and difficult to say the least.

Because of the lack of cooperation and because of the, the best way I can describe it, the political manipulation of this issue by Vietnam, and to a certain extent Laos, there was a limit to what we could do beyond looking at the intelligence and, when they would allow us, sending a few people in, our specialists, to operate on the ground.

In the last year and a half things have begun to change. A good part of the credit has to go to General Vessey and his persistence in pushing the Vietnamese. Others of us have also been pushing equally hard, we hope, on the Lao. So that is has begun to pay off a little bit. It also is quite clear to the Vietnamese and the Lao that they want something from us. So it has been in their interest to be more cooperative.

But the first instance that I know of in which the issue of manpower, for example, came up was in the period of February-March of this year. It was in a discussion and the Secretary agreed in principle, that yes, we did need to reorganize; yes we do need to increase our capabilities in anticipation of opening an office in Hanoi and to take advantage of what appeared to be real cooperative efforts on the part of the Vietnamese.

So I just point out it happened before Colonel Peck was reassigned. The Secretary was aware of Colonel Peck's concerns and his charges. And it was certainly well before all of the attention that was paid this past summer to the photographs. And, in fact, the outline of those proposals back in February-March, and I don't remember the exact date, really haven't changed all that much.

So the other question that was asked was: Is this a new issue? That's why the Secretary, for example, was asked, is it something that he did after many of these issues were becoming more public. The fact is that he authorized an aircraft and a team to go into

Vietnam in the fall of 1990, again long before these issues were as public as they've become.

So his charter to me has always been err on the side of if there's any chance at all that there might be an American alive, don't spare any resources, don't hesitate, let's go do it. So this is not something that is new or different about his approach.

And every time I've asked him for resources or asked him for his personal intervention, he has always said yes. So I just wanted to indicate that these issues have been something that are not just new views of his or views of the Defense Department.

I would also like to just briefly comment on the composition of this panel. Clearly there is a past to this issue, but there is also a future. And I am more representing the past, but hopefully transitioning into the future.

And my colleagues from the JCS, General Ryan, and from CINCPAC, General Christmas, are the future, at least in terms of the implementation of this issue. And one that I think that if you put together with the point man in the Pentagon, the Deputy Assistant Secretary of Defense for POW/MIA Affairs that the Secretary has agreed to, and if you then consider the military aspect of this and implementing it out in the field, representing by General Ryan and General Christmas and tomorrow some of our most important assets, the people who actually work out in the field, I think that you will see, we hope to be able to tell you not just about all the things that we've done wrong, and clearly as the Secretary said, as you noted, for anybody from the administration, this one or any past administration, to get up and say that we've done everything right on POW/MIA over this almost 19 years, one is just flat wrong and there is absolutely no way we can walk away from the problems that we've had.

We've done a lot of good things. We've had a lot of dedicated people working this issue from the beginning, but we have made errors. We have not always done it the way we wanted to. And I can't speak for my predecessors, but I can speak for myself and my tenure of the past 2-1/2 years, we haven't always done everything like we would want to. But we're trying to improve.

And I have hopes that, one, we didn't lose our credibility with you, with the families, with the American people overnight. And we're not going to gain that credibility back overnight. And I can sit here and I can tell you about what we're going to do and I can talk about it. The only thing that is going to persuade people is our actions and our results. And to prove over time that we are serious, that we do mean what we say. And that despite occasional setbacks, despite occasional human errors, we are going to demonstrate over the next months, weeks, years that we can do it better than we have done it in the past. And that's our only commitment, to try. And if there are problems that this committee uncovers, we'll try to fix them.

I hope that you also when you find good things, particularly about the people in the field who, far from the limelight, far from the excitement of Washington, are on a daily basis out there slugging it out, oftentimes in very primitive conditions. And you've got three representatives of that large group and I think three good representatives. And I hope that your visits to the region, your dis-

cussions with these people, you can also say some good things about them.

It's hard to keep doing your job day after day when you hear nothing but coverup and how badly you do it. Despite all of that, every personal experience I've had with them makes me very proud that, one, they work for DOD, and two, that they're working on this problem.

Let me stop there and turn to my colleague, General Christmas, who does have some testimony that'll be an expansion of what the Secretary said about what CINCPAC will be doing in the future.

The CHAIRMAN. General, before you pick up, I would just like to say that I think your impromptu remarks are as forceful as any prepared or other remarks that I have heard, and my only regret is that more of the writing media who were here this morning for the Secretary are not also picking up on the essence of what you have just said, because I think it is terribly important, and the committee accepts the statement.

I think to be able to say, look, we have made some mistakes, there have been some problems, and to sit there and say, we have got a credibility problem is almost half the battle. The other half is obviously to resolve the question of how we got there and we are going to try to do that.

The second thing I want to say is, I could not agree with you more about the people in the field, and I have personally insisted that we bring some of them back. I know it is a pain in the rear end for them to come that distance and to leave what they are doing, but I happen to believe that they are heroes in the best sense of the word. I think that Americans need to know how many years people have been out there in the field in some mighty dangerous, sweaty circumstances, jumping on helicopters that most of us would hold our breath going near, and going out into the jungle and doing this.

I think it is an extraordinary story and that is why we are going to lead off with it tomorrow morning, because I want people to get the essence of this effort over the years. While there have been faults, while there were problems, while there may be information that should have been forthcoming that has not been and we do not know all the whys and wherefores of that, the fact remains that there have been some awfully good people out in the field working to get answers. I think people need to have a balanced view of this, so I appreciate that and your comments, and I think the committee accepts them as stated. General.

STATEMENT OF MAJ. GEN. GEORGE R. CHRISTMAS, DIRECTOR OF OPERATIONS (J-3), U.S. PACIFIC COMMAND

General CHRISTMAS. Senator Kerry, Senator Smith, Senator McCain, I welcome this opportunity to appear before your committee today. Like you, those of us on active duty today are deeply committed to finding the answers to the questions surrounding Americans unaccounted-for in Southeast Asia. We have a solemn obligation to our fallen comrades and to their families to resolve this vexing issue once and for all.

Having served as a commander in combat, and later as a project officer for the designation and entombment of the Vietnam unknown soldier, I have a particularly strong sense of obligation in this regard. Moreover, as the director of operations for the U.S. Pacific Command, I am responsible for directing the activities of the POW/MIA search teams. I would like to present to you the Pacific Command's views on the state of the POW/MIA issue.

Specifically, I will discuss the recent developments in the region and the initiatives the Command has undertaken to respond to them. Perhaps at no other time have the opportunities to dramatically expand and accelerate casualty resolution operations in the region been so great. We have established the POW/MIA Affairs Office in Hanoi, and the Vietnamese are affording the staff and our search teams good cooperation. The mission of the Hanoi office is to conduct in-country investigations of reported first-hand live sightings, to research historical and archival records, to conduct forensic review of remains jointly recovered or unilaterally made available by the Vietnamese, and to conduct advance planning and prepare and execute joint field operations.

During the most recent round of investigative activities, our teams were given increased access to Hanoi's wartime archives—an action which we have long urged the Vietnamese to undertake. We think the Vietnamese, however, can do more, particularly with regard to the disclosure of all relevant wartime documents, access to former cadre who were involved in the capture and detention of American prisoners, and turnover of remains recovered unilaterally.

Naturally, we will continue to pursue greater disclosure, access, and their unilateral efforts through the Hanoi office each time we conduct the technical meeting, similar to the one we conducted this past week.

In Cambodia, the Phnom Penh authorities last month permitted for the first time an American survey team to investigate the circumstances of loss involving missing American servicemen and news correspondents. This followed closely their assistance to our investigators who traveled to Cambodia to follow up widely publicized photographs identified by family members as Americans unaccounted-for in Southeast Asia. While it is too early to tell whether the Cambodians will sustain a cooperative relationship on POW/MIA's, we were satisfied with these initial efforts and are prepared to follow up on their future breakthroughs.

In Laos, we are hopeful the authorities there will follow through on their agreement to engage in a year-round effort to investigate cases of Americans who were known to have been held captive by Pathet Lao forces and to recover the remains of those killed in action. We were pleased to learn last month that the Lao Government has made additional people available to work with our joint teams. The Lao had previously cited a lack of personnel as a reason for the modest level of field activities which they had permitted over the last several months.

The Pacific Command, in conjunction with the Joint Chiefs of Staff and the Department of Defense, has moved quickly to capitalize on the favorable climate of cooperation in Vietnam. We plan to execute a comprehensive casualty resolution campaign on a scale

which the Department of Defense has wanted to carry out since the signing of the Paris Accords in 1973, but could not because of Vietnam's intransigence. To execute this plan, we are fielding additional search teams and putting in place other necessary resources.

Our plan is focused on investigative activities to determine whether unaccounted-for Americans are alive. Using the staff of our Hanoi POW/MIA Office, soon to be a detachment of the joint task force organization I will describe shortly, and mobile field teams, we will follow up aggressively on reports of Americans alleged to be alive in Vietnam and investigate discrepancy cases, those compelling loss incidents which suggest a missing American was captured, but the Vietnamese have returned neither the person nor his remains.

We have singled out these cases for priority investigation because if there are Americans alive, they are most likely associated with these losses. To execute this priority investigative activity, we will expand the staff of our Hanoi office and task the staff to carry out full-time investigation of these cases. If we can resolve these cases, we will have done much to shed light on the live prisoner issue.

We see opportunities to recover concurrently the remains of the known war dead. For example, as our search teams investigate the cases of MIA's who were last known alive, they will attempt to resolve other losses in geographic proximity to these cases. In general though, we view the recovery effort as a long-term process which would begin only after we have resolved the live prisoner issue.

Now that the Cambodians are cooperating, and in anticipation that the Lao will increase their cooperation, our staff is developing plans for POW/MIA operations for those countries as well. As with Vietnam, we will give priority to those activities which will shed light on the issue of living Americans. As part of this effort, we hope to soon establish POW/MIA detachments in both Phnom Penh and Vientiane.

The Pacific Command will execute the operations specified in these plans by employing a two-tiered concept. First, a joint task force, or a JTF, will be established which will integrate POW/MIA operations and support functions under a single commander, a brigadier general. This officer will have responsibility for the entire mission of searching for MIA's and recovering the remains of war dead in Southeast Asia, a mission for which heretofore a number of agencies have shared responsibility.

Second, the Joint Task Force Commander will report directly to the Commander-in-Chief of the Pacific Command who, in turn, will respond to taskings from the Secretary of Defense through the Chairman of the Joint Chiefs of Staff.

I would like to elaborate for a minute on how this two-tiered concept with its unity of command will work. As POW/MIA policy is formulated here in Washington, the Joint Chiefs of Staff will communicate guidance and operational taskings to the Joint Task Force commander via the Commander-in-Chief of the Pacific Command. The theater commander and the theater command will then make available to the Joint Task Force the necessary resources and expertise available within the Pacific Command headquarters and the theater's service components to execute these operations.

For example, if the Joint Task Force commander needs helicopters to ferry his search teams to remote locations, aviation units will be tasked to provide this support. Now, Senators, in this particular example I must point out that the Southeast Asian governments will have to agree to the employment of these assets in their countries. In planning and executing the operations, the Joint Task Force commander will direct the activities of the POW/MIA detachment based in Hanoi, as well as the other detachments when approved.

So as you can see, by establishing the Joint Task Force and employing our command and control concept, we will have forged a direct line of authority which will run from Washington all the way down to detachment commanders in the field, giving them the necessary assets that they need to accomplish their mission. The Pacific Command headquarters staff and the subordinate service components are currently looking at additional ways to improve logistics and communications support to the search teams and the Hanoi detachment. These were areas over which congressional observers recently expressed concern and, I might say, rightfully so.

We have procured or are in the process of procuring equipment ranging from ponchos to sophisticated radio communications gear. We have looked at ways to provide sustained, cost-effective vehicle operations and maintenance for the search teams and will soon initiate procurement actions, which will alleviate shortfalls in this area. Meanwhile, the staff of the U.S. Army Pacific Command has prepared a concept of operations for providing helicopter support to the JTF teams, should the Southeast Asian governments allow their use.

The JTF will not be a paper organization. On July 30, the Secretary of Defense authorized a substantial increase in personnel who will come under the Joint Task Force. The Joint Casualty Resolution Center, whose personnel will form the operations nucleus, will double to 76. These increases are earmarked for the actual search effort on the ground. Highly-skilled linguists and analysts are being assigned so that we can put more teams on the ground for longer periods of time. We will ensure the work of these teams is made known to the families and to the American public. To the extent possible, we will give the media every opportunity to cover our activities, and in keeping with our longstanding practice, we will notify expeditiously the families on the results of our investigations and recovery operations through the established Service Casualty Affairs channel.

We have nothing to hide. To the contrary, we are most anxious to tell the American public of the dedication of our people in the hard, often dangerous work that they perform, and that you have alluded to, sir. The Pacific Command is moving quickly to put the right organization, people and resources in place to expand and accelerate POW/MIA operations in Southeast Asia. Our outline plan has been approved by the Chairman of the Joint Chiefs of Staff. We are currently developing a detailed operations plan which will be submitted through the Chairman to the Secretary of Defense for final approval. Once approved, the Chairman will direct that we execute the plan.

Given the favorable climate of cooperation in Southeast Asia, I am confident we will make substantial progress in the weeks and months ahead. I look forward to the committee's visit to our field locations so that you, again, can see first-hand the results of our efforts to illuminate the live prisoner issue and move deliberately toward achieving the fullest possible accounting of all missing Americans. Thank you, sir.

[The prepared statement of Major General Christmas follows:]

PREPARED STATEMENT OF MAJ. GEN. GEORGE R. CHRISTMAS

Senator Kerry, Senator Smith, and distinguished members, I welcome this opportunity to appear before your committee. Like you, those of us on active duty today, are deeply committed to finding the answers to the questions surrounding Americans unaccounted for in Southeast Asia. We have a solemn obligation to our fallen comrades and their families to resolve this vexing issue once and for all.

Having served as a commander in combat and later as the project officer for the designation and entombment of the Vietnam unknown soldier, I have a particularly strong sense of obligation in this regard. Moreover, as the director of operations for the U.S. Pacific Command, I am responsible for directing the activities of the Command's POW/MIA search teams.

I would like to present to you the Pacific Command's views on the state of the POW/MIA issue. Specifically, I'll discuss the recent developments in the region and the initiatives which the Command has undertaken in response to them.

Perhaps at no other time have the opportunities to dramatically expand and accelerate casualty resolution operations in the region been so great. We have established a POW/MIA Affairs Office in Hanoi and the Vietnamese are affording its staff and our search teams good cooperation. The mission of the Hanoi office is to conduct in-country investigations of reported first-hand live sightings, to research historical and archival records, conduct forensic review of remains jointly recovered or unilaterally made available by the Vietnamese, and to conduct advance planning and prepare and execute joint field operations. During the most recent round of investigative activities, our teams were given increased access to Hanoi's wartime archives—an action which we have long urged the Vietnamese to undertake.

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detachment of the joint task force organization I will describe shortly, and mobile field teams, we will follow-up aggressively on reports of Americans alleged to be alive in Vietnam and investigate discrepancy cases those compelling loss incidents which suggest a missing American was captured but the Vietnamese have returned neither the person nor his remains. We have singled out these cases for priority investigation because if there are Americans alive, they are most likely associated with these losses. To execute this priority investigative activity, we will expand the staff of our Hanoi office and task the staff to carry out full-time investigation of these cases. If we can resolve these cases, we will have done much to shed light on the live prisoner issue.

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For example, if the JTF commander needs helicopters to ferry his search teams to remote locations, aviation units will be tasked to provide this support. In this particular example, however, I must point out that the Southeast Asian governments will have to agree to the employment of these assets in their countries.

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ations through the established service casualty affairs channel. We have nothing to hide; to the contrary, we are most anxious to tell the American public of the dedication of our people and the hard, often dangerous work which they perform.

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The CHAIRMAN. Thank you very much, General. General Ryan, do you have a statement?

**STATEMENT OF MAJ. GEN. MICHAEL E. RYAN, VICE DIRECTOR,
STRATEGIC PLANS AND POLICY (J-5), THE JOINT STAFF**

General RYAN. I do not have a prepared statement, Senator. I stand ready to answer questions.

The CHAIRMAN. Thank you very much. Let me begin the questioning, Mr. Secretary, by asking you when was your first official involvement with the POW/MIA issue.

Mr. FORD. It was 1987 or 1988, and I do not recall the exact date. I was serving as the National Intelligence Officer for East Asia and was asked to do an estimate on the POW/MIA issue. Prior to that time I had, as an interested student of the region—as a former serviceman generally interested in the issue, but had no formal responsibilities—after the estimate, I did not have another occasion to work on the issue until I came to the Defense Department in March of 1989.

The CHAIRMAN. What did your 1987 estimate require you to do?

Mr. FORD. It was to look at the questions on whether or not—to check on whether the intelligence community was looking at all the right issues and to make a best judgment as to the question of whether there were any Americans alive in Southeast Asia.

The CHAIRMAN. Whom did you do that for?

Mr. FORD. I did that for the Director of Central Intelligence.

The CHAIRMAN. What conclusions did you come to?

Mr. FORD. I would have to refresh my memory on the actual findings. My recollection was that we could not make a judgment based on the evidence that we had available.

The CHAIRMAN. Was that a formal report submitted to the DCI?

Mr. FORD. Yes, sir. I am sure that it is available.

The CHAIRMAN. Would that report be at CIA?

Mr. FORD. It would be. I think it was at the secret level, but I am not sure.

[Requested classified material was provided to the committee.]

The CHAIRMAN. Well, we will request that, obviously. Apart from the assessment about the flow of intelligence, what conclusion did you draw with respect to the probability of live Americans being in Southeast Asia?

Mr. FORD. In that intelligence estimate?

The CHAIRMAN. At that time.

Mr. FORD. I think that, as I recall and again, I would have to refresh my memory, a lot has happened since then on this issue. I think that we determined that there was not enough information to make a firm judgment that there was somebody alive. There was clearly no evidence that there—we could not demonstrate that there were not. In fact, it was very similar in terms of our findings to what has become the standard position of the U.S. Government.

The CHAIRMAN. Was there any evidence that you recall that distinctly suggested to you that somebody was alive?

Mr. FORD. No evidence at that time. In fact, I think that subsequent to that estimate, there has been far better—far more detailed work done by others than was available at the time in 1987, 1988, when I did that estimate.

The CHAIRMAN. Did you have any difficulties with any agency in securing answers to inquiries that you made?

Mr. FORD. None that I recall.

The CHAIRMAN. Did you come across any evidence of any kind whatsoever leading you to believe that, for any period of time, there might have been a so-called cover-up or effort to avoid evidence?

Mr. FORD. None that I looked at personally. Most of my effort was managing the process of the intelligence community in looking into this issue, and we were focusing more on contemporary, current practices in intelligence and questions. The estimate was not focused and did not cover, as I remember in any detail at all, what happened in the period, say, 1970 to 1975 timeframe.

The CHAIRMAN. Well, you are now really the principal point person on this. Is that fair to say?

Mr. FORD. I think it would be fair to say that I have been the Secretary's representative on this issue. I have other responsibilities. This is not my only job.

The CHAIRMAN. I understand.

Mr. FORD. I am more of the person who if I can identify problems, if I can be of assistance to either a Government agency and/or a family, or an interested person, I try to put them in touch with the right people, or try to solve the problems if they come up.

The CHAIRMAN. Well, as a former service-person yourself, and flanked by distinguished generals and recognizing as well as anybody in this country what is at stake here, there are not any of us who does not find our skin crawling at the notion that somebody might have tubed some information or cast it aside, or somehow found other imperatives that were more important than pursuing this. Is there anything that you have come across? I mean, this thing lives, we all know it lives. You have said we have a credibility problem. What is it that allows this to live? Have you come across anything that suggests to you that at some point in time someone might have paid less than the attention that was due, or is this just something that has come out of whole cloth?

Mr. FORD. I certainly, Mr. Chairman, do not have any evidence that anyone knowingly, for example, made decisions or did things knowing that there were Americans alive in Laos, Cambodia, and Vietnam. Even if there were, I do not see any evidence of that, but I think that those are the sorts of questions that you really have to ask the people that were responsible for our Government policies

in those days—what was in their mind, what they knew at the time?

In retrospect, I have to admit to you that if I had been there, I hope—I do not know how I would have reacted, because I know a lot more now than I probably would have known in those periods of time—I hope that I would have been a little bit more firm on pressing the governments, particularly Laos, about their holding of Americans and holding them to account for it. It is easy for me, 19 years after the fact or 10 years after the fact—whatever, and the perspective of 1991 to make that—and I do not know if even I, as strongly as I feel about this issue, would have acted differently if I had been responsible at the time. It does seem to me that there could have been more done.

The CHAIRMAN. This committee has, through individuals, often met with Ross Perot. I have had occasion to meet with him. I know my vice chair has, others have. Here is a man who invested considerable money, time, energy, effort, and finally threw his hands up with a sense of disgust, whose motives are just unquestionable with respect to this issue. Looking back at that now, as you undoubtedly have had to, have you talked to him? Has any current generation of policymakers on this issue met with those sort of people to really debrief and to get a sense of where they are coming from in this, or has that been too much a part of the past to deal with?

Mr. FORD. I personally have not talked to Mr. Perot. I have tried to talk to people who have worked this issue over the years, long before I was involved in it, to sort of get their sense of history, their sense of what happened and why, at least in part so that I did not have to reinvent the wheel, as a new kid on the block. And—but that only goes back, quite frankly, to the early to mid-80's, in which a new group of people who took it, quite frankly, more seriously and were—at least the ones I have talked to—I am confident tried to do better than they thought people in the past had done. They are clearly not in exhaustive discussion with all of the people who have done this problem before me.

The CHAIRMAN. Have you ever in the course of your tenure in this job previously heard of any documents being destroyed?

Mr. FORD. No. No. If I did, I would have been very, very angry and upset, and would have done something about it. That is not to say that documents haven't been destroyed. It just simply has not come to my attention.

The CHAIRMAN. Well, that was my question.

Mr. FORD. Yes, sir.

The CHAIRMAN. Have you—well, I will strike that. Let me turn to colleagues so that we can keep the round going and be fair. Senator Smith.

Senator SMITH. Mr. Ford, the interagency group some time in 1989, January, I think, put out a report saying that there was an agreement reached with Laos, that they would provide access to wartime records and so forth on Americans who not only were under the alleged Pathet Lao control, but also under the control of North Vietnamese in Laos—any records that they had, either dead or alive. Have they lived up to that? Give me one line or two. Where are we on that? Have they responded to that in a positive way?

Mr. FORD. I think that there has been some progress in Laos—Laotian cooperation on POW/MIA. There are a number of firsts that we can point to within the past year or so, of finally getting into areas, some of the cave areas for example, where we knew that Americans were being held prisoner at one time. These areas had been denied to us for many years. We also have seen cases where, although we wanted to do it ourselves, before we could get down to Savannakhet, the Laotians had found the man who was in the purported Borah photograph, for example. But if you ask me, am I satisfied, are they doing all they can do, the answer is absolutely no, they are not and that there are a lot of things that we would like them to do for us that they are not doing.

Now, part of it is because there is a big difference between Laos and Vietnam. In Vietnam, as best we can tell, they were great recordkeepers and every scrap of paper having to do with Americans, there is a long record of this keeping things.

In Laos, these were guerrillas operating in an area being bombed regularly by the United States. They were not in control of the whole country. They did not apparently keep records quite as well as the Vietnamese. They often had a practice, unlike the Vietnamese, that if they found an American, they more frequently killed him than not, and that you had to be very lucky to be one of those who was captured and did not die immediately. Subsequently, as they have taken power, trying to go back and get into these issues, they quite frankly consider it a matter of national security. It is like trying to pull teeth to get them to 'fess up to some of these things. I am not sure that we will ever get them to be able to convince us in the same sort of detail that the Vietnamese may be able to, because they do not have the sort of records that we would like to see in the absence of other information.

We are not going to trust what the Vietnamese or Laotians say 100 percent, but it certainly helps if we have their journal of the day of an incident and they say that this particular American was captured, was shot by local militia 30 minutes after his capture and we think his remains are located so-and-so. That certainly is more information than maybe we had at the time of loss. In the case of Laos, all we have got basically are anecdotal memories of villagers to put together with our investigations.

One of the differences though, also in Laos, is because of its more rugged terrain and because of fewer people. When we actually visit crash sites, for example, we often find things that have been there since 1971 or 1968. That is not really the case in Vietnam. Often, we do not find anything. So there are pluses and minuses and I think that the Lao are trying to do better, but they have a long way to go yet.

Senator SMITH. In all my interactions with you since I have been in the Senate, and since you have been in your position, we have had some differences, but you have always, as far as I know, been totally candid with me. I hate to ask this kind of a high, inside fast ball here, and I realize you would probably not be the one to make such a decision, but supposing somebody were to turn up who was a deserter by the military definition of the word today. What would be your recommendation in terms of that individual? Would you recommend prosecuting that individual as a deserter? The reason I

am asking the question is if there is such a person out there, maybe we can send a message through these hearings; but I would be curious to know your recommendation and I realize it would not be probably your final decision to make.

Mr. FORD. Obviously, that decision would have to be a function of the secretary of the service that the individual came from and also, probably eventually the Secretary and the President of the United States. I mean, we've had various forms of amnesty over time. My sense of it is that I hope there's no one out there who's been living in Southeast Asia for fear that if they came back they somehow would be seriously punished.

Obviously, we would have to go through the official procedures as such actions and such persons would normally be done, but the fact is that if we knew that a person had been for 20 years hiding from us in very primitive conditions for fear that he somehow would have to go to the stockade for 6 years, I hope that's not the case. I hope they know to come home.

Senator SMITH. One quick final question. My time is running out here. In the meeting that we had with several Senators, you made a statement regarding Garwood's recanting testimony. You later sent me back a full letter of apology for that and I accept that and do not bring it up to make an issue of it, just simply this question. What brought you to that conclusion at the time you made the statement? Was it a specific individual who made that statement to you within the agency, or was it just something you received by osmosis, or what was your reason for feeling that way? Obviously you felt that way when you said it.

Mr. FORD. Senator, as you know, I clearly know better than to talk about this issue with you. You probably know more about this particular incident than anyone that I know of. You were there during some of the interviews, and I learned my lesson. I misspoke. I clearly had received both by osmosis and by various briefings from different individuals a different impression.

When I realized that I had not only misled you, but I had misled other members who heard my presentation, not only did I write to you, but I thought it was important to write to your colleagues as well, because I don't want anything—I'm in a position, as Senator Kerry said, I'm sort of a spokesman, and what I say, right or wrong, may have more influence than it really should have. And—but in this case, what we've done is that the Secretary, who was there also, has asked that this be fully investigated and sort of redone, and have analysts who are very capable but who have been working different problems, go in and look at it afresh and see what the cases are. I'm going to reserve my judgment until they've completed their studies and when they give me their briefing, I'm going to ask them a lot more—a lot harder questions this next time.

Senator SMITH. Just a final point. You did not have to go into further explanation. I accepted that. I think that the difference, and just to point out for the record, is there is a difference between not believing Garwood—which I know many in the agency, maybe all in the agency, do not, and I understand that. It is just that the issue of recanting where Garwood himself said he recanted what he said was the issue that I wanted to clarify. That is all.

The CHAIRMAN. Mr. Secretary, if I could just remind you also that the committee would like as soon as possible the raw Garwood initial debriefing data and the records with respect to that, because that will be one of the initial areas of inquiry.

Mr. FORD. I will pass that request on. The only sensitivity I know, and it may not really be a real one, is that my understanding is that there are agreements between DIA, for example, and Garwood's lawyer about privileged information, et cetera. I don't think in this case it will—it will be an issue, but I think that it would be something that obviously may be asked that it be kept between the members and the staff of the committee as opposed to something that would be public.

The CHAIRMAN. I understand. Whatever ultimately is public will hopefully come from Mr. Garwood's lips himself, but in terms of the background and understanding of it, the committee needs to review that. Senator Grassley.

Senator GRASSLEY. Thank you, Mr. Chairman. Secretary Cheney referred to 102 personnel who have been added to help resolve the issue. I would like to know if you could provide this committee with a list of who these people are and what their functions are, and could you tell us now how many of these 102 are devoted strictly to looking for possible live prisoners.

Mr. FORD. I know generally the number of people who are out in the field and their primary function is live—the live prisoner issue. Now—

Senator GRASSLEY. How many of the 102 would fall into that category?

Mr. FORD. My sense is that it's the 88 that we're talking about are—some of them are not in Hawaii, or in Southeast Asia. They may be here in Washington say, for example, at DIA, but all of those people are focused on increasing the real—instead of paper-pushers like me—people who are actually enmeshed in the details on a day-to-day basis. General Christmas may have more details about what CINCPAC is doing.

Senator GRASSLEY. Let me be very clear. I am talking about those who are going after live-sighting reports, whether it is live prisoners, as opposed to those who are trying to find bones or get confirmation.

Mr. FORD. Yes, sir. I understand.

Senator GRASSLEY. OK.

General CHRISTMAS. First of all, of the 76 that we have as part of the Joint Resolution Center, the JCRC in Hawaii, all of them are devoted to the entire POW/MIA issue. When we put the joint task force together, we will have a minimum of five search teams and two teams which you, I think, referred to as the guys who look for bones. But five of the teams will follow up on live sighting reports and discrepancy cases which are most likely to lead to living Americans. That's the way we are operating. So you can see how that breaks down.

Five search teams and two recovery teams will go in for 30 days at a time. They will come back out. They will work their reports and findings, and then other teams will go back in. So we hope that we're going to have this continuing effort to resolve this very important issue.

Mr. FORD. Senator Grassley, if I could just add one—one comment. I understand your concerns and—about looking for bones, and I hear that quite frequently, and I know that there is a sense that that's all we're doing. I think that it's unfair to our people in the field to suggest that their primary focus is on remains recovery. We go where the facts lead us as we identify each case and try to follow it through for the fullest possible accounting. If the facts lead us to the notion that we can either recover the remains or that we think the Vietnamese or Laotians have those remains, we think it's important as our accounting to the families that we can give them that information. I haven't talked to every family member, of course, but I've talked to a lot over the past 2-1/2 years, and I get the sense, every one of them would like to have—even in their heart they may know that their son or their husband or whoever is dead, but they want them to be alive.

They want them to walk out of the jungle and come home, but they will tell you very quickly that if that can't be the case, please end the uncertainty for me. Give me something so that I can put this to rest, I've been with it so long. Well, one, it tears your heart out that these people have had to go through this all these years. But second, if we can give them something that answers those questions, maybe it helps end their uncertainty. For others, it causes new problems, whether this is enough, whether there is sufficient evidence, and on and on. This shouldn't be against your time, but I thought it's important that we say that, that our purpose isn't really for just going after bones.

Senator GRASSLEY. Well, it is OK that you have said it now, or it is OK that you say it any time. Understand my question. I wanted just some statistics on the number of the 102 who are in one category and the others who are in another category.

Mr. FORD. It is 38 in Hawaii, and those people will be 18 at CIL-HI, 18 at DIA and 9 at Stony Beach.

Senator GRASSLEY. Well, I did not know you would have those numbers. What I would like to have is a list of whatever, 102, and where they are assigned, and what their job is.

Mr. FORD. We can do that for you.

[The information referred to follows:]

DIA SPECIAL OFFICE FOR PRISONERS OF WAR AND MISSING IN ACTION

PLUS-UP ASSIGNMENTS (ALL POSITIONS LOCATED AT DIA, WASHINGTON, DC.)

Division Headquarters

Administrative assistant—Hiring in progress

External Relations Branch

Intelligence officer (3 positions)—Hiring in progress

Analysis Branch

Intelligence officer—Hiring in progress
 Intelligence officer—Mr. Paul Mather
 Intelligence officer—Lt. Paul Maguire, USN
 Intelligence specialist—Petty Officer Steve McCabe, USN
 Intelligence technician—Hiring in progress

Data Base Management Branch

Computer programmer—Nominations from Army being reviewed
 Intelligence technician—Ms. Benita Wood
 Intelligence technician—Ms. Carol Stewart

Intelligence technician—Hiring in progress

Current Operations Branch

Intelligence officer—Cpt. Tami Turner, USAF
 Intelligence officer—Maj. Jeannie Schiff, USAF
 Intelligence officer—Cpt. Sandra Caughlin, USA
 Intelligence officer—Hiring in progress
 Secretary—Hiring in progress
 Intelligence technician—Hiring in progress

STONY BEACH (ALL POSITIONS IN THAILAND UNLESS INDICATED)

Intelligence officer—hiring in progress
 Intelligence officer—hiring in progress
 Intelligence officer—Hiring in progress
 Intelligence specialist—Sfc. John Bankwill, USN
 Intelligence officer *—Cpt. Randall Mastromonoco, USAF
 Intelligence officer—Maj. Charles Robertson, USAF
 Intelligence officer—Requisitions in progress
 Intelligence officer—Requisitions in progress
 Intelligence officer—Requisitions in progress
 * Individual located at DIA, DAM-2 in Washington, DC.

POW-MIA TASK FORCE (ALL POSITIONS IN WASHINGTON, DC)

DIA Element

Supervisory intelligence officer—Harold E. Sprague
 Administrative assistant—John Emery
 Secretary—Jane Osborne
 Intelligence officer—Barbara Banks
 Intelligence officer—Cpt. Alex Odren, USAF
 Intelligence technician—Ray Craib
 ADP specialist—Paul Nanko
 Intelligence specialist—Petty Officer Paul Dizenzo, USN

Reservist Support Element (USAF)

Commander (2 positions)—Reports 1 Mar. 91
 Secretary—Reports 1 Mar. 91
 Team chief (3 positions)—Reports 1 Mar. 91
 Intelligence officers (7 positions)—Reports 1 Mar. 91

Senator GRASSLEY. I have some more questions, but I will wait for another round if you want me to.

The CHAIRMAN. Senator McCain.

Senator McCAIN. Thank you, Mr. Chairman. Mr. Ford, you heard my request on behalf of Mr. Earl Bond. I will be glad to provide you that information. I guess Mr. Quinn was not the appropriate one to ask that.

Mr. FORD. No, sir. We were really the more appropriate and we are—I've asked my staff to contact your staff to get more details, and we will have a written answer to you to the best of our knowledge of the case, tomorrow or the next day.

Senator McCAIN. Thank you very much. You said earlier, Mr. Ford, that things were done wrong or not as well as they should have been, and mistakes were made, basically is what you have told this committee. I am curious what your view is of why those things happened. Was it because of bureaucratic ineptitude? Was it because of, as Colonel Peck alleges, mindset to debunk, or what in your view was the reason that some mistakes were made and the job was not done in the best fashion?

Mr. FORD. I have obviously thought about that a lot, and tried in my own mind to try to sort out what some of the problems were. I don't profess to have the full and final answer, and just give you

my snapshot view of just a few years working the issue. I think that it's a very complex analytical problem, one of the most difficult I've ever been involved with, and with a high learning curve.

The CHAIRMAN. Pull the mike just a tiny bit closer.

Mr. FORD. The learning curve is very high, and in which you as human beings—mistakes are going to happen. They're not intentional. They're more simply that we are working with limited knowledge, fragments of information, also we're dealing with volatile emotional issues. I mean, if—and I've told this to several families and they may believe me, or they may not—but if my father or my son was still in Southeast Asia, and I didn't have any answers, and I had not gotten my satisfaction from my casualty officer, I'd be upset too. So that there's a certain emotional nature, and I don't care how good our casualty officers are, some of them have been doing it for a number of years. They are not going to be 100 percent every minute.

Senator McCAIN. You do not believe there was a mindset to debunk?

Mr. FORD. I think that there are people past, present, and the future, who probably for their own reasons will believe that they have the answer, and they will be there trying to suggest—to prove their answer, whether that answer is debunk us in the executive branch, or to debunk the issue in Southeast Asia. I have been an analyst most of my adult life and all of them are not as objective and perfect as you would like. They take their own personal views into it and they're going to try to make a point.

Senator McCAIN. I do not want to belabor the issue, but would you characterize the mistakes that were made that you have acknowledged to this committee as bureaucratic bungling, mindset to debunk, or just as you have just described, the emotionalism surrounding the issue? I think it is important for us to understand what is your best view of why these mistakes were made.

Mr. FORD. I hope this doesn't sound too glib, because it's not intended to be. I think it's all of the above. I mean, I can't find—the only one that I can't find in my research, or my contact with people, is a purposeful, politically motivated or privately motivated cover-up. Every mistake that can be made by bureaucracies and human beings, has probably occurred in the last 19 years, and I can point to a few that I've made, errors in judgment, or whatever.

Senator McCAIN. I would like to return to what the chairman was asking a little earlier of another witness, and I have to go back to Secretary of Defense Cheney's statement this morning. A photograph taken in Laos surfaced earlier this year that was identified by family members as Lieutenant Daniel V. Borah, U.S. Navy. In addition, a non-government forensic anthropologist positively identified the person in the photo as Lieutenant Borah. Then, with the help of Laotian officials, they find out it was a 77-year-old Laotian individual with some French blood.

Why would someone go to all that trouble to take a photograph like that and circulate it around, and have the family identify it? What I am worried about here now, Secretary Ford, is what we are doing to these families. What somebody is doing to them, not only to the American people, but you just put yourself in the situation earlier of the son or the father of someone who is listed as missing.

My God, how terrible is this, to subject a family to this. Why would they be doing something like this in your view?

Mr. FORD. For the life of me, I can't understand why people would do this. I mean, I've had the same sorts of questions that I've heard you and Senator Kerry, and I know Senator Smith and I have talked about. I don't see a lot of money changing hands.

I mean, there is some pocket-change money passing hands in Southeast Asia, between Laotian and Cambodian and Thai people who bring in a few bits of information. There is also some money raised here and there, but it's all really sort of small change. This is not a financial issue that I can tell. I mean, it's a local official in Cambodia selling information to possible refugees for a couple of bucks and thinks that he—telling these people if you have this bone, or if you have this belt buckle, if you have this picture, you're going to get to the United States when you get to the refugee camp, and I'll give it to you for \$1. But the only problem is, he's got a thousand of them. He only makes 1,000 bucks, but it's still small change. I don't know, other than those people who simply are trying to manipulate U.S. policy, try to throw us off the track.

There have been examples in the past that clearly the intelligence services in Southeast Asia were manufacturing stuff, and it goes up and down, and almost seemingly without the knowledge or active participation of the foreign ministry or other high officials in the government. But the dogtags that are manufactured and/or submitted to people here in the United States, all kinds of things that there is no really good answer for, I'm afraid that whatever the reasons are, what we put the families through is that they had their heart broken the day they got the news that their loved one was missing, and they have to go through this agony of having to live through it again.

There's nobody on my staff or anybody I know in the Pentagon who doesn't want these reports to be true. We don't want to have to tell another family that they've been jerked around by a scam artist. I mean, there's this one group that I know has touched at least two and probably three families and they're still doing it. Despite our passing on the word that there's something really fishy about this whole group, the same people are passing on information that one, related in one fashion or another to the Borah photograph, to the new Stevens photograph, and to information having to do with the Robertson, Stevens, and Lundy photograph.

Senator McCAIN. Do you want to identify this group?

Mr. FORD. Well, I do not know their real names. I just know of them. They are people operating out of Southeast Asia, Laotians who claim to have information that they'll provide to us and they provide it to a number of Americans, private people interested in the subject, Government, like us. It's unclear whether they—the people receiving it, mostly Americans, accept at face value that it's probably—could be true. And how—where do you cut off? I mean, just because a guy is a known scam artist and he gives us a photograph, I don't immediately assume that it's bogus. I can't afford to, because it may be the one time that either he stumbled onto the truth, or for whatever reason, this time it's real. So each one of

them has to be taken seriously and checked out with the hope that it might be true.

But when you find people who are clearly involved in this, the only thing we know to do is polygraph them, and if they pass the polygraph, take them very seriously. Unfortunately, every time we get a chance to get hold of one of these guys and put them on the polygraph, they blow it, and so we just keep pushing ahead hoping that one day we're going to find one of these people who has some real information. If we do, I'm confident there's—that it's not just rhetoric. If we find out the location of Captain Carr or anybody else, there is no doubt in my mind there won't be any foreign policy, there won't be any domestic political reasons. We'll go get him. If he can't get out, we'll go get him.

Senator McCAIN. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much. Senator Robb.

Senator ROBB. Thank you, Mr. Chairman. I had to go preside over the Senate and so I missed some of the intervening testimony this afternoon and the formal opening statements of Secretary Ford, General Ryan, and General Christmas. I hope you will forgive me for stating as a point of personal privilege that my own association with General Christmas goes back something in excess of 25 years, when he and I were company grade officers and served together. I have not had much contact with him since he was Medevaced from Hue after a very courageous and very heroic display of leadership, and he was recovering for quite some number of years, but I am very pleased with the prospect that we may have an opportunity to work directly with General Christmas, and I hope when we make the visit to Vietnam next year that he will be in country at the same time so that we might have an opportunity to visit some personally.

As an aside, I bring him greetings from Pat Mayer, someone he will remember going back 25-plus years from another Marine Corps association.

If I may, Mr. Chairman, I would like to ask one question that goes directly to the area that General Christmas is overseeing at this point, and that has to do with the ability to follow up on any contemporaneous reporting of live prisoners, what I guess in the civilian world would be viewed as a form of hot pursuit. General, would you say that given the configuration and the resources that are available to you at this time, that you have the capacity should someone have a contemporaneous live sighting, and not one that is reported and is very, very old, to follow up expeditiously to determine whether or not it is true and whatever else might be appropriate?

General CHRISTMAS. At present, Senator, we're putting in the mechanism that provides that, and we have talked already today about the need for the Vietnamese to be more forthcoming in allowing our Stony Beach operator—allowing our people free access so that they can rapidly respond in Vietnam. We have teams in Bangkok right now. We hope that as things progress in both Laos and Cambodia that we will be able to put detachments there that will be able to react immediately to those live sightings.

Now, will we be able and prepared to bring that American out? Well, I think that is the reason we need a good, solid, joint task

force that can respond to policy that will come from the national command authority, from the Secretary of Defense and down through the Chairman to us.

Senator ROBB. Let me ask just one other question. You talk about the coordination between the two commands. One of the concerns that I have had with respect to the whole POW/MIA issue has been the number of different agencies that have some level of responsibility for follow-up in any of these areas, and I am curious. Either you or Secretary Ford might be able to respond to this question. The new assistant secretary for POW/MIA affairs, where will that individual fit within the chain of command? I think General Christmas described the chain of command on the military side, and I am curious how the responsibility of the new assistant secretary will play out with respect to the military assets that are available and/or other civilian agencies that may have an interest in this particular question.

Mr. FORD. Senator Robb, the way I would describe it is a very close partnership between the deputy assistant and the joint task force at CINCPAC. The deputy assistant for POW/MIA affairs will be the Secretary's personal representative on this issue, so that when the military comes through the normal chain of command from the CINC to the Chairman, they then come to the Secretary with recommendations. As we did in Desert Storm, or as we do on any sort of crisis situation, it is then up to the deputy assistants to brief the Secretary and give him advice and provide comments to the Chairman and to the military.

We're going to work this issue the way we work every other issue and that is a very close working relationship between the military, who are implementing, and the Secretary who has responsibility for overseeing the policy aspects to make sure it is done right.

Senator ROBB. With all due respect, Mr. Secretary, I must say when you say that you have a partnership rather than a command relationship, it concerns me a little bit. I am pleased, and I think one of the innovations that has been most helpful in Desert Storm, for instance, was the kind of clear command and control relationships that were in evidence. I am not suggesting a specific response or solution this time around, and indeed hope that kind of partnership would exist in all cases.

Mr. FORD. I wish that we had a perfect answer for you. I think that what General Christmas said was very true, and as the Carper Committee, and I'm sure this committee will find, there have been too many cooks in the stew. We are taking the military chain and we're putting in one cook, the JTF commander—and that one cook is reporting to the chairman and to the Secretary of Defense.

The DASD will be working for the Secretary of Defense, so there's going to be fewer cooks, more responsibility, and at least in terms of the Secretary, there'll be somebody he can turn around and say who's responsible for this. On his side it will be the DASD, whoever that should be. He will also be able to turn to the Chairman and say, why did we make a mistake, let's get it right. So the responsibility chain is much more limited now, and he can turn around and see who was responsible for good things or bad things, whichever they may be.

Senator ROBB. Mr. Chairman, I note that we have some number of cooks in our chain of responsibility, one of which is to report to the floor when a vote is on, and a vote has just begun. With that in mind, I will defer any additional questions. You may have something that you want to tie up at this point.

The CHAIRMAN. Thank you very much, Senator. What I am going to do is I want to keep this going. Senator Smith has departed for the floor to try to vote rapidly and return, and then I will leave so that we can try not to have an interruption if possible. I know Senator Grassley had some more questions. I would like to—

Senator GRASSLEY. Should I go vote?

The CHAIRMAN. I think it would be good if you went to vote now and then came back as fast as possible. That way you can back up Senator Smith and we can continue the process. We do have one last panel after this.

With respect to the helicopter situation and the ability to go out on a fast response, live sighting capacity, is there a discussion with respect to Laos of having non-U.S.—identified—I mean, I could well imagine why some people would be apprehensive about United States colors flying in choppers in Vietnam. Is there a methodology to get a lease-back situation, private company to somehow deal with that?

General CHRISTMAS. Yes sir. Senator, you have—the preferred course of action is obviously good old U.S. birds with our pilots to put our folks in and put them out of harm's way. We would feel a lot more comfortable that way. Obviously, there are other courses of action that we have to fall back on to provide that capability. The second course of action is, of course, is leasing. Currently—both working with the Vietnamese, working with the Laotians and working with the Cambodians—recently, for Tang Island we went into leasing-type agreements. Of course, the third course of action is, as you've heard so much, that the Laotian helicopter that's now down, or the old Russian helicopter with the Vietnamese—sir, we go from the top and then we take the next course and the next course.

The CHAIRMAN. Well, I think the third course of action is not acceptable and I tried to make that clear when I was over there. Ambassador Lang is not here right now, but I know his representatives are. He will be back tomorrow morning, I know, to follow the proceedings, but I made clear to him and to the Vietnamese, on the record now, that this committee when it visits in February will look hard at whether they have fulfilled the promises that have been made.

To whatever degree the Vietnamese are looking for an improvement in the relationship, I know I can speak for every member of this committee that if that access is difficult, or if those promises are not being fulfilled, we are going to look with a big question mark at that. And I have personally had General Secretary Do Muoi, and prior to him, General Secretary Ling, and the Foreign Minister, and all the other members of their departments look me in the eye and say, you can go anywhere in the country and we want you to have access.

So I think the committee is going to look very hard at the follow through on that. General, if we can be helpful, obviously, in trying to leverage it, let us know.

What is the process now for a live sighting follow-up? Do you initiate immediately? Do you follow up actively? Does it have to go to Washington, or is this an instant kind of response?

General CHRISTMAS. Well, first of all, if obviously we can make an immediate follow-up, if in other words the information has come to us right there on scene and we can initially follow up, we obviously would. What we normally do is collect the information. We collect what we can. We get it back through the analyst channels, and we try to open up all information available to see what we have. Then, if we can make that instant contact, obviously we do.

The CHAIRMAN. But you do not have to go to Washington for any approvals on that anymore. Do I understand the chain of command now?

General CHRISTMAS. Our Hanoi office has the authority to follow-up on live sightings within Vietnam, and we would suspect that if we had the opportunity to put detachments in Vientiane and Phnom Penh, they would have a similar capability.

The CHAIRMAN. Mr. Secretary, over the years you read a lot of allegations on this issue. Whole books, movies and so forth. Some people assert that there are camps that are holding 50, 200 people or so. What is the possibility of that kind of camp existing based on all the intelligence and data that we have now?

Mr. FORD. This was discussed earlier in the afternoon and I think I generally agree with the characterization that I think Ken Quinn gave. That is, in Vietnam I find it very difficult to accept the fact that there is a camp that the Vietnamese don't know about. It could be, but I find it—maybe in the central highlands near the Lao/Cambodian border it's conceivable, but not very likely. In Laos and in Cambodia, I think that there are areas in which the government does not have good control. Once you get out of the cities, the transportation is just atrocious, so it's conceivable that there could be small camps. Particularly if they moved around a lot, and were a part of—in areas in which the government didn't have good control.

Do I have strong evidence? No, I don't have that. I have reports of a general nature that people have been seen in a camp, but with not enough specific detail to really do much with. When we do, we look for it, can't find it. If we knew a camp existed we would go in in various ways and try to find out who was there.

The CHAIRMAN. What would be the rationale, even in Laos, for a group that, let us say, was not in control of the government? I mean, it has been 19 years. I take it, and I asked this of Mr. Quinn, have you or any of your people ever been approached with a possible secret deal to return somebody for money or for any other reason? Is there a record of such an offer and a transaction in the making?

Mr. FORD. By one of the governments or private individuals?

The CHAIRMAN. By private individuals or the governments.

Mr. FORD. No, the closest thing that comes to that was the Walter T. Robinson case that Secretary Quinn mentioned earlier. In fact, he described it as we made the judgment in sort of analyti-

cal terms. We actually sent a team to Vietnam. I mean, it was not—we know when we went that the chances of its being Walter T. Robinson were virtually zero, unless all of our information was wrong, but the picture was compelling that it could be an American. The position that we took at Defense was that we don't know who this person is. It could be an Amerasian, it could be an American, but why don't we just go up and ask him and find out. Well when we got there we found out that he was Amerasian, he was on his way out of Vietnam legally, and to the best of my knowledge he is out now.

The CHAIRMAN. One of the theories that is often advanced is the pearl theory, that since the French are supposed to have—there is evidence that the French did some trading in the post-Dien Bien Phu period for prisoners—that therefore people are holding Americans in order to do some trading. What you are saying is that there is no document or evidence or statement of any kind of any government official that you know of, that anyone has ever been approached in 19 years for that kind of a trade. Is that accurate?

Mr. FORD. To the best of my knowledge. I obviously don't have an encyclopedic knowledge of this issue, but I have not run across any.

The CHAIRMAN. Within the whole interagency group, no one has ever surfaced any possible deal, is that accurate?

Mr. FORD. That is accurate, and in fact, if somebody did, I'm convinced that if we thought there was some serious intent on the part of the person making the deal, we would try to follow up on it.

The CHAIRMAN. Within the Laotian culture, what would be the ability and purpose of Americans being held over the course of 19 years, or 18-plus years? Would it be slave labor? What is the rationale here?

Mr. FORD. Senator, it's obvious that you have gone through some of the same questioning that I have in terms of what the motivations would be of people. I have not come up with anything that I find convincing that explains to me why people do things like keep hostages. In the Middle East, for example—

The CHAIRMAN. For hostages, they hold them for the release of other people, correct?

Mr. FORD. Or for financial gain. All I can tell you is that there are still reports coming in that suggest that there might be live Americans in Southeast Asia. There are photographs, for example, the Carr photograph, which is compelling, and which is not just Carl Ford's eyeballing it, which I always thought non-expert. They certainly look alike to me, but as our experts look at it they also are beginning to say yeah, there is a resemblance there that's uncanny. That's not a quote, but that's a bottom line. I don't know why, what the motivation is, but the fact that there could be an American there is still something we can't dismiss.

The CHAIRMAN. Absolutely not. What I am trying to get at is the question of the wholesale—you know some of the theories hold up the notion of 50, 100 or this, or that. Now, is it possible that in the aftermath of the war, particularly during the period when Vietnam was closed to us between 1975 and 1979 particularly, that people were held but that then the dynamics changed and because holding people did not bring about what some thought it might have brought about, those people were lost, and that that may be part of

what has fueled this. Is that a theory that might have perhaps more life?

Mr. FORD. It's certainly one of the possibilities that I think that should be considered in trying to get at this question of motivation. I think that there is also the likelihood that—I mean there are other scenarios. One that hasn't been mentioned that I've always found very credible is people who were injured at the time of their loss, and that are not aware that they are Americans and they're not home.

The CHAIRMAN. Let me do this, Mr. Secretary. They are holding the vote for me, I need to get over there. I think the hiatus will be marginal because I am sure that Senator Smith is on his way back. If you could wait and we will just recess momentarily until Senator Smith gets here to pick it up.

[Recess.]

Senator SMITH [presiding]. We will reconvene.

The CHAIRMAN. We will be back in just a second. I am under the impression, based upon the comments on the floor, that there probably is going to be another vote, they say within 15 minutes after this one ends, but this one may be open for a little while because there were a lot of Senators who had not yet voted, even though the time had run out, so we will just try to keep going. Just a couple of more points for me. It seems as if you are very candid about problems that may have taken place in the past. Is there any way that you could recommend how we could reconstruct some of that to see if anything was missed, back in, obviously long before your watch, back into the period of the 1970's and moving on up, how we could reconstruct just some of those mistakes—not in the sense of trying to identify anybody who is making mistakes necessarily, that is not the point, but just to try to see if there is anything that we did miss, so we do not have to go back and root through reams of stuff that you have all been through?

If you could help us in that regard, either with a comment now or something perhaps for the record, it would be very helpful.

Mr. FORD. I think that I briefly mentioned where I would start, and that is asking to appear either in public session or private session, whichever you prefer, some of the people who were my predecessors who worked the issue, and hear from them directly. I'm sure they've thought about it and have thought about their actions and their decisions. They may think they were all perfect, I don't know. But I think that's the place to start, with the people who were involved directly with these issues at the time, and get from them their view 10, 15, 20 years later.

I will be very frank with you that I have been so busy looking at today and tomorrow. There are so many things to do that I don't have time to do. In fact, that's why I strongly recommended to the Secretary that we have a deputy assistant. As far as I'm concerned, it's a full-time job. I can't devote full time to it, and when I realized that, that was my recommendation; we've got to get somebody full-time. There are so many things that we would like to do better in terms of the way we interface with the families, how we want to—as you see, we are beginning to have the military take a much more active role now that we have more access to Vietnam, Laos and Cambodia—and those are the issues that I've concentrated on.

I will admit that if I'd had more time, I would have probably thought more about and done more about some of the things that happened in the past. But, to be quite honest, my priority has been on where we were going.

Senator SMITH. Just a couple of comments, and you might want to respond to them if you wish. In listening to Senator McCain's line of questioning regarding the photos, and a lot of banter back and forth in regards to what the motives might be, one of the striking things about those photos to me was, and I think everybody agrees—I know you and I do because we talked about it—was that at the very least the similarity between the alleged POW and the other subject. I mean, if this is a scam and these are not valid photos, this is not just somebody dragging out belt buckles; these are fairly substantial efforts.

Mr. FORD. They're pretty well-organized and knowledgeable people doing it.

Senator SMITH. I mean, you know you just cannot go out and find somebody as handsome as you or me that quickly, you know what I mean, it takes a while. It is not that easy to do, to get somebody with at least a similarity, and I know that certainly the Borah photo, and certainly the Carr photo, or the alleged Carr photo, there is a similarity there in many ways. So, still I guess the jury is still out on that Carr photo.

Mr. FORD. Well you and I have talked, and I've spoken to Mr. Borah on the telephone, I have not met him, but I have seen Mr. Borah and at least one of his sons on television. I can remember at the time, having seen just the photograph, and seeing the family members on the television, saying, wow. Just simply the hairline, the shape of the face, there clearly was a very close resemblance between the Lao tribesman and the Borah family. The family resemblance I thought was striking at the time. It was in my mind not a foregone conclusion that that particular case was going to turn out the way it did.

Even when I see the photographs today, it's clear to me that somebody had to do a lot of homework to match up a hill tribesman in Savannakhet province in Laos, take a picture of him, and then come back and somehow be knowledgeable enough to make the association with Lieutenant Borah. That's quite extraordinary. As we got into this case, there seems, as I mentioned earlier, the people who had provided us originally the Borah photograph, as we go back and trace where it came from, those people seem to be up to their hip boots in all kinds of scams. Why they did it, what's in it for them, I don't know. This is one of those cases that I have had to talk to Mr. Borah and hear the pain he feels, and the uncertainty about what's happening. He wants desperately for this person to really be his son. Anybody who would put those people through it, they ought to put him in jail and throw away the key.

That's my own personal view. I don't know what the motivation is, but I don't really care as long as this sort of travesty goes on. One, it breaks the hearts of the families, and second it makes our investigators' and our specialists' job doubly difficult. As I said, we can't just assume—well, it's another scam. The fact is that you see in the Borah photograph and the Carr photograph—you see a compelling resemblance that has to make you go the extra mile, even

when the trail gets cold or it looks like it might be another scam, you just keep pushing.

Senator SMITH. Let me ask you one other question before Senator Kerry gets back. Roughly 500 or so of these Lao missing who have not been accounted for, a little over 500. It is my understanding that about 120 of those individuals were in one way or another seen, or witnesses say that they ejected, or at least our reports indicate that they ejected from their aircraft, which would remove them from any casualty site—or should move them from any casualty-site excavations that we are doing.

Have you pulled those, isolated those cases and are you working on them? They are not in with the discrepancy cases that General Vessey's working. So have you pulled these things into one group and are looking at them that way, one by one, or how are you dealing with them?

Mr. FORD. We're trying to, but part of this is simply a matter of chance. That on the day of an individual's loss, for whatever reason, we happen to have more information, and so we have more to begin with. We are trying to prioritize our resources and efforts toward the ones that we have the most information on, more information to go on. We are trying to find out as much about each of these cases as we can, put them in some sort of order geographically, and in terms of information so that we can go on to find them—and we're systematically trying to go through these cases.

Part of the problem in Laos and Vietnam is that we have been working on these 119 cases in Vietnam, for example, since the 1987-1988 time frame. Only now, in the last trip—the last two trips to Vietnam—have we begun to get out beyond those cases and say we've got to go to other areas and visit other places and interview more people.

In the case of Laos, we know where many of these areas are that the Pathet Lao held Americans, and we want to go there, we want to talk to people. There are no crash sites, we just simply know where the caves were, and we want to go and talk to people who were there. We've found in our experience that they have pretty good recollections of those days, and that by piecing together the stories of several different people we can often get a somewhat better account of what may have happened to some of them.

You've got to remember that most of the cases, and the number escapes me right off the top of my head, most of the cases in Laos are cases in areas where the Vietnamese were in control. When we go to the Vietnamese, they say, well, that's in Laos. We don't have any control over that. When we go to the Laotians, they quite rightly say, listen, the Vietnamese were there during the war, we don't know anything about it. We have been back and forth with both governments for as long as I've been here, trying to get them to focus on these cases.

Senator SMITH. This is why we need some kind of trilateral talks. Mr. FORD. Yes, and we seem to be making some progress. The State Department, hopefully with others' participation, will be meeting with the Vietnamese and the Laos in December in Hawaii to talk about this very issue. We're also prepared to talk to the Cambodians about it. I'm not going to promise anything because we don't have anything concrete, and I've been disappointed before

thinking that we've made some progress on the border cases. But I think that we're in a better position now, we have more leverage than we've had before, and I'm at least hopeful that this time we won't be disappointed.

Senator SMITH. All of that information that came out about the atrocities and all the press reports and information regarding prisoners in Laos and so forth, I assume that you have—I have never really looked at what you have on that particular subject in the intelligence—never had the opportunity to do that. I assume that is somehow catalogued or together in a way that that can be looked at by the committee. Is that true, so that we can at least get a rebuttal to those public statements that were made by Lao officials and others about POW's, allegedly holding POW's by the Pathet Lao.

Mr. FORD. I'm not sure what order and shape it's in, but I'm sure that we'll be happy to share with you the information we do have. There have been a number—we are just like you. We look at Laos and we see hundreds of question marks and it is a difficult area for us to operate in, and a difficult area for us to come up with answers. I mean, we have had the reports—the same reports of Americans who we know were in captivity at one point or another in Laos and we don't have any answer as to what happened to them. Until we do, we're not going to feel very comfortable that we're on top of what's happening in Laos.

We are at a position now where, for example, CODEL travelled to Laos, and one of the Congressmen put the Laotians on the spot and said, well I would like to talk to Soth Petrasay, and the story had been that he was dead, and that's what we had been told for some time. We come to find out he's not dead, and they indicated that they were going to let us have access to him. I right off the top of my head don't know, but this—I think you will find it fascinating to talk to Bill Gadoury when he appears before you tomorrow. He is a bright, articulate, dedicated person who has been working the Lao problem for some time, and his insights and his direct knowledge, rather than hearing from me second or third hand, I think you will find very interesting. If he doesn't know the answer, the answers aren't there.

The same is true for Bill Bell in Vietnam, and John Cole for looking at the intelligence view. Hopefully you will be able to have more satisfaction when you talk to where the rubber hits the road with—our field people.

Senator SMITH. Senator Grassley, do you have any further questions?

Senator GRASSLEY. Yes, I do. Mr. Ford, just so that we are all working from the same sheet of music, and this is along the line of questions you heard me ask other witnesses. If this committee were to show that a discrepancy case, or any other case for that matter, which has been determined to be resolved and which should not have been resolved on the merits, and which on the merits should have remained open, can we expect that such a case to become a discrepancy case that needs to be resolved?

Mr. FORD. Definitely. If we make a mistake, we'll be the first ones to admit it and be glad that we made the mistake. If some-

body walks out tomorrow and we said they were dead, you won't hear a peep out of us, we'll be as happy as everybody else.

Senator GRASSLEY. When you are briefed on the various cases, do you read the live-sighting reports and raw intelligence data or do you rely upon summaries of these?

Mr. FORD. It varies. My staff receives, I think, every report from DIA. Those reports that they believe are significant or something that I ought to know about right then they submit them to me. If they are ones that they want to have DIA check out more closely or that appear to be more routine—say it's 5 years old as opposed to something more immediate—I do not see all of them. I think that it's an area in which we have learned by example that we have to keep a very close pulse on.

I have, for example, talked to the head of the POW/MIA office in DIA, Bob Sheetz, and indicated that I wanted him to err on the side of badgering me with information as opposed to feeling like I didn't want to hear about it. I just don't want to be in a position that I'm the last to know that there is some important piece of information that somehow just didn't get to me.

Senator GRASSLEY. The last time I saw you we were on a late-night network show together, and on that show you indicated that you had four analyses pertaining to the Carr case. What are those analyses and what did they show, and has the Sandia lab ever analyzed the Carr photos using negatives?

Mr. FORD. The last part of your question I would have to double-check. We have a report that I saw for the first time yesterday back from Sandia, I think, that is of the Carr photograph. The reason I pause is that I got a report on Stevens and a report on Carr yesterday. One was from Los Alamos and one was from Sandia, and I may have them mixed up. The report from the Carr photograph was inconclusive but they indicated that there was a great resemblance and that they thought it was possible that they were the same person—the two photographs.

It's the most positive report from any of our expert photographic analysis people that I've seen. They found there were many similarities. In fact, as I mentioned to several people, in fact, it was from Los Alamos and it said, in our view, a strong possibility exists that the subject, in this case the Carr photograph we've all seen in the newspapers, is an aged Captain Carr. They go on to say, however, this assessment is not conclusive, but that's the most positive one I have ever seen. They also have a photograph where they have taken—what I thought was a very interesting approach—half of the wedding photograph and half of the more recent photograph and put them together, and there is quite clearly a striking resemblance.

[See appendix p. 398.]

Senator GRASSLEY. Were those analyses done from the negatives?

Mr. FORD. I would have to check the report to be sure.

Senator GRASSLEY. If they were done from the negatives, would you supply those to the committee?

Mr. FORD. The information, or do you want the negatives?

Senator GRASSLEY. The negatives.

Mr. FORD. I don't see why there would be any problem with that.

Senator GRASSLEY. What is the status of your analysis of the Stevens photo where he is allegedly standing with a woman?

Mr. FORD. That was the other report that we got that I saw yesterday and that report was just the opposite in the sense that it was inconclusive but, in their judgment, it was not likely that it was Stevens.

Senator GRASSLEY. What is the status of your analysis of the photo of the three pilots, I guess the first photo that you were made aware of?

Mr. FORD. This has been a difficult case for us because we have not been able to locate the people in the picture. We have not been able to locate who took the picture and we have family members who are convinced that they are their loved ones.

We have no direct information other than their identification and we still continue to have an active investigation of that photograph.

Now, what we have known is that associated with the photograph, either directly or indirectly, has been a series of scams, but they are not the photograph that the families identified.

The only thing that has been altered in that photograph is a sign that appears on the photograph. That appears to have been done by the same people who did the photos out of the Soviet magazines.

The CHAIRMAN [presiding]. Would my colleague yield for a question just for a moment?

Senator GRASSLEY. Yes, but I think he has answered it satisfactorily and I will go on to my next question—but I would yield.

The CHAIRMAN. I understood from some sources that there was an enhancement done which showed the individuals in that photograph carrying rifles, carrying weapons, and the notches and ends of their weapons were actually visible at the lower end.

Is that accurate?

Mr. FORD. That is correct. That was from one of our national labs photograph analyses. It appeared to be German World War II weapons.

The CHAIRMAN. Is not there some sort of inherent contradiction in the notion that three people are being held prisoner, but they are holding rifles kind of surreptitiously in the picture?

Mr. FORD. Sir, I understand your question. I understand your concerns. The standard that I have is if I can demonstrate to the families that their identification is incorrect, I don't hesitate to approach them with that case. If I don't have the evidence, as far as I'm concerned, until I have the evidence, I'm going to keep looking.

The CHAIRMAN. I think all of us appreciate that and I think that is the right way to approach it. But I did not hear you volunteer that. I have not heard that sort of come out. I mean, that is why I asked you, I guess. I just wanted to make sure that was, in fact, ascertained by the Department and one of the question marks that is now raised with respect to the photograph.

Mr. FORD. We can not say that the family identifications are incorrect. We have real questions and I've explained.

The CHAIRMAN. I will raise the family as a question mark and as I say to you, I understand why you do not say it is incorrect in the face of positive identification.

Mr. FORD. It is one of the cases Senator Grassley talked about where we had made an analytical judgment on Colonel Robertson. We have, in fact, taken that back and said, well, not so fast.

We may have made a mistake, despite the fact that the Vietnamese have provided us with even more information than we had before. As long as we have these inconsistencies that are difficult to demonstrate to any degree to the family, we are going to keep the case active and keep it open.

Hopefully, we will find who is in that photograph and that will solve the question.

Senator GRASSLEY. Before I ask my next question, besides those negatives, if that is what you have, also the analyses of the negative?

Mr. FORD. Yes, I want to make sure that I don't mislead you. I was going off of just my recollection. My staff has indicated to me that we no longer have the negatives. They were given back to Colonel Bailey, who requested them from us.

We have, I hope but I don't know for sure, we have gotten a later generation of photograph and/or negative that we were working from.

Senator GRASSLEY. But you could provide us with your analyses?

Mr. FORD. Yes, sir. In fact, we can give you the analysis that we received not only from our own in-house, but also, if we have the Sandia or Los Alamos reports, we'd be happy to provide those as well.

Senator GRASSLEY. According to Secretary Cheney and General Vessey this morning, a DOD policy states family members can have access to information about their loved ones, except for information that would compromise sources and methods.

Is that your understanding of our policy?

Mr. FORD. That is certainly my understanding, that that is the policy. I hear the same complaints that you do from family members who feel that we're not giving them enough information or that somehow we're holding back.

In most cases we find—that I have investigated personally—that is partially true. In some cases, they're just through error. They have more or less than some other family member.

Sometimes it's our fault and sometimes it's the family's fault, but there are problems there that we've got to correct. When people come in, as I had—there's a young lady here from Alaska, I think she's here today. You don't have to talk to her very long to realize that she has a real problem with us, and that she doesn't think we played fair or square with her.

As long as you have that, it's hard to say, well, we're doing a great job.

We're going to have to find a way to make sure that as many family members as we can are satisfied with the treatment that they receive from the Defense Department.

Senator GRASSLEY. Well, that is very good and I am glad to hear that and I am sure you would not condone that lack of cooperation. I think you have answered my question. It was going to be that if the committee brought you information to this effect, you would consider it and look into it and I think you have said that.

Mr. FORD. Yes, we sure will.

Senator GRASSLEY. Mr. Chairman, I have just one last question. In our previous conversation before I went to vote, you mentioned only seven of the 102 new personnel will be with Stony Beach. There's a 1986 memorandum of understanding between JCRC and Stony Beach, determining that JCRC would handle excavations and Stony Beach would handle investigations of live sightings.

Has there been a new memorandum of understanding?

Mr. FORD. Not to my knowledge, Senator, but I think that we have to keep in mind that we are in transition to a new set of organizational procedures, both on the civilian side of DoD and also on the military side, and that the joint task force is trying to centralize and organize this process. When we do that, we are also trying to protect our credibility and our ability to look at this problem from Washington and to make sure that there is a certain transparency in our process.

We frankly have not worked out all these arrangements and procedures and we are seeking recommendations from the field from DIA on how we can best do that under the circumstances.

If that means change it a little bit, we will change it. If it means keeping the old procedures, and everyone decides that the best way, we'll keep that.

We have a new opportunity that we didn't have before. We've got much greater access to Vietnam. So we're going to tailor our approach and our procedures to fit the situation.

Right now, it's too soon for me to give you a judgment on where we're going to come out. Hopefully, it will be the best answer but we will keep you informed as we make those decisions and you can judge along with us whether we're doing it right or not.

Senator GRASSLEY. I think what you are probably saying is there could be a new memorandum of understanding.

Mr. FORD. That is quite likely.

Senator GRASSLEY. Thank you.

The CHAIRMAN. By way of housekeeping, let me say that we are going to have another vote here shortly and possibly even another vote after that.

It has been a very long day and I think that it really makes a lot more sense not to feel any pressure and not to treat the next panel haphazardly.

So what I would like to do, if it is acceptable and I understand a number of you have to be over at the House in the morning, I would like to ask Mr. Nagy and Mr. Sheetz and company if you would be willing to come back after that in the morning.

I want to go with the first panel with Mr. Bell and Colonel Cole, first and then we will put you on after that. I think that will flow well that we will be able to fit everybody in without as much pressure as today.

So we will end with this panel momentarily as we head over.

General let me just ask you, now that you have this new structure and you have this new ball to juggle, are you satisfied that right now you have the structure in the making that is going to permit you to do the job, that we are not going to come back here in five months and say you did not get what you needed or that you did not ask for what you wanted?

General CHRISTMAS. Senator, yes I am. The reason I am is because that is what the two-tiered strategy is all about. It is a strategy that worked in Desert Shield, in Desert Storm, a strategy that worked in Bangladesh with Sea Angel, the strategy that worked in the Philippines with Fiery Vigil.

Very simply, you have a Joint Task Force commander and he's responsible. Just above him is the Commander-in-Chief of the entire Pacific Command. It's a direct line.

Whatever that Joint Task Force commander needs, he goes to the CINC. He goes through me, the Director of Operations, as a facilitator.

I will go to all those component commands, Army, Navy, Air Force, Marine Corps, and those sub-unified commands. What we can't do for him from that aspect, then I turn to the Joint Chiefs of Staff and I say, we need this additional support to be able to carry out the mission.

Yes, sir, I'm very confident that this is the proper organization, with the unity of command that is genuinely needed to accomplish the mission.

The CHAIRMAN. Now, with respect to personnel on the ground, when I was there last and discussed this with Bill Bell and others, I raised the question, should we have a team for each province? I mean, if this is really a priority and if we are assuming that somebody might be alive, then every day that goes by is a day too many.

Do we not, therefore, have an obligation to maximize the on-the-ground effort, the search capacity, the oversight, et cetera, and really push for more, even now?

I know the response from Bill and others is, do not give us unqualified people. It takes time to train people and have them qualified and so forth.

I guess my question is, are there not, within the reserves in this country, personnel who did time in Vietnam, who are Vietnamese-language qualified, who are disciplined and quickly trainable and who might be able to augment this thing so that we could really get at it rather than just doing what is enough? Go in with almost a surplus of people and make it happen?

General CHRISTMAS. Senator, that is the ideal thing about a Joint Task Force. It is a task-organized force. We can reach out, as an example, requesting through the Joint Chiefs of Staff to get certain capabilities, as an example, that might be in the reserve.

The key is that, this is a living organization that will expand and contract based on the access that is provided to us. Bill is very clear, we can only put into his detachment, those folks who are qualified.

The folks who we are now getting, who have been authorized by the Secretary of Defense, are those from all of the armed services.

As the Hanoi detachment develops its leads, and says, this is what I need, We will be able to task-organize, our teams and be able to bring in to them exactly what they need to accomplish the specific task at hand.

The CHAIRMAN. Mr. Secretary, does the DIA have a database into which all of the information, human intelligence, signal intelligence, photo intelligence, from all agencies has been collected and cross-tabbed?

Mr. FORD. I can't confirm that myself, Senator. I think that Mr. Nagy and Bob Sheetz and others would be able to do that.

My sense is that we have tried over a period of time to find every file that we can find, wherever it might be located, because in our business, bits and pieces of information, no matter how fragmentary, can make all the difference in the world when you work with so little.

A lot of information is in Hawaii, where our field operators have been operating out of, so they have their database. We try to make sure that the DIA and the JCRC and CIL-HI were working from the same sheet of music.

In fact, when we can, we have been trying to pass sanitized information to the Vietnamese, so that they have some sense of where we're at and how we're operating.

I can't guarantee you that all of these databases are exactly the same and, in fact, I'm almost certain that there are things in one that are not in the other. It's a problem that we're just trying to work on now.

Hopefully, with the unity of command that we've been talking about, that will be one of the priorities, to make sure that all of the databases that we've got are exactly the same. People will share and be able to copy and give information to each other, just a double-check, to make sure that we have all the files.

The CHAIRMAN. With respect to the helicopter situation, what is the Lao objection to that? Have they stated a specific objection?

Mr. FORD. Well, I find that the Vietnamese and the Lao have similar objections and that part of it is that these are, lest we forget, still Communist countries that we fought for some period of years and don't particularly cotton to the notion of U.S. Army helicopters or U.S. Air Force helicopters flying over their territory.

I don't agree with them, but I think that that's clearly the first and foremost it's a matter of national security. They're not particularly sure they trust us with our helicopters.

We never said that would stop us. We'll do it any way they want to do it. Part of the problem, and you've been there, both of you, we're just tired of putting our people in the field at risk by flying MI-8 helicopters that are not in good repair.

We've got to get out there. Why not from Australia, why not from the United States? Laos is talking to an Australian company. We simply said we would pay you to lease these things. Do whatever you want. Buy new helicopters. Rent them, lease them, buy American, whatever you want to do. Get some new helicopters.

Now, this is something that I think will make a difference. Basically, the message they're getting from the policy community is solve the problem. Whatever you have to do, get better helicopters. I'm confident that when you go out in February, we'll at least be able to give you much better answers and we'll know where the blame is, whether it's in our court or—

The CHAIRMAN. Well, I would hope that when we go out there in February that we have some choppers that are operating and that will work. I can understand that, sir.

Senator SMITH. I will second that. [Laughter.]

The CHAIRMAN. I really was not thinking just of us personally, but I was thinking far more of just getting it going. I must say this

will be a bone of contention, because they legitimately raised the question, the sensitivity to, you know, a green helicopter with U.S. markings—might even become a quick target.

But to have neutrally marked and clearly identifiable choppers of some other kind, whether with red crosses on them or whatever, it seems to me there ought to be a way to get them there and get them quickly.

My personal opinion is if you want to put to rest people's questions about response time on a live sighting or ability simply to react and go out, there are few things that would contribute as much to that. Then I think it would be a tremendous step forward. So I hope it can happen sooner rather than later.

Mr. FORD. It is hard to imagine a live-sighting program that's credible, that doesn't have the ability of free access any place, any time we want it and in a practical way.

Now, I would point out, Mr. Smith mentioned several times this problem, when the 25-mile limit was lifted on the Vietnamese, for example, they can travel anywhere in the United States, they can lease helicopters, we don't ask them where they're going. They can do anything they want in this country.

I think what we're really asking is reciprocity. In this case, one that is extremely important to us, to be able to go and check out on live prisoner issues that will never be credible if we have to ask the Vietnamese or the Lao every time, oh, by the way, we want to go check on a prison that may be located 35 kilometers from Savannakhet. I mean, how will anybody believe us that we're really serious about it, if that is the procedure that we have to operate under?

The CHAIRMAN. I agree with that and I think it is terribly important to move forward on that.

Mr. Secretary, as I asked you earlier, I do not know, you are not going to be here every minute, because you go to the House, but I gather you will have a representative here who will—

Mr. FORD. Yes, I will. We'll have somebody here at all times.

The CHAIRMAN. And you will personally return on the back side of these hearings?

Mr. FORD. Yes, sir. I've talked to Ken Quinn and he's also prepared to come back.

The CHAIRMAN. The reason I say that is I think nothing could be more important than to have front and center to respond to some of the families' concerns, to some of the critics' concerns, and where you cannot, to be able to say to us that you are going to get that response the next day.

I think that will help build the relationship and begin to defuse some of the feelings that there is an unavailability or an unwillingness to do so.

Mr. FORD. We look forward to the opportunity to come back and we'll try to put sort of a representative sample of the administration witnesses together so that we can try to cover as many of the issues as we can.

The CHAIRMAN. That would be very, very helpful and the committee will obviously make any time available to you that is necessary to do that as we proceed from here.

We have another vote on, we are on the back end of it. As we adjourn for today, let me re-emphasize that the committee understands that it has so far only scratched the surface of a lot of issues.

Much of this work will not be done here in the hearing room, it will be done through staff's talking depositions, through interrogatories that will be responded to, through data that will be collected and evaluated. As we go along, hopefully we will draw some intelligent and thoughtful conclusions or even some questions and then come back and pose them, without jumping to any hasty conclusions or judgments.

One thing that I want, and I know Senator Smith wants, is for the committee to be judged as being absolutely neutral and fair in this process. There is a lot of data to go back and review. So this is the beginning, it is the baseline, and there is a lot of work yet to be done over the course of the next months.

I am, again, very appreciative to you. It has been a long day. I know you have got other things you would like to be doing. I think it is important, obviously, and I know you think that, or you would not have been here.

I know the Secretary, Secretary Cheney, thought it and thinks it or he would not have made this commitment of his staff throughout today.

It is a good beginning and I think we all very much appreciate you for helping us to make it so. I hope we can build on this over the course of the next months and put this issue to rest, for families, for the country and for everybody. There are some tough choices yet to be made, but I am confident that we can do it.

General, I applaud you for your commitment to this thing in classic Marine fashion and we look forward to working with you. Thank you very much.

We stand adjourned until 10 a.m. tomorrow morning.

[Whereupon, at 7 p.m., the committee adjourned, to be reconvened at 10 a.m., Wednesday, November 6, 1991.]

POW/MIA POLICY AND PROCESS

WEDNESDAY, NOVEMBER 6, 1991

U.S. SENATE,
SELECT COMMITTEE ON POW/MIA AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 10 a.m., in room SH-216, Hon. John Kerry, Chairman, presiding.
Present: Senators Kerry, Brown, Grassley, Kohl, McCain, Reid, and Kassebaum.

OPENING STATEMENT OF HON. JOHN KERRY, A U.S. SENATOR FROM THE STATE OF MASSACHUSETTS

The CHAIRMAN. This hearing will come to order. Good morning. Welcome to the second day of hearings of the POW/MIA Select Committee. We appreciate everybody's patience yesterday. It was a long day. It is my hope that today will not be quite as long, but it is an important day of testimony also in helping us to set out the framework of the next months.

We will begin today with the testimony of Garnett E. Bell, who is Chief of the U.S. Office for POW/MIA Affairs in Hanoi; Mr. William Gadoury of the Casualty Resolution Center. He is a specialist in Laos of the Joint Casualty Resolution Center; and Colonel John Cole, who is the Director of Stony Beach, the DIA entity in Thailand.

Each of these gentlemen has traveled back a considerable distance and at some personal and professional dislocation in order to be here. They are not used to testifying before Congress; if they had their choice, I know they would not choose to be here before the Congress. But it is precisely because they are not the normal testifiers that their testimony is really so important to us.

I think that each and every one of them brings a remarkable level of commitment to this issue and of understanding about this issue. We are extraordinarily fortunate to have these kinds of professionals involved in this effort. Yesterday I did not say lightly that I think they are really legitimate heroes of this effort.

Today I want them to tell their own story, and we may have to try to drag some of it out of them because I know that they are modest and they are not going to talk about the length of time or the amount of energy they have put into it very easily. But I think it is terribly important for America to hear this.

Their story is an important part of understanding the genuine good faith effort that people have been making and the type of commitment that individuals have made to this issue over the years. And any inquiry into the POW/MIA effort that is lacking in

their testimony is an incomplete inquiry; that is why we are here today.

We are not going to spend a lot of time with openings. We want to try to maximize the time for testimony. So let me just turn quickly to my colleague, Senator Smith, and see if he has any comments and then we will proceed.

Senator SMITH. I have no opening statement, Mr. Chairman. I am anxious to hear from the witnesses.

The CHAIRMAN. Without further ado, then, we turn to the testimony of our first panel and, gentlemen, I would ask is there a particular order you are going to testify in?

Mr. BELL. The same order on the list here.

The CHAIRMAN. Could I ask each of you if you would stand so you may be sworn?

[The witnesses were sworn.]

The CHAIRMAN. Mr. Bell, if you would lead off, please. If you will forgive me, I may sort of interrupt you or any of my colleagues may to try to sort of draw out a little of the picture of this thing that may not be completely in your prepared comments. Thank you.

STATEMENT OF GARNETT E. BELL, CHIEF, U.S. OFFICE OF POW/ MIA AFFAIRS, HANOI

Mr. BELL. Senator Kerry, Senator Smith, and Members of the Committee, I welcome this opportunity to share with you my views on our efforts to account for Americans missing in Vietnam.

My involvement in the issue spans 23 years. During the war, I was assigned to an intelligence team whose mission was to collect information pertaining to American prisoners of war and missing in action.

The CHAIRMAN. What years was that? Just give us a sense of the time frame.

Mr. BELL. This was in 1968, sir.

The CHAIRMAN. Until when?

Mr. BELL. Actually, 1967 and 1968, but again in 1973.

The CHAIRMAN. And what was your rank or station at that point?

Mr. BELL. I was an NCO in the U.S. Army, sir.

Many of our team's reports can be found today in the case files which we maintained on unaccounted-for personnel. In 1973, I was an interpreter for Operation Homecoming—the repatriation of our POW's to the United States. I later served with the four-party joint military team in Saigon and the Indochina Refugee Reception Center at Ft. Chaffee, Arkansas. I have been assigned to the Joint Casualty Resolution Center since 1980 and am currently the chief of the U.S. Office for POW/MIA Affairs in Hanoi.

From an initial staff of two, we now have six people assigned on a temporary basis. The function of the office is to investigate live-sighting reports, investigate discrepancy cases, research archival files, examine and arrange for the repatriation of remains.

My presentation today will discuss our efforts to investigate live-sighting reports. I'll describe how we obtain this information and the follow-up actions which the Hanoi detachment is taking. I'll

also discuss discrepancy case investigations and what we have learned from those activities.

With the fall of Saigon in 1975 and the exodus of southeast Asian refugees, the Joint Casualty Resolution Center implemented a program to interview those who have knowledge of POW/MIA-related incidents. I have personally conducted interviews at refugee camps in Thailand, Malaysia, Indonesia, Hong Kong, Macao, The Philippines, China and Japan. My reporting has included live-sighting reports and details of southeast Asian prison camps.

Since 1987, the JCRC and Defense Intelligence Agency have shared responsibility for collecting information from refugees. Live-sighting reports receive the first priority of all interviewers. But, based on a memorandum of agreement, the JCRC interviewers generally concentrate on those who have information on remains or crash sites and grave sites, while the DIA interviewers refugees who allege unaccounted-for Americans are still alive.

Interviewers assigned to the Hanoi office have had some opportunity to follow up on live-sighting reports. For example, in August I traveled to two prison camps west of Danang to investigate a report, along with an associated photograph, which alleged Americans were being held in this area. I observed no Americans at the camps. But one of the camp commanders knew of some foreigners who were working on a hydroelectric project nearby. Our request to visit this site was denied.

The follow-up of live-sighting reports is but one way the Hanoi detachment is attempting to shed light on the live prisoner issue. We are also pursuing MIA cases of which the Vietnamese ought to have knowledge. We use the term "discrepancy case" to describe these incidents. If there are Americans alive in Vietnam, they are most likely associated with these losses.

As you are aware, an agreement between the President's emissary, General Vessey, and Vietnam's foreign minister enabled our teams to begin investigations of discrepancy cases in September 1988. The results of these investigations have been mixed. For about half of the number of MIA whose cases we have investigated, we have yet to determine their fate.

To resolve these cases, as well as the live-sighting reports, we need to meet with cadre who were involved in the detention of American POW's and also to have access to Vietnam's wartime historical archives. We have had access to some records and witnesses' testimony which has matched that obtained from witnesses no longer under Vietnamese control.

This is a good sign, but it is readily apparent to me, my fellow investigators, and our intelligence analysts that the Vietnamese can do more. I quite often remind my Vietnamese counterparts that eventually the truth will become known and that they can quicken this process by full cooperation and disclosure.

In the weeks and months ahead the Hanoi office looks forward to launching an accelerated and expanded search effort to resolve the issue of live Americans while moving deliberately to achieve the fullest possible accounting of all of our missing in action.

We certainly appreciated your visit with us last summer, Senator Kerry, and look forward to seeing all of you in Hanoi when your schedules permit.

The CHAIRMAN. Thank you very much, Mr. Bell.
[The prepared statement of Mr. Garnett E. Bell follows:]

PREPARED STATEMENT OF GARNETT E. BELL

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We certainly appreciated your visit with us last summer, Senator Kerry, and look forward to seeing all of you in Hanoi when your schedules permit.

The CHAIRMAN. Thank you very much, Mr. Bell.
Colonel Cole.

STATEMENT OF COL. JOHN COLE, U.S. ARMY, CHIEF OF THE
DEFENSE INTELLIGENCE AGENCY'S STONY BEACH TEAM

Colonel COLE. Mr. Chairman, Members of the Senate Select Committee for POW/MIA Affairs, my name is Col. John M. Cole, Jr., U.S. Army. Since August 1990, I've been the chief of the Defense Intelligence Agency's Stony Beach team in southeast Asia.

This team was formed in April 1987 to collect and report intelligence required to assist in the resolution of the POW/MIA issue. Priority is on the live prisoner issue, especially on photo and last-known-alive cases.

Our primary collection activity centers on the debriefing of southeast Asian refugees and displaced persons currently housed in refugee camps throughout southeast Asia, including Thailand, Malaysia, Indonesia, Hong Kong, and the Philippines. These refugees and displaced persons are the predominant source of first-hand live-sighting reports from Laos, Cambodia and Vietnam.

Stony Beach works closely with refugee camp administrative personnel to screen new arrivals and residents as to their knowledge of possible American prisoners of war. Individuals identified through such screening as subsequently debriefed in depth by Stony Beach debriefers. Information obtained from these interviews is reported from the Defense Attache office in the U.S. Embassy in Bangkok as Stony Beach intelligence information reports, IIRs.

Primary consumers of our reporting includes the DIA Special Office for POW/MIA's and the Joint Casualty Resolution Center at Barber's Point in Hawaii. Our tasking and priority is set by DIA. We do not actively collect crash site or grave site and remains information from refugees and displaced persons, since under the terms of our memorandum of agreement with CINCPAC, JCRC has that mission. However, when we do obtain such information, we promptly pass it to JCRC for disposition and reporting.

In addition to refugee and displaced persons, Stony Beach also screens emigres leaving Vietnam under the orderly departure program—reeducation camp releasees, reunification of families, Asians and so on—for POW/MIA crash site/grave site information, as well as information about recovered remains. We also interview/debrief persons who volunteer POW/MIA information, and it is from this source that many of the photos and live-sighting reports are obtained.

Additionally, over the past summer we have also formed teams with the POW/MIA office and with JCRC personnel to investigate late-breaking photo cases in Laos and Cambodia. In fact, we have visited Phnom Penh three times since July. It should be noted that until this past summer, Cambodia was basically a denied area for POW/MIA case information or investigation. Progress has been made in Cambodia, in that we have just developed a one-year plan

for joint investigations of first-hand live-sighting reports in Cambodia's eastern provinces. We have asked to go in in December, sir.

Perhaps this summer's most important development in terms of future significance was the acceptance by the Socialist Republic of Vietnam of a U.S. Government POW/MIA office that Mr. Bell outlined, with a live-sighting investigator as part of that staff. Stony Beach personnel have been given responsibility for this vital mission.

Progress has, up to this point, however, been rather disappointing in terms of results. Despite Vietnamese claims of total freedom of travel to pursue first-hand live-sightings, both captive and living free, our investigator has not yet been permitted by the Vietnamese to travel outside Hanoi to complete his investigations. However, just the day before yesterday we received word that the Vietnamese may now be beginning to permit this travel. Time will tell as to whether this can be done without undue advance notice restrictions.

Stony Beach personnel are professional human resource intelligence debriefers and linguists familiar with the cultures and peoples of southeast Asia. We are fortunate to have assigned totally-dedicated personnel who work far in excess of a 40-hour week, week in and week out. Most of us are military, so our commitment is not only to agency and mission but also to our fellow brothers and sisters under arms.

We are fully aware of our sacred trust and promise this Committee, the American people and, most importantly, the families of those still unaccounted-for that we at Stony Beach will not rest until our mission is complete.

The CHAIRMAN. Thank you very much, Colonel.

Mr. Gadoury, I mispronounced your name to begin with. I apologize.

STATEMENT OF WILLIAM R. GADOURY, JR., CASUALTY RESOLUTION SPECIALIST, LAOS JOINT CASUALTY RESOLUTION CENTER

Mr. GADOURY. Senator Kerry, Senator Smith, Members of the Committee, thank you for inviting me here today to share with you some of my observations on our government's efforts to account for our prisoners of war and missing in action in Laos.

In October of 1990, I retired from the Air Force after having served for 22 years. My specialty was operational intelligence. During the Vietnam war I spent 3 years working closely with our pilots who flew combat missions out of Thailand, some of whom are among those listing as missing in action.

In 1984, I began work at the Casualty Resolution Center, the Joint Casualty Resolution Center, as an analyst in Hawaii. Since July of 1985, I have been assigned to the JCRC liaison office at our embassy in Bangkok, Thailand.

I'd like to discuss two of our POW/MIA operations for which I have responsibility—the Lao refugee interview program and investigative activities inside of Laos.

When I arrived in Bangkok in 1985, my own personal highest priority was to find hard, credible evidence that Americans are still

alive in Indochina, evidence which I dearly hoped would lead to the return of some of my former comrades-in-arms. I have interviewed hundreds of people who have or alleged to have information concerning cases of deceased Americans, as well as accounts, usually hearsay, of Americans still alive, either in captive situations or living freely.

I have filed detailed reports on each account and received follow-up requirements from the DIA's POW/MIA branch office. Based on these follow-up requirements, I have conducted re-interviews with these sources as expeditiously as possible, but, despite my best efforts over the past 6 years, I have yet to find that hard, credible evidence of which I spoke a moment ago. Nevertheless, I have not ruled out the possibility that Americans may be still alive in Indochina.

In addition to visits to Lao refugee camps in Thailand, I have made many trips to remote parts of Laos searching for information on MIA's. In April this year, I led a team whose mission was to investigate discrepancy cases, compelling losses of which the Lao ought to have knowledge. The focus of this particular investigation was to determine the fate of two Americans who were held prisoner in the late 1960s in caves near the Communist Pathet Lao headquarters at Vieng Xai in northeastern Laos.

Prior to our arrival, Lao officials had located a first-hand witness to one of the incidents. He was a former Pathet Lao soldier who, during the war, was with a small unit which was responsible for caring for an American prisoner who had been transferred to their custody from another nearby unit. He took my team to a cave where the American was held for approximately 8 months; he also led us to an unmarked area where he recalled burying the American after he had succumbed to a high fever.

There were no grave markers, and the surrounding area had changed in the 23 years which had elapsed. The witness was, therefore, only able to recall the general area of the gravesite. The Lao government has agreed to permit us to return to this area during the coming dry season to continue the investigation.

As for the second American, my team obtained only limited information from a third-hand source. We are working with the Lao to attempt to locate first-hand witnesses.

The following month, in May, I was assigned to a team tasked to follow up on two prominent discrepancy cases. One of the cases involved an American and an Australian, both civilians, who were taken prisoners by Pathet Lao forces in September 1974. The other case involved an Air America employee who was held prisoner by the Pathet Lao for 3 years before he and 6 other prisoners escaped in 1966.

Unfortunately, due to bad weather, which resulted in our Lao counterparts' inability to coordinate our visit with local officials, we were unable to investigate these cases. Instead, our activities were limited to crash site surveys and gravesite excavations. We are working with the Lao to investigate these cases as soon as possible.

In September, I led yet another team to southern Laos to conduct investigations into cases relating to missing Americans alleged to be associated with several photographs. Lao officials, during an